

FULL PRIVACY NOTICE

For the members and beneficiaries of the Environment Agency Pension Fund (EAPF)

This notice is for members and beneficiaries of the Environment Agency Pension Fund (EAPF). This includes employees of EAPF employers who are enrolled, and re-enrolled every 3 years, as active members in the EAPF in accordance with the employer's statutory automatic enrolment obligations, where those employees opt out of the EAPF ("**opt out members**"). It has been prepared by the Environment Agency, in its capacity as the administering authority of the Fund.

Why are we providing this notice to you?

As the Administering Authority of the Fund, we hold certain information about you ("personal data") which we use to administer the Fund and to pay benefits from it. This notice is designed to give you information about the data we hold about you, how we use it, your rights in relation to it and the safeguards that are in place to protect it.

The technical bit

The Administering Authority holds personal data about you in its capacity as data controller for the proper handling of all matters relating to the Fund, including its administration and management. This includes the need to process your data to contact you, to calculate, secure and pay your benefits, for statistical and financial modelling and for reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested), and to manage liabilities and administer the Fund generally. Further information about how we use your personal data is provided below.

The lawful basis for our use of your personal data will generally be one or more of the following:

- a) we need to process your personal data to satisfy our legal obligations as the Administering Authority of the Fund; and
- b) we need to process your personal data to carry out a task in the public interest or in the exercise of official authority in our capacity as a public body; and
- c) we need to process your personal data for the legitimate interests of administering and managing the Fund and liabilities under it, calculating, securing, and paying benefits and performing our obligations and exercising any rights, duties, and discretions the Administering Authority has in relation to the Fund; and
- d) because 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 a contract.

Please note that where we indicate that our processing of your personal data is necessary for us to comply with a legal obligation, or for us to take steps, at your request, to potentially enter into an employment contract with you, or to perform it, and you choose not to provide the relevant personal data to us, we may not be able to enter into or continue our contract with you.

What personal data we hold, and how we obtain it

The types of personal data we hold and process about you can include:

- Contact details, including name, address, telephone numbers and email address.
- Identifying details, including date of birth, national insurance number and employee and membership numbers.
- Information that is used to calculate and assess eligibility for benefits, for example, length of service or membership and salary information.
- Financial information relevant to the calculation or payment of benefits, for example, bank account and tax details.
- Information about your family, dependents, or personal circumstances, for example, marital status and information relevant to the distribution and allocation of benefits payable on death.
- Information about your health, for example, to assess eligibility for benefits payable on ill health, or where your health is relevant to a claim for benefits following the death of a member of the Fund.
- Information about a criminal conviction if this has resulted in you owing money to your employer or the Fund and the employer or Fund may be reimbursed from your benefits.
- Information relating to active membership of opt out members. For opt out members, the Environment Agency as Administering Authority is also specifically required by automatic enrolment legislation to hold the member's name contained in the opt out notice, the dates the member became and ceased to be an active member, and the date the Administering Authority was informed of the opt out.
- Information about any previous membership of other public service pension schemes and other LGPS administering authorities, including your date of leaving and whether the previous scheme /authority has assessed your eligibility for underpin protection (see "How we will use your information" below).

We obtain some of this personal data directly from you. We may also obtain data (for example, salary information) from your current or past employer(s) or companies that succeeded them in business, from a member of the Fund (where you are or could be a beneficiary of the Fund as a consequence of that person's membership of the Fund) and from a variety of other sources including public databases (such as the Register of Births, Deaths and Marriages), our advisers and government or regulatory bodies, including those in the list of organisations that we may share your personal data with set out below.

Where we obtain information concerning certain "special categories" of personal data, such as health information, extra protections apply under the data protection legislation. We will only process your personal data falling within one of the special categories where we are authorised by law to do so (for example, under relevant employment laws or the conditions relating to occupational pensions in data protection law).

