

## **Fire & Emergency Services Superannuation Fund Privacy Policy**

The Trustee of the Fire & Emergency Services Superannuation Fund recognises and values each member's right to privacy. Consequently, the Trustee has developed a comprehensive policy outlining the Fund's approach and principles in collecting, using, accessing and disclosing members' personal information. As part of this policy, the Trustee has resolved to abide by the National Privacy Principles. These Principles dictate how the Fund should deal with personal information and specifically note the Fund's duties to members and other individuals, and member rights in relation to personal information. A full copy of the National Privacy Principles is available on request.

### **Collection of Personal Information**

#### ***What is collected?***

The Fund may collect the following personal information on members:

- title, full name and contact information;
- date of birth, marital status and gender;
- spouse/children/next of kin/nomination of beneficiary details;
- Tax File Number (if quoted);
- service information like date commenced employment;
- occupation, employer, employment status and site location;
- account balance and account components, taxation status, preservation components;
- payroll, salary and contribution details;
- investment selection;
- health information;
- details of member enquiries or complaints to the Fund; and
- any other personal information necessary for the function and activities of the Fund (as outlined under the section titled "Why is it collected?").

#### ***How is it collected?***

Where reasonable and practicable, the Fund endeavours to obtain personal information directly from the member to whom the information relates. This may be achieved through verbal, written or electronic communications with the member.

However, where it is unreasonable or impracticable to collect information directly from the member, personal information may be collected from third party organisations. For instance, certain information about a member is usually obtained directly from the member's employer, including payroll, contribution and salary details, and in some instances other details such as change of address or contact details. Where it is reasonable to do so, the Fund will confirm any changes to personal details received through a third party directly with the member (eg change of address or contact details).

All personal information collected, whether directly or indirectly, is done so in a lawful and non-intrusive manner and by fair means.

## **Use of Personal Information**

### ***Why is it collected?***

The primary purpose for the collection of personal information is to manage the superannuation affairs of the Fund's members. This includes the collection of personal information to:

- administer, invest, calculate, pay or transfer members' superannuation benefits;
- process member enquiries and complaints;
- ensure compliance with the Fund's legal, taxation and reporting obligations;
- assist participating employers in meeting their employment and superannuation obligations to the Fund's members;
- assist in the provision of member education and communication of information to members; and
- gain insurance coverage or assess/process a claim for death or disability benefits.

This may involve the collection of sensitive information like health information. Sensitive information will only be collected with member consent, unless it is permitted by law.

The use of personal information to distribute communication materials (such as your name and address) will be limited to the communication of information about the Fund and superannuation or investment related matters, and any additional services that the Fund may provide to members as part of their membership of the Fund, such as access to financial planning services or low cost super member home loans. If members receive direct marketing materials through the Fund from third party organisations that are not related to superannuation or investment related matters, members may opt-out of receiving this information in future if they wish to do so.

The Fund will not use personal information for any other purpose without the consent of the member unless its use is permitted or required by law. Legislation that may require the collection of personal information includes superannuation legislation (to comply with any requirements) and taxation legislation (such as the collection of your tax file number).

### ***What if a member chooses not to provide certain information?***

If a member does not provide personal information to the Fund when requested, the following may result:

- the member may pay more tax on their superannuation benefit than necessary;
- the Fund may be unable to process or pay a member's superannuation benefit;
- a member may not be eligible for insurance cover;
- the Fund may be unable to process a death or disability claim; and/or
- the member may have more difficulty in locating their superannuation benefit in the event it was rolled over to an eligible rollover fund.

### ***How long is the information kept?***

Superannuation legislation requires the Fund to retain certain personal information for a minimum of ten years or as long as it may be relevant.

In addition, the nature of the Fund's activity as a superannuation fund also requires personal information to be retained for as long as an individual remains a member of the Fund. Even after leaving the Fund, the Fund may retain personal information on the member in the event of a complaint to the Superannuation Complaints Tribunal.

