



Northern Ireland Assembly Members Pension Scheme

Privacy Notice

Introduction

The Trustees of the Northern Ireland Assembly Members Pension Scheme (the “Trustees”) take your privacy seriously. This Privacy notice explains our approach to data protection and describes how we will use any personal data you provide to us, or that we collect from you, and what your rights are in respect of that data.

Why are you processing my personal data?

The Trustees are responsible for ensuring that the Scheme is administered and benefits are paid in accordance with the Scheme’s Rules. The Trustees need personal data about you to run the Scheme and pay benefits.

Similarly, other parties involved in running the Scheme will sometimes need to make decisions jointly with the Trustees about how your personal details will be used for those purposes. These other parties (our “Trustee Advisers”) include the Scheme Actuary (currently the Government Actuary’s Department).

For the purposes of the Data Protection Act and the General Data Protection Regulation (GDPR) the Trustees and the Trustee Advisers are “joint data controllers” in respect of the personal data we have about you and what your rights are in relation to it.

In this notice, you will see information about what the Trustees do with your personal data, and also what the Trustee Advisers do with it. We describe who to contact if you wish to exercise your rights under data protection laws in relation to the joint use we make of your information.

Except where we say otherwise, “we” means both the Trustees and the Trustee Advisers where they are acting as joint data controllers in relation to your personal data.

The Trustees are registered with the Information Commissioners Office. The entry can be viewed [here](#).

What is the lawful basis for processing my personal data?

The Trustees rely on several lawful reasons for processing data, depending on what we are doing. These include:

- our legal obligation to provide benefits in accordance with the Scheme Rules, governing documentation and legislation,
- our legitimate interest in ensuring that the Scheme is administered properly, and
- in limited circumstances, consent to process your data.

(See “*What will you do with my personal data?*” below for further information.)

What categories of personal data are you processing?

The Trustees process personal data and special category personal data.

Personal data means any information relating to an identifiable person who can be directly or indirectly identified.

Special category personal data is personal data which the GDPR says is more sensitive, and so needs more protection. This includes (among others) information about your health, sexual orientation or your politics. The Trustees may sometimes need this information about you where it is relevant to, for example, the early payment of benefits from the Scheme, or details about personal relationships to determine who should receive benefits on your death. The Trustees might also, very rarely, have information about criminal convictions and offences, but only where it is relevant to the payment of Scheme benefits.

Where do you get my personal data from?

You may give the Trustees information about yourself by filling in forms, or corresponding with us by phone, e-mail or otherwise. The personal data and special category personal data you provide may include:

- Your contact details, date of birth, gender, marital status
- Information about your family and dependents
- Health details and medical reports
- Financial information (eg national insurance numbers, tax codes) and bank details
- Details of your employment (employers, periods of employment, salary from time to time)
- Details of any divorce settlement payable from the Scheme

The Trustees also receive personal data and special category personal data about you from the NI Assembly Commission. This information may include:

- Your contact details, date of birth, gender, marital status
- Political party membership
- Service and financial information (such as salary)

Sometimes the Trustees get information from other sources: for example, from another scheme if you have transferred benefits from that scheme; from government departments (such as HMRC and the Department for Communities); and from publicly accessible sources (eg the electoral roll) if we have lost touch with you and are trying to find you.

If the Trustees ask you for other information in the future (for example, about your health), they will explain whether you have a choice about providing it and the consequences for you if you do not do so.

What will you do with my personal data?

The Trustees must by law provide benefits in accordance with the Scheme's governing documentation and must also meet other legal requirements in relation to the running of the Scheme.

The Trustees will use your personal data to comply with these legal obligations, to establish and defend their legal rights, and to prevent and detect crimes such as fraud. The Trustees may need to share your personal data with other people for this reason, such as courts and law enforcement agencies.

The Trustees also have a legitimate interest in properly administering the pension scheme. This includes: paying benefits as they fall due, purchasing insurance contracts, communicating with you, ensuring that the correct levels of contributions are paid, benefits are correctly calculated and the expected standards of Scheme governance are met (including standards set out in Pensions Regulator guidance).

In order to achieve this, the Trustees may share your personal data with various people. (For further information, please see paragraph "*Do you share my personal data with anyone else?*" below.)

The Trustees will not share any of the information you provide with any third parties for marketing purposes. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format.

When the Trustees need to use information about your health (or other very personal data), they may ask for your consent. However, sometimes there may be reasons of public interest or law which enable the Trustees to use this information without consent, and they will do so where that is necessary to run the Scheme in a sensible way. You can withdraw your consent at any time by contacting the Trustees using the contact details given below. This may restrict what the Trustees can do for you, unless they have another lawful reason for using your information.

The NI Assembly Commission is responsible for managing and administering the Scheme. In order to do so effectively it must use your personal data, some of which is held on the Assembly Commission's HR and Payroll system. While ensuring that the Scheme is properly managed and administered is in the best interests of its members and beneficiaries, it is also in the public interest. In addition, the NI Assembly Commission may need to contact you about your benefits under the Scheme, and any additional options which may be available to you in relation to those benefits. In such circumstances, the Trustees may share your personal data with staff of the NI Assembly Commission (e.g. the Assembly Commissions Corporate Services Directorate) so that they can contact you for that purpose. The Privacy Notice for Members can be viewed on the Assembly website.

