

EU Data Protection Policy.

About this policy.

From 25 May 2018, the General Data Protection Regulation (GDPR) regulates the processing of personal information under European Union (EU) law. The GDPR aims to protect the information relating to individuals in the EU and harmonise data protection laws across EU Member States.

Our collection, use, disclosure and processing of your personal information is regulated by the GDPR if:

- we offer products or services to you whilst you are located in the EU; or
- we monitor your behaviour whilst you are located in the EU.

This EU Data Protection Policy (Policy) explains how we manage your information in accordance with the GDPR.

In this Policy, “we”, “us” and “our” means Westpac Community Limited as trustee for Westpac Community Trust (**‘Westpac Foundation’ ABN 53 265 036 982**), which is a data controller (company who determines the ways in which your personal information is processed and why) and is responsible for this Policy.

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1. What is personal information?

Personal information means any information relating to an identified or identifiable individual.

2. What information do we collect and hold about you?

We may collect the following kinds of personal information about you:

- name;
- contact details such as telephone numbers and email address;
- photographs or video or audio recordings;
- details of your visits to our website (e.g. date and time of your visits, pages viewed, how you navigate through and interact with the site, previous sites visited, location information, information about the device used to visit our website and IP addresses); and
- if your application is in relation to a hardship grant, we may collect copies of doctors reports, Centrelink statements, private health insurance information, medical and home maintenance receipts, pharmacy expenses, hospital or special receipts.

As a general rule, we do not collect 'sensitive information', a special type of personal information under Privacy Laws, about you. However, in circumstances where we require sensitive information from you for a lawful purpose, we will seek your consent to collect it. Generally, we only collect this sort of information if it is reasonably necessary to provide you with a service and you expressly consent to our collection. For example, if your application in relation to a hardship grant, we may collect information about a medical diagnosis and prognosis related information to assist in the assessment of your application.

3. How do we collect personal information?

We usually collect your personal information directly from you. However, in some circumstances we may also collect information from third parties or organisations. We collect this information from:

- Westpac Group Ltd (ABN: 33 007 457 141) and related entities;
- publicly available sources of information, such as public registers;
- your representatives (including your legal adviser, executor, administrator, guardian, trustee or attorney);
- other organisations, who jointly with us, provide products or services to you;
- social media platforms if you publicly comment or send us a private message (but we will never ask you to give us personal information publicly over Facebook, Twitter or any other social media platform that we use);
- digital tracking tools such as cookies; and
- third party websites, applications or platforms containing interactive Westpac Group content or that interface with our own websites and applications.

4. Why is your personal information being collected?

We are allowed to use your personal information in the following circumstances:

- to fulfil a contract we have with you (which includes acting on instructions you give us before entering into a contract);
- to comply with a European Union Member State law (referred to below as **to comply with EU law**);
- when you provide your consent; and/or
- when it is in our legitimate interest. This means:
 - processing your personal information is necessary and we cannot achieve the same outcome in another way; and
 - we have undertaken a balancing exercise and our interests are not outweighed by your interests, rights and freedoms. You may request further information on this balancing exercise by contacting us (see **Contact Us** section below).

Generally, when we collect your personal information it is because you are:

- an applicant for a Westpac Foundation Grant (Applicant);
- an individual who has nominated the Applicant (Nominator);
- a referee nominated by the Applicant (Referee);
- a community partner of the Westpac Foundation;
- a volunteer, mentor, ambassador or board observer involved with the Westpac Foundation
- an attendee of a Westpac Foundation event; or
- a visitor to the Westpac Foundation website.

For example, we use your personal information for the purposes outlined in the table below.

