



## PRIVACY NOTICE

### Who are we?

Mercer Limited (“**we**”, “**our**” or “**us**”) take the security of your personal data very seriously and are committed to protecting and respecting the privacy of the users, including individuals who are members of the Universities Superannuation Scheme and receive services from the Universities Superannuation Scheme Limited (“**USS**”) or its affiliates with administration rights, and other authorised users (“**you**” or “**your**”), of the Mercer website provided on behalf of USS [www.yourfinancialfuture.mercer.com](http://www.yourfinancialfuture.mercer.com) (the “**Website**”).

**USS** has engaged us to provide the Website and any reference in this Privacy Notice to “your employer” means **USS**.

### What is this privacy notice for?

This privacy notice (together with our Terms of Use and any other documents referred to on it) set out, for the Website, our collection and sharing practices, the uses to which any personal data, if applicable, is put, the ways in which we protect it in accordance with the General Data Protection Regulation (EU 2016/679) and the Data Protection Act 2018 (“**Data Protection Laws**”) and your privacy rights. Please read it carefully.

### **1. WHAT DATA DO WE COLLECT (IF APPLICABLE)?**

We may collect information directly from you, your employer and your pension plan administrators.

You should separately refer to USS’s privacy notice for information on how it uses the personal data that it collects including sharing it with us for the purpose of delivering the Website.

### **2. HOW DO WE USE ANY DATA WE MAY COLLECT (IF APPLICABLE)?**

The personal data we may collect (if applicable) enables us to provide you and USS with access to the Website and its features and enable you to interact with the Website.

In particular, we may use your personal data to:

- enable you to access and use the Website, including to verify your identity when signing up to the Website and verifying your account (not applicable with this current version of the website);
- verify your identity when subsequently logging in and using the Website;
- allow HR-employees at your employer with Website administrator access rights to use the administration-related functionality of the Website, including to contact you and answer queries;
- contact you when necessary (including about changes to our service) and respond to your requests and enquiries;
- provide technical assistance or allow any third party authorised by us to do so;
- manage troubleshooting problems, detect and protect against error;



- ensure that the content from our Website is present in the most effective manner for you and for your computer;
- allow you to participate in interactive features of our services, when you choose to do so;
- as part of our efforts to keep our Website safe and secure;
- detect and prevent fraud, suspicious activities, and other illegal activities;
- perform statistical analyses on users of the Platform and track your use of the Platform; and
- on an aggregated and anonymised basis, share the data and statistical analyses with your employer for our own business purposes.

### **Tracking users' use of the Website**

We use various tools to track your use of the Website and your access to the site, but not activities once you are logged into the site. We use only essential cookies.

You can find more information about our use of this type of technology in our Cookies Notice, also contained on this site.

### **3. DISCLOSURE OF YOUR INFORMATION (IF APPLICABLE)**

We may share your personal data (if applicable) to assist with managing and running the Website and undertaking the activities set out in section 2 above and with your employer. In particular, we may share this information with:

- your employer to undertake HR related activities, including to communicate with you; and
- law enforcement agencies, regulatory authorities and other public bodies such as courts in order to comply with our legal or regulatory obligations.

The third parties to whom we disclose information are required by law and/or contractual requirements to keep your personal data confidential and secure. These parties may not use or disclose it except as reasonably necessary to provide their services, or to comply with, or as permitted by, applicable law.

We may disclose your personal data without your prior permission, as permitted by law, including instances when we believe it is necessary to: (a) prevent physical or financial harm; (b) enforce the Terms of Use; (c) respond to claims of suspected or actual illegal activity or violation of third party rights; (d) respond to an audit or investigate a complaint or security threat; and/or (e) comply with law or legal process.

### **4. USING YOUR INFORMATION IN ACCORDANCE WITH DATA PROTECTION LAW**

Data Protection Law requires that we meet certain conditions before we are allowed to use your personal data in the manner described in this privacy notice. To use your personal data, we will rely on one of the following conditions, depending on the activities we are carrying out:

#### **Legitimate interests**

It is in our legitimate interests to collect your personal data as it provides us with information that we need to provide our services to USS and to make our Website available to you.



This requires us to carry out a balancing test of our interests in using any of your personal data if applicable (for example, in order to provide you with access to the Website and to satisfy the contractual obligations we owe to USS), against the interests you have as a citizen and the rights you have under Data Protection Law (for example, to not have your personal data sold to third party marketing companies without your knowledge).

The outcome of this balancing test will determine whether we may use your personal data (if applicable) in the ways described in this privacy notice. We will always act reasonably and give full and proper consideration to your interests in carrying out this balancing test.

#### **To provide you with the services that we have agreed to provide to you**

We may be permitted to hold and process some of your personal data (if applicable) because it is necessary to do so in order to provide you access to, and to enable you to make use of, the Website. Without this personal data, we may not be able to provide you with access to the Website.

#### **Compliance with a legal obligation**

We are permitted to process your personal data where it is necessary for compliance with our legal obligations.

#### **For legal claims**

We are permitted to process your personal data where it is necessary to establish, pursue or defend a legal claim.

#### **Substantial Public Interest**

We are permitted to process your personal data where it is necessary for reasons of substantial public interest, on the basis of Data Protection Laws.

If we look to use your personal data for any other purpose not covered in this privacy notice, we will let you know about any proposed new purposes before using your personal data in this way.

### **5. HOW LONG WE KEEP YOUR INFORMATION FOR (IF APPLICABLE)**

Our retention periods for any personal data are based on business needs and legal requirements. We retain any personal data for as long as is necessary for the processing purpose(s) for which the information was collected, and any other permissible, related purpose.

