

EML Group Privacy Policy

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Introduction

1. This Privacy Policy applies to all companies within the EML Group. The companies covered by our Privacy Policy can be found at <https://www.eml.com.au/who-we-are/our-corporate-structure/>
2. We care about the privacy and security of your personal information and are committed to comply with the Privacy Act 1988 (Cth) (the Act). In certain circumstances, companies within the EML Group may also be bound by privacy and privacy-related legislation applicable in different States and Territories in Australia, in particular where we hold personal information on behalf of government agencies¹. When refer to 'you', 'your' or 'yours' in this Privacy Statement, we are referring to you if we have collected your personal information. However, in certain sections of this Privacy Statement, we provide specific information relevant to the following different groups,
 - (a) A 'claimant' refers an individual whose insurance claims are being managed an entity within the EML Group pursuant to a relevant government insurance scheme or a subsisting agreement between its employer and an entity with the EML Group; and
 - (b) A 'policyholder', or an 'employer client' refers to the employer who is receiving claims management services from an entity within the EML Group pursuant to a relevant government insurance scheme or a subsisting agreement with an entity with the EML Group.

These sections have been clearly marked.

Our Privacy Policy

3. This Privacy Policy provides you with general information about how our companies manage your personal information. When you acquire a product or service from one of our companies or submit a claim with us you will receive further information about our privacy practices in the <https://www.eml.com.au/privacy-statement/>. The Privacy Statement will give you specific information about how we will manage the personal information for the product or service and/or particular company. The Privacy Statement will be delivered to you in a number of ways, including hard copy/paper, via direction to a link on a website or any other electronic means.

¹ Some of these legislative provisions include:

For Victoria – The Privacy and Data Protection Act 2014 (Vic) which protects information held by the public sector in Victoria).

For NSW – The Information Protection Principles and Health Privacy Principles, regulate the way in which health information is collected, used and stored. These standards are set out in the Privacy and Personal Information Protection Act 1998 (PPIP Act) and the Health Records and Information Privacy Act 2002 (HRIP Act).

Personal information we collect and hold

4. For the purposes of this Privacy Policy, 'Personal Information' means any personal information or an opinion about an identified individual, or an individual who is reasonably identifiable. The Personal Information we may ask you for will depend on which of the EML Group companies you do business with and the type of product or service you choose.
5. The types of Personal Information we may collect include:
 - (a) your name;
 - (b) date of birth
 - (c) contact details;
 - (d) your tax file number;
 - (e) bank account details;
 - (f) gender;
 - (g) next of kin or emergency contact details;
 - (h) information about your use of our product or service; and/or
 - (i) any personal information which is either required or needed to be able to provide all the services you require in relation to your policy or claim; and
 - (j) information and all records generated during the life cycle of your policy, or your role as an advocate, agent or representative of the claimant.
6. We may also collect sensitive information such as your:
 - (a) health information;
 - (b) race or ethnic origin; and/or
 - (c) membership of a political, professional or trade association (union).
7. Health Information is a type of 'Personal Information' which may include information about an individual's physical or mental health or disability and the ways in which we may manage or provide health services to you. Types of Health Information we may collect include:
 - (a) notes on your symptoms and diagnosis;
 - (b) information about a health service you have received or will receive;
 - (c) specialist reports; and
 - (d) test results and your intentions about future health services.

What happens if you do not provide us with your personal information

8. If we are not able to collect Personal Information about you, we may not be able to provide you with the product or service you want for example, we may not be able to:
- (a) assess, investigate or manage your claim;
 - (b) set up and administer your policy; or
 - (c) provide the claimant/policyholder with any entitlements under the policy.

Ways we collect your personal information

9. We collect Personal Information in a number of ways including:
- (a) directly from you, for example:
 - in written and online applications or web forms;
 - information technology systems such as email, through contact over the telephone, mobile or other messaging technology;
 - via the internet including websites and social media; and/or
 - from person to person contact.
 - (b) indirectly, from publicly available sources of information; and/or
 - (c) indirectly, from other persons or organisations for example:
 - your nominated authorised representative
 - the policyholders and their agents;
 - people involved in claims, including witnesses or medical practitioners, allied health providers (including rehabilitation) and other service providers; and
 - other companies within the EML Group; or
 - other persons who are authorised to provide Personal Information about you
10. We collect your Personal Information during the information life cycle when we engage with you in relation to your product or service, for example, when you make a claim or exercise a right under the policy, or when a complaint is made using the above methods.

