

Broker Forms Privacy Policy

NOTICE TO ALL USERS:

PLEASE READ THIS PRIVACY POLICY CAREFULLY. IT EXPLAINS WHAT INFORMATION WE AT BROKER FORMS COLLECT, AND HOW WE USE AND DISCLOSE THAT INFORMATION. IT ALSO EXPLAINS YOUR RIGHTS, AS WELL AS THE RIGHTS OF YOUR REGISTERED USERS AND YOUR CLIENTS, REGARDING THIS INFORMATION.

PLEASE NOTE: WE TAKE YOUR PRIVACY - AND THE PRIVACY OF YOUR CLIENTS WHOSE INFORMATION WE COLLECT - VERY SERIOUSLY AND WE WILL NEVER SELL INFORMATION THAT WE COLLECT ABOUT YOU, YOUR REGISTERED USERS OR YOUR CLIENTS TO ANYONE.

Welcome to Broker Forms. We (Broker Forms and the Licensor) provide You (the Licencee) with access to Our online fillable insurance underwriting Fact Find, Portfolio Review and Claim Report Form Service, applicable to various classes of insurance (the “**Broker Forms Software**” or the “**Software**”).

Once You complete a Fact Find or Claim Report Form by entering Your clients’ information, We store that information safely and securely. You can then access Client information at any time and it can be provided to multiple insurers and / or underwriting agencies to request risk insurance terms and conditions, or to report a claim to the insurer.

Your completed and stored Fact Find Forms can be re-used by You to record policy changes during the policy year and for an annual review of Your clients’ insurance portfolio.

In order to provide the above services, we need to safely and securely store, use and in limited circumstances, disclose, Your personal information, as well as your clients’ personal information. This Policy describes how we do that.

1. Definitions

Many of the terms contained in this Privacy Policy (the “**Policy**”) are defined in the Broker Forms Licence Agreement, which you can find on our website.

Where the Licence Agreement does not contain a Privacy Policy term, we have defined that term below. Please also note that for ease of understanding, we don’t always capitalise all defined terms, but that they have the same meaning as if they were capitalised.

Please note that when we refer to “Your Information”, we are also referring to information about your Registered Users and Client Information.

2. Scope of the Privacy Policy

This Policy applies to any and all data that we collect about You and from you as Licensee - including information about and from Your Registered Users, as well as Client Information - under the Broker Forms Licence Agreement.

3. Information that we collect about You

In order to provide our Services to You, we need to collect and store information about You, including your Registered Users. This can include personal information such as (but not limited to) Your and your Registered Users' names, email address, physical address, telephone number and IP addresses. We may also collect information about how and when You use the Broker Forms Software, such as the date and time that you used the Software, and the actions that you have taken within the Software, such as the entry of information and the generation of forms.

We may collect this information when You or Your Registered Users email us, enter into a licence agreement with us, contact us either by phone, email or post, and when You or Your Registered Users visit our website and use the Broker Forms Software.

We will use information that we collect about You in order to fulfil our obligations and to exercise our rights in accordance with the Licence Agreement. For example, We will use this information to communicate with you about Broker Forms.

We will also use information that we collect about You in order to send you information about Broker Forms including marketing about Broker Forms, if you have consented to receive such information from Us. You may opt out of receiving such material from us through an unsubscribe mechanism or by contacting us directly at info@brokerforms.com.au. Please note that if you have opted not to receive marketing material from us, We may continue to provide You with information regarding Your use of Broker Forms as a Licensee of the Software.

It is Your choice whether or not You wish to provide us with your information or that of Your Registered Users, but if You do not, neither You nor Your Registered Users will be able to be licenced to use the Broker Forms software.

4. Information that we collect about Your clients

In order to use the Broker Forms Software, You and Your Registered Users will need to provide us with personal information about Your clients, such as (but not limited to) Your clients' names, dates of birth, gender , contact details (email addresses, physical addresses, telephone and fax numbers) details of your current or previous

insurances, assets, liabilities, health conditions, income, marital status, children, criminal records, claim history, occupation, membership of professional associations, information specific to the insurance product eg details of property to be insured.

You must therefore ensure that You are authorised to disclose the information of the kind described in this clause, to not only Broker Forms but also to the insurers and underwriting agencies to whom Broker Forms will send that information, without the need for Broker Forms to take any further steps to gain such authorisation.

