

# Affinity Water Pension Trustees Limited

## Privacy Notice

**This Privacy Notice will help you understand how we use your personal data when you join the Affinity Water Pension Plan.**

### About Affinity Water Pension Trustees Limited

Affinity Water Pension Trustees Limited ("the Trustee") is responsible for the administration of the Affinity Water Pension Plan ("the Plan"). The Trustee needs personal data about you to run the Plan and pay benefits.

Similarly, other parties involved in running the Plan will sometimes need to make decisions jointly with the Trustee about how your personal data will be used for those purposes. These other parties (our "Trustee Advisers") include the Plan Actuary (currently Victoria Rolfe of Hymans Robertson LLP ("Hymans")).

In legal terms, the Trustee and the Trustee Advisers are 'joint controllers' in respect of this information. This means that we need to tell you some things about the personal data we have about you and what your rights are in relation to it. For further details about Hyman's role in running the Plan, please see further information below.

In this notice, you will see information about what the Trustee does with your personal data, and also what the Trustee Advisers do with it. We describe who to contact if you wish to exercise your rights under data protection laws in relation to the joint use we make of your information.

Except where stated otherwise, 'we' means both the Trustee and the Trustee Advisers where they are acting as joint controllers in relation to your personal data (as described above).

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### Personal data must be processed lawfully, fairly and transparently

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#### What personal data do we hold and use?

We collect and processes the following types of personal data in order to administer the Plan:

- Personal, for example name (and previous or alternative names), date of birth, contact details (including your address, former addresses, email address and phone numbers), sex/gender (we use sex to understand how long you are likely to receive your pension for and gender as part of your addressee details if we write to you e.g. 'Mr., Mrs., Ms.');
- Whether you are married or in a civil partnership and other information we might need to pay any benefits due on your death (including details of any divorce settlement relevant to your benefits and who you would like to receive any benefits due on your death);
- If your benefits from the Plan derive from your employment, details of your employer when you were building up benefits in the Plan, salary details from time to time, employment dates (i.e., length of pensionable service), details of service breaks;
- Your national insurance number and/or partial or dummy national insurance number;
- Any information you have provided about who you would like to receive any benefits due on your death, including personal relationships;
- Bank account details (where benefits are in payment), for example so pension benefits can be paid;
- Limited health information to assess eligibility for certain Plan benefits;
- Electronic 'pension identifiers' for pensions dashboards (explained below);

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- If your benefits from the Plan form part of a divorce settlement, details of that settlement;
- Details of any contributions paid by you or on your behalf to the Plan, including additional voluntary contributions (AVCs);
- Details of any benefits earned in a previous pension arrangement, if you have transferred these into the Plan;
- Correspondence received about you from HMRC, relating to periods of service when you may have been contracted out of the upper tier of the state pension; and
- Correspondence that we may have received about you from your appointed independent financial adviser.

We may sometimes use other personal data about you. This could include details about personal relationships to determine who should receive benefits on your death which could include information concerning your sexual orientation. We may have information about gender reassignment, if you have a gender recognition certificate, or have told us that you identify with a different gender from your birth sex. We might also, very rarely, have information about criminal convictions and offences, but only where it is relevant to the payment of Plan benefits.

We also have a legal obligation to carry out due diligence checks in the event of a pension transfer request, which may mean that we are obliged to ask you for additional information. For instance:

- If you wish to transfer to an occupational pension scheme, we have to request evidence that demonstrates an 'employment link'. This could include a letter from your employer confirming your employment, a schedule of contributions, payslips and bank statements (the bank account detail on your payslip might be different from the bank details we hold for you).
- If you request a transfer to an overseas pension scheme, we are legally obliged to check that you are resident in the same country as that scheme. This evidence might include utility bills, TV subscriptions, insurance documents relating to your overseas home, address, bank account and credit card statements, evidence of local tax being paid and registration of address with local doctors.

### **Pensions Dashboards**

The government has created a framework for pensions dashboards, designed to help people access information about their pensions online in one place. As part of this, we are required by law to match certain members (who search on dashboards) with their pensions under the Plan. We must also provide certain pensions information to the dashboards ecosystem (including the identity service, the pension finder service, the consent and authorisation service) so that it can be displayed when certain members ask to see it on a dashboard.