Collection, use, and disclosure of personal information

11. We may collect your Personal Information for the purposes (but are not limited) to the following :
- (a) identifying you and conducting appropriate checks;
 - (b) assessing and determining liability, managing, and investigating your claim;

- (c) understand your requirements and provide you with a product or service;
 - (d) engaging with your employer and/or insurer to manage your claim;
 - (e) managing, training, and developing our employees and representatives;
 - (f) to carry out administrative and processing functions
 - (g) managing complaints and disputes, and reporting to dispute bodies;
 - (h) seeking recovery due to any claim we or our customers may have against another party;
 - (i) engaging with medical professionals and other treatment, rehabilitation, and care providers regarding your claim;
 - (j) providing Personal Information to regulators as required; and
 - (k) getting a better understanding of you, your needs and how you interact with us so we can engage in product and service research, development, and business strategy, including managing the delivery of our services and products and the ways we communicate with you.
12. We will hold, use, and disclose your Personal Information for the purposes we collected it, as well as purposes that are related, where you would reasonably expect us to do so. We may also disclose your Personal Information in other ways, for example:
- (a) you have expressly or impliedly consented to the use or disclosure;
 - (b) we believe the use or disclosure by us is reasonably necessary for an enforcement activity conducted by or on behalf of an enforcement body;
 - (c) we reasonably believe that the collection, use, or disclosure is necessary in order for us to take appropriate action in relation to the matter; or
 - (d) we are required or authorised by law to disclose your Personal Information, for example, to a court in response to subpoena, or to the Australian Taxation Office, and Centrelink or another regulator within Australia.
13. We will collect and disclose your Personal Information to other companies that form a part of the EML Group. If the EML Group collects your Personal Information, companies within the EML Group may use and disclose your Personal Information for the purposes described in this Privacy Policy.
14. Where you are a policyholder or an employer client of EML Group you may also be eligible for membership of Employers Mutual Limited. Your business name and address will be included in the Employers Mutual Limited's register of members. Employers Mutual Limited may use your Personal Information to provide you with access to its Annual Report, annual general meeting material and service offerings.

How we handle your personal information

15. There are a range of parties to whom we disclose and collect your Personal Information that are not you and we have marked these section clearly in this Privacy Policy. These may be parties related to a company in the EML Group or third parties. The particular party will depend on which company in the EML Group you do business with and what product or service you receive.

16. We may disclose your Personal Information to, and collect your Personal Information from:
- (a) other companies within the EML Group and other business divisions within those companies and our joint ventures;
 - (b) the policyholder;
 - (c) your current, previous, or future employer;
 - (d) where your employer has arranged a policy of insurance through an intermediary, their intermediary, brokers or other financial service provider;
 - (e) our representatives or agents;
 - (f) hospitals and medical, health or wellbeing professionals;
 - (g) rehabilitation, employer or vocational professionals;
 - (h) other insurers, reinsurers, insurance investigators, claims and insurance reference services and loss assessors;
 - (i) solicitors, private investigators, and other service providers acting on our behalf;
 - (j) government, statutory or regulatory bodies and enforcement bodies
 - (k) clubs, associations, unions, and other industry relevant organisations;
 - (l) any external dispute resolution body;
 - (m) a trustee or custodian associated with membership of a superannuation fund, investment/managed fund or life insurance policy;
 - (n) research and development organisations assisting in customer, product, business or strategic initiatives;
 - (o) data warehouses, strategic learning organisations, data partners, analytic consultants;
 - (p) social media and other virtual communities and networks where people create, share or exchange information;
 - (q) legal and other professional advisers or consultants;
 - (r) a third party that we have contracted to provide claims management, financial services, or administrative services – for example:
 - information technology providers, including complaints management systems;
 - administration or business management services, consultancy firms, auditors, and business management consultants;
 - marketing agencies and other marketing service providers; and
 - print, mail, and digital services, imaging, and document management services;
 - (s) publicly available sources of information;

- (t) any other organisation or person where you have asked them to provide your Personal Information to us or asked us to obtain Personal Information from them, for example your partner, spouse, parent, or guardian.
- (u) We are able to collect, use, and disclose your Personal Information to any other person if required or authorised by law. We may collect and disclose your Personal Information to these persons and organisations during the information life cycle, regularly, or on an ad hoc basis, depending on the purpose of collection.

Collection, use, and disclosure of personal information for marketing

- 17. Marketing is important for some of the EML Group. We want to collect, use and disclose your Personal Information so we can keep you up to date with products and services we offer and companies in the EML Group can offer you. We may use the following marketing strategies including mail, electronic messaging, SMS, telephone and other internet-based marketing including targeted online advertising and online behavioural marketing. We may also disclose your Personal Information to third party marketing service providers who may combine the Personal Information we disclose with the information they may already hold on you in order to provide you with relevant advertising about our products and services.
- 18. For more information on how we will deal with your Personal Information for the purpose of marketing, please refer to your relevant Privacy Statement. Details on how you can exercise your marketing preferences will be detailed in the relevant Privacy Statement or you can contact us using the details in the 'Contact Us' section of this Privacy Policy.
- 19. The EML Group does not engage in marketing to claimants.

