

CCR

PRIVACY

REPORT

Report setting out findings of a review conducted pursuant to clause 24.2 of the Privacy (Credit Reporting) Code 2014

Release date 18 December 2023

TALEFIN CRB AUSTRALIA PTY LTD

Next Practice Management Pty Ltd

The review will be limited to assessing TALEFIN's compliance with CRB-specific obligations of the Privacy Act and CR Code. It will not assess TALEFIN's compliance with general privacy obligations in relation to personal information that is not credit reporting information, CP derived information or pre-screening assessments.

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Disclaimer

This report is intended solely for the information of the Office of the Australian Information Commissioner. Neither Next Practice Management Pty Ltd nor TALEFIN CRB AUSTRALIA PTY LTD accept any responsibility to any other person who accesses this report. The facts asserted in this report and on which we base our findings are derived wholly from the documents identified across the audit report and the responses provided in interviews and meetings with the persons identified in Attachment 1. This report concerns compliance only with Part IIIA of the Privacy Act 1988 and the Privacy (Credit Reporting) Code 2014. We have not examined and offer no opinion about any other obligations under the Privacy Act that may or may not be applicable to TALEFIN CRB AUSTRALIA PTY LTD. Terms used in this report that are defined in the Glossary have the meaning given in the Glossary. This report is dated as at 18 December 2023.

Glossary

Term Definition

AFCA Australian Financial Complaints Authority

Australian Privacy Principles has the meaning given in section 14 of the Privacy Act.

CR Code The Privacy (Credit Reporting) Code 2014 (Version 2.1) (Cth) as in force at the Date of this Report.

Credit Reporting Policy The document titled "TALEFIN CRB AUSTRALIA PTY LTD Privacy Policy 2020", dated 18 December 2023 and published at

Credit Reporting Policy <https://www.talefin.com/talefin-credit-reporting-policy>.

Date of this Report 18 December 2023 TALEFIN

TALEFIN CRB AUSTRALIA PTY LTD (ABN 68 644 262 742)

Information Commissioner The Information Commissioner within the meaning of the Australian Information Commissioner Act 2010 (Cth)

Part IIIA Obligations Obligations contained in Part IIIA of the Privacy Act and the CR Code. Permitted CRB disclosure As defined in section 20F of the Privacy Act.

Privacy Act Privacy Act 1988 (Cth) as in force at the Date of this Report.

Privacy Regulation The Privacy Regulation 2013 (Cth), as in force at the date of this report

Report This "TALEFIN CRB AUSTRALIA PTY LTD Report detailing the findings of a review conducted pursuant to clause 24.2 of the Privacy (Credit Reporting) Code 2014", dated 18 December 2023.

Executive Summary

TALEFIN is a credit reporting body as defined under the Privacy Act and accordingly collects, uses and discloses personal information in the conduct of its credit reporting business. As a result, the information that TALEFIN collects, uses and discloses is regulated by the Part IIIA Obligations. This report considers those obligations and not the Australian Privacy Principles. This report relates only to TALEFIN and not to any other entity, whether a related body corporate of TALEFIN or not.

High Level Observations

TALEFIN has effectively established a sophisticated credit reporting system, ensuring the streamlined and secure management of credit information. From our perspective, the organisation embodies a culture of transparency and openness in overseeing credit information, cultivating clear communication channels and disclosure practices.

TALEFIN has implemented a systemic approach and has defined practices, procedures, and systems that ensure the secure and efficient management of credit information. The organisation's proficiency in managing and reporting consumer credit liability information is evident, with a focus on accuracy, relevance of information and adherence to compliance standards.

TALEFIN demonstrates responsiveness in addressing information requests, upholding a transparent process for individuals seeking access to their credit-related information. The organisation prudently captures and reports repayment history information, contributing to

the reliability and comprehensiveness of the credit reporting system.

When it comes to financial hardship information, TALEFIN approaches this aspect meticulously, aligning practices with Part IIIA to provide support for individuals facing financial challenges. Additionally, the organisation manages default information and serious credit infringements, mindful of respecting individual rights.

TALEFIN's commitment to data security is evident in its robust practices for the protection of credit reporting information. The organisation facilitates individuals' access to their credit-related information, offering transparency and adherence to access requirements. Furthermore, TALEFIN implements effective processes for information correction, complaint resolution, and record-keeping, ensuring a responsive and accountable system. Acknowledging the Information Commissioner's role, TALEFIN fosters collaboration, reflecting a commitment to regulatory transparency and compliance.

Background and report objectives

This report contains the findings of our independent review of TALEFIN's operations and processes pursuant to clause 24.2 of the CR Code.

