

Further information in respect of privacy notice - part one

More about how and why we process your personal information

Category of personal information	What we use this information for	Legal ground(s) for processing	Where we got this information from
Address, email address, telephone/ mobile number	We use this information so that we can send you information that we are legally required to provide you with. In addition, we use this information to get in touch with you when we need to in order to run the Plan. Finally, we use it to send you information that we think will be relevant to you as a member of the Plan.	We have a legal obligation to send certain information to members of the Plan. In addition, we may send additional information to fulfil our legitimate interest of running the Plan.	This information is initially provided by you or your employer when you joined the Plan. Your employer may share updated information if you update your records with HR. In addition, you may have updated your information by contacting us or the Plan's administrator. If a member's details are not kept up to date, we may lose contact with that member. In these cases, we may use a third party tracing agent to obtain up to date contact information.
Name, title, date of birth, sex	We use this information to identify you and to create and update your membership record in the Plan.	We have a legal obligation to pay the correct level of benefits to the correct individuals. This requires us to obtain and update this information. We also have a legal obligation to properly identify individuals who receive or may receive benefits from the Plan. The Trustee is also required to comply with tax legislation and deduct the correct level of tax from benefits. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	This information provided by you or your employer when you joined the Plan.
Marital status, dependents, next of kin	We use this information to help us decide who should receive what benefits from the Plan.	We have a legal obligation to pay the correct level of benefits to the correct individuals. This requires us to obtain	This information is usually provided by you. In certain circumstances, we may also need to obtain information from relevant third parties.

		and update this information. We also have a legal obligation to properly identify individuals who receive or may receive benefits from the Plan. The Trustee is also required to comply with tax legislation and deduct the correct level of tax from benefits. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	
National Insurance number, employment start and end dates, payroll number, Plan reference number	We use this information to identify you and to create and update your membership record in the Plan. Your National Insurance number is also needed so that we can receive the correct information from HMRC and so that we can deduct the correct level of tax from your benefits.	We have a legal obligation to pay the correct level of benefits to the correct individuals. This requires us to obtain and update this information. We also have a legal obligation to properly identify individuals who receive or may receive benefits from the Plan. The Trustee is also required to comply with tax legislation and deduct the correct level of tax from benefits. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	This information is initially provided by your employer when you joined the Plan. Your employer may share updated information if you update your records with HR. In addition, you may have updated your information by contacting us or the Plan's administrator
Bank account details	We use this information in order to pay your benefits under the Plan directly to you.	We have a legal obligation to pay your benefits to you. This requires us to obtain and update this information. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	Your bank details provided by you when you fill in your membership form and when you update your details.
Tax status	We use this information to deduct the correct level of tax from your benefits.	We have a legal obligation to comply with tax legislation and deduct the correct level of tax from benefits.	Your tax status is provided to us by your Plan employer and/or HMRC.

		Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	
Salary details	We use this information to calculate the correct level of your benefits under the Plan.	We have a legal obligation to pay the correct level of benefits. This requires us to obtain and update this information. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	Your salary details are provided to us by your Plan employer.
Details about your entitlement to pension benefits under the Plan	We use this information to calculate the correct level of your benefits under the Plan.	We have a legal obligation to pay the correct level of benefits to the correct individuals. This requires us to obtain and update this information. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	Details about your entitlement to pension benefits under the Plan may be provided by your employer or may be determined by reference to the Plan's governing documentation. In addition, the Plan's actuary and administrators will carry out calculations, the results of which will be added to your record.
Investment choices	We use this information to ensure that your additional voluntary contributions and/or money purchase benefits are invested in the correct investment plan.	We have a legal obligation to ensure that the Plan is run properly and in line with its governing documents. There is also specific legislation that governs payment of contributions into money purchase investment plans.	We (or our third party providers) give you information about the investment options that are available to you. You then provide us with your choices and any changes to your investment choices.
Death benefit nomination forms	We use this information as part of our decision making process when deciding who will receive death benefits.	As the Trustee of the Plan, we have a legal obligation to make decisions in line with trust law. This includes an obligation to take account of all the relevant facts and ignore all the irrelevant facts when making decisions and exercising discretions. We also have a legal obligation to pay the correct level of benefits	You provide us with the information that is contained on our death benefit nomination forms.

