

Creative Pension Trust Privacy Policy

This Privacy Policy relates to the use of personal data by PAN Trustees UK LLP, Roger Mattingly, Robert Branagh and BESTrustees Limited, Creative Pension Trust, PO Box 9813, Bournemouth, BH1 9PL (together, the “**Trustees**” “**we**” “**us**”) as trustees for and on behalf of Creative Pension Trust (the “**Scheme**”).

Introduction

This Privacy Policy sets out how we collect, use and protect your personal data (including personal data collected through the website <https://www.creativebenefits.co.uk> (“**Website**”) and the Creative Pension Trust member portal (“**Member Portal**”) which members of the Creative Pension Trust (“**Scheme**”), have access to.

In our administration and management of the Scheme, we will collect and process personal data about members of the Scheme, contingent Scheme beneficiaries or others named as potential beneficiaries or with an interest or entitlement to benefits from the Scheme. In addition to this, the Website also collects certain personal data from users, in accordance with this Privacy Policy.

We are firmly committed to respecting and protecting the privacy of all personal data received or collected, in strict adherence to Data Protection Legislation (defined below) and best business practice. This includes data for the employers of members. We have established this Privacy Policy so that you can understand the care with which we intend to treat your personal data.

How to contact us

If you have any questions regarding your personal data and how we may use it, including any queries relating to this Privacy Policy, please contact us at: Creative Pension Trust PO Box 9813, Bournemouth, BH1 9PL or data@creativebenefits.co.uk, or via the Website, marking all communication as in relation to Creative Pension Trust, or by calling 0345 606 0424.

Terminology used

Our data protection and privacy measures are governed by all applicable data protection and privacy legislation in force from time to time in the UK including the Data Protection Act 2018; UK GDPR (as defined in the Data Protection Act 2018); the Privacy and Electronic Communications Directive 2002/58/EC (as updated by Directive 2009/136/EC) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended (“**Data Protection Legislation**”).

Our Role

For the purpose of the Data Protection Legislation, where personal data is provided to us either directly through use of the Website, email, Member Portal or by other means, we will be a “data controller” of such information as we determine the purposes for and way in which that personal data is processed.

Personal data and Basis for Collection

Personal data means any data or information about an individual from which that person can be directly or indirectly identified. It does not include data or information which has been fully anonymised so that the individual can no longer be identified.

We may collect, use, store and transfer some or all of the following personal data about you and / or any potential beneficiaries: -

- **Identity Data** includes first name, last name, username or similar identifier, title, marital status, director status, gender, age, date of birth, ID documentation, birth certificates, marriage certificates, passport or identity card number, dependency details and any pension identifier generated for pension dashboard purposes.
- **Employment Data** includes information about your employment status, role, job title, employer, previous employers, salary, compensation, employee claims, bonuses, benefits and duration of employment.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes financial status, bank account and payment card details.
- **Tax Data** includes HMRC details, national insurance number and tax information.
- **Transaction Data** includes details about payments to and from you.
- **Usage Data** includes information where you submit an enquiry or query through the Website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Health Data** including information about medical history, health, lifestyle and social circumstances including medical reports and state benefit forms.
- **Profile Data** includes your username, password and preferences.
- **Beneficiary Data** includes first name, last name, username or similar identifier, title, address, relationship to the member.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of an agreement we have with you and you fail to provide that data when requested, we may not be able to perform the agreement we have or are trying to enter. In this case, this may impact the Scheme's availability to you or the Scheme services available to you and we will let you know if this is the case.

How is your personal data collected?

We use different methods to collect personal data from and about you including through: -

- **Direct interactions:** You may give us your contact information by filling in forms or by corresponding with us by post, phone, email, through the Member Portal or otherwise; or
- **Enquiries:** when made through the Website, Member Portal or by email; or
- **Your employer or previous employer, or third parties on their behalf:** we may receive information directly from your employer or previous employer as required in relation to the Scheme; or
- **Third parties or publicly available sources:** We may also receive personal data about you from various third parties and public sources such as third party service providers, IFAs, solicitors, beneficiaries, including third party debt agencies.

How we use your personal data

We will only use your personal data when the law allows us to, i.e. if we have a legal basis for doing so, as outlined in this Privacy Policy or as notified to you at the time we collect your personal data, and for the purposes for which it was collected for, 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 data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do this. Please note that we may process your personal data without your knowledge or consent, where this is required or permitted by law.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
For administration and operation of the Scheme	(a) Identity (b) Employment (c) Contact (d) Financial (e) Tax (f) Transaction (g) Marketing and Communication (h) Health (i) Profile	Compliance with a legal obligation (i.e. our obligations under the documents governing the Scheme and legislation governing the operation of pension schemes) Legitimate interests (to enable us to properly administer the Scheme)
To register and enable use of the online Member Portal	(a) Identity (b) Contact (c) Profile	Performance of a contract
To perform anti-money laundering checks, ID checks and other compliance checks	(a) Identity (b) Contact (c) Financial	Legitimate interests (to ensure verification of identity)
To respond to queries and enquiries	(a) Identity (b) Contact (c) Usage	Legitimate interests (to enable the provision of services and support) Performance of a contract
To undertake marketing to you	(a) Identity (b) Contact (c) Marketing and Communication	Legitimate interests (to develop our service and offerings)
For pension dashboard purposes (including, comparing personal data received in connection with a request made on a pensions dashboard service with Scheme records to determine whether that individual has a pension with the Scheme).	(a) Identity (b) Employment (c) Contact (d) Tax	Compliance with a legal obligation (i.e. our obligations under the pension dashboards legislation). Legitimate interests (to enable members to access their pensions information via a pension dashboard).