These activities may involve sharing member data with entities within the dashboards ecosystem, non-commercial dashboards and commercial dashboards and with the provider(s)/the integrated service provider(s)/administrator we appoint to help us in connecting to dashboards, matching people with their pensions and complying with our other dashboards duties.

As part of these dashboards duties, we may also need to report information (which could potentially include personal data) to other bodies including the Money and Pensions Service, the Pensions Regulator and the Financial Conduct Authority.

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### Data must be collected for specific, explicit and legitimate purposes

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#### On what grounds do we use your personal data?

The Trustee:

- has a legitimate interest to hold your data to enable the Plan to be properly administered for you and all Plan members and beneficiaries;
- has a legal obligation to provide individual members with certain information under pension regulations\*\*; and
- may rely on your consent in very limited circumstances, for example when we obtain explicit consent to use special category personal data (see Key Terms).

There are additional grounds relevant to more sensitive data (more on this below).

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### Data must be adequate, relevant and limited to what is necessary

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#### Where do we collect your personal data from?

Some of the personal data we collect and process comes directly from you. We need to tell you if we collected your information indirectly (i.e. from another person) or if it came from any publicly available sources.

Hymans, which administers the Plan on our behalf, may have obtained information from you and passed it to us. The Trustee may then in turn pass information about you to the Trustee Advisers or may instruct the administrator to do so. The Trustee is the source of the personal data which the Trustee Advisers have about you. Usually that won't include your name but it may include other identifiers and data that is unique to you (see the list of data set out above).

Sometimes we get personal data from other sources; for example your Plan employer will provide us with personal data about you (and any beneficiary if applicable) when you join the Plan through auto enrolment or by completing an Application Form; further personal data, such as details of your pay and service, will also be provided to the Trustee by the Plan employer during your membership; from another scheme if you have transferred benefits from that scheme, from government departments such as HMRC, and from publicly accessible sources (e.g. the electoral roll or through tracing agencies) if the Trustee has lost touch with you and is trying to find you. The Trustee may in turn pass this to the Trustee Advisers as above.

Some of your personal data may be collected indirectly through the pensions dashboards ecosystem (including the identity service, the pension finder service, the consent and authorisation service). Where we obtain personal data from the dashboards ecosystem, or during the process of matching members with their Plan benefits for dashboards purposes, we may retain that personal data to help demonstrate how and why we concluded that the person is a member entitled to receive information about their benefits on dashboards and to help us administer the Plan.

If we ask you for other information in the future (for example, about your health), we will explain whether you have a choice about providing it and the consequences for you if you do not do so.

We are required to comply with the Data Protection Legislation (see Key Terms).

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#### Why do we collect this personal data?

We must by law provide benefits in accordance with the Plan's governing documentation and must also meet other legal requirements in relation to the running of the Plan.

We will use your personal data to comply with these legal obligations, to establish and defend our legal rights, and to prevent and detect crimes such as fraud. We may need to share your personal data with other people for this reason, such as courts and law enforcement agencies.

Pensions dashboards regulations impose a legal obligation on us to match certain members with their pensions and provide information on their pension benefits. Testing data and getting ready for pensions dashboards compliance can also be part of our legal obligations.

We also have a legitimate interest in properly administering the Plan. This includes: paying benefits as they fall due; purchasing insurance contracts; arranging for pensions options and annuities (more details about that below); communicating with you; testing data and getting ready for pensions dashboards compliance can also be part of our legitimate interests, and ensuring that correct levels of contributions are paid, benefits are correctly calculated and the expected standards of Plan governance are met (including standards set out in Pensions Regulator guidance). We will use your personal data to comply with these obligations and communicate with you as a member, to establish and defend our legal rights and to prevent and detect crimes such as fraud. As for all processing of personal data when that is based on it being part of legitimate interests, we are required by law to ensure your own interests are not outweighed or prejudiced by our legitimate interests.

