

State Super Privacy Statement

State Super respects your privacy

SAS Trustee Corporation (“STC” or “State Super”) respects your privacy as a member or beneficiary of one or more of the following schemes:

- State Superannuation Scheme (SSS);
- State Authorities Superannuation Scheme (SASS);
- State Authorities Non-contributory Superannuation Scheme (SANCS); and
- Police Superannuation Scheme (PSS),

(collectively known as the STC Schemes).

Protecting your personal information is important to State Super. New South Wales legislation, the *Privacy and Personal Information Protection Act 1998* (PPIP Act) and the *Health Records and Information Privacy Act 2002*, require State Super to handle your personal and health information in accordance with the Information Protection Principles and Health Privacy Principles.

We refer to “State Super”, “we”, “us” and “our” throughout this document, but these references may also include the administrator of the STC Schemes, Mercer Administration (and Allianz in respect of some PSS benefit administration), who collect and use your personal and health information on our behalf, including via the State Super website. Mercer Administration and Allianz are subject to the Australian Privacy Principles (APPs) which are contained in Schedule 1 of the *Privacy Act 1988* (Cth).

This Statement explains how State Super satisfies the requirements of the Information Protection Principles and the Health Privacy Principles.

What is personal information?

In general terms, the NSW privacy legislation provides that **personal information** is information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. Generally, the definition of personal information does **not** include health information.

What is health information?

In general terms, the relevant NSW legislation provides that **health information** is:

- personal information that is information or an opinion about:
 - the physical or mental health or disability of an individual; or
 - an individual’s express wishes about the future provision of health services to him or her; or
 - a health service provided, or to be provided, to an individual, or
- other personal information collected to provide, or in providing, a health service, or
- other personal information about an individual collected in connection with the donation, or intended donation, of an individual’s body parts, organs or body substances, or
- other personal information that is genetic information about an individual arising from a health service provided to the individual in a form that is or could be predictive of the health (at any time) of the individual or of a genetic relative of the individual, or
- healthcare identifiers.

What information does State Super collect and hold about you?

State Super collects and holds your personal information that is necessary to administer your scheme membership and facilitate the provision of services related to the membership to you. The type of personal information we hold includes your name, date of birth, address, contact information, tax file number, contributions history, benefit statements or estimates, salary information, investment option (if relevant) and other details to assist in managing your membership as efficiently as possible.

We may collect personal information from you when you use the State Super website to ask questions or seek information on-line. The information is collected for lawful purposes directly related to the function of administering your superannuation scheme membership.

State Super collects your health information if you apply for additional benefit cover (in SASS) or apply for payment of an invalidity benefit. It is only used by State Super for the purposes of determining your eligibility for additional benefit cover or for the assessment of your application for an invalidity benefit. State Super sometimes needs the assistance of a third party to help in the assessment of your application, for example, medical practitioners, legal advisers or investigators. In such cases we may provide your health information to the third party, but only for the purpose it as collected for. Further, we require the third party to protect your health information in the same way that State Super protects it.

State Super does not collect your health information for any other purpose than those set out above.

How is the information collected?

State Super collects most of your personal information directly from you, including when you fill in a form or contact Customer Service, including via the website. However, we also collect information about you from your employer, but limited to such information as salary and contributions history as authorised under the scheme legislation and required for the proper administration of your superannuation scheme membership.

We collect your health information from information in the relevant application forms that you fill in and send to us and, after receiving your written consent:

- from medical practitioners you consult, and/or
- from medical practitioners we request to consult with or examine you or to examine the health information you have provided.

How does State Super use your information?

State Super collects and uses your personal information to enable the proper administration of your superannuation scheme membership, including collecting (and if applicable, allocating) contributions, and the calculation and payment of your benefit entitlement(s).

We also use your personal information for the purposes of:

- determining an entitlement to a benefit;
- administering your investment choice in SASS;
- processing your benefit payments, including a pension where applicable;
- facilitating the provision of financial planning advice;
- keeping you informed of:
 - activities within the STC Schemes relevant to you;
 - products and services you may be interested in; and
- complying with applicable laws.

Where we collect your information from you on a form, the purpose of the collection is outlined in the form together with any intended potential recipients of the information and whether the information is required to be provided or not. If you choose not to provide your personal or health information, it may mean that we will not be able to provide these services to you, including the determination of eligibility for a benefit or the payment of a benefit.

We may use your personal information for a purpose directly related to that for which it was collected, including assisting you to obtain information about your superannuation in the various phases of your life, including the retirement phase. State Super offers pre-retirement and post-retirement seminars which are run by financial planners from Aware Financial Services Australia Limited ("Aware Financial Services") on our behalf. Aware Financial Services, which is wholly owned by Aware Super, provides financial planning services. State Super may send you invitations to seminars presented by Aware Financial Services about retirement or financial planning. We may also send you information on where and how you can access the services of Aware Financial Services, but you have no obligation to use their services.

