



## GOLDMAN SACHS & JBWERE SUPERANNUATION FUND

### PRIVACY POLICY

This Privacy Policy describes the way in which BEST Superannuation Pty Ltd (**the Trustee**), as the trustee of the Goldman Sachs & JBWere Superannuation Fund (**the Fund**), handles personal information. It provides information on how an individual may access and, where necessary, seek correction of personal information that the Trustee holds about them, as well as how complaints relating to the privacy of personal information may be raised and dealt with by the Trustee.

The Trustee collects, holds, uses and discloses personal information about individuals in the course of managing and providing superannuation services through the Fund. The Fund's administrator, Mercer Outsourcing (Australia) Pty Ltd (**Mercer**) and other service providers that the Trustee may appoint, will also handle personal information about individuals on behalf of the Trustee in the provision of these services.

It is important to the Trustee that individuals dealing with it are confident that it, and its representatives, respect their personal information and do not interfere with their privacy when handling this information.

The Trustee is bound, in all its activities, by the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988* (**the Act**).

This document is intended to give you an understanding of how the Trustee deals with the personal information it collects, in accordance with its obligations under the Act, in order to provide products, benefits and services to Fund members.

#### Personal information

The Trustee collects and holds personal information about each Fund member. Typically this includes a member's name, contact details (including address, phone number and email), date of birth, gender, occupation, salary, tax file number and any other required information. This information is collected, held, used and disclosed for the purposes of maintaining the Fund's records in a format that identifies the member. These records are essential to the proper management of the Fund and to enable the Trustee to provide members with superannuation benefits. Information about a member's potential beneficiaries is also sought and, where provided, held by the Trustee.

The Trustee, in some instances, also collects and holds health information about a member to enable it to obtain an assessment by insurers or assessors of the death and disability insurance risk of a member and/or in order to process a member's insurance claim. Health information is considered *sensitive information* and is generally afforded a higher level of privacy protection under the APPs than other personal information. The Trustee will only collect sensitive information about a member if it has their consent to do so.

The Trustee will usually be required by law to properly identify individuals that it deals with and so, aside from individuals who are making general enquiries only, remaining anonymous or using a pseudonym will not usually be possible.

## Collection of personal information

In accordance with the APPs, the Trustee will only collect personal information (including sensitive information) that is reasonably necessary for, or directly related to, the provision of products and services through the Fund.

In respect of Fund members, the Trustee usually collects this information either from the members themselves or, where that is not practical, from their employer.

In some circumstances, such as collection of health information for disability claim or for insurance cover purposes, it may collect it directly from the member or, with the member's consent, the member's health care professional(s). Information about potential beneficiaries for a member's death benefit is collected initially from the member and is not required for use unless the member dies whilst a member of the Fund. In the event of a Fund member's death, the Trustee will collect further information from the potential beneficiaries themselves and in some cases from other potential beneficiaries.

### Collecting personal information online

The Trustee may collect information from Fund members via the Fund's website at [www.gsibw.superfacts.com](http://www.gsibw.superfacts.com). This website is provided by Mercer. Mercer's Privacy Policy, and other information regarding the use of the website, are available at the bottom of the website homepage or by calling the Fund Helpline on 1800 025 026.

If a Fund member decides not to provide the Trustee with the information needed, or not allow their employer to provide the Trustee with that information, then the Trustee may not be able to provide superannuation benefits for the member. Where the information is health information, this may limit the level of death and disability benefits available through the Fund.

### Collection and use of tax file numbers

Under the *Superannuation Industry (Supervision) Act 1993*, the Trustee is authorised to collect tax file numbers (**TFNs**) of members, potential members and other beneficiaries of the Fund and will only use a TFN for lawful purposes. This may include disclosing a member's TFN to another superannuation provider when their benefits are being transferred (unless a member requests in writing that this not occur).

Members can choose not to quote their TFN, however this may restrict the contributions they can make to the Fund and/or may result in additional tax being applied to their contributions to, and benefits paid from, the Fund.

