

PRIVACY POLICY

At Penberthy Insurance Limited, we are committed to protecting your privacy in accordance with the Privacy Act 2020 (Privacy Act) and the Information Privacy Principles (IPPs).

This Privacy Statement 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 how to make a complaint for any breach of the IPP's.

What is Personal Information?

The Privacy Act defines personal information to mean:

“Information about an identifiable individual; and includes information relating to a death that is maintained by the Registrar-General pursuant to the Births, Deaths, Marriages, and Relationships Registration Act 1995, or any former Act (as defined by the Births, Deaths, Marriages, and Relationships Registration Act 1995)”

What is Sensitive Information

Whilst not specifically defined within the legislation, in our view we consider the following types of information to be more sensitive in nature. 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 will depend on the services our Financial Advisers are providing. We only collect information that is relevant to the service you require and generally can include:

- Your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and contact numbers.
- Your date of birth
- Insurance history – previous insurance held, claims history, payment history
- Convictions/Criminal records
- Financial Information

- Health/medical information
- 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 our Financial Advisers; 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, billing address, premium funding and instalment information)

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 Statement, we will collect your information directly from you or your agents.

If we collect details about you from someone else, we will take reasonable steps, to ensure that the individual concerned has your authority to provide your personal information in accordance with the IPPs.

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.

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

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 broking services, insurance intermediary services, funding services, claims management services and risk management and other consulting services and to meet any obligations we have at law. We also use it for direct marketing purposes explained in more detail below.

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

- we are providing you advice, so we can provide this advice to you;
- we arrange insurance, so insurer(s) can decide whether to offer insurance or not;
- you require premium funding, so the funder can decide whether to provide the funding or not;
- a claim is made, so the insurer can make a decision on the claim;

We do not use or disclose personal information for any purpose that is unrelated to our services and that you would not reasonably expect (except with your consent). We will only use your personal information for the primary purposes for which it was collected or as consented to.

We usually disclose personal information to third parties who assist us or are involved in the provision of our services and your personal information is disclosed to them only in connection with the services we provide to you or with your consent.

The third parties can include our related companies, our agents or contractors, insurers, their agents, regulators such as FMA 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, and we take such steps as are reasonable to ensure that they are aware of the provisions of this Privacy Statement in relation to your personal information.

We also use personal information to develop, identify and offer products and services that may interest you, conduct market or customer satisfaction research. From time to time we may seek to 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 do not use more sensitive information to send you direct marketing communications without your express consent.

If we do propose to disclose or use your personal information other than for the purposes listed above, we will first seek your consent prior to such disclosure or use. If we give third parties (including their agents, employees, and contractors) your personal information, we require them to only use it for the purposes we agreed to.

What if you do not provide some 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 Statement. 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 endeavor 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, anti-virus & anti-spam (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 or 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

Under the Privacy Act 2020, you have the right to access and correct your Personal Information.

In accordance with the Privacy Act 2020, Penberthy Insurance Limited will:

- Give you the opportunity to access the Personal Information, we hold about you, and correct any errors in this Personal Information, generally without restriction. You may request access to your Personal Information by contacting your Financial Adviser.
- Provide our dispute resolution procedures to you, should you wish to complain about how Penberthy Insurance Limited handle your Personal Information.

Penberthy Insurance Limited aim is to have accurate and up-to-date information. When you receive policy schedules, renewal notices or other documents from your Financial Adviser, you should contact your Financial Adviser if you consider the information is not correct. Where reasonably possible and appropriate, your Financial Adviser will correct the information on Penberthy Insurance Limited's systems or held on their file or note your request to correct the information on our systems or files.

If you have a complaint or want more information about how Penberthy Insurance Limited are managing your Personal Information, please contact the Privacy Officer.

For security reasons, any request for details of Personal Information held by Penberthy Insurance Limited must be made in writing.

If you wish to access your personal information, please contact your Financial Adviser or write to Privacy Officer, Penberthy Insurance Limited, P O Box 33545, Takapuna, Auckland, 0740 or email compliance@penberthy.co.nz

Do we transfer information overseas?

Any personal information provided to Penberthy Insurance Limited or your Financial Adviser may be transferred to, and stored at, a destination outside New Zealand, including but not limited to Australia, United Kingdom and the United States of America.

Details of the countries we disclose to may change from time to time. Personal information may also be processed by staff or by other third parties operating outside New Zealand who work for us or for one of our suppliers, agents, partners or related companies.

When we send information overseas, in some cases we may not be able to take reasonable steps to ensure that overseas providers do not breach the Privacy Act and they may not be subject to the same level of protection or obligations that are offered by the Act. By proceeding to acquire our services and products you agree that you cannot seek redress under the Act or against us (to the extent permitted by law) and may not be able to seek redress overseas. If you do not agree to the transfer of your personal information outside New Zealand, please contact us.

In the event that we may need to transfer your personal information to an overseas provider who does not have comparable privacy law protections in place, we will advise you and seek your express consent to provide your personal information to the provider, prior to doing so.

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 Insurance Brokers or financial advisers. 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. In the event that a sale or restructure proceeds, we will advise you accordingly.

Direct Marketing

We may use your personal information, including any email address you give to us, to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services and events which we consider may be of interest to you). Without the limitation just described, if it is within your reasonable expectations that we send you direct marketing communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you direct marketing communications which we may consider may be of interest to you. We may request our related parties to contact you about services and products that may be of interest to you. You have the right to opt-in and opt-out of receiving direct marketing communications. Please contact your Financial Adviser if you would like more information.

Our Website

You can visit our website without providing any personal information. We will only collect personal information through our websites with your prior knowledge for example where you submit an enquiry or application online.

Email addresses are only collected if you send us a message and will not be automatically added to a mailing list.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use may identify individual users.

- 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.

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 our Register of Complaints.

If you have a complaint, please contact your Financial Adviser or contact our Compliance Officer during business hours on:

 +64 9 486 1175

 complaints@penberthy.co.nz

 Compliance Officer
Penberthy Insurance Limited
Box 33545
Takapuna
Auckland, 0740

We welcome your questions and comments about privacy.

You can also obtain information on privacy issues in New Zealand on the Office of the Privacy Commissioner website at www.privacy.org.nz or by contacting them by email at enquiries@privacy.org.nz or by calling on +64 4 474 7590.

This Privacy Statement is current from 1st December 2020. If this Privacy Statement or any part thereof is amended or modified in the future, the revised version will be available by contacting our office or on our website.