The objective of this review is to express an opinion regarding TALEFIN's compliance with the credit reporting obligations in Part IIIA of the Privacy Act, the Privacy Regulation 2013 (Cth) and the CR Code. This review does not encompass TALEFIN's compliance with the Australian Privacy Principles or any other statute applicable to TALEFIN and we offer no opinion in respect of such matters.

Our review involved performing procedures to obtain evidence regarding TALEFIN's compliance with its Part IIIA Obligations. Procedures performed include:

- (a) reviewing TALEFIN artefacts and documents (policy and process);
 - (b) interviews with key TALEFIN personnel;
 - (c) reviewing configuration settings on technical controls and
 - (d) reviewing customer portal access to TALEFIN.
- among others.

Where necessary or appropriate, our review involved analysing samples of documents created by TALEFIN on the applicable topic. We consider that the evidence we have obtained is sufficient and appropriate to assess whether TALEFIN complies with its Part IIIA Obligations.

In particular, our review involved the following procedures to assess TALEFIN's compliance with the Part IIIA Obligations:

- (a) reviews of documents (policies and processes, standard forms and agreements);
 - (b) interviews with selected TALEFIN personnel;
- We examined TALEFIN's operations and processes (as disclosed in the documents we examined and discussions we conducted with key TALEFIN personnel) and assessed them against checklists for obligations under Part IIIA of the Privacy Act and related obligations under the CR Code.

Due to the commercial sensitivity of the documents and TALEFIN's information security policies, most documents that we examined were supplied to us by TALEFIN for our review. We have not retained copies of the documents that we reviewed.

Conclusion

On the evidence that we reviewed and for the reasons that follow, and subject to our qualifications in this report, we find that that TALEFIN complies with its Part IIIA Obligations.

Detailed observations

2. Credit reporting system arrangements

Section 20N(3) and 20(Q)2 requires TALEFIN to enter into written contracts with CPs that require CPs to ensure that the credit information that they disclose to TALEFIN is accurate, up-to-date and complete and that credit reporting information provided to CPs is reasonably protected.

Assessment:

Standard Terms and Conditions require customers to provide this.

The latest version of the agreement is found here in this document:

Signed Service Contract Example.pdf

On each UI login, the users also accepts the latest version of the agreement posted on the TaleFin website

<https://www.talefin.com/talefin-legal-policies>

Terms and Conditions on website: Provision of Data by the customer point c) SIGHTED ; Also Confidentiality Section deals with protection of data. Also login screenshots available.

Status: COMPLIANT

2.1. An agreement entered into by TALEFIN with a CP to meet the requirements of Section 20N(3) and Section 20Q(2) must oblige both parties to comply, to the extent applicable from time to time, with Part IIIA, the Privacy Regulation 2013 (the Regulations) and the CR Code.

Assessment:

Standard Terms and Conditions require customers to provide this.

The latest version of the agreement is found here

Signed Service Contract Example.pdf

On each UI login, the users also accepts the latest version of the agreement posted on the TALEFIN website <https://www.talefin.com/talefin-legal-policies>

Agreement sighted in Evidence Folder 02. Also login screenshots available.

Documents SIGHTED

- 1) AwareTrainingCourses.png
 - 2) AwareTrainingPersonalDashboard.png
 - 3) ConsumerLogin.png
 - 4) CreditProviderLogin.png
 - 5) EdAPP Course List.png
 - 6) EdAPP Dashboard.png
 - 7) Signed Service Contract Example.pdf
-

- 8) Signed Contract Location.png
- 9) EdApp Staff training screenshots

Status: COMPLIANT

2.2 CRBs, CPs, mortgage insurers and trade insurers must take reasonable steps:

- (a) to inform employees, who handle credit reporting information or credit eligibility information, of the requirements of Part IIIA, the Regulations and this CR code that relate to information of these types; and
- (b) to train employees, who handle credit reporting information or credit eligibility information, in the practices, procedures and systems that are designed to achieve compliance with those requirements.

Assessment:

Training process implemented via EdApp with regular relevant training.

Broader general security training implemented via an aware training program.

Trainings conducted via EdApp (reading materials and questionnaires). Course listings provided.

Status: COMPLIANT

3. Open and transparent management of credit reporting information

TALEFIN must publish on its website its policy about the management of credit reporting information that is required by Section 20B.

Assessment:

Privacy Policy and Credit Reporting Policy sighted. Comply with Sec 20B.

