



Privacy Policy

February 2021

Document Control & Version History

Policy	Privacy Policy (previously known as Information Handling Policy)
Document Owner	Head of Group Compliance

Record of Amendments, Authorisations & Issues

Version	Revision Date	Drafted by	Nature of Amendment	Approval Required
1.0	10 December 2015	Group Compliance	Amended to close gaps identified with the Australian Privacy Principles	BRCC
1.1	6 May 2016	Legal and Company Secretariat	Minor amendments	BRCC
1.2	24 June 2016	Legal and Company Secretariat	Minor amendments	BRCC
1.3	5 August 2016	Group Compliance	Minor amendment	BRCC
1.4	6 June 2017	Legal and Company Secretariat and Group Compliance	Amendments to meet FSC Life Insurance Code of Practice requirements	BRCC
1.5	5 December 2017	Group Compliance	Amendments to meet the requirements of the Privacy Amendment (Notifiable Data Breaches) Act 2017	BRCC
1.6	18 May 2018	Group Compliance	Amendments relating to destruction/de-identification of information, information provided electronically, time frame requirements for responding to requests to access personal information and the application of the European Union General Data Protection Regime (GDPR)	BRCC

1.7	4 December 2019	Group Compliance	<p>Renamed to Privacy Policy.</p> <p>Additional references to local and international obligations.</p> <p>Further clarification on:</p> <ul style="list-style-type: none"> • Who we can collect Personal Information from. • Who we can disclose Personal Information to. • How long Personal Information can be kept for. <p>New:</p> <ul style="list-style-type: none"> • Secondary purposes list. • Sensitive Information. • Cross-border disclosure of Personal Information (overseas recipients). • Dealing with breaches. • Complaints Manager details. <p>Minor wording amendments.</p>	BRCC
1.8	February 2021	Group Compliance	<p>Minor amendments and clarification to policy wording</p> <p>Review of references to current privacy laws</p>	BRCC & CLN BRCC Chairs

Privacy Policy

1. Who We Are

- 1.1 In this Privacy Policy, references to 'we', 'our', 'us' and 'ClearView' mean ClearView Wealth Limited, its subsidiaries and representatives.

2. The Policy

- 2.1 This Policy sets out how we collect, hold, use and disclose your Personal Information, how you can request access to, or correction of your personal information and how you can make a complaint if you feel that we have breached our privacy obligations.
- 2.2 We respect the privacy of any Personal Information we collect about you and we are committed to ensuring that all Personal Information is handled in accordance with the provisions of the *Privacy Act 1988* (Cth), the *Australian Privacy Principles*, the *FSC Life Insurance Code of Practice* and any other applicable privacy related laws.

Additionally, individuals located in the European Union may also have rights under EU based rules known as the General Data Protection Regulation (**GDPR**). The GDPR has harmonized the data privacy laws of each individual EU country, giving more rights to individual located in the EU and more obligations in relation to holding their personal information.

Our Privacy Policy will be reviewed from time to time or whenever there has been a change to the law or a change in our operations and practices regarding the maintenance of Personal Information.

3. Definitions

- 3.1 In this Policy:

ClearView Group means ClearView Wealth Limited and all its subsidiaries.

Credit Representative means a person authorised to engage in specified credit activities on behalf of a credit licensee or registered person under the *National Consumer Credit Protection Act 2009* (Cth).

Eligible data breach means the unauthorised access to or unauthorised disclosure of personal information where a reasonable person would conclude that the access or disclosure would likely result in serious harm to any of the individuals to whom the information relates.

Financial Service means the provision of financial advice and/or dealing in financial products such as life insurance, superannuation and retirement income, managed investments.

GDPR means the European Union General Data Protection Regulation 2016/679 (as amended from time to time).

Independent Service Provider means a third party contracted by ClearView to assist with the administration or management of ClearView's Financial Services. This may include, but is not limited to, an independent medical assessor, a rehabilitation provider, an allied health professional, an accountant, an investigator, surveillance operative or claims management service. This excludes reinsurers.

Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.

representative has the same meaning as representative in s910A of the *Corporations Act 2001* (Cth) and includes:

- advisers and their businesses, authorised to provide financial services under our

- licences; and
- employees of the ClearView Group.

