Privacy Policy

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Meaning of words

Throughout this Privacy Policy, "we", "us" and "our" refer to:

Spinell Financial Services Pty Ltd (‘Spinell Financial Services’) ABN 63 136 567 738, Corporate Authorised Representative No. 408313 of **Financial Adviser Network Pty Ltd** (‘Financial Adviser Network’) ABN 71 633 144 242, Australian Financial Services Licence No. 517061.

Where required for licensing, compliance, supervision, administration, audit, professional indemnity insurance, complaints handling, or the provision of financial services, your personal information may also be collected, used, held, processed, or disclosed by Financial Adviser Network in its capacity as the Australian Financial Services Licensee. Financial Adviser Network handles personal information in accordance with the privacy practices and commitments outlined in this Privacy Policy.

Introduction

When you trust us with your personal information, you expect us to protect it and keep it safe.

Spinell Financial Services takes this responsibility seriously. We are committed to protecting your personal information and handling it in accordance with the Privacy Act 1988 (Cth) ("Privacy Act"), the Australian Privacy Principles (APPs), and other applicable laws, including the Spam Act 2003 (Cth).

The Australian Privacy Principles regulate how we collect, use, hold and disclose personal information and require us to take reasonable steps to protect the quality, security and confidentiality of your information.

If you would like further information about how we manage your privacy, please contact our Privacy Officer.

About this policy

This Privacy Policy explains how Spinell Financial Services collects, uses, holds, processes, discloses and protects your personal information and sensitive information.

We are committed to protecting your privacy and handling your information in accordance with the Privacy Act 1988 (Cth), the Australian Privacy Principles (APPs), and other applicable privacy laws.

This policy applies to personal and sensitive information collected through our interactions with you, including meetings, telephone conversations, emails, online forms and services, applications, financial advice processes and other services we provide.

What is personal information?

Personal information means 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 recorded in material form or not.

Personal information may include information that relates to your identity, financial circumstances, personal circumstances, preferences, objectives or dealings with us.

What is sensitive information?

Sensitive information is a type of personal information that receives additional protection under the Privacy Act.

Sensitive information includes information about:

- racial or ethnic origin;
- religious beliefs or affiliations;
- political opinions;
- membership of professional or trade associations;
- sexual orientation;
- criminal record;
- your health;

It can also include biometric information; and politically exposed person (PEP), sanctions or other screening information we may collect when verifying your identity and undertaking customer due diligence checks.

We will only collect sensitive information about where it is reasonably necessary to provide our services, where permitted by law and where appropriate consent has been obtained.

Sensitive information may also be collected where necessary to provide additional support to clients experiencing vulnerability or hardship circumstances.

What kinds of personal information do we collect and hold?

To provide appropriate financial advice and understand your personal circumstances, objectives and needs, we may collect and hold personal information including:

- Your name, residential address, postal address and contact details;
- Your date of birth, gender and tax residency information;
- Details about your family members, dependants and related entities;
- Your occupation, employer details or business details and source of income:
- Corporate, trust or legal relationships where you are a director, shareholder, beneficiary, settlor, trustee or controlling person;
- Your financial objectives, preferences, values and priorities relating to financial products or strategies;
- Government identifiers, including Tax File Numbers (TFNs), Centrelink identifiers, Director Identification Numbers, identification documents and verification information;
- Identity verification, AML/CTF, sanctions, fraud prevention and politically exposed person (PEP) screening information;
- Details of your financial circumstances, including assets, liabilities, income, expenses, cash flow, investments, superannuation, insurance arrangements, estate planning arrangements and source of wealth;
- Information about your risk tolerance and investment preferences;
- Records of meetings, discussions and communications with you, including recordings or AI transcripts where consent has been obtained;
- Information generated or processed by approved technology systems or AI-assisted tools, such as draft summaries, file notes, task records, document drafts and administrative records;
- Your signature, including electronic signatures; and
- Information provided by your authorised representatives, including a power of attorney.

The type of information we collect will depend on the products and services we provide.

