

Amendments to the Northern Ireland Firefighters' Pension Schemes

Survivors' Benefits and
correction of the Public Service
Pensions Revaluation Orders
(NI) for 2021 and 2022

Consultation

14 February 2024

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1. Introduction

- 1.1. This consultation paper sets out a number of policy proposals in respect of suggested changes to the firefighters' pension schemes. It focuses on the Department's commitment to make amendments to the provisions for Survivors' Benefits and provide remedy for an error relating to the Public Service Pensions Revaluation Orders (NI) for 2021 and 2022.

- 1.2. This consultation document contains proposed amendments to the Firefighters' Pension Scheme Order (Northern Ireland) 2007 (FPS), the New Firefighters' Pension Scheme Order (Northern Ireland) 2007 (NFPS), the Firefighters' Compensation Scheme Order (Northern Ireland) 2007 (FCS) and the Firefighters' Pension Scheme Regulations (Northern Ireland) 2015 (2015 Scheme).

- 1.3. This consultation document seeks views on proposals for achieving these outcomes and whether the proposed draft set of regulations achieve the policy intentions.

- 1.4. This consultation will be open for views from 14 February to 23 April 2024.

2. SURVIVORS' BENEFITS - RETENTION OF SURVIVOR'S BENEFITS UPON REMARRIAGE OR ENTERING INTO A NEW CIVIL PARTNERSHIP AND VARIOUS UNRELATED AMENDMENTS TO THE 2015 SCHEME.

Background

- 2.1. In the event of a member's death, the FPS provides for the payment of certain benefits and awards to that member's spouse or civil partner ('survivors' benefits'). Separately, the FCS, which applies to all members (or those eligible to be members) of the firefighters' pensions schemes, compensates firefighters and specified connected employees who die or sustain injuries in the exercise of their duties, and the spouses, civil partners or dependents of such persons. Specifically, it provides awards (known as Special or Augmented awards) for spouses and civil partners of all firefighters who die in certain circumstances (set out in Part 3 of that scheme).
- 2.2. If a survivor is eligible for awards under both the FPS and the FCS then, there are prevention of duplication measures in both schemes.
- 2.3. Survivors of firefighters in the FPS are currently required to forgo their survivors' benefits upon remarriage or entering into a new civil partnership. Similar provisions also apply to any benefits paid under the FCS to the survivors of FPS members (or the survivors of those who were eligible to join the FPS but chose not to). This rule does not apply to the NFPS or the 2015 Scheme.
- 2.4. As part of the March 2015 Budget, the Chancellor announced that survivors of firefighters who are killed on duty would be allowed to retain their survivors' benefits upon remarriage or entering into a new civil partnership. The proposed amendments to the FPS and the FCS enact this change. Similar changes to those being proposed in NI have been made to the Firefighters' Pension Scheme in England

2.5. This policy change is designed to recognise the high risk of harm that firefighters face as an everyday part of their jobs, and, in some cases, the ultimate sacrifice made by firefighters. These changes will mean that survivors of qualifying firefighters will no longer be faced with the prospect of losing their pension in the event of remarrying or entering into a new civil partnership.

2015 Firefighters' Pension Scheme consequential amendments

2.6. The Department wishes to ensure that the 2015 Scheme works as originally intended. The areas which require amendment are very limited.

Proposals to be consulted on

Survivor Benefits

2.7. The Department has drafted regulations to provide that survivors of FPS firefighters killed on duty are able to keep their benefits when remarrying or entering into a new civil partnership. These benefits will be retained for life, regardless of any future changes in relationship status. The benefitting survivors will be those whose FPS partners are killed:

Type A – as a result of injuries sustained performing their duties, or

Type B – as a result of injuries sustained during journeys necessary to report for duty or return home after duty.

