



## Privacy Policy for OzPlan Financial Services Pty Ltd

Reviewed 15<sup>th</sup> April 2009 – No Changes

### OUR COMMITMENT

At OzPlan Financial Services Pty Ltd we recognise that your privacy is very important to you. We handle personal information provided by and about people every day. By personal information we mean information or an opinion about a person whose identity is apparent or can reasonably be ascertained.

We are bound by, and committed to supporting, the National Privacy Principles (NPPs) set out in the Privacy Amendment (Private Sector) Act 2001. Our aim is to both support, and ensure that we comply with, the NPPs that form the basis of laws introduced to strengthen privacy protection for the general public. The information set out below is largely a summary of our obligations under the NPPs.

We believe that this statement will address any potential concerns you may have about **how personal information you provide to OzPlan Financial Services Pty Ltd and its** Authorised Representatives is collected, held, used, corrected, disclosed and transferred. You can obtain more information on request about the way we manage the personal information we hold. If you require any further information please contact us in one of the ways set out below.

### COLLECTION

In the course of our activities we collect and hold personal information from our members and clients. Our main purposes for collecting that personal information are to update our records, to facilitate financial planning, insurance policies or related services.

We will only collect personal information from you that is necessary for one or more of our functions and activities. We will only collect personal information from you by lawful and fair means, without being unreasonably intrusive.

At or before the time we collect personal information from you we will take reasonable steps to inform you why we are collecting that personal information, who else we might disclose that personal information to and what will happen if you do not provide personal information to us, failure to provide full and complete information we request may mean that we are unable to provide services to you fully and properly.

Where reasonable and practicable, we will only collect personal information about you, from you. Once we hold personal information we will take reasonable steps to keep it accurate, complete and up-to-date.

A summary of the National Privacy Principles is available on our website or by contacting our office.

### USE AND DISCLOSURE

As a financial planning organisation we are subject to certain legislative and regulatory requirements which necessitate us obtaining and holding detailed information which **personally identifies you and/or contains information or an opinion about you ("personal information")**. In addition, our ability to provide you with a comprehensive financial planning and advice service is dependent on us obtaining certain personal information about you, including:

- employment details and employment history;
- details of your financial needs and objectives;
- details of your current financial circumstances, including your assets and liabilities (both actual and potential), income, expenditure, etc.
- details of your investment preferences and aversion or tolerance to risk;
- information about your employment history, employment circumstances, family structure commitments and social security eligibility;
- Any other relevant information including medical history and / or reports where Risk Insurance Requirements are provided that you provide to us for the purpose of providing you with a financial recommendation.

## DATA QUALITY

As we are required pursuant to the Corporations Act and Rules of Professional Conduct of the Financial Planning Association of Australia to collect sufficient information to ensure appropriate advice can be given in respect of recommendations made to our clients, if you elect not to provide us with the personal information you may be exposed to higher risks in respect of the recommendations made to you and this may affect the adequacy or appropriateness of advice given to you.

## DATA SECURITY

We will not collect any personal information about you except when you have knowingly provided that information to us or authorised a third party to provide that information to us.

Generally collection of your personal information will be effected in either interviews, over the telephone or by way of a client data form. From time to time additional and/or updated personal information may be collected through one or more of those methods.

We will only collect, maintain and use Personal Information about you if it is necessary for us to adequately provide to you the services you have requested including:

- the provision of investment advice
- the preparation of your financial plan;
- the provision of financial planning advice to you;
- making securities and investment recommendations;
- reviewing your financial plan;
- reviewing securities and investment recommendations;
- advising on and renewing your risk insurance requirements.

## OPENNESS

We will not use or disclose Personal Information collected by us for any purpose other than:

- (a) the purposes for which it was provided or secondary related purposes in circumstances where you would reasonably expect such use or disclosure; or
- (b) where you have consented to such disclosure; or

- (c) where the National Privacy Principles authorise use or disclosure where required or authorised under law, in circumstances relating to public health and safety and in connection with certain operations by or on behalf of an enforcement body.

We are also obliged pursuant to the Corporations Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.

We are required under the Rules of Professional Conduct of the Financial Planning Association of Australia to make certain information available for inspection by the Association on request to ensure ongoing compliance with mandatory professional standards. This may involve the disclosure of your personal information. We are also obliged pursuant to the Corporations Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.

OzPlan Financial Services may use the personal information collected from you for the purpose of providing you with direct marketing material such as articles that may be of interest to you, however you may, by contacting us by any of the methods detailed below, request not to receive such information and we will give effect to that request. Please allow 2 weeks for your request to be actioned.

OzPlan Financial Services may disclose your personal information to another financial planner during periods when this office is unmanned or closed so that you can be assured of receiving a continued service.