We will only process personal data where it is relevant and necessary. When we need to use information about your health (or other very personal data), we may ask for your consent. However, sometimes there may be reasons of public interest or social protection law which enable us to use information about your health (or other very personal data such as details about your personal relationships relevant to who should receive benefits on your death, which might reveal your sexual orientation, or information on gender reassignment) without consent, and we will do so where that is necessary to run the Plan in a sensible way.

You can withdraw your consent at any time by contacting us using the contact details given below. This may affect what we can do for you, unless we have another lawful reason for using your information. For example, if you apply for ill health early retirement and consent to us processing your health data for that, but then you withdraw that consent, we will usually be unable to consider your application. If you withdraw consent after our processing, this will not undo or otherwise affect the processing that has already happened.

Sometimes we need to use your personal data, including special categories of personal data, in order to establish, exercise or defend legal claims. Sometimes the Trustee will need to process criminal convictions and offences data when administering the Plan in accordance with its duties.

We may also share your personal data with someone else where you have given your consent, for example, where you transfer your benefits out of the Plan.

Where any personal data collected is not mandatory and is provided to us on a voluntary basis, we will inform you that you have a choice as to whether to provide this. This may affect what we can do for you, unless we have another lawful reason for using your information. Please see the example above about ill health early retirement.

Pension scheme administration is a highly complex process and it is not possible to describe all that is involved here, but if you have any questions about the uses to which this information may be put, please contact the Plan administrators, Hyman as shown below.

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#### Who do we share your personal data with?

In order to achieve this (i.e. all of the reasons for processing set out above), we may share your personal data with various people as necessary, including: any new trustees, the Plan employers, the Trustee Advisers and our other professional advisers, the Plan secretary and project consultants, AVC providers, employee benefits consultants (if the Trustee is asked by your Plan employer to share your data with them), auditors, insurers, HMRC, DWP, the Pensions Ombudsman; the Pensions Regulator; the ICO; the Financial Conduct Authority; and IT and data storage providers and other service providers, such as tracking and tracing services, internet service provider(s) (relevant to pensions dashboards compliance, as described above), Pensions dashboards ecosystem (as described above), non-commercial dashboards and commercial dashboards, the Money and Pensions Service.

As indicated above, the Trustee may share your personal data with third party service providers such as tracking and tracing services (via the Plan administrator) including if we have lost touch with you and are trying to find you or if the Trustee thinks it might have inaccurate or out of date information about you (e.g. your address). The Trustee has a legitimate interest in doing that.

The Trustee may share your personal data with the Plan employer for a number of reasons linked to managing the Plan. For example, the Plan employer may have a legitimate interest in contacting you about your benefits under the Plan, and about any additional options which may be available to you in relation to those benefits. In such circumstances, we may share your personal data with the Plan employer so that they can contact you for that purpose and when they do so they will be acting as a controller. For more information please visit <https://www.affinitywater.co.uk/privacy/notice>. The Trustee might contact you in relation to additional options too.

The Trustee may also share your personal data with the Plan employer who provides services to the Trustee as a processor to ensure the proper payment and calculation of benefits under the Plan, and who assists the Trustee in complying with its legal obligations. This includes, for example, the Plan employer processing new starter information, processing contribution rate changes, collating information required for member annual benefit statements, periodic data cleansing, accessing the member portal (read only access), providing information about discretionary cases including death in service cases involving active members, liaising between the payroll, human resources, insurance teams, the Trustee and Hymans Robertson as actuary and administrator, and processing information on retirement ages and options, not otherwise included within the payroll system itself.

We may need to share personal data with insurers in relation to the purchase and pricing of insurance contracts called 'annuities'. Insurers will use that data to verify the assets and liabilities of the Plan. We may write to you before purchasing an annuity to ask for up-to-date information about your spouse/partner/children/other dependants, for this purpose.

We will share your personal data when we purchase the annuity, and at that stage the insurer will typically share information with its chosen re-insurer. Sometimes the insurer's privacy notice will mention who its re-insurer is and how to see its privacy notice (either giving you a link to it online or explaining where it can be seen or by providing a copy of it). We will usually need to write to members to explain about the particular annuity and who the insurer is. In this way you can know who holds your personal data and how to exercise your rights against them. The following categories of personal data would typically be shared with insurers: 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. Usually your personal data would be pseudonymised before insurers and reinsurers see it (i.e. your name would not usually be shared but other unique identifiers about you will be).

