



Underwriting Solutions

# Privacy Policy

## Our Privacy Policy

In this Privacy Policy the use of “we”, “our” or “us” means 360 Underwriting Solutions Pty Ltd and their subsidiaries, related entities and includes their Authorised Representatives.

We are committed to protecting your personal information in accordance with the *Privacy Act 1988 (Cth)* (Privacy Act) and the Australian Privacy Principles (APPs).

This Privacy Policy applies to personal information collected by us and explains how we collect, use, disclose and handle it as well as your rights to access and correct your personal information and make a complaint for any breach of the APPs.

## What is Personal Information?

The Privacy Act defines personal information to mean:

“Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether recorded in a material form or not.”

## What is Sensitive Information?

“Sensitive information” is a subset of personal information and means:

“Information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information or templates.”

## What Kinds of Personal Information Do We Collect and Hold?

The kinds of personal information we collect and hold vary depending on the services we are providing, but generally can include:

- + your contact information such as full name (first and last), email address, current postal address, delivery address (if different to postal address) and phone numbers;
- + your employment history (if applicable);
- + your date of birth;
- + insurance history;

- + other information specific to our products or services such as your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views on the products and services offered by 360 Underwriting Solutions Pty Ltd; and
- + if you are requesting products or services from us, we will collect any relevant payment or billing information, (including but not limited to bank account details, direct debit, credit card details, billing address, premium funding and installment information).

The type of sensitive information we may collect generally includes:

- + criminal record;
- + health information; and
- + membership of a professional or trade association.

## How Do We Collect and Hold Personal Information?

We only collect personal information by lawful and fair means and where it is reasonably necessary for, or directly related to, one or more of our functions or activities.

Unless it is unreasonable or impracticable for us to do so, or as provided otherwise under this Privacy Policy, we will collect your information directly from you or your agents.

When you give us personal information about other individuals, we rely on you to make them aware that you will or may: -

- + provide their personal information to us;
- + the types of third parties we may provide the information to;
- + the relevant purposes we and those third parties will use it for, and how they can access it; and
- + provide them with a copy of our Privacy Policy.

If you are providing us with sensitive information about individuals, you must obtain their consent.

If you have not done any of the above, you must tell us before you provide us with any personal or sensitive information.

We may obtain personal information indirectly and who it is from can depend on the circumstances. We will usually obtain it from another insured if they arrange a policy which also covers you, related bodies corporate, referrals, your previous insurers or insurance intermediaries, witnesses in relation to claims, health care workers, publicly available sources, premium funders and persons who we enter into business alliances with, claims administrators, credit organisations, motor vehicle and other licensing authorities and financial institutions.

We attempt to limit the collection and use of sensitive information from you unless we are required to do so in order to carry out the services provided to you. However, we do not collect sensitive information without your consent.

### Other ways we may collect your Personal Information

We may also collect your personal information when you: -

- + register for events. We may ask you for some information when you register for events, request services, manage accounts, access various content and features or directly visit our websites. This information will be used to administer your attendance at the event, to make you aware of other events that we believe you may be interested in. If you do not want to be contacted about other events or about the products or services at one of our events, please select the marketing opt-out option on the form (or the un-subscribe button if we have one).
- + subscribe to our newsletters or email updates. You may modify or withdraw your consent, or un-subscribe from our newsletters or emails at any time following the instructions included in our newsletter or email communications.

We hold the personal information we collect within our own data storage devices or with a third party provider of data storage.

We discuss the security of your personal information below.

## The Purposes for which We Collect, Hold, Use and Disclose Your Personal Information

We collect, hold, use and disclose your personal information where it is reasonably necessary for, or directly related to, one or more of our functions or activities. These will usually include our insurance underwriting services, insurance intermediary services, funding services, claims management services and risk management and other consulting services.

We also collect, hold, use and disclose your personal information where it is necessary to meet our obligations at law, for example, for conducting identity checks under the Anti Money Laundering and Counter Terrorism Financing Act 2016 and other legislation.

We also use and disclose your personal information for direct marketing purposes, which is explained in more detail below.

