

ELECTRICITY INDUSTRY SUPERANNUATION SCHEME PRIVACY AND DISCLOSURE OF INFORMATION POLICY

1 Purpose

The Electricity Industry Superannuation Board ('the Board') has adopted this Policy to ensure that, in the operation of the Scheme, it handles private information about individuals in a responsible manner and is open and transparent in its strategy, operation and decision making.

It is important to the Board that individuals dealing with the Scheme are confident that the Scheme respects their personal information and does not interfere with their privacy when handling this information. At the same time, the Board recognises that members are the prime stakeholders in any super fund. They can make better decisions about their interest in the EISS if all relevant information is disclosed in a timely and accessible manner.

The Scheme abides by the Australian Privacy Principles ('APPs') under the Privacy Act 1988 (Cth). More information about the way the Scheme manages members' personal information can be obtained by contacting the Scheme's Privacy Officer.

2 Scope

This policy applies to all existing Officers of the Scheme and anyone who is nominated to become an Officer of the Scheme.

3 Definitions

- *Officer* means any member of the Board or EISS staff
- *Privacy Officer* means the member of the Board or EISS staff who is nominated to assist the Board in managing members' personal information

4 Personal Information

The Scheme holds and uses personal information about each Scheme member. Typically, this includes a member's name, address, date of birth, gender, occupation, salary, tax file number and any other required information.

5 Collection and Use of Information

This information is needed to maintain the Scheme records in a format that identifies the member. These records are essential to the proper management of the Scheme and to enable the Scheme to provide members with superannuation benefits. The Scheme will only collect personal information that is reasonably required, or directly related to, performing this function.

The Scheme usually collects this information either from the members or from the employers. The Scheme might also collect health information about a member to enable it to obtain death or disability insurance cover from the Scheme's insurer or to process a member's disability claim. Information about a member's potential beneficiaries collected from the member is also held by the Scheme and used in the event of a member's death.

The Scheme will not collect information of a sensitive nature (such as information about a member's racial origin, religion, political opinions) without the member's consent unless it is required by Australian law, or other limited exceptions apply.

The Scheme is not permitted to and does not use government identifiers (eg. Tax File Numbers) to identify members. This information is used and disclosed only for the purpose for which they were originally issued, except if required under Australian law.

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The Scheme will not use a member's information for direct marketing or research purposes. In the event that the information is disclosed to an overseas recipient the Scheme will take all reasonable steps to ensure that the recipient abides by the APP's.

Should a member choose to remain anonymous, or decide not to provide the Scheme with the information needed, or not allow their employer to provide the Scheme with that information, then the Scheme would not be able to provide superannuation benefits for the member. Where the information is health information, this may limit the level of death or disability benefits available through the Scheme.

6 Transfer of Information

In undertaking its obligations to its members, the Scheme outsources to other organisations. For this purpose, a member's information may, as required, be transferred to or handled by:

- the Scheme administrator
- the Scheme's auditors
- the Scheme's actuary
- insurance brokers and/or insurers who provide death and disability cover for Scheme members
- Government bodies such as the Australian Taxation Office
- the Scheme's legal and other professional advisers
- other business support providers, including document storage, printing and collating companies

Where a Scheme function is outsourced by the Board to an external service provider, the Board will ensure that the provider has a privacy policy which abides by the APP's.

Should a Scheme member become a member of another superannuation Scheme, their personal information may be transferred to that Scheme. Further, the employer may be provided with the member's personal information to facilitate provision of benefits in the ordinary course of their employment.

The Scheme is also bound by legal obligations of confidentiality which apply to superannuation Schemes. It does not sell or rent out any of the information it holds on its members and protects the security of that information in accordance with regulatory requirements and industry practice.

7 Access and Correction of Personal Information

A member can access his or her own personal information by contacting the Scheme's Privacy Officer. The Privacy Officer will need to establish the identity of the individual requesting the information prior to providing it.

There are some circumstances in which the Scheme is entitled to deny a member access to information. These include circumstances where such information is used in confidential trustee decisions or in a commercially sensitive decision-making process, where the privacy of others may be breached if the information was accessed or where the law requires or authorises such access to be denied. The Scheme's Privacy Officer will advise if any of these circumstances apply.

Trustees are only to have access to members' personal details where a proper purpose exists and general access to members' personal details is not permitted.

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The Scheme will take all reasonable steps to ensure that the member information which is collected and disclosed is accurate, up-to-date, relevant and complete.

If the information held by the Scheme is inaccurate, incomplete or not up to date a member may contact the Scheme's Helpline or Privacy Officer to correct the information.

8 Resolution of Privacy Concerns

If a member is concerned about a possible interference with privacy, the member should contact the Scheme's Privacy Officer at:

Privacy Officer
Level 7, 70 Pirie Street
Adelaide SA 5000
Phone: 1300 307 844
Email: inquiries@electricssuper.com.au

If the member's concerns are not resolved to the satisfaction of the member, the matter can be referred to the Privacy Commissioner on 1300 363 992.

9 Disclosure Principles

All disclosure of information to members, employers and other stakeholders should fulfil a number of basic conditions:

1. Appropriately reviewed
2. Timely
3. Accessible

Material errors should also be corrected as soon as possible.

10 Legal power

All Corporations, including regulated super funds, have obligations under the Corporations Act to disclose material issues to all stakeholders in a timely way. Regulated funds are required to provide a Product Disclosure Statements to members in a prescribed format. Regulated funds are also obliged under section 1017B to disclose material changes and significant events to members.

As an exempt public sector superannuation scheme, EISS does not have to comply with the disclosure requirements for regulated superannuation funds but does have an obligation to keep members and employers informed.

11 Guidelines

1. That the reasons for Board decisions will be provided where requested by a member or stakeholder, unless these compromise the privacy principles of this policy or the Scheme Confidentiality Policy;
2. That excerpts from Board minutes will be made available where relevant to the requesting party;
3. That excerpts from legal advice to the Board will be made available to members or stakeholders where requested, and where the excerpts do not compromise the privacy principles of this policy or the proper running of the Scheme and do not breach legal privilege;

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4. That responses to requests for disclosure of Board material will be reviewed at the next Corporate Governance Committee meeting, and the committee has the power to approve the response;
5. Responses to member requests for information will be completed within the timeframes nominated in the Scheme's Inquiries and Complaints Procedures;
6. That member communication material will be as clear, concise and simple as possible (with a minimum of jargon), and will be reviewed at least annually;
7. That all significant information will be available via the website.

Adopted by the Electricity Industry Superannuation Board on 29 March 2019

Chairman:



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