Accreditation of Professional Trustees of Occupational Pension Schemes
Guidance on applications: April 2024 update

Contents

1. The application process

You will need to complete and submit:

- the **APPT Accreditation application form**. An electronic signature is acceptable.
- **Certificates relating to the Trustee Toolkit** (including Pension Scams module)
- **PMI Level 3 Certificate (units 1 and 2) – but see below**
- **Two references** as per the attached at **Appendix 1**
- A recent **basic Disclosure and Barring Service** check – **but see below**

- You may submit the application form in advance of the other documents. An invoice will then be issued by APPT for your prompt payment.
- When all documents are received, your application will be processed and, subject to no further queries, you will receive your Full accreditation certificate within 4 weeks.
- Your details and/or of your firm will then be published on our website (unless you chose to opt out as an individual).
- Your details will also be passed to The Pensions Regulator (TPR) who require details of APPT Accredited Trustees for their governance purposes.

The Application form when submitted by you by email can be password protected – more details feature on the Application form.

2. About this guide

We have produced this guidance to support the completion of the APPT Accreditation application form to become an accredited professional trustee. It provides examples of how an applicant for accreditation as a professional trustee can demonstrate that they are “fit and proper” to perform their role as a professional trustee of an occupational pension scheme.

We have also included indications of when we are more likely to be assured that an applicant is fit and proper.

3. Introduction

The voluntary accreditation of professional trustees follows the introduction of the “Standards for professional trustees of occupational pension schemes” first published in February 2019 by the Professional Trustee Standards Working Group. Responsibility for the operation of the standards and the accreditation scheme is now the responsibility of the Association of Professional Pension Trustees (APPT).

To run an occupational pension scheme effectively, trustees must demonstrate that they have integrity, are honest and financially sound. A professional trustee must be able to demonstrate this, together with sufficient expertise, knowledge and skills (competence) to perform their role.

4. Our approach to assessment

Accreditation as a professional trustee provides independent assurance on the quality of professional trustees. To attain accreditation, we will require evidence that the applicant is a fit and proper person, taking into account matters that relate to:

- Honesty, integrity and financial soundness.
- Competence.
- Conduct.

The APPT will use its discretion when assessing applications where there are any areas of doubt. In the event any issues are disclosed we will consider the current and past conduct of the applicant, their competence to fulfill the requirements of a professional trustee of an occupational pension scheme and any relevant financial matters. When considering these matters, we will take the following factors into account:

- The impact on others of the past or current behaviour or actions.
- How long ago the issue occurred.
- Whether there has been a pattern of behaviour that creates concern.

In some cases, these matters may mean that an individual is automatically barred under legislation from acting.

In applying for accreditation, applicants need to ensure that sufficient evidence has been provided to demonstrate that they meet the requirements. The application form contains a number of questions that must be completed accurately. You should answer all questions honestly and openly and include all relevant information. If you are unsure about whether to disclose a particular matter, you should disclose it, providing any additional information that you feel is relevant. Applicants should explain the circumstances of any matters they disclose, together with any steps taken to resolve or address the matter, and any other mitigating factors relevant to a fit and proper assessment.

5. Demonstrating knowledge, skills and experience (competence)

Trustees have overall responsibility for the direction and operation of a pension scheme. Therefore, it is paramount that an accredited professional trustee has the relevant skills, knowledge and experience to meet the needs of a pension scheme to ensure adequate member protection.

The application form asks applicants to specify details of current and past pension trustee roles, any qualifications or accreditations they hold (including membership of any professional bodies), together with any relevant experience of carrying out a trustee role or holding a senior pensions role (for example as an adviser, administrator or scheme secretary). This is covered as follows:

Section 1: Personal details
Section 2: Trustee or pension industry experience.
Section 3: Employment history in the last five years.
Section 4: Professional status

Section 1:

The information in this section is required to both identify you as an individual but also in the unlikely event we are required to 'whistle-blow'. This personal information will be held securely in line with our data protection policy (see **Appendix 3** to this guide).

Section 2:

Information on trustee appointments should be completed by reference to roles that either the individual holds directly or through their firm. In the latter case we only expect roles to be recorded where the individual plays the lead or decision-making role if a team-based approach is adopted.

- We normally expect that applicants will have at least three years' experience of pension trusteeship, or
- they are able to demonstrate active engagement with trustee boards over at least five years in an advisory or service provider capacity.