Where we co-ordinate specialist insurance advice, we may collect additional information relating to the insurance application, including details about the insured person, beneficiaries, health information and financial circumstances where required.

Throughout our relationship with you, we may collect additional information, including transaction information, records of enquiries, complaints, requests and information required to administer your financial advice arrangements.

Information provided about other people

During the advice process, you may provide us with personal information about other individuals, including your spouse, family members, beneficiaries, trustees, executors or other related parties.

Before providing another person's personal information to us, you should ensure that they are aware that you have provided their information and refer them to this Privacy Policy.

Where you provide personal information about a child under the age of 16 in your capacity as their parent or guardian, you confirm that you are authorised to provide that information and consent to us collecting and holding that information.

Tax File Numbers (TFNs)

Tax File Numbers are collected, used and disclosed in accordance with taxation laws, including the Privacy Act 1988 (Cth) and the Taxation Administration Act 1953 (Cth).

You are not required to provide your TFN to us. However, choosing not to provide your TFN may have consequences, including:

- investment income or concessional superannuation contributions being taxed at a higher rate;
- paying more tax on certain superannuation benefits than required;
- your superannuation fund being unable to accept certain contributions; or
- difficulty locating and consolidating superannuation accounts.

Where we collect your TFN, we will only use it for authorised purposes and take reasonable steps to protect it from unauthorised access, use or disclosure.

Where your TFN is no longer required, we will securely destroy or de-identify it unless we are required by law to retain it.

Alternatively, you may choose to provide your TFN directly to the relevant investment, superannuation or taxation body.

How do we collect personal information?

We generally collect personal information directly from you. This may occur when you:

- engage us to provide financial advice services;
- complete application forms or financial questionnaires;
- attend meetings or discussions with us;
- communicate with us by telephone, email, online platforms or other methods;
- provide documents or information requested as part of the advice process; or
- use our website or online services.

We may also collect information electronically, including through our website, digital platforms, online forms, emails, client portals or share file services, CRM systems, cloud-based platforms, collaboration tools and other technology systems.

In some circumstances, we may collect personal information about you from third parties, including:

- your authorised representatives, such as your accountant, solicitor, mortgage broker, executor, administrator, guardian, trustee or attorney;
- financial institutions, superannuation funds, insurers, investment providers and product issuers;
- government agencies and publicly available registers;
- employers or organisations involved in providing products or services to you;
- health providers, insurers or reinsurers where we have agreed to assist you with any insurance claims; and
- other service providers assisting us to provide financial advice services.

Where we collect personal information from third parties, we will take reasonable steps to ensure the information is handled appropriately and used only for legitimate purposes.

What laws require or authorise us to collect personal information?

We may be required or authorised to collect certain information under applicable laws, including:

- Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and related rules, which require identification and verification information;
- Taxation Administration Act 1953 (Cth) and taxation laws relating to Tax File Numbers;
- Corporations Act 2001 (Cth) and financial services laws relating to the provision of financial advice;
- Insurance Contracts Act 1984 (Cth) and other applicable insurance laws where insurance advice or services are provided;
- sanctions, counter-terrorism financing, fraud prevention, financial crime and regulatory reporting obligations that apply to our business or services.

Do you have to provide us with your information?

You have the right to choose whether to provide your personal information.

However, Spinell Financial Services provides personal financial advice that considers your individual circumstances, objectives and needs.

If you do not provide sufficient information, or if the information provided is inaccurate or incomplete, we may not be able to:

- properly assess your circumstances;
- determine whether advice is appropriate;
- provide advice that is in your best interests; or
- provide certain products or services.

Where limited information is provided, we will explain any limitations, assumptions or risks associated with the advice or services provided.

Why do we collect, hold, use, process and disclose personal information?

We collect, hold, use, process and disclose personal information for purposes reasonably necessary to provide financial advice services and operate our business.

