

# Data Privacy Notice

relating to

1. **University College Cork — National University of Ireland, Cork (Closed) Pension Scheme 2010**
2. **University College Cork — National University of Ireland, Cork Superannuation Scheme 2023**

University College Cork (“UCC”) as the data controller of the University College Cork — National University of Ireland, Cork (Closed) Pension Scheme 2010 and the University College Cork — National University of Ireland, Cork Superannuation Scheme 2023 (“**Scheme**” or “**Schemes**”) is required by the European General Data Protection Regulation (the “**GDPR**”) and the Data Protection Acts 1988 to 2018 to notify you about the collection, holding, use, disclosure and transfer (collectively known as “processing”) of personal data relating to you.

## What personal data about you is held by UCC?

UCC processes personal data about you to administer the Schemes, including your entitlements under the Schemes, and all related activities. The personal information about you is normally supplied by you or obtained from HR records. UCC respects your right to privacy and ensures that your personal data is kept securely and is processed in accordance with applicable data protection laws, including the GDPR, and UCC’s data protection policies. The types of personal data processed by UCC and its processors is as follows:

Categories of Data Subject	Type of Personal Data
1. Members (including former members)	<ul style="list-style-type: none"><li>• <b>Contact Information:</b> Name, address, phone number and email address;</li><li>• <b>General Information:</b> age, gender, date of birth, marital and family status;</li><li>• <b>Government and other official identification numbers:</b> PPS number;</li><li>• <b>Employment and Benefits Information:</b> for example, employee ID, salary, date of hire, job title, employment grade, employment and pensionable service records relating to pensions and related employee benefits, bonus, fluctuating emoluments and other remuneration arrangements, nature and details of current and historic pension arrangements, pension amounts, pension contributions, employee benefit details, insurance cover;</li><li>• <b>Other Information:</b> details about members such as who UCC considers paying benefits to if a member dies in service</li></ul>

Categories of Data Subject	Type of Personal Data
	<ul style="list-style-type: none"> <li>• <b>Special Categories of Personal Data:</b> data concerning ill-health (for purpose of assessing entitlement and benefits on retirement on grounds of ill-health), sexual orientation (in relation to marital status or relationship with beneficiaries),  collectively “<b>Member Data</b>”.</li> </ul>
2. Beneficiaries and Dependants	<ul style="list-style-type: none"> <li>• <b>Contact Information:</b> Name, address, phone number and email address;</li> <li>• <b>General Information:</b> age, gender, date of birth, marital and family status;</li> <li>• <b>Government and other official identification numbers:</b> PPS number;</li> <li>• <b>Employment and Benefits Information:</b> for example, employee ID, salary, date of hire, job title, employment grade, employment and pensionable service records relating to pensions and related employee benefits, bonus, fluctuating emoluments and other remuneration arrangements, nature and details of current and historic pension arrangements, pension amounts, pension contributions, employee benefit details, insurance cover; and</li> <li>• <b>Special Categories of Personal Data:</b> Sexual orientation (in relation to marital status or relationship with scheme member),  collectively “<b>Beneficiary Data</b>”.</li> </ul>

Please note that if you fail to provide accurate membership information or object to processing of your data it may result in a delay or an inability to process a claim for benefits under the Scheme.

### **Why is your personal data processed?**

Where this Data Privacy Notice refers to the processing of personal data to comply with UCC’s legal obligations, this refers to UCC’s legal obligations under statute including in particular, but not limited to, section 25(7) of the University Act 1997, the Pensions Acts 1990 to 2018 (and any regulations promulgated thereunder), the Financial Services and Pensions Ombudsman Act 2017, Part 30 and Schedule 23 of the Taxes Consolidation Act 1997, the Trustee Act 1893, applicable statutory regulations made under any of them and the European Union (Occupational Pension Schemes) Regulations 2021, in each case as may be amended from time to time, under common law and pursuant to the statutory

### Personal data provided by you about others

You may provide us with personal data about other individuals, for example, next of kin/emergency contact details and information about your family circumstances and dependents. You should notify the relevant person that you are providing their contact details to us as your listed next of kin/emergency contact

Purposes for which your personal data is processed and the legal justifications:

Categories of Personal Data	Purpose of Processing	Lawful Basis for Processing under GDPR
Member Data and Beneficiary Data	To manage and administer a member's participation in the Scheme on an ongoing basis in accordance with law and pursuant to UCC's legitimate interest.	<p>Necessary for the performance of a contract to which the Data Subject is a party in relation to the administration of the Schemes (per Art. 6(1)(b) GDPR), in circumstances where the member has applied to participate in the Scheme.</p> <p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p> <p>Necessary for the purposes of the legitimate interests pursued by UCC in ensuring the proper and efficient administration of the Schemes, where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art. 6(1)(f) GDPR).</p> <p>Necessary for the purpose of establishing, exercising or defending a legal claim (Article 9(2)(f) GDPR in respect of the processing of Special Categories of Personal Data).</p>

Categories of Personal Data	Purpose of Processing	Lawful Basis for Processing under GDPR
Member Data and Beneficiary Data	Making decisions such as how to distribute benefits in the event of a member death.	<p>Necessary for the performance of a contract to which the Data Subject is a party in relation to the administration of the Schemes (per Art. 6(1)(b) GDPR), in circumstances where the member has applied to participate in the Scheme.</p> <p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p> <p>Necessary for the purposes of UCC's legitimate interests or those of members of the Schemes or (potential) beneficiaries in ensuring the proper and efficient administration of the Schemes where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art. 6(1)(f) GDPR).</p> <p>Where necessary and proportionate, for the purposes of processing Personal Data concerning health in relation to early retirement on the grounds of ill-health in accordance with Section 50 of the Data Protection Act 2018.</p> <p>Where necessary, for the purpose of establishing, exercising or defending a legal claim (Article 9(2)(f) GDPR in respect of the processing of Special Categories of Personal Data and (Sections 41 and 47 of the Data Protection Act)).</p>

Categories of Personal Data	Purpose of Processing	Lawful Basis for Processing under GDPR
Member Data and Beneficiary Data	Communicating with members, providing information in relation to contributions (including additional voluntary contributions and/or opportunities to pay additional voluntary contributions) and calculating and paying benefits and activities connected with any transfer of all or part of the assets and benefit obligations of the Scheme to another pension arrangement or to an insurance company.	<p>Data subject has given consent (as per Article 6(1)(a)/GDPR)</p> <p>Necessary for the performance of a contract to which the Data Subject is a party in relation to the administration of the Schemes (per Art. 6(1)(b) GDPR), in circumstances where the member has applied to participate in the Scheme.</p> <p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p> <p>Necessary for the purposes of UCC's legitimate interests and those of members of the Schemes and beneficiaries in ensuring the proper and efficient administration of the Schemes, where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art. 6(1)(f) GDPR).</p>
Member Data and Beneficiary Data	Identifying a Data Subject as a member and (if relevant) his or her surviving dependants and other potential beneficiaries and for the purpose of locating members and beneficiaries and establishing if they are still alive.	Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).
Member Data and Beneficiary Data	Resolving any query relating to the Scheme that a member may raise or making sure benefits are paid correctly.	<p>Data subject has given consent (as per Article 6(1)(a)/GDPR)</p> <p>Necessary for the performance of a contract to which the Data Subject is a party in relation to the administration of the Schemes (per Art. 6(1)(b) GDPR), in circumstances</p>

Categories of Personal Data	Purpose of Processing	Lawful Basis for Processing under GDPR
		<p>where the member has applied to participate in the Scheme.</p> <p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p>
Member Data and Beneficiary Data	In the context of disputes or legal claims.	<p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p> <p>Necessary for the purposes of the legitimate interests pursued by UCC in ensuring the proper and efficient administration of the Schemes and outsourced service providers where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art. 6(1)(f) GDPR).</p> <p>Necessary for the purpose of establishing, exercising or defending a legal claim (Article 9(2)(f) GDPR in respect of the processing of Special Categories of Personal Data).</p>
Member Data and Beneficiary Data	To comply with legal and regulatory obligations applicable to UCC from time to time pursuant to the governing statutes of the Schemes and pension and trust law requirements and accounting and business requirements of UCC, as employer.	<p>Necessary to comply with UCC's legal obligations (as described above) (per Art. 6(1)(c) GDPR).</p> <p>Necessary for the purposes of the legitimate interests pursued by UCC where such interests are not overridden by the fundamental rights of the Data Subject which require protection (per Art. 6(1)(f) GDPR).</p>

### **Might your personal data be transferred outside of the European Economic Area?**

Your personal data may be transferred outside of the European Economic Area (“EEA”) to service providers who use resources or data processing facilities outside of the EEA. Any such transfers will be made in compliance with UCC’s data protection obligations, including using standard contractual clauses approved by the European Commission or other lawful basis.