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### Plan Actuary

The Plan Actuary is appointed by the Trustee to value the Plan benefits and carry out other calculations in relation to your Plan benefits. She will use your personal data for this purpose and has a legitimate interest in doing so. The Plan Actuary will also use your personal data to comply with her own legal obligations, and may need to share your details with other people for legal reasons, such as courts and law enforcement agencies. She may also share it with her own professional advisers, auditors and insurers, IT and data storage providers and other service providers.

Sometimes, your information may be used by the Trustee and the Plan Actuary for statistical research, but only in a form that no longer identifies you. In some circumstances the Plan Actuary may also be able to fulfil the purpose mentioned above using information which the Trustee has anonymised before sharing with her.

When providing administration services to the Plan, Hymans acts as a data processor and processes member data on behalf of the Trustee.

Hymans also provides actuarial, investment and consultancy services, such as advice and analytics, to the Trustee, including through the Plan Actuary. When providing actuarial services, the Plan Actuary and Hymans act as controllers with the Trustee. For more information on these roles, please visit:

<https://www.hymans.co.uk/scheme-member-privacy-notice>

Your data will also be shared with Club Vita LLP, who provide longevity (life expectancy) analytics and related information to help us manage the Plan's liabilities.

Where Hymans (and Club Vita LLP) appoint service providers or sub-processors to help in the provision of their services, for the details of such, please visit:

[www.hymans.co.uk/information/trust-centre](http://www.hymans.co.uk/information/trust-centre)

The table below explains the reasons for sharing your data with the Plan's advisers. This means the Plan's professional advisers (some of whom are already mentioned above). We may also share your data with other Plan advisers not listed below where it is necessary for us to properly administer your benefits under the Plan. If your benefits are transferred to another scheme, we will also need to provide the administrators of that scheme with information about you.

Type of service/adviser	Name	Reasons for sharing data
Plan Actuary and Administrators	Hymans Robertson	To calculate the value of the Plan's assets and liabilities, to set employer contribution rates and to facilitate the creation and maintenance of individual member's pension payments.
Regulatory Bodies	The Pensions Regulator  HMRC	To ensure the Plan is properly governed and that members' funds are protected.  To enable the Trustee to meet all HMRC regulations and to check compliance with maximum benefit limits or in connection with any transfer of entitlements to or from such an arrangement.



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Type of service/adviser	Name	Reasons for sharing data
Auditors	KPMG	To provide an external audit of data quality and integrity to comply with legislation on the accuracy of member data.
Member Communications	Hymans Robertson	To facilitate the print and delivery of, for example, annual Benefit Statements.
Transfers out of the Plan	Another pension provider	To effect the transfer out of the Plan to another pension scheme once a member has stopped working for a Plan employer, which may include the transfer of employment of members under TUPE.

Some of the third parties mentioned above just use your personal data in accordance with our instructions (as a processor). Where this includes the use of sub-processors, we expect the third party enters into terms which are no less onerous than the terms between the Trustee and that third party.

Other third parties may make their own decisions about the way they use this information to provide their services (including with the use of other service providers), perform their functions, or comply with their regulatory requirements, and in doing so will be a controller in respect of those activities. In such a case, they have responsibilities as controllers in their own right. This means that they are subject to the same legal obligations as us in relation to your personal data, and the rights you have in relation to your personal data apply to them, too.

If you want any more information from any of the people who receive your personal data from us, or to exercise any rights in relation to the information they hold, please contact the Company Secretary at [pensiontrustee@affinitywater.co.uk](mailto:pensiontrustee@affinitywater.co.uk) and we will put you in touch with them.

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### Data must only be kept for as long as necessary

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#### How long do we store your information?

We need to keep your personal data long enough to make sure that we can satisfy our legal obligations in relation to the Plan (including if your personal data originated from the pensions dashboards ecosystem and if you were matched up with the Plan through that) and pay any benefits due to or in respect of you.