We usually keep your information for as long as required to:

- to respond to any questions or complaints;
- to demonstrate compliance with our regulatory obligations; and/or
- to maintain records according to rules that apply to us.

We will also keep your information for as long as it is needed for legal, regulatory or technical reasons (such as where data has to be held in relation to historic insurance claims). If we do, we will make sure that your privacy is protected and only use it for those purposes.



## 6. SENDING DATA OUTSIDE OF THE EEA

We may transfer or disclose personal data we collect to a destination outside the European Economic Area (“EEA”). We will typically do this:

- to comply with a legal duty; or
- where our staff are located outside of the EEA or in the unlikely event that we are required to share your personal data with our affiliates that are located outside of the EEA.

If we do transfer personal data outside of the EEA we will make sure that it is protected in the same way as if it was being used in the EEA and may be required to take specific additional measures to safeguard the relevant personal data. Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to the Data Protection Laws (see the full list [here](#)) and therefore no additional safeguards are required to export personal data to these jurisdictions. In countries which have not had these approvals, we will establish legal grounds justifying such transfer, such as European Commission-approved model contractual clauses, or other legal grounds permitted by applicable legal requirements.

You can contact us as set out in section 11 [below](#) to find out more about safeguards we have in place for any transfers of your personal data outside of the EEA or if you would like to see a copy of the specific safeguards applied to the export of your personal data.

## 7. WHAT STEPS DO WE TAKE TO PROTECT YOUR INFORMATION?

Any information you may provide to us is stored on our or our subcontractors’ secure servers and accessed and used subject to our security policies and standards. Where we have given you (or where you have chosen) a password which enables you to access the Website, you are responsible for keeping this password confidential. We ask you not to share a password with anyone and may suspend or terminate your access to the Website if you do so.

We restrict access to your personal data to those employees of ours, our affiliates, and third party service providers who reasonably need it to provide products or services. We have implemented commercially reasonable physical, electronic, procedural, administrative, and technical safeguards in a way that complies with the security requirements of the Data Protection Laws to protect your personal data, located in the countries where we are based (which may be outside the EEA), from unauthorised access. However, as effective as our security measures are, no security system is impenetrable. We cannot guarantee the security of these systems, nor can we guarantee that information supplied by you or on your behalf cannot be intercepted while being transmitted over the Internet.

## 8. WHAT RIGHTS AND OBLIGATIONS DO YOU HAVE WITH RESPECT TO YOUR DATA?

You have a number of rights under Data Protection Laws in relation to the way we process your personal data. These are set out below. You may contact us using the details in section 11 [below](#) to exercise any of these rights. We will respond to any request received from you within one month from the date of the request.

**DESCRIPTION OF RIGHTS**

<b><u>Right 1</u></b>	A right to access personal data held by us about you (if applicable).
<b><u>Right 2</u></b>	A right to require us to rectify any inaccurate personal data held by us about you (if applicable).
<b><u>Right 3</u></b>	A right to require us to erase personal data held by us about you (if applicable). This right will only apply where (for example): we no longer need to use the personal data to achieve the purpose we collected it for; or where you withdraw your consent (if we are using your personal data based on your consent); or where you object to the way we process your personal data (in line with Right 6 below).
<b><u>Right 4</u></b>	A right to restrict our processing of personal data held by us about you (if applicable). This right will only apply where (for example): you dispute the accuracy of the personal data held by us; or where you would have the right to require us to erase the personal data but would prefer that our processing is restricted instead; or where we no longer need to use the personal data to achieve the purpose we collected it for, but you require the data for the purposes of dealing with legal claims.
<b><u>Right 5</u></b>	A right to receive personal data, which you have provided to us, in a structured, commonly used and machine readable format (if applicable). You also have the right to require us to transfer this personal data to another organisation, at your request.
<b><u>Right 6</u></b>	A right to object to our processing of your personal data (including for the purposes of sending marketing materials to you) (if applicable).
<b><u>Right 7</u></b>	A right to withdraw your consent, where we are relying on it to use your personal data (for example, to provide you with marketing information about our services or products). If you withdraw your consent, we may not be able to provide certain products or services to you.

These rights are 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), and may not all be available in the country in which you are based.

**Updating information** (if applicable).

Keeping your information accurate and up-to-date is very important. Inaccurate or incomplete information could impair our ability to deliver relevant services. 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 your personal data by updating your profile on the Website or by contacting us as set out in section 11 below.

Intentionally providing false or misleading information or using another person's email address or personal data for the purposes of falsely obtaining any products or services through the Website, may lead to termination or forfeiture of the product or services and/or of access to the Website and may result in legal action.

**10. CHANGES TO THIS PRIVACY NOTICE**

We may change the content of the Website and how we use cookies and consequently this privacy notice and our cookies notice and any other document to which they refer are subject to change at any time. If we make material updates to this privacy notice, we will update the date it was last changed and will clearly indicate this via a banner or notification on the Website. Any changes we make to this privacy



notice become effective immediately when we post the revised privacy notice on the Website. We recommend that you review this privacy notice regularly for changes.

This privacy notice was last updated in May 2020.

## **11. HOW TO CONTACT US**

You can contact us at any time. If you have any questions about this privacy notice, or our privacy practices in general. You can also contact Mercer's data protection officer at:

Data Protection Officer  
Marsh & McLennan Companies, Inc.  
Tower Place West  
London  
EC3R 5BU  
privacycoordinator@mercer.com

### **How to complain**

Please let us know if you are unhappy with how we may have used your personal data or are not satisfied with our handling of any request by you in relation to your rights. You can contact us using the contact details above. You also have the right to complain to the Information Commissioner's Office. Their address is:

**For the UK:**

First Contact Team  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
United Kingdom  
SK9 5AF

Find out more information on their website on how to report a concern.