For example, we usually need to collect, hold, use and disclose personal information where:

- + we arrange insurance, so insurer(s) can decide whether to offer insurance or not;
- + a claim is made, so the insurer can make a decision on the claim.

We will obtain your consent to the purposes for which we intend to collect, use and disclose your personal information either at the time you engage us to provide you with a product or service, or as soon as possible.

Unless we hear from you by one of the means set out in this Privacy Policy, by visiting our 360 website or using any of our products and services, or otherwise by providing us with your information, you agree to your information being managed in accordance with this Privacy Policy.

You may modify or withdraw your consent at any time by contacting the privacy officer at [privacy@360uw.com.au](mailto:privacy@360uw.com.au) or by Toll Free number 1800 411 580. If you do not give us consent or subsequently modify or withdraw your consent, we may not be able to provide you with the products or services you want.

We disclose personal information to third parties who assist us or are involved in the provision of our services. Your personal information is disclosed to third parties only in connection with the services that we provide to you, or otherwise with your consent. We may also disclose your personal information for direct marketing purposes, explained in more detail below.

The third parties who might receive your personal information can include our related companies, our agents or contractors, insurers, their agents and others they rely on to provide their services and products (e.g. reinsurers), premium funders, other insurance intermediaries, insurance reference bureaus, loss adjusters or assessors, medical service providers, credit agencies, lawyers and accountants, prospective purchasers of our business and our alliance and other business partners.

These parties are prohibited from using your personal information except for the specific purpose for which we supply it to them. We take reasonable steps to ensure that they are aware of the provisions of this Privacy Policy in relation to your personal information.

We also use personal information to develop, identify and offer products and services that may interest you, and to conduct market or customer satisfaction research. From time to time we may develop arrangements with other organisations that may be of benefit to you in relation to promotion, administration and use of our respective products and services. We discuss direct marketing in more detail further below.

We do not use sensitive information to send you direct marketing communications without your express consent.

If we intend to disclose or use your personal information other than for the purposes listed above, we will seek your consent prior to disclosure or use of that information.

If we give third parties (including their agents, employees and contractors) your personal information, we require them to only use it for the agreed purposes.

## What if You Do Not Provide Personal Information to Us?

If the required personal information is not provided, we or any involved third parties may not be able to provide appropriate services or products. If you do not provide the required personal information we will explain what the impact will be.

## What Do We Expect of You/ Third Parties We Deal with When Providing Personal Information About Another Person?

When you provide us with personal information about other individuals, we rely on you to have made them aware that you will or may provide their information to us, how we collect, use, disclose and handle it in accordance with this Privacy Policy and our relevant Privacy Statements. If it is sensitive information we rely on you to have obtained their consent to the above. If you have not done these things, you must tell us before you provide us with the relevant information.

If we give you personal information, you must only use it for the purposes we agreed to.

Unless an exemption applies or we agree otherwise, you must meet the requirements of the Privacy Act, when collecting, using, disclosing and handling personal information on our behalf.

You must also ensure that your agents, employees and contractors meet the above requirements.

## How Do We Manage the Security of Your Personal Information?

We take reasonable steps to ensure that your personal information is safe. We retain personal information in hard copy records and electronically with us or our appointed data storage provider(s). You will appreciate, however, that we cannot guarantee the security of all transmissions of personal information, especially where the internet is involved.

Notwithstanding the above, we endeavour to take all reasonable steps to:

- + protect any personal information that we hold from misuse, interference and loss, and to protect it from unauthorised access, modification or disclosure both physically and through computer security measures;
- + destroy or permanently de-identify personal information in accordance with the Privacy Act.

We maintain computer and network security; for example, we use firewalls (security measures for the internet) and other security systems such as user identifiers and passwords to control access to computer systems.

## Data Quality

We take reasonable steps to ensure that personal information is current, accurate, up-to-date and complete whenever we collect, use or disclose it.

Throughout our dealings with you we will take reasonable steps to confirm the details of your personal information we hold and ask you if there are any changes required.

