

Privacy Policy

Version 0.2



Contents

About the CSLR	3
Our commitment.....	3
The personal information we collect and hold	3
Sensitive information	4
Children and Minors	4
Information we collect through our website	4
Web analytics	4
Cookies	5
When we get information we did not ask for	5
Remaining anonymous or using a pseudonym	5
Use of consultants.....	5
How we use personal information	5
How we share personal information	6
How we store personal information	6
Outside of Australia	6
Keeping personal information we hold safe	6
Your rights on personal information we hold	7
FOI requests.....	7
Access requests to personal information of others.....	7
Access requests to your personal information	7
Correction requests	7
Deletion requests.....	8
Complaints and inquiries	8
How to contact us	8
Changes to this policy	8

'CSLR', 'we', 'us' or 'our' refers to the Compensation Scheme of Last Resort (CSLR) including CLSR Ltd and its staff.

This current policy came into effect on 8 August 2023 and may change over time.

About the CSLR

The CSLR is established under the *Treasury Laws Amendment (Financial Services Compensation Scheme of Last Resort) Act 2023 (Cth)*.

Our purpose is to provide redress to eligible consumers who have been awarded compensation through a determination by the Australian Financial Complaints Authority (AFCA) but the financial firm has since failed mostly due to insolvency.

In order to meet our purpose, our work sometimes involves sharing personal information with third parties – for example, AFCA and other relevant organisations such as insolvency practitioners, insurers, other compensation schemes and regulators. This policy sets out how and when we share that information.

We are not a government department or agency. This means we are not subject to Freedom of Information (FOI) requests.

Our commitment

CSLR is bound by the *Privacy Act 1988* (Cth) (Privacy Act) (including the *Australian Privacy Principles and Mandatory Data Breach Notification*) which sets out the principles for the appropriate handling of personal information that we collect, use, disclose and store.

We are committed to handling all personal information carefully, responsibly and securely ensuring that we manage personal information in an open and transparent way.

The personal information we collect and hold

We collect and hold information for the purpose of administering the CSLR and related activities.

Most of the personal information¹ we collect will be collected directly from the individual and may include their full name, date of birth and contact details such as address, telephone numbers, fax numbers and email or other personal information such as for employment purposes.

We may also collect information from you to meet our purpose including payment of eligible claims. This means we may need your financial institution details including your bank account information.

We may collect information about an individual that is not publicly available. We will only collect this information if it is impractical to collect it directly from the individual or when we are permitted to do so.

¹ Personal information is defined as “information or an opinion that can identify an individual including name, address, email address, date of birth, tax file number or bank account details.

Sensitive information

We would generally not need to collect any sensitive information² about you to handle a claim. However, sometimes we may need to collect it to carry out our functions and activities. For example, your health information and nationality.

Children and Minors

We would generally not need to collect personal information of children and minors.

If provided to us, we will seek parental or guardian consent prior to collection of personal information of children under 15 unless such information was provided to us by a parent or guardian.

Information we collect through our website

Our website, clsr.org.au, is hosted in Australia. We collect information about all visitors to our online resources to identify generic behavioural patterns and improve our services. We do not use this information to personally identify anyone.

Web analytics

We use Google Analytics to collect data about your interaction with our website. The sole purpose of collecting your data in this way is to improve your experience when using our site. The types of data we collect include:

- Server address
- Top level domain name (for example .com, .gov, .au, etc.)
- The date and time of your visit to the site
- The pages you accessed, and documents downloaded during the visit
- The previous site that was visited
- Whether you visited our website before
- The type of browser used
- any other information shared by Google.

Information and data collected through Google Analytics is stored by Google on servers in the United States of America, Belgium and Finland. A visitor can opt out of the collection of information via Google Analytics by downloading the Google Analytics Opt-out browser add-on [here](#).

² Sensitive information is a sub-category of personal information and includes information about an individual's racial or ethnic origin, political opinions, membership of political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, sexual orientation, criminal record, health information, generic or certain biometric information.

Cookies

Cookies are small text files that may be transferred onto computers or devices by websites when you visit a website. They help websites remember information about your visit, like your country, language and other settings to make your browsing experience as friendly as possible. We use cookies to find out how you use our website, so we can improve your online experience with us. Most browsers allow you to choose whether to accept cookies or not. If you do not wish to have cookies placed on your computer, please set your browser preferences to reject all cookies before accessing our website. You can find more information about how to opt out of cookies at about [cookies.org/how-to-delete-cookies](https://www.cookies.org/how-to-delete-cookies).

