

# Privacy Policy

	<b>Date</b>	<b>Responsible</b>
Last Approved	28/2/2014	Trustee Board

Lutheran Super is committed to ensuring the privacy of personal information of the individuals and members with whom we deal. This policy details how Lutheran Super manages the personal information we hold about you.

Lutheran Super is bound by the Australian Privacy Principles (**APPs**) contained in the Privacy Act 1988 (Cth) (**Act**). The APPs regulate the collection, handling, use and disclosure of personal information, and allow for you to seek access to and update your personal information, or complain about a breach of the APPs.

The Act defines ‘personal information’ as information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether recorded in a material form or not.

Lutheran Super reserves the right to change this policy from time-to-time as required. We encourage you to check our website for any updates to our policy.

## **1. Who is Lutheran Super?**

LCA Nominees Pty Ltd ABN 61 008 204 939 is the trustee of the regulated superannuation fund known as Lutheran Super ABN 93 371 348 387. In this policy, references to 'we', 'us' and 'our' refer to the trustee of Lutheran Super.

## **2. Collection of personal information**

We will only collect personal information about you where we consider it is necessary or desirable for one or more of the activities or functions we undertake in connection with the running of Lutheran Super as it relates to you. Typically we will collect personal information upon your joining the fund and then update it on a regular basis, including via information obtained from your employer.

This information typically includes your name, address, phone number, email address, gender, date of birth, salary, superannuation contributions, other financial information, tax file number, occupational, health and medical records, employment details and other information that might be required to obtain insurance for you.

As much as possible, we collect this information from you personally, or from your employer and from other superannuation funds of which you are or have been a member. When collecting this information directly from you, we will inform you about the purpose of the collection and if the information is to be disclosed to any third parties. In most cases we will collect this information through a professional administration company engaged by us to perform administration services for the fund and that administration company will hold your information on behalf of Lutheran Super.

In some cases, we are required by law to collect information about you, for example tax legislation may require that we collect your tax file number for certain purposes. There may also be circumstances where we collect information about you indirectly from third parties, for example, health information required by us or an insurer in order to assess a claim for a disability benefit.

We will notify you before or at the time of collection of personal information from you or as soon as practicable after collection as to how we collect the information and for what purposes it will be used. If the information is collected by us via a third party, such as your employer, we will notify you of such matters when we use the information (for example, by issuing you with a welcome statement on joining the fund).

If we are unable to collect certain personal information from you, we may not be able to properly administer and manage your superannuation arrangements in our fund as we otherwise would have done. If we do not have an up-to-date address for you then we may be required to transfer your superannuation to the Australian Taxation Office or to an eligible rollover fund because you will be treated as a 'lost member'.

## **3. Use and disclosure of personal information**

We collect and handle personal information about individuals for the primary purpose of managing and administering superannuation arrangements that those individuals have with Lutheran Super. The kinds of activities the personal information is used for would include calculating, collecting and recording contributions, maintaining member records, communicating with members about their superannuation and paying benefits to members and other beneficiaries.

### ***Outsourcing and release of personal information***

We engage certain external organisations to assist in the management and administration of the fund and the provision of services to you, for example professional administrators, investment managers, custodians, auditors, lawyers, actuaries, insurers and other professional consultants and advisers. We may disclose

personal information about you to these organisations, but will do so only in connection with the administration and management of the fund or for the purpose of supporting and improving the services offered to you. In these instances we will engage these third parties on contractual terms to ensure the security and privacy of any personal information that we provide to these third parties.

### ***Legal compliance***

We are sometimes required or authorised by law to disclose your personal information to certain government authorities and agencies (for example to the Australian Taxation Office, the Australian Securities and Investments Commission, the Australian Prudential Regulation Authority, the Australian Transaction Reports and Analysis Centre, the State and Federal Police and Centrelink), or to other entities (for example other superannuation funds when a member has provided instructions to permit the transfer/rollover of their benefit to or from another fund).

### ***Direct marketing***

From time to time we may use personal information that we have collected from you to provide you with information about products and services which we expect to be of interest to you and to assist in marketing and research in respect of superannuation related products and services that might be offered from time to time in connection with Lutheran Super.

We may conduct marketing and provide information to you via email to the email address that you have provided to us, or via post at your nominated postal address. However, we will send you marketing materials and related information only in instances where you might reasonably expect to receive such material from Lutheran Super. You may choose to opt-out of receiving such materials and information by contacting Lutheran Super using the details set out below.

## **4. Storage of personal information**

We will take all reasonable measures to ensure that the personal information we hold about you is accurate, complete and up-to-date.

We will take necessary precautions to ensure your personal information (in both physical and electronic form) is stored in a safe and secure environment. We engage service providers to assist us with this process.