Overseas disclosure

- 20. Sometimes we need to provide your Personal Information to, or get Personal Information about you from, persons or organisations located overseas for the same purposes as in 'Collection of personal Information'. We may disclose your Personal Information in a number of countries including to our offshore operations (including the Philippines, Malaysia and Vietnam). From time to time, we may need to disclose your Personal Information to and collect your Personal Information from other countries not listed here. If we do, we will always collect and disclose your Personal Information in accordance with privacy laws.
- 21. Your Personal Information may be transferred to other countries, which may not have similar privacy or data protection laws and may in certain circumstances compel the disclosure of Personal Information to a third party such as an overseas authority for the purpose of complying with foreign law or regulatory requirements.

Security of your personal information

22. We may hold your information in:
- (a) computer systems;
 - (b) electronic databases;
 - (c) digital records;
 - (d) telephone recordings; and
 - (e) in hard copy or paper files.
23. We manage the storage of Personal Information in several ways. Personal Information may be managed or administered internally by a company in the EML Group or managed by a third party storage provider with whom the EML Group has a contractual relationship and be either managed locally and/or overseas. We take reasonable steps to protect your Personal Information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. The ways we do this include:
- (a) limiting physical access to our premises;
 - (b) restricting electronic and physical access to personal information we hold;
 - (c) redundant systems and information backups for recovery during major business interruptions maintaining technology security products including data encryption;
 - (d) requiring any third party providers to have acceptable security measures to keep your personal information secure; and
 - (e) destroying or de-identifying personal information.
24. Our information handling and provision of online services aligns with security best practice ISO 27001 standards for information management. Our security program follows a continual improvement process which includes incorporation of updates to legal and regulatory requirements. All program reviews focus on enhancements to security information management policies, procedures and appropriate technical control deployments such as data loss prevention, anti-malware protection and network security configurations. The EML Group's systems and information technology infrastructure are regularly audited both by internal and independent external parties and regulatory bodies.
25. The EML Group trains its employees and representatives in their privacy obligations, and provides authorised persons with user identifiers, passwords or other access codes to control access to your Personal Information.

Anonymity and Pseudonymity

26. The Australian privacy regime provides the option of not identifying yourself, or of using a pseudonym, unless we are required or authorised by law or a court/tribunal to identify you, or it is impracticable to deal with you anonymously or by a pseudonym.

Access and correction of personal information

27. You have the right to request access to, and correct, the Personal Information we hold about you. Privacy Laws provide for specified circumstances where access may be refused. We will provide reasons for any refusal in writing.
28. If you would like to request access to, or correct the Personal Information we hold about you, please contact us using the details in the 'Contact Us' section of this Privacy Policy. A fee may be incurred for these requests. We will advise you of an estimated fee and payment options when we acknowledge your request which is normally provided within 5 business days. We normally respond to your request within 30 days of receiving your request, however, if we require more time, we will contact you in writing and provide reasons for the further time we require.
29. We take reasonable steps to ensure the Personal Information we hold is accurate, complete, and up to date. We may refuse your request to correct your Personal Information. If we decide to refuse your request, we will provide reasons for this refusal in writing. You have the right to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading if we refuse to correct your Personal Information. We will take appropriate and reasonable steps to associate that statement with all recordings associated with that information. You can contact us to request the correction to the Personal Information we hold by contacting us the details in the 'Contact Us' section of this Privacy Policy.

Complaints handling

30. If you have a complaint about how we collect, hold, use or disclose your Personal Information or a privacy related issue such as refusal to provide access or correction, please use our complaints process outlined below so that we can help. It is important to follow the complaints process in order to resolve your complaint effectively and efficiently.
31. If you wish to make a complaint about a breach of this Privacy Policy or the Act, you can contact us using the contact details of our Privacy Officer provided below.
32. Firstly, the EML Group will acknowledge your complaint and explain how we will work with you to resolve it. At this point we may refer your complaint directly to our Privacy Officer. Whilst we're usually able to resolve complaints on the spot or within 5 business days, we'll let you know if we need more time.
33. If you are not satisfied with our response to a complaint, you can contact us to discuss your concerns or contact the Australian Information Commissioner (OAIC):

By email enquiries@oaic.gov.au
By website www.oaic.gov.au
By telephone 1300 363 992
By letter Office of the Australian Information Commissioner, GPO Box 5218,
Sydney NSW, 2001

Contact us

34. The person you have been advised as your contact, for example, a case manager or account manager Case Manager is the best person to contact in the first instance but do not hesitate to contact the Privacy Officer:

By email Privacy@eml.com.au
By our websites www.eml.com.au
By letter Privacy Officer, Level 3, 345 George Street Sydney NSW 2000
By telephone (02) 8251 9000 and ask to speak with the Privacy Officer

Changes and getting a copy of the policy

35. We encourage you to review and check our website regularly for any updates to this Privacy Policy. We will publish the updated version on our website and by continuing to deal with us, you accept this Privacy Policy as it applies from time to time. If you would like to be emailed a copy of this Privacy Policy, please contact us.

EML Group

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