

## VMware International Retirement and Death Benefits Plan

### Privacy Notice

**Last Updated:** 3 March 2021

#### Overview

This Privacy Notice applies to Members and Beneficiaries of the VMware International Retirement and Death Benefits Plan (the "**Plan**"). The Plan is available to staff at VMware International Unlimited Company in Ireland. It is managed by the VMware Trustees. This Privacy Notice concerns the collection and use of personal information about Members and Beneficiaries provided under the Plan. For more information about how your personal data may be processed generally by VMware, please see the VMware Employee Privacy Notice, or the VMware Privacy Notice as appropriate.

Any questions related to the Plan should be directed to:

VMware International Retirement and Death Benefits Plan Administrator  
Aon  
Building 5200  
Cork Airport Business Park  
Cork  
Email: [myfutureme@aon.ie](mailto:myfutureme@aon.ie)  
Phone: 1850 80 42 57

Any questions related to this Privacy Notice or privacy at VMware should be directed to: [privacy@vmware.com](mailto:privacy@vmware.com).

#### Definitions

For the purposes of this Privacy Notice the following definitions shall apply:

**"VMware Trustees"** is the Board of Trustees who manage the Plan on behalf of the Members and VMware.

**"Plan Administrator"** is the third party providing the Plan to Members, and in particular Aon.

**"Members"** means Active Members, Deferred Members and/or Former Members

**"Active Member(s)"** means an individual enrolled on the Plan who is currently employed by VMware International Unlimited Company.

**"Deferred Member(s)"** means an individual enrolled on the Plan who was previously employed by VMware International Unlimited Company but still retains the right to receive a benefit from the Plan at a future date.

**"Former Member(s)"** means an individual who was enrolled on the Plan and has received their entitled benefit.

**"Beneficiary (Beneficiaries)"** means an individual who is entitled to benefits under the Plan or will become entitled on a specific event happening. **"Former Beneficiary (Beneficiaries)"** means an individual who has received their entitled benefit under the Plan. (Collectively, **"Beneficiaries"**)

#### What information is processed under the Plan

The personal data processed under the Plan will depend on your status under the Plan and the type of information you provide under the Plan, but the categories of data subject include, Active Members, Deferred Members, Former Members, Beneficiaries and Former Beneficiaries.

The following personal data may be collected and processed under the Plan:

- **Contact details:** such as home address, email and telephone number.
- **Biographical details:** such as name, previous name(s), gender, date of birth, marital status and the same such details of a spouse.
- **Status:** such as whether you are an Active, Deferred or Former Member or a Beneficiary or Former Beneficiary.
- **Membership reference:** such as your PPS Number, Employee Number, Pension Plan Number.
- **Financial details:** such as payee name, address, BIC/IBAN, bank name and address.

In addition to the above, the following personal information is collected:

*For Members only*

- **Employment history:** such as the date you joined the Plan, employment details (e.g. job title, periods of service, type of employment, periods of leave and employer information), location, job class, pay frequency and pay centre.
- **Salary and contribution details:** such as employer contribution, member contributions (including AVCs), transfers from other plans, salary.
- **Disability benefit details:** such as claim start and end dates, special terms that apply and details of the claim itself which include health data.
- **Other benefit details:** such as the plan transferred from or to, the amount transferred, service dates for previous service and details of any additional benefits purchased.

*For Members and Beneficiaries*

- **Death benefit details:** such as health data of the Member, and details of the Beneficiary nominated including their name, address and relationship to the Member.

*For Former Members only*

- **Retirement/leaving details:** such as retirement/leave date, dependants details, deferred or preserved benefits, benefit entitlements, transfers, funds or refunds, health data (where applicable) and pension amounts/annuity purchased.

### **How is your personal data collected?**

Generally, the personal data collected under the Plan is provided by you directly, however personal data may also be provided from the following sources:

- Where you are a Member, VMware International Unlimited Company as a current or previous employer may provide personal data relating to your employment.
- Government agencies may provide certain information such as in relation to your tax status or where there is a need to trace Deferred Members under the Plan.
- Court services where a pension adjustment order is in place and the details are needed under the Plan.
- Publically available sources may also be used to trace Deferred Members.

### **Purposes of processing and legal basis**

Your personal data is processed for the purpose of administering the Plan. This is on the legal basis of legitimate interests, and complying with legal obligations in relation to the administration and operation of the Plan and the trust deed that established the Plan.

In general, your personal data is processed for the following purposes:

- **General Administration** – to operate the Plan on a day to day basis, including making actuarial calculations. To respond to any queries you may have in relation to the Plan. The Plan processes such personal data on the basis of its legitimate interests in operating the Plan for the benefit of all members and beneficiaries.
- **Calculating and Paying Benefits** – to calculate what benefits you are entitled to under the Plan and to make payments of those benefits. The Plans processes such personal data on the basis of its legitimate interests in operating the Plan for the benefit of all members and beneficiaries.
- **Assessing Eligibility** – to assess your eligibility under the Plan for benefits, including disability benefits. The Plan processes such personal data on the basis of its legitimate interests in operating the Plan for the benefit of all members and beneficiaries. Where the Plan processes personal data in relation to your health, it will process that personal data on the basis of the provisions of the General Data Protection Act 2018 in relation to the processing of such data.
- **Compliance** – to ensure compliance with legal requirements in relation to the operation of the Plan, which includes engaging auditors to assist in assessing compliance. The Plan processes such personal data on the basis of its legitimate interests in operating the Plan for the benefit of all members and beneficiaries, and to ensure compliance with its legal obligations.

### **Recipients of personal data**

To carry out the above processing purposes, your personal data may be disclosed to the following categories of recipients:

- **VMware International Unlimited Company (and VMware Group Companies)**, as your employer or former employer in connection with your participation in the Plan.
- **Aon**, as the Plan Administrator who operates the Plan on behalf of the VMware Trustees and who processes all of the data referred to above.
- **Consultants, Actuaries, Auditors and insurers**, who may provide general advice to VMware Trustees or other connected parties in connection with the operation of the Plan, or who may be engaged for audit purposes. In general, where we engage such parties your personal data is not routinely provided and is only on an aggregate basis where you will not be individually identifiable.
- **Legal advisors**, where legal advice is sought which may require disclosure of personal data relating to a Member or Beneficiary.
- **Regulatory Authorities and Government Bodies**, where required by law to make this personal data available, such as the government authorities for pensions and revenue.
- **To any other third party with your consent**, where you have requested that we transfer such information to another.

### **International Data Transfers**

In connection with the operation of the Plan in any event where your personal data is transferred outside the European Economic Area to a third country, the EU Standard Contractual Clauses have been put in place to ensure that your personal data is protected. If you would like more information on the measures taken please contact us.

### **Retention**

Your personal data is retained for the life of the Plan and for a period of 12 months thereafter in order to handle any claims that may arise.

## **Your Rights**

Under data protection law, you have a number of rights available to you with respect to your personal data. These include your right to access, rectify, port and request erasure of your personal data. In addition, you have the right to restrict to restriction of processing and to object to processing in certain circumstances as well as the right to lodge a complaint with the Irish Data Protection Commissioner.

For more information about these rights and how you can exercise them please contact us at:

Aon  
Building 5200  
Cork Airport Business Park  
Cork  
Email: [myfutureme@aon.ie](mailto:myfutureme@aon.ie)  
Phone: 1850 80 42 57