

## **Privacy Notice for members of the Sumitomo Mitsui Banking Corporation Europe Limited Pension Scheme**

### **1. Introduction**

The trustees of the Sumitomo Mitsui Banking Corporation Europe Limited Pension Scheme (the **Trustees** and the **Scheme**, respectively) are committed to protecting the privacy and security of the personal information (known as “personal data”) of members (both active, deferred and pensioner members) and their spouses, partners, dependants and/or any other beneficiaries.

The Trustees are a data controller under the General Data Protection Regulation as it forms part of “retained EU law” as defined in the European Union (Withdrawal) Act 2018 (**UK GDPR**). This means that we are responsible for deciding how we collect, hold, use and protect your personal data, and we are required to give you certain information about how and why we do this.

This privacy notice describes how we collect, hold, use and protect personal data that relates to you or any individual connected to you, both during and after the time when you are a member or beneficiary of the Scheme. We may update this notice from time to time.

This notice explains the following:

- Section 2 – the types of personal data we may collect about you
- Section 3 – how we collect personal data about you
- Section 4 – what we may use your personal data for
- Section 5 – how we keep your personal data safe including when we transfer it across borders
- Section 6 – sharing your personal data
- Section 7 – how long we retain your personal data
- Section 8 – your rights regarding the personal data you provide to us
- Section 9 – what happens if you do not provide us with your personal data
- Section 10 – changes to our data protection arrangements
- Section 11 – how to contact us

### **2. The types of personal data we may collect about you**

Personal data means, broadly, any information related to a natural person that can be used to directly or indirectly identify a living individual. This could include any information provided to us in relation to your or another’s actual, past or potential membership of the Scheme.

We may hold any personal data about you, this includes but is not limited to:

- personal details such as your name, gender, age, date of birth, email address, postal address, telephone or mobile number, and identifiers such as National Insurance number, your employee number and your pensions identifier (which is a string of characters used to identify you benefits under the Scheme, if you have used a pensions dashboard);
- family, lifestyle and social circumstances such as details about current relationship status and marital/relationship history, details of family and dependants, next of kin and emergency contact information;
- documentary data such as details from certain documents or copies of them as proof of identity, residency, employment and key dates, which could include a passport, driving licence, birth certificate and marriage certificate;
- employment details such as pensionable pay, length of service, employment and career history, recruitment and termination details, job title and job responsibilities;

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- financial details such as income, salary, assets and investments, bank account details to process pension payments, tax code, benefits, grants and insurance details; and
- if you call our contact centre, we may record any phone number used as well as any phone calls for training and monitoring purposes.

We may also hold other information about you which is known as ‘special category’ data and requires a higher level of protection – for example, information relating to your physical or mental health. Where the Trustees collect such data, we are required to meet additional legal requirements in relation to our processing activities.

### **3. How we collect personal data about you**

We collect your personal data when you, your employer, a member of the Scheme or another person contact us online, by phone, text, email, or post. We also obtain your personal data where this is provided through any other engagement or correspondence that you, your employer, a member of the Scheme or another person may have with us, including through a pensions dashboard. We may also collect personal data about you from other third parties including tracing agencies and from public sources when we believe it is appropriate for us to do so.

It is important that the personal data we hold about you is accurate and up-to-date. Please let us know if your personal data changes.

### **4. What we may use your personal data for**

The Trustees may use your personal data for (but not limited to) the following purposes:

