

## Hydro Building Systems UK Limited ('the Company')

### Privacy Policy relating to the enhanced transfer value (ETV) option in connection with the Sapa Holdings Limited Pension and Life Assurance Scheme (the Scheme)

#### 1 Privacy Policy

- 1.1 The Company ('we/us/our') will collect or be provided with Personal Data relating to members of the Scheme ('you') by the Trustee of the Scheme ('Trustee'), should you participate in the ETV option in connection with the Scheme further to the letter provided to you by the Trustee.
- 1.2 The Company is committed to safeguarding the privacy of your Personal Data and this notice sets out our procedures to protect your data in accordance with the requirements of the General Data Protection Regulation 2016/679. We use commercially reasonable physical, electronic and procedural measures to protect your Personal Data in accordance with data protection legislative requirements. This Privacy Policy sets out our Personal Data collection and sharing practices of the Personal Data you provide to us, or that is provided to us (including by the Trustee), by any medium.
- 1.3 This Privacy Policy is intended to explain our privacy practices and covers the following areas:
- (a) what Personal Data we may collect about you;
  - (b) how we may use your Personal Data;
  - (c) who we may disclose your Personal Data to;
  - (d) how we protect your Personal Data;
  - (e) contacting us & your rights in relation to your Personal Data; and
  - (f) how changes to this Privacy Policy will be made.

#### 2 Information we may collect about you

- 2.1 We may collect and process the following Personal Data about you
- (a) **biographical information you or your employer provides to us:** Personal Data that you or the Trustee provides to us, including your name, gender, age and date of birth, national insurance number, address (and/or proof of address) and other contact details; and
  - (b) **details about your pension:** Personal Data that you or the Trustee provides to us relating to your pension benefits under the Scheme.

#### 3 Uses made of your Personal Data

- 3.1 We may use your Personal Data in the following ways. For each use, we note the legal bases we use to justify each use of your personal information. Further explanation of these legal bases can be found in Appendix 2 to this Policy.
- (a) **to produce an information pack relating to the ETV option:** this will include producing a personal statement showing how the ETV option can work for you, and providing you with further information about how the ETV option works, how to obtain financial advice in connection with the ETV option and how to take up the ETV option. This may include passing your Personal Data to third parties such as other companies in the Company's group, LEBC Group Limited (an independent financial advisor), Aon Hewitt Ltd (the Company's actuarial advisors) and our other advisors (e.g. legal).

**Legal basis:** legitimate interests (to enable us to manage our liabilities to the Scheme by providing additional options to you about how you take your pension benefits and to provide you with access to advice in relation to these options as required by industry codes of practice to which we are subject).

- (b) **To communicate effectively with you and conduct our business:** to conduct our business, including to respond to your queries, to otherwise communicate with you, or to carry out our obligations arising from any agreements entered into between you and us.

**Legal bases:** contract performance, legitimate interests (as above).

- (c) **in connection with legal or regulatory obligations:** we may process your Personal Data to comply with our regulatory requirements which may include disclosing your Personal Data to third parties, the court service and/or regulators or law enforcement agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world or where compelled to do so. Where permitted, we will direct any such request to you or notify you before responding unless to do so would prejudice the prevention or detection of a crime.

**Legal bases:** legal obligations, legal claims, legitimate interests (to cooperate with law enforcement and regulatory authorities).

- (d) **To reorganise or make changes to our business** in the event that we (i) are subject to negotiations for the sale of our business or part thereof to a third party; (ii) are sold to a third party; or (iii) undergo a re-organisation, we may need to transfer some or all of your Personal Data to the relevant third party (or its advisors) as part of any due diligence process for the purpose of analysing any proposed sale or re-organisation. We may also need to transfer your Personal Data to that re-organised entity or third party after the sale or reorganisation for them to use for the same purposes as set out in this Privacy Policy

**Legal basis:** legitimate interests (in order to allow us to change our business).

## 4 Transmission, storage and security of your Personal Data

### Security

- 4.1 While no data transmission (including over the Internet or any website) can be guaranteed to be secure from intrusion, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your Personal Data in accordance with data protection legislative requirements.

- 4.2 The Personal Data you provide to us, or that is provided to us, is stored on our and/or our subcontractors' secure servers and accessed and used subject to our security policies and standards.

