



EDF Group of the ESPS (EDFG)

MNTD Privacy Notice

Version 2.0, January 2026

### **Purpose of this document**

This Privacy Notice sets out how personal data is collected and used where you nominate yourself to be a Member Nominated Trustee Director (MNTD).

### **Other relevant documents**

- EDfG Data Protection Privacy Notice
- EDfG MNTD Summary of Eligibility Requirements

## Introduction

This notice sets out how the Trustee ("we", or "us"), as a data controller, collects and uses your personal information where you nominate yourself to be a Member-Nominated Trustee Director (**MNTD**) and, if you are elected as an MNTD, while you are serving as an MNTD.

We use the information to check that you meet EDFG's fit and proper persons criteria and to determine if you are ineligible to become an MNTD because you are a deferred member providing services to a competitor of the EDF Group. If you are elected as an MNTD, we may process your personal data as part of periodic checks that you remain a fit and proper person and are eligible to continue as an MNTD.

A high-level eligibility requirements document for Members, relating to how we determine if a person is fit and proper or providing services to a competitor, is available on the EDFG website. You may choose not to provide information for these purposes, but doing so will mean you are ineligible to become or remain an MNTD.

A separate Privacy Notice, also on the EDFG website, sets out how we collect and use your personal information for the purposes of being a member of EDFG.

## Personal data we collect and process and how we use it

### Information that you provide directly

We collect information from you via the information you provide during the MNTD Nomination process (by way of your responses given on your Nomination Form, to any follow-up questions and information provided at your MNTD candidate interview) and that you otherwise provide directly to us in connection with, or during the course of, your appointment as an MNTD. Such personal data may include criminal convictions data and/or sensitive personal data under the UK General Data Protection Regulation ("**UK GDPR**") and UK Data Protection Act ("**UK DPA**").

### Information collected during the course of your directorship

We collect information about your conduct during the course of your directorship, for example, serious or multiple breaches of key Trustee policies such as those relating to data protection, which would evidence that you are not a fit and proper person.

### Information from third parties

EDF may provide us with information about any disciplinary or legal action related to your employment with EDF which would indicate that you are not a fit and proper person - for example, serious breaches of its key policies, such as those relating to health and safety, confidentiality and data protection.

We may also process other information coming to our notice relating to your honesty, integrity, competence, capability and/or financial soundness which would evidence that you are not a fit and proper person.

The Trustee will undertake a check of the Pensions Regulator's prohibition register before a person is appointed as an MNTD.

## How we use your personal data (our purposes) and our legal basis for processing it

Purpose/Activity	Type of personal data	Lawful basis for processing
Determining whether an individual is a fit and proper person to be a Trustee Director in accordance with the Trustee's fit and proper person criteria.	Responses included on Nomination Forms, provided during interview and in follow-up questions and otherwise collected from/observed about an MNTD during the course of their directorship.  Information obtained from third parties.	<b>Personal data:</b> Article 6(1)(a) UK GDPR: Consent.  <b>Criminal convictions data:</b> Schedule 1, Part 3, Section 29 UK DPA: Consent.  <b>Sensitive personal data:</b> Article 9(1) GDPR: Explicit consent
Complying with legal and regulatory obligations to which we are subject, including our obligations to respond to your requests under data protection law.	Responses included on Nomination Forms, provided during interview and in follow-up questions and otherwise collected from/observed about an MNTD during the course of their directorship.  Information obtained from third parties.	Legal obligation - there may be instances where we must process and retain your personal data to comply with laws or to fulfil certain legal obligations, for example, where requested by the Pensions Regulator.
Protecting our legal rights (including where necessary, to share information with law enforcement and others), for example to defend claims against us and to conduct litigation to defend our interests.	Responses included on Nomination Forms, provided during interview and in follow-up questions and otherwise collected from/observed about an MNTD during the course of their directorship.  Information obtained from third parties.	Our legitimate interests to protect our organisational interests.

## Your rights

You have the rights set out below.

- **Right to withdraw consent:** Because being an MNTD is an entirely voluntary position, we are relying on your consent to process the personal data referred to above.

You can withdraw your consent to the processing of your personal data by contacting the EDFG Fund Secretary whose contact details are set out below.

Withdrawing your consent will not affect the lawfulness of any processing conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.

Please note that, if you do not consent, or if you subsequently withdraw consent to the processing of your personal data (including sensitive personal data and/or criminal convictions data) in connection with fit and proper person checks (whether at the application stage or for the purposes of ongoing checks), you will not be able to serve as an MNTD since we will not be able to establish that you meet EDFG's fit and proper person criteria.

- **Right to access, correct, update or request deletion** of your personal data.
- **Right to object to processing of your personal data or to ask us to restrict processing** of your personal data.
- **Right to complain to a supervisory authority** about our collection and use of your personal data. Contact details for the ICO are [here](#).

## Data sharing

We will share your personal data in the circumstances set out below.

- If you are a deferred member providing services to a competitor of EDF, we will share that information with EDF so that we and EDF can determine whether you are eligible to become or continue as an MNTD.
- An independent body which runs our MNTD election process will collect your vote. It will not provide details of how any person has voted in an election which will be kept confidential.
- Your information will also be stored in our secure online data room, with access controlled by the Fund Secretary and information shared with Trustee Directors and advisors only where necessary.
- EDFG's Independent Trustee (Ross Trustees Services Limited (trading as Independent Governance Group/IGG)) will receive copies of completed Nomination Forms for the purposes of determining if you are a fit and proper person and any personal data you provide as part the candidate interview, in the context of providing data processing services to the Trustee in connection with the role of MNTDs.
- Information may be provided to competent law enforcement bodies, regulators, government agencies, courts or other third parties (such as our professional advisers) where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights or so a third party can defend theirs, or (iii) to protect your vital interests or those of any other person;
- We may also provide your information to other persons if you consent to the disclosure.

## Retention

We will retain a secure, electronic record of Nomination Forms and information provided relating to whether you are a fit and proper person, or work for a competitor. This will be retained for the duration of your directorship and for a suitable period thereafter to manage any legal issues or comply with applicable legal requirements.

## Further information

If you have any questions with respect to this processing, or wish to exercise any of your rights under data protection legislation please contact the EDFG Fund Secretary:

Laura Le May – Fund Secretary  
EDF Pensions Management Team,  
Nova North,  
11 Bressenden Place,  
London SW1E 5BY  
**Email:** [EDFG.fundsecretary@edfenergy.com](mailto:EDFG.fundsecretary@edfenergy.com)