

EML Group Privacy Statement

Version

12 March 2024

Introduction

1. This Privacy Statement applies to all companies within the EML Group (the EML Group, we, us, our). 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).
3. 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 a '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.

Protecting your privacy

4. The Australian privacy laws govern the collection, use, and disclosure of personal information to ensure that organisations clearly outline what type of information they collect, the reasons for the collection, the way in which the information is used, and in what circumstances the information is disclosed.
5. Each company within the EML Group respects your right to privacy and value the trust you place in us. We are committed to handling your personal information in accordance with Australian privacy laws and the Australian Privacy Principles. This Privacy Statement explains how we handle your Personal Information collected by us when we manage your claim, when you act as an advocate, agent or representative of a claimant, during the life cycle of your policy or when you act as an agent of a policyholder. You consent to your personal information being collected, held, used, and disclosed as set out in this Privacy Statement.

What type of personal information is collected

6. For the purposes of this Privacy Statement, '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.

7. The types of Personal Information we collect may include:
- your name;
 - date of birth;
 - contact details;
 - your tax file number;
 - bank account details;
 - gender and ethnicity;
 - next of kin or emergency contact details;
 - information about your use of our product or service;
 - 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
 - information and all records generated during the life cycle of your policy, or your role as an advocate, agent or representative of the claimant.
8. We may also collect sensitive information such as your:
- health information;
 - race or ethnic origin; and/or
 - membership of a political, professional or trade association (union).
9. 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:
- notes on your symptoms and diagnosis;
 - information about a health service you have received or will receive;
 - specialist reports; and
 - test results and your intentions about future health services.

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

10. 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 insurance policy.

How your personal and health information is collected

11. Personal Information will be collected directly from you during your claim, during the life cycle of your policy or when you as an agent of a policyholder. For example, we may collect your Personal Information directly from you via:
 - (a) in written and online applications or web forms;
 - (b) information technology systems such as email, telephone calls or other messaging technology;
 - (c) via the internet including websites and social media; and/or
 - (d) via person to person contact.
12. We may also collect your Personal Information indirectly from other persons, for example:
 - (a) your nominated authorised representative;
 - (b) your employer and their agents;
 - (c) witnesses;
 - (d) medical practitioners, allied health providers (including rehabilitation) and other service providers;
 - (e) other companies within the EML Group; or
 - (f) other persons who are authorised to provide Personal Information about you.
13. 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.

Why do we collect personal information

14. If you are a claimant, we may collect your Personal Information for the purposes of:
 - (a) identifying you and conducting appropriate identity verification;
 - (b) processing, assessing, and management of your claim, including assessing liability and assisting with your rehabilitation and return to work;
 - (c) verifying any evidence submitted in relation to your claim;
 - (d) engaging with your employer, medical professionals and other treatment, rehabilitation and care providers to manage your workers compensation claim;
 - (e) managing, training, and developing our employees and representatives;
 - (f) managing complaints and disputes and reporting to dispute bodies;
 - (g) seeking recovery due to any claim we or our customers may have against another party;
 - (h) legal proceedings in connection with your claim including proceedings arising under statutory insurance schemes;
 - (i) providing Personal Information to regulators; and
 - (j) 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.

15. If you are an advocate, agent or representative of the claimant we may collect your Personal Information for the purposes of:

- (a) informing all relevant parties of your appointment as necessary in relation to this claim;
- (b) identifying you and conducting appropriate checks to ensure you are an authorised person for the claimant;
- (c) recording you as the authorised person for the claimant;
- (d) processing, assessing, and managing the claimant's claim form from the information you provide us;
- (e) managing, training and developing our employees and representatives;
- (f) managing complaints and disputes and reporting to dispute bodies; and

- (g) 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.

16. If you are a policyholder or an agent of a policyholder, we may collect your Personal Information for the purposes of:

- identifying you and conducting appropriate checks;
- understanding your requirements for providing a service or product;
- setting up, administering, and managing our products and services and systems;
- managing and updating underwriting data;
- managing, training, and developing our employees and representatives;
- managing complaints and disputes, and reporting to dispute bodies;
- providing Personal Information to regulators including state or territory regulators of personal injury schemes; and
- 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.

How we handle your personal information

17. 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. How we hold, use and disclose your Personal Information will depend on which product or service you receive.

