

Rothesay



Who needs to read this privacy notice?

You should read this privacy notice if you, or the trustees of your pension scheme, hold a pension annuity policy with another insurer and that insurer has reinsured such policy with Rothesay Life Plc.

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About us and our relationship with you

'Rothesay' is the trading name for Rothesay Life Plc, an insurance company established in the UK with company registration number 06127279 and ICO registration Z1003678. We are authorised in the UK by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Our registered office address is The Post Building, 100 Museum Street, London WC1A 1PB.

This Privacy Notice applies where your **Insurer** has entered into a **reinsurance contract** with Rothesay in respect of your policy (or a policy held by the trustees of your **scheme**) and as a result we process your **personal data**.

We are a **controller** under **data protection laws**. This privacy notice explains how we use and look after your **personal data**. This privacy notice also tells you about your privacy rights and how the law protects you.

About this document

This privacy notice contains information about:

- The **personal data** that we **process** as a **controller**.
- Where the **personal data** has been obtained.
- The reasons why we **process** your **personal data** and the lawful basis we use to do so.
- The security measures that we have in place to keep your **personal data** secure.
- The length of time we store your **personal data** for.
- The organisations, or categories of organisation, with whom we might share your **personal data**.
- International transfers of your **personal data**.
- The rights you have under **data protection laws** in relation to our **processing** of your **personal data**.

The meaning of words which are shown in **bold underlined** text are explained in the **Glossary**. Throughout this notice any reference to "we" or "us" refers to Rothesay Life Plc.

Please note that we may change this privacy notice from time to time. The latest version of our privacy notice can be found on our website:

> rothesay.com/data-protection

To request a printed copy of this privacy notice please contact us using the contact details contained in the part of this privacy notice headed **Contact details**.

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What personal data do we process?

The categories of **personal data** we **process** include the following:

1. **Insurance member personal information: Personal data** relating to each individual who has pension benefits reinsured under a **reinsurance contract**, which may include:
 - Name
 - Address (email and postal)
 - Date of birth
 - Gender
 - National insurance number
 - Policy number and other reference numbers
 - Marital status, dependants and next of kin
 - Retirement age
 - Retirement date
2. **Insurance member employment information: Personal data** relating to the employment relevant to the benefits of each individual who has pension benefits reinsured under a **reinsurance contract**, which may include:
 - Employer (or former employer) name
 - Job title, job codes and job location
 - Pension benefits
3. **Sensitive personal data:** This includes the **processing** of health information relating to individuals who have pension benefits reinsured under a **reinsurance contract**, to the extent strictly necessary to determine eligibility for any ill-health benefits.
4. **Beneficiary Data:** The names of individuals who, on the death of an individual who has pension benefits reinsured under a **reinsurance contract**, are potentially entitled to any death benefits which are reinsured under that contract.

Additional **personal data** concerning you may be received from your **Insurer** in cases where they believe it is necessary to enable us to service your needs.

Where the personal data has been obtained.

Personal data will usually be collected from your **Insurer**.

There will be instances where we collect **personal data** from other sources. The sources include:

1. Tracing agencies and mortality screening companies

We engage tracing agencies to check whether we hold the correct address for an individual who has benefits reinsured under a **reinsurance contract**.

We engage mortality screening companies to check whether an individual who has benefits reinsured under a **reinsurance contract** is alive.

2. Financial sanctions screening companies

We engage financial sanctions screening companies to ensure that we do not break laws and regulations by making a payment in respect of an individual who:

- appears on a list of financial sanctions targets; or
- is subject to a sanctions programme as determined by any government or law enforcement agency.

The reasons why and lawful bases to process your personal data

The table below provides details of the purpose and the lawful bases upon which we **process personal data**.

