Merrydown PLC Retirement Benefits Plan (the Plan)

Privacy Notice

Introduction

Data protection regulation is, obviously, extremely important to ensure that personal information is kept securely and used only for a legitimate purpose. The current data protection laws are set out in the UK General Data Protection Regulation (the UK GDPR) and the Data Protection Act 2018 as amended by the Data (Use and Access) Act 2025. We refer to these as the "Data Protection Laws" in this privacy notice. The Trustees and their advisers are committed to complying with the current Data Protection Laws.

Under UK GDPR, we must write formally to all members of the Plan to explain how and why we collect your personal data, what it will be used for, your rights as well as how your personal information will be used and what parties, if any, will have access to it.

In this context, please note that your data and that of all members held by our advisers on our behalf is never sold to other organisations and is never used so that other organisations can sell you their products or services.

1. Why are the Trustees writing to me?

Under the Data Protection Laws, the Trustees are the "Data Controllers". This means that we decide how and why your personal data is used and it is therefore the Trustees who need to write to you. As Data Controllers, the Trustees collect and process your personal data for the purposes of complying with their legal obligations to administer the Plan and for their other legitimate interests relating to the operation of the Plan.

You can contact the Trustees using the details provided in section 6.

2. What is personal data, what do we hold and how do we collect it?

This is information that relates to you and where you are, or can be directly or indirectly, identified as an individual. Please note that as well as holding your personal data we may also hold information about your dependants.

The personal data we collect, store and use about you may vary but generally, personal data we hold will include the following:

- Identity data: your name, your National Insurance Number, your date of birth
- Contact data: home address, email address and phone number
- Financial Data: your bank details
- Pension information: length of service, salary, pension contributions and benefits paid
- Other specific personal information processed, such as information about your beneficiaries and document data (i.e. copies of ID documents or official documents)

If you have used a Pensions Dashboard, we may also hold an electronic pensions identifier and personal data supplied by you to enable your Plan pension to be located and information about it to be viewed on the dashboard.

We may also collect, store and use special categories of data, where you have provided such information to us. Special category data is data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. We do not typically collect special category data, but we may do so in cases such as medical information related to ill-health retirement.

We primarily collect and record personal data about you where such data is collected directly from you or during interactions with you (or your representative), from your employer or from another pension scheme as part of a transfer.

We may also collect data about you from other sources, including:

- Your former employer(s);
- Other pension schemes you are a member of (typically if there is a transfer from that scheme involving you);
- HMRC, the Department for Work and Pensions (or any successor entity) and/or other regulatory body;
- Public sources (such as the Electoral Roll or the Register of Births, Deaths and Marriages); and/or
- From a member of the Plan, where you are or could be a beneficiary of a member of the Plan.

3. How do we use your personal data and who has access to it?

The law requires us to have a legal basis for collecting and using your personal data, and an additional basis where it is special category data. We rely on one or more of the following legal bases:

- Legitimate interests: We may use your personal data where it is necessary to conduct our business and pursue our legitimate interests. We make sure we consider and balance any potential impact on you and your rights (both positive and negative) before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
- Legal obligation: We may use your personal data where it is necessary for compliance with a legal obligation that we are subject to. We will identify the relevant legal obligation when we rely on this legal basis.
- Consent: We may (but do not typically) rely on consent only where we have obtained your active agreement to use your personal data for a specified purpose.

If we process your special category data, it will be under the exemptions for either:

- Processing in connection with employment, social security and social protection (which includes pensions and administering benefits); or
- For reasons of substantial public interest, such interest being regulatory requirements and/or in relation to occupational pensions.

If we process special category data other than under the above exemptions, then we will only do so where we have your express consent.

We will use your Identity Data, Contact Data, Financial Data, Pension Data and any special category data you provide to fulfil our role as the Trustees of the Plan. This includes ensuring that correct benefits can be calculated as and when they fall due and for the purposes of providing a statement of benefits prior to payment. This is necessary for our legitimate interest in operating the Plan.