We may also rely on your explicit consent where you have given this for specific purposes. You have the right to withdraw your consent to the processing at any time by notifying the Administering Authority in writing. However, if you do not give consent, or subsequently withdraw it, and we cannot lawfully process this data for another reason permitted by data protection legislation, the Administering Authority may not be able to make decisions based on it, including decisions regarding the payment of your benefits.

Where you have provided us with personal data about other individuals, such as family members, dependants, or potential beneficiaries under the Fund, please ensure that those individuals are aware of the information contained within this notice.

How we will use your personal data

We will use this data to deal with all matters relating to the Fund, including its administration and management. This can include the processing of your personal data for all or any of the following purposes:

- To contact you.
- To assess eligibility for, calculate and provide you (and, if you are a member of the Fund, your beneficiaries upon your death) with benefits.
- To identify your potential or actual benefit options.
- To allow alternative ways of delivering your benefits, for example, using insurance products and transfers to or mergers with other pension arrangements.
- For statistical and financial modelling and reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested).
- To comply with our legal and regulatory obligations as the administering authority of the Fund.
- To address queries from members (including opt out members) and other beneficiaries and to respond to any actual or potential disputes concerning the Fund.
- The management of the Fund's liabilities, including the entering into of insurance arrangements and selection of Fund investments.
- In connection with the sale, merger, or corporate reorganisation of or transfer of a business by the employers that participate in the Fund and their group companies.
- To provide you with any information that may be of interest, although you will always have the right to unsubscribe from receiving such information.
- To identify whether you qualify for underpin protection. For more information about the McCloud remedy, please visit our McCloud hub at www.eapf.org.uk/member/mccloud-judgment

Organisations that we may share your personal data with

From time to time, we will share your personal data with advisers and service providers so that they can help us carry out our duties, rights, and discretions in relation to the Fund. Some of those organisations will simply process your personal data on our behalf and in accordance with our instructions.

Other organisations will be responsible to you directly for their use of personal data that we share with them. They are referred to as data controllers and we have highlighted them in the table below. You will be able to find out about their own data protection policies (which will apply to their use of your data) on their websites.

These organisations include the Fund's:

<p>Data processors</p> <ul style="list-style-type: none"> • Third party administrator: Capita CES • Accountants: Capita CES <p>Capita provide the following services:</p> <ul style="list-style-type: none"> • Tracing bureaus for mortality screening and locating members. • Overseas payments provider to transmit payments to scheme member with non-UK accounts. • Printing through third party providers • Pensions software provider. • Suppliers of IT, document production and distribution services. 	<p>Data controllers</p> <ul style="list-style-type: none"> • Actuarial consultant: Hymans Robertson • Scheme benefit consultant: Aon Hewitt • Investment adviser: Mercers • Independent adviser: Aon • Additional Voluntary Contribution provider: Prudential • Additional Voluntary Contribution provider: Standard Life • Additional Voluntary Contribution provider: Clerical Medical • Additional Voluntary Contribution provider: Utmost Life & Pensions • Legal adviser: Osborne Clarke • Fund Actuary: Hymans Robertson • Statutory auditor: Comptroller & Auditor General • External auditor: Deloitte • Internal auditor: Environment Agency • LGPS National Insurance database: South Yorkshire Pensions Authority • Administering authorities of other LGPS funds (or their agents, such as third party administrators) where you have been a member of another LGPS fund and the information is needed to determine the benefits to which you or your dependants are entitled • Administrators of other public service pension schemes where you have been a member of another public service pension scheme and the information is needed to determine if you qualify for underpin protection • The Department for Work and Pensions • The Government Actuary's Department • The Cabinet Office – for the purposes of the National Fraud Initiative • HMRC • The Courts of England and Wales: for the purpose of processing pension sharing orders on divorce
---	--

In each case we will only do this to the extent that we consider the information is reasonably required for these purposes.

In addition, where we make Fund investments or seek to provide benefits for Fund members in other ways, such as using insurance, then we may need to share personal data with providers of investments, insurers, and other pension scheme operators. In each case we will only do this to the extent that we consider the information is reasonably required for these purposes.

