

# Privacy Policy

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30 November 2022

## 1. Our commitment to protecting your privacy

U Ethical acknowledges and respects the privacy of all individuals. We support and endorse the 13 Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) and we are committed to ensuring that all of our business dealings are compliant with these principles<sup>1</sup>.

This Privacy Policy outlines the types of personal information we may collect as well as explaining how we handle that information and the circumstances in which that information may be disclosed. It also covers how you can access or correct your personal information held by us and how you can make a privacy related complaint.

By using any of our services, visiting our website or otherwise by providing us with your personal information (including authorising for it to be provided to us by someone else), you agree to your personal information being handled as set out in this Privacy Policy and any revisions we may make to the policy from time to time. If you are an employee or prospective employee, then your information and records will be managed in accordance with the records retention and destruction policy.

## 2. About U Ethical

U Ethical is a public company limited by guarantee and an autonomous social enterprise of the Uniting Church with an independent board. We are an investment manager with a difference. We believe in creating a better world by investing with purpose—today and into the future. Our first funds were established in 1985 and over recent years we have grown steadily to become one of the largest ethical investment managers in Australia. The U Ethical group is made up of:

- Uniting Ethical Investors Limited ABN 46 102 469 821 AFSL 294147
- UCA Cash Management Limited ABN 41 075 948 444
- UCA Growth Fund Limited ABN 39 075 948 435

References to we, our or us in this Privacy Policy refer to the U Ethical group as a whole.

## 3. Personal information we collect

### 3.1 Personal information we collect from you

We may ask you for a range of personal information to assist us in providing you with relevant financial products and services. Such information we collect from you may include your name, signature, address, contact details, bank account details, date of birth, details about your occupation and employer, your tax file number plus other personal details such as gender and marital status and information about your financial position.

Whenever possible, we collect your personal information directly from you. We gather this information when you communicate with us including when you:

- complete an application form with us for the potential provision of services by us to you
- submit an application for, or express interests in employment or business opportunities
- lodge a complaint or dispute
- make inquiries about our services or contact us for any other reason in relation to our business activities, in person, via our website, or by telephone, mail or email
- register for or attend a U Ethical event

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<sup>1</sup>For a summary of the Australian Privacy Principles, see: <https://www.oaic.gov.au/agencies-and-organisations/guides/app-quick-reference-tool>

- subscribe to our mailing lists, or
- use our website.

### **3.2 Personal information we collect from others**

We may also collect personal information about you from external sources where this is reasonably necessary for the provision of our services to you. Examples of the people or organisations which may provide us with information are:

- people authorised by you (such as your lawyers or accountants)
- public sources of information (such as public registers, or the internet)
- third-party brokers (such as mortgage brokers)
- providers of compliance identification verification checks
- parents or guardians in respect of children
- another person recognised as responsible for you by law
- criminal check database, or
- credit check organisations in relation to the provision of loans.

### **3.3 Sensitive information**

Some personal information that we collect may also be sensitive information. Sensitive information will only be used and disclosed for a purpose or directly related purpose for which it was provided, unless you consent otherwise or unless required by law. Sensitive information includes information or an opinion relating to a person's racial or ethnic origin, political views or memberships, religious beliefs or affiliations, membership of a professional or trade association or trade union, sexual orientation or practices and criminal records. It also includes information about a person's health and medical history.

### **3.4 Consequences of not providing personal information**

You do not have to provide us with your personal information, but if you do not provide us with the personal information requested we may not be able to provide you with a particular or any services or assistance to you or continue to provide an existing service to you.

### **3.5 Remaining anonymous or using a pseudonym when dealing with us**

If you wish to remain anonymous or to use a pseudonym when dealing with us, we may be able to provide you with limited information or services, such as general details about our products, our internal and external complaint process, or our whistleblower policy and contacts.

We will assist you so far as we are able. However, in many cases it will be impracticable for us to assist you if you wish to remain anonymous or use a pseudonym. For example, we are generally not permitted to issue a financial product to a person without first collecting their personal information.

### **3.6 Unsolicited personal information**

If we receive personal information about you that is not required for the provision of services or products to you, or for the conduct of our business activities, and has not been specifically sought then we will securely destroy or permanently de-identify such information if it is lawful and reasonable to do so.

## 4. Use and disclosure of your personal information

### 4.1 Use of your personal information

We collect and use your personal information where it is reasonably necessary for or related to the products or services we provide to you. The specific personal information we collect will depend on the primary functions and activities we conduct on your behalf. Amongst other things, we may:

- establish your identity and assess applications for products and services
- price and design our products and services
- administer our products and services
- manage our relationship with you
- manage our risks and help identify and investigate suspected unlawful activity or serious misconduct, such as fraud
- contact you, for example if we suspect fraud on your account or need to tell you something important
- conduct credit and/or compliance identification verification checks required by the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)
- conduct and improve our business and improve your client experience
- communicate with persons acting on your behalf, for example your parents, guardians and persons holding power of attorney
- manage those to whom we outsource certain functions, for example, statement production and information technology support
- comply with our legal obligations and assist government and law enforcement agencies or regulators
- communicate to anyone else you authorise us to disclose information to, from time to time
- process employment applications during a recruitment process.