Purpose for collecting your personal information	Our grounds for processing your personal information	Examples of our legitimate interests
To process and manage Westpac Foundation applications, nominations and Grants	<ul style="list-style-type: none"> • Our legitimate interests • You have given your consent 	<ul style="list-style-type: none"> • To assess applications and nominations and select Grant recipients
To promote the Westpac Foundation and those business organisations that we fund, including issuing media releases at the time Grants are announced and ongoing promotional activity (which may, by reference, include the names of the team members, photographic or video images of individuals associated with the Grant and current and future details in relation to the individuals involved in or benefiting from programs that are being funded)	<ul style="list-style-type: none"> • Our legitimate interests • You have given your consent 	<ul style="list-style-type: none"> • To inform you of products or services that may be of interest and value to you

Purpose for collecting your personal information	Our grounds for processing your personal information	Examples of our legitimate interests
To publish information in our Annual Report such as the details and outcomes of various Grant programs	<ul style="list-style-type: none"> You have given your consent 	<ul style="list-style-type: none"> Not applicable
To update our records and keep your information up to date	<ul style="list-style-type: none"> To comply with EU law Our legitimate interests 	<ul style="list-style-type: none"> To comply with our legal obligations outside the EU To ensure our records of your information are accurate
To use your photographic or video image and name on the Westpac Foundation's website and in publications which may include but are not limited to newspapers, catalogues, video collages, newsletters and advertising material	<ul style="list-style-type: none"> Our legitimate interests You have given your consent 	<ul style="list-style-type: none"> To contact you to ask for your consent
To engage, or assist successful Applicants to engage, with service providers, contractors, suppliers, other foundations and other potential funders that may be necessary for, or provide opportunities for organisations or individuals that are being funded	<ul style="list-style-type: none"> Our legitimate interests You have given your consent 	<ul style="list-style-type: none"> To inform you of grants, products or services that may be of interest and value to you
To engage volunteers for the Westpac Foundation	<ul style="list-style-type: none"> Our legitimate interests You have given your consent 	<ul style="list-style-type: none"> To contact you to ask for your consent
To enable you to use the full functionality of our website	<ul style="list-style-type: none"> Our legitimate interests 	<ul style="list-style-type: none"> To inform you of grants, products or services that may be of interest and value to you
To comply with various Australian laws which may either expressly, or in effect, require the Westpac Foundation to collect your personal information	<ul style="list-style-type: none"> To comply with EU law Our legitimate interests 	<ul style="list-style-type: none"> To comply with our legal obligations outside the EU

In the event that we intend to use your personal information for any other purpose, we will provide you with information on the new purpose and/or update this Policy before using your information in this way.

Where we seek personal information from you which we consider necessary to fulfil a contract with you, comply with law or on the basis of a legitimate interest, and you do not allow us to collect all of the relevant personal information, we may be unable to assess your Grant application, accept your nomination, engage you as a volunteer for the Westpac Foundation or facilitate access to the full functionality of our website (as relevant).

Why is your information being collected via cookies?

We use technology called cookies when you visit our site. Cookies are small pieces of information stored in your hard drive or in memory. They can record information about your visit to the website, allowing it to remember you the next time you visit and provide a more meaningful experience. One of the reasons for using cookies is to offer you increased security. The cookies we send to your computer cannot read your hard drive, obtain any information from your browser or command your computer to perform any action. They are designed so that they cannot be sent to another site, or be retrieved from any non-Westpac Group site.

We use cookies for the purposes outlined in the table below.

Purpose of cookie	Our grounds for using this type of cookie	Examples of our legitimate interests
Security	<ul style="list-style-type: none"> • To comply with EU law • Our legitimate interests 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the EU • To effectively manage our business risks • To verify online banking customers and carry out other essential security checks to offer you a secure and reliable online banking service
Personalise and improve your customer experience	<ul style="list-style-type: none"> • Our legitimate interests • You have given your consent 	<ul style="list-style-type: none"> • To help us to remember you the next time you visit our websites • To help us identify products and services that may be of interest and value to you • To tailor digital content to your likely interest
Measurement and analysis	<ul style="list-style-type: none"> • To comply with EU law • Our legitimate interests • You have given your consent 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the EU • To effectively manage our business risks • To measure effectiveness of our marketing, including via third parties, in order to improve our services to you
Marketing	<ul style="list-style-type: none"> • Our legitimate interests • You have given your consent 	<ul style="list-style-type: none"> • To determine which products or services may be of interest and value to you and to tell you about them
Communication	<ul style="list-style-type: none"> • To comply with EU law • Our legitimate interests 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the EU • To effectively manage our business risks • To send relevant messages to you

