Data Retention

Tachbrook Nursery School

PARTICIPATING EMPLOYER PERSONAL DATA RETENTION POLICY

(the **"Employer"** and **"we"**)

This document has been prepared by the Employer, in its capacity as a scheme employer in the City of Westminster Pension Fund (the **"Fund"**) and sets out the Employer's policy on the retention of personal data relating to its employees who are members of the Fund.

This policy document should also be read in conjunction with the Employer's and Fund's privacy notices, which can be accessed via the following links: **www.wccpensionfund.co.uk/westminster-city-council-pension-fund/about-us/forms-and-publications**

Introduction

As data controllers, we are required by legislation to comply with the principles of data minimisation and storage limitation. Personal data we process:

- must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed; and
- must not be kept in a form which permits identification of a data subject for longer than is necessary for the purposes for which the personal data is processed.

We are obliged to retain certain records (whether in hard copy or electronic form) for various periods of time because:

- we have a statutory obligation to do so; and/or
- the information contained in those records may be necessary for the future (for example, questions may arise about the calculation of benefits either to be put into payment or that have been paid in the past, and data that may be relevant to a possible legal claim needs to be kept until the period within which that claim could be brought has expired).

This policy document sets out the measures adopted by the Employer to comply with the principles of data minimisation and storage limitation in relation to personal data that we hold and process for the purposes of the Fund.

Types of personal data we hold

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We hold and process the following types of personal data in relation to our current and former employees who are Members of the Fund:

- Contact details, including name, address, telephone numbers and email address.
- Identifying details, including date of birth, national insurance number and employee and membership numbers.
- Information that is used to calculate and assess eligibility for benefits, for example, length of service, history of hours worked or membership and salary information necessary for the calculation of the Member's benefits in the Fund.
- For current employees, information about the Member's family, dependants or personal circumstances, for example, marital status and information relevant to the distribution and allocation of benefits payable on death in service.
- Information about the Member's health, for example, to assess eligibility for benefits payable on ill health, or where the scheme Member's health is relevant to a claim for benefits following their death.
- Information about a criminal conviction if this has resulted in the Member owing money to the Employer or the Fund and the Employer or Fund may be reimbursed from the Member's benefits.

Retention periods for personal data

In compiling our policy on the retention of personal data, we have taken into account the guidelines on the retention of personal data as set out by / in:

- Information and Records Management Society;
- The National Archives;
- HMRC compliance handbook manual CH15400;
- ICO's retention policy;
- EU Article 29 Working Party guidance; and
- The Pension Regulator's code of practice 14 for public service pension schemes.

Data protection legislation requires that we retain personal data for no longer than is necessary in order to fulfil the purpose(s) for which it is processed. Given the long term nature of pensions, we need to ensure that personal data is retained to:

- comply with our legal and regulator obligations as a participating employer regarding the payment of pensions from the Fund; and
- deal with any questions or complaints that we or the Fund may receive about a Member's pension entitlement from the Fund.

Personal data will be retained for a maximum period of fifteen years after termination of employment.

During any period when we retain personal data, we will keep that personal data up to date and take all reasonable steps to ensure that inaccurate data is either erased or rectified without delay. We will periodically review the personal data that we retain and consider whether it is still required; any personal data that we no longer require will be destroyed.

Member's and Beneficiary's rights

Beneficiaries form a wider category of people who receive benefits from the Fund, for example the active/deferred/pensioner member's spouse / child(ren) / dependants). Members of the Fund and Beneficiaries have a right to access and obtain a copy of the personal data that we hold about them and to ask us to correct personal data if there are any errors or it is out of date or incomplete.

In certain circumstances a Member / Beneficiary has the right to:

- object to the processing of their personal data
- restrict the processing of their personal data until any errors are corrected;
- transfer their personal data; or
- Erase their personal data.

If the exercise of the Member's / Beneficiary's rights would prevent us from providing the personal data to the City of Westminster Pension Fund in order for the payment or continued payment of a pension from the Fund, we will consider retaining a minimised version of that Member's / Beneficiary's personal data in order to fulfil our legal obligations.[1]

Review

This policy will be reviewed by Tachbrook Nursery School at least annually.

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