Some of your personal data will be held on i-Trent which is an internally used HR and Payroll system, provided by Midland HR. Their Privacy Notice can be viewed [here](#).

Government Actuary's Department

The Scheme Actuary is appointed by the Trustees to value the Scheme benefits and carry out other calculations in relation to your Scheme benefits. He will use your personal information for this purpose and has a legitimate interest in doing so. The Scheme Actuary will also use your personal information to comply with his own legal obligations, and may need to share your details with other people for legal reasons, such as courts and law enforcement agencies. He may also share it with his own professional advisers, auditors and insurers, IT and data storage providers and other service providers.

Your information may occasionally be used by the Trustees and the Scheme Actuary for statistical research, but only in a form that no longer identifies you. In some circumstances the Scheme Actuary may also be able to fulfil the purpose mentioned above using information which the Trustees have anonymised before sharing with him.

How do you protect my personal data?

The Trustees take the security of your data seriously. They have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by our employees in the performance of their duties.

Where the Trustees engage third parties to process personal data on their behalf, they do so on the basis of written agreement which imposes a duty of confidentiality on the third party, and requires that the third party implements appropriate technical and organisational measures to ensure the security of data and to comply with general principles in relation to data protection.

Do you share my personal data with anyone else?

The Trustees may share or disclose your information to third parties in order to administer the Scheme and comply with legal and contractual obligations relating to it. Those third parties may include:

- staff of the Assembly Commission's Corporate Services Directorate;
- the Scheme's Administrators;
- the Scheme's AVC service provider;
- the Trustee's legal adviser;
- the Scheme's auditors;
- the Scheme's medical adviser;
- the Scheme Actuary;
- the Pensions Regulator and / or other regulatory or governing bodies for the purpose of compliance monitoring;
- any third party as required in response to a court order or in response to a law enforcement agency request;
- any third party where you have given your consent (eg scheme transfers);
- any third party responsible for auditing or administering public funds in order to prevent and detect fraud. Further information on the National Fraud Initiative can be found [here](#); and
- IT service providers.

How do I contact the people who receive my personal data from you?

Some of the people mentioned above just use your personal data in the way we tell them. However, others may make their own decisions about the way they use this information to provide their services, perform their functions, or comply with their regulatory requirements. In such a case, they have responsibilities as data controllers in their own right. This means that they are subject to the same legal obligations as us in relation to your information, and the rights you have in relation to your information apply to them, too.

If you want any more information from any of the people who receive your personal data from the Trustees, or to exercise any rights in relation to the information they hold, please contact us and we will put you in touch with them. Our contact details are set out below.

Do you transfer my personal data to other countries?

The data that we collect from you will be stored and processed within the United Kingdom and Europe.

If we transfer, store, or process your personal data at a destination outside the European Economic Area (EEA), we will take reasonable steps to ensure that your information is treated securely and in accordance with this Privacy Notice.

How long do you keep my personal data?

The Trustees will retain and process some of your personal data for as long as necessary to comply with their legal obligations in relation to the Scheme and pay any benefits due to or in respect of you.

The Trustees keep your information for long enough to ensure that, if a query arises in the future about your benefits, they have enough information to deal with it where they have a legal obligation to do so. To meet this aim, the majority of your personal data will be kept for a period of 75 years from the end of the Scheme year in which the last payment from the Scheme is made to or in respect of you.

However, some information may be kept for a longer or shorter period depending on how long the Trustees sensibly think they need it to deal with queries, complaints and their legal obligations mentioned above. Your personal data will be kept and disposed of in accordance with the [Retention and Disposal Schedule](#).

What rights do I have?

You have rights in relation to the personal information we have about you. From 25 May 2018, you have the right to:

- request to have your personal information corrected if it is inaccurate, and completed if it is incomplete
- in particular circumstances, request erasure of personal data we hold about you
- in particular circumstances, request restriction of processing of such information
- object to the processing of such information
- request a copy of such information in a portable format
- request access and obtain information about how we process it

- not be subject to automated decision-making including profiling where it produces legal or other significant effects on you.

You can exercise all of these rights free of charge, except in some very limited circumstances, and the Trustees will explain these to you where they are relevant.

The Trustees have agreed with the Trustee Advisers that the Trustees will be responsible for dealing with requests from you in respect of your rights if those requests relate to the joint use of your personal data described in this notice. This means if you wish to exercise rights against the Trustees and the Trustee Advisers for what they do jointly with your personal information, you should contact the Trustees using the details below.

How do I complain if I am not happy?

If you have queries about any aspect of this privacy notice, what we do with your information and what your rights are, please contact the Trustees.

If you are not happy about the way we handle your personal data, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline: 0303 123 1113

Website: www.ico.org.uk/concerns

Email: casework@ico.org.uk

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated in May 2018.

Contact the Trustees

You can e-mail the Trustees at pensions@niassembly.gov.uk

Or write to:

The Trustees of the Assembly Members Pension Scheme (Northern Ireland)
NI Assembly
Pensions Team
Parliament Buildings
Belfast
BT4 3XX