5. When do we use your personal information to make automated decisions?

To provide an efficient and effective customer experience, in some circumstances we may make a decision based on information that we have about you that does not involve any human intervention. This is known as an automated decision. For example, we may use automated decisions for the following reasons:

Type of automated decision	Reason for automated decision making
Marketing	Based on the type of products and services you have with us and your online activity, we tailor marketing messages to you.
Business Processes	Based on a grant application you have made with us, we may contact you to confirm your current contact details.

You have rights over automated decisions we make about you using your personal information. Where you are subject to an automated decision you can:

- ask that we do not make our decision based on automated processing alone; and
- object to an automated decision, and ask that a person reviews it, although your rights may be limited in circumstances where our automated decisions do not have a significant impact on you.

If you would like more information about your rights regarding automated decisions, please contact us using the contact details set out in this Policy (see **Contact Us** section below).

6. Who do we share your personal information with?

We may disclose or share your personal information with various third parties but only for the purposes listed above or as otherwise permitted by law. Such disclosures may be made to:

- our contracted service providers and organisations associated with the Westpac Foundation's purposes, including Westpac Banking Corporation and its related entities;
- persons involved in the assessment of nominations or applications, such as members of the Westpac Community Board, Risk and Finance reviewers, Westpac employees assisting with the assessment and selection process;
- persons involved in the establishment and maintenance of our programs involving the provision of non-financial support (e.g. volunteer and pro bono support);
- service providers, such as travel consultants, insurance providers, information providers, media agencies, advisors and agents;
- Australian and foreign law enforcement agencies, bodies, authorities and courts;
- other persons that we need to deal with in assessing an application, nomination or reference, application to be a volunteer, awarding a Grant or volunteer role with the Westpac Foundation or otherwise in connection with a study/research plan, such as referees, community representatives medical providers or insurers; and
- other persons and entities as permitted by law.

When we contract with our service providers and other third parties, we require that they comply with the applicable privacy laws, including GDPR as well as applicable internal standards, policies and procedures, in order to protect your personal information. We also require that third parties only use the personal information which we give to them in order to perform the tasks in their contract.

7. How do we secure your personal information?

We use a range of physical, electronic and other security measures to protect the security, confidentiality and integrity of the personal information we hold. For example:

- access to information systems is controlled through identity and access management controls;
- employees and our contracted service providers are bound by internal information security policies and are required to keep information secure;
- all employees are required to complete training about information security; and
- we regularly monitor and review our compliance with internal policies and industry best practice.

Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you have with us has been compromised), please immediately contact us (see [**Contact Us**](#) section below).

8. Where do we store your personal information and do we disclose your personal information outside the European Economic Area (EEA)?

We will send your personal information outside of the EEA:

- when you instruct us to do so;
- to comply with the law; and
- to work with our contracted service providers and organisations associated with the Westpac Foundation's purposes, including Westpac Banking Corporation and its related entities who help us deliver our products and services.

Most of the personal information we hold about you will be stored electronically in secure data centres which are located in Australia and the United Kingdom and are owned by contracted service providers (including cloud storage providers).

Where we disclose your personal information to a recipient located outside the EEA, these recipients may include the following:

- our contracted service providers operating in Australia, New Zealand, Canada, United States, India, the Philippines, UK, Malaysia, Brazil and China;
- organisations with whom we partner to provide goods and services and who are likely to be located in Australia and the United States; and
- for international transactions, such as currency exchanges, where we consider it necessary we may disclose your personal information to the corresponding international party in order to process the transaction. The countries we disclose your personal information to will depend on the details of the transaction you ask us to carry out.