Your health information is used for the purposes of determining your eligibility to additional benefit cover (for SASS members) or for the assessment of an application for an invalidity benefit. It is not used for any other purpose. This health information is only available to State Super and to any service providers or medical practitioners involved with the assessment of applications for the additional cover or invalidity benefits. If we provide your health information to the third party for this purpose, we require the third party to protect your health information in the same way that State Super protects it.

Relevance and accuracy of information

State Super only collects information that is relevant to your superannuation scheme membership. Before the information is used, we endeavour to ensure that it is accurate and up to date. You have the opportunity of updating some of the personal information we hold about you by advising us of changes to your personal details, such as your address. This helps us ensure our records are up to date and we can keep you informed of your benefit entitlements.

Retention and security

State Super holds your information securely and disposes of it, in due course and when able to do so in accordance with the relevant law, in an appropriate manner. We have procedures to reduce the risk of unauthorised access to your information from both internal and external sources. This includes you having to provide a password to access the secure website which enables access to your membership information online.

When we disclose your information to a third party such as Mercer Administration or Aware Financial Services who are providing services to State Super, we require the third party to protect your information as confidential information and in accordance with the privacy laws.

Email – We will preserve the content of any email that you send us. If you make an inquiry or complaint by email, your privacy rights are the same as they would be with all written correspondence. In addition, your email message content may be monitored for security issues, including where email abuse is suspected. Our response to you may be monitored for quality assurance purposes.

If you provide us with your email address, we may use it to send our regular communications such as updates and newsletters that will enhance our relationship with you. If you do not wish to receive such information call Customer Service or contact our Privacy Officer on the details below.

Your rights to access and alter your information

You have rights under the *Government Information (Public Access) Act 2009* (NSW), the Information Protection Principles and the Health Privacy Principles to access and correct information we hold about you or if you are concerned about any aspect of the manner in which we deal with your information. To find out more, you should contact Customer Service.

If you find an error in the information held about you, or you think that certain information is missing, you can notify us and we will make appropriate amendments to your information. You are encouraged to advise us of any personal detail changes as they occur.

Who is your information disclosed to?

Your personal information is normally only disclosed:

- for a purpose directly related to the purpose for which it was collected; or
- in circumstances where you are aware that such information is usually disclosed; or
- where you have consented to its disclosure.

Third parties to whom your personal information may be disclosed include Mercer Administration, Aware Financial Services, the actuary for the STC Schemes, legal advisors, mail houses and other contractors used by State Super for superannuation-related purposes, such as the carrying out a survey of scheme members. These third parties have privacy obligations equivalent to State Super in relation to your personal information. Some of these organisations may contact you on our behalf. For example, Aware Financial Services may send you information on Aware Super products and services that may be of interest to you.

Where authorised by law, State Super may disclose your personal information to government agencies such as the Australian Taxation Office (ATO), Centrelink and the Department of Veterans Affairs. In some cases, disclosure may involve routine reporting, such as superannuation contribution information to the ATO, and in other cases disclosure may be at the request of a particular Government agency where the request is authorised or required by law.

We may disclose your personal information to another superannuation provider where your superannuation benefits are to be transferred (or rolled over) to that provider.

Your health information is only disclosed for the primary purpose for which it was collected. The only purposes for which we collect and use your health information is to help determine entitlement to additional benefit cover or to assess an application for an invalidity benefit. We sometimes need the assistance of a third party to help in the assessment of your application for an invalidity benefit for example, medical

practitioners, legal advisers or investigators. In these circumstances we require the third party to protect your health information in the same way that State Super protects it.

If your personal or health information is disclosed by another government agency to State Super, we are obliged to use it only for the purpose for which it is disclosed to us.

Disclosure of sensitive information

Sensitive information is personal information about a person's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership or sexual preference. The only sensitive information that State Super may collect (albeit indirectly) is the sexual preference of a member which is only relevant when an application for payment of a death benefit is being determined or if a member is incapable of administering their own affairs.

A superannuation death benefit may be payable to the surviving spouse of a de facto partner, including a same sex partner, of a deceased scheme member. In determining whether there is an eligible beneficiary for payment of a death benefit, we may need to collect and disclose sensitive information about you.

How do we identify you?

State Super issues members with a unique superannuation scheme membership number to enable us to more efficiently carry out our administration function. The membership number helps distinguish you from any other scheme member.

Can you be anonymous?

It is not practicable for State Super to deal with a member's scheme specific information or health information anonymously when determining their entitlement to any superannuation benefit, including an invalidity benefit.

