

Privacy Notice (How we use your information)

Members of the Firefighters' Pension Scheme

This notice explains how we use your personal information to administer the Firefighters' Pension Schemes ("the Schemes"). It applies to members and beneficiaries of the following Schemes:

- 1992 Firefighters' Pension Scheme
- 2006 Firefighters' Pension Scheme
- 2006 Firefighters' Pension Scheme (Special Members)
- 2015 Firefighters' Pension Scheme

You will be a member of one of the Schemes if you were employed as an operational firefighter by West Yorkshire Fire and Rescue Service and did not opt-out of paying pension contributions.

This notice has been prepared by West Yorkshire Fire and Rescue Authority ("the Authority"), in its capacity as the manager of the Scheme ("the Scheme Manager").

The categories of information that we collect, process, hold and share include:

Personal information, including full name, gender, date of birth, National Insurance Number, employee number and pension reference number.

Information used to calculate benefits, including service dates, salary and earnings histories, hours history, pension scheme history and previous pensions transferred in.

Contact details, including address, telephone numbers and email address

Financial information, including pension contributions history, bank details, pension payments made and tax details

Family information, including marital status and the names of your nominee(s) for death benefits

Health information, where an application has been made for early payment of pension for ill-health or where it is relevant to a claim for death benefits

Information about a criminal conviction, where this may result in pension forfeiture.

Why we collect and hold this information

We use this personal data in order to:

- Contact you
- Identify your potential or actual benefit options and, where relevant, implement those options
- Assess eligibility for, calculate and provide you (and, if you are a member of the Scheme, your beneficiaries upon your death) with benefits
- Perform statistical and financial modelling (for example, when we assess how much money is needed to provide members' benefits)
- Manage liabilities and administer the Schemes generally
- Comply with our legal and regulatory obligations as Scheme Manager
- Address queries from members and other beneficiaries and to respond to any actual or potential disputes concerning the Scheme

We obtain some of this personal data directly from you. We may also obtain data (for example, salary information) from your current or past employer(s), from a member of the Scheme (where you are or could be a beneficiary of the Scheme as a consequence of that person's membership of the Scheme) and from a variety of other sources including public databases (such as the Register of Births, Deaths and Marriages), our advisers and government or regulatory bodies, including those in the list of organisations that we may share your personal data with set out below.

Where we obtain information concerning certain special categories of particularly sensitive data, such as health information, extra protections apply under the data protection legislation. We will only process your personal data falling within one of the special categories with your consent; unless we can lawfully process this data for another reason permitted by that legislation (please see the section below entitled "The lawful basis on which we use this information").

The lawful basis on which we use this information

Article 6 (1) of the General Data Protection Regulation states that processing of personal data shall be lawful if the following applies:

- c) processing is necessary for compliance with a legal obligation to which the controller is subject;

We collect and process information about you because the Authority has a legal obligation under the Superannuation Act 1972 to administer the Schemes.

Article 9 (2) of the General Data Protection Regulation states that processing of special categories of personal data, which includes data concerning health, shall be lawful if the following applies:

- b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

In addition, Part 1 of Schedule 1 (Special Categories of Personal Data) of the Data Protection Act 2018 states:

Employment, social security and social protection

1. This condition is met if—
 - a) the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, and
 - b) when the processing is carried out, the controller has an appropriate policy document in place (see paragraph 39 in Part 4 of this Schedule).

The processing of data concerning health is necessary for determining eligibility for certain benefits under the Schemes, which meets the employment condition stated in the regulations.

Storing this information

We will hold the information about you securely, and for no longer than reasonably necessary. We will only keep your personal data for as long as we need to in order to fulfil the purpose(s) for which it was collected and for so long afterwards as we consider may be required to deal with any questions or complaints that we may receive about our administration of the Scheme, unless we elect to retain your data for a longer period to comply with our legal and regulatory obligations. In practice, this means that your personal data will be retained for such period as you (or any beneficiary who receives benefits after your death) are entitled to benefits from the Scheme and for a period of 12 years after those benefits stop being paid.

For the same reason, your personal data may also need to be retained where you have received a transfer, or refund, from the Scheme in respect of your benefit entitlement.

Who we share this information with

We routinely share this information with:

- The pensions administrator (currently West Yorkshire Pension Fund)
- Internal auditor (currently Kirklees Council)

West Yorkshire Pension Fund (WYPF) has been appointed to administer the Schemes on behalf of the Authority, acting as a data processor in the capacity that the information passed to them is for the specific processing purposes of administering the schemes. WYPF may also share your data with the following third-party organisations:

- Tracing bureaus for mortality screening and locating members (currently Accurate Data/Experian/Lexis Nexis)
- Overseas payments provider to transmit payments to scheme member with non-UK accounts (currently HSBC Global Disbursements)
- Printing companies (currently Bradford MDC)
- Internal auditor – (currently Bradford MDC)
- The pensions software provider (currently Civica Group Ltd)

- Suppliers of IT, document production and distribution services
- The Department for Work and Pensions
- Banking Services – (currently HSBC)
- The Government Actuary's Department
- The Cabinet Office - for the purposes of the National Fraud Initiative
- HM Revenue and Customs
- The Courts of England and Wales - for the purpose of processing pension sharing orders on divorce

Occasionally, we may request/provide some of your data from/to a previous pension administrator for the purposes of enabling us to understand your pension rights from the scheme.

Age Discrimination Remedy

As set out on the [Firefighters' members website](#), from October 2023, an exercise will take place to allow eligible firefighters who have service between 1 April 2015 to 31 March 2022 (“the remedy period”) to choose which scheme (legacy or reformed) they wish their benefits to be calculated under during the remedy period.

If you are an eligible firefighter that has a choice under the remedy exercise, and you have service for more than one Fire and Rescue Authority (FRA) within the remedy period, we will need to share information about you with that other FRA so they can identify you. The information we will share is your name, national insurance number and date of birth. The other FRA would then return that same data back to us along with your relevant service term(s) and pay information. We need to exchange this information to determine your entitlement under the remedy exercise. Sharing this data is justified under data protection laws because it is necessary for compliance with legal obligations.

Why we share this information

We share pensions information on a statutory basis, under Article 6 and Article 9 of the General Data Protection Regulation. This is required to carry out our legal obligations to administer the Scheme.

We do not share personal information about you without consent unless the law and our policies allow us to do so.

Your rights

You have the right to request:

- information about how your personal data is processed
- a copy of that personal data

- that anything inaccurate in your personal data is corrected immediately

You can also:

- raise an objection about how your personal data is processed
- request that your personal data is erased if there is no longer a justification for it
- ask that the processing of your personal data is restricted in certain circumstances

If you have any of these requests, please contact our Information Governance Team on 01274 682311 or email us directly on information.Information@westyorksfire.gov.uk

Further information

If you would like further information about how we manage your data, please visit [Your information \(privacy notice\) | West Yorkshire Fire and Rescue Service \(westyorksfire.gov.uk\)](#)

If you would like further information about this privacy notice, please contact:

James Clarkson – Pensions Manager
Oakroyd Hall,
Bradford Road, Birkenshaw,
West Yorkshire,
BD11 2DY
(T) 01274 682311
james.clarkson@westyorksfire.gov.uk

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer: -

Martin McCarthy
Oakroyd Hall,
Bradford Road Birkenshaw,
West Yorkshire,
BD11 2DY
(T) 01274 682311
martin.mccarthy@westyorksfire.gov.uk

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the contact us page <https://ico.org.uk/global/contact-us/> on their website, or by ringing 0303 123 1113.