



The Institute of Chartered Accountants' Staff Pensions Fund Privacy Notice

LAST UPDATED 30/07/2021

This notice (referred to as this “**privacy notice**”) explains what Personal Data F.C.A. Ltd, the trustee of the Institute of Chartered Accountants Staff Pensions Fund (“**scheme**”) holds about members and beneficiaries of the scheme (“**you**”), how we collect it, and how we use and share Personal Data. Please ensure that you read this privacy notice and any other privacy notices we may provide to you from time to time when we collect or process Personal Data about you while you are a member of the scheme.

This privacy notice will apply to your personal data processed while you are a member of the pension scheme this includes:

- (a) **Employed 2010 members** –members who still work for ICAEW and whose pension is not yet in payment.
- (b) **Pensioners** – members who are being paid a pension, including dependants.
- (c) **Deferred members** – members who have left ICAEW and other participating employers and whose pension is not yet in payment.

1 Who can I contact if I have any questions?

F.C.A. Ltd is the controller for the Personal Data collected from pension scheme members (“**members**”), unless this is stated otherwise. F.C.A. Ltd is registered with the Information Commissioner’s Office (**ICO**) with registration number (Z6672287). In this privacy notice, references to ‘we’, ‘us’ or ‘our’ mean F.C.A. Ltd. You can contact F.C.A. Ltd in a number of ways as follows:

- Email: ICAEWpensions@ICAEW.com
- Post: Metropolitan House, 321 Avebury Boulevard, Milton Keynes MK9 2FZ
- Telephone: 01908 248 330

2 What is Personal Data?

- 2.1 Personal Data is any information which directly or indirectly identifies an individual, for example, your name, address, membership number, NI number, qualifications, date of birth, photos, videos or voice recordings.
- 2.2 Special categories of Personal Data are a set of Personal Data that we are required to look after even more carefully. Special categories of Personal Data include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. In

limited circumstances, we collect special categories of Personal Data about you, for example, if you apply for early retirement on incapacity or ill health grounds.

3 Personal Data we collect about you

3.1 We collect Personal Data about you when you give us Personal Data in direct interactions with us during your time as member of the scheme, for example in correspondence, email correspondence, meetings and telephone calls, and from documentation you provide to us for example your passport or an application form. We also collect Personal Data from other sources as set out below.

Personal Data collected directly from you

Identity Data	Your name, date of birth, images of your passport, birth and marriage certificates.
Contact Data	Your address and contact details, including email address and telephone numbers.
Financial Data	Details of your bank account.
Dependant Data	Details of your dependants including spouse/partner and children, including copies of birth certificates and health information.
Health Data	Information about your health, medical conditions or disabilities.
Data about other pension schemes	Data that you provide us with in relation to other pension schemes that you are a member of, such as transfer details of your previous schemes, details of benefits already in payment.

Personal Data provided by third parties

Employer Data	Data collected from you by your employer when you were contributing to the scheme, for example, the dates you were employed by ICAEW or another participating employer, details of your standard working hours, details of your salary and entitlement to benefits such as pensions and life assurance cover (including details from other employers or providers in relation to pension benefits to which you may be entitled), details of periods of leave taken by you (sickness absence, family leave, unpaid leave).
Government Data	Data collected about you from HMRC or other government bodies including the Department for Work and Pensions, such as tax codes and contracting out information.
Data from other pension schemes	Data collected from other pension schemes that you are a member of when you request us to contact them, such as transfer details of your previous schemes, details of benefits already in payment.

4 What if you do not supply your Personal Data?

4.1 Some of the Personal Data we process is mandatory meaning that if you do not provide it to us, we will be unable to provide you with the benefits you and/or your beneficiaries are entitled to under the scheme. For example, if you don't provide the mandatory Personal Data such as Identity and Contact Data, we will not be able to maintain accurate records or pay you the benefits to which you are entitled.

