

Privacy Notice

Clara Pension Trust

Clara Trustees Limited ("the Trustee") holds and processes personal data about members and beneficiaries of the Clara Pension Trust ("the Scheme") in order to run the Scheme and to pay benefits. In doing so, we comply with relevant data protection legislation.

What we do with your data

As a controller, the Trustee collects and processes your personal data for the purposes of complying with its legal duties to administer the Scheme (including ensuring that correct levels of contributions are paid, benefits are correctly calculated and the expected standards of Scheme governance are met) and to pay benefits, and for other legitimate purposes relating to the operation of the Scheme e.g. such as carrying out its duties as Trustee in relation to the funding and investment of the Scheme, joining into pensions dashboards, and (ahead of that) testing data and getting ready for pensions dashboard compliance. When the Trustee relies on legitimate purposes for processing your personal data the Trustee would generally balance and assess whether your own interests, rights and freedoms under data protection legislation override our legitimate purposes. The Trustee will also use your personal data to establish and defend its legal rights and to prevent and detect crimes such as fraud.

We hold and process data that has been provided by members themselves but also data provided by or on behalf of the trustees and/or sponsoring employer of the pension scheme of which you were a member prior to the transfer of the scheme to the Clara Pension Trust, as well as by Clara-Pensions Group Limited, Clara-Pensions Limited and their associated group companies (and the subsidiaries and parent companies of these associated companies) (together referred to as the "Clara Group" in this notice), from publicly accessible sources (e.g. the electoral roll), HMRC, the DWP and regulatory bodies and by tracing organisations. We also receive information from members about their proposed beneficiaries, who may be eligible to receive benefits on the member's death. If you decide to tell those individuals that you have named them for this purpose, please share this privacy notice with them (you need not do this if you tell us their name in confidence). We will not provide a copy of this notice to those individuals as to do so is likely to seriously impair our ability to properly pay the benefits due under the scheme (until such time as we write to them to explain about their entitlement after your death, if we decide they do have an entitlement, which is entirely at our discretion). Some of your personal data may also be collected indirectly through the pensions dashboards ecosystem (including the identity service, the pension finder service, the consent and authorisation service). Where we obtain personal data from the dashboards ecosystem, or during the process of matching members with their Scheme benefits for dashboards purposes, we will retain that data so that we can demonstrate how and why we concluded that the person is a member entitled to receive information about their benefits through the dashboards, and to help us administer the Scheme.

The data we hold is to assist the Trustee to calculate and pay the benefits the members are entitled to, and this includes your name and previous names, address, salary, years of service with the scheme, date of birth, NI number and contact details (including your telephone number and email address if you provide it),

bank account information where benefits are in payment), the electronic “pension identifiers” for pension dashboards (explained below), details of your employer, whether you are married or in a civil partnership and other information we might need to pay benefits due on your death, and any information you have provided about who you would like to receive any benefits due on your death (this could be your spouse or partner, child or other dependent, and it could include birth/adoption details of children, marriage certificate details). If your benefits from the Scheme form part of a divorce settlement we will have details of that settlement. We will know your sex/gender if you provide this detail and we'll only use it to understand how long you are likely to receive your pension for and as part of your address detail e.g. 'Mr, Mrs., Ms....'.

We also hold some special categories or “sensitive” data about individuals for the purposes of administering the Scheme (for example in relation to ill-health or death benefits). We might also, very rarely, have information about criminal convictions and offences where it is relevant to the payment of Scheme benefits (sometimes there will be forfeiture of benefits when a Member or Beneficiary has committed a crime). We will in most circumstances process this data as necessary for the establishment, exercise, or defence of legal claims to benefits or in the performance of our legal obligations in connection with employment, social security and social protection (as allowed by legislation). The Trustee will sometimes need to use this data where there is a reason of substantial public interest relating to occupational pensions, preventing fraud or preventing or detecting unlawful acts. If there are any occasions where we seek your explicit consent to process sensitive data, then you can withdraw it at any time by using the contact details below.

Pensions Dashboards

The government has created a framework for pensions dashboards, designed to help people access information about their pensions online in one place. As part of this, we are required by law to match certain members (who search on dashboards) with their pensions under the Scheme. We must also provide certain pensions information to the dashboards ecosystem (including the identity service, the pension finder service, the consent and authorisation service) so that it can be displayed when certain members ask to see it on a dashboard.

These activities may involve sharing member data with entities within the dashboards ecosystem, non-commercial dashboards and commercial dashboards and with the provider(s)/the integrated service provider(s) – as relevant, and the Scheme administrator who we appoint to help us in connecting to dashboards, matching people with their pensions and complying with our other dashboards duties.

As part of these dashboards duties, we may also need to report information (which could potentially include personal data) to other bodies including the Money and Pensions Service, the Pensions Regulator and the Financial Conduct Authority (as relevant).

Who else processes your data?

