

PRIVACY POLICY – Privacy Act 2020

1. Introduction

- 1.1 The purpose of this document is to set out how Helium Investments Limited (Helium) collects, uses, discloses and protects personal information in accordance with the Privacy Act 2020.
- Helium must comply with the Privacy Act (the Act) when dealing with personal information. Personal information is information about an identifiable individual (a natural person).
 - A person is not required to provide the personal information that we request but, if that person chooses not to do so, in many cases we will not be able to provide our services.
- 1.2 The policy will provide assurance that Helium is meeting its regulatory requirements and customer best practice commitments in regards to managing privacy obligations.
- 1.3 Helium operates the Privacy policy to:
- a Ensure a robust framework around Privacy requirements.
 - b Identify what Helium considers to be private information.
 - c Set out how privacy complaints to Helium will be recorded, responded to and reported.

This Policy should be read in accordance with:

- The Privacy Act 2020
- Our Records Keeping Policy
- Our Information Technology and Cyber Security Policy

2. Helium - How we collect personal information

- We collect personal information about an individual from that individual, through contact with us (for example, in a meeting, or via an email, website), or when we provide services to the individual.
- We also collect information from third parties including from clients' related businesses, accountants, current providers of financial products (including insurers and lenders), medical service providers and employers. We may also collect personal information from the Accident Compensation Corporation and credit reporting agencies. Any information we collect from third parties is at the knowledge and approval of the client.
- When a person visits our website we may collect information including details of visits to our website such as traffic data, location data, cookies and website analytics.

3. How we use personal information

3.1 We collect personal information for the following purposes:

- to provide and market our services (and to assist in improving our services);
- to respond to communications from a client;
- to make contact with a client in the future about matters we believe will be of interest;
- in connection with defending, protecting and/or enforcing our legal rights and interests including defending a complaint, claim or other action;
- to conduct research and statistical analysis (on an anonymised basis);
- to undertake credit checks on clients (if necessary);
- to comply with our obligations at law and to support us to engage with relevant regulators;
- for any other purpose authorised by our client or the Act.

3.2 Who we disclose personal information to

3.3 We may disclose a client's personal information to:

- any business that supports provision of our services (including related companies, information technology service providers, lawyers, accountants);
- financial product providers in connection with assisting clients to apply for financial products and services, administer financial products and services, make claims under financial products, renew, vary, replace or exit/end financial products or services;
- third parties noted above in order to obtain relevant required information;
- regulatory bodies including the Financial Markets Authority (whether or not required by law);
- lawyers and other professionals, and our insurers (and their advisers), in connection with defending, protecting and/or enforcing our legal rights & interests;
- debt collection agencies;
- any other person authorised by the Act or another law.

3.4 A business that supports provision of our services may be located outside New Zealand. This may mean that personal information is held and processed outside New Zealand.

3.5 How we protect personal information

We will take steps that are reasonable in the circumstances to keep personal information safe from loss and from unauthorised access, use, modification or disclosure.

Employees are not allowed to access or share client information unless it is in the course to standard business processes.

We will identify and delete all files seven years after the end of the customers relationship.

3.6 **Accessing and correcting personal information**

3.7 Subject to the certain grounds for refusal set out in the Act, an individual whose information we hold has the right to access their personal information and the right to request a correction to that personal information.

3.8 **Internet use**

3.9 While we take reasonable steps to maintain secure internet connections, if a person provides us with personal information over the internet, the provision of that information is at the provider's own risk.

3.10 If a person follows a link on our website to another site, the owner of that site will have its own privacy policy relating to your personal information. We recommend that the site's privacy policy is reviewed before any personal information is provided.

4. **Reporting of privacy breaches:**

4.1 Helium will undertake an analysis of a privacy complaint to identify if it is serious and systemic in nature.

4.2 Where a privacy breach of this nature occurs (Helium will, in accordance with their obligations under the Privacy Act notify the privacy commissioner and the individuals impacted by the breach.

4.3 Helium will provide relevant details to the privacy commissioner, including the proposed handling of the complaint. <https://privacy.org.nz/privacy-for-agencies/privacy-breaches/>

4.4 If required, Helium will follow the Privacy Commission's guidance on additional measures that maybe required to be enacted.

4.5 Tracking of privacy complaints will align with Helium complaint management policy.

5. **Responding to client information requests**

5.1 When a client requests their information, we are obligated to provide that information to them. When a request is received, we will notify the Director(s) of Helium.

5.2 We will provide the information to them within 20 working days, we will also notify the client if we do not have any related information for the client.

5.3 The information could be held in:

- Physical files;
- Digital or electronic files;
- File notes;
- Applications;
- Data held on the client CRM; and / or
- Communication records

6. Training and Development

- 6.1 Helium will train staff and Advisers on Privacy, Including using tools provided by the Privacy Commissioner: <https://privacy.org.nz/further-resources/online-privacy-training-free>
- 6.2 All other training will be conducted through continuing professional development.

7. Privacy Officer

- 7.1 Helium will appoint a Privacy Officer and maintain a privacy officer.
- 7.2 The privacy officer will:
- be familiar with the privacy principles in the Privacy Act
 - work to make sure the organisation complies with the Privacy Act
 - deal with any complaints from the organisation's clients about possible privacy breaches
 - deal with requests for access to personal information, or correction of personal information
 - act as the organisation's liaison with the Office of the Privacy Commissioner.
- 7.3 They may also:
- train other staff at the organisation to deal with privacy matters
 - advise their organisation on compliance with privacy requirements
 - advise their organisation on the potential privacy impacts of changes to the organisation's business practices
 - advise their organisation if improving privacy practices might improve Helium
 - be familiar with any other legislation governing what the organisation can and cannot do with personal information.
- 7.4 The Privacy Officer will undergo Privacy Officer training at: [Office of the Privacy Commissioner | E-learning](#)
- 7.5 The Privacy officer will review the guidelines specified here: [Office of the Privacy Commissioner | Privacy officers](#)

8. Updates and Review

- 8.1 We may change this policy by uploading a revised policy onto our website. The change will apply from the date that we upload the revised policy.
- 8.2 This policy will be reviewed at least Annually.