- the administration and effective management of the Scheme (as a whole and your membership of it) including to process data to calculate and pay benefits;
- to carry out our obligations arising from agreements that we have with, or concerning, you and to provide you with the information, benefits and services that you request from us;
- in relation to any correspondence related to the administration of the Scheme (including queries relating to membership of the Scheme and communications when we are unable to contact members of the Scheme);
- to communicate with you by mail, phone, email, text (SMS) message or other electronic means (including to notify you about our services and any changes to our services);
- to manage our relationship with you and to update, consolidate and improve the accuracy of our records;
- for analysis purposes by us and, to the extent necessary, any other organisation involved in the administration of the Scheme and your benefits (such as Sumitomo Mitsui Banking Corporation, its group companies or any other Scheme employer and the Scheme’s external advisers, including legal and actuarial advisers, and our insurers);
- to comply with any present or future law, rule, regulation, guidance or directive, and complying with any industry or professional rules and regulations or any applicable voluntary codes;
- to comply with our auditing, internal record-keeping and/or reporting, and any legal and regulatory requirements;
- risk management, e.g. ID verification on phone calls or in correspondence or by carrying out biometric checks on photographs and identity documents provided;
- to the extent required to comply with our duties in relation to pensions dashboards. This includes “matching”, where we use personal data that a user has provided to search our Scheme records to check whether that user is a member of the Scheme, and where we collect further personal data from that user in the event of a “possible match”;
- in connection with the purchase of Scheme investments such as ‘buy-in’ agreements with insurance companies; and

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- to comply with demands or requests made by local and foreign regulators, governments and law enforcement authorities, and any subpoena or court process, or in connection with any litigation.

We use your personal data in the ways described above for one or more of the following reasons:

- we need to comply with a legal obligation to which we are subject and/or
- it is necessary in our legitimate interests (or those of a third party) to do so, and your interests and fundamental rights do not override those interests. For example, our legitimate interests may include:
  - providing any clarification or assistance in response to your communications;
  - improving our service to you as a Scheme member or beneficiary;
  - ensuring that you are aware of your benefits and entitlements;
  - complying with our record-keeping duties;
  - ensuring that we pay the correct benefits at the correct time;
  - managing the risks to the Scheme so that we can help to make your benefits safe;
  - complying with all laws, guidance and codes that apply to the Trustees and/or the Scheme, as well as with data requests from regulators, governments, courts and law enforcement authorities; and
  - minimising disruption to the Scheme.

In relation to bulk annuity policies held by the Trustees or further policies under consideration, the insurers may process your data for internal compliance and business administration purposes; to fulfil their obligations under the policy, any re-insurance policy or hedging contract; and for statistical, financial modelling and reference purposes to the extent permitted by applicable law. The insurers may need to disclose your data to members of its group for those purposes, but will only do so on a strictly ‘need-to-know’ basis and in such a way as to preserve its strictly confidential nature. Data may also be transferred to re-insurers that the insurers work with. Where appropriate, this may involve data being transferred outside the UK or the European Economic Area (EEA) for the purposes outlined in this paragraph. If your personal data is transferred in this way the insurers will ensure it is protected in accordance with applicable law.

We will only use your personal data for the purposes for which we collected it, unless we reasonably need to use it for a different reason that is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will explain the legal basis which allows us to do so.

## **5. How we keep your personal data safe including when we transfer it across borders**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Further information is available by emailing [SMBCEpensions@hymans.com](mailto:SMBCEpensions@hymans.com) or by calling 01415667684. We also have procedures in place to deal with any suspected data security breach, should one arise.

### *Transfers of your personal data*

We may transfer, store, or process your personal data at a destination outside the UK or EEA (in the event that Plan data is processed in the EEA). Where the countries to which your personal data is transferred may not offer an equivalent level of protection for personal data to the laws of the UK, we will take reasonable steps to ensure that your personal data is treated securely and in accordance with this notice. This may include entering into data transfer agreements to ensure that third parties to whom we transfer personal data in those countries commit to ensuring an adequate level of protection for your personal data. You may request a copy of the agreement that we rely on to transfer your personal data to third countries by emailing us using the contact details at the end of this notice.

Where we have not put a contract in place as a safeguard, we will take any other steps that we believe are necessary to protect your personal data based on an assessment of the particular transfer to this agent or adviser, and require the agent or adviser also to take any appropriate steps.

