

ENERGIA GROUP NI PENSION SCHEME (THE "SCHEME")

PRIVACY NOTICE

PERSONAL INFORMATION ABOUT OUR MEMBERS AND THEIR DEPENDANTS AND BENEFICIARIES

The Scheme is managed by a board of individual trustees (the "Trustees"). As the Scheme Trustees, we need to collect and use personal information about our members and their dependants and beneficiaries (also known as "personal data").

This privacy notice sets out how we collect, use and protect your personal information and your rights in relation to your information. It also explains your rights about your data. We are required to issue this to you by the General Data Protection Regulations, which govern the processing of personal information from 25 May 2018.

Personal data is information, or a combination of pieces of information, that could reasonably allow you to be identified. Most of the information held about you and processed by the Trustees in running the Scheme will be personal data. For legal purposes, the Trustees are known as the "data controller", as we decide the purposes for and the means by which the personal data we hold is processed.

1. PERSONAL INFORMATION WE USE

We hold or will collect personal information about you, and where appropriate, from your dependants and beneficiaries. Your personal data will generally be collected directly from you or your employer/former employer within the Energia Group. We may also obtain personal data about you from sources such as HM Revenue & Customs or someone acting on your behalf, such as an independent financial adviser.

We will not collect any personal data that we do not need.

2. WHAT PERSONAL INFORMATION WE COLLECT

Depending on the circumstances and your membership category, i.e. active member, pensioner, early leaver) we may hold some or all of the following information in respect of your Scheme membership:

- personal details: your name, date of birth, gender, marital status;
- your contact details: your address, phone number(s) and email address(es);
- your bank account details and national insurance number;
- relevant employment information, including current and past salary information, employment, periods of extended absence;
- medical and other details about your health (where relevant);
- details about your dependants, potential or actual beneficiaries and in some circumstances ex-spouses/former registered civil partners, including details of gender, personal and financial information (where relevant).

3. HOW WILL WE USE YOUR PERSONAL INFORMATION AND WHY?

The ways we use your information include:

- (a) identifying you and your dependants and beneficiaries and making sure your details are up to date;
- (b) communicating with you;

- (c) calculating and paying your benefits and those due on your death;
- (d) making Trustee decisions – such as whether to agree to early retirement on grounds of ill-health, how to distribute benefits after your death;
- (e) calculating the Scheme's liabilities;
- (f) reporting to His Majesty's Revenue & Customs (HMRC) and other regulatory authorities; and
- (g) if you have paid additional voluntary contributions to the Scheme or you are a member of the Options section of the Scheme, we may use your information to decide how to invest assets allocated to your Member Account.

We must have a legal reason to use your personal information. This will usually be one of the following:

- (a) to fulfil our legal obligations under trust and pensions law and to comply with regulatory requirements;
- (b) to meet our legitimate interests to process personal information to ensure the proper administration of the Scheme and payment of benefits;
- (c) to meet the legitimate interests of Energia Group Limited (the Principal Employer) in managing and funding the liabilities in the Scheme;
- (d) in relation to a legal claim.

As part of running the Scheme, we may need to hold and process particularly sensitive information about you and/or your dependants and beneficiaries (known as "special categories of personal data"). Under the data protection legislation, details relating to health, racial or ethnic origin, religious or similar beliefs, sexual orientation and political affiliations are regarded as "special categories of personal data". Except where the legislation allows it, this information cannot be processed or passed to a third party without your explicit consent.

4. INFORMATION SHARING

4.1 We may share personal information with:

- (a) the Scheme's third-party administrators (Aegon for the Options Section and ISIO for the Focus Section) and their sub-contractors,
- (b) our professional advisers (such as the scheme actuary, our auditors, and our legal advisers,) to facilitate the administration of the Scheme and your benefits, and printers who may help us prepare various communications that we send to you;
- (c) payroll service providers;
- (d) other medical advisers where you have requested an ill health pension;
- (e) HMRC and other statutory bodies (such as the Pensions Regulator and the Pension Protection Fund);
- (f) insurance companies for securing insurance policies relevant to benefits payable under the Scheme;

- (g) insurance companies or other organisations and their advisers with a view to securing benefits through long term insurance policies or for the purposes of other liability and risk management exercises;
- (h) Energia Group Limited (and other Energia Group employers) to assist with decision-making relevant to the management and funding of the Scheme, for Group auditing purposes and to facilitate the provision of insurance coverage in respect of benefits under the Scheme;
- (i) Courts for the purposes of processing pension sharing orders.

