



Operational Policy  
Governance and Corporate Strategy

# Privacy Policy

Version 1  
CEO approved (18 December 2025)



Next review due: December 2028



Government  
of South Australia



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## Version history

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## 1. Purpose

This policy articulates Funds SA's commitment to privacy and outlines our approach to managing and protecting Personal Information. It sets out the principles that we follow when governing the collection, storage, access, correction, use and disclosure of Personal Information.

## 2. Definitions

**Funds SA** means the Superannuation Funds Management Corporation of South Australia (ABN 74 140 346 751), trading as Funds SA.

**Personal Information** means information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

**Personnel** means Funds SA's directors and employees, regardless of the nature or level of employment or employment status with Funds SA, including permanent, temporary and casual employees.

## 3. Scope

This policy applies to all operations of Funds SA that involve the collection, storage, access, correction, use and disclosure of Personal Information. All Personnel who have access to Personal Information in the course of their duties are required to comply with this policy. Any contractors, consultants, labour hire and volunteers are expected to comply with this policy when handling Personal Information at Funds SA as if they are Personnel.

## 4. Legal obligations

Funds SA, as a South Australian public sector agency, is required under the *Public Sector Act 2009* (SA)<sup>1</sup> to comply with directions about specified South Australian 'whole of Government' objectives, including Premier and Cabinet Circular PC012 Information Privacy Principles (IPPS) Instructions (**PC012**). PC012 obliges Funds SA to adhere to the 'South Australian Information Privacy Principles',<sup>2</sup> which prescribe how Funds SA can collect, store, access, correct, use, and disclose Personal Information.

As an instrumentality of the Crown in South Australia, Funds SA is not subject to the 'Australian Privacy Principles' contained in the *Privacy Act 1988* (Cth) (**Privacy Act**).<sup>3</sup> However, Funds SA is subject to certain other legal obligations under the Privacy Act, for example, in respect to the recording, collection, use and disclosure of tax file numbers in accordance with the *Privacy (Tax File Number) Rule 2015*.

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<sup>1</sup> *Public Sector Act 2009* (SA) s 10(1).

<sup>2</sup> PC012 Information Privacy Principles (IPPS) Instructions cl 4.

<sup>3</sup> Funds SA does not meet the definition of 'APP entity' in section 6 of the Privacy Act as it is neither an 'agency' or 'organisation' under that Act. As such, Funds SA is not subject to the Australian Privacy Principles pursuant to section 15 of the *Privacy Act 1988* (Cth).

As an instrumentality of the Crown of South Australia, Funds SA is also subject to obligations in respect of management of official records and reporting of data breaches involving Personal Information under the *State Records Act 2007 (SA)*. These obligations are included in General Disposal Schedule No. 30 and the Personal Information Breach Guideline.<sup>4</sup>

Funds SA Personnel, as employees of the South Australian public sector, frequently deal with information that they know, or where a reasonable person in the circumstances would know, needs to be treated as confidential. Funds SA Personnel must adhere to the Code of Ethics for the South Australian Public Sector in respect of their handling of this information, which includes Personal Information.<sup>5</sup>

This policy sets out how Funds SA, and its Personnel, deal with Personal Information consistent with their various legal obligations.

## 5. Policy details

### 5.1 Collection of Personal Information

- Funds SA does not unnecessarily collect Personal Information, and any collection of Personal Information will be conducted in a fair, lawful and non-intrusive manner.
- Funds SA may collect Personal Information relating to various individuals including Funds SA's own Personnel, employees of Funds SA service providers or clients, persons who initiate contact through the Funds SA website, and other members of the public who engage with Funds SA in some capacity, either directly or indirectly through Funds SA's clients including Super SA.
- The types of Personal Information Funds SA may collect include, but are not limited to:
  - first and last names;
  - business and personal contact details including email addresses and phone numbers;
  - tax file numbers of Personnel;
  - copies of identification documents of Personnel or relevant third parties;
  - financial details such as bank and superannuation account details of Personnel or vendors;
  - information in support of employment applications or other due diligence checks including resume information, police checks, criminal history, financial history, references, directorships and eligibility to work;
  - payroll and leave information of Personnel,
  - Personnel health information; and

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<sup>4</sup> General Disposal Schedule No. 30 and the Personal Information Breach Guideline are made by State Records of South Australia under section 7 of the *State Records Act 2007 (SA)*.

