

Last updated: 7 May 2014

## Privacy Policy – Simmons Partnership

Simmons Partnership respects your right to privacy and this policy sets out how we collect and treat your personal information.

We are bound by the *Privacy Act 1988* (Cth) ('Privacy Act') and will protect your personal information in accordance with the *Australian Privacy Principles*. These principles govern how we can collect, use, hold and disclose your personal information, as well as ensuring the quality and security of your personal information.

If you would like more information about how we protect your privacy, please contact us.

### ***About this policy***

This privacy policy explains how we manage your personal information. We may provide more details on how we manage your personal information when we collect your personal information.

### ***What is personal information?***

Personal information includes any information or opinion, about an identified individual or an individual who can be reasonably identified from their information. The information or opinion will still be personal information whether it is true or not and regardless of whether we have kept a record of it.

The information that we seek to collect about you will depend on the products or services that we provide. If you do not allow us to collect all of the information we request, we may not be able to deliver all of those services effectively.

### ***What kinds of personal information do we collect and hold?***

We may collect the following types of personal information from you:

- name, job titles, contact and address details
- tax file numbers and other government issued identification numbers
- date of birth and gender
- bank account details, shareholding and details of investment
- details of superannuation and insurance arrangements
- educational qualifications, employment history and salary
- information about the goods or services you have ordered
- information from enquiries you have made
- communications between us
- credit card information

The collection of sensitive information is restricted by the Privacy Act. This includes information about your religion, racial or ethnic origin, political opinions, criminal record, and sexual orientation. It also includes health information and biometric information.

### ***For what purposes do we collect, hold, use and disclose personal information?***

We use your information to provide our services to you. We also use it to improve our service and to notify you of opportunities that we think you might be interested in.

We do not provide your information to third parties, except that we may provide your information to our business partners who assist us in the provision of our services to you.

We may also use your information to comply with legislative or regulatory requirements in any jurisdiction, prevent fraud, crime or other activity that may cause harm in relation to our services and to help us run our business.

### ***How do we collect personal information?***

We collect personal information from you in a variety of ways, including: when you interact with us electronically or in person; when you access our website; and when we provide our services to you.

Sometimes we collect personal information about you from other people or organisations. This may happen without your direct involvement. For instance, we may collect personal information about you from:

- publicly available sources of information, such as public registers;
- your representatives (including your legal adviser, mortgage broker, executor, administrator, guardian, trustee, or attorney);
- your employer;
- other organisations, who jointly with us, provide products or services to you; and
- commercial information service providers, such as companies that provide fraud prevention reports;.

### ***What laws require or authorise us to collect personal information?***

We are required or authorised to collect:

- certain identification information about you by the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) and *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*; and
- your Tax File Number, by the *Income Tax Assessment Act 1936* (Cth).

### ***How do we hold personal information?***

Much of the information we hold about you will be stored electronically in secure data centres which are located in Australia. Some information we hold about you will be stored in paper files. We use a range of physical and electronic security measures to protect the security of the personal information we hold. For example:

- access to information systems is controlled through identity and access management;
- employees are bound by internal information security policies and are required to keep information secure;
- all employees are required to complete training about information security; and
- we regularly monitor and review our compliance with internal policies and industry best practice.

We take reasonable steps to destroy or permanently de-identify any personal information after it can no longer be used.

## ***Who do we disclose your personal information to, and why?***

We may provide personal information about our clients to organisations outside Simmons Partnership Financial Services Pty Ltd. To protect personal information, we enter into contracts with our service providers that require them to comply with the Privacy Act. These contracts oblige them to only use the personal information we disclose to them for the specific role we ask them to perform.

Generally, we disclose personal information to organisations that help us with our business. These may include:

- financial services organisations, including banks, superannuation funds, stockbrokers, custodians, fund managers and portfolio service providers;
- debt collectors;
- our, legal advisers or auditors;
- your representatives (including your legal adviser, mortgage broker, executor, administrator, guardian, trustee, or attorney);
- IT Service Providers;
- external dispute resolution schemes; and
- regulatory bodies, government agencies and law enforcement bodies in any jurisdiction.

