

In this Privacy Policy, ‘we’, ‘us’ and ‘our’ means Breakwater Insurance Brokers Pty Ltd, ABN 32 063 888 308.

We are committed to protecting your privacy in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles. This Privacy Policy describes our current policies and practices in relation to the collection, handling, use and disclosure of personal information. It also deals with how you can complain about a breach of the privacy laws and how you can access the personal information we hold and how to have that information corrected.

What information do we collect and how we use it

When we arrange insurance on your behalf, we ask you for the information we need, in order to advise you about your insurance needs and management of your risks. This can include a broad range of information ranging from your name, address, contact details, age or other information about your personal affairs or “sensitive information” including your assets, personal belongings, financial situation, criminal history, health and wellbeing, racial/ethnic origin or sexual orientation. We provide information to the insurers or intermediaries who we ask to quote for your insurances and premium funders to enable them to decide whether to insure you and on what terms or to fund your premium and on what terms.

Insurers may in turn pass this information onto their reinsurers. Some of these companies are located outside Australia. For example, if we seek insurance terms from an overseas insurer (e.g. Lloyd’s of London), your personal information may be disclosed to that insurer. If this is likely to happen, we inform you of where the insurer is located, if it is possible to do so.

When you make a claim under your policy, we assist you by collecting information about your claim. Sometimes we also need to collect information about you from others. We provide this information to your insurer (or anyone your insurer has appointed to assist them in considering your claim, e.g. loss adjusters, medical brokers etc). Again, this information may be passed on to reinsurers.

We may also disclose your personal information to our related companies, or insurance broking businesses or third parties who help manage our business and provide our services, including our third party service providers, such as payment system operations, IT suppliers, lawyers, accountants, or other advisers and financial institutions.

From time to time, we will use your contact details to send you direct marketing communications including offers, updates and newsletters that are relevant to the services we provide. We always give you the option of electing not to receive these communications in the future. You can unsubscribe by notifying us and we will no longer send this information to you.

Should you not provide some information to us

We can only fully advise you and assist in arranging your insurance, or with a claim if we have all relevant information. The insurance

laws also require you to provide your insurers with the information they need in order to be able to decide whether to insure you and on what terms. You have a duty to disclose the information which is relevant to the insurer’s decision to insure you.

How we collect your personal information

We may collect personal information in several ways, including:

- Directly from you via our website, telephone, in writing or email; and/or
- Indirectly from third parties, if necessary. For example, your employer, our insurance broking businesses may provide us with information about you for the purpose of obtaining our services. We may also obtain personal information from referees, insurers, premium funders and other third-party service providers or publicly from available sources.

By engaging with our insurance broking businesses, you authorise us to contact such third parties for the purposes of providing you with the services that you have requested.

We also automatically collect certain information when you visit our website, some of which may be capable of personally identifying you. Please see the “Cookies” section below for more details.

Our purposes for collecting, holding and using your personal information

We collect and hold your personal information for the purposes of providing our services to you and related purposes. Such purposes include:

- Operating, maintaining and improving the systems that support our provision of services to you, which includes training artificial intelligence models to enhance accuracy, safety and reliability of these systems;
- Providing our insurance broking businesses with benefits (including passing on customer enquiries to appropriate brokers or facilitating brokers with professional indemnity insurance) and facilitating adequate management of such benefits on behalf of our insurance broking businesses;
- Helping to develop and identify services that may interest our insurance broking businesses, their customers, potential customers or others;
- Conducting market or customer research;
- Developing, establishing and administering alliances and other arrangements with other organisations in relation to the promotion, administration and use of our services;
- Telling you about our other service offerings which we believe may be relevant;
- Statutory and regulatory reporting;
- Internal or External audit within our group; and
- Any other purpose notified to you at the time your personal information is collected.

When we disclose your information overseas

If you ask us to seek insurance terms and we recommend an overseas insurer, we may be required to disclose the information to the insurer located outside Australia. For example, if we recommend a policy provided by Lloyd's of London, your information may be given to the Lloyd's broker and underwriters at Lloyd's of London to make a decision about whether to insure you.

We will tell you at the time of advising on your insurance if they are overseas and in which country the insurer is located. If the insurer is not regulated by laws which protects your information in a way that is similar to the Privacy Act, we will seek your consent before disclosing your information to that insurer.

Australian and overseas insurers acquire reinsurance from reinsurance companies that are located throughout the world so in some cases your information may be disclosed to them for assessment of risks and in order to provide reinsurance to your insurer. We do not make this disclosure. This is made by the insurer (if necessary) for the placement for their reinsurance program.