Section 3:

Career/employment history supports the information in Section 2; it details whether you were undertaking these roles in association with a firm or as a sole operator.

Section 4:

Again, this supports the details in Section 2.

If an applicant is an appointed trustee of an authorised Master Trust, they will have satisfied The Pensions Regulator of their fitness and propriety and therefore will be regarded as automatically satisfying the accreditation of professional trustees' requirements for fitness and propriety.

Instead of responding to the relevant questions on the application form, applicants may submit written confirmation from the Master Trust scheme secretary of the validity of their appointment as a trustee. For Corporate appointments, this needs to confirm that you are the individual representing the Corporate Trustee.

6. Demonstrating honesty, integrity and financial soundness

To attain accreditation applicants must demonstrate honesty, integrity and financial soundness. The application form includes **Section 5: Fit and proper questions** which covers the key information.

We have also set out below the factors that are more likely to demonstrate that an applicant is fit and proper. In a small number of matters, for example certain unspent criminal convictions or bankruptcy, we would not consider that an applicant is fit and proper. This is due to the very serious nature of these matters, which are strong indicators that a person lacks the integrity or competence needed when charged with the care of members' pension savings and the management of their scheme.

If an applicant is an **appointed trustee of an authorised Master Trust**, they will have satisfied The Pensions Regulator of their fitness and propriety and therefore will be regarded as automatically satisfying the accreditation of professional trustees' requirements for fitness and propriety. **Instead of responding to the relevant questions on the application form, applicants may submit written confirmation from the Master Trust scheme secretary of the validity of their appointment as a trustee.**

All other applicants must answer the Fit and Proper questions in full and submit with their application (or when available) a basic criminal conviction (DBS) certificate (and/or non-UK equivalent if they have spent six months or more in a foreign country within the last five years). The issue date on the certificate must not be older than six months before the date of its submission with the application.

You can find more information on how to obtain a UK basic criminal conviction certificate on the following link https://www.gov.uk/government/publications/basic-checks

Fit and Proper guidance

If an applicant:

- is currently prohibited or disqualified from acting as a trustee (in any capacity)
- has an unspent criminal conviction related to dishonesty, fraud or financial crime,
- is currently disqualified from acting as a director due to unfit conduct

you are not permitted to act as a trustee and to do so is a criminal offence.

If an applicant is currently subject to a bankruptcy order, bankruptcy restrictions order (including an interim order) or an award of sequestration, we would not consider that they are fit and proper.

If an applicant has been, or is likely to be, subject to a bankruptcy, a county court judgement (CCJ) or individual voluntary arrangement (IVA) including where an application has been made for a bankruptcy order or a bankruptcy petition has been served, we are more likely to consider them to be fit and proper where:

- they were discharged from bankruptcy, the CCJ or IVA more than five years before the accreditation application; and,
- there is not a pattern of bankruptcy, CCJs and IVAs; and,
- the CCJs do not indicate a persistent failure to settle outstanding debts.

If an applicant was a director or partner of, or concerned in the management of a business that went into insolvency, liquidation or administration either at the time of the event or 12 months before that event occurring, we are more likely to consider them where:

- they can demonstrate they were not significantly responsible in the failing of that business as a result of their action or inaction; and
- there have not been multiple occurrences; and
- the event occurred more than five years before the application for accreditation.

If an applicant has an unspent conviction that is not related to dishonesty, fraud or financial crime, we are more likely to consider their application where:

- the conviction relates to a minor offence, depending on the particular circumstances, including any mitigating factors; and
- there are not multiple convictions; and
- the conviction is not relevant to the role of a pension scheme trustee.

If an applicant has been the subject of any adverse judgements or settlements in civil proceedings, particularly in connection with investment or other financial business, misconduct, fraud or the formation or management of a corporate body, we are more likely to consider them to be fit and proper where:

- there is not a pattern of recurrent proceedings/settlements for a breach of contract or failure to fulfill obligations or duties; and
- the applicant did not have a significant role in the events that led to the proceedings being brought; and
- the impact that their action or inaction has had on other individuals or organisations was relatively limited; or
- the proceedings relate to family or private matters.

7. Demonstrating previous good conduct

In addition to having the skills, knowledge and experience to be a pension scheme trustee, it is important that the role is performed in line with legal requirements and regulatory expectations. Therefore, questions in **Section 5.3** of the application form seek information on any interactions with regulatory bodies in recent years.

