

Experian Australia Credit Services Privacy Policy 2022

October 2022



Our commitment

At Experian Australia Credit Services Pty Ltd (referred to as Experian) we recognise the importance of your privacy and understand your concerns about the security of your Personal Information.

While information is the foundation for providing superior service, protecting your privacy and your Personal Information is of the highest importance to us. We believe that responsible stewardship of the information entrusted to us is crucial in developing and maintaining the public trust which in turn is essential for our continued success.

Scope

Experian, as a credit reporting body bound by the *Privacy Act 1988* (Cth) ("Privacy Act"), handles your Personal Information in accordance with law. As a result, the information Experian collects, uses, and discloses is regulated under Part IIIA of the Privacy Act rather than the Australian Privacy Principles ("APPs"). You should be aware that other entities within the group of Experian companies may collect, use, and disclose Personal Information in accordance with the APPs, which do not relate to credit reporting.

This privacy policy ("Policy") details how we will manage your Personal Information, including:

- a) the kinds of credit reporting information that we hold, and how we hold that information;
- b) the purposes for which we collect, hold, use, and disclose credit reporting information;
- c) how we use your information to contact or market to you directly (and your rights in respect of this);
- d) how you can access a copy of the credit reporting information we hold;
- e) how you can seek the correction of such information and your rights to correct;
- f) the kinds of personal information that we derived from credit information; and
- g) how you can complain if we don't meet our legal obligations, and how we deal with such a complaint.

We may, from time to time, review and update this Policy, including taking account of new or amended laws, new technology, and/or changes to our operations and practices. All Personal Information held by us will be governed by the most recently updated Policy. Accordingly, please regularly review our Policy so that you are aware of these updates and changes. If you have any questions, please contact us at:

Attn: Privacy Manager

Experian Group Companies

PO Box 1969

North Sydney NSW 2060

experian.com.au/consumer

What kinds of Personal Information do we collect?

The kinds of Personal Information we may collect and hold from you or about you includes:

- a) Identification information (for example, name, surname, address, and date of birth);
- b) Consumer credit liability information (for example, the name of the credit provider that granted you credit, the type of credit you have entered into, and the terms and conditions of the credit agreement);
- c) Repayment history information (for example, whether you have met your obligation to make a payment, the day on which your payment is due and payable);
- d) Financial hardship information (for example, where a payment obligation for a particular month is affected by a financial hardship arrangement)
- e) Consumer credit defaults (an adverse record detailing that you have stopped paying your account for more than 60 days and the overdue amount is more than \$150);
- f) Information relating to previously reported consumer credit defaults, including repayment information and new arrangement information;
- g) Information requests (for example, the name of the credit provider that accessed your credit report, the reason for the enquiry);
- h) Court Records relating to court findings associated with financial obligations not being met (for example, sequestrations, liquidations, bankruptcies and non-payment of debt).

Other information we may collect and hold includes:

- a) details of your financial and credit dealings with companies such as telecommunications providers and utilities;
- b) driver licence details.

Experian does not collect sensitive information such as:

- a) racial or ethnic origin;
- b) political opinions;
- c) membership of a political association;
- d) religious beliefs or affiliations;
- e) philosophical beliefs;
- f) membership of a professional or trade association;
- g) membership of a trade union;
- h) sexual orientation or practices;
- i) criminal record.

How do we collect that information?

We may obtain information about you from public and private sectors.

In the course of running a credit reporting business, we may collect information about you from:

- credit providers with which you may have a relationship;
- organisations from which you may have ordered a copy of your credit report;
- mortgage or trade insurers;
- debt collection agencies;
- state and territory courts;
- Government agencies such as the Australian Financial Security Authority, or the Australian Securities Investment Commission;
- any other parties who are authorised under the Privacy Act to share your Personal Information;
- our website when you deal with us online.

There may be circumstances when we collect or use additional details from you for the purposes of servicing your request, for example to correct your Personal Information on our database or to assist you when you notify us of potential fraud.

Experian collects your Personal Information to enable us to:

- provide our products and services to parties who are authorised under the Privacy Act to access your credit information, such as credit providers;
- provide you with your credit report when you ask us to do so;
- test the accuracy of the process by which your information is provided to us, updated, and loaded into our systems and the credit bureau; and
- conduct research into the use of bureau product and services.

How do we hold your information?

