

Our Privacy Notice for pension services provided in the Channel Islands and Isle of Man

Effective Date: 25 May 2018

Before we begin

This notice (**Privacy Notice**) applies to personal information held by members of the HSBC Group as data controllers, as described below. It explains what information we collect about you, how we'll use that information, who we'll share it with, the circumstances when we'll share it and what steps we'll take to make sure it stays private and secure. It continues to apply even if we stop providing the Services (as defined below) to you. It should also be read alongside the terms and conditions for the Services and any other services provided by us, as these may include sections relating to the use and disclosure of information.

This Privacy Notice covers any products and services that we provide to you as a result of or incidental to your membership of a pension plan/scheme that we administer (the **Services** and the **Scheme**, respectively). This is necessary for us to operate the Scheme. Sometimes we may need to provide you with separate or further information about specific products and services. This will also apply if you have a relationship with other parts of the HSBC Group (e.g. HSBC business banking, first direct, M&S Bank or HSBC in any other countries), who will provide you with information separately where required.

Some of the links on HSBC websites may lead to other HSBC or non-HSBC websites with their own privacy notices, which may be different to this notice. You'll need to make sure you're happy with their privacy notices when using those other sites.

Wherever we've said 'you' or 'your', this means you (as a prospective, present or former member of a pension scheme or plan), any authorised person on your existing or proposed account(s), anyone who deals or will deal with us for you (e.g. trustees or executors, attorneys under a Power of Attorney, employees or representatives), and any other persons related or otherwise connected to your account(s) (including authorised signatories, partners, members, trustees, settlors, beneficiaries and appointors/protectors/enforcers (where applicable)).

When we say 'we' or the 'Trustee', we mean HSBC Group companies which act as a data controller in respect of your personal data. The primary data controller for the purposes of this notice will be HSBC Trustee (C.I.) Limited, a company incorporated in Jersey. HSBC Trustee (C.I.) Limited's registered office is at HSBC House, Esplanade, St Helier, Jersey JE1 1GT, Channel Islands. If you'd like to get in touch with us, you can also find contact details in the 'More details about your information' section below.

Collection of Personal Data

As a member of the Scheme, the Trustee will hold certain personal data relating to you. This may include, for example:

- ▶ personal details, e.g. name, previous names, gender, date and place of birth;
- ▶ contact details, e.g. address, email address, landline and mobile numbers;
- ▶ information concerning your identity e.g. photo ID, passport information, social security details applicable in relevant locations for you, National ID card and nationality;
- ▶ your relevant employment service history, including details of your salary and other benefits, details of salary sacrifice arrangements and details of any period of absence, working hours and locations of service;
- ▶ your marital status and details of any dependants you may have;
- ▶ your bank details (typically this information is only held where your benefits under the Scheme are in payment or due to come into payment shortly);
- ▶ in certain cases, "sensitive" personal data including information relating to your health or sexual orientation;

- ▶ any other personal data which may be required to calculate the benefits provided in respect of you from the Scheme or as necessary for the proper running and administration of the Scheme;
- ▶ information we use to identify and authenticate you, e.g. your signature, biometric data (if applicable) such as your voice for voice ID and any additional information that we receive from external sources that we need for compliance purposes;
- ▶ investigations data, e.g. due diligence checks, sanctions and anti-money laundering checks, external intelligence reports, content and metadata related to relevant exchanges of information between and among individuals, organisations, including emails, voicemail, etc.;
- ▶ information that we need to support our regulatory obligations, e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities; and
- ▶ records of correspondence and other communications between us, including email, recorded calls (where applicable) and letters.

Some of this data is collected directly from you (for example, by you filling in forms in relation to your membership of the Scheme, or corresponding with the Trustee or a representative of the Trustee by telephone, post, email or otherwise). We may also collect some data from other sources. For example:

- ▶ Some data is collected from your employer/former employer (**your employer**) and other companies in your employer's Group.
- ▶ We may also occasionally obtain data about you from other third party sources, for example; your employer's payroll provider, tax authorities in relevant locations (including your current country of residence and previous countries of service), the Scheme administrators (where a third party administrator has been appointed), the Trustee's tax advisors where they have obtained relevant information under its engagement with your employer, and, if you made additional voluntary contributions (AVCs), the administrators for the AVC part of the Scheme (where applicable).

Except in those cases where it is indicated that the provision of data is purely voluntary, you are required to provide the personal data requested of you so that the Trustee can use it for the purposes set out below, including the performance of its duty to operate the Scheme efficiently and in order to comply with its legal obligations.

Failure to provide requested personal data could lead to the Trustee being unable to process the benefits provided in respect of you from the Scheme. If you have any questions about the Trustee's need for your information, please raise your questions with the person making the request.

