

Caterpillar Pension Plan and Caterpillar Defined Contribution Pension Plan

Data Protection Privacy Notice

A. Introduction and general terms

1. Preliminary

1.1 This Privacy Notice applies to both the Caterpillar Pension Plan and the Caterpillar Defined Contribution Pension Plan (each a “**Plan**” and, together the “**Plans**”).

1.2 This Privacy Notice sets out how Caterpillar (UK) Limited as the Principal Employer in relation to the Plans (the “**Company**”) and Caterpillar Pension Trust Limited (as Trustee of the Caterpillar Pension Plan) or Caterpillar Defined Contribution Pension Trust Limited (as Trustee of the Caterpillar Defined Contribution Pension Plan) (each a “**Trustee**”, and together the “**Trustees**”) each obtain, use and protect personal information:

- ◆ that you provide to us, or
- ◆ that is otherwise obtained or generated by us,

and which relates (i) to you, or (ii) to any individual connected with you, including any dependent or any beneficiary nominated by you in relation to the Plans (a “**Connected Person**”),

in relation to your membership of, and the benefits provided for and in respect of you under, either of the Plans.

1.3 The information referred to in 1.2 above is called, in this document, “**Pension Personal Information**”.

1.4 For the purpose of this Privacy Notice (unless expressly stated, or the context otherwise requires):

- (a) ‘**we**’, ‘**us**’ and ‘**our**’ refers to the Company (and each relevant company within the Company’s group) and the Trustees, as applicable to you, as the case may be and as the context may require,
- (b) ‘**you**’ and ‘**your**’ refers to each of you and your Connected Persons,
- (c) ‘**Trustee**’ shall each be read as meaning only the Trustee of the Plan of which you are a member, and
- (d) ‘**Plan**’ shall be read to mean the Plan of which you are a member.

2. Scope of this Privacy Notice

2.1 This Privacy Notice explains:

- (a) what information we may collect about you;
- (b) how we aim to keep your information safe;
- (c) what we may use your information for;

- (d) who we may share your information with; and
- (e) your rights regarding your Pension Personal Information.

3. Trustee and Company are separate data controllers

- 3.1 For the purposes of applicable data protection legislation, the Trustee is the data controller in respect of your Pension Personal Information in respect of the use by the Trustee of that Pension Personal Information for the purposes outlined in this document.
- 3.2 For the purposes of applicable data protection legislation, the Company is the data controller of certain of your Pension Personal Information (as outlined in **4** below) in respect of the use by the Company of that Pension Personal Information for its purposes as outlined in this document.

4. Position of Company as a data controller of certain of your Pension Personal Information

The Company's position as a data controller of certain of your Pension Personal Information may be explained as follows:

- 4.1 The information referred to in **3.2** above is all information which:
 - (a) the Company could have lawfully collected and stored itself, and
 - (b) in respect of which the Company would have been the data controller.
- 4.2 However, in the interests of efficiency, the Company has not separately stored that data.
- 4.3 Instead that data is common data in relation to which:
 - (a) the Trustee is a data controller for the purposes specified in this document, and
 - (b) the Company is a data controller for the purposes specified in this document.

5. The Company is also a data processor on behalf of the Trustees

- 5.1 The Company may also process, on behalf of the Trustee, all or some of your Pension Personal Information.
- 5.2 In such a situation, the Company is also acting as a data processor for the purposes of the applicable data protection legislation.

B. Intended purposes of processing your Pension Personal Information

The purposes for which the Trustee and/or the Company intend to process your Pension Personal Information are outlined in this document.

C. Legal basis for processing Pension Personal Information

1. The Trustees

The Trustee will process Pension Personal Information relating to you on one or more of the following grounds:

- 1.1 to give effect to provisions of your contract of employment relating to the provision of benefits from the Plan,
- 1.2 for the purposes of giving effect to legal obligations that apply to the Trustee in connection with the Plan, or

- 1.3 on the ground that such processing is necessary for the purposes of one or more of the Trustee's following legitimate interests:
- (a) to manage the Plan (including, without limitation, to do anything which the Trustee is under a legal obligation, whether under the Plan's governing legal documents, legislation, common law or otherwise, to do),
 - (b) to calculate and collect your contributions to the Plan and to provide your benefits under the Plan, and
 - (c) to manage matters associated with the provision of your benefits under the Plan.