18. We may disclose your Personal Information to and collect your Personal Information from:

- other companies, trading division or departments within the EML Group and our joint ventures;
- the policyholder;
- your current, previous, or future employer;
- where you or your employer has arranged a policy of insurance through an intermediary, their intermediary, broker or other financial service provider;

- our representatives or agents;
 - where you are the policyholder, your company;
 - claimants under your policy (if needed);
 - the claimant you are representing;
 - our representatives or agents;
 - hospitals and medical, health or wellbeing professionals
 - rehabilitation, employer or vocational professionals;
 - other insurers, reinsurers, insurance investigators, claims and insurance reference services and loss assessors;
 - solicitors, private investigators, and other service providers acting on our behalf;
 - government agencies or departments, statutory or regulatory bodies, and enforcement bodies;
 - clubs, associations, unions, and other industry relevant organisations;
 - any external dispute resolution body;
 - a, trustee or custodian associated with membership of a superannuation fund, investment/managed fund or life insurance policy;
 - research and development organisations assisting in customer, product, business or strategic initiatives;
 - data warehouses, strategic learning organisations, data partners, analytic consultants;
 - social media and other virtual communities and networks where people create, share or exchange information;
 - legal and other professional advisers or consultants;
 - 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;
 - publicly available sources of information;
 - persons you have authorised to act on your behalf; and
 - 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.
19. 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.
20. Under various laws we will be (or may be) authorised or required to collect your Personal Information. These laws include the *Income Tax Assessment Act 1997*, *Income Tax Assessment Act 1936*, *Income Tax Regulations 1936*, *Tax Administration Act 1953*, *Tax Administration Regulations 1976*, *A New Tax System (Goods and Services Tax) Act 1999*, *Superannuation*

Guarantee (Administration) Act 1992, Privacy and Personal Information Protection Act 1998 (NSW), the Health Records and Information Privacy Act 2002 (NSW), Privacy Act 1988, Anti-Money Laundering and Counter Terrorism Financing Act 2006, Personal Property Securities Act 2009, Corporations Act 2001, Workers Compensation Act 1987 (NSW), Workplace Injury Management and Workers Compensation Act 1998 (NSW) as those laws are amended and includes any associated regulations.

21. We take our privacy obligations seriously and we will take reasonable steps to protect Personal Information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. These steps may include:
- limiting physical access to our premises;
 - restricting electronic and physical access to Personal Information we hold;
 - having in place stand-by systems and information backups to deal with major business interruptions;
 - maintaining technology security products;
 - requiring any third-party providers to have acceptable security measures to keep Personal Information; and
 - destroying or de-identifying Personal Information pursuant to the law.
22. 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 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.

Our marketing practices

23. Every now and then, a company within the EML Group might let you know – including via mail, electronic messaging, SMS, telephone and other internet- based marketing including targeted online advertising and online behavioural marketing – about news, special offers, products, and services that you might be interested in. We will engage in marketing unless you tell us otherwise. To update your marketing preferences, you can contact us any time using the details in the Contact Us section of this Privacy Statement.
24. In order to carry out our direct marketing, we collect your Personal Information from, and disclose it to, others that provide us with specialised data matching, trending, or analytical services, as well as general marketing services (you can see the full list of persons and organisations under ‘How we handle your Personal Information’).
25. The EML Group does not engage in marketing to claimants.

Disclosure of personal information overseas

26. Sometimes, we may provide your Personal Information to, or get Personal Information about you from persons located overseas, for the purposes described Privacy Statement. We will disclose your Personal Information in a number of countries as outlined in our Privacy Policy which can be found at <https://www.eml.com.au/privacy>
27. From time to time, we may 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.

Security of your personal information

28. We may hold your information in:
 - computer systems;
 - electronic databases;
 - digital records;
 - telephone recordings; and
 - in hard copy or paper files.
29. 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:
 - limiting physical access to our premises;
 - restricting electronic and physical access to personal information we hold;
 - redundant systems and information backups for recovery during major business interruptions maintaining technology security products including data encryption;
 - requiring any third party providers to have acceptable security measures to keep your personal information secure; and
 - destroying or de-identifying personal information.
30. 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.

31. 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

32. 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.

How to access and correct your personal information or make a complaint

33. The EML Group Privacy Policy includes information about how you can access, update, or correct your Personal Information.
34. Our Privacy Policy also includes information about how you can make a complaint about a breach of the privacy laws and how we'll deal with such a complaint.
35. You can request a copy of the EML Group Privacy Policy, access, update, and correct your Personal Information, or make a complaint by contacting your Case Manager.
36. If you are not satisfied with our response to a complaint, you can contact us by using the details in the Contact Us section to discuss your concerns or contact the Australian Privacy Commissioner via www.oaic.gov.au.

Contact us

37. We recommend that you contact your case manager in the first instance but do not hesitate to contact the EML Privacy Officer:

By email Privacy@eml.com.au

By our
websites 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

EML Group

Level 3, 345 George St
Sydney NSW 2000

T: 02 8251 9000
1800 469 931 (toll free)

E: info@eml.com.au
W: eml.com.au