

PRIVACY NOTICE FOR TAP (UK) RETIREMENT BENEFITS SCHEME

(The “Scheme”)

The Scheme's Independent Trustee (PAN Trustees UK LLP (“PAN” or “the Trustees”)) holds and processes personal data about Scheme members and beneficiaries in order to run the Scheme. In doing so, the Trustees comply with relevant data protection legislation.

What we do with your data

As data controllers, the Trustees collect and process your personal data for the purposes of complying with their legal duties to administer the Scheme, and for other legitimate purposes relating to the operation of the Scheme. This includes processing to calculate benefits, to assess scheme funding and for investment and risk.

Whilst much of the data we hold has been provided by members themselves, we also hold and process data provided by the company, other schemes from which members have transferred, from HMRC, the Department of Work and Pensions and regulatory bodies and from 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 the scheme.

The data we hold 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 the Scheme (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 the Scheme'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 it at any time.

Who else processes your data?

We share your personal data with certain third parties involved in running the Scheme, for example, the Scheme Administrator and Actuary who is currently Mercer.

In some circumstances we are joint controllers with the Scheme Actuary, the legal advisers and auditors (who may process your data to comply with their professional duties as advisers to the Trustees) and TAP (UK) Retirement Benefits Scheme. Transportes Aereos Portugueses SA holds your data to comply with its legal obligations as the sponsoring employer of the Scheme. It has a legitimate interest in the Scheme being run in an accurate and cost effective way and may have an interest in offering certain options to members. The Trustees may share information with the company and its auditors and advisers for this purpose.

The company is part of a global organisation and to ensure the provision of effective and efficient services and communication throughout its group, we are required to transfer your data internationally.

Your personal data may be stored and processed outside of Europe, in countries that may have different data protection rules to our own. However, the Trustees and the administrators will ensure that the transfer of your personal data outside of Europe will only occur where the appropriate safeguards have been put in place, for example by using corporate rules that are binding between different parts of our group.

Storage of your personal data

Pension benefits are paid over a long period and your right to benefits under the Scheme is based on information which may go back many years. Our policy is therefore to retain information relating to you (including sensitive data) until your membership of the Scheme ends.

Once your membership ends, we may decide to delete some of the data held in relation to you after 6 years. However, information (including sensitive data) may be held for longer where we consider it appropriate in order to ensure the Scheme pays the correct benefits and to deal with any queries relating to your benefits which may arise after that time.

Your personal data will only be kept as long as is reasonably necessary. What this means in practice will vary between different types of data, and when we consider our approach, we take into account any continued need to process the data, and also our legal obligations relating to tax, health and safety, employment and potential or actual disputes or investigations relating to those matters.

Please note, PAN may continue to hold personal data collected through its role as a Trustee even when it is no longer a Trustee of the Scheme. Information about PAN's approach in this situation to data security as a firm can be found at <https://www.pantrustees.co.uk/Scheme-GDPR/>

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 elsewhere. 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 we need to administer your benefits, we may not be able to pay out the benefits you are entitled to.

Contact details

If you have any questions about this please contact Mercer using the following contact details:

Address: Maclaren House, Talbot Road, Stretford, Manchester, M320FP

What if you have a complaint?

To make a complaint about how we have handled your information, contact us as set out above.

If you are not satisfied with our response to your complaint or believe our processing of your information does not comply with data protection law, you can make a complaint to the Information Commissioner's Office. Its contact details are:

Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone number: 0303 123 1113