2.8. The Department is not proposing to change the eligibility criteria for awards under the FCS but only to ensure that any awards under that scheme to which survivors of FPS firefighters (or firefighters eligible to join that scheme) are eligible are not withdrawn upon entering a subsequent marriage or civil partnership which takes place on or after 1 April 2015. This means that the survivor of a FPS member (or the survivor of someone eligible to have joined that scheme) will forgo their survivors' benefits upon entering a subsequent marriage or civil partnership before 1 April 2015, and in the event that this marriage or civil partnership subsequently dissolves, the Northern Ireland Fire and

Rescue Service (NIFRS) continues to retain the discretion to pay the whole or any part of the benefit as they think fit.

2.9. It should be noted then, that this policy change does not introduce a new benefit to those qualifying, but extends a pre-existing benefit, to some individuals in certain circumstances.

2.10. The proposed changes will have effect from 1 April 2015. This date follows the March 2015 Budget announcement that all widows, widowers or civil partners of firefighters who are killed on duty will no longer lose their pension if they enter a subsequent marriage or civil partnership.

2015 Firefighters' Pension Scheme consequential amendments

2.11. Regulation 79A of the 2015 Regulations deals with transition members' entitlement to commute part of any lower tier ill-health pension that they may be awarded into a lump sum. As currently framed, the regulation sets out certain provisions relating to the commutation of a lump sum for members who have transitioned from the NFPS to the 2015 Scheme. The proposed amendment completes the legal provisions for members who have transitioned from the FPS.

2.12. The formula at Schedule 2, Part IIA in the FPS for calculation of "continuous service provision" is being corrected so that the cap is set at 30 years' pensionable service.

2.13. Other minor amendments are also being made to the following provisions:

Regulation 79 – correction of wording relating to lump sum commutation

Regulation 86 – survivor benefits (amendment being made because, throughout the scheme, three months' service is sufficient to achieve qualification for benefits)

Regulation 100 – correction of wording to make it clear that the bereavement pension is for eligible children

Article 13A(3) of the FPS – age for calculation of “continuous service provision”

3. SURVIVOR'S BENEFITS (COHABITING PARTNER/BREWSTER SUPREME COURT RULING) AND 'INCREASES TO SPILT PENSIONS' AND 'COMMUTATION OF SMALL PENSION CREDITS'

Background

- 3.1. In the event of a member's death, the firefighters' pension schemes provide for the payment of certain benefits and awards to a member's partner ('survivors' benefits'), but as regards qualification for benefit, there are different regulations relating to the required status of that partner, according to which particular pension scheme the member belonged.
- 3.2. In 2017 a Supreme Court case (Brewster) relating to the entitlements of a public service pension scheme member's partner has led to consideration being given to this matter for all public service pension schemes, including those for firefighters. In addition, a number of unrelated minor amendments are required to ensure that certain limited aspects of the schemes work as originally intended.

Survivor Benefits

- 3.3. The Supreme Court held that the requirement for a surviving adult partner to be nominated in order to be entitled to payment of survivor benefits, where they satisfied the other underlying scheme conditions, should be disapplied. The Supreme Court found that such requirements constituted unjustified discrimination against Ms Brewster and was therefore a breach of her rights under the European Convention on Human Rights. The other underlying conditions in the schemes will still have to be satisfied for a surviving partner to be entitled to receive payment of survivor benefits.
- 3.4. NIFRS have been advised to rely on section 3 of the Human Rights Act 1998 (the "HRA 1998") as the legal basis for their not requiring that a surviving adult partner be nominated in order to receive payment of survivor benefits in the light of the judgment in Brewster. This section of

the HRA 1998 provides that, as far as possible, regulations must be read and given effect in a way which is compatible with the European Convention on Human Rights.

- 3.5. Whilst the Department is not aware of any problems arising from the above approach, nevertheless, it is now important to formalise the position by amending pension scheme regulations as necessary.

Other Amendments

- 3.6. The Department is also taking this opportunity to continue its work of ensuring that all of the firefighter pension schemes work as intended. The areas which currently require amendment are very limited, as detailed below.