5 Purposes and legal basis for which we will use your Personal Data

5.1 Processing Personal Data about members allows us to administer and manage the scheme and pay benefits to members and beneficiaries. In order to comply with Personal Data protection laws, we need a lawful basis (a reason) to process your Personal Data. We use the following lawful bases to obtain and use your Personal Data:

- (d) **Performance of a Contract** – We need to process your Personal Data to take steps at your request, prior to entering into a contract with you and for the performance of our contract with you as member of the scheme.
- (e) **Legal or Regulatory Obligation** – In some cases, we need to process Personal Data to comply with a legal or regulatory obligation which we are subject to.
- (f) **Legitimate Interest** – Where processing the Personal Data is in our legitimate interests (or those of a third party) provided that your fundamental rights do not override such interests. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process Personal Data for our legitimate interests.

5.2 The table below describes the ways in which we use your Personal Data and the legal bases we rely on to do so. Where appropriate we have also set out our legitimate interests in processing your Personal Data.

Purpose and/or activity	Type of Data	Legal basis for processing
To maintain accurate and up to date membership records for the scheme.	Identity Data Contact Data Financial data	Legal Obligation: to comply with legal requirements applicable to the scheme.
To calculate and pay benefits to members and their dependants.	Identity Data, Employer Data, Dependant Data, Financial Data, Contact Data	Performance of a contract: to comply with requirements applicable to the scheme. Legitimate Interest will be relied upon for dependants where applicable.
To calculate the liabilities of the scheme.	Identity Data, Employer Data, Financial Data	Legal Obligation: to comply with legal requirements applicable to the scheme.
To comply with our reporting obligations under the scheme.	Identity Data, Employer Data, Financial Data, Contact Data	Legal Obligation: to comply with legal requirements applicable to the scheme.
To comply with HMRC requirements and the contracting-out regulations.	Identity Data, Employer Data, Financial data	Legal Obligation: to comply with legal requirements applicable to the scheme.

To respond to complaints and defend legal claims.	Identity data, Employer data, Contact Data, Financial Data, Health Data	Legal obligation: to comply with legal requirements applicable to the scheme, under the Pensions Act 1995.
Monitoring Personal Data for the purposes of administering the scheme.	Identity Data, Employer Data, Financial Data, Contact Data	Legitimate Interest: to administer the scheme and provide benefits to members and their dependants. Legal Obligation: to comply with legal requirements applicable to the scheme.
Assessing and monitoring applications for early retirement due to ill health.	Health Data	Consent: we will ask for your explicit consent to collect your health data.
Sharing Personal Data with third parties other than for purposes related to the scheme.	Contact Data	Consent: we will ask for your consent before sharing your Personal Data for purposes other than purposes related to the scheme.
Anonymisation of personal data for the onward activities of Management Information and Business Intelligence.	All Personal Data	Legitimate Interest of the Trustees for business improvement and intelligence purposes.

6 For how Long will Personal Data be retained?

6.1 We keep Personal Data that we obtain about you during your time as a scheme member for no longer than is necessary for the purposes for which it is processed. How long we keep your Personal Data will depend on how long you remain a member, the nature of the Personal Data concerned and the purposes for which it is processed. We will dispose of the majority of your personal data 10 years after you are no longer eligible for benefits from the scheme. We will, however, retain limited personal data for the purposes of validating your scheme membership for up to 25 years after the scheme ends.