4.2 Energia Group Limited and Energia Group employers in the Scheme also share personal information (including financial information) with the Trustees about current or recently deceased employees and their dependants, to enable us to properly manage the Scheme and pay the correct benefits.

5. SECURITY AND STORAGE

We have in place measures to protect the security of your personal information and keep it confidential. We review these measures regularly to make sure they remain appropriate.

When sharing your personal information with our administrators or another third party we will make sure that they also have measures in place to protect it and keep it confidential and agree to use the personal information only for the purposes we set out.

For legal and tax reasons we must keep certain personal information for at least 6 years. However, given the nature of pension schemes, the Trustees will need to keep your personal data for longer than this to ensure that benefits payable to you and, on your death, to your dependants are paid correctly. When deciding how long to keep your personal information we take into account our legal obligations and the potential need to investigate or defend any future legal claims.

6. YOUR RIGHTS

6.1 By law, you have certain rights in relation to your personal data:

- **Right of Access** – to see personal data that’s held about you and to have a copy provided to you, or someone else on your behalf, in a digital format
- **Right to Rectification** – to ask for any information about you to be corrected if you believe that it’s incorrect
- **Right to Restrict processing** – to require the Trustees to limit the processing of your personal data in certain circumstances, for example, whilst a complaint about its accuracy is being resolved
- **Right to object to processing** – to object to your personal data being processed, although the Trustees can override this objection in certain circumstances
- **Withdrawing consent** – where you have been required to give your consent to the Trustees processing your personal data, to withdraw your consent to the Trustees doing so in the future, although the Trustees may be able to continue processing your personal data under the legislation where this is justified
- **Right to be forgotten** – to request that your personal data is deleted altogether, although the Trustees can override this request in certain circumstances.

Important note: in the context of pension scheme membership, taking any of these steps above could impact on the payment, or continued payment of your benefits, your continued participation in the Scheme and our ability to consider you or your dependants and beneficiaries for certain benefits.

6.2 Any information you request will generally be provided to you free of charge, although the Trustees can charge a reasonable fee in certain circumstances.

7. **INTERNATIONAL DATA TRANSFER**

Your personal information may be transferred to, stored, and processed in a country outside the United Kingdom from time to time. Unless the country to which the data is to be transferred ensures an adequate level of protection for personal information (as assessed by the UK authorities) the Trustees or the relevant entity referred to under 4.1 above (for example, the administrators), will put in place appropriate safeguards in accordance with applicable legal requirements to protect the information. In particular, such transfers will generally be made based on the UK international data transfer agreement or, where relevant, the EU Commission's standard contractual clauses.

8. **HOW TO CONTACT US ABOUT YOUR PERSONAL DATA**

If you have questions or concerns, or you wish to see your personal data or exercise any of the rights mentioned above:

- If you are an Options member, please contact Aegon either,
 - (i) by post: Energia Group NI Pension Scheme (Options), Aegon Workplace Investing, Sunderland. SR434DH;
 - (ii) by email: my.pension@aegon.co.uk ; or
 - (iii) by telephone: 0345 601 7720

- If you are a Focus member, please contact ISIO either
 - (i) by post: the Secretary to the Trustee c/o SPS, PO Box 4916, Interface Business Park, Swindon SN4 4RX, England;
 - (ii) by email: egnips@isio.com; or
 - (iii) by telephone: 033 0135 8445.

We also encourage you to let the relevant administrator know promptly if your personal information changes or if you think the information we hold about you is out of date.

9. **IF YOU HAVE A COMPLAINT**

If you'd like to make a complaint about how we've handled your personal data, in the first instance please contact the Secretary to the Trustees at ISIO via e-mail: egnips@isio.com or by post: Secretary to the Trustees, ISIO, c/o SPS, PO Box 4916, Interface Business Park, Swindon SN4 4RX, England.

If following your communications with us, you are not satisfied with our response or you believe we are processing your personal data in a way which is inconsistent with the law, you can complain to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone: 0303 123 1113. You can find out more by visiting www.ico.org.uk

10. **NOTICE REVIEW**

This notice will be regularly reviewed to ensure we continue to meet our obligations in processing your personal data and protecting your privacy. In order to do so we reserve the

right to update, modify and amend this notice at any time as required. We will not make any significant changes to the notice without informing you.

Last updated: July 2023