We are responsible for managing and administering your pension. We have, as is common practice, appointed a specialist third party administrator who looks after your member records and calculates your pension benefits. This is the organisation that holds complete records of all members of the Plan. They are our Data Processor, and we have shared your data with them so they can function as the administrator. They will have been provided with your Identity Data, Contact Data, Finance Data and Pension Data. This has been done in our legitimate interest, and pursuant to our legal obligation, to manage the Plan, its liabilities and to ensure members get their benefits as well as for compliance purposes (e.g. to assist us in complying with our duties in relation to the Pensions Dashboards).

We only share your special category data where it is necessary to do so, and only with the appropriate Plan Third Parties to assist the Trustees in calculating and reviewing your benefits or dealing with your complaint. Third Parties may include, depending on the circumstances, the Plan Actuary (Pauline McConville FIA), Plan Administrator, medical and occupational health professionals, lawyers, insurers (Aviva Insurance Limited), benefits consultants, annuity providers and auditors. The sharing of such data is necessary for our legitimate interest in operating the Plan and, in turn, is necessary in connection with employment, social security and social protection (which includes pensions and administering benefits). In limited circumstances, this processing will be for reasons of substantial public interest, namely the operation of an occupational pension scheme.

The payroll provider holds data to enable it to make pension payments for the Plan. They are our Data Processor, and we have shared your data with them so they can make your pension payments. They will have been provided with your Identity Data, Contact Data, Finance Data and Pension Data. This has been done in our legitimate interest, and pursuant to our legal obligation, to manage the Plan, its liabilities and to ensure members get their benefits.

The Plan Actuary may need access to some of that data about your pension entitlement and circumstances in order to assess how well funded the Plan is and sometimes in order to assist in calculating benefits. From time to time, other organisations will also need access to your data; for example, the Plan Auditor (Harbinson Mulholland) will see limited amounts of personal data in order to ensure that the Plan's finances are in order and that the correct benefits are being paid out. This has been done in our legitimate interest, and pursuant to our legal obligation, to manage the Plan, its liabilities and to ensure members get their benefits.

The Plan also has a legal obligation to provide data to Money & Pensions Service (as the current operator of the Pensions Dashboard). Whilst the Plan relies on that legal obligation to share data with and into the Pensions Dashboard, you will also be asked by the Money & Pensions Service (or another provider of the Pensions Dashboard in the future) to give your consent (if you seek to use the Pensions Dashboard) to data sharing in that context. This extends to data shared by our Data Processors, in relation to the Pensions Dashboard as it will be our appointed third-party administrator who typically shares the data with the Pensions Dashboard.

The Plan's legal adviser (Burges Salmon LLP) may need to be consulted on individual cases and if you are a pensioner we have to provide information to His Majesty's Revenue and Customs (HMRC) so that they know what tax has been deducted from your pension. This is in accordance with our legitimate interests in taking legal advice and in compliance with legal obligations to HMRC respectively.

Merrydown Plc also holds your data to comply with its legal obligations as the Plan's sponsoring employer. It also has a legitimate interest in the Plan being run in a cost-effective way and may have an interest in offering certain options to members in the future.

From time to time, the Trustees may consider securing member benefits with an insurance company. To do this, the Trustees may need to share your data with relevant providers. Those providers will use that data to verify the assets and liabilities of the Plan. If we consider transacting with an insurer, we may write to you to ask for up-to-date information about your spouse/partner/children/other dependents, for this purpose. The following categories of personal data would typically be shared: Plan membership ID number; marital status and details about spouse/partner; date of birth; information about annual pensions increases; pension/benefit amounts payable; age at retirement; service length and retirement date. This has been done in our legitimate interest to effectively and safely manage the Plan, its liabilities, to ensure members get their benefits and/or are protected.

Insuring pension scheme liabilities is a common way for pension schemes to control risks. Should a transaction take place, the Trustees will write to you to explain what has changed, who the insurer is. They will also direct you to the insurer's privacy notice which explains how the insurer will use your data.

We may also share your personal data with third party service providers, such as IT systems providers. Where we do so it is in our legitimate interests in the proper and efficient management of the Plan.

All organisations that require access to your personal data will have to comply with the regulations and the Trustees and their advisers will check to make sure that your data will be secure in their hands. A full list of the organisations with whom we share your data is available on request (see our contact details at the end of this Privacy Notice). Where these organisations are Data Controllers in their own right, a copy of their Privacy Notice is available to you on request (and will in any event have been sent to you by that Data Controller).