7 Automated Decision Making

7.1 Automated Decision Making is not used in relation to the Pension Fund.

8 Sharing your Personal Data

- 8.1 F.C.A. Ltd may share your Personal Data with third-party processors who provide services to the organisation. These services include:
- (a) The Institute of Chartered Accountants in England and Wales, (**ICAEW**) who administer the scheme on behalf of F.C.A. Ltd;
 - (b) Professional advisers;
 - (c) Payroll providers;
 - (d) Medical advisers;
 - (e) Pension administration system providers; and
 - (f) Mailing house operating on behalf of F.C.A. Ltd.
- 8.2 We may share your Personal Data with organisations where we have a legal obligation, contract or other legitimate interest to do so, including:
- (a) Legal advisers;
 - (b) Actuarial advisers;
 - (c) Insurers and insurance brokers;
 - (d) Auditors
 - (e) Benefit Providers; and
 - (f) Government bodies such as HMRC and Department of Work and Pensions (DWP).
- 8.3 Your Personal Data may be transferred to other third-party organisations in certain scenarios:
- (a) If we're discussing selling or transferring part or all of our business. Personal Data may be transferred to prospective purchasers under suitable terms as to confidentiality;
 - (b) If we are reorganised or sold, Personal Data may be transferred to a buyer who can continue to provide services to you;
 - (c) If we are required to by law, or under any regulatory code or practice we follow, or if we are asked by any public or regulatory authority, for example the Police, we may need to share your Personal Data; or
 - (d) If we are investigating or defending any legal claims your Personal Data may be transferred as required in connection with defending such investigations and/or claims.

9 Transferring Data Overseas

- 9.1 In some cases, we may need to process Personal Data outside the European Economic Area (**EEA**) and/or United Kingdom (**UK**). Where this is the case, we will only share the minimal amount of Personal Data necessary for the purpose of processing and, where possible, we will share the Personal Data in an anonymised form.
- 9.2 Whenever we transfer your Personal Data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
- (a) we will only transfer your Personal Data to countries that have been deemed to provide an adequate level of protection for Personal Data by the UK Information Commissioner's Office;
 - (b) where we use certain processors, we may use specific contracts approved by the UK Information Commissioner's Office (as applicable) which gives Personal Data the same protection it has within the UK applicable.
- 9.3 When we rely on this measure, we will ensure that the third-party can comply with the provision of such contracts and we have confirmed that the country to which the Personal Data is transferred has adequate data protection laws in place to protect Personal Data. Please contact us at data.protection@icaew.com if you would like further information about the specific mechanism used by us when transferring your Personal Data.

10 How we protect your Personal Data

- 10.1 We have appropriate security measures in place to prevent Personal Data from being accidentally lost or used or accessed in an unauthorised way. We limit access to your Personal Data to those who have a genuine business need to know it. Those processing your Personal Data will do so only in an authorised manner and are subject to a duty of confidentiality.
- 10.2 We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

11 Your Rights

- 11.1 Under data protection law, you have rights including:
- (a) **Your right of access** – You have the right to ask us for copies of your Personal Data.
 - (b) **Your right to rectification** – You have the right to ask us to rectify Personal Data you think is inaccurate. You also have the right to ask us to complete Personal Data you think is incomplete.
 - (c) **Your right to erasure** – You have the right to ask us to erase your Personal Data in certain circumstances.
 - (d) **Your right to restriction of processing** – You have the right to ask us to restrict the processing of your Personal Data in certain circumstances.
 - (e) **Your right to object to processing** – You have the right to object to the processing of your Personal Data in certain circumstances.
 - (f) **Your right to data portability** – You have the right to ask that we transfer the Personal Data you gave us to another organisation, or to you, in certain circumstances.
 - (g) **Rights related to automated decision making, including profiling** – You have the right not to be subjected to a decision based solely on automated processing (including profiling) which may significantly affect you. We do not make any decisions in relation to your pension, solely using automated decision-making technologies.
- 11.2 In most cases we will deal with your request as soon as possible and at the latest within one calendar month of the request. If we need to extend the time period for responding to your request, we will let you know within the one-month period. We do not charge a fee for any such requests unless there are exceptional circumstances.
- 11.3 If you wish to exercise any of your rights, please contact our Data Protection Office via email using data.protection@icaew.com.

12 Complaints

If you have any concerns about the Personal Data we use about you, you have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues, by contacting them at www.ico.org.uk. We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please feel free to contact us in the first instance via email using data.protection@icaew.com.