<sup>5</sup> Code of Ethics for the South Australian Public Sector page 6 'Handling Official Information'.

- details of client or service provider interactions, communications, enquiries, complaints and activity with Funds SA, including any contact by phone, email or online and activity at Funds SA's website or office sites.
- Where practicable, individuals are informed, prior to or promptly after the collection of Personal Information, of:
  - the purpose of collection (unless the purpose is obvious);
  - any legal authority relied on for the collection of the Personal Information; and
  - Funds SA's general practices regarding disclosure of the Personal Information.
- Funds SA will, in cases where it is identified that Personal Information is inaccurate, irrelevant, out of date, incomplete or excessively personal, avoid collecting or storing that information unless storage is required under the *State Records Act 2007 (SA)*.

## 5.2 Storage and retention of Personal Information

- Funds SA takes all reasonable steps to ensure Personal Information is securely stored and protected from unauthorised use, misuse, modification and loss.
- Funds SA does this by aligning its information security practices with the South Australian Cyber Security Framework and the South Australian Protective Security Framework,<sup>6</sup> as well as applicable Essential Eight<sup>7</sup> controls.
- The disposal of Funds SA records is carried out in accordance with General Disposal Schedule No. 30.

## 5.3 Access to records of Personal Information

- Funds SA is exempt from the *Freedom of Information Act 1991 (SA) (FOI Act)*,<sup>8</sup> and therefore individuals do not have a legally enforceable right to be given access to Funds SA's documents pursuant to a freedom of information process. However, Funds SA will not unreasonably refuse to provide any individual with access to their own Personal Information upon receipt of a written request.
- Funds SA Personnel must maintain the integrity and security of Personal Information for which they are responsible and will not access or attempt to access Personal Information other than in connection with the performance of their duties and/or as authorised.

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<sup>6</sup> Funds SA is required to adhere to the South Australian Cyber Security Framework and the South Australian Protective Security Framework pursuant to South Australian Department of Premier and Cabinet Circular PC030 Protective Security in the Government of South Australia.

<sup>7</sup> The Essential Eight is a set of eight key cybersecurity mitigation strategies developed by the Australian Cyber Security Centre to help organisations, such as Funds SA, protect against common cyber threats like ransomware and phishing, as well as to limit the impact and recovery from attacks.

<sup>8</sup> Funds SA does not meet the definition of 'agency' in section 4 of the FOI Act because it is an 'exempt agency' for the purposes of that Act. As such, the 'Access to documents' process set out in Part 3 of the FOI Act does not apply to Funds SA.

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#### 5.4 Correction of Personal Information

- If Funds SA has in its possession, or under its control, Personal Information and becomes aware of inaccuracies in that Personal Information, Funds SA may seek to verify and correct those inaccuracies. When deciding whether it is necessary to take action to verify and correct such Personal Information, Funds SA will consider the purpose of collection of the Personal Information.
- Individuals may, at any time, request Funds SA to correct their Personal Information. Funds SA will not unreasonably refuse such request.