		to the right individuals at the right time.	
Medical information (including medical records and doctors' opinions)	We use this information as part of our decision making process when deciding ill health benefits under the Plan.	If you apply for payment of your benefits on the grounds of ill health, we will need your explicit consent in order to be able to process your medical information. You will be asked for your consent to sharing the information with relevant parties.	Medical information relating to you may be provided directly by you, by the Plan employer, your doctor or by a third party providing health assessments / reports.
Information about your personal relationships	This information is used to determine who is entitled to benefits in relation to your membership of the Plan.	We have a legal obligation to pay benefits to the correct individuals. This requires us to obtain and update this information. We also have a legal obligation to properly identify individuals who receive or may receive benefits from the Plan. Processing this information also fulfils the Trustee's legitimate interests in running and managing the Plan.	This information is usually provided by you. In certain circumstances, we may also need to obtain information from relevant third parties.
Certified copies of official documents, including: passport; driving license; birth certificate; marriage certificate death certificate; and decrees nisi / absolute.	This information is used to: <ul style="list-style-type: none"> <li>• identify you;</li> <li>• determine the status of your relationship;</li> <li>• determine who may be entitled to benefits under the Plan; and</li> <li>• trigger certain processes in respect of your benefits under the Plan (e.g. payment of death benefits or splitting of benefits in</li> </ul>	As the Trustee of the Plan, we have a legal obligation to make decisions in line with trust law. This includes an obligation to take account of all the relevant facts and ignore all the irrelevant facts when making decisions and exercising discretions. We also have a legal obligation to pay the correct level of benefits to the right individuals at the right time. Certified copies of official documentation are sometimes essential for the Trustee to make legally valid decisions.	This information is usually provided directly by you or from your next of kin. In more unusual cases (e.g. when we are having difficulty locating a member or identifying their next of kin) publicly available official documentation may be obtained by a third party tracing agent.

	cases of divorce).		
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## Further information - part two

### More about your rights under the UK GDPR

As a data subject, you have a range of rights under the Data Protection Legislation. These rights are explained in more detail below. If you have any comments, concerns or complaints about our use of your personal information, please contact us directly.

You can email or write to us at:

pensions@mbplc.com or The Pensions Department, Mitchells & Butlers plc, 27 Fleet Street, Birmingham B3 1JP

Alternatively, you can call the Pensions Department on 0121 498 5767

#### Right to object to our processing of your personal information

You may object to us processing your personal information where we are relying on a legitimate interest as our legal grounds for processing. Our legal grounds for processing are set out in section one of the privacy notice and part one of this Further Information document.

If you have the right to object to processing (i.e. for personal information that we process in order to fulfil our legitimate interests or the legitimate interests of a third party) and you exercise this right, we will no longer be able to process your personal information unless we can demonstrate compelling grounds for continuing to do so. We believe we have demonstrated compelling grounds as set out in section one of the privacy notice and in part one of this further information document.

The key point to note is that, if we cannot continue to process your personal information, we would be unable to ensure that we are providing the correct level of benefits in respect of your membership of the Plan. As we are legally required to pay the correct level of benefits to the right people at the right time, in these circumstances we may have to delay or even stop payments / requests until we have sufficient information.

#### Right to access personal data relating to you

You can ask us to confirm whether we are processing your personal information. If we are, you may ask us to provide the following:

- a copy of your personal information (please note that, if you want more than one copy of your personal information, we reserve the right to charge a reasonable fee based on our administrative costs for the provision of such further copies);
- details of the purpose for which your personal information is being, or is to be, processed;
- details of the recipients or classes of recipients to whom your personal information is, or might be, disclosed, including, if the recipient is based in a country outside of the European Union, what protections are in place in relation to the transfer to that recipient;
- the period for which your personal information is held (or the criteria we use to determine how long it is held);
- any information available about where we obtained your personal information; and
- confirmation as to whether we carry out any automated decision-making (including profiling) and, where we do, information about the logic involved and the envisaged outcome or consequences of that decision or profiling.

Requests for your personal information must be made to us in writing (see 'How can you contact us?' above). A copy of your request will be kept on your membership record. To help us find the information easily, please give us as much information as possible about the type of information you would like to see.

If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person if possible.

There are certain types of information which we are not obliged to disclose to you, which include personal information which records our intentions in relation to any negotiations with you where disclosure would be likely to prejudice those negotiations.