Special Category Personal Data

As part of running the Scheme, we may need to hold and process particularly sensitive information about you and / or your beneficiaries (known as “**special categories of personal data**”). Under the data protection legislation, details relating to health, racial or ethnic origin, religious or other similar beliefs, sexual orientation and political affiliations are regarded as “special categories of personal data”.

Examples of when we might hold or process special categories of personal data include where you provide Beneficiary Data on an expression of wish form, which indirectly may tell us about your sexual orientation, or where you provide Health Data in relation to an application for ill-health early retirement.

Except where the legislation allows it (for example, where the processing is in connection with employment, social security and social protection, where you have made the relevant information manifestly public or where the information is required to establish, exercise or defend legal claims), this information cannot be processed or passed to a third party without your explicit consent.

How your personal data may be shared

As the Trustees need help from various third parties to properly administer the Scheme, personal data processed by us may be shared as follows: -

- with Creative Auto-Enrolment Limited (company number 08554978), for the purpose of administration and provision of services to be provided in its role as Scheme Sponsor & Manager of the Scheme;
- with your current or previous employer in their capacity as a participating employer of the Scheme;
- with Creative Benefits Solutions Limited (company number 07509952) in relation its administration of the Website and provision of related services;
- with Cushon Group Limited (company number 10967805) in relation to its role as the parent company of Creative Benefit Solutions Limited and Creative Auto-Enrolment Limited;
- with Link Pension Administration (HS) Limited (company number 01901744), in relation to the services it provides as the Trustees’ appointed third party Scheme administrator, including in relation to the Member Portal, together with its sub-processors;
- with other third parties that we engage from time to time in respect of the provision of services and management of the Scheme;
- with the Scheme’s professional advisers including the auditor, investment adviser(s) and lawyers];
- with other third parties where we are under a duty to disclose your personal data to comply with any legal obligation, regulation or to enforce or apply agreements, including the Scheme’s auditor, Crowe U.K. LLP, which acts as a joint data controller with the Trustees (the Crowe U.K. LLP Privacy Policy is available at <https://www.crowe.com/uk/privacy-policy>);
- with other third parties to protect the rights, property, or safety of ours, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and for compliance with laws and solicitors providing legal advice;
- with the Pensions Regulator or any other Regulatory Body, as may be appropriate for regulatory purposes;
- with other third parties that form part of the interconnected system that enables pension dashboard services to work (including the Money and Pensions Service and other qualifying pension dashboard service providers) to ensure that your pension

information is available to be requested via a pension dashboard service and to enable the Trustees to comply with their obligations under the pension dashboards legislation.

- with HM Revenue & Customs (“HMRC”) in relation to the assessment, reporting and payment of taxation;
- other third parties in connection with any sale, merger, acquisition, disposal, reorganisation, or similar change involving the Scheme.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law and have written contracts and/or agreements in place with relevant third parties that include appropriate data protection provisions. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. We review the data protection, privacy policies and security arrangements of third party service providers acting as data processors on a regular basis to ensure they are complying with the Data Protection Legislation.

Marketing

We may use your Identity, Contact, Usage, Marketing and Communications Data and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us or our subcontractors on our behalf if you have requested information from us (opted in) or purchased goods or services from us and you have not opted out of receiving that marketing (soft opt in).

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

Will personal data be stored or transferred outside the UK?

Wherever possible we will ensure that your personal data is stored and processed within the United Kingdom (“UK”) or the European Economic Area (“EEA”).

In the event that we share personal data with a third party who is located outside the UK or EEA, or who may from time to time transfer personal data outside the UK or EEA, we will ensure that any processing of your personal data outside the UK is in compliance with applicable data protection legislation. This may include entering into data transfer agreements with relevant third parties based on the model clauses approved for this purpose to ensure that the third parties to whom we transfer personal data commit to ensuring an adequate level of protection for your personal information.

Data security

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 agents, contractors and other third parties who have a business need to know. They are contractually required to use appropriate protective measures and will only process your personal data on our instructions.

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

Personal Data Retention

We will only retain personal data for as long as necessary to fulfil the purposes we collected it for. In practice, this will be the lifetime of the Scheme and for an appropriate period after that time. This is because of the long-term nature of pension schemes and the possibility of queries being brought many years after an individual has ceased to be a member or a scheme has been wound up.

From time to time the Trustees will consider whether certain types of data are no longer needed. If they are not, they will generally be destroyed, erased or made inaccessible.