There are strict rules that apply to the use and protection of TFN information.

## How personal information is held

Personal information is held on internal electronic databases as well as in hard-copy document form, depending on how information is supplied or disclosed to the Trustee and its service providers.

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

The Trustee and its service providers have appropriate security measures in place (including system access controls and secure premises) and the individuals who handle any personal information have

the necessary knowledge to protect this information from misuse, interference and lost, and unauthorised access, modification or disclosure.

Once personal information is no longer required, the Trustee and its service providers are required to take reasonable steps to destroy (or permanently de-identify) the information in a secure manner.

### **Transfer and disclosure of personal information**

In its operation of the Fund, the Trustee outsources a number of its functions to external service providers and so the information of Fund members may be collected by, transferred to or be handled by these organisations as required. Organisations that may receive and use the personal information of Fund members include:

- the Trustee's directors and responsible officers;
- the Fund's sponsoring employers;
- the Fund's administrator;
- the Fund's auditors;
- the Fund's actuary;
- insurance brokers and/or insurers who provide death and disability advice or cover for Fund members;
- Government bodies such as the Australian Taxation Office (**ATO**), the Australian Prudential Regulation Authority (**APRA**), the Office of the Australian Information Commission (**OAIC**), and the Australian Transaction Reports and Analysis Centre (**AUSTRAC**);
- the Fund's legal and other professional advisers, including the Fund secretariat; and
- other business support providers, including document storage, printing and collating companies.

The Trustee may also disclose personal information where the use or disclosure of the information is required or authorised by or under Australian law or a court/tribunal order (including external dispute resolution bodies).

If a member or their beneficiaries lodge a claim for death or disability benefits and the claim is declined and the member either takes legal action or complains to the Australian Financial Complaints Authority (**AFCA**), the Trustee must provide their personal details and information about their health to the Fund's legal representatives, the insurer, officers of the AFCA and court officials (as appropriate).

Should a Fund member become a member of another superannuation fund, their personal information may be transferred to that fund. This may also include the transfer of personal information to an eligible rollover fund.

In some limited instances related to the primary reason for the collection of the personal information, a sponsoring employer may be provided with a member's personal information in order to facilitate the provision of benefits in the ordinary course of their employment. However, this would not extend to sensitive information, such as health-related information, without a member's prior consent.

## **Overseas recipients of personal information**

The Trustee does not directly disclose personal information to overseas recipients, or foresee circumstances where it would do so. However, the Trustee's service providers in Australia, to whom personal information is disclosed, may engage overseas providers in the delivery of services to the Trustee and Fund members.

The Trustee seeks reasonable assurances from its service providers and related entities with operations overseas that the personal information is handled by overseas recipients in a manner that is consistent with the Trustee's privacy obligations.

## **Access**

A Fund member, or any other person in respect of whom the Trustee holds personal information, can request access to his or her own personal information. The Trustee will respond to such requests in a timely manner.

The Trustee does not usually charge a fee for providing access to personal information. However, if the information an individual is seeking to access requires the retrieval of records from archives, is of a large quantity, or for some other reason the Trustee deems appropriate, a fee may apply. Any charges that apply will be reasonable and relate to the cost and complexity of providing access to the personal information. The individual will be advised of the amount of any such charge prior to being given access to the personal information and incurring the charge. There is no charge for merely lodging a request to access personal information.

There are some situations where the Trustee may deny an individual access to some or all of the personal information it holds about them. These can include circumstances where it would have an unreasonable impact on the privacy of other individuals, the information relates to existing or anticipated legal proceedings, the Trustee has reason to suspect that unlawful activity or misconduct of a serious nature is being or may be engaged in, or where the law requires or authorises such access to be denied. If access is to be denied, the Trustee's Privacy Officer will provide a written notice explaining, where possible, the reasons for the refusal and providing details of how the individual may complain about the refusal.

## **Correction**

The Trustee takes reasonable steps and undertakes certain integrity checks to ensure that the information it collects, uses or discloses is accurate, up to date, complete and relevant. In order to keep member information as current as possible, the Trustee asks that members advise it of any changes to their personal details.