## **Access to Personal Information**

### ***Can a member access it?***

On request, members have a right to access their personal information held by the Fund. In certain instances, such as where it may endanger the life or health of an individual, impact unreasonably on the privacy of other individuals, be prejudicial to activities of enforcement bodies or legal proceedings, be unlawful, or where the request is vexatious or frivolous, access to personal information may be restricted or denied. Where access is restricted or denied, the reasons for doing so will be provided to the member by the Fund.

Members are not charged for requesting access to their personal information held by the Fund. However, a charge may apply to the provision of the information, particularly when it involves significant time or cost, for example, retrieving information from archive or large amounts of photocopying.

### ***Can a member correct the personal information held by the Fund?***

Where information is obtained directly from the member, the Fund relies on the accuracy of the information provided by the member. The Fund also relies on members to notify the Fund of inaccurate, incomplete or out-of-date information.

Where incorrect information is held by the Fund and a member has evidence of the correct information, the Fund will action a member's request to correct personal information as soon as practicable if it agrees that the information held is incorrect. If the Fund disagrees with the member about the accuracy of the personal information held, the Fund may choose not to alter the information held but it will, on the request of the member, take reasonable steps to record that the member believes that particular information held by the Fund is inaccurate, incomplete or out-of-date.

### ***How is your personal information stored?***

Personal information about members is only accessible by the member and those persons authorised by the Fund to access it. Most personal information is stored on administration systems by the Fund Administrator. To access this personal information, authorised persons must use a password and are bound by confidentiality agreements.

The personal information of members is held and stored by the Fund in such a way as to protect the information from misuse, loss and unauthorised access, modification or disclosure.

## **Disclosure of Personal Information**

### ***Who else may be given access to your information?***

While the Fund maintains ultimate responsibility for managing members' superannuation, it does outsource some of its administrative and related functions to professional external organisations. Personal information may be disclosed to these organisations, but only to the extent that it is necessary for the activity or function that they have been engaged to undertake by the Fund. These organisations may include the Fund accountant, auditor, actuary, administrator, archiving company, legal advisor, insurer and underwriter, medical practitioner/s and a mailing house (for the purpose of distributing member communications). Where possible and practical, the Fund will remove personal identifiers from personal information before disclosing any information to third parties, for example, by removing member names and addresses.

The Fund may also be required to disclose certain personal information in its dealings with the employer (such as to confirm the contributions received for the year) or with other superannuation funds, retirement savings account providers and other rollover entities including eligible rollover funds and successor funds when transferring monies into or out of the Fund.

Where the disclosure of personal information is not necessary for the Fund's activities or functions and is not permitted or required by law, the consent of the member will be obtained prior to the release of any personal information.

The Fund may be obligated by law to disclose personal information to regulatory authorities like the Australian Taxation Office, Australian Prudential Regulation Authority, Australian Securities and Investment Commission, Superannuation Complaints Tribunal in the event of a complaint from a member, a court in the event of litigation or family law proceedings, certain persons under the Family Law legislation (such as a spouse) as well as law enforcement bodies or other persons/organisations where required by law.

### **Further information**

If you require further information, please contact the Fund by telephone on 08 9382 8444, by facsimile on 08 9382 8464, or by writing to:

Fire & Emergency Services Superannuation Board  
PO Box 513  
SUBIACO WA 6904

If a member has a complaint about a possible breach of privacy or any other matter in relation to privacy, the Fund has procedures in place to deal with the member complaint. In brief:

*STEP 1:* The member should contact the Secretary/Manager or one of the Trustees to discuss the issue, as it may be easily resolved.

*STEP 2:* If the issue is not resolved, the member should address their complaint in writing to the Trustee at the address above.

The Trustee has procedures in place to deal with complaints and will endeavour to resolve any complaint within 90 days.

*STEP 3:* If a member is still not satisfied with the resolution of the matter, they can discuss it with the Office of the Federal Privacy Commissioner by telephone on 1300 363 992.

*STEP 4:* If the matter is not adequately resolved over the telephone, the Office of the Federal Privacy Commissioner may then request the member to put their complaint in writing as follows:

Director of Compliance  
Office of the Federal Privacy Commissioner  
GPO Box 5218 Sydney, NSW 1042