#### 5.5 Use and disclosure of Personal Information

- Funds SA collects, uses, and discloses Personal Information for the purpose for which it was collected (**Primary Purpose**) or for a directly related secondary purpose (**Secondary Purpose**).
- The Primary Purposes for which Funds SA may use or disclose Personal Information relate to its administrative and operational functions. These include, but are not limited to:
  - maintaining employment records (e.g., integrity checks, medical information, performance management outcomes and banking information);
  - conducting identity and background checks as required by law or for risk management purposes or for compliance with Anti-Money Laundering and Counter-Terrorism Financing legal requirements;
  - reference checking in recruitment activity;
  - engagement of service providers (collection of information about the qualifications and experience of personnel of providers);
  - engagement of service providers to collect relevant Personal Information of employment candidates, on Funds SA's behalf;
  - entering into financial transactions – e.g. investments on behalf of our clients;
  - complying with legal obligations and protecting and defending Funds SA's legal rights and interests; and
  - other purposes as required or authorised by law.
- The circumstances in which Funds SA may use or disclose Personal Information for a Secondary Purpose include, but are not limited to, circumstances where an individual whom the Personal Information relates to has provided consent, where the use or disclosure is reasonably expected, or where it is required or authorised by law, or reasonably necessary to protect public interest.
- Funds SA Personnel must not misuse Personal Information gained in their official capacity for personal benefit or gain or for the personal benefit or gain of another.

- Funds SA Personnel can only authorise the disclosure of Personal Information in accordance with relevant legislation, industrial instruments, policy, or lawful and reasonable direction.
- In accordance with the Privacy (Tax File Number) Rule 2015, tax file numbers held by Funds SA will only be disclosed for a purpose authorised by taxation law, personal assistance law or superannuation law.

### **5.6 Accountability for third-party handling of Personal Information**

- Funds SA retains ultimate accountability for compliance with relevant privacy legislation, including when Personal Information is handled by individuals or entities acting on its behalf. Any such actions are considered to be those of Funds SA.
- Prior to engaging any third-party service provider who may require access to Personal Information, Funds SA ensures that contractual arrangements with those parties contain conditions that allow Funds SA to meet its privacy obligations.

### **5.7 Anonymity and pseudonymity**

- Funds SA may consider allowing individuals, at the discretion of the Chief Executive Officer of Funds SA or their delegate, to remain unidentified or to use a pseudonym under certain circumstances.
- The option for anonymity and pseudonymity is not available when:
  - it is impracticable for Funds SA to deal with individuals who have not identified themselves; and
  - it is required by or authorised by law or a court or tribunal order to deal with the identified individuals.

### **5.8 Data breach involving Personal Information**

- An eligible data breach relating to Personal Information occurs when the following criteria are met:
  - There is unauthorised access to, or disclosure of Personal Information held by Funds SA (or information is lost in circumstances where unauthorised access or disclosure is likely to occur).
  - The above is likely to result in serious harm to any of the individuals to whom the Personal Information relates.
  - Funds SA has been unable to prevent the likely risk of serious harm with remedial action.
- In circumstances where Personal Information is subject to an eligible data breach, following containment of the breach, Funds SA will take applicable appropriate action in accordance with the South Australian State Records of South Australia Personal Information Breach Guideline and other relevant legislation including the SA Protective Security Framework. This action may include, but is not limited to:

- o notifying affected parties;
- o reporting the breach to the Privacy Committee of South Australia;
- o if the breach may be or is the result of an offence, reporting the breach to the South Australian Police as well as other relevant regulatory bodies;
- o if the breach involves a cyber security incident, reporting the breach to the South Australian Government Cyber Security Watch Desk; and
- o if the breach involves tax file numbers, reporting the breach to the Office of the Australian Information Commissioner.

## 6. Website and online services

Funds SA's website may collect usage data (e.g., IP address, browser type) for statistical purposes. No attempt is made to identify users unless required by law. External links are provided for convenience. Funds SA is not responsible for the privacy practices of external sites

## 7. Complaints and enquiries

Individuals may lodge complaints or enquiries about privacy practices by contacting:

Privacy Officer  
Funds SA  
Level 20, 25 Grenfell Street  
Adelaide SA 5000  
Email: [complaints@funds.sa.gov.au](mailto:complaints@funds.sa.gov.au)  
Phone: +61 8 218 6400

Complaints will be investigated promptly and in accordance with applicable procedures.

## 8. Review

This policy will be reviewed every three years or more frequently if required due to legislative or operational changes.

## 9. Approval

DocuSigned by:  
  
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John Piteo  
**Chief Executive Officer**

18/12/2025 | 10:00 ACDT