If there have been any actions brought against individuals, these need to be disclosed. We will use our discretion when considering the applicant's conduct and will take into account whether they have acted in an open, honest and transparent manner. The standards expect applicants to be responsive to issues that may arise in their pension schemes and to drive better outcomes for members.

Being subject to any of the events outlined in the form does not automatically mean that we will not consider an applicant to be fit and proper. We will take into account all relevant circumstances including, frequency, severity, impact, explanation offered, and whether the person took action to reduce the likelihood of the event recurring and any other mitigating or aggravating factors. We will also consider whether such conduct was consistent with the Professional Trustee Standards

Section 6 of the application form stipulates that **All applicants are required to provide two references** to support their application to be an accredited professional trustee. A referee should be a senior pension professional or executive who has known you for at least two years. Examples might be:

- Scheme Secretary
- Scheme Actuary
- Pensions Manager
- Pensions Lawyer
- Benefits or Investment Consultant
- Scheme Auditor
- Solicitor or Barrister
- Lay or Professional trustee

A referee must be able to express an independent opinion and should not be a relative, a current or former work colleague or business partner.

A template reference can be found at **Appendix 1** to this guide for you to ask your referees to complete. **These will then need to be submitted with your application form**.

Section 7 of Form: Certification

To attain Full accreditation applicants will need to demonstrate their competence. In addition to providing the above information, the following are also required:

1. The applicant must have completed the latest version of the **Trustee Toolkit** maintained by The Pensions Regulator and included the 'Pension Scams' module. A copy of t**he relevant TPR certificate (Development Record) must be attached in order to evidence completion. This should include successful completion of the Pension Scams module.** If the applicant is (or is likely to be) a trustee on schemes with DC sections (other than just AVCs) the DC Toolkit sections will need to be completed and evidenced.

2. The applicant must achieve the **PMI Level 3 Certificate in Pension Trusteeship Units 1 and 2**. **A copy of the relevant certificates must be forwarded in order to evidence completion.** Applicants are required to have completed the **Pensions Management Institute's Award in Pension Trusteeship (now unit 1)** or its predecessor. Past versions of this qualification have covered both DB and DC schemes and DC schemes only: only the version covering both DB and DC is eligible for accreditation purposes.

If you have previously passed the APT, you will not be required to re-sit it if the information provided in section 2 demonstrates that you have been professionally active in pensions since completion.

Continuous Professional Development

Demonstrating competence is not a one-off event. We expect all accredited professional trustees to understand their duties and responsibilities and to have clear plans for developing and maintaining their skills and knowledge over time. There is a CPD requirement to complete a minimum of 25 hours continuing professional development activity each year, of which no more than 5-hours is to be non-structured. The CPD year runs from 1 January to 31 December. Accredited trustees are expected to confirm their CPD at annual renewal along with continued compliance with the standards and fit and proper requirements.

For those who do not have 25 hours CPD for the previous calendar year:

- if you have passed Units 1 and 2 of the PMI Level 3 Certificate in Pension Trusteeship in the previous 12 months, then this will be appropriate for CPD compliance in the CPD year
- if you have had a career break, please provide details and submit a pro-rated CPD record
- provide details of the CPD you have undertaken and the reasons why you have not been able to fulfil this requirement

For further details of the CPD Scheme and the records required, see **Appendix 2** of this guide.

8. APPT Membership, payment and declarations

Section 8 of the Form; Once your application for accreditation has been accepted, you will be invoiced for payment – we request you pay promptly. The APPT Accreditation fee is currently £485 and is inclusive of your APPT membership fee for the year commencing 1 July 2024 (the renewal fee for accredited members is presently £310).

You can indicate on the Accreditation application if your invoice should be sent to your firm (who may then aggregate invoices from other APPT members at your firm) rather than to you personally.

Section 9 of Form: Declaration and Confirmations

This final section of the form requests several declarations, including confirmation that you are observing the Standards for Professional Trustees.

Additionally, we announced in October 2020 the publication of a **code of practice** setting out rigorous new standards for professional trustees carrying out sole trustee appointments. The **code of practice for Professional Corporate Sole Trustees (PCSTs**), came into force on 1 January 2021, and sets out a range of governance and risk controls that sole trustee firms must adhere to, in order to ensure that scheme members' interests are properly protected.