Status: COMPLIANT

5. Practices, procedures and systems

Practices, procedures and systems Part IIIA permits CRBs, subject to conditions, to collect and disclose the following types of credit information:

- (a) identification information about the individual;
 - (b) consumer credit liability information about the individual;
 - (c) repayment history information about the individual;
 - (d) a statement that an information request has been made in relation to the individual by a CP, mortgage insurer or trade insurer;
 - (e) the type of consumer credit or commercial credit and amount of credit sought in an application to a CP and in connection with which the CP has made an information request;
 - (f) default information in relation to an individual;
 - (g) payment information about the individual;
-

- (h) new arrangement information about the individual;
 - (i) court proceedings information about the individual;
 - (j) personal insolvency information about the individual;
 - (k) publicly available information as to the individual's credit worthiness (subject to some exceptions);
- or
- (l) the CP's opinion that the individual has committed a serious credit infringement in relation to consumer credit provided by the CP to the individual.

Assessment:

All activities in relation to the CRB functionality of the system are fully systemised and automated as far as is possible.

Changes to the system are agreed by the product team and owner, and where concerns exist around compliance, independent legal advice is first sought.

The system can only accept API calls and manual data submissions in a predefined format and all other data are either rejected or ignored

API - <https://api.TaleFin.com.au/swagger/index.html>

Manual File Formats and API user documentation

<https://wiki.talefin.com/>

TALEFIN do not collect, store or disclose information described in i,j or k

Detailed system requirements can be found here

<https://talefin.atlassian.net/wiki/spaces/TALE/pages/786433/Credit+Bureau++Requirements>

TALEFIN do not collect items I, J or K

All information available on the Templates on Manual formats and API pages. Rules set around what is accepted and what is rejected. There is a review process for adding or changing system requirements (Requirements Review Process). SCI (Serious Credit Infringements) also sighted.

Status: COMPLIANT

5.1 A CRB must not:

- (i) collect personal information about an individual's activities in relation to consumer credit that is not credit information
 - (ii) use personal information about an individual's activities in relation to consumer credit that is not credit information to derive CRB derived information
 - (iii) disclose personal information about an individual's activities in relation to consumer credit that is not credit information or credit reporting information
- unless the information is either credit ID information or capacity information and is collected or disclosed at the same time as the credit information or credit reporting information

Assessment:

System does not permit the collection of information that is not permitted.

The system can only accept API calls and manual data submissions in a predefined format and all other data are either rejected or ignored

API - <https://api.TaleFin.com.au/swagger/index.html>

Only relevant defined information is captured as defined in the Manual Data formats and API formats. Sighted the Manual format and API formats.

Status: COMPLIANT

5.2. CRBs and CPs must not agree or implement procedures to standardise CPs' numbering conventions for consumer credit.

Assessment:

Numbering conventions are generated independently to allow entities to manage the data that they contribute.

The system allows users to make use of the own reference numbers for all important identifiable fields by accepting their Application Reference Numbers, Client Numbers, Account and Sub Account Numbers both via API, UI and batch file submissions

The system generates internal reference numbers for all identifiable credit information to allow easier management between all parties involved.

UniqueReferenceNumber.png sighted with the following details

Accounts are prefixed with ACC

Defaults are prefixed with DEF

Payments are prefixed with P

Enquiries are prefixed with ENQ

Consumer are prefixed with CNS

Numbering conventions are generated independently to allow entities to manage the data that they contribute.

The system allows users to make use of the own reference numbers for all important identifiable fields by accepting their Application Reference Numbers, Client Numbers, Account and Sub Account Numbers both via API, UI and batch file submissions

The system generates internal reference numbers for all identifiable credit information to allow easier management between all parties involved.

Evidence - 05 - UniqueReferenceNumber.png

Accounts are prefixed with ACC

Defaults are prefixed with DEF

Payments are prefixed with P

Enquiries are prefixed with ENQ

Consumer are prefixed with CNS

These numbers also helps TALEFIN identify the correct items without the need of potentially sharing PII.

