

LONDON BOROUGH OF CROYDON

REPORT:	Pension Board
DATE OF DECISION	11 April 2024
REPORT TITLE:	Croydon Council Pension Fund Data Retention and GDPR
CORPORATE DIRECTOR / DIRECTOR:	Matthew Hallett – Acting Head of Pensions and Treasury
LEAD OFFICER:	Matthew Hallett – Acting Head of Pensions and Treasury
KEY DECISION? [Insert Ref. Number if a Key Decision] <i>Guidance: A Key Decision reference number will be allocated upon submission of a forward plan entry to Democratic Services.</i>	No
CONTAINS EXEMPT INFORMATION? <i>(* See guidance)</i>	NO
WARDS AFFECTED:	‘N/A’

1. SUMMARY OF REPORT

- 1.1 Croydon Council, as administering authority for the Local Government Pension Scheme, must periodically review and update documentation relating to the UK General Data Protection Regulations (UKGDPR) and the Data Protection Act 2018 (DPA) to ensure compliance with the regulations.

2. RECOMMENDATIONS

- 2.1 The Board is asked to note the content of the report.

3. REASONS FOR RECOMMENDATIONS

- 3.1** The UKGDPR is the version of the General Data Protection Regulation (EU) 2016/679) as retained by UK law under section 3 of the European Union (Withdrawal) Act 2018 and as amended by Schedule 1 of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (SI 2019/419). The UKGDPR requires organisations to give individuals certain information about how their personal data is collected and used. The DPA also contains obligations in relation to personal data.
- 3.2** To demonstrate compliance with UK GDPR and the DPA we are required to publish and keep under review certain documentation that should be made available to all members and their dependents.

4. BACKGROUND AND DETAILS

- 4.1** We use personal data, provided by scheme members and scheme employers, to administer the scheme and calculate member and dependent pension benefits.
- 4.2** Consideration must be given to the data we hold, the transfer of data and the retention of data by the Fund and scheme employers.
- 4.3** We hold significant amount of personal data for scheme members and their dependents. The type of data we hold and process will typically include: contact details, including name, address, telephone numbers and email address, identifying details, including date of birth and national insurance number, information relating to scheme member benefits in the Fund, including length of service or membership and salary, other information in relation to scheme member membership like bank account details, information about scheme member family, dependents or personal circumstances for example marital status, death and other information relevant to the distribution and allocation of benefits payable on death and information about scheme members health.
- 4.4** This information must be transferred in a safe and secure manner from scheme employers or their payroll providers.
- 4.5** Given the nature of the scheme design employers are required to retain information that may be required many years after an employee has left the employer. For example, a deferred member may request ill health retirement and the employer must be able to provide details about their employment such as job descriptions or working hours.
- 4.6** The Fund must retain certain data for as long as is required to ensure correct benefits have been paid to the member and any dependents after their death or to answer queries that may arise in the future or possible legal claims.
- 4.7** The Local Government Association (LGA) have published templates of the required documents, prepared by Squire Patton Boggs, to assist administering authorities. We have used the latest versions of these templates published by the LGA as part of this review to ensure we are compliant.
- 4.8** The following documents were reviewed and updated and approved by the Pension Committee on the 19 March 2024. The documents have been uploaded to the fund website and shared with scheme employers.
- Full Privacy Notice

- Summary Privacy Notice
- Personal Data Retention Policy
- Personal Data Retention Policy Expectations
- Memorandum of Understanding for Employers

4.9 The documents may be viewed on our website [Resources Croydon Pension Fund \(croydonpensionscheme.org\)](https://resources.croydonpensionscheme.org) and have been shared with scheme employers.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 N/A

6. CONSULTATION

6.1 Pursued in response to the Governance Review Recommendations by the Fund's governance advisers, Aon.

7. IMPLICATIONS

7.1 FINANCIAL IMPLICATIONS

7.1.1. Non-compliance with UK GDPR and Data Protection requirements could result in fines from the Information Commissioner.

7.1.2. Comments approved by Matthew Hallett, Acting Head of Pensions on behalf of Allister Bannin, the Director of Finance (Date 03/04/2024)

8. APPENDICES

8.1 None

9. BACKGROUND DOCUMENTS

9.1 None