

PRIVACY POLICY – UPSCALE FUNDS MANAGEMENT

1. We respect your privacy

Upscale Funds Management respects your right to privacy and is committed to safeguarding the privacy of our customers and website visitors. We adhere to the Australian Privacy Principles (APPs) established by the Privacy Act 1988 (Cth).

This policy sets out how we collect and treat your personal information.

"Personal information" is any information we hold which is identifiable as being about you.

2. Collection of your personal information

We collect personal information from you in a variety of ways, including when you interact with us electronically or in person when you engage with a service we offer or invest in a product we manage, when you access our website, when you provide us with completed forms, when you ask to be placed on our mailing list, when you respond to surveys or promotions, when you like, follow and/or post to any of our social media pages, when you register for one of our events, and when you communicate with our customer support.

The transmission and exchange of information electronically is carried out at your own risk. Although we take measures to safeguard against the unauthorised disclosure of information transmitted electronically, we cannot guarantee the security of any information that you transmit to us, or receive from us, electronically.

In limited circumstances, we may collect or receive your personal information from third parties, including your financial adviser and identification verification services. If we do, we will protect it as set out in this Privacy Policy.

We will only collect sensitive information about you if it's required to provide you with a service and where we are permitted or required by law to do so. Sensitive information will only be used for the purpose for which it was provided.

You don't have to give us your personal information. However, if you choose not to, we might not be able to provide you with information about, or access to, the services we offer or the products we manage.

3. Security of your personal information

We are committed to ensuring that the personal information you provide to us is secure. To prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure your personal information and protect it from misuse, interference, loss, and unauthorised access, modification or disclosure.

Your personal information is stored electronically on secure systems provided by cloud service providers. Access to these systems is restricted and controlled via passwords, encryption and firewalls in line with Australian information security standards. Where your personal information is held in hardcopy form, these paper files are archived in a secure facility.

Access to your personal information is limited to those individuals or entities who require your information to perform a specific task or function.

Your personal information is only retained for as long as necessary to fulfil the purpose/s for which it was collected, unless we are required to retain the information for a certain period of time under an Australian law or court or tribunal order. Once no longer required, we take such steps as are reasonable in the circumstances to destroy or permanently de-identify your personal information.

4. Use of your personal information

We use your personal information to perform administrative and operational functions associated with providing you with access to our products and services and to comply with our legal obligations.

We may also use your personal information to make you aware of new and additional products, services and opportunities available to you, and from time to time, we may use your personal information to improve our products and services and better understand your needs.

5. Disclosure of your personal information

We may disclose your personal information to any of our employees, officers, service providers, insurers, professional advisers, agents, suppliers or subcontractors insofar as is reasonably necessary for us to be able to provide our products and services to you.

We may from time to time need to disclose your personal information in order to comply with a legal requirement, such as a law, regulation, court order, subpoena, warrant, in the course of a legal proceeding or in response to a law enforcement agency request.

We do not sell, rent or trade your personal information to or with third parties for the purpose of allowing them to send marketing material directly to you.

Information that we collect may from time to time be stored, processed in or transferred between parties located in countries outside of Australia.

If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer, to the extent permissible at law, our customer databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality. We would seek to only disclose information in good faith and where required by any of the above circumstances.

By providing us with personal information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy. Where we disclose your personal information to third parties, we will take reasonable steps to ensure that the recipient will handle your personal information in a manner consistent with the APPs.

6. Access to your personal information

You may request details of the personal information that we hold about you in accordance with the provisions of the Privacy Act 1988 (Cth).

If you would like a copy of the information which we hold about you or you believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at admin@upscalefunds.com.au.

We reserve our right to refuse your request for access to, or correction or deletion of, your personal information if, for example, we consider your request to be frivolous or vexatious, or if we are legally entitled to do so. If we refuse your request, we will give you our reasons in writing and information about how to make a complaint about the refusal.

7. When you contact us

We must be certain of your identity before we can discuss specific account details with you. If you contact us to discuss your account, you must be able to prove your identity. This ensures that we are able to protect your personal information by only giving it to you or someone who can prove that they are lawfully authorised to act on your behalf.

If you have a general enquiry that does not involve discussing your personal information, you do not have to provide identification. In these situations, you will be able to deal with us without identifying yourself.

8. Website

When you visit our website, we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyse how people use our site, so that we can improve our service.

We may from time to time use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies, but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our website.

Our website may from time to time use cookies to analyse website traffic and help us provide a better website visitor experience. In addition, cookies may be used to serve relevant ads to website visitors through third party services such as Google Adwords. These ads may appear on this website or other websites you visit.

Our website may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. We are not responsible for the privacy practices of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.

9. Social networking platforms

Whilst we may use social networking platforms, such as LinkedIn and Facebook, for communications, we won't ask you to supply personal information publicly over these platforms.

Any personal information that you contribute to the publicly accessible sections of social media applications can be read, collected and used by other users of the application. We have little or no control over these other users and cannot guarantee that any information that you contribute to any social media applications will be handled in accordance with our privacy standards.

10. Data breaches

We are required by the Privacy Act 1988 to notify you and the Office of the Australian Information Commissioner (OAIC) in the event of an eligible data breach occurring. For example, if a database containing your personal information is hacked or your personal information is mistakenly provided to the wrong person, and we have not been able to prevent the likelihood of serious harm to you because of the breach.

Our notification to you will be sent as soon as practicable and will contain a description of the data breach, the kinds of information concerned, the steps we have or will take to rectify the data breach and recommendations about the steps you should take in response to the data breach.

11. Complaints about privacy

If you are dissatisfied or have a complaint about our privacy practices, we encourage you to contact us via email at admin@upscalefunds.com.au.

We'll acknowledge your complaint within one business day of its receipt, and aim to resolve your complaint within five business days.

If we're unable to resolve your complaint within five business days, we'll consider and provide a response to your complaint with 30 calendar days of its receipt.

If you're not satisfied with our response or you have not received a response within the required timeframe, you may be able to refer your complaint to the Australian Financial Complaints Authority (AFCA), an independent dispute resolution service established by the Government.

Australian Financial Complaints Authority
GPO Box 3 MELBOURNE VIC 3001

Phone: 1800 931 678

Email: info@afca.org.au

Website: www.afca.org.au

Time limits may apply, and we encourage you to act promptly or otherwise consult the AFCA website to find out if or when the time limit relevant to your circumstances expires. Complainants are encouraged to pursue internal dispute resolution before making a complaint to AFCA.

12. More information about your privacy rights

If you would like more information about your privacy rights, you can contact the Office of the Australian Information Commissioner (OAIC).

Attention: Director of Compliance (Investigations)

GPO Box 5218 Sydney NSW 2001

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

13. Changes to our policy

We may revise or update this Policy at any time, in our sole discretion, by posting it on our website. The current version at the time we collect or use your personal information is the version that will apply. Please check back from time to time to review our Privacy Policy.

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