Sensitive Information means information about a person's racial or ethnic origin, political opinions or membership of a political association, religious or philosophical beliefs or affiliations, membership of a professional or trade association or trade union, sexual orientation or practices, criminal record, or health information or genetic or biometric information.

4. What kind of Personal Information does ClearView collect?

4.1 The kind of Personal Information we collect may vary depending on our interaction with you. If you apply to be a customer, are currently a customer, or have previously been a customer, the Personal Information we may collect include:

- name, address, gender, marital status, contact details and date of birth;
- payment details such as Auto-Pay and direct debit/credit details;
- records of service contacts such as voice recordings of telephone conversations;
- census and statistical-type information for purposes including product development and risk assessment;
- claims details such as date, amount claimed and amount paid;
- tax file number;
- details of the Financial Service you applied for and details of any financial products you have purchased or invested in (including account details);
- your financial interests and sometimes your financial position;
- occupation and employer details;
- for insurance products – certain medical, family and lifestyle information; and
- credit information.

4.2 Generally, we do not collect Personal Information about individuals who are not a customer of ours. However, there are some exceptions, including (but not limited to):

- individuals who have contacted us for information about our Financial Services;
- where we purchase a data list from a third party provider;
- where a customer has provided Personal Information to us about another person which we need to provide our products or services;
- individuals who have been provided with a Financial Service by one of our representatives or Credit Representatives.

4.3 We may also collect Personal Information about individuals who have agreed to pay or act on behalf of our customers.

Sensitive Information

4.4 If you apply for certain Financial Services or make a claim under certain products, we may need to collect Sensitive Information about you. We collect, use and disclose Sensitive Information only in accordance with the *Privacy Act 1988*, the *Australian Privacy Principles* and this Policy.

5. Collection of Personal Information

How does ClearView collect Personal Information?

5.1 To provide the best Financial Services to suit your needs, we collect Personal Information from you when you:

- contact us in person, by phone or online;
- lodge a claim or complaint;
- decide to seek Financial Services advice; and
- complete a form for one of our products (including electronic applications).

5.2 If it is reasonable and practicable to do so, we will only collect Personal Information about you from you.

- 5.3 In many cases, if the Personal Information that we request is not provided, we may not be able to provide the relevant Financial Services or assess an insurance claim.
- 5.4 Collecting Personal Information also allows us to meet Australian and international legal or regulatory obligations that we, as product providers, might have to identify our customers. These may include, but are not limited to, our obligation to identify and verify clients under the *Anti-Money Laundering & Counter Terrorism Financing Act 2006*, or provide information to the US government if a client is considered a US resident for tax purposes under the *US Foreign Account Tax Compliance Act*.

Collection of Personal Information from other people

- 5.5 In some instances we may collect Personal Information about you from another person or entity, for example:
- from our referral and commercial strategic partners;
 - from individuals such as representatives who we authorise to provide Financial Services under our Australian Financial Services Licences or Australian Credit Licence;
 - from a person who has been granted a power of attorney or other authority;
 - from medical providers or other professional experts in order to provide you with a policy or assess a claim; or
 - your employer if you are a member of a corporate superannuation plan; or
 - your accountant, mortgage broker or solicitor; or
 - where you are covered by, or a life insured under a policy that covers more than one person, or is taken out by someone you know; or
 - third parties to enable a secondary service, such as when you are referred to a solicitor for estate planning purposes. If these third parties approach us and request your Personal Information, we will ask for your consent before it is provided.
- 5.6 If we have collected Personal Information about you from someone else, we will take reasonable steps to ensure that you are or have been made aware of this.