Use of Personal Data

The Trustee may use your personal data for the following purposes:

- ▶ to run and administer the Scheme properly and efficiently;
- ▶ to administer the benefits provided (either to you or your spouse/civil partner/dependants) in respect of you from the Scheme;
- ▶ to correspond with you or other parties for the purpose of the proper administration of the Scheme;
- ▶ to prevent or detect crime including fraud and financial crime;
- ▶ risk management;
- ▶ to protect the Trustee's or your legal rights;
- ▶ to comply with the Trustee's regulatory and legal obligations in its capacity as trustee of the Scheme and otherwise in connection with your membership of the Scheme; or
- ▶ as otherwise required by law or applicable regulations.

The Trustee is legally entitled to process your personal data as described in this notice because it needs to do so in order to pursue the purposes described above in the operation of the Scheme. In some circumstances the processing is also justified because it is necessary so that the Trustee can perform its legal obligations. The Trustee processes any sensitive personal data such as medical information or sexual orientation because it is in the substantial public interest for it to do so or where it is necessary to perform its legal obligations. The Trustee does not generally rely on your consent to justify its processing of your data. If the Trustee does need your consent in any particular case it will ask you for it separately – you are not obliged to consent and if you do consent, you can withdraw it at any time where the Trustee is relying on your consent to justify its processing. However, not providing or withdrawing consent could mean the Trustee has insufficient evidence to assess your eligibility or continued eligibility for benefits under the Scheme.

To help keep you and your assets safe, we may record details of your interactions with us. We may record and keep track of conversations you have with us including phone calls, face-to-face meetings, letters, emails, live chats, video chats and any other kinds of communication. We may use these recordings to check your instructions to, or other communications with, us to; assess, analyse and improve our service; train our people; manage risk; or to prevent and detect fraud and other crimes. We may also capture additional information about these interactions, e.g. telephone numbers that you call us from and information about the devices or software that you use. We use closed circuit television (CCTV) in and around our sites and these may collect photos or videos of you, or record your voice.

Disclosure and International Transfers of Data

It is the Trustee's policy to protect your right to privacy and it will ensure that adequate technical and security measures, confidentiality obligations and compliance procedures are at all times in place to prevent inappropriate access to, alteration or deletion of personal data.

The Trustee may share data with HSBC Group companies and to third parties for the above purposes.

The Trustee may share your information with others where lawful to do so, including where we or they:

- ▶ need to in order to administer the benefits provided (either to you or your spouse/civil partner/dependants) in respect of you from the Scheme;
- ▶ have a public or legal duty to do so, e.g. to assist with detecting and preventing fraud, tax evasion and financial crime;
- ▶ need to in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;
- ▶ have a legitimate business reason for doing so, e.g. to manage risk, verify your identity, enable another company to provide you with services you've requested, or assess your suitability for products and services; or
- ▶ have asked you for your permission to share it, and you've agreed.

In particular, data may be disclosed to the following third parties:

- ▶ Your employer;
- ▶ The administrators of any part of the Scheme;
- ▶ The Trustee's bankers;
- ▶ Any investment managers of any part of the Scheme;
- ▶ The Trustee's tax, legal and other professional advisers;
- ▶ Insurance companies in certain circumstances where insurance cover for particular benefit entitlements is being considered or has been put in place;

- ▶ Any other service providers who hold or process your data on the Trustee's behalf; and
- ▶ Third parties to whom the Trustee is required to transfer data by law or regulatory requirements (e.g. government and regulatory authorities that the Trustee and/or HSBC Group companies are subject to). We'll only do this on the basis that it's needed to comply with a legal obligation or it's in our legitimate interests or that of others.

However, personal data will only be disclosed where this is reasonably necessary for the purposes of the proper running and administration of the Scheme, including the provision of benefits in respect of you from the Scheme, or where otherwise required by law or regulatory requirements.

Your information may be transferred to and stored in locations outside of the Channel Islands, the Isle of Man and the European Economic Area (EEA), including countries that may not have the same level of protection for personal information as these jurisdictions. When we do this, we'll ensure it has an appropriate level of protection and that the transfer is lawful. We may need to transfer your information in this way to provide the Services to you; to fulfil a legal obligation; to protect the public interest; and/or for our legitimate interests. In some countries the law might compel us to share certain information, e.g. with tax authorities. Even in these cases, we'll only share your information with people who have the lawful authority to see it.

You can obtain more details of the protection given to your information when it's transferred outside the Channel Islands and Isle of Man or EEA by contacting us using the details in the 'More details about your information' section below.

We may share aggregated or anonymised information within and outside of the Trustee and HSBC Group with certain third parties, including the Scheme actuary. You won't be able to be identified from this information, e.g. we may share information about service histories, commutation rates, effective tax rates.