This includes:

- understanding your personal circumstances, objectives and financial needs;
- preparing and providing financial advice;
- assessing your financial position and developing appropriate strategies;
- verifying your identity and undertaking customer due diligence, including AML/CTF, sanctions and politically exposed person (PEP) screening;

- assisting with product applications and implementation of recommendations;
- communicating with product providers, superannuation funds, insurers and other relevant organisations;
- administering ongoing advice services and maintaining client records;
- responding to enquiries, requests, feedback, complaints and disputes;
- maintaining records required by law;
- making reports and disclosures to regulators and government agencies where required, including ASIC, AUSTRAC and the ATO;
- engaging and overseeing service providers, including paraplanning, administration, compliance, audit, technology, cyber security, data hosting and document management providers;
- using approved technology platforms, cloud-based systems, CRM systems, client portals, document management systems, collaboration platforms, workflow and compliance systems and AI-assisted tools to collect, store, organise, process, review, administer and protect your information and our services;
- conducting training, supervision, quality assurance, compliance monitoring, risk management, audit, fraud prevention and incident investigation activities;
- protecting the security, confidentiality and integrity of our systems and information, including detecting, preventing and responding to cyber security incidents, privacy incidents and other security risks;
- improving our services, systems and processes;
- managing risks, compliance obligations and regulatory requirements;
- preventing fraud, financial crime or other unlawful activity; and
- establishing, exercising or defending legal rights and resolving disputes.

We may also use information internally to improve the efficiency, quality and security of our services.

Who do we disclose your personal information to, and why?

To provide financial advice and related services, we may disclose your personal information to organisations that assist us in delivering those services.

These organisations may include:

- Financial Advice Network Pty Ltd as our Australian Financial Services Licence holder;
- product providers, including superannuation funds, investment platforms, insurers, fund managers and financial institutions;
- administrative, paraplanning and support service providers;
- technology providers, software providers, data hosting providers, cloud storage providers, cyber security providers, CRM providers, document management providers, client portal or file sharing providers and workflow or compliance system providers;
- artificial intelligence (AI) providers and technology platforms approved for business use;
- compliance consultants, auditors, legal advisers and professional advisers;
- payment providers and financial institutions;
- government agencies, regulators and law enforcement bodies where required or authorised by law;
- external dispute resolution schemes, professional disciplinary panels, courts or tribunals;
- your authorised representatives, such as your accountants, lawyers, trustees, attorneys or other persons where you have provided us your consent

Where we disclose information to third-party service providers, we take reasonable steps to ensure they handle your information appropriately and only for the purposes for which it was provided.

Where service providers process personal information on our behalf, we take reasonable steps to assess privacy, confidentiality, information security and data governance risks and to ensure appropriate contractual, operational and security safeguards are in place.

How do we use technology, artificial intelligence and automated tools?

Spinell Financial Services uses technology solutions that have been assessed for privacy, confidentiality and information security risks to support the delivery of our services and the administration, storage, processing and protection of personal information.

These technologies may include customer relationship management (CRM) systems, financial planning and modelling software, research platforms, practice management systems, client portals, document and records management systems, cloud-based storage and collaboration platforms, workflow and compliance management systems, communication platforms and artificial intelligence (AI) tools.

Technology and AI assisted tools may be used to:

- collect, store, organise, access and process personal information;
- maintain client records and interactions;
- prepare meeting summaries, file notes and records of advice;
- support administrative and business processes;
- analyse information provided during the advice process;
- assist with financial modelling, research and strategy comparisons;
- prepare draft correspondence, documents and advice materials;
- facilitate secure communication and document sharing;
- support compliance, audit, quality assurance, supervision and risk management activities; and
- improve operational efficiency and service delivery.

AI tools do not provide personal financial advice, make independent recommendations or replace the professional judgement of your adviser.

Your adviser remains responsible for:

- assessing your circumstances;
- determining appropriate strategies and recommendations;
- ensuring advice is appropriate for your needs and objectives and is provided in your best interests;
- reviewing and validating any information, analysis or documents generated with the assistance of technology tools; and
- ensuring any advice provided to you complies with applicable legal and regulatory requirements.

Decisions relating to financial advice, recommendations and client outcomes are not made solely by AI systems. Appropriately authorised personnel review and remain responsible for advice and decisions made in connection with our services.