Experian holds your Personal Information in an Australian high security data centre. The Experian data centre and systems are only accessible by authorised Experian employees who are specially trained in security and data handling policies and protocols, Experian business standards, and the credit reporting obligations under the Privacy Act.

As a global leader, Experian recognises and acknowledges the importance of keeping the Personal Information and data that it holds secure and protected from unauthorised access. We adhere to international and industry standards around data privacy and protection. Access to your Personal Information is only provided to those employees who need to have access to perform their role. Access is also provided to customer's who use and subscribe the products and services we offer and any law enforcement agency with whom we are required by law to provide your Personal Information.

How does my information become an Experian Credit Report?

Experian uses the credit reporting information it holds on you to prepare your Experian Credit Report.

Your Experian Credit Report may include:

- a) your Experian credit score – a numeric representation of your credit worthiness based on mathematical algorithms;
- b) your identification details, including name (former name(s)) and address (former address(es));
- c) details of any defaults reported to us;
- d) comprehensive credit reporting information, including details of late or missed payments reported to us;
- e) court judgment information; and
- f) the number of information requests or enquiries made on your credit reporting information by credit providers.

Please note that financial hardship information is not used to generate your Experian credit score.

Our use and disclosure of your Personal Information

Experian holds, uses, and/or discloses your Personal Information only for those purposes which are permissible under the Part IIIA of the Privacy Act. Generally, credit reporting information is disclosed in the form of an Experian Credit Report and/or score in response to information requests or enquiries from a credit provider and where you have given consent to the credit provider seeking a credit report.

Experian also holds, uses, and discloses information for lawful purposes, which include:

- where you have provided consent to a party to use or access your credit reporting information generally for the purpose of providing services to you and assessing an application for consumer or commercial credit, mortgage or trade insurance, or where you are looking to provide a personal guarantee;
- for your credit provider to assist you with credit related products and services;
- where you have provided consent to a third party to access your information on your behalf;
- for investigative purposes;
- where we are required to do so under an Australian law or a court/tribunal order;
- where your Personal Information is de-identified and used for research and other purposes where permitted by law, including de-identified credit data for the purposes of conducting research in relation to credit.

We may also use your Personal Information to test the accuracy and efficacy of the system and data processes by which it is provided to us, including for inclusion in Experian's credit bureau and in relation to our provision of products and services.

Direct marketing

Under the Privacy Act there are limited circumstances in which your credit reporting information can be used for the purposes of direct marketing to you and Experian will only use or disclose your credit reporting information where permitted by law. Generally, we can only permit use or disclosure for direct marketing purposes by or to an Australian credit provider for the purposes of determining whether you may be eligible to receive communications from that credit provider about a particular consumer credit offer (“**pre-screening**”).

You may by written request per the details below, request that we do not use your credit reporting information for the purposes of pre-screening direct marketing. You may need to establish your identity and/or your authority to make the request. Where you have made a request for us not to use your credit reporting information for pre-screening direct marketing, we will make a note on your file and will not use or disclose your credit information for the purposes of pre-screening direct marketing.

What if I am the victim of fraud, or am likely to become, a victim of fraud?

The Privacy Act provides that where you are a victim of fraud or have reasonable grounds to believe that you are (or are likely to be) a victim of fraud, you may request that we do not use or disclose your credit reporting information for 21 days from when you make the request (“**Ban Period**”). If we receive a request from a credit provider during the Ban Period, we will notify the credit provider making the request that your credit reporting information is subject to a ban at your request.

During the Ban Period you may:

- a) request us to provide your credit reporting information to a specified credit provider/s; and
- b) apply to extend the Ban Period.

During the Ban Period to ensure your Personal Information is not compromised, your information cannot be disclosed or used. The existence of a ban on your file may impact the approval process for an application for credit. Please alert the relevant parties, if you are, or are intending to apply for credit and a Ban Period is under way with us.

You may request a ban by using the request form found on the Consumer Services section of our website at experian.com.au/consumer/request-a-ban

Access to your credit reporting information

You are entitled to request access to review the credit reporting information we hold in respect of you. To request access, please use the request form found on the Consumer Services section of our website at experian.com.au/consumer/order-credit-report

Alternatively, you can send us a request with the following details:

- a) information required to identify you;
- b) proof of your identity;
- c) if you have authorised a person to act on your behalf;
- d) a written statement signed by you authorising the identified person to receive the information on your behalf.