The accuracy of personal information depends largely on the information you provide to us, so we rely on you to:

- + let us know if there are any errors in your personal information you become aware of; and
- + keep us up-to-date with changes to your personal information (such as your name or address).

## Access to and Correction of Your Personal Information

You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances.

For example, we may refuse access where the:

- + information may have an unreasonable impact on the privacy of others;
- + request is frivolous or vexatious;
- + information relates to existing or anticipated legal proceedings and would not be accessible by the process of discovery in those proceedings;
- + information would reveal our intentions in relation to negotiations in such a way as to prejudice those negotiations.

Where providing access would reveal evaluative information generated by us in connection with a commercially sensitive decision-making process, we will provide an explanation for the decision rather than direct access to the information.

If we refuse access or to give access in the manner requested by you we will let you know why in writing and provide you with details about how to make a complaint about the refusal.

If we make a correction to your personal information we may retain a copy of the previous information for our records or as required by law.

If you wish to access your personal information please write to our Privacy Officer:

**Our contact details are:**  
**360 Underwriting Solutions Pty Ltd**  
Suite 3, Level 18,  
201 Kent St,  
Sydney, NSW 2000  
Telephone. 1800 411 580  
Email. [privacy@360uw.com.au](mailto:privacy@360uw.com.au)

In most cases we do not charge for receiving a request for access to personal information or for complying with a correction request.

## Do We Transfer Information Overseas?

Any personal information provided to us may be transferred to, and stored at, a destination outside Australia, including but not limited to New Zealand, Singapore, United Kingdom, the Philippines, India, the European Union and the United States of America. We may disclose your personal information to entities overseas for purposes we believe are necessary to assist us in providing the relevant services and products. We will generally limit such use and disclosure of any personal information to the specific purpose for which it was supplied. Personal information may also be processed by third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.

We will generally take reasonable steps to ensure that we have arrangements in place with such overseas third parties that prevent them from using or disclosing personal information for any purposes other than our own. However, by providing your personal information to us, you acknowledge that, while we will take reasonable steps, we may not always be able to guarantee that overseas parties are subject to the requirements similar to those contained in the Privacy Act and consent to the disclosure on this basis. If you would like further information about whether your information will be disclosed to overseas recipients, please contact the Privacy Officer at the contact details in this Privacy Policy.

## Sale or Restructure of Business

In the future we may consider the sale or restructure of our business or the purchase of the business of other financial services companies. In such circumstances it may be necessary for your personal information to be disclosed to permit the parties to assess the sale or restructure proposal for example through a due diligence process. We will only disclose such of your personal information as is necessary for the assessment of any sale or restructure proposal and subject to appropriate procedures to maintain the confidentiality and security of your personal information.

## Our Website

Our website may collect information during your visit through the use of cookie technology. A cookie is a piece of information in a small text file that is stored in your internet browser or elsewhere on your hard drive. The cookies we use may identify individual users. For further information in relation to cookies, please see below.

By using the 360 website, you agree to the processing of your personal information as explained in this Privacy Policy, including placing cookies on your device as described.

We collect personal information from our websites to fulfill your request for products and services and to improve your online experience.

Our websites may contain links to other sites which are outside our control and are not covered by this Privacy Policy. If you access other sites using the links provided, the operators of these sites may collect information from you which will be used by them in accordance with their privacy statement. We encourage you to read the privacy statements on other websites you visit. We are not responsible for the content or privacy practices of linked sites or any use of those sites.

If you access our website on your mobile device, we may also collect your unique device identifier and mobile device IP address, as well as information about your device's operating system, mobile carrier and your location information.

When you provide us your mobile phone number as your contact phone number, you consent to the use of your mobile device phone number for the purposes identified in this Privacy Policy. If you choose to receive notifications from us on your mobile device, you also consent to the use of your mobile phone number for that purpose.

## Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes.