Where technology providers, cloud-based systems or AI tools process personal information on our behalf, we take reasonable steps to assess privacy, confidentiality and information security risks and to ensure appropriate contractual and security safeguards are in place.

Where AI tools are used, we take reasonable steps to ensure personal information is not used to train public AI models unless authorised by us and permitted by law.

Where AI tools are used:

- client meetings may be recorded or transcribed only where prior acknowledgement and consent has been obtained;
- AI-generated summaries, notes or documents are reviewed by appropriately qualified personnel before being relied upon;
- AI tools are not used as a replacement for adviser judgement or professional decision-making;

- AI tools are used to assist and advisers, not to independently determine financial advice, product recommendations, eligibility or client outcomes; and
- only AI-assisted tools which have been subject to our internal approval, information security and governance processes will be used.

Meeting recording, transcription and AI processing consent

Before recording or transcribing a meeting or conversation, we will seek your consent. Your consent may be captured as part of the recording or transcript to evidence that it was provided.

By providing your consent, you acknowledge that recordings and transcripts may be processed using AI-assisted technologies we have approved to assist our staff in preparing meeting summaries, file notes and other documentation and records relating to the services we provide to you.

You may choose not to have meetings recorded or transcribed, or not to have AI-assisted technology used in relation to those recordings or transcripts. This will not affect your ability to receive financial advice.

Overseas disclosure and cloud storage

Your personal and sensitive information may be stored, processed, backed up or accessed through cloud-based systems, software applications, data hosting environments and technology providers used by Spinell Financial Services.

Some providers may operate outside Australia, including jurisdictions such as the United States and India. As a result, your information may be stored, processed, backed up or accessed overseas.

Spinell Financial Services engages overseas administrative and paraplanning support providers, including providers located in India. We take reasonable steps to ensure these providers handle personal information in a manner consistent with our privacy and confidentiality obligations. These providers are subject to confidentiality obligations, information security requirements and oversight by Spinell Financial Services.

Where information is disclosed overseas, we take reasonable steps to ensure appropriate privacy and security protections are maintained.

However, overseas recipients may be subject to privacy laws that differ from those applying in Australia.

Due to the nature of cloud-based technology and third-party technology service providers, personal information may be stored, processed, backed up or accessed in different locations from time to time, including where vendors use distributed infrastructure, support teams or data centres.

How do we protect the personal and sensitive information we hold?

Spinell Financial Services takes reasonable steps to protect your personal and sensitive information from misuse, interference, loss, unauthorised access, modification or disclosure.

We maintain a combination of technical, physical and administrative safeguards designed to protect information, including:

- access controls and user permissions;
- password protection and multi-factor authentication where available;
- secure storage systems and backup processes;
- cyber security measures;
- confidentiality obligations for employees, contractors and service providers;
- staff training regarding privacy and information security;
- secure handling of physical documents;
- due diligence in relation to approved technology, cloud and AI providers;
- vendor and outsourced service provider oversight proportionate to the nature of the information handled;

- incident response and breach assessment processes; and
- secure destruction or de-identification of information when no longer required.

While we take reasonable measures to protect your information, no electronic transmission, storage system or communication method can be guaranteed to be completely secure.

When communicating electronically with us, you should also take reasonable precautions to protect your own information, including using strong passwords, maintaining device security and enabling multi-factor authentication where available.

If you believe your personal information may no longer be secure, please contact us immediately.

What is a Notifiable Data Breach?

The Privacy Act 1988 (Cth) includes the Notifiable Data Breaches (NDB) scheme.

Under this scheme, organisations are required to notify affected individuals and the Office of the Australian Information Commissioner (OAIC) where there has been a data breach involving personal information that is likely to result in serious harm.

If Spinell Financial Services identifies a data breach that requires notification, we will:

- assess the nature and extent of the breach;
- take reasonable steps to contain and remediate the issue;
- notify affected individuals where required;
- notify the OAIC where required; and
- provide information about steps that may help reduce potential harm.

Do we use or disclose personal information for marketing?