2. The Company

The Company will process Pension Personal Information relating to you on one or more of the following grounds:

- 2.1 any of the grounds specified in **1.1** or **1.2** above, but read as if references to Trustee were to the Company, or
- 2.2 on the ground that such processing is necessary for the purposes of one or more of the Company's following legitimate interests:
- (a) to manage the Plan (including, without limitation, to do anything which the Trustee is under a legal obligation, whether under the Plan's governing legal documents, legislation, common law or otherwise, to do),
 - (b) to calculate and collect your contributions to the Plan and to provide your benefits under the Plan,
 - (c) to manage matters associated with the provision of your benefits under the Plan, including offering you choices as to the form or timing of those benefits,
 - (d) for the purposes of running the Company's business, including, without limitation:
 - (i) managing the costs of providing benefits in the Plan,
 - (ii) the funding of benefits to be provided from the Plan,
 - (iii) accounting for the benefits provided in the Plan, and
 - (iv) the management of risks associated with the Plan,
 - (e) for the purposes of the running of the business of other companies in the Company's Group, including, without limitation:
 - (i) managing the costs of providing benefits in the Plan,
 - (ii) the funding of benefits to be provided from the Plan,
 - (iii) accounting for the benefits provided in the Plan, and
 - (iv) the management of risks associated with the Plan.

D. Information we may process about you

1. How do we collect Pension Personal Information about you?

- 1.1 Set out below are the ways in which we collect Pension Personal Information about you:
- (a) you may have submitted an application form containing personal information about you or a Connected Person,
 - (b) we may have been provided personal information relating to you or a Connected Person via our human resources operating system (a “**HR operating system**”), or otherwise, when you first joined the Plan,
 - (c) we will have been informed via our HR operating system if there were subsequent changes to your role, hours or salary, which affected your contributions to, or benefits under, the Plan,
 - (d) you may inform us from time to time of any changes to your personal circumstances, including your marital or family status,
 - (e) we may contact you from time to time to ask that you confirm the accuracy of, and where necessary provide us with updates to, the Pension Personal Information we hold about you,
 - (f) in limited circumstances such as for an ill-health early retirement or for the purpose of taking out insurance on your life in the Plan or to purchase an annuity for you, medical information will be provided to us, with your written consent, by a medical advisor, and
 - (g) via public records or through the use of a tracing agency; for example, if we have lost contact with you and wish to contact you about your Plan benefits.
- 1.2 We do not collect or store Pension Personal Information through the use of cookies or similar technology on our website.

2. Possible option not to provide Pension Personal Information

- 2.1 Depending on the grounds on which we are processing your Pension Personal Information, you may not have to provide the personal information we request from you.
- 2.2 But, in such a situation, there may be a delay in the payment of your benefits under the Plan or we may not be able to pay the benefit in question if the Pension Personal Information is not provided.

3. What types of Pension Personal Information may we process about you?

- 3.1 As a member of the Plan, we may process any or all of the following Pension Personal Information about you:
- (a) personal details such as your name, gender, age, date of birth, national insurance number, email address, postal address, telephone or mobile number, and other identifiers such as passport number,
 - (b) family, lifestyle and social circumstances such as details about current marriage and partnerships and marital history, details of family and dependants,

- (c) employment details such as pensionable pay, length of service, employment and career history, termination details, attendance record, job title, financial details such as income, salary, assets and investments, contributions paid to the Plan,
 - (d) bank account details (to process pension and other payments of benefits), and
 - (e) for limited purposes, information about your health or lifestyle (eg whether you are a smoker or non smoker) where required by the insurer with whom any Plan benefits are (or are to be) insured or in connection with an application for early retirement on grounds of ill health.
- 3.2 We may process the following personal information about any Connected Person:
- (a) name, date of birth, postal address, telephone number, mobile telephone number and email address,
 - (b) information about your relationship with the Connected Person (eg that you are married to the Connected Person), and
 - (c) where benefits are payable on your death, bank account details (to process pension and other payments of benefits).