- + cookies can either be "persistent" or "session" based. Persistent cookies are stored on your computer, contain an expiration date, and are mainly for the user's convenience;
- + session cookies are short-lived and are held on your browser's memory only for the duration of your session; they are used only during a browsing session, and expire when you quit your browser;
- + we may use both session and persistent cookies. This information may be used to personalise your current visit to our websites or assist with analytical information on site visits;
- + most internet browsers can be set to accept or reject cookies. If you do not want to accept cookies, you can adjust your internet browser to reject cookies or to notify you when they are being used. However, rejecting cookies may limit the functionality of our website.

## Complaints

If you do have a complaint about privacy we ask that you contact our office first to help us to assist you promptly.

In order to resolve a complaint, we:

- + will liaise with you to identify and define the nature and cause of the complaint;
- + may request that you detail the nature of the complaint in writing;
- + will keep you informed of the likely time within which we will respond to your complaint;
- + will inform you of the reason for our decision in resolving such complaint; and
- + keep a record of the complaint and any action taken in the Register of Complaints.

If you have a complaint please write to us at:

**Our contact details are:**

**360 Underwriting Solutions Pty Ltd**  
Suite 3, Level 18,  
201 Kent St,  
Sydney, NSW 2000  
Telephone. 1800 411 580  
Email. [privacy@360uw.com.au](mailto:privacy@360uw.com.au)

We are committed to respecting your privacy and we will respond to you as soon as reasonably possible in relation to your issue or complaint.

You also have a right in limited circumstances to have your privacy complaint determined by the Australian Financial Complaints Authority (AFCA). The AFCA can determine a complaint about privacy where the complaint forms part of a wider dispute within the AFCA Terms of Reference between you and us or when the privacy complaint relates to or arises from the collection of a debt. We are bound by AFCA's determinations, provided the dispute falls within the AFCA Terms of Reference. You can access the AFCA dispute resolution service by contacting them at:

**Australian Financial Complaints Authority**

GPO Box 3,  
Melbourne, VIC 3001  
Telephone. 1800 931 678  
Email. [info@afca.org.au](mailto:info@afca.org.au)  
Website. [www.afca.org.au](http://www.afca.org.au)

## How to Contact Us and Opt Out Rights

If you wish to gain access to your personal information, want us to correct or update it, have a complaint about a breach of your privacy, wish to withhold your consent (opt out) of providing consent to any of the uses of your information including receiving offers of products or services from us, or have any other query relating to our Privacy Policy, contact our Privacy Officer during business hours on:

**Our contact details are:**

**360 Underwriting Solutions Pty Ltd**  
Suite 3, Level 18,  
201 Kent St,  
Sydney, NSW 2000  
Telephone. 1800 411 580  
Email. [privacy@360uw.com.au](mailto:privacy@360uw.com.au)

We welcome your questions and comments about privacy.

You can also obtain information on privacy issues in Australia by contacting the Office of the Australian Information Commissioner ("OAIC") at their website at [www.oaic.gov.au](http://www.oaic.gov.au) or by contacting the OAIC by email at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or by calling on 1300 363 992.

360 Underwriting Solutions Pty Ltd, ABN 18 120 261 270, AFSL 319181:

360 Accident & Health Pty Ltd ABN 25 623 247 978 (AR 1262596)  
360 Aviation Pty Ltd ABN 71 626 251 590 (AR 1266052)  
360 Commercial Pty Ltd ABN 73 620 071 650 (AR 1256191)  
360 Commercial Motor Pty Ltd ABN 78 626 251 616 (AR 1266050)  
360 Construction & Engineering Pty Ltd ABN 56 634 130 760 (AR 1278878)  
360 Farm & Regional Pty Ltd ABN 98 088 296 324, AFSL 229939

360 Financial Lines Pty Ltd ABN 72 629 145 357 (AR 1268172)  
360 Landlords Pty Ltd ABN 99 634 062 972 (AR 1288284)  
360 Mid Market Property Pty Ltd ABN 95 648 007 989 (AR 1292305)  
360 Mobile Plant & Equipment ABN 99 634 784 704 (AR 1277429)  
eSentry Underwriting Pty Ltd ABN 46 141 852 842, AFSL 402842