The majority of your personal data will be kept for your lifetime plus 20 years (or the lifetime of your beneficiary plus 20 years where relevant). This will ensure that we have enough personal data to allow the Trustee to assist you (and your beneficiary) to answer any queries or complaints where we have a legal obligation to do so.

However, some personal data may be kept for a longer or shorter period depending on how long we sensibly think we need it to deal with queries (from you or your beneficiaries/other persons who might ask us if they are entitled to payments), complaints (from you or them), and our legal obligations mentioned above.

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### Personal Data must be kept secure

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#### How is your personal data kept safe?

The Trustee's policy is that personal data will be securely archived, accessible only by a restricted group of authorised persons. We will also comply with our Data Protection policy published on the [Pension Portal](#).

When we pass your information to a third party, we seek to ensure that they have appropriate security measures in place to keep your information safe and to comply with general principles in relation to data protection.

Some of the people we share your information with may process it overseas. This means that your personal data may on occasion be transferred outside the UK. Some countries already provide adequate legal protection for your personal data, but in other countries, additional steps will need to be taken to protect it.

These include:

- The personal information is transferred at the request and with the consent of the Plan member in relation to his/her/their own benefits (or those of a dependent or beneficiary, as appropriate);
- An appropriate standard contractual clauses contract along with UK international addendum, or alternatively the UK's international data transfer agreement, put in place with the third party/parties to whom the personal information will be transferred, containing appropriate safeguards in relation to it;
- The transfer is governed by the 'data bridge' between the UK and the US (where appropriate); or
- The transfer is within a group of companies who have obtained Binding Corporate Rules.

You can contact us for more information about the safeguards we use to ensure that your personal data is adequately protected in these circumstances (including how to obtain copies of this information).

Where your personal data is transferred outside the UK at your request e.g. in connection with an overseas pension transfer, or because your address is outside the UK, this type of transfer happens with your consent.

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### Your rights in respect of your personal data

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#### What rights do you have?

You have rights to control the personal data held about you and how it is used. These rights depend upon the grounds upon which your personal data is collected.

##### *The right of access*

You are entitled to see the personal data we hold about you and can request a copy and obtain information about how we process it from the Company Secretary (contact details below).

##### *The right to rectification*

If you believe any personal data we hold about you is incorrect, please email the Company Secretary at [pensiontrustee@affinitywater.co.uk](mailto:pensiontrustee@affinitywater.co.uk) and we will amend the information accordingly.



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#### *The right to erasure/ right to be forgotten*

You have the right to request the erasure of your personal data, in particular circumstances. Should you wish to discuss this further, please email the Company Secretary.

#### *The right to restrict processing\*\*\**

You have the right to request that we restrict how we use your personal data if you have a particular reason for wanting the restriction. Should you wish the Plan to limit how we use your data please email the Company Secretary.

#### *The right to data portability\*\*\*\**

You have the right to obtain and reuse personal data that you have supplied, for your own purposes. You can move, copy or transfer personal data from our IT environment to another in a safe and secure way. Should you wish to transfer your personal data please email the Company Secretary.

#### *The right to object*

You have a right to object to the use of your personal data for certain actions. For example, you can object to the Plan sharing your personal data with third parties. Should you exercise your right to object, we will take appropriate steps to ensure your request is complied with. However, it might not limit the information you receive from the Plan, as we are required by law to provide you with certain information or supply certain services.

#### *The right not to be subject to automated decision-making including profiling*

You have the right not to be subject to automated decision-making including profiling where it produces legal or other significant effects on you.

#### **How will we action your rights?**

You can exercise your rights free of charge except in some very limited circumstances, and we will explain these to you where they are relevant.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up and improve our response to you.

We will comply with your request within one calendar month (from the time Affinity Water receives your request, or upon receipt of any additional information we have requested from you). Occasionally we may require more time to respond to your request if your request is complex. We will notify you within one month to inform you that we require additional time to comply with your request.

In exceptional circumstances where your request is manifestly unfounded or excessive, we may charge you for your request, or refuse to comply with your request. We will always inform you of the reasons for not being able to comply with your request.

For more information on your rights and how to use them, or if you would like to make any of the requests set out above, please contact us using the contact details provided below.