Your Rights

You have a number of rights in relation to the information that we hold about you. These rights include:

- ▶ the right to access information we hold about you and to obtain information about how we process it;
- ▶ the right to withdraw your consent to our processing of your information, which you can do at any time. We may continue to process your information if we have another legal basis or legal obligation for doing so;
- ▶ in some circumstances, the right to receive certain information you have provided to us in an electronic format and/or request that we transmit it to a third party;
- ▶ the right to request that we rectify your information if it's inaccurate or incomplete;
- ▶ in some circumstances, the right to request that we erase your information. We may continue to retain your information if we're entitled or required to retain it; and
- ▶ the right to object to, and to request that we restrict, our processing of your information in some circumstances. Again, there may be situations where you object to, or ask us to restrict, our processing of your information but we're entitled to continue processing your information and/or to refuse that request.

Please note that exemptions to your right of access may apply in some circumstances because of the relationship between the Trustee as trustee of the Scheme and you as a beneficiary of the Scheme.

We would encourage you to use our own internal procedures and informal discussions within the HSBC Group to resolve any concerns you may have about data privacy in the first instance. However

individuals have a right to complain to the data protection regulator in the country where they live or work. For the Channel Islands and Isle of Man, these are:

- ▶ the Office of the Information Commissioner in Jersey, by visiting www.dataci.je
- ▶ the Office of the Data Protection Commissioner in Guernsey, by visiting www.dataci.gg
- ▶ the Information Commissioner in the Isle of Man, by visiting www.inforights.im

You may also be able to appeal to the courts in Jersey, Guernsey or the Isle of Man if you consider your rights as a data subject have been or are likely to be violated. In addition, if you are dissatisfied with the decision of the regulator, you may also have the right to appeal to the courts.

More Details about Your Information

If you'd like further information on anything we've said in this Privacy Notice, or you wish to exercise any of your rights listed above, you can contact the Trustee by emailing ebsteam@hsbcpb.com in the usual way or contact us generally at:

Executive Benefit Services
HSBC Trustee (C.I.) Limited
HSBC House, Esplanade
St Helier, Jersey JE1 1GT Channel Islands
T +44 (0) 1534 672660

Please note that requesting for your personal data to be erased or for processing to be restricted/stopped could impact your eligibility or continued eligibility for benefits under the Scheme.

This Privacy Notice may be updated from time to time and the most recent version can be found at <https://www.hsbcprivatebank.com/en/utilities/privacy-statement>. Any changes we make to this Notice in the future will be available on request from the Trustee by emailing ebsteam@hsbcpb.com. Please check for any changes if you are using a printed copy of this Notice.

Retention

Your personal data will be retained for such period as is reasonably necessary for the proper running and administration of the Scheme and the performance of the Trustee's legal obligations and the pursuit of its legitimate interest. The Trustee's current retention policy is that personal data relating to you will be retained by the Scheme for so long as you are entitled or may become entitled to benefits under the Scheme, and, because operators of pension schemes can commonly face complaints or questions from members, former members, other individuals or regulatory authorities many years after a member/beneficiary has ceased to be entitled or prospectively entitled to benefits, some personal data may need to be kept for up to 21 years after the closure of the Scheme. However, the Trustee will not retain personal data for longer than is necessary having regard to the purpose for which it is held. In cases concerning sensitive personal data (e.g. medical information), where you have provided consent to the initial processing of such data, it may also be necessary to retain some or all of the information provided (including in cases where consent is withdrawn) as necessary for the defence of legal claims. The Trustee will keep this data retention policy subject to review and may update it from time to time to ensure it remains appropriate.

Terminology

The references in this notice to data "relating to you" or "about you" include references to data about third parties such as your spouse, civil partner, co-habitee and/or children (if any) which you provide to the Trustee on their behalf. Where you provide such data (for example, when completing or updating an expression of wish form/beneficiary nomination form), you should inform the third party that you are providing such data and share a copy of this notice with them so they also understand how this data is processed.

This notice refers to health data as "sensitive" personal data. "Sensitive" personal data covers various categories of personal data identified by law as requiring special treatment, including in some circumstances the need to obtain explicit consent. These categories comprise personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetics, health, sexual life, sexual orientation, biometric data and data relating to criminal convictions and offences or related security measures. In the context of the Scheme, the only sensitive data the Trustee is likely to hold in relation to you (if at all) is data relating to your health or sexual orientation.

The "Group" means HSBC and its associated companies; further details of which can be obtained by emailing ebsteam@hsbcpb.com.

Changes to Personal Details

You're responsible for making sure the information you give us is accurate and up to date, and you must tell us if anything changes as soon as possible. If you provide information for another person on your account, you'll need to direct them to this notice and make sure they agree to us using their information as described in it.

Miscellaneous

We use a range of measures to keep your information safe and secure which may include encryption and other forms of security. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information.

Issued by **HSBC Trustee (C.I.) Limited**

We are a member of the HSBC Group, one of the world's largest banking and financial services organisations.

HSBC House
Esplanade
St Helier
Jersey JE1 1GT
Channel Islands
ebsteam@hsbcpb.com
T +44 1534 672660
F +44 1534 672432

© HSBC Trustee (C.I.) Limited.

All rights reserved. Regulated by the Jersey Financial Services Commission to conduct Trust company and Insurance mediation business