### **Right to correct any mistakes in your information**

You can require us to correct any mistakes (including adding missing information) in any of the personal information concerning you which we hold. Please contact us using the contact details set out at the beginning of this section.

### **Rights in relation to automated decision making/profiling**

The Trustee does not use automated decision making or profiling.

Automated decision making occurs when decisions are taken solely on automated processes. Under the Data Protection Legislation, you have the right to ask that, if you are being evaluated (for example, when a bank carried out credit checks before making decisions on issuing loans or credit cards), any decisions are not solely based on automated processes and to have any decision reviewed by a member of staff.

These rights will not apply in all circumstances, for example where the decision is authorised or required by law and steps have been taken to safeguard your interests.

### **Right to request that we restrict the processing of your personal information**

You may request that we restrict the processing of your personal information in any of the following circumstances:

- where you do not think that your personal information is accurate. In this case, we will start processing again once we have checked whether or not your personal information is accurate;
- where the processing is unlawful, but you do not want us to erase your information;
- where we no longer need the personal information for the purposes of our processing, but you need the information to establish, exercise or defend legal claims; or
- where you have objected to processing because you believe that your interests should override our legitimate interests. In this case, we will start processing again once we have checked whether or not our legitimate interests override your interests.

If our processing is restricted in any of the circumstances described above, we will inform you in advance if that restriction is to be lifted.

### **Right to request that we delete your personal information**

You can ask us to delete your personal information where your personal information is being processed on a legal ground other than for complying with a legal obligation and:

- you believe that we no longer need to process it for the purposes set out in this privacy notice;
- you had given us consent to process it, but you withdraw that consent and there is no other legal ground upon which we can process it;
- you have successfully objected to our processing it; or

- it has been processed unlawfully or has not been erased when it should have been.

### Right to request transfer of your personal information

You may, in specified circumstances, ask a data controller to provide you with an electronic copy of personal information that you have provided to it, or to have such a copy transmitted directly to another data controller.

Those circumstances do not, however, generally apply in relation our processing of your personal information in connection with the Plan. This is because:

- our legal grounds for processing will not normally be that you have consented to the processing; and
- we do not carry out processing by automated means.

### Right to withdraw consent

We usually only request your consent when we ask you for sensitive personal data. You have the right to withdraw any consent you have given us at any point. Withdrawing consent will not affect the lawfulness of any prior processing based on consent.

However, as highlighted above, the Trustee only requests sensitive personal data that is required to make decisions in respect of specific member benefits or complaints. If you withdraw your consent for us to process this information, we may have to delay or even stop payments / requests until we have sufficient information.

### What will happen if your rights are breached?

You may be entitled to compensation for damage caused by breach of the Data Protection Legislation. If you do not think that we have processed your information in accordance with this notice, please contact us in the first instance.

If you are not satisfied, you can complain to the Information Commissioner's Office. Information about how to do this is available on their website at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) or by calling their helpline on 0303 123 1113.

## Further information - part three

### Third parties and transfers

For the purposes of administering the Plan and paying benefits under them, the Trustee may need to share your personal information with certain third parties. This section lists the key third party service providers with whom we share your personal information.

#### Suppliers to the Plan:

Role	Third party	Other information (if applicable)
Actuary	XPS Pensions	Please refer to <a href="https://www.xpsgroup.com/legal-regulatory/privacy-policy/">https://www.xpsgroup.com/legal-regulatory/privacy-policy/</a> for information on how XPS uses personal data when it provides actuarial services to UK pension scheme trustees. in certain circumstances the Actuary will also be 'data controllers'.
Administrator	Legal & General (DC Section) XPS Administration	<a href="https://www.legalandgeneral.com/privacy-policy/">https://www.legalandgeneral.com/privacy-policy/</a> <a href="https://www.xpsgroup.com/legal-regulatory/privacy-policy/">https://www.xpsgroup.com/legal-regulatory/privacy-policy/</a>