We may also disclose information we collect to the providers of our policy administration, broking systems and third party service providers (including AI service providers and related data hosting facilities) that help us to provide our products and services to you. Some of the third party service providers to whom we may disclose personal information are located in countries outside of your country of residence, for example, Malaysia, the Philippines, Vietnam, the United Kingdom, the European Union and the United States of America. Please note that the Privacy Act and Australian Privacy Principles may not apply to these organisations.

How we hold and protect your information

We strive to maintain the reliability, accuracy, completeness, and currency of the personal information we hold and to protect its privacy and security. We keep personal information only for as long as is reasonably necessary for the purpose for which it was collected or to comply with any applicable legal or ethical reporting or document retention requirements.

We may hold the information we collect from you initially in a working file, which when completed is electronically imaged and stored. After which any paper is destroyed by disposing in a securely locked destruction bin. In some cases, your file is archived and sent to an external data storage provider for a period of time. We only use storage providers located in Australia who are also regulated by the Privacy Act.

We ensure that your information is safe by protecting it from unauthorised access, modification, and disclosure. We maintain physical security over our paper and electronic data and premises, by using locks and security systems. We also 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 where your information is stored.

However, data protection measures are never completely secure and, despite the measures we have put in place, we cannot guarantee the security of your personal information. You must take care to ensure you protect your personal information (for example, by protecting any usernames and passwords). You should notify us as soon as possible if you become aware of any security breaches. We will, where required by applicable Privacy Law, as soon as reasonably practicable, notify you of material security breach concerning your personal information held by us.

Disclosure of information we collect

We do not sell, trade, or rent your personal information to others.

We may need to provide your information to contractors who supply services to us, e.g. To handle mailings on our behalf, external data storage providers or to other companies in the event of a corporate sale, merger, re-organisation, dissolution, or similar event. We may also disclose information we collect to the providers of our policy administration and broking systems that help us to provide our products and services to you. However, we will take reasonable measures to ensure that they protect your information as required under the Privacy Act.

Where we receive requests for information from law enforcement or regulators, we carefully validate these requests before any personal information is disclosed.

You have a right to contact us for more information about the safeguards we have put in place (including a copy of relevant contractual commitments) to ensure the adequate protection of your personal information when this is transferred as mentioned above.

How can you check, update or change the information we are holding

Upon receipt of your written request and sufficient information to allow us to identify the information, we will disclose to you the personal information we hold about you. We will also correct, amend, or delete any personal information that we agree is inaccurate, irrelevant, out of date or incomplete.

Please contact us using our contact details below as soon as possible if there are any changes to your personal information or if you believe the personal information we hold about you is not accurate, complete or up to date.

If you wish to gain access to your personal information, would like us correct or update it, have a complaint about a breach of your privacy or any other query relating to our Privacy Policy, please contact our Compliance Officer during business hours (9.00am – 5:00pm) in Melbourne on the details founds at the bottom of this policy.

We do not charge for receiving a request for access to personal information or for complying with a correction request. Where the information requested is not a straightforward issue and will involve

a considerable amount of time then a charge will need to be confirmed for responding to the request for the information.

In some limited cases, we may need to refuse access to your information or refuse a request for correction. We will advise you as soon as possible after your request if this is the case and the reasons for our refusal.

Use of artificial intelligence

We may use artificial intelligence systems to assist in the provision of our services, including:

- Customer service (e.g. chatbots);
- Internal knowledge management and staff training;
- Process optimisation (including fraud detection);
- Personalisation and predictive analytics; and
- The secure recording and transcription of calls or meetings where permitted by law and with required consents prior to commencement

Where personal information is disclosed to or handled by these systems, we will do so in compliance with the Australian Privacy Principles (APPs) and will implement appropriate technical and organisational measures to provide security, transparency, data minimisation and human oversight.

We will de-identify data wherever practicable before using it to train AI models. If the use of personal information without de-identification is reasonably necessary for the purpose of training AI models, we will only use it where:

- It is within your reasonable expectations and related to the primary purpose of collection, or
- You have given consent (particularly where sensitive information is involved)

Website information and content

The information provided on this website does not cover all aspects of the law on the relevant subject matter. Professional advice should be sought before any action is taken based upon the matters described and discussed on this site.

To the extent permitted by law, we make no representations about the suitability of the content of this site for any purpose. All content is provided without any warranty of any kind. We disclaim all warranties and conditions with regard to the content, including but not limited to all implied warranties and conditions of fitness for a particular purpose, title and non-infringement.