We may also disclose your personal information to others outside Simmons Partnership Financial Services Pty Ltd where:

- we are required or authorised by law or where we have a public duty to do so;
- you may have expressly consented to the disclosure or the consent may be reasonably inferred from the circumstances; or
- we are otherwise permitted to disclose the information under the Privacy Act.

## ***Do we disclose personal information overseas?***

We may disclose your personal information to a recipient which is located outside Australia. This includes:

- BBW Accounting Services which are service providers which located in India
- Any financial institution which you hold an account with overseas where you have given us permission to make enquiries on your behalf.

## ***Do we collect personal information electronically?***

### *When you visit our website*

When you come on to our website we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyse how people use our site, such that we can improve our service.

### *Cookies*

As is very common for companies, we use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. We use cookies to improve the experience of people using our website.

### *Third party sites*

Our site has links to other websites not owned or controlled by us. We are not responsible for these sites or the consequences of you going on to those sites.

We won't ask you to supply personal information publicly over Facebook, Twitter, or any other social media platform that we use. Sometimes we may invite you to send your details to us via private messaging, for example, to answer a question. You may also be invited to share your personal information through secure channels to participate in other activities, such as competitions.

### ***Access to and correction of personal information***

You can request access to the personal information we hold about you. You can also ask for corrections to be made. To do so, please contact us on [office@simmonspartnership.com.au](mailto:office@simmonspartnership.com.au).

There is no fee for requesting that your personal information is corrected or for us to make corrections.

There are some circumstances in which we are not required to give you access to your personal information. If we refuse to give you access to or to correct your personal information we will give you a notice explaining our reasons except where it would be unreasonable to do so.

If we refuse your request to correct your personal information, you also have the right to request that a statement be associated with your personal information noting that you disagree with its accuracy.

If we refuse your request to access or correct your personal information, we will also provide you with information on how you can complain about the refusal.

### ***Resolving your privacy concerns and complaints – your rights***

If you are concerned about how your personal information is being handled or if you have a complaint about a breach by us of the Australian Privacy Principles, please contact us.

We will acknowledge your complaint as soon as we can after receipt of your complaint. We will let you know if we need any further information from you to resolve your complaint.

We aim to resolve complaints as quickly as possible. We strive to resolve complaints within five business days but some complaints take longer to resolve. If your complaint is taking longer, we will let you know what is happening and a date by which you can reasonably expect a response.

If you are unhappy with our response, there are other bodies you can go to.

The Financial Ombudsman Service (FOS) can consider most privacy complaints involving providers of financial services.

#### **FOS can be contacted at:**

**Financial Ombudsman Service**

**GPO Box 3**

**Melbourne VIC 3001**

**Phone: 1300 78 08 08**

**[www.fos.org.au](http://www.fos.org.au)**

Under the Privacy Act you may complain to the Office of the Australian Information Commissioner about the way we handle your personal information.

#### **The Commissioner can be contacted at:**

**GPO Box 5218**

**Sydney NSW 2001**

**Phone: 1300 363 992**

**Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)**

**[www.oaic.gov.au](http://www.oaic.gov.au)**

## **Contact us**

### **You can contact us by:**

- **Phone:** 07 5554 7999
- **Email:** [office@simmonspartnership.com.au](mailto:office@simmonspartnership.com.au)
- **Website:** [www.simmonspartnership.com.au](http://www.simmonspartnership.com.au)
- **Mail:** Simmons Partnership  
PO Box 357  
Mermaid Beach QLD 4218

Our Privacy Officer can also be contacted in relation to privacy concerns by emailing [office@simmonspartnership.com.au](mailto:office@simmonspartnership.com.au) or writing to Simmons Partnership PO Box 357, Mermaid Beach QLD 4218.

### **Changes to the Privacy Policy**

We may change the way we handle personal information from time to time for any reason. If we do so, we will update this Privacy Policy. An up-to-date version is available by emailing us at [office@simmonspartnership.com.au](mailto:office@simmonspartnership.com.au).

### **Meaning of words**

**We, us** or **our** means:

- Simmons Partnership ABN: 44 860 290 261