### 4.2 Disclosure of your personal information

Once we have collected your personal information, we will manage it in accordance with the APPs and the *Privacy Act 1988 (Cth)*. We will only disclose your personal information for the purposes for which it was collected, including to:

- manage your accounts
- communicate with you about the products or services we provide to you
- provide loans
- meet statutory and taxation requirements.

We may also collect, use and disclose your information for secondary purposes, such as telling you about other products or services that we think may be of interest to you, subject always to your right to opt out of receiving such materials at any time. Please let us know if this is the case using the contact details in **section 10** of this Policy.

Parties with whom we may share your personal information may include the following:

- Related entities of the U Ethical group
- Our services providers and any of their sub-contractors for the purpose of managing your account and providing services to you, which may include our unit registry service provider and custodian
- Our legal and other professional advisers
- Government bodies and law enforcement agencies including the Australian Taxation Office, Australian Transaction Reports and Analysis Centre and the Australian Securities & Investments Commission
- Where required or authorised by law

### 4.3 Disclosure and use overseas

We use systems and staff located within Australia. However, from time to time, we may send your information overseas to complete a particular transaction, or where this is required by the laws or regulations of Australia or another country. Similarly, some of our service providers may have servers, back office administrative services or anti-money laundering counter terrorism financing screening services which are located overseas and which are necessary for the performance of a contract in your interest between us and the service provider.

We will take reasonable steps to ensure that none of your information is collected, held, used or disclosed by any overseas recipient in a way that is inconsistent with, and does not breach the APPs.

### 4.4 Direct marketing

We may use your personal information for the purpose of offering you those of our products and services we believe may interest you and be relevant to you. Our direct marketing consists of a range of communications (which may be by mail, email or telephone) which primarily comprises:

- Performance and investment updates
- Service offerings related to the products or services we provide to you
- Newsletters
- Event invitations
- Product and cross product offerings

If you do not wish to receive direct marketing from us, you may opt out of this at any time and we will stop sending you such materials within a reasonable time<sup>2</sup>. Please contact us by using any of the methods set out in **section 10** of this Policy.

## 5. Internet

### 5.1 Website

When you visit our website<sup>3</sup>, our server or our internet service provider makes a record of your visit and may log the following information for statistical purposes:

- your server address (which includes your top level domain name - e.g., com., gov., org.)
- the date and time of your visit to the site
- the pages you accessed and documents downloaded
- the previous site(s) you have visited
- the type of browser you are using.

### 5.2 Access to information collected

We will not make an attempt to identify users or their browsing activities. However, in the unlikely event of an investigation or under other exceptions allowed by law (e.g. in the event of suspected unlawful activity or serious misconduct), a law enforcement agency or other government agency may exercise its legal authority to inspect our internet service provider's logs.

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<sup>2</sup> A reasonable time is "usually 30 days" as per OAIC, Australian Privacy Principles Guidelines (July 2019, oaic.gov.au).

<sup>3</sup> <http://www.uethical.com>

### 5.3 Use of information collected

Your e-mail address will only be used for the purpose for which you have provided it and it will not be used for any other purpose without your consent.

Users should be aware that there are inherent risks transmitting information across the internet.

### 5.4 Cookies

Our website will use persistent cookies for statistical purposes, and session cookies to enable users to remain signed into the website.

Cookies can be either "persistent" or "session" based. Persistent cookies are stored on your computer, contain an expiration date, and may be used to track your browsing behaviour upon return to the issuing web site. Session cookies are short-lived, are used only during a browsing session, and expire when you quit your browser.

Upon closing your browser the session cookie set by our website is destroyed and no personal information is maintained which might identify you should you visit our web site at a later date.

When signing in, you may opt for a persistent cookie to enable you to remain signed into the website after you have closed your browser.

## 6. How we keep your personal information secure

### 6.1 Reasonable steps taken

We take reasonable steps to store your personal information securely, whether it is held in secure computer storage facilities, in paper-based files or other formats.

We take a number of steps to protect your personal information from misuse, loss, unauthorised access, modification or improper disclosure. These include instructing our team members and our service providers who handle your personal information to respect the confidentiality of customer information and the privacy of individuals, along with a number of security measures.

When your personal information is no longer required for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your personal information. However, most of the personal information is or will be stored in client files which will be kept by us for a maximum of 7 years or otherwise as indicated in our internal records retention and destruction policy.