These include a requirement for at least two accredited professional trustees to be involved in PCST decision-making processes, as well as new measures to ensure that PCSTs assess whether they should report to The Pensions Regulator if they are removed, or resign, from an appointment as a result of the sponsor company's actions. The code bolsters the APPT's existing professional standards code, which all accredited professional pension trustees must follow. Developed in consultation with The Pensions Regulator, the PCST code sets out how accredited professional trustees should ensure that their firms adopt robust governance protocols to manage potential conflicts of interest for PCST appointments and maintain independence from the sponsoring employer.

Applicants are requested to confirm they are aware of the PCST Code and whether their firm complies.

Firms will also be asked to maintain due diligence procedures around PCST appointments, as well as putting in place measures to document how adviser appointments are made fairly and ensure that consideration is given to ensuring diversity and inclusion in decision-making processes.

9. Disciplinary and appeals procedure

Details of our disciplinary and appeals processes are published on our website here

For further information contact:

Secretariat
Association of Professional Pension Trustees
First Floor
40 Gracechurch Street
London EC3V 0BT
020 3102 6763
secretariat@appt.org.uk

APPENDIX 1

REFERENCE TEMPLATE AS PART OF THE APPT's ACCREDITATION OF A PROFESSIONAL TRUSTEE

Professional Pension Trustee seeking accreditation

(insert name here):

1. The professional trustee seeking accreditation should complete the following information in relation to the scheme(s) with which they have had a professional relationship with the referee:

Scheme name	Date/year appointed	Applicant's capacity (e.g. as trustee, actuary, pensions lawyer etc)

2. The professional providing the reference should complete the following:

I have known the above applicant for Accreditation as a Professional Pension Trustee

for approx. (insert number) of years or since (date/year)

as a (connection to scheme(s) named above e.g. actuary, MNT/ENT/IT trustee etc.)

(insert role):

3. Declaration

I know of no reason for (Insert name): not to be an Accredited Professional Trustee.

Referee's Name: **Signature**

Referee's Firm:

Profession:

Referee's contact email:

Referee's contact telephone number:

Referee's contact address:

Date:

APPENDIX 2

UPDATED 10 APRIL 2024

ACCREDITED PROFESSIONAL TRUSTEE CPD REQUIREMENTS

Continuing Professional Development (CPD) is a requirement for ongoing accreditation of professional pension trustees. It is a necessary part of being a professional that you undertake training and development to ensure that you remain up to date with key relevant legislation and regulatory guidance and are also aware of emerging issues and practices in the industry.

Your engagement in CPD should help demonstrate that you are acting to mitigate risk and enhance your skills and competences, enabling employers, stakeholders and clients to feel confident in your abilities as a professional.

You should periodically aim to identify gaps in skills and knowledge in order to ensure CPD time is spent effectively in providing the continuous development that is most appropriate for the needs of both yourself and the schemes you are serving. APPT requires this to be done as part of a mandatory annual *Reflective Development Discussion* with another professional trustee (see ‘Reflective Development Discussion’ section, below).

Requirement

The APPT Accreditation requirement is that those engaged either full or part-time as accredited professional trustees:

- Undertake a minimum of 25 hours of CPD each calendar year of which 20-hours must be structured CPD.
- keep a record of learning on the APPT Excel or pdf CPD record form (or in another way provided it meets the minimum requirements indicated on the APPT forms (see ‘Submission of CPD records’ section, below)

CPD can be structured, for example a formal event such as an in-person or web-based conference, seminar or formal trustee training session with fellow trustees or non-structured such as reading of relevant guides, publications, trade press and websites. Only 5-hours can be non-structured. It is important that all CPD undertaken embraces practical training that is valuable to successful practice, as well as professional business and people skills.

As noted above, members are required, on a mandatory basis, to carry out a *Reflective Development Discussion* with another accredited professional pension trustee (see section below for more details). This should help in evaluating learning and development activity and identifying areas for action and attention.

For those members who do not have 25 hours CPD for the previous calendar year:

- if you have passed Units 1 and 2 of the PMI Level 3 Certificate in Pension Trusteeship in the previous 12 months, then this will be appropriate for CPD compliance in the current year
- if you have had a career break, please provide details and submit a pro-rated CPD record
- you should provide details of the CPD you have undertaken and the reasons why you have not been able to fulfil this requirement

Members joining mid-calendar year: For example, at the 30 June 2024 renewal, members who accredited and joined during 2023 will be required to submit (as a minimum) pro-rated CPD for the 2023 calendar year from the point of joining the Association up to 31 December 2023.