Collection of Personal Information about your relatives, dependents and other individuals

- 5.7 In order to provide some Financial Services such as insurance policies, we may collect and hold Personal Information from you regarding your family situation, your partner, dependents, beneficiaries and children. This information will only be gathered where it is deemed as necessary to provide you services, such as financial planning advice where members of your family may become beneficiaries to your life insurance policy or superannuation fund. You are not obligated to provide this information, however it may affect the quality of, or restrict the services provided to you.
- 5.8 We collect and hold Personal Information about your relatives, dependents and other individuals with your consent. If your Personal Information has been provided to us by a policyholder and you are over the age of 16 when your Personal Information is provided to us, we assume that the policyholder has your consent to provide us with this information.
- 5.9 If you are a policyholder and provide us with Personal Information about another person, we expect and assume that you have that person's consent to provide this information to us.
- 5.10 If you provide Personal Information to us about another person, you need to ensure that they are aware:
- that you have provided their Personal Information to us;
 - that they understand who we are and how they can contact us;
 - that they may access the Personal Information that we hold about them;
 - of the purposes for which you provided their Personal Information to us;
 - that their Personal Information will be handled in accordance with this Policy; and
 - that they can refer to this Policy for further information.

6. Use and disclosure of Personal Information

How does ClearView use my Personal Information?

6.1 We use your Personal Information to provide, manage and administer the Financial Services we provide, to evaluate and pay insurance claims and to operate an efficient and sustainable business.

6.2 Examples where we may use and disclose your Personal Information include:

- processing your application;
- processing payments, withdrawals and redemptions;
- investigating and assessing any claim;
- contacting you about matters relating to you, Financial Services provided to you or other services that we provide;
- answering your enquiries;
- meeting internal functions such as administration, accounting and information technology system requirements;
- practicing effective risk management and preventing fraud;
- monitoring price and evaluating products and services;
- conducting marketing, research and statistical analysis;
- resolving complaints, breaches, incidents or litigant matters; and
- conducting customer surveys.

6.3 We may also use and disclose your Personal Information for related secondary purposes such as:

- Enhancing our customer service and product options;
- Communicating with you regarding the products and services you have with us;
- Providing you with ongoing education information including newsletters; and
- Providing you with marketing material that we believe may be relevant to your financial needs and circumstances.

Where the secondary purpose is unrelated to the primary purpose for which you have sought our services, we will ask for your consent before using your Personal Information. You may provide your consent in writing, or via telephone.

6.4 We do not exchange credit reporting information with any credit reporting bodies.

To whom will ClearView disclose my Personal Information?

6.5 We may disclose your Personal Information to other companies or individuals who assist us in supplying our Financial Services or running our business, perform services on our behalf or regulate the Financial Services that we provide, such as:

- other areas within ClearView Wealth Limited and its subsidiaries, who provide financial and other related services;
- any person acting on your behalf, including your financial adviser, executor, trustee and attorney;
- third party assessors of underwriting and claims;
- reinsurers;
- claims assessment and legal professionals;
- legal, medical or other professionals who provide claims related services and opinions;
- insurers, or product providers to apply for a product, or obtain a quote, on your behalf;
- IT development and maintenance providers;
- accountants, auditors, other service providers and specialist advisers we may appoint to ensure the integrity of our operations;
- any organisation involved in providing, managing or administering our products or services such as custodians, external dispute resolution services or mailhouses;
- any fund administrator or trustee to which your benefit is being transferred or rolled over;
- credit reporting or reference agencies or insurance investigators;
- regulatory or Government authorities;
- product or service providers who have an obligation to disclose information to the Australian Tax Office (ATO) where the ATO has agreements to share information with overseas tax authorities; and
- providers of marketing, research and statistical analysis services.

- 6.6 If your Personal Information has been collected by us in connection with a life insurance policy, we may disclose this Personal Information to the life insured (where you are the policy owner) and to the policy owner (where you are the life insured or another policy owner under the relevant life insurance policy).
- 6.7 Where an application for life insurance requires an underwriting decision and the policy owner is different to the life insured, we will not disclose personal medical information about a life insured to a policy owner unless the life insured has given consent for this.
- 6.8 In addition to the above, we may also use and disclose your Personal Information for any other purpose for which you have consented, or where we are authorised or required to do so by law.
- 6.9 Where Personal Information is disclosed, we require our contractors and service providers who handle or obtain Personal Information to acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy, and comply with the privacy laws including the *Privacy Act 1988* (Cth), the *Australian Privacy Principles* and the *FSC Life Insurance Code of Practice*. Generally, we require any external organisation contracted by us to comply with the privacy laws and regulations applicable to their jurisdiction.
- 6.10 Where we disclose your Personal Information to our contractors and/or service providers and we are aware that your Personal Information may be accessed by, or provided to, another party via that contractor or service provider, we will take all reasonable steps to ensure that any further party who is granted access to your Personal Information will comply with the *Privacy Act 1988* (Cth), the *Australian Privacy Principles* and the *FSC Life Insurance Code of Practice*.
- 6.11 We do not sell Personal Information to anyone.