Flows of information interstate

State Super will only disclose your health information to someone in another State or Territory when it is for your benefit or convenience, or if required to by law (i.e. to a Federal agency in accordance with a legal requirement). For example, if you have moved interstate and make an application for an invalidity benefit from one of our schemes, State Super may disclose your health information to an interstate medical practitioner who has examined or is going to examine you to assist us in the assessment of your application for the benefit. Your consent will be obtained for the disclosure and the party to whom the information is being disclosed will be required to deal with your health information according to the relevant privacy laws.

Mandatory Notification of Data Breach Scheme

The PPIP Act requires NSW public sector agencies such as State Super to comply with the Mandatory Notification of Data Breach (MNDB) Scheme. As set out in this Privacy Statement, State Super takes all reasonable steps to avoid having any data breach. An eligible data breach is defined in the PPIP Act to mean:

- circumstances where there is unauthorised access to or unauthorised disclosure of personal information held by a public sector agency and a reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates; or
- personal information held by a public sector agency is lost in circumstances where:
 - unauthorised access to, or unauthorised disclosure of, the information is likely to occur, and
 - if the unauthorised access to, or unauthorised disclosure of, the information were to occur, a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to an individual to whom the information relates.

If, despite the processes State Super has in place to avoid the occurrence of a data breach, a data breach of any significance involving personal information held by or for State Super occurs; it will:

- immediately make all reasonable efforts to contain the data breach;
- undertake an assessment within 30 days where there are reasonable grounds to suspect there may have been an eligible data breach;
- during the assessment period, make all reasonable attempts to mitigate the harm done by the suspected breach;
- decide whether a breach is an eligible data breach or there are reasonable grounds to believe the breach is an eligible data breach;

- if it is an eligible data breach, notify the NSW Privacy Commissioner and affected individuals of the eligible data breach.

Privacy and the internet

Generic information – When you visit an unsecured area of our website (where you are not required to log on) the only information recorded by us will be technical information such as the time, date, your domain, referring URL, your browser software and the pages that you visit. This traffic data is used to analyse trends and statistics and to improve the structure and performance of the site. We do not record information that allows us to identify you.

If you use our interactive services on the website, such as requesting a benefit estimate or accessing information about the investment options you have selected for your scheme benefit, member details or your latest annual statement, you will need to enter personal information to use these interactive services.

We retain this information as part of your administration record.

IP address – When you visit our website, the server logs your server's IP address (a number that is unique to the machine through which you are connected to the internet – usually one of your service provider's machines). We use your IP address to help diagnose problems with our server and to administer our site. Your IP address is used to gather broad demographic information and is not used in any way to uniquely identify users.

Cookies – There is a technology called “cookies” that can be used to provide you with tailored information from a website. A cookie is an element of data that a website can send to your browser, which may then be stored on your system. Some pages on our website use cookies so that we may better serve you when you return to the site. This will enable you to take full advantage of the services that the site offers.

Cookies alone do not identify users personally; they only identify machines. Most internet browsers are pre-set to accept cookies. If you prefer not to accept cookies you can adjust your browser to refuse cookies or to warn you when cookies are being used.

Links to third party sites – State Super's website provides links to a number of websites operated by third parties. These linked websites are not under our control, and we have no responsibilities or liabilities whatsoever for the content or privacy practices of any such linked site or any link or linking program at any time.

We encourage you to read the privacy policies or statements of these linked sites as their privacy policies may differ from ours. Links are provided to you for convenience only and the inclusion of any link does not imply any endorsement of the linked website by us.

We can be contacted by writing to: *Or by using one of the following Customer Service numbers:*

Privacy Officer
SAS Trustee Corporation
PO Box N259
Grosvenor Place NSW 1220

Privacy Officer:	(02) 9238 5906
Fax Number	(02) 9238 5999
State Authorities Super Scheme	1300 130 095
State Superannuation Scheme	1300 130 096
Police Superannuation Scheme	1300 130 097
Pensions	1300 652 113
Deferred Benefits	1300 130 094

This version of the State Super Privacy Statement is effective 16 February 2023.

Aware Financial Services Australia Limited (Aware Financial Services) (ABN 86 003 742 756) holds an Australian Financial Services Licence (AFSL number 238430) and is able to provide you with financial product advice. Aware Financial Services is wholly owned by Aware Super.

State Super does not pay fees to, nor receives any commissions from Aware Financial Services for financial planning and member seminar services provided to State Super members. State Super does reimburse 50% of the physical costs incurred by Aware Financial Services in providing the seminar services such as venue, catering, physical and electronic mail and print costs.

Neither State Super nor the New South Wales Government take any responsibility for the services offered by Aware Financial Services and its related entities, nor do they guarantee the performance of any service or product provided by Aware Financial Services and its related entities.