We may require you to provide further information to reasonably verify your identity and/or to identify your credit reporting information from our systems (including details such as previous names, addresses and identity details).

Once we are reasonably satisfied of your identity or your authorisation, we will provide you with a copy of your credit reporting information.

Requests for credit reports are fulfilled within 10 business days of you contacting us.

Experian will not charge you a fee to access a copy of your credit reporting information, including where you have not made a request within the last 3 months, where you can provide evidence that in the past 90 days an application for credit has been declined due to your credit history, or where your request for access relates to a decision by a credit reporting body or credit provider to correct information on your credit report.

How we maintain the quality of your Personal Information

It is extremely important to us that the Personal Information we hold about you is up to date and accurate. We take such steps as are reasonable to ensure that credit reporting information we hold about you is accurate and up to date. To do this we undertake steps to verify information provided to us for use as credit reporting information, including:

- a) giving weight to the most recent source;
- b) smart algorithmic matching to identify common typographical errors;
- c) internal data hygiene review, de-duplication, and processing;
- d) use of proven advanced data quality software and systems.

We are required under the Privacy Act to acquire credit reporting information on agreement terms that require providers to ensure that credit information contributed is accurate, up to date, and complete. We are also required to ensure that there is regular independent auditing of those agreements for compliance.

Experian ensures that information required to be removed and/or destroyed from your credit history is carried out within the timeframes as specified in the Privacy Act. For information as to how long we can retain your credit history, please contact us or visit our website at experian.com.au/consumer




Corrections


If you believe that the information we hold about you may not be up to date, accurate, or complete, you have the right under the Privacy Act to apply to us for a correction of that information. In such cases we ask that you contact us so that we can investigate the matter on your behalf.

On receipt of this information we will investigate and use all reasonable endeavours to resolve the issue within 30 days from receipt of your correction request. We may require further information or details from you to complete our investigation into your request. Depending on the nature of the correction we may require further information from or the assistance of another party such as another credit reporting body or credit provider to investigate or resolve the correction request. Where Experian is not the original provider of the information, we will liaise with the relevant parties to investigate the accuracy of the information we hold.

We will advise you of the outcome. Where the investigation is complex we may seek your agreement to allow more time for the investigation and resolution. Where, following our investigation we determine that a correction is warranted, we will take all reasonable steps to correct our records and we will provide you with written details of the correction and a copy of your updated credit record.

If we do not update your information as a result of your request, we will provide detailed feedback as to the reasons why we could not process your request. If you are unsatisfied with the outcome of the investigation you can contact the Australian Financial Complaints Authority (AFCA):

	afca.org.au
	info@afca.org.au
	1800 931 678

	Australian Financial Complaints Authority GPO Box 3 Melbourne VIC 3001
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Complaints

We make every effort to ensure that our information management practices comply with applicable laws. However, if you feel that Experian has not complied with our obligations under the Privacy Act, you can contact us with the details of your complaint. We will acknowledge receipt of your complaint within 7 days, we will investigate your complaint, and will seek to resolve it within 30 days.

If your concern relates to the correction of information we hold about you, we request that you seek a correction in accordance with the process described above before submitting a complaint.

If you are not satisfied with the outcome of our investigation, you may refer the matter to the Office of the Australian Information Commissioner or Australian Financial Complaints Authority (our external dispute resolution scheme) using the details below.

Contact details for both parties are as follows:

Office of the Australian Information Commissioner GPO Box 5218 Sydney NSW 2001 www.oaic.gov.au	Australian Financial Complaints Authority GPO Box 3 Melbourne, VIC 3001 www.afca.org.au
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Further information

This Policy reflects general information on how we:

- a) comply with our obligations under the Privacy Act;
- b) collect, hold, use, disclose, and manage your Personal Information; and
- c) provide credit reporting business services to our clients and to consumers.

This Policy is not legal advice and is not intended to replace the rights, duties, and obligations a party has under the Privacy Act. Nothing in this Policy is intended to create or impose rights, remedies, or obligations additional to those set out in the Privacy Act. All reasonable care has been taken by Experian to prepare and keep this Policy up to date. However, the information contained in this Policy is not intended to be a warranty or representation or otherwise to create any legal contractual relationship or obligations between you and Experian.