Sensitive Information is subject to greater restrictions

- 6.12 Some Personal Information we collect and hold is classed as Sensitive Information. Sensitive Information may have further restrictions on its disclosure.
- 6.13 Sensitive Information is usually required for personal insurance applications to manage claims on those products. It may also be relevant to credit and other applications. Sensitive Information will only be used and disclosed for the purposes for which it was collected, unless you specifically agree otherwise, or the use or disclosure of this information is allowed by law.
- 6.14 We will only collect Sensitive Information from you where it is reasonably necessary for us to require this information in order to provide the service to you. It will only be collected with your consent or, in limited other circumstances, as specified under relevant privacy laws.
- 6.15 Unless we have your consent, we cannot use or disclose Sensitive Information about you for any purpose other than the primary purpose of collection or a directly related secondary purpose (unless we are permitted to disclose this information by law); nor can it be shared by related bodies corporate in the same way that they may share other Personal Information. Documents asking for Sensitive Information will explain this.

When will ClearView use my Personal Information to contact me?

- 6.16 We will use your Personal Information to contact you about Financial Services that we have provided to you.

Marketing material

- 6.17 From time to time, we will provide you with information about products and services offered by companies within the ClearView Group and other affiliate organisations that we consider of potential benefit to you and your family. Information may, for example, be communicated through the ClearView Viewpoint magazine. We may share your Personal Information on a confidential basis with companies within the ClearView Group and other affiliate organisations so that they can offer you products and services.

- 6.18 You can inform us if you do not wish to receive marketing material from us. The ability to 'opt-out' does not include important disclosure documents, letters and compliance service messages which we are required to provide to you as part of our general obligations. Please allow up to 60 days for us to fully implement your 'opt-out' request.

What other legislation affects ClearView's use and disclosure of Personal Information?

- 6.19 In some circumstances, the collection, use, disclosure and access of Personal Information is governed by specific legislation. Where there is specific legislation, this will generally govern how we use Personal Information despite the provisions of the *Privacy Act 1988* (Cth). For example, for certain Financial Services, we are required to collect your tax file number and provide that information to the Australian Taxation Office.
- 6.20 EU-residents have slightly different rights in relation to the 'Use and Disclosure' of personal data (as defined in the GDPR). If you are an EU-resident and you would like more information, please contact the ClearView Privacy Officer (see section 9 of this Policy for details).

7. Information Security

How does ClearView keep my Personal Information secure and for how long is it kept?

- 7.1 We take all reasonable steps to ensure that your Personal Information is kept secure and is protected from misuse, loss and unauthorised access, modification and disclosure. If we have your Personal Information accessible on the secure member sections of our website, we will ensure that this information is protected. We retain your Personal Information for as long as we need it to provide the Financial Services you have requested from us and, in some circumstances, to comply with other statutory requirements. For example, under the *Corporations Act 2001* (Cth), we are obligated to retain a client's 'financial planning file' for a period of 7 years from the date of our last provision of service. As required under the privacy law, we will take reasonable steps to permanently de-identify or destroy Personal Information that is no longer needed.
- 7.2 Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, mail, over the Internet, or other electronic medium. We train our employees who handle Personal Information to respect the confidentiality of client information and the privacy of individuals.
- 7.3 We have appointed a Privacy Officer to ensure that the management of Personal Information is in accordance with the Policy and the *Privacy Act 1988* (Cth).

Risks of using the Internet

- 7.4 You should be aware that there are inherent security risks in transmitting information through the Internet. You should assess these potential risks when deciding whether to use our online services. If you do not wish to transmit information through our website, you may contact ClearView on 132 977.