The APPT Council reserves the right to waive the CPD requirement in exceptional circumstances.

Relevance and resources

It is up to each individual to source opportunities for CPD as there are many varied sources of relevant training in the marketplace, many of which are free. The APPT organizes monthly events that are likely to be relevant to many members. Trustee boards should undertake relevant training and this usually qualifies as CPD for APPT purposes.

CPD is likely to be primarily focused on ensuring that your technical knowledge and understanding is current; this might include new legislation and regulatory requirements, new guidance/codes of practice from TPR, developments in pension fund investment and funding and the marketplace for risk settlement, accounting requirements, etc. Time spent completing TPR Toolkit modules would also count as CPD.

CPD for professional trustees is not limited to technical knowledge but also includes practical matters such as professional business and people skills.

Relevant CPD could include undertaking skills training for example, negotiation skills, board-effectiveness training etc. Preparation for PMI Level 3 Certificate in Pension Trusteeship Units 1 and 2 and the PMI Diploma in Pension Trusteeship also qualify as CPD.

Other activities that may count towards your total CPD record include exam setting and marking; delivering training course presentations (and time spent preparing); publishing relevant articles and mentoring.

Professional trustees should encourage boards to arrange CPD appropriate to their particular scheme and its activities. For example, you may find it useful to brush up on your knowledge ahead of a specific event such as a buy-in or buy-out project. Each individual is expected to be able to confirm the relevance of the CPD that they have completed each year to the roles that they undertake as a professional trustee.

Reflective Development Discussion (mandatory)

Conducting a *Reflective Development Discussion* with another accredited professional pension trustee during each twelve-month period is required. An annual appraisal conducted with an accredited member as part of a firm's established programme may satisfy this requirement.

Evaluating your learning and development activity with a fellow accredited professional pension trustee from within your own firm or from another business will help you identify any key points you can introduce into your practice or where further learning and development is required. Members and firms are left to determine their own arrangements for these discussions.

The following **guidance** on the essentials of a *Reflective Development Discussion* has been circulated to assist firms and members:

The aim is not to constrain the discussion to a rigid formula, but for it to be useful and productive for the development of the professional concerned.

The professional performing their CPD could:

1. explain their **current professional role(s)** and desired future roles / any **career development goals,**
2. describe their **plan**, including the areas they want to develop and the **specific activities** they plan to undertake to learn and grow,
3. comment on the **skills and knowledge** they've gained over the last year, and the **outcome** of their activities compared to their intentions,
4. explore how their activities have helped in their current role(s), or not,
5. indicate their **next steps** and identify new or existing **areas for further development,**
6. ask for assistance where they need **support.**

As part of the conversation, the discussion partner could help the professional explore how the activities have helped them develop, identify **possible gaps** in their learning, suggest **further areas** of learning or development as well as **other methods** of achieving their goals, and make recommendations on **possible sources of support or training**. Using their different lens on the professional world, they could suggest more diverse types of activities or other types of work to become involved in, perhaps over a multi-year timeframe. They can also help guide the conversation to be both **retrospective and forward-looking** and draw out positive conclusions where the professional might be stuck.

Members should note that we may wish to see the notes of the reflective development discussion as part of any audits of CPD that we may carry out from time to time.

While the discussion partner may give guidance to the professional, they are not responsible for verifying what the professional says, following up on actions or ensuring that activities have taken place – the responsibility for professional development remains squarely with the professional themselves. The professional may incorporate the guidance into their plan for future CPD cycles, perhaps updating their goals.'

Sole traders may wish to arrange discussions with another professional trustee through the APPT Small Firms Forum.

Submission of CPD records

The CPD year runs from 1 January to 31 December each year and you are required to submit CPD records by 30 June in the next year. The information can be submitted as part of the annual renewal process along with certification of continued compliance with the Standards and fit and proper requirements.

The information that will need to be recorded (the format being at the discretion of the member) is set out in the APPT excel or pdf CPD record form, namely:

- Date of each event/activity,
- Organiser/Scheme name (if training session),
- Details of topic/skills acquired,
- Activity – seminar, conference, exam, web meeting, reading etc,
- Structured (S) or Non-structured (NS),
- Hours claimed for individual event/activity,
- Date of annual *Reflective Development Discussion* and name of individual this was conducted with.