## 6. Sharing your personal data

We may share or disclose your personal data (and that of any beneficiaries) to:

- Sumitomo Mitsubishi Banking Corporation, its group companies and any other Scheme employer;
- financial organisations, for example counterparties to the Scheme's investments and its financial advisers;
- our service providers and professional advisers such as the Scheme's legal adviser, actuary, auditor, Scheme administrator. We have appointed Hyman Robertson to administer the Scheme to act on our behalf as the Scheme administrator. The Scheme administrator will process your personal information on our behalf as a data processor. The Scheme's legal adviser, actuary and auditor may also be data controllers in relation to your personal data and have to comply with their own legal obligations, industry codes and standards when processing your data. Information about where to find their data protection information can be obtained by emailing [SMBCEpensions@hymans.com](mailto:SMBCEpensions@hymans.com) or by calling 01415667684;
- other third parties as required by law - for example, local or foreign regulators, governments and law enforcement authorities; local and foreign courts, tribunals and arbitrators or other judicial committees;
- third parties that form part of the "dashboard ecosystem" that enables pensions dashboards services to work, as well as the Scheme's Integrated Service Provider (ISP), which provides a service allowing pensions information from the Scheme to be connected to the dashboard ecosystem;
- pension schemes with which the person whose personal information we are processing has an association;
- any professional financial adviser(s) that you have appointed in respect of your financial arrangements (including your pension);
- insurance companies and its reinsurers; and
- persons connected with any sale, merger, acquisition, disposal, reorganisation or similar change of the Scheme's sponsoring employers involving the Scheme (including any potential or actual purchaser and their advisers).

If we share your personal data in this way, we require the transferee to implement appropriate security measures to protect your personal data and to treat it in accordance with the law. Except where the transferee is a data controller in its own right, we only permit the transferee to process your personal data in accordance with our instructions.

## 7. How long we retain your personal data

We keep personal data (and any personal data collected in respect of any individual connected with you) on our systems for as long as necessary to fulfil the purposes for which we collected it, including satisfying any legal, accounting, or reporting requirements. These retention periods may depend on the type of data and the purpose for which it is held. In all cases our need to use your personal information will be reassessed on a regular basis and information which is no longer required will be disposed of.

## 8. Your rights regarding the personal data you provide to us

You have certain rights in relation to your personal data, in accordance with the law:

- to request a copy of the personal data we hold about you, and to request information regarding the processing of your personal data (this is known as a 'data subject access request');
- to request the correction, completion and/or deletion of your personal data, or to request the restriction of processing of your personal data;
- in relation to personal data processed on the grounds of the legitimate interest of the Trustee or a third party, to object to the processing of your personal data;
- to complain to the Trustees, or directly to your local data protection authority (the Information Commissioner's Office (the **ICO**)), or to a court of law, if you believe the Trustees have not processed your personal data in accordance with data protection legislation. You may be entitled to claim compensation as a result of unlawful processing of your personal data. For more information on how to raise complaints to either the ICO or the Trustees, see section 12 below

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You should be aware that taking any of the steps above could affect the payment of your benefits, the ability for you to build up benefits and our ability to answer questions relating to your benefits.

If you would like to exercise any of the rights described above, please let us know by emailing us at [SMBCEpensions@hymans.com](mailto:SMBCEpensions@hymans.com) or by calling 01415667684.

#### **9. What happens if you do not provide us with your personal data**

We may not be able to perform actions necessary to achieve the purposes set out above and you may not be able to make use of the services offered by us or to receive pension benefits if you do not provide us with personal data that we may need to comply with our statutory or contractual obligations, as set out in section 4 above.

#### **10. Changes to our data protection arrangements**

From time to time, we may update this privacy notice and the data protection arrangements described above. If we make any substantial changes, we will publish a new version of this notice. Your continued participation in the Scheme, following these changes means that you accept the revised data protection arrangements.

#### **11. How to contact us**

If you have any questions, comments or requests about this privacy notice, please contact the Trustee c/o Hymans Robertson, our Scheme administrators at:

Phone: 01415667684

Email: [SMBCEpensions@hymans.com](mailto:SMBCEpensions@hymans.com)

#### **12. What to do if you have a complaint**

You can raise a complaint to the Trustees or directly with the ICO if you believe the Trustees have not processed your personal data in accordance with data protection legislation. You can make a complaint to the Trustees using the Scheme's internal dispute resolution procedure (**IDRP**). You can obtain a copy of the IDRP from the Scheme's administrator (see contact details above). You can make a complaint to the ICO online at [ico.org.uk/make-a-complaint](https://ico.org.uk/make-a-complaint) or via telephone 0303 123 1113.