Your Rights

Under certain circumstances, you have rights under Data Protection Legislation in relation to your personal data. These include: -

- The right to be informed – you have the right to be provided with information about the collection and use of the personal data we are processing. The information the Trustees are required to provide in relation to the collection and use of your personal data is set out in this Privacy Policy.
- The right of access – you have the right to be provided with copies of the personal data held about you that we are processing as well as confirmation of the processing we are doing.
- The right to rectification – if you think the personal data that we hold in relation to you is wrong you can ask to have it corrected.
- The right to erasure (also known as the right to be forgotten) –you can ask us to permanently delete the personal data we hold for you, although the Trustees can override this request in certain circumstances.
- The right to restrict processing – if you do not like how we are using your personal data then, in certain circumstances, you can require us to restrict / limit the processing of your personal data.
- The right to data portability – if you want us to pass on your personal data to someone else then please let us know. This transfer should not affect the integrity or otherwise damage your personal data.
- The right to object – as we are relying on legitimate interests as a reason for processing, you have the right to object to your personal data being processed, although the Trustees can override this objection in certain circumstances.
- The right to withdraw your consent – you can withdraw your consent for us to process your personal data (if we have relied on your consent to process your personal data) at any time by contacting us. If we have relied only on your consent as the basis to process your personal data then we will stop processing your personal data at the point you withdraw your consent. Please note that if we can also rely on other bases to process your personal data aside from consent then we may do so even if you have withdrawn your consent. Withdrawing your consent will also not affect the processing of any personal data which took place before your consent was withdrawn.
- Rights in relation to automated decision making and profiling – if we decide to use either automated decision making or profiling then you have a right to know. Also, we need your consent if either of these are used to make a decision that affects you. As with all consent, you can withdraw it at any time.

To exercise any of the above rights please email your request to: -

data@creativebenefits.co.uk

Or you can contact us via the Scheme Website or by calling 0345 606 0424.

You should be aware that taking any of the above steps could impact on your participation in the Scheme and / or our ability to answer questions in relation to your benefits. In particular, where you exercise your right to erasure or where information is deleted in accordance with our retention practices, please note that after the deletion of your personal data, it cannot be recovered, so if you require a copy of this personal data, please request this during the period we retain the data.

Where you exercise your right to request access to the information we process about you, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded or excessive (or you request further copies of your data).

Alternatively, we may refuse to comply with your request in these circumstances.

We will try to respond to all legitimate access requests within one month of receipt of the request. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Children

The Website is not intended for children and other than in relation to names of beneficiaries (where we collect a limited data set) we will not knowingly collect any personal data from persons under the age of 16 and will immediately delete any such data subsequently so determined.

Complaints

If you would like to make a complaint in relation to how we may have stored, used or processed your personal data, you have the right to make a complaint at any time to the Information Commissioner's Office ("**ICO**"), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us (using the contact details set out in the "How to contact us" section above) in the first instance.

Automated decision making

We may introduce various technologies that may make an automated decision which uses your personal data to reach a specific decision. If we intend to use such automated decision-making technologies, you will be told at the time we wish to introduce such technologies and we will obtain your consent to such use and processing of your personal data.

External Websites

The Website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability in respect of personal data you disclose on any such websites. We are not responsible for the content of external internet sites and you are advised to read the privacy policy of external sites before disclosing any personal data.

Use of cookies and tracking technologies by us

The Website uses cookies which Creative Benefits Solutions Ltd is responsible for. You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Website may become inaccessible or not function properly. For more information about the cookies we use, please see our cookies policy, a copy of which can be found on the Website. We may also analyse information that does not contain personal data for trends and statistics.

Remember the Risks Whenever You Use the Internet

We are committed to ensuring that your information is secure and have put in place reasonable and proportionate safeguards and procedures to protect your personal data. Whilst we do our best to protect your personal data, we cannot guarantee the security of any information that you transmit to us and you are solely responsible for maintaining the secrecy of any passwords or other account information.

PAN Trustees

Please note that PAN Trustees UK LLP ("PAN") may continue to hold personal data collected through its role as a Trustee of the Scheme even when it is no longer a Trustee of the Scheme. Information about PAN's approach in this situation to data security as a firm can be found at <https://www.pantrustees.co.uk/Scheme-GDPR/>.

Changes to this Privacy Policy and keeping us informed of changes to your personal data

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

As and when necessary, changes to this Privacy Policy will be posted on the Website. Where changes are significant, we may also email all our registered users with the new details. This Privacy Policy was last updated on 31 May 2024.

Creative Pension Trust is an occupational pension scheme governed by a group of Independent Trustees including PAN Trustees UK LLP (Company No. OC333840) of The Annex, Oathall House, Oathall Road, Haywards Heath, West Sussex, England RH16 3EN and BESTrustees Limited (Company No. 02671775) of 1 Cornhill, London, EC3V 3ND. The scheme is sponsored by Creative Auto Enrolment Limited (Company No. 8554978), trading as Creative. Registered office: 250 Bishopsgate, London, EC2M 4AA.