Fund members receive a benefit statement each year which will show the basic information the Trustee holds about the individual, giving members an opportunity to identify any incorrect information. It is therefore important for Fund members to check their benefit statements carefully.

If the information held by the Trustee is inaccurate, incomplete or not up to date a member may request the Trustee to correct the information. If an individual advises the Trustee that personal information held about them is not accurate, complete or up to date or is misleading, the Trustee will take steps to correct that information within a reasonable time after receiving the request.

If the Trustee believes that a requested correction should not be made (for example, because of a disagreement between the individual and the Trustee about whether the information is accurate, complete or up to date), the Trustee's Privacy Officer will provide a written notice explaining, where possible, why the requested correction will not be made and providing details of how the individual may complain about the refusal. Where a request to correct information is denied, the individual can

request that the Trustee include a statement on their personal information record as to why they believe the information is not accurate, complete or up-to-date.

The Trustee will not charge a fee for any activities associated with correcting, or seeking to have corrected, personal information held by the Trustee.

Where the information relates to a membership of the Fund, members can contact the Fund Helpline on 1800 025 026 to request access to, or correction of their personal information. Alternatively, individuals can contact the Trustee's Privacy Officer as provided below.

## **Privacy – compliance**

Although reasonable steps are taken to protect personal information, it is possible that privacy breaches, including data breaches, may occur from time to time. If a privacy breach, other than an eligible data breach (see below) occurs, the Trustee will take reasonable and appropriate remedial action. The privacy breach may in some circumstances be reported to the APRA.

If an eligible data breach occurs or the Trustee has reasonable grounds to believe an eligible data breach has occurred, the Trustee will notify all affected members and recommend any steps that members should take in response to the data breach. The Trustee will also notify the OAIC.

An eligible data breach occurs when a reasonable person would conclude that there is a risk of serious harm to a member as a result of a data breach and the Trustee has not been able to prevent the likely risk of serious harm with remedial action.

## **Resolution of privacy concerns**

If a Fund member or any other relevant person is concerned about a possible interference with their privacy, or has a complaint about a breach of the APPs, they should contact the Trustee's Privacy Officer.

The Trustee treats concerns or complaints in relation to individuals' privacy with respect and confidentiality. The Privacy Officer will contact the individual concerned within a reasonable time after receipt of an enquiry or complaint to discuss the concerns and outline options regarding how they may be resolved. The aim is to resolve all issues in a timely and appropriate manner.

If issues are not resolved to the satisfaction of the person concerned, the matter can be referred to the OAIC on 1300 363 992 or via their [Enquiry form](#).

Complaints or enquiries relating to the management of the Fund that are not strictly or solely related to an interference with an individual's privacy should be directed to the Trustee's Complaints Officer in writing or by phone as follows:

Complaints Officer:  
Goldman Sachs & JBWere Superannuation Fund  
GPO Box 9946  
MELBOURNE VIC 3001  
Tel: 1800 025 026.

Such matters will be dealt with in accordance with the Trustee's complaints handling procedures.

**Contact the Trustee's Privacy Officer:**

Privacy Officer  
Goldman Sachs & JBWere Superannuation Fund  
C/- Mercer  
GPO Box 9946  
MELBOURNE VIC 3001

Telephone: 1800 025 026  
Email: [gsjbw.fundsecretariat@mercerc.com](mailto:gsjbw.fundsecretariat@mercerc.com)

**Obtaining a copy of the latest Privacy Policy**

The Trustee may review and change its Privacy Policy from time to time if necessary. Access to the latest Privacy Policy is available on the Fund website at: [www.gsjbw.superfacts.com](http://www.gsjbw.superfacts.com).

You can also request a hard copy of the Privacy Policy by contacting the Fund Helpline on 1800 025 026.

For further general privacy information visit the Office of the Australian Information Commissioner website at [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy).

This policy was last updated on 12 November 2023.