

Ballingers FP Pty Ltd (“Ballingers”) abides by the Australian Privacy Principles (APP’s) which are a part of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988.

### **1. Information we collect**

As a financial planning organisation we are subject to certain legislative and regulatory requirements which require us to obtain and hold detailed information which personally identifies you and/ or contains information or an opinion about you (“personal information”). In addition, our ability to provide you with comprehensive financial planning advice is dependent on us obtaining certain personal information about you, including:

- a) employment details and employment history;
- b) details of your financial needs and objectives;
- c) details of your current financial circumstances, including your assets and liabilities (both actual and potential), income, expenditure, insurance cover, estate planning and superannuation;
- d) details of your investment preferences and aversion or tolerance to risk;
- e) information about your circumstances, family commitments and social security eligibility.

### **2. Consequences of not providing information**

Failure to provide the personal information referred to above may expose you to higher risks and may affect the adequacy or appropriateness of advice we give to you. The Corporations Act requires us to collect sufficient information to ensure appropriate advice can be given in respect of recommendations made to our clients. If you choose to withhold the personal information referred to above; we will withdraw our services as we are unable to provide you with a complete service.

### **3. Open and transparent management of information**

We are committed to being open and transparent about how we use personal information. Where our documents ask for personal information, we will generally state the purposes for its use and to whom it may be disclosed. If any of our documents do not clearly state the purposes for which we will use your personal information please ask us and we will clearly explain them to you.

We will not use your personal information for any purpose other than for which it was originally collected, unless you have given us your consent to do so, or unless it is reasonably expected that we will use the information for another purpose (a secondary purpose). An example of a secondary purpose is providing information in a court of law or dispute resolution.

Should we receive personal information that we have not asked for, we will establish whether the information could have been assessable and contained in a Commonwealth record and if the collection of this personal information was reasonably necessary or directly related to our service.

Should the above not apply, we will as soon as practicable destroy the information.

While we may send you marketing material from time to time that we think will be useful to you, we are conscious of the need to respect your privacy. Unless you are informed otherwise, the personal information we hold is used for establishing and managing your financial products or services, reviewing your ongoing needs, enhancing customer service and product options and giving you ongoing information about opportunities that we believe may be relevant to your financial needs and other circumstances.

If, at any time, you do not wish to receive this information, you may contact us with this request. We will endeavour to meet your request within 2 weeks. We maintain a register for those individuals not wanting direct marketing material. Please refer to the end of this document for our contact details.

Ballingers takes its obligations to protect your information seriously, this includes when we operate throughout Australia and overseas. As part of our operations some uses and disclosures of your

information may occur outside your State or Territory and/or outside of Australia. We will obtain your consent prior to doing so.

#### **4. Information collection policy**

We will not collect any personal information about you except when you have knowingly provided that information to us or authorised a third party to provide that information to us. Generally, collection of your personal information will be effected in either face to face interview, over the telephone or by way of an online client engagement form.

From time to time additional and/ or updated personal information may be collected through one or more of these methods. We will only collect, maintain and use personal information about you if it is necessary for us to adequately provide to you the services you have requested including:

- a) the preparation of your financial plan;
- b) the provision of financial planning advice to you;
- c) making securities and investment recommendations;
- d) reviewing your financial plan, securities and investment recommendations;
- e) lodging or redeeming investments.

#### **5. Information disclosure**

We will not use or disclose personal information collected by us for any purpose other than:

- a) the purposes for which it was provided or secondary related purposes in circumstances where you would reasonably expect such use or disclosure;
- b) where you have consented to such disclosure;
- c) where the National Privacy Principles authorise use or disclosure where required or authorised under law, in circumstances relating to public health and safety and in connection with certain operations by or on behalf of an enforcement body.

This may involve the disclosure of your personal information. We are also obliged pursuant to the Corporations Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.

