



Privacy Notice

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Changes to this Privacy Notice

We may change this Privacy Notice and we encourage you to check this Privacy Notice from time to time.

This notice was last updated on 12 November 2021.



Privacy Notice

Introduction

The purpose of this Privacy Notice is to explain how and why JSS collect and use your personal information, your rights regarding this information and how we comply with data protection law.

Research Councils' Pension Scheme arrangements

Joint Superannuation Services (JSS), a unit hosted within UKRI are responsible for the administration of the Research Councils' Pension Scheme (RCPS). This service is carried out on behalf of UKRI and participating employers. A list of employers who participate in the RCPS is provided on the JSS website: <http://jsspensions.nerc.ac.uk> . UKRI is the controller of the personal information JSS process.

If you are an active employee, in employment and contributing to the RCPS, then your employer is also the controller of your personal information, as they collect and process personal information about you and pass it to JSS.

JSS have a liability in respect of the processing of personal data we hold about you and our capacity for the proper handling of matters relating to the RCPS. The administration of the Scheme includes calculation of benefits, collection of contributions from employers, maintenance of member records and payment of benefits. Further information about how we use your personal data is provided below.

What type of information do we collect about you?

JSS is required to collect and process information about its members to manage the administration of their pension benefits. Your personal information will generally be collected directly from your employer or provided by you.

Receiving information from your employer about you

When your employer enrolled you into the RCPS, your personal information was sent to us to set you up as a member of the RCPS.

The following types of personal data we receive from your employer are:

- Your name, date of birth, gender, marital status and National Insurance number.
- Employment information, for example employee number, details of employer, salary details, employment dates, details of service breaks.

While you are an active member your employer will continue to provide us with personal data, including salary information and information relating to change of hours, non-reckonable service and change in salary.



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Receiving information from you

Personal information you will provide directly to us will include changes to address or marital status, Death Benefit Nominee(s), spouse, civil partner or other dependants.)

The following types of personal data which we collect are:

- Bank details, for example so that we can pay pension benefits.
- Contact details, including your address, phone number and email address.
- Whether you are married or in a civil partnership and other information that JSS may need to pay any death benefits concerning you.
- If your benefits from the Scheme form part of a divorce settlement, details of it.
- Dependant's details.
- Death Benefit Nominee details.
- Details of medical/health conditions if you apply to receive benefits on grounds of ill health.
- Legal certificates (for example birth certificates, marriage/civil partnership certificates).

What is our lawful basis for processing personal information?

The lawful basis for processing your information will be for one or more of the following reasons:

- Legal Obligation - where we are required to process your personal data to satisfy legal obligations set out in scheme legislation to provide pensions and benefits to eligible members, as well as complying with other legal requirements affecting the scheme and reporting to regulators such as the Pensions Regulator. Legal or regulatory obligations, including requirements to make any disclosures to authorities, regulators or government bodies (including HMRC).
- Legitimate Interest - we need to process your personal data for the legitimate interests to ensure effective operational management and administration of the scheme and liabilities under it, calculating, securing and paying benefits, ongoing management, communicating with you about the scheme and your entitlements and to enable us to give you the best service.
- Contract - we need to process your personal data to meet our contractual obligations to you in relation to the fund (for example, under an agreement that you will pay additional voluntary contributions to the fund), or to take steps, at your request, before entering into a contract



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Our use of “Special Categories” of personal data

In some circumstances we will need to process “special categories” of personal data, for example if you apply for ill health retirement. Health details are classed as a “special category” of personal information under legislation and you will be asked for your consent in order to be able to process your health details and to share your information with relevant parties, for example the Scheme’s Medical Advisor.

How we use your personal information?

JSS uses your personal information so that it can provide the pension services to members and other stakeholders, fulfilling its legal requirement to provide individuals with the following:

- For administering your pension.
- Pay any benefits due to you or your beneficiaries.
- Information to early leavers and those retiring from the RCPS.
- Information on request relating to transfers to and from the RCPS.
- Annual Benefit Statements.
- Information about pensions in payment.
- If you are an active member, in employment and contributing to a pension scheme, then we need to collect details such as your salary and amount of time worked in order to calculate the level of pension you will receive in the future.
- If you are a deferred member, meaning you were an active employee but have left the scheme but have not retired and taken any benefits from the scheme, then we need to hold your personal details collected during employment, so we can pay your deferred benefits at a later date.
- If you are a pensioner member, you are being paid benefits from the scheme, then we need to hold your personal details in order to pay you your benefits.



