

AUSTRALIAN ETHICAL GROUP

Privacy Policy

FEBRUARY 2020

1. Purpose and Scope

This Policy applies to Australian Ethical Investment Limited and all Group subsidiaries (Australian Ethical). For the avoidance of doubt this includes but is not limited to Australian Ethical Superannuation Pty Ltd. The Policy applies to all Australian Ethical staff, including Directors, secondees, contractors, service providers and former employees.

This Policy documents how Australian Ethical complies with the provisions of the *Privacy Act 1988* (Cth) (Privacy Act). The Privacy Act contains 13 *Australian Privacy Principles* (APPs) which regulate how we collect, use, disclose and keep your personal information secure.

Australian Ethical is committed to respecting your right to privacy and protecting your personal information. We will only ask you for the information we need in order to provide you with our products and services.

By visiting our website or using any of our services, or otherwise providing us with your personal information (or authorising it to be provided to us by someone else), you agree to your personal information being handled as set out in this Privacy Policy. We reserve the right to modify this Privacy Policy from time to time to reflect our current privacy practices. Any personal information we hold will be governed by the most current version of our Privacy Policy which is available to view on our website.

You may request a copy of this Privacy Policy in a particular form and we will take such steps as are reasonable in the circumstances to give you a copy in such form.

2. What types of personal information do we collect and why?

2.1 Personal and sensitive information

We collect and hold a variety of personal information, including the following:

- your name, gender, date of birth and residency information;
- contact details, such as your address, email address and telephone numbers;
- financial details, such as bank account details and your tax file number and where relevant, information about your other superannuation funds;
- employment details, such as occupation, salary, hours of work, employment dates or records of your or your employer's interactions with us; and
- information to verify your identity, such as your passport, driver's licence information or birth certificate.

We may also need to collect information about your health, including information from your medical practitioners, when you make a claim for insurance or other benefits. This is considered sensitive information under the Privacy Act. We will always seek your express written consent before collecting sensitive information from you or on your behalf. This information will only be used and disclosed to third parties for the purpose for which it was provided or in the event Australian Ethical is authorised and requested to provide it under an Australian law, by a court or tribunal order.

2.2 Tax file numbers

Under the *Superannuation Industry (Supervision) Act 1993*, Australian Ethical Super is authorised to collect, use and disclose your tax file number (TFN). Australian Ethical Super may disclose your TFN to another superannuation provider, when your benefits are being transferred, unless you request us in writing that your tax file number not be disclosed to any other superannuation provider. Declining to quote your TFN is not an offence. However giving your TFN to your superannuation fund will have the following advantages:

- we will be able to accept all permitted types of contributions to your account/s;
- other than the tax that may ordinarily apply, you will not pay more tax than you need to - this affects both contributions to your superannuation and benefit payments when you start drawing down your superannuation benefits; and
- it will make it much easier to find different superannuation accounts in your name so that you receive all your superannuation benefits when you retire.

We are also required to ask for your TFN when you invest in the Australian Ethical Managed Funds. If you do not provide your TFN you may be subject to additional tax on your earnings in the Managed Funds.

Due to the sensitivity of TFNs and the legal restraints on their use and disclosure, if you lose or forget your TFN, we will not be able to provide it to you. You will have to ask the ATO for a copy of it.

2.3 Collecting your personal information

We will usually collect personal information directly from you when you communicate with us, such as when you:

- Provide us with personal information in connection with the provision or potential provision of services by us, such as completing a membership application form or a change of personal details form or any other related documentation (including via our online facilities).
- Enquire or make a complaint about our services.
- Subscribe to our mailing list or newsletters.
- Contact us, register with, post to, like or follow any of our social media pages, forums or blogs.
- Enter one of our competitions, promotions or giveaways or through a referral.
- Register for or attend an Australian Ethical event or third party event arranged in conjunction with Australian Ethical.
- Apply for prospective employment and contracting opportunities at Australian Ethical.

We may also collect personal or sensitive information about you from third parties, such as:

- From your employers.
- Your agent or financial adviser.
- When we obtain information from your referees.
- Through reports from professionals, such as medical professionals, or otherwise in connection with the provision of our services.
- The Australian Taxation Office (ATO).

- Other superannuation and insurance entities.
- Clearing houses, gateway providers or similar entities.
- Address-matching service providers to help us keep our records accurate and to locate other accounts in your name.
- Service providers who conduct internet based surveys or run call centres.
- Your spouse, family or friends.
- From publicly available sources.

At the point of collecting personal information from you (via an online or printed application form or other means of accessing our services), we will provide you with a privacy collection notice. These are also available on our website.

