

First Actuary

Data Protection Privacy Notice

What is the purpose of this document?

First Actuary Limited (“**First Actuary**”) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about our clients in accordance with the Data Protection (Jersey) Law 2018.

First Actuary is a “data processor” and will be referred to as “we”, “our” or “ours”. In some cases our client is the “data controller”. In other cases, our client is a data processor and we are a sub-processor and the data subject is the “data controller”. In all of these circumstances the data controller will be referred to as “you”, or “yours” in this Privacy Notice. We are responsible for processing your personal data under your instructions or those of the data processor on your behalf. We are required under data protection legislation to notify you of the information contained in this privacy notice. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender, Marital status and dependants.
- Social security number.
- Bank account details, tax status information
- Employment history (including salary details, pension benefit values)

We do not generally collect, store and use the "special categories" of more sensitive personal information. However, we may receive information about your health, including any medical condition, health and sickness records and information about your race or ethnicity.

How is your personal information collected?

We collect personal information about you from your pension scheme, your current or past employer, your financial adviser or directly from you.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you or your pension scheme, employer or financial adviser.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with your financial adviser, pension provider or employer sometimes to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below. We have indicated below the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.

- Carrying out actuarial calculations or projections relating to assets or pension benefits; and
- Writing report concerning performance of projected performance of a Data Subject's rights.
- Liaising with your pension provider.

- Administering the contract we have entered into with them.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Change of purpose

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

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to process it in order for the controller to carry out their legal obligations.
3. Where it is needed in the public interest, such as in relation to our occupational pension scheme.

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. You should be aware that it is not a condition of your pension provider or employer's contract with us that you agree to any request for consent from us.

Information about criminal convictions

We do not envisage that we will hold information about criminal convictions.

Automated decision-making

You will not be subject to decisions by us that will have a significant impact on you based solely on automated decision-making.

Data sharing

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside Jersey.

If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: IT services.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the EU

We may transfer the personal information we collect about you to countries outside the EU in order to perform our contract with you. Some of these countries are not subject to an adequacy decision by the European Commission in respect of these countries. This means that the countries to which we transfer your data are not deemed to provide an adequate level of protection for your personal information.

However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection: such as encrypting the data before it is sent.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are set out in the terms and conditions under which work is completed a copy of which is available on demand. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy, or applicable laws and regulations as applicable.

For employment applications we will retain information relating to the application for up to 12 months from the completion of the application process. This is in order to ensure evidence is available should the application lead to a discrimination claim.

Personal information relating to employees will be retained for the duration of employment and for up to six years after the termination of employment (except in the event of any legal dispute, claim or in the event of an accident at work where it is necessary to retain the information for a longer period).

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep your employer, pension scheme and financial adviser informed if your personal information changes. They will then update us in turn.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation

which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

If you wish to exercise any of your rights, we may need to request specific information from you to help us confirm your identity and ensure your right to access the information. This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us or your employer, pension scheme or financial adviser. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Privacy Notice

If you have any questions about this privacy notice or how we handle your personal information, please contact us. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), Jersey's supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact David Holmes, Director.