

EDF Group of the ESPS (EDFG) – Privacy Notice

The Trustee respects your privacy and values the trust you place in us when you share your personal information with us. This notice sets out how the Trustee, as data controller, collects and uses your personal information, why we use it, with whom we share it and the rights to which you may be entitled.

This notice will be changed from time to time, but if we change anything important about this notice (the information we collect, how we use it or why) we will highlight those changes to you.

The Trustee holds and processes personal data about members of EDFG and beneficiaries in order to run EDFG. In doing so, we comply with relevant data protection legislation.

What we do with your data

As a data controller, the Trustee collects and processes your personal data for the purposes of complying with our legal duties to administer EDFG and for other legitimate purposes relating to the operation of EDFG. This means that the Trustee will generally rely upon the “legal obligations” and “legitimate interests” grounds provided in the applicable law as the legal bases for processing your personal data. Occasionally, the Trustee might also seek your consent for processing some of your personal data, for example, your sensitive data.

Whilst much of the data we hold has been provided by members themselves, we also hold and process data provided by employers who do, or have, participated in EDFG, other schemes from which members have transferred, HMRC, the Department for Work and Pensions (DWP), regulatory bodies and by tracing organisations. We also receive information from members about their proposed beneficiaries, who may be eligible to receive benefits on the member's death. We assume that you have the consent of those individuals to provide us with this information and that you will share this privacy notice with them. We will not provide a copy of this notice to those individuals, as to do so is likely to seriously impair our ability to properly pay the benefits due under EDFG. The personal data we hold about you is used to calculate and pay the benefits you (or your beneficiaries) are entitled to and this includes your name, address, salary, years of service with the scheme, date of birth, NI number and contact details.

We also hold some special categories or “sensitive” data about individuals for the purposes of administering EDFG (for example in relation to ill-health or death benefits). We will in most circumstances process this data in the performance of our legal obligations in connection with employment, social security and social protection (as allowed by legislation). We may also, typically when considering claims under EDFG's Internal Dispute Resolution Procedure, process any sensitive data for the purposes of establishing, exercising or defending legal claims. If there are any occasions where we seek your explicit consent to process sensitive data then you can withdraw such consent at any time.

Who else processes your data?

We share your personal data with certain third parties involved in running EDFG, for example, Trafalgar House Pensions Administration Limited (the Administrator), Fieldfisher LLP (legal advisers) and the Scheme Actuary who will process personal data to comply with their professional duties as advisers to the Trustee and EDF, who holds personal data to comply with its legal obligations as the sponsoring employer of EDFG. EDF has a legitimate interest in EDFG being run in a cost-effective way and may have an interest in offering certain options to members. The Trustee will share information with EDF and its auditors and advisers for this purpose. We may also share your personal data with providers and trustees of other pension schemes to prepare for, and give effect to, any transfer of members and to facilitate the provision of benefits for transferring members under any such other pension scheme. We will rely upon “legitimate interests” as the legal basis for sharing such personal data with the other pension scheme providers.

If you pay (or have paid) Additional Voluntary Contributions (AVC) or Defined Contributions (DC), your personal data will be shared with the investment provider. Please see [Aviva](#) and [Prudential](#) for further information of

how they process your AVC data or [Mercer](#), in relation to AVCs or DCs invested with Scottish Widows, via Mercer Workplace Savings.

The Scheme Actuary, Jeremy Dell (Lane Clark & Peacock LLP) is a separate data controller in respect of your personal data that he uses to carry out his statutory functions. These statutory functions are carried out in line with data protection laws and Jeremy is listed on the register of data controllers held by the Information Commissioner's Office. For further information please see <https://www.lcp.com/en/third-party-privacy-notice>

We may disclose your personal data to other third parties (such as HMRC, DWP or the Pensions Ombudsman), for example, if we are under a duty to disclose or share your personal data with them in order to comply with a legal obligation.

EDF, the Administrator and other advisers will from time-to-time transfer data to countries outside the UK. These transfers are and will only be made to countries which the UK Government has deemed to offer adequate data protection or when certain contractual protections that are approved in accordance with the applicable data protection law are applied. These protections aim to ensure the security of your personal information, safeguard your privacy rights and give you remedies in the unlikely event of a security breach.

Storage of your personal data

Pension benefits are paid over a long period and your right to benefits under EDFG is based on information which may go back many years. Our policy is therefore to retain information relating to you for 6 years after your membership of EDFG ends and beyond that, for 6 years after the death of any surviving dependants to whom we have paid a benefit.

However, information will be held for longer where we consider it appropriate in order to ensure EDFG pays the correct benefits and to deal with any queries relating to your benefits which may arise after that time.

The Administrator will hold on to certain personal data for 7 years after the termination of their contract with us. This is to provide assistance with any disputes or queries and to meet legal and regulatory obligations.

In addition, the administration of the EDFG moved from Aptia Ltd (formerly Mercer Ltd) with effect from 1 July 2024. Aptia Ltd have informed the Trustee that they will maintain a copy of key member data for a period of up to 15 years following the transition. We understand your data is being held in a secure environment. By holding this static data, Aptia Ltd are therefore classed as a data controller. Any data subject access requests or, if you would wish Aptia to delete your data, please request this in writing direct to them: Aptia Ltd, Maclaren House, Talbot Road, Stretford, Manchester, M32 0FP.

Your rights

You have the right to access your personal data and require that we rectify any errors in the data that we hold, or request that we erase your personal data. In some circumstances, you can also require that we restrict the way we process your personal data, object to its processing or request a copy of your personal data for the purposes of transmitting the data to another organisation, or to you. Where we have requested and obtained your consent to process particular information, you may withdraw that consent at any time. However, if we do not hold all the data that we require to administer your benefits, we may not be able to pay out the benefits you are entitled to.

To exercise your rights in relation to the personal data we hold about you, please contact us using the details below.

Contact details

If you have any queries in relation to your pension scheme membership, please contact the Administrator, Trafalgar House, via:

On-line <https://www2.myworkpension.co.uk>
Email: myedfgpension@thpa.co.uk
Telephone: 0203 985 3069
In writing: EDF Group of the ESPS, PO Box 119, Blyth, NE24 9EN

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Trafalgar House also have a privacy notice which can be accessed here: <https://trafalgarhouse.co.uk/privacy-notice>

If you have any questions about the way we deal with information about you or to exercise any of your rights under the data protection legislation, please contact the Fund Secretary:

Email: edfg.fundsecretary@edfenergy.com
Telephone: 07809 593 900
In writing: Laura Le May – EDFG Fund Secretary
EDF Pensions Management Team, Nova North, 11 Bressenden Pl, London SW1E 5BY

What if you have a complaint?

If you have a complaint about how your personal data has been used, shared, stored, or handled by EDFG You should raise your complaint via completion of the EDFG Data Protection Complaint Form and email it to the EDF Pensions Management Team at PensionsManagement@EDFEnergy.com.

If you are unhappy with the response, you may:

- Escalate your concern to the Information Commissioner's Office (ICO)

ICO Contact Details

- Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
- Telephone: 0303 123 1113
- Website: <https://ico.org.uk/concerns/>

The ICO should normally be contacted only after the Trustee has been given the opportunity to respond.