2.4 Using your personal information

The personal information that we collect from or about you is used in order for us to do any of the following:

- a. To establish and administer your superannuation or pension account, including processing contributions from you or on your behalf, investing in accordance with your chosen investment strategy, providing an approved insured benefit, to help locate your lost super and to consolidate your super, regularly communicating with you about your account and paying benefits to you or your beneficiaries at the appropriate time.
- b. To establish and administer your managed fund account, including processing applications to purchase and redeem units on your behalf and regularly communicating with you about your account.
- c. To administer and provide notifications regarding your shareholding.
- d. To respond to your enquiries, including requests for information.
- e. To comply with the customer identification and verification procedures required by the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) and any other legislative requirements.
- f. To send you relevant information on the products and services to which your membership gives you access or that you have signed up for.
- g. To communicate with you and provide you with information relating to our business and the services we provide through various types of online or social media.
- h. To communicate with you about and to process Australian Ethical community grants applications.
- i. To process competition and promotion entries.
- j. To process employment applications during the recruitment process; and
- k. To carry out analysis about our products and services and how we can improve them. We do this by conducting surveys, market research, analytics, product testing and development (by us or our third party service providers). In doing this, we may combine information we hold about you from various service providers and public government sources.

2.5 What happens if you don't provide the information requested?

If you choose not to provide the personal information that we ask for, or the information that you provide to us is incomplete or inaccurate, one or more of the following may occur:

- we may be unable to provide you with our superannuation, pension or managed fund products and services or offer you the full range of benefits that may be available to you and maintaining contact with you.
- we may be unable to provide you with information about our products or services that you may want; or
- we may be unable to customise the content of our website, emails and online applications to suit your preferences or to give you more relevant content.

2.6 Marketing

We (or our third party service providers) may send you direct marketing communications and information that we think will interest you, whether you are a current, prospective or former member. This might be via mail, email, telephone, SMS, MMS (multimedia messaging service) and apps or other online media. If you provide us with a communication preference in the member portal, we will try to use that method wherever possible.

By providing us with your personal information, you consent to us and our third party service providers doing this on our behalf. If you do not want to receive marketing material from us, you can:

- contact us using the details provided below (see 'Contact us' below) or
- use the unsubscribe function on electronic communications or in your member portal.

Please note that you cannot opt out of communications that relate to the usage or operation of your account or disclosure or other documents that are required by legislation.

3. Who do we disclose personal information to and why?

3.1 The organisations and people we disclose personal information to

We will only disclose your personal information for the purposes for which it was collected. We may share your personal information with other entities both within and outside of Australian Ethical and they may include:

- a. Our service providers (such as administrators, custodians and registries) and any of their sub-contractors to administer your superannuation, pension, managed fund account, shareholding or other services.
- b. Insurers, insurance underwriters and related service providers for the purpose of assessing your eligibility for insurance and/or processing any insurance claims.

- c. Your employer, for the purposes of updating or confirming the accuracy of our records and determining your superannuation benefits.
- d. Medical practitioners, for the purposes of updating or confirming the accuracy of our records and determining any insurance benefits you may be entitled to.
- e. Your potential beneficiaries, legal personal representative or estate in relation to a distribution of your superannuation account upon your death.
- f. Your financial adviser or any other party authorised to act on your behalf.
- g. Your spouse or former spouse or their nominated legal adviser in accordance with *Family Law Act 1975* (Cth) requirements.
- h. Government institutions and regulatory authorities including the **ATO**, the Australian Prudential Regulation Authority (**APRA**), the Australian Securities and Investments Commission (**ASIC**) and the Australian Transaction Reports and Analysis Centre (**AUSTRAC**) under laws including the *Superannuation Industry (Supervision) Act 1993* (Cth), the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) and the *Superannuation (Unclaimed Money and Lost Members) Act 1999* (Cth).
- i. Courts and tribunals, including the Australian Financial Complaints Authority (**AFCA**) in the event of a complaint or dispute.
- j. Auditors, actuaries and legal advisers - to ensure we comply with legislation and other obligations.
- k. Other superannuation entities in relation to a benefit transfer or rollover and other organisations we interact with within the superannuation system (eg. clearing houses and gateway providers).
- l. Independent consultants, marketing & communication agencies, market research, analytics and data services companies for the purpose of conducting data analysis, market research and developing marketing campaigns with respect to our products and services.
- m. Mail houses, printing companies and digital communication agencies - to send you information about your superannuation, pension or managed fund account in various forms.
- n. Archiving companies - to ensure all documents are stored in a secure environment.
- o. IT service organisations – to provide and maintain IT services and systems.
- p. Our web hosting company and web/application developers - to host, develop, test and manage our websites.

Where your personal information is disclosed to service providers and other organisations, we seek to ensure that your personal information is handled in accordance with privacy laws and is not used or disclosed for any purpose other than those to which you have consented (unless otherwise required by an Australian law or court/tribunal order).