When we get information we did not ask for

Sometimes we may receive personal information that we have not asked for. If we think this information is needed and is adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed, we will keep it securely and for no longer than is necessary for that purpose. Otherwise, we will destroy or de-identify it.

Remaining anonymous or using a pseudonym

Due to the nature of our service and to enable us to carry out our functions, it will be impractical for you to remain anonymous or use a pseudonym.

Use of consultants

Under the Privacy Act, we are required to take contractual measures that contracted service providers (i.e., consultants) comply with the same privacy requirements applicable to us. We will ensure contractual obligations are imposed on providers to ensure they handle personal information appropriately.

How we use personal information

We may use personal information for the functions and activities that are concerned with:

- reviewing and handling a claim for compensation made to us
- complying with legal and regulatory obligations
- if otherwise permitted or required by law, or
- for any other purpose but then only with the individual's consent, unless it has been withdrawn.

How we share personal information

We may share personal information with third parties

- for the agreed purpose,
- if permitted or required by law, or
- for any other purpose but then only with the individual's consent, unless it has been withdrawn.

The third parties that we may share personal information with include AFCA and relevant organisations such as insolvency practitioners, actuaries, insurers, trustees, partnerships, sole traders, unincorporated associations, other compensation schemes and regulators and government bodies or other parties including where we may have a requirement under law or legislation to do so or where we need to exercise our rights for our purpose and activities and legislative and regulatory requirements.

If we share personal information with a third party who has operations located overseas, we are unable to control where that third party may share or hold that information overseas.

How we store personal information

Outside of Australia

The personal information of our employees, systems and most of the third parties we share information with are located in Australia, but some of this personal information might be stored in "cloud" solution or otherwise in locations overseas.

We do not disclose personal information overseas to third parties unless we have informed consent from the individual. In all cases, we take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles.

Keeping personal information we hold safe

We store minimal personal information— whether on paper or electronically, however we take all reasonable steps to protect the personal information we hold.

When the personal information is no longer required we take necessary steps to either, return the personal information to the individual or destroy, delete or de-identify it.

Your rights on personal information we hold

FOI requests

We are not a government department or agency. This means we are not subject to Freedom of Information (FOI) requests.

Access requests to personal information of others

You have a right to access only your personal information, not others.

Access requests to your personal information

Any individual wishing to gain access to personal information about themselves, should write to us (details below) setting out whether you would like access to all or just a particular part of your personal information. You have a right to access only your personal information, not others and there may be reasons why we cannot provide you access (for example, to comply with the law). We will respond to you within a reasonable time.

To make an access request, write to us (details below). In line with our commitment to protect your privacy, we may ask you to verify your request (i.e. your identity) before giving you access.

There is no fee to ask for your information, but sometimes we may apply an administrative fee to cover the time we spend finding and putting together the information you want, and any copying costs. If there is a fee, we will let you know how much it is likely to be, so you can choose if you want to go ahead.

Correction requests

If you think that the personal information we hold about you is inaccurate, please contact us (details below) and we will correct any identified inaccuracies or let you why we cannot do so. If you are worried that we have given incorrect information to others, you can ask us to tell them about the correction.

In line with our commitment to protect your privacy, we may ask you to verify your request including your identity. We will not charge a fee to correct or update your personal information.

In some instances, there may be information that we cannot correct because of law or regulatory requirements.

Deletion requests

Due to the nature of our service and requirement to retain records to support decisions made and compensation paid, we generally will not be able to delete personal information we hold following requests received by individuals to which that information relates.

Complaints and inquiries

If you have a complaint about the way we handle your personal information please contact us and we will respond as soon as possible to resolve the issue. If your complaint is not satisfactorily resolved, you may complain to the [Office of the Australian Information Commissioner \(OAIC\)](#).

We also welcome any questions and comments you may have about our privacy practices.

How to contact us

The contact details for these purposes are as follows:

Privacy Officer

Compensation Scheme of Last Resort

GPO Box 3

Melbourne Vic 3001

privacy@cslr.org.au

Changes to this policy

This policy is effective as at 19 June 2024.

Any changes or amendments will apply to all the information we hold at the time of the update. We will post the updated policy on our website and we encourage you to check this page from time to time.