Cookies

- 7.5 ClearView's websites may use cookies, a 'cookie' being a text file that can be placed on a computer by a web server. This may allow us to identify you or your browser while you are using our site. Cookies can be permanently stored on a computer or are temporary session cookies. They are used for a variety of purposes, including security and to help tailor our services to you. Cookies are frequently used on websites and you can choose if a cookie will be accepted by changing your browser preferences.

All browsers allow you to be notified when you receive a cookie and you may elect to either accept it or not. Please note if you do not accept a cookie, this may impact the effectiveness of the website.

- 7.6 EU-residents have slightly different rights in relation to the 'Information Security'. In

particular, in relation to cookies. If you are an EU-resident and you would like more information, please contact ClearView's Privacy Officer (see section 9 of this Policy for details).

Cross-border disclosure of Personal Information (overseas recipients)

- 7.7 In the course of providing you with Financial Services, we may engage organisations based overseas or organisations based in Australia that use some services themselves from overseas. Some of the organisations to which we may disclose your personal information may be located outside New South Wales or Australia in countries including New Zealand, South Africa, USA, Canada, member states of the European Union, India, Vietnam, Malaysia, Singapore, Thailand, Sri Lanka, Cambodia, Hong Kong, Japan, the Philippines and Turkey.
- 7.8 Where we disclose your Personal Information to contractors and service providers and we are aware that your Personal Information may be accessed by, or provided to, another party via that contractor or service provider, we will do all that we reasonably can to ensure that any further party granted access to your Personal Information will comply with the Privacy Act 1988 and the FSC Life Insurance Code of Practice (where applicable).
- 7.9 We may also use third party providers that may be based overseas for the purposes of personal information collection and storage, for example cloud storage. Wherever possible, we engage cloud storage providers that store data in Australia. However, in the event that we engage a third party provider to facilitate collection or storage of personal information, that uses overseas data storage facilities, we will take reasonable steps to ensure that the third party provider and any of its subcontractors are contractually or otherwise legally obliged to only handle the information for the limited purpose of storing information, and that we retain effective control over the information. In doing so, we consider this a use of Personal Information and not a disclosure.

Dealing with breaches

- 7.10 We consider breaches of your privacy to be very serious. If this happens, we will ensure that appropriate investigation occurs in a timely manner and where necessary, apply appropriate consequence management and/or remediation (including dismissal in some cases).
- 7.11 We are obligated to notify you and the Office of the Australian Information Commissioner (**OAIC**) if an 'eligible data breach' occurs in relation to your Personal Information that is held by us or another entity with whom we have shared your Personal Information. A data breach may occur if your Personal Information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference, and it is generally notifiable if there is a risk of 'serious harm' (for example, financial or reputational harm) to you due to the breach. This obligation extends to breaches that occur within Australia and overseas.
- 7.12 We will also report any privacy breach as required under any other applicable laws.

8. Access and Correction

Can I access my Personal Information?

- 8.1 You have the right to access any Personal Information that we hold about you. You may request access to your Personal Information we hold at any time. To do so, please call us on 132 977 and ask for a *Request for Personal Information Form* which will be sent to you to complete.
- 8.2 You can access the Personal Information that we rely on in assessing your application for life insurance cover, your claim or your complaint. You can also access the reports from Independent Service Providers that we have relied on in assessing your application for insurance cover, or your claim. To do so, please call us on 132 977.
- 8.3 We are committed to handling your request properly and promptly. All requests for access to Personal Information are handled by our head office. We will respond to your request within

30 days (unless unusual circumstances apply). If your request to access your personal information is in relation to a complaint you have made to us, we will respond to your request within 10 business days, as required by the FSC Life Insurance Code of Practice and the Insurance in Superannuation Code (refer to section 8.7 below).