3.2 Disclosure of information overseas

In order to administer your superannuation and pension accounts, the company contracted by us to administer the Super Fund may use entities located in USA and India for aspects of fund administration. We may also use an external service provider based in the USA to deliver emails

to you. In order for them to provide the service we share your name, email address and member number with them.

4. Storing and protecting your personal information

We take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or unauthorised disclosure.

We collect and store your personal information in a combination of secure computer storage facilities (through a third party data storage provider) and paper-based files and records held in secure premises.

A system of passwords and different levels of administration functionality is used to protect your personal information from access by unauthorised personnel. Your TFN is recorded in an encrypted form and destroyed when it is no longer required by law.

The personal information you provide to us is only retained for as long as necessary to fulfil the purposes for which the information was collected, unless we are required to retain the information under an Australian law or court or tribunal order. In all other circumstances we will take such steps as are reasonable in the circumstances to destroy or de-identify your personal information.

5. Online

While we take reasonable precautions to secure your personal information, data protection measures are never completely secure and we cannot guarantee the security of your personal information. Our websites are linked to the internet and the internet is inherently insecure, so we cannot provide any assurance regarding the security of transmission of information you send to us online.

If you do not wish to transmit information via our websites, there are other ways in which you can provide us with your information, such as by mail or telephone.

Our website provider may log information about your browsing for statistical and analytical purposes as well as to customise your website experience. Unless required by a law enforcement agency, your details will not be used for identification purposes.

Our website may contain links to third parties' websites. Those other websites are not subject to our privacy policies and procedures. Once you leave our website, the guidelines of this Privacy Policy no longer apply. You will need to review those websites directly to view a copy of their privacy policies and to ensure your personal information is protected.

We use a technology called 'cookies' when you visit our website which record information about your visit to our website. We may transmit usage information about visitors to our website to third party ad servers (including Google AdSense) for the purpose of targeting our Internet banner advertisements on other websites.

6. Accessing and correcting your personal information

6.1 Access

You have a right to know what personal information we hold about you and to obtain access to it if required. You may access your personal information via our secure member and investor online facilities or request access to your personal information by contacting us using the details provided below. You will need to provide proof of your identity before access is provided.

There may be times when we are not able to, or for legal reasons are prevented from, providing you with access to your personal information. If this is the case, we will provide you with a written notice setting out the reasons for our denial of your request (unless it would be unreasonable to do so, having regard to the grounds for the refusal) and how you can make a complaint about the refusal.

6.2 Correction

We aim to ensure that your personal information is up-to-date and complete. However, we also rely on you to advise us of any changes. Please contact us as soon as possible if you believe the personal information we hold about you is not accurate, complete or up-to-date so that we can update your file accordingly. You can independently change some of your personal information via our secure member and investor online facilities. You will need to provide proof of your identity before your information is corrected.

If there is a circumstance where changes appear to be of a fraudulent nature, we are not required to accept those changes. In such circumstances we will provide you with a written notice setting out the reasons for our denial of your request (unless having regard to the grounds for the refusal, it would be unreasonable to do so) and the mechanisms available to you to make a complaint about the refusal.

7. What do you need to do if you have a privacy complaint?

If you wish to make a complaint about a breach of this Privacy Policy or the Australian Privacy Principles you can contact us using the contact details below. Your complaint must be in writing (letter or email) and include sufficient details regarding your complaint together with any supporting evidence.

If we receive a privacy complaint it will be treated seriously and dealt with promptly, in a confidential manner and in accordance with our internal complaints handling procedures. We will contact you if we require any additional information from you and after we have completed our enquiries and investigation, we will notify you in writing of the outcome and invite a response to that outcome.

If we receive a response from you, we will assess it and let you know if we have changed our view. If you are not satisfied with the outcome of a privacy complaint made to us, you can refer the matter to the OAIC (see below).

8. Contacting us

If you have any questions about this Privacy Policy, if you wish to register a complaint about how we have handled your personal information, or if you wish to access or correct the personal information that we hold about you, please contact our Privacy Officer on:

- t** 1300 134 337 (superannuation)
1800 021 227 (managed funds)
- e** privacy@australianethical.com.au
- a** GPO Box 8, GPO Box Centre, Sydney NSW 2000

If you have a complaint regarding privacy issues relating to your superannuation or pension account and it is not resolved by us to your satisfaction, you may refer your complaint to the Office of the Australian Information Commissioner (OAIC).

Attention: Director of Compliance (Investigations)

- t** 1300 363 992
- f** 02 9284 9666
- e** enquiries@oaic.gov.au
- a** GPO Box 5218 Sydney NSW 2001

If you have a complaint regarding privacy issues relating to your investment in our managed funds, and it is not resolved by us to your satisfaction, you may refer your complaint to the Australian Financial Complaints Authority.

- t** 1800 931 678 (free call)
- w** www.afca.org.au
- e** info@afca.org.au
- a** GPO Box 3, Melbourne VIC 3001