Proposals to be consulted on

Survivors Benefits

- 3.7. Of the three firefighter's pension schemes, only the NFPS requires amendment, as that is the only one to require that unmarried partners should be nominated by the member. This necessitates that a number of rules be amended and, in particular, the insertion of a new definition for the term "cohabiting partner" to replace the term "nominated partner". The new definition retains as many elements as possible of the previous term, whilst making it clear that there is no longer a need for a nomination to be made. It is proposed that the term "cohabiting partner" be used, as that is the term already used in the 2015 Scheme.
- 3.8. If a member expressly wishes to make their intentions relating to survivor benefits known, the scheme manager can continue to accept a nomination form to enable them to do so, even though there will be no such express provision in the rules.
- 3.9. The Department is satisfied that it has discharged its equality responsibilities in making this amendment. All qualifying cohabiting partners are being given the equivalent rights as spouses.

Other Amendments

3.10. Members of the final-salary pension schemes are permitted to split their pension in the eventuality of a reduction in salary, so as to preserve the value of pension which has already been accrued. It is our understanding that the first part of a split pension in the FPS and NFPS should be subject to indexation. However, the rules concerned do not specifically provide for this. We are therefore proposing equivalent amendments to article 16A in the FPS and article 17 in the NFPS. The pensions concerned would be up-rated, as if subject to the Pensions (Increase) Act (Northern Ireland) 1971, from the time of the reduction in pay until retirement.

3.11. On divorce from a pension scheme member, under pension sharing provisions, spouses or civil partners of scheme members can be awarded part of their pension as a credit. It has been identified that scheme rules have not taken account of changes to the related legislation on pension sharing. Amendments are therefore proposed to both the FPS and NFPS schemes, so as to ensure that pension credit members can continue to commute their benefit as permitted by the overarching legislation.

4. SURVIVOR'S BENEFITS - FOLLOWING SUPREME COURT JUDGEMENT IN WALKER V INNOSPEC

Background

Survivor Benefits

- 4.1. A Supreme Court case (Walker) relating to the entitlements of a public service pension scheme member's same sex partner has led the Government to give consideration to this matter for all public service pension schemes, including those for firefighters.
- 4.2. Following the introduction of registered civil partnerships the FPS and FCS Regulations provided that for civil partners only membership of a pension scheme from April 1988 counted for the purposes of calculating a survivor's pension.
- 4.3. On 12 July 2017, the Supreme Court ruled in the Walker v Innospec case that Mr Walker's male spouse was entitled to a pension calculated on all the years of his service with Innospec, provided that at the time of Mr Walker's death they remained married. As a result of the ruling, where survivor benefit is limited in the firefighters' pension scheme so that only membership since April 1988 is taken into account, that limit is now being abolished.

Other Amendment

- 4.4. The Department is also continuing its work of ensuring that all of the firefighter pension schemes work as intended. A minor amendment to the FPS is therefore being taken forward as detailed below.

Proposals to be consulted on

Survivor Benefits

- 4.5. Of the three firefighter's pension schemes, only the FPS requires amendment, as only this scheme has the 1988 limit on membership to be taken into account. Some of the wording in the FPS therefore requires amendment as follows:

Part C - to remove the 1988 limit on service to be taken into account in respect of civil partners

Part K - guaranteed minimum pensions

Schedule 3, Part II – calculation of survivor benefit

Schedule 3, Part III – calculation of survivor benefit in respect of post-retirement marriage.

4.6. A number of rules in the FCS also need to be amended for the same reason:

Part 3, Rules 1 and 3 - to remove the 1988 limit on service to be taken into account in respect of civil partners in respect of special awards

Part 3, Rule 4 – limitation of award where spouse or civil partner is living apart at time of death.

4.7. In common with other public sector schemes, the amendments will be introduced with retrospective effect. However, this does not mean that only scheme membership from those dates will be taken into account – as stated above, the intention of the amendments is that there should no longer be any limit on service.

