

# Climax Molybdenum UK Limited Pension and Death Benefit Scheme – Privacy Notice

We ask that you read this privacy notice carefully as it contains important information about who we are, what personal data (information) we hold about you, how and why we collect, store and use it, how we may share this information and your rights in relation to your personal information.

The Trustees of the Climax Molybdenum UK Limited Pension and Death Benefit Scheme collect, use and are responsible for certain personal information about you. When we do so we are regulated under the UK General Data Protection Regulation (the UK GDPR) and the Data Protection Act 2018. We are responsible as ‘controllers’ of that personal information for the purposes of those laws. As controllers, we must provide you with the information contained in this Privacy Notice.

## Data controllers

In accordance with guidance issued by the Information Commissioner’s Office (ICO), the Trustees of the Scheme and the Scheme Actuary, Jonathan Smart of Barnett Waddingham LLP, are considered “joint data controllers” (the holders, users and processors of personal data) for the purposes of the GDPR. The Trustees of the Scheme are currently: Alan Armour, Marion Hooson, Amanda Boston, Will Sutton, Irene Morittu and Zedra Governance Ltd.

It is possible that in some circumstances other professional advisers may be considered to be data controllers. This might include the Scheme’s auditor (Ensors Accountants LLP) or legal advisers (ARC Pensions Law).

The joint data controllers can be contacted by writing to:

Trustees of the Climax Molybdenum UK Limited Pension and Death Benefit Scheme  
c/o Barnett Waddingham LLP  
Decimal Place  
Chiltern Avenue  
Amersham  
HP6 5FG

Email: [CMUK@barnett-waddingham.co.uk](mailto:CMUK@barnett-waddingham.co.uk)

Telephone: 0333 111 1222

## Use, transfer and storage of personal data

Personal data is any information relating to an identified or identifiable individual. In the course of running the Scheme, we may require information from you in relation to your marital status (which may include the gender of your spouse or civil partner) and / or information about your (or your partner’s) health. Such information will be used to help manage the Scheme and by the Scheme’s administrators to determine the benefits payable to you and your beneficiaries.

In addition, we may hold any or all of the following items of personal information about you:

- Personal details including your name, National Insurance number, gender, age, date of birth, postal and/or email address and telephone number.
- Salary and data relating to investments and pension assets held outside of the Scheme (to the extent they are relevant for the calculation and payment of your benefits, or to the taxation of your benefits from the Scheme).
- Employment history, including employment dates and historic pay records.
- Bank account details for payment of benefit instalments, HMRC tax code.

We may also hold 'special categories' of personal data (i.e. sensitive information which comes with additional safeguards under data protection legislation). This may include information about your physical and mental health, including any medical conditions (for example, if you apply for ill-health retirement). Where we hold 'special categories' of data we will explain to you at the time why we need it and how the information will be used. We will only process special categories of data where we need to do so to establish a right to or secure a benefit. In any other circumstances where we need to process special categories of personal data that is not publicly available, we will seek your prior consent.

Where we are carrying out processing on the basis of your consent, you have the right to withdraw that consent at any time by contacting us. Any withdrawal of consent will not impact on the lawfulness of the processing which took place prior to the withdrawal.

Your personal data is provided to the Trustees' by your employer or may be obtained directly from you. It is not publicly accessible data. The personal data collected relates to your employment and membership of the Scheme. Your personal data will be stored until such time as it is no longer required to fulfil our legal obligations but in any event for not longer than 7 years after the date the Scheme is wound up.

The Trustees may share data with the Scheme Actuary and/or the Trustees' other professional advisers (including the Scheme Auditor and pension consultants), regulatory bodies (including, but not limited to, HM Revenue and Customs, the Department for Work and Pensions and the Pensions Regulator) and other parties as required (including insurers to facilitate member benefits being secured externally).

The Trustees may share your data with the employer for the purposes of providing information to the members about access to the pension freedoms (either via a one-off exercise or as a business as usual offering) or other incentive exercises.

Your data may be shared by the Scheme's administrator with sub-processors for particular outsourced activities such as bulk printing jobs, confirmation of address/existence, offsite backup and archive. A comprehensive list of parties with whom data may be shared is set out in the Trustees' formal Data Mapping document, available on request in writing to the Trustees at the address above.

