

## **BERKLEY INSURANCE COMPANY PRIVACY POLICY**

### **Our Privacy Policy**

This Privacy Policy outlines how Berkley Insurance Company trading as Berkley Insurance Australia ABN 53 126 559 706 AFSL 463129 collects, uses and discloses personal information. We handle your personal information with care and in accordance with the *Privacy Act 1988 (Cth)* and the Australian Privacy Principles.

When you acquire a product or service from us you will receive further information about our privacy practices in a privacy statement or other form of privacy disclosure. This is referred to as our “Privacy Statement”.

### **Your Consent**

By requesting us to provide you with insurance and insurance related services, you consent to the collection, use and disclosure of the personal information you have provided to us for the purposes described in this Privacy Policy.

When you apply for employment with us, you consent to the collection, use and disclosure of the personal information you have provided to us for the purposes described in this Privacy Policy.

### **What is Personal Information?**

Personal information is 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 the information or opinion is recorded in a material form or not.

## **What kinds of information do we collect and hold?**

The personal information collected and maintained by us generally includes your name, date of birth, address, contact details, qualifications and experience, Australian Business Number and information specific to the product or service you purchase from us.

For some products and services, we also collect and hold sensitive information such as your membership of professional or trade associations, health information and criminal record information.

During our recruitment process, we collect and hold your name, address, contact details, employment history, qualifications and experience, references, names and contact details of your referees and other information required for recruitment purposes. In cases where we seek your consent to conduct a background check, we also collect details of your proof of identity from you.

## **How do we collect your personal information?**

We collect information in a number of ways including from:

- you by direct means;
- your agents or representatives, for example your insurance broker, your legal advisers;
- third parties who you have asked to provide personal information to us
- our agents and service providers;
- other insurers, reinsurers and reinsurance brokers and insurance reference bureaus;
- people who are involved in a claim or people who we have requested to assist us in assessing, investigating, processing or settling claims, third parties claiming under your policies, witnesses, medical service providers, external claims data collectors, and your employer;
- law enforcement, dispute resolution, statutory and regulatory bodies;
- industry databases; and
- publicly available sources such as the internet.

## **Websites**

When you use our websites, we may also collect information about your visit to our website to assist us to improve our website. From time to time we may use Google Analytics to collect website visitor information.

We may obtain information about your general usage of our websites by using a cookie file. Cookies are small information files that an end user's browser places on their computer when a website is visited. You may refuse to accept cookies by activating the settings on your browser. For more information on disabling these cookies, please go to the privacy settings in your web browser.

## **For what purposes do we collect and use your personal information?**

We collect and use your personal information to provide you with insurance and insurance related services and employment suitability assessment. This may include the following:

- assessing risks and underwriting insurance;
- arranging insurance;
- administering insurance;
- assessing, investigating, processing and settling claims;
- marketing our services and products;
- conducting customer research;
- handling complaints and disputes;
- fraud detection and prevention; and
- assessing applications for employment.

## **Who do we disclose your personal information to and why?**

Your personal information will only be disclosed to third parties where the disclosure is reasonably required to provide you with the insurance and insurance related services and to carry on our business.

Examples of parties we may disclose your personal information to are:

- our related companies;
- our agents and brokers;
- other insurers, reinsurers and reinsurance brokers;
- insurance reference bureaus;
- dispute resolution and other relevant statutory or regulatory bodies;
- loss assessors and loss adjustors;
- our advisers and service providers;
- your employer; and
- other parties as required by law.

We will not disclose your sensitive information for any purpose, other than the purpose for which it was collected, or a directly related secondary purpose, unless you otherwise consent.

### **Disclosure to overseas recipients**

Your personal information may be disclosed to other companies within the Berkley Insurance Company group, reinsurers and service providers that may be located overseas. These countries may vary from time to time but may include the United States of America.

We review on a regular basis the security of our systems for sending personal information overseas.

### **Direct Marketing**

From time to time, we may use your personal information to advise you or offer you other products and services that may be of interest to you.

If you do not wish to receive such offers, please contact us as detailed at the end of this Privacy Policy.

You may opt out of direct marketing at any time.

## **How we hold your personal information**

Your personal information may be held in a number of ways, including:

- in our computer systems or databases; and
- in paper records.

If personal information has been collected by an agent, broker or a service provider, they may also hold copies of your personal information.

## **How we protect your personal information**

We will take all reasonable steps to protect the information we hold from misuse, interference and loss and from unauthorised access, modification or disclosure.

The ways we do this include:

- limiting physical access to our premises;
- restricting access to personal information we hold;
- maintaining technology security systems including firewalls and monitoring technologies; and
- requiring any third party providers to hold information securely.

## **Personal information about others**

Where you provide personal information about others, you represent to us that you have made them aware that you will do so, the types of third parties we may disclose it to together with the purposes we and our third parties use it for, how they can access such information and how complaints can be made.

Where you provide sensitive information about others, you represent to us that you have obtained their consent. If you have not, and will not do so, you must tell us before you provide the sensitive information.

## **Anonymity and Pseudonymity**

You may not wish to identify yourself or you may wish to use a pseudonym. This option is available to you provided it does not make it impractical for us to deal with you.

## **Access to, and correction of, your personal information**

We aim to ensure that your personal information is accurate, up to date, complete and relevant. If you would like to seek access to, or revise your personal information, or if you feel that the information we currently hold is inaccurate or incomplete, please contact us as follows:

Business Privacy Manager  
Berkley Insurance Australia  
PO Box Q296  
QVB NSW 1230

Phone: 02 9275 8500  
Fax: 02 9261 2773  
Email: [privacy@berkleyapac.com](mailto:privacy@berkleyapac.com)

Requests must be made in writing and may be subject to proof of identity.

## **Complaints**

If you have a complaint regarding your privacy, you may lodge a complaint by contacting us using the details listed above. You can also write to us at:

Business Privacy Manager  
Berkley Insurance Australia  
PO Box Q296  
QVB NSW 1230

We will attempt to resolve your complaint in accordance with our Internal Complaint Review Process.

If you are dissatisfied with the outcome of this process, you may be able to refer the matter to the Australian Financial Complaints Authority subject to its Terms of Reference or to the Australian Information Commissioner.

Contact details are as follows:

**Australian Financial Complaints Authority**

GPO Box 3  
Melbourne VIC 3001  
1800 931 678  
[www.afca.org.au](http://www.afca.org.au)

**Office of the Australian Information Commissioner**

GPO Box 5218  
Sydney NSW 2001  
1300 363 992  
<https://www.oaic.gov.au/>

We reserve the right to make changes to this Privacy Policy from time to time. If we do so, we will publish changes to the Privacy Policy on this website.

**European Union General Data Protection Regulation**

**Our European customers can access our Privacy Notice under the European Union General Data Protection Regulation (“GDPR”) by clicking on the link below.**