E. Keeping your information safe

1. Online and paper systems

- 1.1 We aim to hold your Pension Personal Information on third party-provided and third party-hosted software systems¹.
- 1.2 These are systems which we consider to be secure and in respect of which arrangements are in place to protect your Pension Personal Information from unauthorised access.
- 1.3 Some or all of your Pension Personal Information is or may be retained on paper files which we consider to be held securely.

2. Retention of your Pension Personal Information

- 2.1 We aim to hold your Pension Personal Information on our systems for the longest of the following periods:
 - (a) to enable us to fulfil our obligations in respect of the administration of the Plan and any other services and products requested by you;
 - (b) for the period required by law; and
 - (c) for the period to enable us to evidence, in relation to any claim made by you, matters relating to your membership of the Plan including, without limitation, whether you received a refund of contributions, had a transfer payment made or took a lump sum in place of all or part of your Plan benefits.
- 2.2 This will mean that processing of your Pension Personal Information will continue after you have ceased to have any benefits in the Plan.

¹ Details of the third party Service Providers are available on request

F. What we may process your information for

We process your Pension Personal Information for all or any of the following purposes:

1. to calculate contributions to the Plan and to calculate and pay benefits from the Plan.
2. to carry out our obligations arising from any agreement that we have with, or concerning, you and to provide you with the information, benefits and services that you request from us.
3. in relation to any correspondence (including queries relating to your membership of the Plan) related to the administration of the Plan.
4. to notify you about our services and changes to our services.
5. to provide information to you about the Plan or your contributions (including voluntary contributions and opportunities to pay voluntary contributions), your benefits and options that are or may be available to you under the Plan in relation to your contributions to, and benefits provided under, the Plan.
6. complying with any applicable present or future law, rule, regulation, guidance or directive, and complying with any applicable industry or professional rules and regulations or any applicable voluntary codes.
7. without limiting 6 above, for the purpose of providing you with any information which we are required to provide to you under pensions legislation including any statutory money purchase illustrations, summary funding statements and details of your retirement options.
8. for internal record keeping purposes.
9. risk management, including credit risk analysis and the insurance of longevity risks and related demographic risks.
10. to send you news about the Plan or your pension benefits or to send you seasonal greetings.
11. for the purpose of locating you or for establishing whether you are still alive.
12. where it is necessary to select, or to hold an election for, member nominated directors, for the purposes of inviting nominations and, where applicable, circulating voting papers.
13. for statistical, financial modelling and reference purposes.
14. complying with demands or requests made by local and foreign regulators, governments and law enforcement authorities, and complying with any subpoena or court process, or in connection with any litigation.
15. activities connected with any sale, merger, acquisition, disposal, reorganisation or similar change of the Company's business or of the business or activities of any other company in the Company's Group.
16. activities connected with any transfer of all or part of the Plan's assets and benefit obligations to another pension arrangement or to an insurance company.

G. Who we may share your information with

1. Potential recipients of your Pension Personal Information

We may share your Pension Personal Information with all or any of the following recipients as we consider may be necessary or desirable to administer the Plan or comply with contractual obligations or, without limitation, other legal obligations, which we may be under to you or in relation to you or the Plan:

- 1.1 those employees of the Company or all other companies in the Company's Group who will be dealing with the management and administration of the Plan.
- 1.2 our service providers, professional advisers and auditors and certain hosting service providers (our "**Service Providers**")².
- 1.3 without limiting **1.2** to a service provider providing missing person location services or existence checking services.
- 1.4 without limiting **1.2** to a provider of services in relation to the selection, or election, of member nominated directors.
- 1.5 local and foreign regulators, governments and law enforcement authorities.
- 1.6 local and foreign courts, tribunals and arbitrators, other judicial committees and enactments of laws.
- 1.7 insurance companies which we use to insure benefits under the Plan or to discharge the benefit obligations of the Plan.
- 1.8 any investment product provider providing investment products which the Trustee determines to be available to provide investment options to Plan members or otherwise to use for the purpose of investing the Plan assets.
- 1.9 persons connected with any sale, merger, acquisition, disposal, reorganisation or similar change of our business or of the business of any company in the Company's Group (including any potential or actual purchaser of that business and that purchaser's advisors).
- 1.10 persons connected with any transfer of all or part of the assets and benefit obligations of the Plan to another pension arrangement or to discharge all or part of the benefit obligations of the Plan with an insurance company.