It is therefore the responsibility of You and Your Registered Users to take reasonable steps to ensure that Your clients whose personal information will be disclosed to Broker Forms and then stored and used in accordance with the Licence Agreement, are aware of such disclosure and use of personal information, and of their rights to obtain access to that information from both You as Licensee and from Us, and of their other rights in relation to that information as detailed in this Privacy Policy. Broker Forms has no relationship with Your clients and cannot take responsibility for communicating with Your clients regarding this.

We will only ever use Client Information in accordance with the Licence Agreement and to otherwise fulfil Our legal obligations.

5. Cookies

In order to provide the Broker Forms services, we need to use Persistent Cookies that are not deleted from your computer even when you have exited the Broker Forms Software and closed the browser. This is because we need to know who you are when you return to the Broker Forms website so that we can store your preferences and you can access your information. Thus, if You do not allow us to use Cookies, We will not be able to provide You with the Broker Forms services.

6. Location of Information

Our servers are primarily located in Australia, however we or our subcontractors may utilise servers outside of Australia and/or in the cloud, which may result in storage of Your information (including information about your Registered Users and Client Information) outside of Australia.

Please note that even if we store information at servers located outside of Australia, such information will remain within Our effective control at all times, with the role of third party data hosting limited to providing a hosting and storage service to Us. Only Broker Forms has the control of and access to Information collected as Licensor under the Licence Agreement, subject to the disclosure permitted under the Licence Agreement which disclosure includes but is not limited to disclosure to You as Licensee and to insurers and underwriting agencies.

7. Safety and Security of Information

While we are committed to protecting the security of the information with which you provide us under the Licence Agreement, and while we take all reasonable precautions to protect that information from unauthorised access, modification and disclosure, we cannot give an absolute assurance that Your information will be secure at all times, as the internet itself is not an entirely secure environment.

Should we discover or be informed of a security breach where Your information has been lost, stolen, accessed, used, disclosed, copied, modified or disposed of by unauthorised persons or in an unauthorised manner, we will inform you as soon as reasonably possible.

8. Retention of Information

We will retain information provided to us by You and/or Your Registered Users in accordance with the Licence Agreement. This means that we will retain this information for at least as long as You remain a Licensee under a Broker Forms Licence Agreement, and then for a further period so that we may comply with our legal obligations and to enforce our rights in accordance with the Licence Agreement.

9. Access to Information and Updates to Information.

If You, Your Registered Users or Your clients request information that we hold about them, we will provide them with that information within thirty days of receiving a request from the concerned party. Such requests may be made by either emailing us at info@brokerforms.com.au or by writing to us at [Broker Forms, PO Box 1833, Adelaide SA 5001](#).

Please also contact us if You believe that any of Your information that we hold (including that of Your Registered Users and Client Information) is inaccurate, out of date, incomplete, irrelevant or misleading, so that we may take reasonable steps, consistent with our obligations under the *Privacy Act 1988* (which is the Australian privacy law), to correct that information. Please note however that You should also update any outdated or incorrect information that we hold about You, Your Registered Users or Your Client Information, to the extent that you can make those changes Yourself via the Broker Forms Software.

To the extent that we may do so and still comply with our legal obligations, we will remove any personal information about an individual from our servers if they request that we do so.

There is no charge to an individual to access or update their personal information however where You are able to provide such access or to make such updates in accordance with the rights granted to you as a Licensee of the Broker Forms Software, it is Your responsibility to provide such access and make such updates.

10. Queries, concerns or complaints regarding this Policy and Information that We hold

If you have any queries, concerns or complaints regarding this Privacy Policy, please contact us at info@brokerforms.com.au [or by calling us on (08) 8236 7799 if you want to be contacted this way]. You can also contact us by post at: [Broker Forms, PO Box 1833, Adelaide SA 5001.](#)

We will contact you within thirty days of receiving such query, concern or complaint with a view to addressing the same.

11. Changes to this Privacy Policy

This Privacy Policy may be amended by Us from time to time. If that occurs, We will send You a copy of the new Privacy Policy to the email address that you have given us, and We will also update Our website with the new policy. Your continued use of the Broker Forms software will be deemed by Us to be acceptance of the amended Policy.