Type of personal data	Why do we need it?	Lawful bases for processing
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> • <u>Insurance member employment information</u> • <u>Beneficiary Data</u> • <u>Sensitive personal data</u> 	<p>Fulfilling our obligations under reinsurance contracts</p> <p>We <u>process personal data</u> to fulfil our contractual obligations under the <u>reinsurance contracts</u> that we have entered into and ensure that we are paying the right amounts under each of those contracts.</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>It is in our interest, and the interest of <u>insurers</u> with whom we have entered into a <u>reinsurance contract</u>, to ensure that we fulfil our contractual obligations and ensure that we are paying the right amounts under each of those <u>reinsurance contracts</u>.</p> <p>We process <u>sensitive personal data</u> under a substantial public interest condition, such as meeting insurance requirements.</p>
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> • <u>Beneficiary Data</u> • <u>Insurance member employment information</u> 	<p>Managing our risks</p> <p>We <u>process personal data</u> to manage the risks to our business that are associated with the <u>reinsurance contracts</u> we have entered into.</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>It is in our interest to manage the risks to our business associated with the <u>reinsurance contracts</u> we have entered into.</p>
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> • <u>Insurance member employment information</u> • <u>Beneficiary Data</u> • <u>Sensitive personal data</u> 	<p>Meeting legal and regulatory expectations</p> <p>Fulfilling our legal and regulatory obligations, such as producing and issuing required regulatory documentation and conducting KYC, AML and sanctions checks and identifying and managing vulnerable customers.</p> <p>We may <u>process personal data</u> in order to fulfil our legal and</p>	<p>Compliance with a legal obligation to which we are subject</p> <p>We need to ensure that we operate in accordance with relevant laws and regulations. This includes, but is not limited to, meeting legal obligations in relation to customers with vulnerable characteristics and the FCA's</p>

	regulatory obligations in relation to our customers including the identification and support of customers with vulnerable characteristics as required by the FCA to meet our obligations under the Consumer Duty.	Consumer Duty more broadly. We process sensitive personal data under a substantial public interest condition, such as preventing or detecting unlawful acts.
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> 	<p>Operating our business</p> <p>We process personal data by providing it to third parties who collate such data from a wide variety of sources and publish reports on how long people in the UK live and other demographic trends. We use this information in connection with the performance of our business.</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>It is in our interest to estimate how long people in the UK are likely to live as accurately as possible and to understand other demographic trends. This helps us to understand our liabilities in respect of our current and future obligations under our reinsurance contracts.</p>
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> • <u>Beneficiary Data</u> • <u>Insurance member employment information</u> • <u>Sensitive personal data</u> 	<p>Preparing for a Part VII Transfer</p> <p>Where we have agreed to acquire an annuity portfolio from another insurer, this is typically structured initially as a reinsurance contract, followed by a Part VII Transfer to effect the legal transfer of the underlying annuity policies (subject to Court and regulatory approvals). As part of the preparation for a Part VII Transfer (for example, records and data migration preparatory work), it would be necessary for the insurer (as transferee) to provide us (as transferor) with the relevant data they hold in respect of the transferring policies, which will include personal data. We would need to process this personal data to ensure we can administer the transferred policies on completion of the Part VII Transfer. If the Part VII Transfer is sanctioned by the High Court, we will also process personal data in order to administer the transferred</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>It is in our interest, and the interest of insurers with whom we have entered into a contractual arrangement to acquire an annuity portfolio, to ensure that we fulfil our contractual obligations. It is also in the interest of the individual under a transferred policy that we can continue to administer that policy following a Part VII Transfer.</p> <p>We process sensitive personal data under a substantial public interest condition, such as meeting insurance requirements or preventing or detecting unlawful acts.</p>

	<p>policies and fulfil our obligations under those transferred policies (including to ensure that we pay the right amounts under each of those policies).</p>	
<ul style="list-style-type: none"> • <u>Insurance member personal information</u> • <u>Beneficiary Data</u> • <u>Insurance member employment information</u> 	<p>Establishment, exercise or defence of legal claims</p> <p>We store personal data in case we need it to exercise our legal rights, and to defend ourselves against potential legal claims that might be brought against us under the terms of any of our reinsurance contracts and/or laws and regulations.</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>It is in our interest to ensure that we are able to exercise our legal rights and defend ourselves against potential legal claims.</p>

We may also process **personal data** including **sensitive personal data** to comply with other laws, regulations or criminal reporting requirements that we are subject to. This includes compliance with law enforcement agency procedures in connection with various investigations and compliance with any requirement to prevent or detect unlawful acts.

How do we keep your personal data secure?

Our commitment to corporate security is demonstrated through the implementation of policies, controls and procedures, which are externally certified and audited to the international information security standard, ISO 27001:2013.

Our security policies, controls and procedures are regularly reviewed and updated so that we maintain good practices across our business to keep your information safe.

We have contractual arrangements in place with all of our service providers who **process personal data** in accordance with **data protection laws**. We regularly check that our service providers are complying with their contractual commitments. This includes assessing and reporting on our service providers' information security controls to check their compliance using questionnaires and/or on-site audits.

How long do we store your personal data?

We will only keep your **personal data** for so long as we reasonably required and, in any event, only for as long as our internal rules and policies allow us to fulfil our business or legal and regulatory obligations (including obligations under the underlying policies where such policies have transferred to us pursuant to a **Part VII Transfer**). This will usually be up to 15 years following the end of the relevant reinsurance contract with the **Insurer**.