### Export outside the EEA

- 4.3 Your Personal Data may be accessed by staff or suppliers in, transferred to, and/or stored at, a destination outside the European Economic Area (**EEA**) in which data protection laws may be of a lower standard than in the EEA. Regardless of location or whether the person is an employee or contractor we will impose the same data protection safeguards that we deploy inside the EEA.
- 4.4 Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export personal information to these jurisdictions. In countries which have not had these approvals, we will either ask for your consent to the transfer or will transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities.

- 4.5 Please contact us as set out in paragraph 5.4 below if you would like to see a copy of the specific safeguards applied to the export of your Personal Data.

### **Storage limits**

- 4.6 We will retain your Personal Data for as long as is necessary for the processing purpose(s) for which they were collected and any other permitted linked purpose. If information is used for two purposes we will retain it until the purpose with the latest period expires; but we will stop using it for the purpose with a shorter period once that period expires.
- 4.7 We restrict access to your Personal Data to those persons who need to use it for the relevant purpose(s). Our retention periods are based on business needs and your information that is no longer needed is either irreversibly anonymised (and the anonymised information may be retained) or securely destroyed.

## **5 Your rights & contacting us**

### Your rights

- 5.1 If you have any questions in relation to our use of your Personal Data, you should first contact us as per paragraph 5.4 below. Under certain conditions, you may have the right to require us to:
- (a) provide you with further details on the use we make of your Personal Data;
  - (b) provide you with a copy of the Personal Data that you have provided to us;
  - (c) update any inaccuracies in the Personal Data we hold (we will use reasonable endeavours to ensure that your Personal Data is accurate. In order to assist us with this, you should notify us of any changes to the personal information that you have provided to us by contacting us as set out in paragraph 5.4 below);
  - (d) delete any Personal Data the we no longer have a lawful ground to use;
  - (e) where processing is based on consent, to withdraw your consent so that we stop that particular processing;
  - (f) object to any processing based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your data protection rights; and
  - (g) restrict how we use your Personal Data whilst a complaint is being investigated.

Your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. the maintenance of legal privilege). If you exercise any of these rights we will check your entitlement and respond in most cases within a month.

- 5.2 If you are not satisfied with our use of your personal information or our response to any exercise of these rights you have the right to complain to the Information Commissioner's Office (**ICO**). The ICO can be contacted at:

Information Commissioner's Office (Head Office)  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113

### Contacting us

- 5.3 The Company is the Data Controller of your Personal Data processed by us under this Privacy Policy.
- 5.4 If you have any questions in relation to this policy, please contact our Finance Director, Simon Viner at Hydro Building Systems UK Limited, Severn Drive, Tewkesbury, Gloucestershire GL20 8SF. Tel:+44 7747 865 833 email:simon.viner@hydro.com

## **6 Changes to our Privacy Policy**

- 6.1 This Privacy Policy may change from time to time in the future. If we change the uses of your information collected offline we will provide an update to this Privacy Policy to you.
- 6.2 This Privacy Policy was last updated on 14 May 2018.
- 6.3 Further notices highlighting particular uses we wish to make of your Personal Data together with the ability to opt in or out may also be provided to you when we collect certain Personal Data from you.

## Appendix 1

### Key terms

**Data Controller:** this is the person which alone or jointly with others determines the purpose and means of the processing of Personal Data. The Company is the Data Controller of your Personal Data it obtains in with respect to providing you with information about the ETV option in connection with the Scheme.

**Personal Data:** this is defined as any information relating to an identified or identifiable natural person. An identifiable person is one who can be identified (either directly or indirectly) by reference to an 'identifier'. These include names, ID numbers, location data, online identifiers or one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that person.

**Processing or process:** this means any operation or set of operations which is performed upon Personal Data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

## Appendix 2

### Details of legal bases used to justify the processing of your personal information

These are the principal legal grounds that justify our use of your information as referred to in the section 3 of the Privacy Policy titled "Uses made of your Personal Data":

<b>Consent:</b> <i>where you have consented to our use of your Personal Data.</i>
<b>Contract performance:</b> <i>where your information is necessary to enter into or perform our contract with you.</i>
<b>Legal obligation:</b> <i>where we need to use your information to comply with our legal obligations.</i>
<b>Legitimate interests:</b> <i>where we use your information to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights.</i>
<b>Legal claims:</b> <i>where your information is necessary for us to establish, defend, prosecute or make a claim against you, us or a third party.</i>