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Who do we share your information with?

JSS may share or disclose your information to any of the following recipients as may be necessary to administer the scheme in line with statutory obligations and/ or to comply with legal obligations relating to it. In certain circumstances, these bodies may also be data controllers in their own right.

- Payroll providers.
- Medical Advisers relating to ill health.
- Partnership Pension Account provider (Scottish Widows & Standard Life) to facilitate the creation and maintenance of the members Partnership Pension Account,
- Scheme Additional Voluntary Contribution (AVC) provider (Scottish Widows & Standard Life) to maintain the individuals AVC account.
- If you transfer to another pension scheme, we will need to share your personal information with the relevant pension provider.
- Statutory Bodies such as; The Pensions Regulator, the Pensions Ombudsman, the Department for Work and Pensions and Her Majesty's Revenue and Customs, in accordance with our legal obligations.
- In order to comply with our legal, regulatory and statutory obligations, sometimes we also need to pass your personal information to 3rd parties, such as Her Majesty's Courts, law enforcement agencies, auditors, and our professional advisers such as legal advisors and actuaries.
- Personal data may also be shared with your employer or their advisor but only as required to comply with pension or automatic-enrolment requirements.

JSS uses sub-processors to provide operational, system and infrastructure support to administer your benefits (for example IT providers, postal services, identity checking services, pension tracing, banks).

Partnership Pension Account

JSS will share your information with your chosen Partnership Account provider (Scottish Widows or Standard Life) in order for your Partnership Account to be set up and administered.

The providers of the Partnership arrangements have their own privacy notices for the handling of personal data processed for the Partnership Account:

<https://www.scottishwidows.co.uk/legal-information/legal-and-privacy/>

<https://www.standardlife.co.uk/privacy>



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National Fraud Initiative (NFI)

JSS participate in the Cabinet Office's anti-fraud exercise, known as the National Fraud Initiative. For this initiative, JSS provide personal and financial details of pensioners/preserved members so that they can be compared to information held by the Department for Works and Pensions (DWP) and the Disclosure of Death Registration Information (DDRI).

The purpose of providing this information is to assist in the prevention and detection of fraud, which will ensure, for example, that no pensions are being paid to persons who are deceased or no longer entitled to claim.

The Cabinet Office conducts data matching exercises to assist in the prevention and detection of fraud. Data matching involves comparing computer records held by one body against other computer records held by the same or another body to see how far they match. Computerised data matching allows fraudulent claims and payments to be identified. Where a match is found it may indicate that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

Our participation in NFI is voluntary and we share personal data with the Cabinet Office under our legitimate interest to do so to protect the public funds we administer.

View further information on the Cabinet Office's legal powers and the reasons why it matches particular information here:

<https://www.gov.uk/government/collections/national-fraud-initiative>

Sharing personal information from outside the UK

Personal data will not be transferred outside the UK unless that country or territory can ensure an adequate level of protection for the rights and freedoms of the data subjects in relation to the processing of their personal data.

We will only share your personal information if you were to request in writing for us to pay your pension benefits into a bank account that is outside of the UK.

How long do we keep your personal information for?

JSS will retain information in line with the JSS Data Retention Schedule. This is under regular review and may change, however as pensions are long term, it is normal for us to retain your personal information for a long time, including after your death. This is because benefits may still be payable to others following your death. Personal data will not be retained for any longer than necessary and will be destroyed at the end of the retention period.



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Security and safe storage of your personal information

The security of your personal information is very important to us and we take this matter very seriously. JSS operates a Privacy by Design and default Policy, which means that a structured assessment of personal information risks is conducted at the point that any new or amended processes are considered. This ensures that data protection is built in from the outset of any changes or new initiatives and continually monitored and updated throughout the life cycle of the processing activity.

Your rights in relation to the personal information we hold about you

The UK GDPR provides the following rights for individuals:

The right of access

You are entitled to have access your personal information. A request for your information will be free of charge, with the exception that a reasonable fee can be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive. Any fees charged will be based on the administrative cost of providing the information. Where we have identified that a charge is applicable, we will notify you in advance so that you can decide whether to continue or not.