The Trustee has agreed with each of the Trustee Advisers that the Trustee will be responsible for dealing with requests from you in respect of your rights if those requests relate to the joint use of your personal information described in this notice. This means if you wish to exercise rights against the Trustee and the Trustee Advisers for what they do jointly with your personal information, you should contact the Trustee using the details below.

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### Where can I find out more?

If you want to know more about how the Trustee uses your information or your rights, or you have a concern about the way we are collecting or using your personal data, please contact the Company Secretary.

If you have concerns about the way we handle your personal data, you can contact the ICO or raise a complaint at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns), or call its helpline on 0303 123 1113. The Trustee is registered as a data controller with the ICO and our registration number Z3603204.

#### **Affinity Water Pension Trustees Limited**

c/o Company Secretary

Tamblin Way, Hatfield AL10 9EZ

[pensiontrustee@affinitywater.co.uk](mailto:pensiontrustee@affinitywater.co.uk)

#### **Member website: Pension Portal**

[www.affinitywaterpensions.co.uk](http://www.affinitywaterpensions.co.uk)

#### **Hymans Robertson LLP**

[affinity@hymans.co.uk](mailto:affinity@hymans.co.uk)

One London Wall, London EC2Y 5EA

0207 082 6182

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## Affinity Water Pension Trustees Limited

### Privacy Notice

And finally ...

#### KEY TERMS

Beneficiary	if you receive benefits from the Plan, such as a pension or a lump sum, you are a beneficiary
Controller	a person who decides how and why data is processed
Data Protection Policy	a policy adopted by the Trustee setting out how we comply with all relevant elements of UK GDPR and general data protection law
Data Subject	an identifiable living human being
UK GDPR	The UK General Data Protection Regulations
ICO	the Information Commissioner's Office, responsible for enforcement of GDPR in the UK
Personal Data	any information relating to a Data Subject
Privacy Notice	information which must be given to Data Subjects about the processing of their personal data
Processing	includes collecting, storing, recording, organising, altering, using, disclosing and erasing personal data
Special Category Personal Data	personal data concerning the Data Subject's race, ethnicity, political opinions, religion, trade union membership, sex life, sexual orientation, genetic or biometric data, or criminal convictions where they are relevant to the payment of Plan benefits
Sub-processor	any person appointed, engaged or permitted by the processor to process Personal Data on our behalf

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### FURTHER INFORMATION

#### \* Data Protection Legislation

Data Protection Legislation means the Data Protection Act 2018, the EU Data Protection Directive 95/46/EC, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011, the UK GDPR and all other applicable laws and regulations relating to processing of personal data and privacy in any applicable jurisdiction as amended and replaced, including where applicable the guidance and codes of practice issued by the ICO (see Key Terms) or such other relevant data protection authority.

#### \*\* Pension regulations

Pension regulations include, but are not limited to:

- The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013;
- The Pensions Act 2011 (Transitional, Consequential and Supplementary Provisions) Regulations 2014;
- The Occupational and Personal Pension Schemes (Disclosure of Information) Amendment Regulations 2015;
- The Occupational and Personal Pension Schemes (Funding and Investment Strategy) Regulations 2024;
- Pension Schemes Act 2021.

#### \*\*\* When does the right to restrict processing apply?

As a member of the Plan you have the right to request restricting the processing of personal data (held by the Trustee) in the following circumstances:

- If you contest the accuracy of your personal data;
- if your data has been unlawfully processed, you can request restriction rather than erasure;
- where we no longer need your personal data you can request it is kept to establish, exercise or defend a legal claim; or
- if you object to the Trustee processing your personal data then, while we consider the objection, your personal data held will be restricted until legitimate grounds to hold the personal data can be established.

Note that as a matter of good practice, the Trustee will automatically restrict the processing of personal data whilst considering any challenge on accuracy ("the right to rectification") and any objection raised ("the right to object").

#### \*\*\*\* The right to data portability

Please note that the right to data portability only applies:

- to personal data you have provided to the controller;
- where processing is based on your individual consent or for the performance of a contract; and
- when processing is carried out by automated means.