4.8. The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (NI) 2019 Regulations, which were introduced through Westminster, implemented the Walker amendments for the NI Public Service pension schemes. They equalised same-sex survivors, either spouses or civil partners, with widows of opposite-sex marriages but made survivor benefits of male survivors of opposite-sex civil partnerships the same as for widowers of opposite-sex marriages. These amendments were only introduced from 13 January 2020, unlike in the Firefighters Pension Scheme in England where these amendments were made retrospective to the introduction of civil partnerships and same sex marriage respectively. To ensure the equality of treatment regardless of gender or sexual orientation, provisions have been included in the FPS, NFPS and the 2015 Scheme

to provide retrospective effect for the firefighters pension schemes in NI back to 5 December 2005.

Other Amendment – Entitlement to two pensions

4.9. Members of the final-salary pension schemes are permitted to split their pension in the eventuality of a reduction in salary i.e. to become entitled to two pensions, so as to preserve the value of pension which has already been accrued on the higher salary. Article 16A in the FPS sets out a formula by which these two pensions should be calculated. The intention of paragraph (2) of article 16A is clearly to indicate that if, after such calculations have been made, it becomes clear that the member would, after all, be better off with a conventional single pension calculated in the normal way, then that is the pension to which they should be entitled. However, the wording incorrectly states that this should happen if the total of the two pensions “exceeds” that of the single pension. This amendment makes it clear that the two pensions should not be awarded if their total “is lower than” the single pension.

5. REMEDY TO ADDRESS ERRORS CONTAINED IN THE PUBLIC SERVICE PENSIONS REVALUATION ORDERS (NI) FOR 2021 AND 2022

Background

- 5.1. The Department proposes to correct an error on revalued pension benefits for 2021 and 2022. Accrued pensions of active members of 2015 Scheme are revalued annually. The annual revaluation rate is done by reference to “earnings” inflation.
- 5.2. These rates are set by an annual HM Treasury (HMT) Order made under section 9(2) of the Public Service Pensions Act 2013 for the Public Service Pension Schemes in GB. For NI these rates are set by an annual Department of Finance Order under section 9 of the Public Service Pensions Act (Northern Ireland) 2014 (the 2014 Act) which replicates, for the NI schemes, the revaluations that are applied by HMT for the equivalent schemes in GB.
- 5.3. On 6 July 2023, HM Treasury published a Written Ministerial Statement (WMS) highlighting an error with the 2021 and 2022 Average Weekly Earnings (AWE) rates used to revalue pensions.
- 5.4. The 2021 and 2022 Orders specified earnings figures based on provisional Average Weekly Earnings (AWE) figures rather than revised AWE figures. This was a deviation from the standard approach previously used. This has led to affected members’ benefits accrual being lower. The 2021 Order specified 2.4% whereas the December figure was 2.6%; and the 2022 Order specified 4.1% whereas the December figure was 4.5%. HM Treasury considers the use of the provisional AWE figures rather than revised AWE figures as an error.
- 5.5. The WMS confirmed the corrected pension benefit amounts for affected members will be provided through amendments to scheme regulations. For a member of the 2015 Scheme who was in active service throughout

the entire period, the value of their accrued pension up to 31 March 2022 will be up to around 0.6% greater following this change.

- 5.6. Amendments will now be required to the 2015 Scheme to provide a remedy to address the errors in the 2021 Order and the 2022 Order.
- 5.7. Given that HM Treasury publicly announced that legislative amendments would be brought forward to correct this error, the Department has written to NIFRS to support them making the necessary adjustments in advance of the legislative changes coming into operation. This aligns with the approach taken in England.

Proposals to be consulted on

Revaluation Error in 2021 Order and 2022 Order

- 5.8. To correct the errors for previous years, the Department proposes amendments to the 2015 Scheme as set out in the draft statutory rule. This will provide for an increase to the pension entitlement for those members affected by the error in the 2021 and 2022 Orders. This increase to entitlement will be referred to as ‘the index supplement’.
- 5.9. The index supplement will be included in the definition of any entitlement. Regulation 3 of the 2015 Regulations currently defines “earned pension” as earned pension payable with actuarial reduction at normal pension age. The Department feels that defining the index supplement as an amount of “earned pension” delivers this in the most straightforward way.
- 5.10. We are proposing to introduce a new ‘index supplement’ provision which is defined as an amount of earned pension equal to the value of the index adjustment where the change in earnings for 2021 is increased by 0.2% and for 2022 by 0.4% to the amounts specified in the Public Service Pensions Revaluation Orders (NI) for those years.