We will not be liable for any damages or injury caused by, including but not limited to, any failure of performance, error, omission, interruption, defect, delay in operation of transmission, computer virus, or line failure. To the extent permitted by law we will not be liable for any damages or injury, including but not limited to, special or consequential damages that result from the use of, or the inability to use, the materials in this site.

We believe the content of this site to be accurate, complete and current, however there are no warranties as to the accuracy,

completeness or currency of the content. It is your responsibility to verify any information before relying on it. The content of this site may include technical inaccuracies or typographical errors.

We reserve the right to modify the content of this site from time to time.

Anonymous data – We use technology to collect anonymous information about the use of our website, for example when you browse our website our service provider logs your server address, the date and time of your visit, the pages and links accessed and the type of browser used. It does not identify you personally and we only use this information for statistical purposes and to improve the content and functionality of our website, to better understand our clients and markets and to improve our services.

Cookies – In order to collect this anonymous data we may use “cookies”. Cookies are small pieces of information which are sent to your browser and stored on your computer’s hard drive. Sometimes they identify users where the website requires information to be retained from one page to the next. This is purely to increase the functionality of the site. Cookies by themselves cannot be used to discover the identity of the user. Cookies do not damage your computer and you can set your browser to notify you when you receive a cookie so that you can decide if you want to accept it. Once you leave the site, the cookie is destroyed and no personal or other information about you is stored.

If you follow a link from our website to another website, please be aware that the owner of the other website will have their own privacy and cookie policies for their site. We recommend you read their policies, as we are not responsible or liable for what happens at their website.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.aboutcookies.org or www.allaboutcookies.org

Forms - Our Website allows visitors to submit information via Self-Service forms (Claim Forms, Employment and Contact request). The information submitted via the Forms is not encrypted. Should you be concerned about confidentiality of the information you enter, please contact us via telephone, and we can provide you with an appropriate email address for an individual contact.

Information collected via on-line forms is sent to our offices via email (not encrypted), is stored on our database and arrives in a shared mailbox which is accessible by approved staff only (password protected).

Links to third party sites – Our website may contain links to other third-party websites. We do not endorse or otherwise accept responsibility for the content or privacy practices of those websites or any products or services offered on them. We recommend that you check the privacy policies of these third-party websites to find out how these third parties may collect and deal with your personal information.

Your choices and how to opt out

When we collect your personal information via email, post, SMS, app notification, telephone or targeted online advertisements, we may use your personal information to send you direct marketing communications about our insurance products or other related services. We limit direct marketing to a reasonable and proportionate level, and to send you communications which we believe may be of interest to you, based on the information we have about you. Our processing of your personal data for direct marketing purposes is based on legitimate interests and you agree, upon commencement as a customer to receive such communications.

If you no longer wish to receive such information, or you do not want us to disclose your personal information to any other organisation for direct marketing purposes (including our insurance broking businesses or other related companies), you can opt out by following the opt-out links in electronic communications, de-activating the push notification or alert to your mobile phone, or contact us using our contact details below.

We will process these preferences as soon as practicable. These subscription preferences will be managed separately and will not affect our usual communication methods and agreed preferences (including email) pertaining to your insurance needs e.g. Renewals, Invoicing, Client Surveys etc.

We may use your information internally to help us improve our services and help resolve any problems.

Your consent

By asking us to assist with your insurance needs, you consent to the collection and use of the information you have provided to us for the purposes described above.

Making a complaint

If you have concerns about whether we have complied with the Privacy Act or this Privacy Policy when collecting or handling your

personal information, please write to our Compliance Officer during business hours (9.00am – 5:00pm) in Melbourne on the details founds at the bottom of this policy.

Your complaint will be considered by us through our Internal Complaints Resolution Process. We will acknowledge your complaint within 24 hours and may request additional information from you, if required, to assist with our investigation. We will respond with a decision within 30 days of you making the complaint. If this is not possible, you will be contacted within that time to let you know how long it should take us to resolve your complaint.

If you are not satisfied with our determination, you can contact us to discuss your concerns or complain to the relevant local data protection supervisory authority, i.e your place of habitual residence, place or work or place of alleged infringement. In Australia, this is the Australian Information Commissioner (OAIC) at www.oaic.gov.au.

Updates of Privacy Policy

We reserve the right to amend our Privacy Policy from time to time to ensure we properly manage and process your personal data. Any amended Privacy Policy will be posted on our website and displays a version number and effective date for that published Policy.

The Compliance Officer

Telephone 03 5562 0248 or by email
info@breakwaterib.com.au

Alternatively, you can contact us via:

Breakwater Insurance Brokers Pty Ltd

PO Box 623
Warrnambool VIC 3280