The completed record needs to be submitted as an attachment to an email to secretariat@appt.org.uk

Review process and requests for further CPD to be undertaken

All submissions will be reviewed for evidence that the requirements have been complied with, including time committed and relevance to the role of being a professional trustee.

You may be asked to verify your CPD records by providing evidence of attendance and subject matter from the organiser of the cited events.

If this is lacking you may be required by the Secretary or the APPT Council to complete and record additional CPD to meet the renewal requirements to be an APPT accredited professional trustee. Should your renewal be declined by the APPT Council you have a right to appeal under the APPT's Disciplinary and Appeals procedure within 28 days of formal notification.

Updated: April 2024

APPENDIX 3

APPT PRIVACY POLICY

Effective on and from 13 August 2018, updated 11 March 2020

Introduction

The Association of Professional Pension Trustees (APPT) respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

1. Important Information and purpose of this Privacy Notice

This privacy notice aims to give you information on how APPT collects and processes your personal data. APPT's products and services are not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Controller

APPT is the controller and responsible for your personal data (collectively referred to as "APPT", "we", "us" or "our" in this privacy notice). This privacy policy is for the APPT only.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

Our full details are:

Full name of legal entity: The Association of Professional Pension Trustees Limited

Name of the data privacy manager: David Robertson

Email address: secretariat@appt.org.uk

Postal address: APPT, First Floor (129), 40 Gracechurch Street, London EC3V 0BT
Telephone number: +44 (0) 20 3102 6763

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (*www.ico.org.uk*). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the Privacy Notice and your duty to inform us of changes

This version was updated on 11 March 2020.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-Party Links (On Appt's Website)

APPT's website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

• **Identity Data** includes first name, maiden name, last name, username or similar identifier, title and date of birth.

• **Contact Data** includes billing address, delivery address, email address and telephone numbers.

• **Professional Data** includes information provided on the membership application form such as professional experience, job title, work telephone number and email address, membership numbers (of professional bodies), education and professional qualifications.

• **Disclosure and Barring Service Checks** provided by applicants to join the Association.

• **Financial Data** includes bank account and payment card details.

• **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.

• **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

• **Profile Data** includes any purchases or orders made by you, your interests, preferences, feedback and survey responses.

• **Usage Data** includes information about how you use our website, products and services.

• **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

Unless relevant for regulatory reasons (such as for our qualifications), we do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. How is your Personal Data collected?

We use different methods to collect data from and about you including through:

• **Direct interactions.** You may give us your Identity, Contact, Professional, Transaction, Technical, Profile, Usage Marketing and Communications and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

• apply for membership;

• subscribe to our service or publications;

• sign up to an event (e.g. seminar, conference, or webinar);

• request marketing to be sent to you;

• enter a competition, promotion or survey; or

• give us some feedback.

• **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

• Technical Data from the following parties:

(a) advertising networks such as LinkedIn based outside the EU;
(b) Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Sage Pay, based inside the EU; and
(c) email software providers such as dotmailer based inside the EU
(d) the receipt of a complaint about you.

4. How we use your Personal Data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

• Where we need to perform the contract/service we are about to enter into or have entered into with you.

• Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

• Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing or events communications to non-Members of APPT to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

Promotional offers from us

We may use your Identity, Contact, Professional, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased products services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Third-Party marketing

We will get your express opt-in consent before we share your personal data with any company outside the APPT for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase or where we need to fulfil a contractual or legal obligation.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your Personal Data

We may have to share your personal data with the parties set out below:

• External Third Parties.
• Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets.

Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International Transfers

We do not transfer your personal data outside the European Economic Area (EEA).

7. Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data Retention

How long will you use my Personal Data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
Details of retention periods for different aspects of your personal data are available by contacting us.

9. Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary Lawful Basis

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

External Third Parties

• Service providers acting as processors based the United Kingdom who provide IT and system administration services.

• Professional advisers acting as processors including examiners, lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.

• HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.

• Publishers acting as processors based in the United Kingdom who send Members magazines as a member benefit.

• Fulfilment companies acting as processors based in the United Kingdom who provide fulfilment services

• Independent Disciplinary and/or Appeal Panel members

11 March 2020