Where we are unable to comply with your request we will explain the reason why. If you do not agree, you have the right to contact the Information Commissioner's Office (ICO) whereby you have the right to a judicial remedy within one month of the complaint.

Information will be provided within one month of receipt; however we are able to extend this by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

Please contact kim.vellender@jss.ukri.org if you would like access to your personal information. Please be as specific as you can in relation to the personal information you would like to have access to.

The right to rectification (correction of data)

You have a right to have personal information rectified (corrected) if it is inaccurate or incomplete. If you believe any information we hold about you to be incorrect please email jss.members@jss.ukri.org if you are an active member or jss.pensioners@jss.ukri.org if you are a deferred (preserved) or pensioner member and we will amend the information accordingly.



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The right to erasure / right to be forgotten

The right to erasure is a right to request deletion or removal of personal information where there is no compelling reason for its continued processing. In the case of pension information, there are very few circumstances where the right to erasure can apply as the maintenance of your pension information is required in order to pay your benefits either now or in the future.

However, if you consider that JSS are processing your personal data that is no longer necessary for the purpose which we originally collected or processed it for then you can make a request to erase your information by contacting kim.vellender@jss.ukri.org. Requests will be considered on a case-by-case basis.

Please note that, if you have benefits in the scheme either in payment or deferred, we may refuse your request if complying with it would prevent us from fulfilling our function of administering your pension, including paying the benefits that you are entitled to.

The right to restrict processing

You have the right to request that we restrict our processing of your personal information in the following circumstances:

- You contest the accuracy of the personal information we hold;
- The personal information has been unlawfully processed and you oppose erasure and request restriction instead;
- We no longer need the personal information but you require us to keep it in order to establish, exercise or defend a legal claim; or
- You object to our processing your personal data under Article 21(1) of the GDPR, and we are considering whether our legitimate grounds or yours should take priority override those of the individual.

Please note that, where you have requested the restriction of the processing of your personal information, we may be unable to carry out our function of administering your pension, including paying the benefits that you are entitled to.

Where we need to process the personal data for the establishment, exercise or defence of legal claims, we will continue to process your personal information notwithstanding your request.

The right to data portability

Where you have provided your personal information to us in a widely used digital format, you have the right to receive such personal information and to pass it on to another data controller without hindrance from us or to request that we transmit it to another data controller directly.

This right does not apply where the processing is based on a legal obligation or in order to enable us to carry out a task in the public interest, or where the processing is not carried out by automated means.



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The right to object

You have the right to object to the processing of your personal data in certain circumstances, although this right does not apply where your information is being processed to comply with our legal obligation to administer your pension or, in the case of your health details, where your consent has been obtained.

Please note that the JSS do not perform any direct marketing activities and we do not sell or otherwise provide your personal information to any third parties for the purposes of marketing. Your personal information is used solely for the purposes of administering your benefits under the RCPS and to operate the scheme effectively.

Personal Data Breaches

A personal data breach is defined as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal information transmitted, stored or otherwise processed.

All organisations have a duty to report certain types of personal data breach to the relevant supervisory authority (the Information Commissioners Office (ICO) within 72 hours of becoming aware of the breach, where feasible. If the breach is likely to result in a high risk of adversely affecting your individual's rights and freedoms, we must also inform you without undue delay.

We operate robust breach detection, investigation and internal reporting procedures to facilitate decision-making about the need to notify the relevant supervisory authority and you. We maintain a record of any personal data breaches, regardless of whether they were notified to the ICO or to you.

If you believe your personal data has been compromised, then please contact us using the contact details provided below.

Contact us

If you have any concerns relating to the way we handle your personal information then we would like you to raise your concerns with either the JSS Pensions Data Protection Manager or the UKRI Data Protection Officer using the following details:

Kim Vellender -Data Protection Manager (JSS) JSS Pensions Administration Polaris House, North Star Avenue Swindon SN2 1UY Email: kim.vellender@jss.ukri.org	David Hyett - Data Protection Officer (UKRI) Head of Information Governance Polaris House Swindon SN2 1FL Email: dataprotection@ukri.org
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If you think that we haven't dealt with your concerns fully and appropriately, you can contact the ICO to report your concerns. We will work cooperatively with the ICO in order to resolve your concerns. They can be contacted by:

- **Phone on +44 303 123 1113**
- **Post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF;**
- **Their website at <http://www.ico.org.uk/concerns>.**