Who has access to your personal data?

We share **personal data** with a variety of other companies to operate our business. However, we only share the **personal data** where necessary to help us satisfy one or more of the reasons for processing set out above.

We have detailed the types of companies with whom we currently share **personal data** below. The companies fall into two categories:

- **Processors with whom we share personal data**

For these companies, we determine the purposes for which the **personal data** we pass to them is **processed** and they should not **process** that **personal data** other than in accordance with our written instructions. Processors with whom we share personal data:

- 1. Third Party Administrators**

We use specialist third party pension administration companies to help us administer our pension annuity policies. This enables us to meet our obligations in accordance with the terms of those policies. To enable them to do this, we need to provide them with all **personal data** that is relevant for this purpose.

Currently, we engage as administrators, companies trading as:

- Capita Employee Benefits Limited
- Aptia UK Limited
- Towers Watson Limited

- 2. Tracing agencies, mortality screening companies and financial sanctions screening companies**

We may use these companies in order to check one or both of the following:

- Whether an individual who has pension benefits reinsured under a reinsurance contract is alive and that the individual's address remains current

- Whether an individual appears on a list of financial sanctions targets or is subject to a sanction programme.

3. IT service providers

Our main IT infrastructure and core software is provided by Goldman Sachs Group, Inc.. This means that **personal data** we **process** is stored on Goldman Sachs' IT systems.

4. Other service providers to our business

Other companies who **process personal data** on our behalf include those who provide day-to-day operational business services such as emails, archiving, document scanning and copying, document destruction and printing.

- **Controllers with whom we share personal data**

For these companies, we do not determine the purposes for which the **personal data** we pass to them is **processed** once it is shared. To understand how the other **controllers process** your **personal data**, you should refer to their privacy notices. Controllers with whom we share personal data:

1. Reinsurers

We may provide information about the liabilities reinsured under our **reinsurance contracts** to third party reinsurers with whom we reinsure some of the risks to which we are exposed under those contracts. The main such risk is that individuals who have pension benefits reinsured under our reinsurance contracts live longer than we anticipated. You can request a list of reinsurers to whom we have disclosed your **personal data** using the details contained in the part of this privacy notice headed **Contact details**.

2. Trend analysis providers

We provide information to, and use services provided by, third parties to analyse how long people in the UK live and other demographic trends. We use information provided to us by these third parties in connection with the performance of our business. For example, we use it to help us to estimate how long our policyholders and individuals under our **reinsurance contracts** are likely to live in order to understand our liabilities in respect of our current and future policyholders.

3. Professional advisers

We sometimes have to share **personal data** with our professional advisers (including accountants and lawyers) where it is required for the purposes of their advice.

4. Regulators, law enforcement and auditors

We will share **personal data** when requested by regulators, law enforcement agencies or other third parties to comply obligations imposed on us by laws and regulations.

International transfers of your personal data

Where personal data is transferred to and **processed** in a country outside of the UK or the EEA (as applicable), we take steps to provide appropriate safeguards to protect your **personal data**, including by entering into approved standard contractual clauses obliging recipients to protect your **personal data** and only transferring **personal data** to the extent that an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of **personal data** is ensured in compliance with **data protection laws**.

If you want further information on the specific mechanisms used by us when transferring your **personal data** outside of the UK or EEA, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

Your rights

Under certain circumstances, you have the following rights under **data protection law**:

- The right of access to **personal data** relating to you (known as Subject Access Requests)
- The right to correct any mistakes in your **personal data**.
- The right to require us to delete your **personal data**.
- The right to restrict our **processing** of your **personal data**.
- The right to object to us **processing** your **personal data**, including for marketing purposes.
- The right to have your **personal data** provided to another **controller**.

How to exercise your rights

If you wish to exercise any of your rights, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

You can also make a request to exercise your rights via your **Insurer**, or the trustees of your **Scheme** (if applicable). If you choose to do this, your **Insurer** will notify us and we will respond to your request. When seeking to exercise any of your rights, please ensure that your request contains sufficient information and supporting documentation to enable us to consider your request and take appropriate action. There are exemptions that apply to some of your rights. If any of these are applicable such that we are unable to comply with your request, we will confirm this to you when responding to your request and apply those exemptions in accordance with data protection laws.