Status: COMPLIANT

5.4 A CRB must have reasonable practices, procedures and systems that are designed to cover the obligations

under Part IIIA, the Regulations and the CR code and in particular enable the CRB to:

(a) use the information disclosed by CPs in relation to individuals' dates of birth to identify any information disclosed by a CP that:

(i) relates to an act, omission, matter or thing that occurred or existed before the relevant individual turned 18; and

(ii) that is prohibited by Part IIIA, the Regulations or this CR code from being disclosed by the CP to the CRB;

(b) as soon as practicable identify whether collected information includes information that the CRB is prohibited by Part IIIA, the Regulations or this CR code from collecting and, if so, to destroy the prohibited information;

(c) as soon as practicable, notify the relevant CP where the CRB destroys information on the basis that Part IIIA, the Regulations or this CR code prohibits the CRB from collecting that information;

(d) undertake regular testing of the credit information and credit reporting information that the CRB uses and discloses to ensure that it is accurate, up-to-date, complete and relevant, having regard to the purpose for which it is used or disclosed;

(e) take reasonable steps to initiate, as soon as practicable, targeted testing of its credit reporting information, where a CRB is informed, or identifies, that credit reporting information in relation to an individual is not accurate, up-to-date, complete and relevant, having regard to the purpose for which it is used or disclosed;

(f) rectify the situation where the CRB identifies that credit reporting information in relation to an individual is not accurate, up-to-date, complete and relevant, having regard to the purpose for which the information is used or disclosed, including by destroying any information in accordance with its obligations in Part IIIA, the Regulations and the CR code;

(g) where the CRB identifies credit information that is not accurate, up-to-date and complete, raise this, where reasonable, with the CP that disclosed the information and request the CP to:

(i) take reasonable steps to review its credit information management practices, procedures and systems;

(ii) rectify any issues that are identified; and

(iii) advise the CRB of the results of the review; and

(h) report about its testing, undertaken in accordance with paragraph (d), and any material findings or material changes to procedures, to CPs with which it has an agreement of the kind referred to in Section 20N(3) or Section 20Q(2).

Assessment:

Documentation on how TALEFIN ensure that information disclosed is correct, accurate and up to date.

Evidence - 05 - TaleFin - Credit Information Management Policy.docx

Credit Information Management Policy commits to meeting these obligations. Every data ingestion method has very specific field and overall validations. This allows the system to either ignore any prohibited information or outright reject the entire transaction. The database is also designed to not store any information that does not conform to specifications and in turn removes the risk to return any prohibited information. Section d,e are covered Under "Testing of Information" within the policy document. All sections sighted within the policy.

Status: COMPLIANT

6. Consumer credit liability information

Consumer credit liability information

The information that Part IIIA permits CRBs, subject to conditions, to collect and disclose includes consumer credit liability information – this is defined as information about:

- (a) the name of the CP;
- (b) whether the CP is a licensee;
- (c) the type of consumer credit;
- (d) the day on which the consumer credit is entered into;
- (e) the terms or conditions of the consumer credit that relate to repayment of the amount of the credit; and that are prescribed by the Regulations;
- (f) the maximum amount of credit available under the consumer credit;
- (g) the day on which the consumer credit is terminated or otherwise ceases to be in force.

Assessment:

(a) Each transaction is linked to a user, each user is linked to a branch, and then linked to a company. This is captured and / or displayed throughout the system.

(b) b) TALEFIN only has users who are licensees, no Companies acting on behalf of other companies. Here is where TALEFIN would need to make future provisions.

(c) Captured as account type as part of Liability info called account type.

(d) Captured as account opened date and involvement start date as part of Liability info.

(e) Captured as contract term, term type loan payment method and frequency as part of Liability info.

(f) Captured as amount as part of Liability info.

(g) Captured as account status, status date and involvement cease date as part of Liability info.

Details sighted in DBtables.png. Also, the SampleCreditReport.pdf also shows the details.

Status: **COMPLIANT**

6.1. CRBs must develop and maintain in conjunction with CPs common descriptors of the types of consumer credit so that these descriptors can be used by CPs when disclosing to CRBs information about the type of consumer credit that they have provided to individuals.

Assessment:

System is configured to support the different descriptors.

UI users have access to a drop-down when creating or updating account info called Account Type

API users are provided with an Account Types as part of the reference data API call.

Sighted AccountTypes.png in this regard. Meets the requirements.

Status: COMPLIANT

7. Information requests

Information requests

The information that Part IIIA permits CRBs, subject to conditions, to collect includes information requests. Where a CP makes an information request, the CRB may also collect the type of consumer credit or commercial credit and the amount of credit sought by the individual in the application to the CP to which the CP's information request relates.

Assessment:

As part of the "Application" type enquiry, account type and application amount are mandatory fields. There is a consumer management type enquiry where it is not mandatory, however the enquiry type is not related to new credit.

Current users all have the ability to specify the application amount and TALEFIN can make the amount optional in future if needed.

Enquiry Type is available, Application Reference Number, Account Type and amount are all available as part of the enquiry. Application amount can be made optional if required in future. Sighted in ApplicationInfo.png

Status: COMPLIANT

7.1 Where a CP makes an information request to a CRB in connection with an application for consumer credit and the amount of credit sought is unknown or incapable of being specified, the credit information that the CRB may collect and disclose may include that an unspecified amount of consumer credit is being sought from the CP.