From time to time, we may provide some of your data to your employer and their relevant subsidiaries (and potential purchasers of their businesses) and advisers for the purposes of enabling your employer to understand its liabilities to the Scheme. Your employer would generally be a controller of the personal data shared with it in those circumstances. For example, where your employment is engaged in providing services subject to an outsourcing arrangement, the Administering Authority may provide information about your pension benefits to your employer and to potential bidders for that contract when it ends or is renewed.

Where requested or if we consider that it is reasonably required, we may also provide your data to government bodies and dispute resolution and law enforcement organisations, including those listed above, the Pensions Regulator, the Pensions Ombudsman and Her Majesty's Revenue and Customs (HMRC). They may then use the data to carry out their legal functions.

The organisations referred to in the paragraphs above may use the personal data to perform their functions in relation to the Fund as well as for statistical and financial modelling (such as calculating expected average benefit costs and mortality rates) and planning, business administration and regulatory purposes. They may also pass the data to other third parties (for example, insurers may pass personal data to other insurance companies for the purpose of obtaining reinsurance), to the extent they consider the information is reasonably required for a legitimate purpose.

In some cases, these recipients may be outside the UK. This means your personal data may be transferred outside the EEA to a jurisdiction that may not offer an equivalent level of protection as is required by EEA countries. If this occurs, we are obliged to verify that appropriate safeguards are implemented with a view to protecting your data in accordance with applicable laws. Please use the contact details below if you want more information about the safeguards that are currently in place.

How long we keep your personal data.

We will only keep your personal data for as long as we need to in order to fulfil the purpose(s) for which it was collected and for so long afterwards as we consider may be required to deal with any questions or complaints that we may receive about our administration of the Fund, unless we elect to retain your data for a longer period to comply with our legal and regulatory obligations.

In practice, this usually means that your personal data will be retained for as long as you (or any beneficiary who receives benefits after your death) are entitled to benefits from the Fund, or for all members including opt out members for as long as we need to retain your data to comply with our statutory obligations or to respond to any actual or potential disputes. For the same reason, your personal data may also need to be retained where you have received a transfer, or refund, from the Fund in respect of your benefit entitlement. Regulatory changes may need benefits to be rectified, in which case your data must be retained for as long as considered necessary. For opt out members, automatic enrolment legislation also specifically requires the Environment Agency as Administering Authority of the EAPF to retain for specified periods certain data after they were automatically enrolled, or re-enrolled every 3 years, as active members.

Your rights

You have a right to access and obtain a copy of the personal data that the Administering Authority holds about you and to ask the Administering Authority to correct or complete your personal data if there are any errors or it is out of date. In some circumstances you may also have a right to ask the Administering Authority to restrict the processing of your personal data until any errors are corrected, to object to processing or to transfer or (in very limited circumstances) erase your personal data. You can obtain further information about these rights from the Information Commissioner's Office at www.ico.org.uk or via their telephone helpline (0303 123 1113).

If you wish to exercise any of these rights or have any queries or concerns regarding the processing of your personal data, please contact the Fund Administrator as indicated below. You also have the right to lodge a complaint in relation to this privacy notice or the Administering Authority's processing activities with the Information Commissioner's Office which you can do through the website above or their telephone helpline.

The personal data we hold about you is used to administer your Fund benefits, and we may from time to time ask for further information from you for this purpose. If you do not provide such information or ask that the personal data, we already hold is deleted or restricted this may affect the payment of benefits to you (or your beneficiaries) under the Fund. In some cases, it could mean the Administering Authority is unable to put your pension into payment or must stop your pension (if already in payment).

Updates

We may update this notice periodically. Where we do this, we will inform members of the changes and the date on which the changes take effect.

Contacting us

Please contact the Fund administrator at Capita | 11b Lingfield Point | Darlington | DL1 1AX for further information.

Data Protection Officer

You may also contact our Data Protection Officer at Environment Agency | Horizon House | Deanery Rd | Bristol | BS1 5AH for further information.