Contact details

How to contact us regarding this privacy notice

You may want to contact us to:

- Ask any questions you have in relation to the information contained in this privacy notice.
- Exercise any of your rights under the **data protection laws**.
- Request a printed copy of this privacy notice.
- Request a version of this privacy notice printed in large print or braille.
- Request an audio version of this privacy notice.
- Make a complaint (see below).

To contact us you can email our DPO at **dpo@rothesay.com** or write to:

> Data Protection Team, Rothesay Life Plc, The Post Building, 100 Museum Street, London WC1A 1PB

If you live within the European Union, you can also contact our European representative. Their details are as follows:

> Bird & Bird GDPR Representative Services SRL, Avenue Louise 235, 1050 Bruxelles, Belgium

Or email **EUrepresentative.Rothesay@twobirds.com**

How to make a complaint

If you have a problem or concern relating to the ways we process your **personal data** or the contents of this privacy notice, please contact us in the first instance.

We hope that we will be able to address the problem or concern to your satisfaction. However, you also have the right to make a complaint to the Information Commissioner's Office. The process for making a complaint to the Information Commissioner's Office is available here: <https://ico.org.uk/make-a-complaint/>. Their contact details are as follows:

> Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Or phone 0303 123 1113

> **ico.org.uk**

Glossary

The terms shown in **bold underlined** text in this privacy notice have the meanings shown below.

Beneficiary data: The names of individuals who, on the death of an individual who has pension benefits reinsured under a **reinsurance contract**, are potentially entitled to any death benefits which are reinsured under that contract.

controller: the entity which determines the purposes for which, and the manner in which, any **personal data** is **processed**.

data protection laws: any law relating to the use of Personal Data, including:

a) in the United Kingdom:

- i) the General Data Protection Regulation (EU) 2016/679 (GDPR) including as adopted by the United Kingdom as a result of its exit from the European Union ("UK GDPR") and the Data Protection Act 2018, and/or any corresponding or equivalent national laws and regulation in the United Kingdom and/or any other applicable jurisdiction; and/or
- ii) the Privacy and Electronic Communications (EC Directive) Regulations 2003, and any laws or regulations implementing Directive 2002/58/EC (e-Privacy Directive) and/or any corresponding or equivalent national laws and regulation;

b) in member states of the European Union (EU) and/or the EEA: the GDPR and the e-Privacy Directive, and all relevant EU and EEA member state laws or regulations giving effect to or corresponding with any of them; and

c) any judicial or administrative interpretation of any of the above.

Insurance member employment information: relating to each individual who has pension benefits reinsured under a **reinsurance contract**, which may include:

- Employer (or former employer) name
- Job title, job codes and job location
- Pension benefits

Insurance member personal information: Personal information relating to each individual who has pension benefits reinsured under a reinsurance contract, which may include:

- Name
- Address (email and postal)
- Date of birth
- Gender
- National insurance number
- Policy number and other reference numbers
- Marital status, dependants and next of kin
- Retirement age
- Retirement date

Insurer: an insurance company with whom you or the trustee of your **Scheme** holds an annuity policy.

Part VII transfer: a legal process pursuant to Part VII of the Financial Services and Markets Act 2000 to effect a transfer of all or part of a long-term insurance business from one insurance company to another.

personal data: any information relating to a living identifiable individual, including:

- Information such as names, addresses, telephone numbers, email addresses, photographs, voice recordings and financial information
- Expressions of opinion and indications of intentions about individuals (and their own expressions of opinion/intentions)
- Information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future.

processor: any entity which **processes personal data** on behalf of a **controller**.

Processing, processed or **process**: this covers almost anything a company or individual can do with **personal data**, including:

- Obtaining, recording, retrieving, consulting or holding it
- Organising, adapting or updating it
- Disclosing, sharing or otherwise making it available
- Cleansing, blocking, erasing or destroying it

reinsurance contract: a reinsurance contract that we have entered with another insurer whereby we agree to reinsure certain liabilities in respect of the underlying annuity portfolio.

scheme: if applicable, the pension scheme of which you are a member whose trustees hold a bulk annuity policy with your **Insurer** under which your **Insurer** has an obligation to pay specified benefits to the trustees in respect of you.

sensitive personal data: any information relating to any of the following:

- Racial or ethnic origin
- Political opinions
- Religious beliefs or beliefs of a similar nature
- Trade union membership
- Physical or mental health
- Sexual life or orientation
- Genetic data or biometric data for the purpose of uniquely identifying an individual
- Personal data relating to criminal convictions and offences.

Rothestay

'Rothestay' is the trading name for Rothestay Life Plc. Registered in England No. 6127279.
Registered office: The Post Building, 100 Museum Street, London WC1A 1PB.

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