



# OPTING OUT OF PENSION SAVING

May 18

## ABOUT THIS FORM

- This opt out form should only be **returned to your employer**.
- Your employer cannot ask you or force you to opt out. If you are asked or forced to opt out, you can tell The Pensions Regulator - see [www.thepensionsregulator.gov.uk](http://www.thepensionsregulator.gov.uk)
- You can only sign and date this opt out form once you have commenced employment in the post from which you wish to opt out of membership of the Local Government Pension Scheme (LGPS). You cannot sign and date the form before then, as it will be treated as an invalid opt out.
- If you have another job with another employer, that employer might also put you into pension saving, now or in the future. This opt out notice only opts you out of LGPS pension saving in relation to the employer and jobs you have named on this form. A separate opt out notice must be filled out and given to any other employer you work for, if you wish to opt out of pension saving with that employer as well. You will need to obtain the opt out form for employment with that employer from the pension administrators for the scheme provided by that employer.
- If you opt out of the LGPS **before** completing **3 months** membership, you will be treated as never having been a member and will receive a **refund from your employer**.
- If you opt out **after 3 months but before 2 years** membership, you will receive a **refund from us** providing you have not brought a transfer into the LGPS or do not have any other active / deferred / pensioner benefits in the LGPS Scotland.
- If you opt out **after 2 years** or have brought a transfer into the LGPS or already have a deferred benefit or do not opt out of all of your active memberships, you will be entitled to another deferred benefit.
- If you opt out of the LGPS and subsequently change your mind, you will be able to rejoin the LGPS provided you are under age 75 and you remain in an employment that qualifies you for membership of the LGPS. You will need to write to your employer, if you want to opt back into the LGPS.
- If you stay opted out, your employer will normally automatically put you back into the LGPS approximately every three years from the date they have to comply with the automatic enrolment provisions of the Pensions Act 2008.
- If you change employer, your new employer will normally put you back into pension saving straight away.

## ABOUT YOU

Forename(s)

Surname

National Insurance number

Date of birth

Employer / Department

Name of post (or posts) and employee / contract number from which you wish to opt out of membership of the LGPS.

**Note:** state “all”, if you want to opt out for all posts with this employer.

Post	Employee/ contract no

Home address

Postcode

Personal email address

## DECLARATIONS

I have read Strathclyde Pension Fund’s [“For your future”](http://www.spfo.org.uk/index.aspx?articleid=15369) leaflet that is available at: <http://www.spfo.org.uk/index.aspx?articleid=15369>

I wish to opt out of pension saving in the post(s) I have indicated on this form.

I understand that, if I opt out, I will lose the right to pension contributions from my employer.

I understand that, if I opt out, I may have a lower income when I retire.

If I have submitted this opting out form to my employer in an electronic format, I confirm that I personally submitted the form.

Signed

Dated

**This opt out form should be returned to your employer.**

## Protecting your data

The Strathclyde Pension Fund Office collects and holds certain information about you (personal data) which we need to administer the Local Government Pension Scheme. We have a responsibility to protect your information and would like to explain:

- what we do with it
- who we share it with
- how long we keep it for
- why we are allowed to collect it

We have summarised some of the key ways in which we deal with this information below. Further information can be found in the Full Privacy Notice at the following link:

<https://www.spfo.org.uk/index.aspx?articleid=14527>

### **Who we are:**

When organisations offer their employees membership of the Local Government Pension Scheme (LGPS), you may become a member of Strathclyde Pension Fund. Strathclyde Pension Fund Office is a department of Glasgow City Council (GCC), as the LGPS Regulations require a local authority to be responsible for the local administration of pensions and other benefits payable under the LGPS regulations.

GCC's head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom. You can contact GCC's Data Protection Officer by post at that address or by email at [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk) or by telephone on 0141 287 1055.

### **Why do we need your personal information and what do we do with it?**

You are giving us your personal information to allow us to handle all matters relating to the LGPS. For example, we need to process your data to contact you by post, email or telephone; to maintain our records; calculate and provide you with benefits (and, if you are a member of the Fund, your beneficiaries if you die); for statistical and financial modelling and for reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested); and to comply with our legal obligations.

We obtain personal data directly from you. We may also obtain data from your employer (for example, salary information) and from other sources including public databases.

### **Legal basis for using your information:**

Our legal basis for processing your personal information is because it is necessary to carry out our function for administering the Local Government Pension Scheme and managing Strathclyde Pension Fund. Our role is set out in the Local Government Pension Scheme (Scotland) Regulations 2018. In data protection legislation, this is known as processing information because it is 'necessary for the performance of a task carried out in the public interest or in the exercise of official authority'. You can find more details of our role on our website at [www.spfo.org.uk](http://www.spfo.org.uk)

Where we obtain information concerning certain "special categories" of particularly sensitive data, such as health information to administer an ill health retirement, extra protections apply under data protection legislation. We will only process this type of data with your consent, unless we can lawfully process this data for another reason permitted by that legislation. You have the right to withdraw your consent to the processing special categories of personal data at any time by notifying us in writing. However, if you do not give consent, or subsequently withdraw it, we may not be able to pay certain LGPS benefits.

### **Who do we share your information with?**

We are legally obliged to safeguard public funds. So we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes. We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy notice on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2012.

From time to time we will share your personal data with third parties, including our contractors, advisors, government bodies and dispute resolution and law enforcement agencies in order to comply with our

obligations under law, and in connection with the provision of services that help us carry out our duties, rights and discretions in relation to the Fund. These organisations are listed in the Full Privacy Notice. In some cases these recipients may be outside the UK. If this occurs, we will make sure that appropriate safeguards are in place to protect your data in accordance with applicable laws. Please use the contact details below if you want more information in connection with this.

### **How long do we keep your information for?**

We only keep your personal information for the minimum period of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on business need. GCC maintains a records retention and disposal schedule which sets out how long we hold different types of information for at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=40660&p=0> or you can request a hard copy from GCC's contact address stated above.

### **Your rights under data protection law:**

- **access to your information** – you have the right to request a copy of the personal information that we hold about you
- **correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards
- **deletion of your information** – you have the right to ask us to delete personal information about you where:
  1. you think that we no longer need to hold the information for the purposes for which it was originally obtained
  2. we are using that information with your consent and you have withdrawn your consent – where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given
  3. you have a genuine objection to our use of your personal information
  4. our use of your personal information is contrary to law or our other legal obligations
- **restricting how we may use your information** – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information, but you don't want us to delete the data.
- **withdrawing consent to use your information** – where we use your personal information with your consent (for example, for the purposes of administering an ill-health retirement) you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given. However, if you withdraw your consent, we may not be able to pay certain LGPS benefits.

Please contact us if you wish to exercise any of these rights.

### **Information you have given us about other people:**

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information for the purposes set out in this privacy notice. If they want any more information on how we will use their information they can visit our website at

<https://www.spfo.org.uk/index.aspx?articleid=14527> or email [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk)

### **Complaints:**

We aim to directly resolve all complaints about how we handle personal information. However, you also have the right to lodge a complaint with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. You can visit their website for more information at <https://ico.org.uk/concerns>

### **More information:**

For more details on how we process your personal information visit

<https://www.spfo.org.uk/index.aspx?articleid=14527>

If you do not have access to the internet you can contact us via telephone to request hard copies of our documents.

Ref: GDPR privacy notice, dated 03 05 2018