Spinell Financial Services may use your personal information to provide information about services, updates, educational material, events or communications that may be relevant to you.

Any direct marketing communications will comply with applicable privacy laws, including the Spam Act 2003 (Cth).

You may opt out of receiving marketing communications at any time by contacting us or using the unsubscribe option provided in electronic communications.

Do we collect personal information electronically?

We may collect information electronically through our website, online platforms, applications, emails, client portals, CRM systems, cloud-based platforms, collaboration tools and other technology systems.

When you visit our website, we may collect information such as:

- date and time of visits;
- pages viewed;
- website navigation patterns;
- information submitted through online forms;
- device information;
- IP address; and
- general location information.

We may use cookies or similar technologies to improve website functionality, security and user experience.

Cookies are small data files stored on your device that allow websites to recognise returning visitors and remember certain preferences.

Cookies used by our website are not designed to access files stored on your device or obtain information unrelated to your interaction with our website.

We will not request that you provide personal information publicly through social media platforms.

Can you access and correct your personal information?

You may request access to the personal information we hold about you.

You may also request that we correct information if you believe it is inaccurate, incomplete, outdated or misleading.

To request access or correction, please contact our Privacy Officer.

We will respond to requests within a reasonable timeframe.

There is generally no fee for requesting correction of personal information. A reasonable fee may apply for providing access where permitted by law, such as costs associated with locating, compiling or providing information.

In certain circumstances, we may refuse access or correction requests where permitted under the Privacy Act. If we refuse your request, we will provide reasons where required and explain available complaint options.

How long do we keep your personal information?

We retain personal and sensitive information for as long as reasonably necessary to provide our services and meet legal, regulatory and business obligations.

Generally, financial advice records are retained for at least seven years after the relevant service or client relationship ends, as required under applicable financial services laws.

We periodically review information held by us and take reasonable steps to securely destroy or de-identify information that is no longer required, unless retention is required by law.

How do we resolve privacy concerns and complaints?

If you have concerns about how Spinell Financial Services has handled your personal information, please contact our Privacy Officer.

We are committed to handling privacy complaints fairly and efficiently.

We will acknowledge your complaint within 5 business days and endeavour to resolve it within 30 days. If you are not satisfied with our response, you may contact:

Office of the Australian Information Commissioner (OAIC)
Website: www.oaic.gov.au
Post: GPO Box 5218 Sydney NSW 2001
Phone: 1300 363 992
Email: enquiries@oaic.gov.au

You may also contact the Australian Financial Complaints Authority (AFCA) where your complaint relates to financial services. Please refer to our Financial Services Guide for further details regarding AFCA.

Links to other websites

Our website may contain links to external websites operated by third parties.

These websites are not controlled by Spinell Financial Services and are not covered by this Privacy Policy.

You should review the privacy policies of any third-party websites you access.

Changes to this Privacy Policy

Spinell Financial Services may update this Privacy Policy from time to time to reflect changes in our business, technology, legal obligations or privacy practices.

The current version of this Privacy Policy will be available through our usual communication channels.

We encourage you to review this Privacy Policy periodically.

Client acknowledgement and consent

By engaging Spinell Financial Services to provide financial advice services, you acknowledge and consent that we need to collect, use, hold, process and disclose your personal information for purposes outlined in this Privacy Policy.

We will seek your separate consent where applicable for:

- the collection, use or disclosure of sensitive information;
- the collection and use of Tax File Numbers where you choose to provide them;
- recording or transcribing meetings or conversations;
- using approved AI-assisted tools to help process meeting summaries, file notes, fact find information and documents; and
- handling personal information in circumstances where consent is required by law or our internal policies.

If you do not agree with your personal or sensitive information being handled as described in this Privacy Policy, please do not provide us with personal or sensitive information or request our services.

Contact us

Our Privacy Officer can be contacted regarding privacy matters:

Privacy Officer
Spinell Financial Services Pty Ltd
PO Box 252, Belmont VIC 3216
Phone: 0493 384 628
Email: patrick@spinellfinancial.com.au