



# ASPEN AUSTRALIA BRANCH PRIVACY POLICY

## INTRODUCTION

This policy applies to the operations of Aspen's Australian Branch.

Aspen is committed to complying with the principles of the Privacy Act 1988 and accordingly adopts this Privacy Policy in adherence with the 13 Australian Privacy Principles ('APPs') as established in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (the Act).

This Privacy Policy sets out how Aspen handles personal information collected through its branch operations in Australia. Personal information is defined in the Act as "information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion."

Aspen has developed and implemented processes, practices and procedures to educate and train all relevant staff with respect to compliance with the APPs.

## WHO IS ASPEN?

In this Policy, "Aspen" refers to Aspen Insurance UK Limited and any other companies that are part of the Aspen group of companies and are involved in supporting Aspen's Australian Branch operations.

## HOW AND WHEN DOES ASPEN COLLECT PERSONAL INFORMATION?

When Aspen processes a request to provide insurance or receives a notification of a claim made under an insurance policy, personal information is likely to be collected. This can apply where a potential insured or a claimant is an individual or a corporate body.

Aspen also offers reinsurance cover to other insurance companies. When Aspen processes a request to provide reinsurance or receives a notification of a claim under a reinsurance policy it may also be provided with personal information about an insured of that insurance company or someone making a claim against that insurance company.



## WHAT PERSONAL INFORMATION DOES ASPEN COLLECT?

Aspen will only collect personal information needed to assess and underwrite a proposal to provide insurance or reinsurance cover, to administer policy records or to manage a claim under such cover. This may include:

- name, address and contact details e.g. telephone number or email address of any person covered under a policy or making a claim;
- details of any property being insured;
- personal details of anyone authorised to act on behalf of a covered person or claimant, e.g. a broker or a lawyer;

Aspen may collect or be provided with health and medical information if this is relevant to a claim, e.g. where a claimant has suffered an injury at work which is covered under an employer's liability policy. Your consent will be asked where this information is required.

Aspen will not use your personal information for direct marketing purposes or any other purposes not directly related to its insurance or reinsurance operations.

## DOES ASPEN DISCLOSE YOUR INFORMATION TO ANYONE?

Aspen respects the privacy of personal information and we will take reasonable steps to keep it strictly confidential. Aspen will not disclose your personal information to any other organisation or person, other than:

- those persons involved in the underwriting and administration of insurance and reinsurance policy records;
- those persons involved in claims assessment, analysis and payment; or
- a person or body to whom the information must be disclosed so as to satisfy statutory or legal requirements.

We may also need to share your personal information with our agents or contractors, such as investigators, assessors, professional advisors, legal representatives and reinsurers. Where we arrange for medical treatment or rehabilitation services we may need to share your health information with medical practitioners and other health care providers.

It is a requirement of Australian Privacy Principle 8 'Cross-border disclosure of personal information' ('APP 8') to notify you (where possible) of cross border disclosures. Aspen Insurance UK Limited is headquartered in the United Kingdom and your personal information will be held in our systems located in the United Kingdom.

Aspen will not otherwise forward information overseas unless the circumstances conform to APP 8.



## IS YOUR PERSONAL INFORMATION CORRECT?

Aspen will take all steps to ensure that personal information we hold or disclose about you is up-to-date, complete, accurate and relevant. If you believe that any information we hold relating to you is incorrect or inaccurate, you should notify us and we will respond to your request as soon as possible. If you are dissatisfied with our response, we invite you to lodge a complaint in accordance with our complaint mechanisms outlined below.

## IS YOUR INFORMATION SECURE?

Aspen is committed to taking all reasonable steps to protect the information we hold about you from misuse, interference, loss or unauthorised disclosure. However, Aspen does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures cannot occur.

Aspen will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which Aspen is authorised to use it.

## ACCESSING PERSONAL INFORMATION

A person may request to access personal information about them held by Aspen. Such a request must be made in writing to the address provided below. Aspen will grant a person access to their personal information as soon as possible, subject to the circumstances of the request.