We may disclose your personal information to superannuation fund trustees, insurance providers, and product issuers for the purpose of giving effect to your financial plan and the commendations made by us.

In order to ensure that you receive a personal and tailored service, your personal information will be made available to other advisers or employees of Ballingers. It is a condition of our agreement with each of our advisers that they adopt and adhere to this privacy policy. You can be assured that your information will be maintained by any adviser or employee of Ballingers in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below. We may disclose your personal information to external contractors for the following purposes:

- (i) storing information;
- (ii) audit of company accounts; and
- (iii) compliance framework review.

It is a condition of our agreement with each of our external contractors that they adopt and adhere to this privacy policy. We will confirm with external contractors that they have systems and procedures for handling personal information in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below. We will advise you of any change in business circumstances that may affect the handling of your personal information.

## **6. Storage of personal information**

Your personal information is generally held in your client file. Information may also be held in a computer database. We will at all times seek to ensure that the personal information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclosure. At all times your personal information is treated as confidential and any sensitive information is treated as highly confidential.

All record movements off premises are recorded in a central register. After hours access to our premises is controlled by allowing only personnel with security passes to access the premises.

All computer based information is protected through the use of access passwords on each computer. Data is backed up each evening and stored securely off site.

In the event you cease to be a client of this organisation, any personal information which we hold about you will be maintained in a secure electronic format, and destroyed after an appropriate period of time that complies with legislative and professional requirements (usually 7- 10 years).

## **7. Access to your personal information**

You may at any time, by contacting us by any of the methods detailed below, request access to your personal information and we will (subject to the following exceptions) provide you with access to that information either by providing you with copies of the information requested, allowing you to inspect the information requested or providing you with an accurate summary of the information held.

We will, prior to providing access in accordance with this policy, require you to provide evidence of your identity.

We will not provide you access to personal information which would reveal any confidential formulae or the detail of any in house evaluative decision making process, but may instead provide you with the result of the formulae or process or an explanation of that result. We will not provide you with access to your personal information if:

- a) providing access would pose a serious threat to the life or health of a person;
- b) providing access would have an unreasonable impact on the privacy of others;
- c) the request for access is frivolous or vexatious;
- d) the information related to existing or anticipated legal proceedings between us, and would not be discoverable in those proceedings;
- e) providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- f) providing access would be unlawful;
- g) denying access is required, or authorised by or under law;
- h) providing access would be likely to prejudice certain operations by, or on behalf of an enforcement body, or an enforcement body requests that access not be provided on the grounds of national security.

We will endeavour to respond to any request for access within 14 to 30 days depending on the complexity of the information and/ or the request. If your request is urgent please indicate this clearly. In the event we refuse you access to your personal information, we will provide you with an explanation for that refusal.

## **8. Correction of personal information**

We will endeavour to ensure that, at all times, the personal information about you which we hold is up to date and accurate. In the event that you become aware, or believe, that any personal information which we hold about you is inaccurate, incomplete or outdated, you may contact us by any of the methods detailed below and provide to us evidence of the inaccuracy or incompleteness or out datedness and we will, if we agree that the information requires correcting, take all reasonable steps to correct the information.

## **9. Complaints**

If you wish to complain about any breach or potential breach of this privacy policy or the National Privacy Principles, you should contact us by any of the methods detailed below and request that your complaint be directed to the Privacy Officer. Your complaint will be considered within 7 days and responded to. It is our intention to use our best endeavours to resolve any complaint to your satisfaction; however, if you are unhappy with our response, you are entitled to contact the Office of the Privacy Commissioner who may investigate your complaint further.

## **10. Additional privacy information**

Further information on privacy in Australia may be obtained by visiting the web site of the Office of the Federal Privacy Commissioner at [www.privacy.gov.au](http://www.privacy.gov.au).

## **11. Contact details**

If you have query relating to our privacy practices please contact us at:  
Compliance Coordinator  
Ballingers  
PO Box 2387  
Dangar NSW 2309