2. Transfer to third parties to be subject to an obligation to protect confidentiality and security

All third parties to whom we transfer Pension Personal Information relating to you will, unless overridden by law, be under an obligation to protect the confidentiality and security of that Pension Personal Information.

3. Transfers outside of the EEA

- 3.1 Some of the recipients of your Pension Personal Information as referred to in **1** above may be based in countries outside of the European Economic Area ("**EEA**") whose laws may not provide the same levels of data protection.

² Details of our Service Providers are available on request.

- 3.2 In such cases, we will arrange for adequate safeguards to be put in place to protect your Pension Personal Information that comply with our legal obligations.
- 3.3 Where appropriate, we may also arrange that the recipient may process your Pension Personal Information in accordance with our instructions.
- 3.4 To ensure this level of protection for your Pension Personal Information, we might use a Data Transfer Agreement with the recipient based on standard contractual clauses approved by the European Commission.
- 3.5 Further details of the transfer of your Pension Personal Information outside of the EEA safeguards used by us in respect of subject transfers (including copies of relevant agreements) are also available from us.

H. Your rights regarding the Pension Personal Information you provide to us

1. The accuracy of the information we hold about you is important to us. Under applicable data protection legislation you have rights concerning your Pension Personal Information:
 - 1.1 you have a right to correct any inaccurate or incomplete Pension Personal Information we hold on you.
 - 1.2 you have a right to receive a copy of the Pension Personal Information we hold on you, which we must provide to you in a structured, commonly-used and machine-readable format.
 - 1.3 depending on the grounds on which we are processing your Pension Personal Information, you may have a right to require us to stop or to restrict our processing of your Pension Personal Information.
 - 1.4 depending on the purpose for which we are processing your Pension Personal Information, you may have a right to require the erasure of Pension Personal Information we hold on you once it is no longer necessary in relation to the purposes for which the information was collected or is being processed.
2. Please contact us if you wish further information about any of these rights (or you wish to exercise any of these rights) using the contact details in **Section K**.
3. If you have a complaint about how we manage your information please contact us. Our contact details are in **Section K**.
4. If you are still not satisfied after going through our internal complaints procedure you can then complain to The Information Commissioner's Office:
 - 4.1 by telephone on 0303 123 1113, or
 - 4.2 through the following link: <https://ico.org.uk/global/contact-us/email/>
5. However, you may complain direct to The Information Commissioner's Office without going through our internal complaints procedure.

I. Changes to our Privacy Notice

1. We will review and may update our Privacy Notice from time to time.
2. Any changes to this Privacy Notice will become effective when we post the revised Privacy Notice on our website.

3. Please check our website to see any updates or changes to our Privacy Notice, a summary of which we will set out in **Section J** below. In any event, as a member of the Plan, all important changes made to our Privacy Notice will be sent to you by email or post at the last address we hold for you.
4. If you change your contact details, please let us have the new details so that we can update our records (see **Section K** below).
5. This Privacy Notice was last reviewed in February 2018.

J. Previous changes to this Privacy Notice

Currently none.

K. Contact and address details

1. If you have any questions, comments or requests regarding any aspect of this Privacy Notice, please do not hesitate to contact us at:

by post: Caterpillar Pension Trust Limited, Vicarage Farm Road Office, Eastfield, Peterborough, Cambridgeshire, PE1 5NA; OR

Caterpillar Defined Contribution Pension Trust Limited, Eastfield, Frank Perkins Way, Peterborough, Cambridgeshire, PE1 5FQ.

by email: ukpensions@cat.com

2. The address of the Company is Peckleton Lane, Desford, Leicester, LE9 9JT, and the addresses of the trustees are detailed in **K.1**, above.

L. Important legal notes

1. Please remember that:
 - 1.1 rights to any particular level of contributions and benefits provided under the Plans are determined by the Trust Deed and the Rules of the Plans from time to time in force and as applicable to you, and
 - 1.2 The Company reserves the right to amend or discontinue the Plans in accordance with the Trust Deed and Rules of the Plans.
2. A copy of the Trust Deed and Rules currently in force and applicable to you is available on request (for our contact details see **Section K** above)