A request to access personal information will be rejected if:

- a) the request is frivolous or vexatious;
  - b) providing access would have an unreasonable impact on the privacy of another person;
  - c) providing access would pose a serious and imminent threat to the life or health of any person;
- or
- d) there are other legal grounds to deny the request.

Aspen may charge a fee of A\$20 representing reasonable costs incurred in responding to an access request.



## CONTACT ASPEN

If you wish to contact us, you may do so in any of the following ways:

At Aspen's Australia Branch:

In writing to: Aspen Insurance UK Limited Australia Branch, Suite 2305, Level 23, Governor Phillip Tower, 1 Farrer Place, Sydney. NSW 2000

At Aspen's UK head office:

By e-mail: [privacy.officer@aspen.co](mailto:privacy.officer@aspen.co)

In writing to: The Privacy Officer, Aspen Insurance UK Limited, 30 Fenchurch Street, London, EC3M 3BD, United Kingdom

## ASPEN PRIVACY COMPLAINTS HANDLING PROCEDURE

Aspen has developed a Privacy Complaints Handling Procedure which deals with complaints and breaches regarding the receipt, use or management of personal information.

A person may make a complaint if they have concerns about how we have dealt with their personal information.

A breach occurs where there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals and this event is likely to result in serious harm to an individual:

- Financial harm that could allow identity theft or fraud (e.g. Loss of financial data, credit card information, etc.)
- *Any other harm* that, if the information was disclosed, could be deemed sensitive by that person and may subject them to discriminatory treatment, humiliation or damage to their reputation (e.g. health and other private information)
- *Harm* may be physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation

If a breach occurs we must, within 30 days of any breach or data loss, notify all affected customers and the Government Privacy Commissioner and disclose the information involved. We will also advise the affected customers what they should do to protect themselves.



All correspondence addressed to the Privacy Complaints Handling Officer are to be directed to:

Privacy Complaints Handling Officer

Aspen Insurance UK Limited

30 Fenchurch Street

London

EC3M 3BD

United Kingdom

Or by email: [privacy.complaints@aspen.co](mailto:privacy.complaints@aspen.co)

Aspen is committed to considering and thoroughly investigating how complaints are handled. It is our intention to resolve all complaints through this procedure.

The following is a summary of how our process works. If you have any questions, please contact the Privacy Complaints Handling Officer at the above address or email.

**Step 1:** A Privacy Complaint is received via post or email (Complaint).

**Step 2:** Within seven (7) business days following receipt of the Complaint, Aspen will send a communication via post or email to the person whom made the complaint (Complainant) acknowledging receipt of the Complaint and an Aspen employee (Investigator) will notify the Complainant, via post or email, that they have been assigned to investigate the Complaint and commence the investigation.

**Step 3:** The investigator will conduct an investigation of the Complaint. During this process, the Investigator may request further information from the Complainant and within 14 business days from the date provided for in Step 3, the Investigator will contact the Complainant, via post or email, notifying the Complainant of proposed avenues of resolution. The Complainant and the Investigator may work together to collaboratively resolve the Complaint to the Complainant's satisfaction.

**Step 4:** If the Complaint cannot be resolved by the Complainant and the Investigator in accordance with Step 3, then after the expiry of ten (10) business days from the date of the notice in accordance with Step 3, the Investigator will notify the Privacy Officer (Notification) who will then take steps to resolve the matter.

**Step 5:** Within ten (10) business days following Notification, the Privacy Officer will contact the Complainant, via post or email, and propose an avenue(s) of resolution.



**Step 6:** If the Complainant agrees to the proposed avenue(s) of resolution, the Complainant and the Privacy Officer will work together to close the matter.

**Step 7:** In circumstances where resolution cannot be achieved in accordance with Steps 1 to 6, we will recommend that the Complainant direct their Complaint to the Federal Privacy Commissioner or take independent advice as to their rights.

The Complainant may contact the Federal Privacy Commissioner as follows:

By telephone: 1300 363 992

By writing: Director of Complaints  
Office of Federal Privacy Commissioner  
GPO Box 5218  
Sydney NSW 1042