



The Buccleuch Estates Pension Trustee Company Limited
Scheme Name: The Buccleuch Estates Limited 1974 Retirement Fund
General Data Protection Regulation (GDPR) Policy

The fund and those it works with are committed to complying with GDPR and the six principles of data protection as set out in Article 5. As a small pension scheme, advice regarding GDPR is taken from the sponsoring employer, Buccleuch.

The six principles of data protection are:

1. Data must be processed lawfully, fairly and in a transparent manner in relation to individuals.
2. Data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
3. Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Data must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, are erased or rectified without delay.
5. Data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
6. Data must be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

These principles must be followed at all times when processing or using personal information.

Therefore, through appropriate processes, the fund will:

- observe fully the conditions regarding the fair collection and use of information including the giving of consent
- meet its legal obligations to specify the purposes for which information is used
- collect and process appropriate information only to the extent that it is needed to fulfil our operational needs or to comply with any legal requirements
- ensure the quality of information used
- ensure that the information is held for no longer than is necessary
- ensure that the rights of people about whom information is held can be fully exercised under the GDPR (i.e. the right to be informed that processing is being undertaken, to access one's personal information; to prevent processing in certain circumstances, and to correct, rectify, block or erase information that is regarded as incorrect)
- take appropriate technical and organisational security measures to safeguard personal information
- publicise and abide by individuals' right to appeal or complain to the Information Commissioner's Office (ICO) in the event that agreement cannot be reached in a dispute regarding data protection
- ensure that personal information is not transferred abroad without suitable safeguards.

Designated Data Representative

Any member or other individual who considers that the policy has not been followed in respect of personal data should contact the data protection representative at dataprotection@buccleuch.com or the scheme administrator at kbarclay@buccleuch.com.

Member Responsibilities – Own Personal Data

Members are responsible for informing Cartwright or the scheme administrator in regard to changes to personal data, for example, home address, surname or bank details.

Collection and Storage of Member Data

Personal and sensitive data includes a wide range of information about members relating to, but not limited to, date of birth, marital status, address, national insurance number, bank details and salary information.

Due to the long term nature of pensions, data is retained as long as necessary. When there are no remaining beneficiaries, data will be deleted seven years after death.

Subject Consent

Data held by the fund is necessary to administer the legitimate interests of pension members to ensure they receive correct figures and are paid the correct benefits. Individual specific consent would be sought if any information were to be held which does not meet the 'legitimate interests' GDPR criteria.

Subject Access Request

Under GDPR, members have the right to access their personal data and supplementary information. They are also allowed to be aware of and to verify the lawfulness of any data processing. Information will be provided without delay and at the latest within one month of receipt of a request.

In the event of a disagreement between a member and the fund regarding personal data, members can submit a grievance to be heard by the sponsoring employer's data protection representative. This does not negate the individual's right under the GDPR to complain to the supervisory authority, the Information Commissioner's Office (ICO).