The Scheme administrators, on behalf of the Trustees, will use your personal data to ensure that the correct benefits can be paid to you and that your requests can be dealt with efficiently, in accordance with the Trustees' **legal obligation** to run the Scheme in accordance with the Trust Deed and Rules. The Trustees and / or administrators may contact you directly in order to provide relevant information, or to deal with your queries.

In addition, it is in your and the Trustees' **legitimate interests** to use your personal information to:

- Keep up to date and accurate records about your membership of the Scheme  
*so that the correct benefits can be paid*
- Undertake risk-management exercises  
*so that the risk your benefits are not paid is reduced*
- Comply with the law, including regulations and guidance issued by the Pensions Regulator  
*so that you, the Trustee(s) and their advisers are not subject to legal sanctions which may impact benefits*
- Efficiently manage the impact of any change to the legal status of the sponsoring company  
*so that your benefits are not adversely affected for example by a sale or company merger*

The Scheme Actuary uses your personal data to advise the Trustees on the financial management of the Scheme. This advice helps to ensure the Trustees are able to meet their obligations to pay members' benefits, and is necessary to comply with obligations placed on them by legislation, including the Pensions Act 2004.

The Scheme Actuary may also use your personal data in research which assists actuaries in providing this type of advice - for example research into the mortality experience (life expectancy) of pension scheme members in general. This may include the provision of personal data, anonymised as far as possible, to a recognised external

authority, such as the Continuous Mortality Investigation (CMI) which investigates mortality experience on behalf of the Institute and Faculty of Actuaries.

The Scheme Actuary will not pass your personal data to any third party without the prior agreement of the Trustees but may share your personal data with Barnett Waddingham LLP and its affiliate companies in connection with the advice the Scheme Actuary provides to the Trustee. Barnett Waddingham LLP and its affiliate companies may share your personal data with its data processors in order to enable the Scheme Actuary to provide services to the Trustee. A list of Barnett Waddingham LLP's current sub-processors is at [sub-processors.pdf \(bwllp.co.uk\)](#) and may be updated from time to time.

The Trustees have conducted due diligence on their suppliers to ensure they process data within the UK and/or the EEA. It is possible that the trustees and the partners / staff of adviser firms may take laptops and smartphones with them on trips outside of the UK and/or the EEA, indirectly causing data to be sent outside of the EEA.

We have received guidance that as long as the information stays with the individual on the laptop / smartphone and their employer has an effective procedure to deal with security and the other risks of using laptops (including the extra risks of international travel), it is reasonable to conclude that adequate data protection exists.

Your personal data may be transferred overseas if required to ensure the smooth running of the Scheme in line with the Trustees' legal obligations and legitimate interests (for example, as pensions are paid and information distributed from CMUK's offices in Stowmarket, all electronic records are held on servers which are in or backed up to the US). If your personal data is transferred overseas then appropriate safeguards have been and will be put in place. If you wish to obtain a copy of these safeguards, please contact the Trustees at the above address.

## Your rights in relation to your data

The purpose of this Privacy Notice is to fulfil your right to be informed about the use of your personal data. In addition:

- You have the right to access your personal data. If you wish to request copies of your personal data please contact the data controllers at the address above.
- You have the right to have your personal data rectified if it is inaccurate or incomplete.
- You have the right to have your personal data deleted or removed if there is no reason for its continued storage and processing.
- You have the right to receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations.
- You have the right to object to your personal data being processed and to restrict the processing of your personal data in certain circumstances, for example, for direct marketing. While processing is restricted, the data controllers are permitted to store the personal data to ensure the restriction is respected in future. You will be informed if a restriction on processing is lifted.
- You have the right to lodge a complaint about the data controller with the ICO.

Please note that if you choose to exercise your rights to withhold data or insist on its deletion, then the Trustees may not be able to perform their duties in relation to the Scheme, and your benefits could be affected.

Further details about GDPR and your rights under GDPR can be found on the ICO's website at <https://ico.org.uk/> or telephone 0303 123 1113.

## Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine trust-related need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

## Changes to this Privacy Notice

This Privacy Notice was published and last updated in May 2024.

### **The Trustees of the Climax Molybdenum UK Limited Pension and Death Benefit Scheme May 2024**