Further information may be obtained by contacting the Pensions Manager at the address below.

### **For how long will UCC retain your personal data?**

Your personal data will normally be kept for the life of the Scheme plus seven years after the date of its wind-up in order to comply with statutory obligations (such as the obligation in Section 59(1)(d) of the Pensions Act 1990 (as amended) to ensure that proper membership and financial records are kept) to maintain records of the Scheme and to be in a position to verify claims and queries relating to benefits. Your personal data will otherwise only be kept for as long as the retention of such personal data is deemed necessary for the purposes of properly administering the Scheme or as otherwise required by law or regulation, or, where applicable, for the appropriate statute of limitations’ period.

### **To whom will your personal data be disclosed?**

UCC ensures that your personal data is held confidentially, however UCC may disclose Member Data and Beneficiary Data to the following third parties and service providers in compliance with a legal obligation to disclose such information and/or where necessary to assist in the operation and administration of the Schemes:

- Revenue Commissioners;
- Law enforcement authorities;
- Regulatory authorities;
- Professional advisers
- Pension scheme administrators;
- Auditors; and
- Insurance companies.

Please note the registered administrators of the Schemes will have separate legal obligations under pensions law which require them to process your personal data for the purposes of administering the Schemes.

### **What rights do you have in relation to your personal data?**

The following is a summary of the data protection rights available to you in connection with the processing of your personal data. These rights may only apply in certain circumstances and are subject to certain legal exemptions and restrictions:

- Right to access a copy of your personal data;
- Right to rectify inaccurate personal data held about you;
- Right to erase your personal data (in limited circumstances);
- Right to restrict (suspend) the processing of your personal data (in certain instances);
- Right to data portability of the personal data you have provided to us;
- Right to object to the processing of your personal data;
- Right to withdraw any consent you have provided to the processing of your personal data, without affecting the lawfulness of processing based on consent prior to the withdrawal of consent; and

- Right to complain to the Data Protection Commission (in such cases we would request that you bring the matter to our attention in the first instance so that we can seek to resolve the matter with you).

If you wish to exercise your rights, please contact the Pensions Manager using the details below and provide us with sufficient information to identify you (e.g. name, date of birth, Scheme member number, etc.).

You will not have to pay a fee for exercising your rights, save for where such a request is determined to be manifestly unfounded or excessive in which case a reasonable fee may be imposed, or we may refuse to act on the request. We have one month to respond to you in relation to a request, subject to the possibility of us seeking an extension of two months where justified.

### **Changes**

The manner in which we process personal data will evolve and we will update this Data Privacy Notice from time to time to reflect changing practices. We will update the “last modified” date accordingly at the end of this Data Privacy Notice. We will provide you notice of amendments to this Data Privacy Notice, as appropriate. Please review this Data Privacy Notice from time to time.

### **Who should you contact if you have queries about your personal data or wish to exercise your data subject rights?**

Any queries regarding your personal data should be sent to the Pensions Manager or the University’s Data Protection Officer at the addresses below. They will be processed in accordance with the applicable data protection legislation and the Scheme’s data protection policies. In the event that your query is not resolved to your satisfaction, you have the right to raise the matter with the Data Protection Commission at 21 Fitzwilliam Square South, Dublin, D02 RD28 or via its website, <https://www.dataprotection.ie/en/contact/how-contact-us>.

Should you require further information or have any queries on this Data Privacy Notice, please contact the Pensions Manager: Marie Murphy, HR Business Manager Pensions, Department of Human Resources, University College Cork, Ground Floor, Block E, Food Science Building, Cork and/or the Data Protection Officer, Information Compliance Office, Office of Corporate and Legal Affairs– email: [gdpr@ucc.ie](mailto:gdpr@ucc.ie)

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