5.11. The outcome of this amendment will mean that affected members will have the correct revaluation rates applied to their pensions for the years 2021 and 2022.

Protected Elements

5.12. Section 22 of the 2014 Act requires responsible authorities to take certain steps when making changes to certain prescribed “protected elements” under the scheme. These protected elements are:

- (a) the extent to which the scheme is a career average revalued earnings scheme;
- (b) members' contribution rates under the scheme;
- (c) benefit accrual rates under the scheme.

5.13. The Department does not consider this correction to the index adjustment to be a protected element, in particular as it is not a change to the benefit accrual rate under the scheme, which remains 1/64.8th of pensionable earnings.

Pension events affected by the 2021 and 2022 Orders

5.14. Any pensions, lump sums or transfer values paid in respect of individuals who have retired, transferred out or had a scheme payment made to their estate (following their death) since 1 April 2021 should be adjusted to reflect the higher revaluation they should have seen to their pensions whilst they were in service.

5.15. It is considered that an explicit right to the correction of payments does not need to be inserted as the sums will become due under the scheme. NIFRS will be expected to contact affected individuals upon the coming into operation of the amendments and correct the payments accordingly.

Public Sector Transfer Club

5.16. A further technical point arises in relation to transfers conducted under the rules of the Public Sector Transfer Club. These rules are set out in a

Cabinet Office Club memorandum and subscribed to by all the main public service schemes and a number of others. The rules are designed to facilitate ease of movement for people moving between sectors, or from one nation to the other within the United Kingdom.

5.17. Where an individual moves between employments and transfers their pension, their former scheme (the “sending scheme”) will transfer a value to the scheme of their new employer (“the receiving scheme”). Under the memorandum rules, a receiving scheme undertakes to revalue the transferred-in pension by reference to the “in-service revaluation index” of the sending scheme. This is set out in Regulation 33 of the Firefighters’ Pension Scheme Regulations (Northern Ireland) 2015 covering “pension accounts”, which are similar across the schemes made under the 2014 Act.

5.18. In cases where the sending scheme is the 2015 Scheme, there is no mechanism for other schemes to include the amounts correcting the 2021 and 2022 errors. To enable this, we propose to change the definition of “in-service revaluation index” in the 2015 Scheme to include the “index supplement” where relevant.

6. Consultation Questions

- 6.1. **Question 1** - To what extent do you agree that the Department's draft regulations are an accurate interpretation of the Budget statement on survivors' benefits regarding new marriages/civil partnerships?
- 6.2. **Question 2** - To what extent do you agree that the Department's draft regulations achieve the aim of removing the requirement for nomination forms whilst otherwise preserving the current principles relating to qualification for survivor benefits for cohabiting partners?
- 6.3. **Question 3** - To what extent do you agree that the Department's draft regulations achieve the aim of equalising survivor benefit for survivors from civil partnerships and same-sex marriages with other survivors?
- 6.4. **Question 4** - Do the proposed changes to the regulations ensure that affected scheme members have the correct revaluation rates applied to their pension benefits for 2021 and 2022?
- 6.5. **Question 5** - Do the proposed changes ensure any receiving scheme as a club transfer includes the index supplement when relevant?
- 6.6. **Question 6** – Are there any affected members that the proposed changes to the 2015 Scheme will not provide remedy to address the error in 2021 and 2022 Orders?
- 6.7. **Question 7** - Can you foresee any challenges to the administration of the pension schemes with regard to the proposed draft regulations?
- 6.8. **Question 8** - Are you aware of any equality issues not covered here?

7. Conclusion and next steps

- 7.1. The Department is now seeking your views on the proposed amendments to the Firefighters' Pension Schemes regulations in relation to Survivors' Benefit and to correct the errors in the AWE rates used to revalue pensions in 2021 and 2022 to ensure affected members have the correct revaluation rates applied to their pensions.