Where we have information in relation to proposed beneficiaries, who may become eligible to a benefit on a member's death, we will advise the individual of their data protection rights when and if a benefit becomes payable from the Plan.

All those with whom we do share your personal data with are required to take appropriate security measures to protect your personal information. We do not allow our Data Processors, or their sub-processors if they have any, 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.

The Trustees (or our Data Processors on our behalf) may engage in automated decision-marking and/or profiling. Where this is the case, and such decision meets the legal criteria for a 'significant decision', you will be provided with information about the decision, including the logic involved, the main factors/criteria used in the decision-making, and the significance and envisaged consequences for you.

You will also have the right to:

- Request human intervention in the decision-making process.
- Express your view and make representations about the decision.
- Contest the decision.

In the event that you are notified of relevant automated decision making, you can exercise the above rights by contacting the Trustees using the details at section 6 below.

We do not envisage there being any solely automated decisions involving special category data, but should such a situation arise we will only do this where you have given explicit consent (which you can withdraw at any time), or where the processing is required or authorised by law with appropriate safeguards in place.

Please use the contact details at section 6 below, if you would like any further information regarding any automated decision-making we may implement, that affects you.

4. How long will you keep my personal data and how is it protected?

We will need to hold your personal data for many years, probably until long after your own death and that of any dependant to whom a pension might be payable on your death, as there are occasions when a review of historical member information is necessary. One of the most recent examples of this is HMRC's decision to cease providing data relating to the past practice of contracting out of the State Pension Scheme. This has forced the Plan's administrator to review records covering the past 40 years and more to make sure that every member's contracted out record is correct and in line with that held by HMRC.

We do not typically transfer your personal data outside of the UK (which is deemed to provide an adequate level of protection). If transfer outside of the UK is required (for example, some IT service providers have back-up systems outside of the UK which only apply if there is a failure at the primary data centre in the UK), we will ensure any such transfer is done in accordance with Data Protection Laws and your personal data is properly protected by safeguards. Such safeguards will almost certainly be either:

- That the destination jurisdiction has been deemed by the UK government to provide a level of protection for personal data that is not materially lower than UK standards. This would include countries within the European Economic Area (EEA); or
- If the transfer is not approved by the UK government, we may only transfer data if appropriate safeguards are in place and we consider that the level of protection provided for data subjects is not materially lower than UK standards. This will be by the use of specific standard contractual terms approved for use in the UK which give the transferred personal data the same protection as it has in the UK. To obtain a copy of these contractual safeguards, please contact us.

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. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

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

5. What rights do I have?

You have the following rights (although there some circumstances in which they do not apply or are subject to exemptions):

- 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.
- **Withdraw consent** at any time where we are relying on consent (which we do not typically do) to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

If you wish to exercise any rights, please contact us using the details in section 6 of this Privacy Notice.

If you are unhappy with any aspect of our data protection compliance or way your personal data has been used, you have the right to raise a complaint with us.

If you wish to submit a complaint to us, you can do this by contacting us through any method. However, the most efficient way is to use the Plan's internal disputes resolution procedure (IDRP) which can be accessed by emailing merrydown.admin@xpsgroup.com for a Complaints form and more detail on the process. Whichever method you choose, you should include the following, if possible:

- Details of who you are;
- What your complaint relates to, together with any evidence in support of your concerns; and
- In some circumstances we may need to verify your identity; you could therefore provide evidence of your identity (often a photograph of official identification documents is more than sufficient). If you do not provide ID and we reasonably need it to confirm your identity, we will contact you to ask for it.

We will acknowledge your complaint within 30 days and endeavour to deal with it as soon as possible. We will keep you informed of our progress and explain the outcome to you once we have investigated your complaint.

You can also complain to the Information Commissioner's office (ICO). The ICO can be contacted by calling 0303 123 1113 or via the contact details available at www.ico.org.uk. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

6. Contact Details

If you need to contact us for any reason regarding this Privacy Notice or any matter concerning your personal data, please do so:

In writing to: Jim Kerrigan, XPS Group, 1st Floor, Flax House, 83-91 Adelaide Street, Belfast, BT2 8FE

Alternatively, you can email queries to: merrydown.admin@xpsgroup.com

For and on behalf of the Trustees of the Merrydown PLC Retirement Benefits Plan

Approved July 2026