- 8.4 We will provide you with access to Personal Information held about you except to the extent that we are permitted to refuse access in accordance with the *Privacy Act 1988* (Cth) and the *Australian Privacy Principles*. If we refuse to provide you with access to some of the requested Personal Information, we will provide you with our reasons in writing for doing so. If you have concerns, you may lodge a complaint.
- 8.5 In special circumstances we may decline to provide access to or disclose Personal Information to you, such as:
- (a) where information is protected from disclosure by law, including the *Privacy Act 1988* (Cth);
 - (b) where we reasonably determine that the Personal Information should be provided directly by us to your doctor;
 - (c) where the release of the Personal Information may be prejudicial to us in relation to a dispute about your insurance cover or your claim, or in relation to your complaint; or
 - (d) where we reasonably believe that the Personal Information is commercial-in-confidence.
- 8.6 If we decline to provide access to or disclose Personal Information to you:
- (a) we will not do so unreasonably;
 - (b) we will give you a schedule of the documents we have declined to provide and give you reasons for doing so; and
 - (c) we will provide details of our Complaints process.
- 8.7 If we cannot comply with a timeframe for providing information to you required by the *FSC Life Insurance Code of Practice* or the *Insurance in Superannuation Code* due to the fact that we are waiting for permission from a third party to release information to you, we will advise you of this before the end of the timeframe.
- 8.8 If you request any of your life insurance policy documentation from us, we will provide this to you promptly and in an electronic form if you request, subject to any process for releasing policy documentation that we are required to carry out by law.
- 8.9 There is no charge for making a request for access to or for obtaining a document containing a summary of the following Personal Information that we hold about you:
- name, address and birth date;
 - contact details;
 - level of cover;
 - details of products held;
 - date of joining; and
 - bank account details.
- 8.10 We may charge a reasonable fee for access to any other Personal Information. Such charge will be restricted to our reasonable costs of providing the Personal Information that you have requested (for example, the cost of photocopying, document retrieval, labour and delivery to you). We will always check this with you first. If the information sought is extensive, we will advise you of the likely cost in advance and can help to refund your request if required.

Correction of Personal Information

- 8.11 We will correct any Personal Information that we hold about you if we become aware that it is inaccurate, incomplete, out of date, irrelevant or misleading.
- 8.12 If you believe that the Personal Information we hold about you is inaccurate, incomplete, out of date, irrelevant or misleading, you can ask us to correct it and we will take reasonable steps to do so. If there are any instances where we cannot do this, we will let you know in writing.
- 8.13 If we disagree that the information is inaccurate, incomplete or out of date, we will take reasonable steps to include a note on your record that you believe that such information is inaccurate, incomplete or out of date.

9. Enquiries and Complaints

How do I make an enquiry or complaint about privacy?

- 9.1 You can make an enquiry or a complaint about our handling of your Personal Information at any time by contacting our Privacy Officer. We may ask you to complete a *Request for Personal Information Form* or to set your enquiry or concern out in writing to assist us in undertaking an investigation and providing you with a response.
- 9.2 If you consider that any action by us breaches our Privacy Policy, the Australian Privacy Principles or otherwise fails to respect your privacy, you can also make a complaint. Upon the lodgement of a complaint with us, you will receive an acknowledgement letter and an indication of the timeframe in which we will respond to your complaint.
- 9.3 We will respond to your enquiry or complaint within a reasonable period of time.

Our contact details

- 9.4 Our Privacy Officer and Complaints Manager can be contacted as follows:

ClearView Privacy Officer: privacyofficer@clearview.com.au

The Privacy Officer

ClearView
GPO Box 4232 – Reply Paid
Sydney NSW 2001
Phone 1800 265 744

ClearView Complaints Manager: complaints@clearview.com.au

The Complaints Manager

ClearView
GPO Box 4232 – Reply Paid
Sydney NSW 2001
Phone 1800 265 744

- 9.5 We will try to resolve your complaint within 30 days. When this is not possible, we will inform you of the reasons for the delay and how long we believe it will take.

Office of the Australian Information Commissioner

- 9.6 In the event that we are unable to resolve your enquiry or the enquiry has not been satisfactorily addressed you may escalate the matter to the Office of the Australian Information Commissioner (OAIC) to complain about the way we have handled your personal information.
- 9.7 The OAIC can be contacted at:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001
Email: enquiries@oaic.gov.au
Phone: 1300 363 992
Website: <http://www.oaic.gov.au>

10. Updates to the Policy

- 10.1 The most current version of this Policy can be obtained from our website at: www.clearview.com.au.