- 7.2. We will use your responses to the questions outlined in this consultation to consider our next steps and the proposals we have outlined. A Departmental response to this consultation will be issued after analysis of the responses received.

8. Equality Impact

8.1. Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:-

- between persons of different religions belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependents and persons without.

8.2. The Department's Equality Screening Exercise initial conclusion has determined that the proposed changes do not differentially impact on any of the Section 75 groups. All members will have equal access irrespective of any protected characteristic that may apply to them.

8.3. However, the Department would like to take this opportunity to ask stakeholders the following questions in relation to equality:-

Q1. Are the actions/proposals set out in this consultation document likely to have an adverse impact on any of the nine equality groups identified under Section 75 of the Northern Ireland Act 1998? If yes, please state the group or groups and provide comment on how these adverse impacts could be reduced or alleviated in the proposals.

Q2. Are you aware of any indication or evidence – qualitative or quantitative – that the actions/proposals set out in this consultation document may have an adverse impact on equality of opportunity or on good relations? If yes, please give details and comment on what you think should be added or removed to alleviate the adverse impact.

Q3. Is there an opportunity to better promote equality of opportunity or good relations? If yes, please give details as to how.

Q4. Are there any aspects of this action plan where potential human rights violations may occur?

8.4. The equality screening analysis will be reviewed based on responses received during the consultation.

9. Privacy, Confidentiality and Access to Consultation Responses

- 9.1. For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice (**Annex A**).

- 9.2. Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR) (EU) 2016/679.

- 9.3. If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

10. How to Respond

10.1. If you wish to comment on the proposals contained within this document, please submit responses to the address below.

10.2. Additional copies of the consultation package can be obtained by contacting DoH Pensions Unit either by email or in writing to the addresses below. Copies can also be downloaded from the consultation section of the Department's website.

10.3. If you require any of these documents in another format or language, please contact the DoH Pensions Unit.

10.4. The closing date for comments is 23 April 2024. Responses received after this date will only be considered in extreme circumstances and with prior agreement from the Department.

10.5. Please address any queries you may have regarding this consultation to DoH Pensions Unit.

By e-mail: Firefighterspensions@health-ni.gov.uk

In writing: DoH Pensions Unit
Department of Health
Annex 4
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ

10.6. Please ensure that the completed response includes: your name, organisation (if relevant), address and telephone number, and whether your comments represent your own view or the corporate view of your organisation.

What Happens Next

10.7. Following the close of the consultation, all responses and feedback will be collated for review by the Department and a consultation report will be produced.

ANNEX A

PUBLIC CONSULTATION PRIVACY NOTICE

Data Controller Name: Department of Health (DoH)

Address: Annex 4, Castle Buildings, Stormont, BELFAST, BT4 3SQ

Email: Firefighterspensions@health-ni.gov.uk

Data Protection Officer Name: Charlene McQuillan

Telephone: 02890 522353

Email: DPO@health-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the [Data Protection Act \(DPA\)](#) and the [UK General Data Protection Regulation](#) (UK GDPR). The Department of Health (DoH) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Purpose for processing

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents, but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1)(e) of the UK GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2)(g) of the UK GDPR, in the exercise of the function of the department, and to monitor equality.

How will your information be used and shared

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

How long will we keep your information

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule [Good Management, Good Records](#) (GMGR).

What are your rights?

- You have the right to obtain confirmation that your data is being [processed, and access to your personal data](#)
- You are entitled to have personal data [rectified if it is inaccurate or incomplete](#)
- You have a right to have personal data [erased and to prevent processing](#), in specific circumstances

- You have the right [to 'block' or suppress processing](#) of personal data, in specific circumstances
- You have the right to [data portability](#), in specific circumstances
- **You have the right to [object to the processing](#)**, in specific circumstances
- **You have rights in relation to [automated decision making and profiling](#).**

How to complain if you are not happy with how we process your personal information

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
casework@ico.org.uk