### 6.2 Information technology security

We also use information technology security procedures including password protection, firewalls, intrusion detection and site monitoring. While we take reasonable precautions to secure your personal information, data protection measures are never completely secure and we cannot guarantee the security of your personal information.

Where practical, we keep information only for as long as required (for example, to meet legal requirements or our internal needs).

## 7. Accessing, updating and correcting your personal information

### 7.1 Your access

You have a right to know what personal information we hold about you and to obtain access to it if required. If you require access to your personal information, please contact us by using any of the methods set out in **section 10** of this Policy.

There is no fee for making the initial request, but in some cases there may be an access charge to cover the time we spend identifying you and locating, compiling and explaining the information you ask for. If there is an access charge, we will give you an estimate up front and confirm that you would like us to proceed. Generally, the access charge is based on an hourly rate plus any photocopying costs or other out-of-pocket expenses.

We will endeavour to provide your personal information within **10 business days** of your request.

In certain circumstances we may deny your request to access, or limit the access we provide (for example commercially sensitive information). If that is the case, we will advise you in writing as to the reasons why.

## 7.2 Updating and correcting your personal information

We aim to ensure that your personal information is accurate, complete, relevant, and up to date.

If you are aware that your personal information is incorrect, out-of-date, or incomplete, please contact us by using the contact details set out in **section 10** of this Policy.

We will deal with your request within a reasonable time<sup>4</sup> and, if we decide not to update or correct your personal information, we will advise you in writing as to the reasons why. We will not charge you to amend, or to review your request to amend, your information.

## 8. Notifiable data breaches

The Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth) amends the Privacy Act 1988 (Cth) to introduce mandatory eligible data breach notification provisions (the NDB Scheme) which took effect in February 2018.

This means that if we commit an eligible data breach or a breach of the security of your personal information (APP 11) we are required to notify you. We are also required to prepare a statement and provide a copy to the Office of the Australian Information Commissioner.

An eligible data breach would occur if there was unauthorised access or disclosure of the personal information we hold on our clients behalf or it is lost and likely to result in unauthorised access or disclosure and likely to result in serious harm to those clients.

In order to make sure that an eligible data breach does not occur we take steps to ensure your personal information is secure as detailed in **section 6** of this Policy. We would also take all necessary and practicable steps once becoming aware of such a breach to ensure that serious harm would not occur.

## 9. Making a privacy complaint

### 9.1 Internal complaint process

If you wish to make a complaint about our handling of your personal information, including any potential breach of this Privacy Policy or the Australian Privacy Principles, you can contact us in writing using the contact details set out in **section 10** below.

Please provide sufficient details regarding your complaint together with supporting evidence.

Your complaint will be treated seriously and dealt with promptly, in a confidential manner and in accordance with our Dispute Resolution Policy. Whilst we strive to resolve complaints within 5 business days, some complaints may take longer to resolve. We will provide you with our response to your complaint in writing, including the outcome of any investigation if applicable, no later than 30 calendar days after receiving the complaint.

### 9.2 External dispute resolution

If you are not satisfied with our handling of your complaint, you can seek assistance from either the Australian Financial Complaints Authority or The Office of the Australian Information Commissioner, details are below. We suggest you do this only once you have first followed our internal complaint process set out above.

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<sup>4</sup> A reasonable time is "usually 30 days" as per OAIC, Australian Privacy Principles Guidelines (July 2019, oaic.gov.au).

Australian Financial Complaints Authority	The Office of the Australian Information Commissioner
Phone: 1800 931 678	Phone: 1300 363 992
Email: <a href="mailto:info@afca.org.au">info@afca.org.au</a>	Online forms available at OAIC website: <a href="http://www.oaic.gov.au/about-us/contact-us">www.oaic.gov.au/about-us/contact-us</a>
Address: GPO Box 3 Melbourne VIC 3001	Address: GPO Box 5288 Sydney NSW 2001
Website: <a href="http://www.afca.org.au">www.afca.org.au</a>	Website: <a href="http://www.oaic.gov.au">www.oaic.gov.au</a>

## 10. Contact Us

Any complaint, questions or comments concerning the U Ethical Privacy Policy and privacy practices, and any general privacy inquiries or requests (including a request to opt out of direct marketing material) can be addressed to U Ethical's Privacy Officer:

- In writing: Level 6, 130 Lonsdale Street, Melbourne Vic 3000
- By Email: [uehticalprivacyofficer@uethical.com](mailto:uehticalprivacyofficer@uethical.com)
- By telephone: 1800 996 888

## 11. Additional Information

We reserve the right to modify this Privacy Policy from time to time to reflect our current practices and we will post such updated Privacy Policy on our website with a change to the "Updated" date at the top of the Privacy Policy. Modifications will be effective **30 days** following the "Updated" date. Your continued use of our services following the effective date of any modifications to this Privacy Policy constitutes acceptance of those modifications.