Where we disclose and store your personal information outside the EEA, we will require it to be protected to an equivalent or higher standard than GDPR. In order to do this, we will:

- enter into standard model clauses with the recipient of your personal information outside of the EEA. A copy of the standard model clauses is available at the following link: ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en;
- ensure that your personal information is transferred to recipients in jurisdictions that the European Commission has determined to offer adequate protection for your personal information; or
- ensure that your personal information is transferred to recipients that have agreed to comply with schemes approved by the European Commission to protect your personal information.

9. How long do we keep your personal information?

We will keep your personal information for a period which is no longer than is reasonably required, having regard to the purposes for which your personal information is processed or to be processed. We will continue to safeguard your personal information for as long as we hold it.

If we no longer need to use your personal information for the purposes set out in this policy, we will take reasonable steps to destroy or permanently alter your personal information so that your identity cannot, by any reasonable means, be revealed from the information that we hold about you.

10. What are your rights?

You have the following rights with respect to the personal information we hold about you:

- Where we rely on your consent to process your personal information, you have a right to withdraw such consent. If you withdraw your consent, we will, where required by law, stop the processing activities relevant to your consent.
- You can object to us using your personal information where we are relying on our legitimate interests to do so. However, in those circumstances we may have the opportunity to challenge your objection, which we would do in communication with you and in accordance with our legal obligations.
- You can object to us using your personal information for the purposes of direct marketing.
- You can request confirmation of whether we hold your personal information, and where we do, access to the personal information we hold about you.
- You can request details about where we obtained your personal information from.
- You can ask us to return the personal information which you gave to us in a structured and electronic (machine-readable) form, to allow you to pass it on to someone else.
- You can ask for corrections to be made to any inaccurate or incomplete personal information.
- You may ask us to stop or to restrict our processing of your personal information if the information we are using about you is not correct, or we have not provided a reason in line with the law, as to why we are processing your information.
- You can ask us to erase or remove your personal information if there is no need for us to keep it.
- You can lodge a complaint with us or the Information Commissioner's Office using their contact details set out under **Do you have a question or a complaint.**
- We will communicate any requests to correct, erase or restrict the use of your personal information to a third party that we have disclosed your personal information to.

If you have any questions about these rights, or you would like to exercise any of them, please contact us (see **Contact Us** section below). We will endeavour to provide the information that you have requested within one month of your request and we will provide you with reasons if we are unable to meet this timeframe. You will not be charged a fee when you request us to make corrections to your personal information. A reasonable fee may be charged to access your personal information to cover such expenses as locating the information or making additional copies available to you.

There may be legal or practical reasons that prevent us from providing you with access to your personal information. If this is relevant to you, we will discuss the reason why we are unable to provide you access to your personal information.

11. Do you have a question or a complaint?

If you have a question or complaint about how your personal information is being handled by us, our affiliates or contracted services providers, please contact us (see **Contact Us** section below).

We will acknowledge your complaint as soon as we can after receipt of your complaint. We will let you know if we need any further information from you to resolve your complaint.

We aim to resolve complaints as quickly as possible. We strive to resolve complaints within five (5) business days but some complaints may take longer to resolve. If your complaint is taking longer, we will let you know what is happening and a date by which you can reasonably expect a response.

For further information, or if you disagree with the way in which we are handling your personal information, you can contact the Information Commissioner's Office (ICO).

The ICO can be contacted at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 0303 123 1113

Online: ico.org.uk/concerns/

12. Contact us.

We have a Data Protection Officer (DPO) that oversees our compliance with the GDPR across the Westpac Group. The contact that is best placed to assist with your inquiry is below:

Attention: Westpac Group Head of Privacy
westpacfoundation@westpac.com.au

13. Changes to this Policy.

We may change the way we handle personal information from time to time. If we do so, we will update this Policy. An up-to-date version of this Policy is available at any time at westpac.com.au/privacy/eu-data-protection-policy/.

Summary of Important Recent Changes to this Policy.

Section	Summary of Important Recent Changes



Things you should know: This policy is current as at 27/02/2020. From time to time, we may make changes to our policy or policies, processes and systems in relation to how we handle your personal information. We will update this policy to reflect any changes.

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