We share your personal data with certain third parties involved in running the Scheme, for example, the Scheme Administrators, the Scheme Actuary, auditors, insurance providers, regulatory bodies such as HMRC or the DWP, IT and data storage providers, tracing organisations, integrated service providers (if relevant to pensions dashboard compliance, as described above), pensions dashboards ecosystem (as described above), non-commercial dashboards and commercial dashboards and/or the Clara Group. The particular Section you're in might mean there's sharing of your data with some extra recipients and if that's the case you'll be provided with a short supplementary privacy statement to sit alongside this one.

In some circumstances we are joint controllers with Calum Cooper as the Scheme Actuary, the legal advisers Eversheds Sutherland LLP and CMS Cameron McKenna Nabarro Olswang LLP (who will each process personal data to comply with their professional duties as advisers to the Trustee and Clara-Pensions Group Limited), Clara-Pensions Group Limited and Clara-Pensions Limited. Clara-Pensions Group Limited holds personal data to comply with its legal obligations as the principal employer of the Scheme. It and the wider Clara Group has a legitimate interest in the Scheme being run in a cost-effective way and may have an interest in offering certain options to members. The Trustee will share information with the Clara Group and its auditors and advisers for this purpose. Clara-Pensions Limited also provides certain administration and pension management services for the Trustee and the Trustee will share information with Clara-Pensions Limited to enable the provision of these services.

Pensions dashboards regulations impose a legal obligation on us to match certain members with their pensions and provide information on their pension benefits. Testing data and getting ready for pensions dashboards compliance can also be part of our legal obligations. If we use any personal information for testing and in preparations for pensions dashboards compliance that is part of our legitimate interests and it may also be necessary for compliance with our legal obligations (because we can't connect to the dashboards otherwise). Using personal information to comply with the dashboards regulations (including for the matching and checking for pensions described above) is necessary for compliance with our legal obligations.

Some of the recipients we share your personal data with may process it overseas. Some countries already provide adequate legal protection for it, but in other countries, additional steps will need to be taken to protect it. This is called a 'restricted transfer'. Safeguards and transfer mechanisms include contracts such as 'standard contractual clauses' and UK approved equivalents. Generally speaking, transfers from the UK to the EU or elsewhere in the European Economic Area are not 'restricted transfers'. If this changes the Trustee will update this part of our privacy notice. Clara-Pensions Limited, the Scheme Administrators and other advisers will from time-to-time transfer data to other countries, including outside the UK, the EU and wider European Economic Area. Where such transfers are made, the parties involved will ensure adequate safeguards are in place. You can contact the Trustee (please see contact details below) for more information about safeguards and transfer mechanisms being used including to ask for copies of them.

Storage of your personal data

We need to keep some of your personal data long enough to make sure that we can satisfy our legal obligations in relation to the Scheme (including if your data originated from the pensions dashboard ecosystem and if you were matched up with the Scheme through that) and pay any benefits due to or in respect of you. If we find a match when a find request for a pension comes to us through the dashboards system, we will keep the data for our normal retention periods (as described below).

We will keep this information long enough to ensure that, if a query arises in the future about your benefits, we have enough information to deal with it where we have a legal obligation to do so.

Pension benefits are paid over a long period and your right to benefits under the Scheme is based on information which may go back many years. Our policy is therefore to retain information relating to you until your membership of the Scheme ends.

The Trustee will keep Scheme Personal Data (including Special Categories Data and data relating to criminal convictions) for as long as necessary to ensure the Scheme pays the correct benefits and to deal with any queries relating to the member's benefits which may arise after that member's benefits are settled. This means that Scheme Personal Data may be held for up to 75 years after membership ends – which means when the member dies or transfers their benefits out of the Scheme to another scheme.

The Scheme Administrators will hold on to your personal data for 6 years after the termination of the contract with us. This is to protect themselves against any subsequent legal claims.

Data from the pensions dashboards ecosystem is kept for the life of the member record, if we do find a match (i.e. if you are a member of the Scheme).

If we find a potential match, we will keep the data from the dashboard for a limited period of time to determine whether there's a match or not. It will then be deleted if there is no match, or kept for the life of the member record if we do find a match.

Your rights

You have the right to access your personal data and, require that we rectify any errors in the data that we hold, or request that we erase your personal data. In some circumstances, you can also require that we restrict the way we process your personal data, object to its processing or request a copy of your personal data for the purposes of transmitting elsewhere. You also have the right to make a complaint to us if you think there has been an infringement of data protection laws. Where we have requested and obtained your consent to process particular information, you may withdraw that consent at any time. However, if we do not hold all the data we need to administer your benefits, we may not be able to pay out the benefits you are entitled to.

Contact details

If you have any questions about this, please contact your Scheme Administrator. You can find the contact details at <https://clara-pensions.com/members>

What if you have a complaint?

To make a complaint about how we've handled your information, contact us as set out above.

If you're not satisfied with our response to your complaint or believe our processing of your information does not comply with data protection law, you can make a complaint to the Information Commissioner's Office. Its contact details are:

Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone number: 0303 123 1113 or 01625 545 700

www.ico.org.uk/concerns

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