	(DB Section)	
Legal advisers	Gowling WLG	<a href="https://gowlingwlg.com/en/privacy-statement">https://gowlingwlg.com/en/privacy-statement</a>
Sponsoring Employer	Mitchells & Butlers plc	<a href="https://www.mbplc.com/privacy/">https://www.mbplc.com/privacy/</a>
Auditor	Crowe	<a href="https://www.crowe.com/uk/privacy-policy">https://www.crowe.com/uk/privacy-policy</a>
DC Section Advisers	Barnett Waddingham	<a href="https://www.barnett-waddingham.co.uk/privacy-policy/">https://www.barnett-waddingham.co.uk/privacy-policy/</a>
AVC Providers	Prudential Standard Life Utmost	<a href="https://www.pru.co.uk/privacy-security/">https://www.pru.co.uk/privacy-security/</a> <a href="https://www.standardlife.co.uk/privacy">https://www.standardlife.co.uk/privacy</a> <a href="https://www.utmost.co.uk/privacy-notice/">https://www.utmost.co.uk/privacy-notice/</a>
Professional Trustees	AAA Trustee Ltd 20-20 Trustee Services Law Debenture	<a href="http://trustee.uk.com">http://trustee.uk.com</a> <a href="https://2020trustees.co.uk/privacy-policy/">https://2020trustees.co.uk/privacy-policy/</a> <a href="https://www.lawdebenture.com/privacy-policy/">https://www.lawdebenture.com/privacy-policy/</a>
Scheme Secretarial support	XPS Pensions	<a href="https://www.xpsgroup.com/legal-regulatory/privacy-policy/">https://www.xpsgroup.com/legal-regulatory/privacy-policy/</a>
Email	Microsoft Outlook	<a href="https://privacy.microsoft.com/en-gb/privacystatement">https://privacy.microsoft.com/en-gb/privacystatement</a>
Member Communications and mailings	Wordshop	<a href="https://www.wordshop.co.uk/wp-content/uploads/2022/03/Data-protection-policy-v2.pdf">https://www.wordshop.co.uk/wp-content/uploads/2022/03/Data-protection-policy-v2.pdf</a>
Website and Portal for secure document transfer	Wordshop	<a href="https://www.wordshop.co.uk/wp-content/uploads/2022/03/Data-protection-policy-v2.pdf">https://www.wordshop.co.uk/wp-content/uploads/2022/03/Data-protection-policy-v2.pdf</a>
IT Support	Mitchells & Butlers plc	<a href="https://www.mbplc.com/privacy/">https://www.mbplc.com/privacy/</a>
Data Cleansing	Accurate Data Services	<a href="https://accuratedata.co.uk/wp/privacy-policy/">https://accuratedata.co.uk/wp/privacy-policy/</a>
Mortality Assessment Consultants	Club Vita	<a href="https://www.clubvita.net/uk/privacy-policy">https://www.clubvita.net/uk/privacy-policy</a>

## Transfers of your personal information out of the EU

Your information may be transferred out of the European Union. Our service providers have confirmed that they either:

- do not transfer the Plan's data outside of the European Union; or



- do or may transfer the Plan's data outside of the European Union, but only when certain protections that are approved by the European Commission are applied. These protections aim to ensure the security of your personal information, safeguard your privacy rights and give you remedies in the unlikely event of a security breach or to any other similar approved mechanisms.

## Further information - part four

### Key terms and phrases

**Data controller** means the natural or legal person or other body who, alone or jointly with others, determines the purposes and means of the processing of personal data. This means that the data controller exercises overall control over the 'why' and 'how' of a data processing activity.

**Data Protection Legislation** means the Data Protection Act 2018, and the UK General Data Protection Regulation, together with regulatory guidance issued by the Information Commissioner's Office.

**Data protection principles** means the principles that are set out in the Data Protection Legislation relating to the processing of personal data. In the UK General Data Protection Regulation, there are six principles:

- lawfulness, fairness and transparency;
- purpose limitation;
- data minimisation;
- accuracy;
- storage limitation; and
- integrity and confidentiality.

In addition, there is an overarching principle of accountability.

**Data processor** means a natural or legal person or other body who processes personal data on behalf of the data controller.

**Data subject** means the identified or identifiable living individual to whom personal data relates.

**Information Commissioner's Office (ICO)** is the UK's national data protection authority. It is a public body that is charged with regulating information rights, public sector transparency and individual's privacy in the UK.

**Personal data or Personal information** means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number etc.

**Privacy notice** means the information that is provided to inform individuals about what you do with personal data. Under the Data Protection Legislation, data controllers must provide accessible information to individuals about the use of their personal data.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use,

disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Special categories of personal data**

(also referred to as sensitive personal data) means:

- personal data that is personal data which reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership;
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person;
- data concerning health; or
- data concerning a natural person's sex life or sexual orientation.