Any personal information held by us will be destroyed or permanently de-identified when it is no longer needed for any purpose for which Lutheran Super might legitimately use or disclose it and it is no longer required to be held by us as a matter of law.

If we are given personal information about you that we have not requested or sought we will not use that information and will use all reasonable efforts to delete or destroy it (unless it is information that we would otherwise have been entitled to collect from you).

## **5. Access, correction and complaints**

You can contact us to request access to personal information we may hold about you, seek correction to personal information, or to make a complaint about a breach of the APPs or any other matter concerning the handling of your personal information by us. Such requests or complaints should be made in writing and addressed to the *Lutheran Super Privacy Officer*, using the details set out below.

The Privacy Officer will establish the identity of the individual before dealing with any request or complaint and may therefore ask questions which relate to the personal information held.

A response to all requests or complaints will be provided as soon as is reasonably practicable and generally within 90 days of receipt. A fee may apply to recover reasonable costs of making personal information available to an individual.

If you believe that the personal information we hold about you is not accurate, complete or up-to-date we will take reasonable steps to correct your information, or where we cannot agree to a correction, we will attempt to flag or mark the stored information with a note to the effect that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading (as the case may be).

## **6. Using government identifiers**

In some circumstances we are required to collect and use certain Commonwealth government assigned identifiers, such as tax file numbers (TFNs). We are not permitted to and do not adopt any government identity number as if it were our own identity number for you and would not seek to use a government identity number without your consent unless we are required by law to do so. Members of the fund are given membership numbers for identity purposes.

We do not use or disclose Commonwealth government assigned identifiers in any way that is inconsistent with the purpose for which they were originally issued other than in the interest of health or safety or as is otherwise permitted or required by law.

We may use your TFN to locate multiple accounts or other duplicated membership within Lutheran Super to the extent permitted by law.

## **7. Anonymity and pseudonymity**

An enquiry of a general nature about Lutheran Super may be made anonymously (for example, by an individual before becoming a member). However, it is not practical or possible for the administration of Lutheran Super to permit individuals who become members of the fund to remain anonymous or to use a pseudonym. Accordingly, should you refuse to provide identifying information Lutheran Super may not be able to offer you membership or provide you with products or services.

## **8. Overseas data flows**

Lutheran Super does not itself currently transfer or disclose any personal information it collects to persons in another country.

However, our third party service providers may hold or process data off-shore. Currently, the professional administrator we have appointed to provide administration services for Lutheran Super utilises servers which are based outside of Australia. It is expected they may disclose personal information to their related bodies corporate or other service providers based in the United Kingdom, the United States, India, New Zealand or Bermuda in the course of providing the services on our behalf to you. .

Where personal information is transferred or disclosed overseas by our professional administrator or by another service provider, we will take all reasonable steps to ensure that the information transferred or disclosed is subject to laws and requirements equivalent to the APPs. We will also use all reasonable efforts to ensure that the information that it has transferred will not be held, inappropriately used or disclosed by the recipient of the information.

## **9. Sensitive information**

Sensitive information includes information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information.

We will generally not seek to collect sensitive information about you unless the collection is required by law or a permitted situation exists where it is necessary to collect such information. Unless permitted or required by law, we would seek your consent to the collection of sensitive information.

It will generally be necessary to collect health information about you in connection with you obtaining certain disability cover and in respect of any claims for disability or other benefits triggered by your state of health. Health information might be collected directly from your doctor or another health or occupational professional with your consent. Failure to provide sensitive information, in particular, health information, may mean that you cannot obtain disability insurance cover or may not be eligible for a disability or health-related benefit from Lutheran Super.

## **10. Website**

We take care to ensure that the personal information collected from and managed via our website (including a website hosted on our behalf by a service provider) is collected and managed in the same manner as other personal information. We use and maintain appropriate safeguards to prevent the unauthorised access to or use of your personal information and data.

From time to time we may collect certain tracking information from the way in which people use our website (for example by using 'cookies'). This is collected for the purpose of improving the usefulness and usability of the site. None of this information identifies users personally.

Users of our website should take specific measures to protect against unauthorised access or use, including ensuring access codes and passwords are kept secure. You may be able to access external websites by clicking on links we have provided. Lutheran Super does not accept responsibility for the privacy practices or content of those websites and you will need to contact or review those websites directly to ascertain the organisations' privacy policies.

## **11. Contacting us**

Should you require further information about our Privacy Policy, wish to make a request or complaint, or would like to opt out of receiving certain communications or information, you may contact:

The Privacy Officer  
Lutheran Super  
197 Archer Street  
North Adelaide  
South Australia 5006

Phone: 1800 635 796

If your concerns are not resolved to your satisfaction or you would like further information in regards to the Privacy Act, the matter can be referred to the Office of the Australian Information Commissioner on 1300 363 992.