OzPlan Financial Services may disclose your Personal Information to superannuation fund trustees, insurance providers, and product issuers for the purpose of giving effect to your financial plan and the recommendations made by us.

In order to ensure that you receive a personal and tailored service, your Personal Information may be transferred to one of our authorised representatives who will be your primary point of contact with the organisation. It is a condition of our agreement with each of our representatives that they adopt and adhere to this privacy policy. You can be assured that your information will be maintained by any representative in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below.

We may disclose your personal information to external contractors for the following purposes:

**Prosecuting or defending legal proceedings in which we are involved, eg. Common Law actions, Trade Practices, Australian Prudential Regulation Authority (APRA), Australian Taxation Office (ATO), Australian Competition and Consumer Commission (ACCC) etc.**

It is a condition of our agreement with each of our external contractors that they adopt and adhere to this privacy policy. You can be assured that your information will be maintained by any contractor to whom it is disclosed in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below.

In the event that we propose to sell our business we may disclose your personal information to potential purchasers for the purpose of them conducting due diligence investigations. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used or disclosed by them. In the event that a sale of our business is effected, we may transfer your personal information to the purchaser of the business. As a client you will be advised of any such transfer.

#### ACCESS & CORRECTION

Your personal information is generally held in your client file. Information may also be held in a computer database.

We will at all times seek to ensure that the personal information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclosure. At all times your personal information is treated as confidential and any sensitive information is treated as highly confidential. All paper files are stored in cabinets which are locked out of hours. Access to our premises is controlled, and after hours access is allowed only to personnel with authorisation to access the premises. All computer based information is protected through the use of access passwords on each computer. Data is backed up each evening and stored securely.

In the event you cease to be a client of this organisation, any personal information which we hold about you will be maintained in secure storage for a period of 7 years in order to comply with legislative and professional requirements, following which time the information will be destroyed.

#### IDENTIFIERS

You may at any time, by contacting us by any of the methods detailed below, request access to your personal information and we will (subject to the following exceptions) provide you with access to that information either by providing you with copies of the information requested, allowing you to inspect the information requested or providing you with an accurate summary of the information held. We will, prior to providing access in accordance with this policy, require you to provide evidence of your identity.

We will not provide you access to personal information which would reveal any confidential formulae or the detail of any in-house evaluative decision making process, but may instead provide you with the result of the formulae or process or an explanation of that result.

We will not provide you with access to your personal information if:

- providing access would pose a serious threat to the life or health of a person;
- providing access would have an unreasonable impact on the privacy of others;
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
- providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- providing access would be unlawful;
- denying access is required or authorised by or under law;
- providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.

In the event we refuse you access to your personal information, we will provide you with an explanation for that refusal.

#### ANONYMITY

We will endeavour to ensure that, at all times, the personal information about you which we hold is up to date and accurate. In the event that you become aware, or believe, that any Personal Information which we hold about you is inaccurate, incomplete or outdated, you may contact us by any of the methods detailed below and provide to us evidence of the inaccuracy or incompleteness or outdatedness and we will, if we agree that the information requires correcting, take all reasonable steps to correct the information.

We will endeavour to respond to any request for access within 14-30 days depending on the complexity of the information and/or the request. If your request is urgent please indicate this clearly.

## PRIVACY COMPLAINTS

If you wish to complain about any breach or potential breach of this privacy policy or the National Privacy Principles, you should contact us by any of the methods detailed below and request that your complaint be directed to the Privacy Officer. Your complaint will be considered within 7 days and responded to. It is our intention to use our best endeavours to resolve any complaint to your satisfaction, however, if you are unhappy with our response, you are entitled to contact the Office of the Privacy Commissioner who may investigate your complaint further.

## SENSITIVE INFORMATION

**OzPlan Financial Services' Web site contains links to other Web sites whose operator** may or may not adhere to a privacy policy or be governed by the National Privacy Principles.

If you have registered with us through our website and decide, at any time, that you do not wish to receive any further information from us, you can send an e-mail to the e-mail address noted below requesting to be removed from our database. Please allow 2 weeks for your request to be actioned.

You may amend or update your registration details by sending an e-mail to the e-mail address noted below providing your amended details. Please allow 2 weeks for your request to be actioned.

Our Web site uses cookies which allows us to identify your browser while you are using our site. Cookies do not identify you, they simply allow us to track usage patterns so that we can measure the level of interest in various areas of our site. All browsers allow you to be notified when you receive a cookie and elect to either accept it or not. Your Internet service provider should be able to assist you to set your preferences.

### Contact Details

Privacy Officer: *Brendan Smith*

Address: 107 Bridge Street Benalla Vic 3672

Telephone: (03) 5762 1588

Facsimile: (03) 5762 1182

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