Assessment:

Core functionality of the system as per item 7

TALEFIN have not received a request to make the amount of credit applied for optional, as this amount is known for the current users and their products.

Status: COMPLIANT

8. Repayment history information

Repayment history information

The information that Part IIIA permits CRBs, subject to conditions, to collect includes repayment history information. A CP is only permitted to disclose repayment history information to a CRB if the CP is a licensee or is prescribed by the Regulations. A CRB is only permitted to disclose repayment history information to a CP that is a licensee or is prescribed by the Regulations.

Repayment history information is information about:

- (a) whether or not an individual has met an obligation to make a monthly payment that is due and payable in relation to the consumer credit (including if that obligation is being determined by reference to a financial hardship arrangement);
 - (b) the day on which the monthly payment is due and payable;
-

- (c) if the individual makes the monthly payment after the day on which the payment is due and payable – the day on which the individual makes that payment

Assessment:

TALEFIN provide all users with guidelines on how to capture and interpret repayment information in the system

<https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information>

UI users use the repayment grids or bulk payment update function to update the status of each month

API users make use of the "payment/save" call to update the status of a payment

a and b) Each account has a monthly status that is reported from the month the account was opened up to month it is closed

c) this can be derived by looking at how the reported status changes each month

PaymentAndHarship.png and SampleCreditReport.pdf sighted. The required details for a), b) and c) included.

Status: COMPLIANT

8.1 For the purposes of disclosing repayment history information under paragraph 8.2 and the definition of repayment history information in Section 6V of the Privacy Act:

(a) if the payment obligation for that month is not being determined by reference to a temporary FHA:

(i) consumer credit is overdue if, after any payments made during that month are taken into account, on the last day of the month to which the repayment history information relates, there remained at least one overdue payment in relation to which the grace period has expired as determined by reference to the terms of the consumer credit; and

(ii) the grace period allowed by the CP for an overdue payment under subparagraph (i) must be at least 14 days, beginning on the date that the CP's systems first classified the payment as being in arrears;

(b) if the payment obligation for that month is being determined by reference to a temporary FHA – the individual will have met their obligations under the temporary FHA if, after any payments made during that month are taken into account, on the last day of the month to which the repayment history information relates, there are

Assessment:

Core functionality of the system as per point 8

TALEFIN offer guidance to all users on how to disclose Payment and FHA Information

All prescribed codes are available and displayed in the UI at any payment grids, via the reference data calls for API users and downloadable credit report

<https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information>

Requirements met as per <https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information>

Status: COMPLIANT

8.2 Where a CP discloses repayment history information about consumer credit provided to an individual, the CP must take reasonable steps to ensure that:

(a) it does not disclose repayment history information about that credit more frequently than once each month; and

(b) for each month, as defined in paragraph 1.2 of this CR code, after any payments made during that month are taken into account, it only discloses whichever of the following is applicable:

(i) that the consumer credit was not overdue for that month or, if subparagraph 8.1(b) applies, the individual has met their obligations under the temporary FHA for that month; or

(ii) that there was an amount overdue in relation to the consumer credit for that month or, if subparagraph 8.1(b) applies, the individual has not met their obligations under the temporary FHA for that month; and

(c) if the payment obligation for that month is not being determined by reference to a temporary FHA, the disclosure is expressed as a code representing the following (as determined by reference to the terms of the consumer credit):

(i) where the consumer credit is not overdue – “Current up to and including the grace period”; or

(ii) where there is an amount overdue in relation to the consumer credit, the age of the oldest outstanding payment:

1) 15 – 29 days overdue (this disclosure may only be made at day 15, as this allows for expiry of the 14-day grace period)

2) 30 – 59 days overdue

3) 60 – 89 days overdue

4) 90 – 119 days overdue

5) 120 – 149 days overdue

6) 150 – 179 days overdue

X) 180 + days overdue.

(d) if the payment for that month is being determined by reference to a temporary FHA, the disclosure is expressed in the following manner (as determined by reference to the terms of the temporary FHA):

(i) where the individual has met their obligations under the temporary FHA – the same code as used for Subparagraph 8.2(c)(i) (meaning, in this case, “Current”); or

(ii) where the individual has not met their obligations under the temporary FHA – the same code as used for Subparagraph 8.2(c)(ii)(1) (meaning, in this case, the payment is one or more days overdue),

Note: While subparagraph 8.2(d) requires the use of the same codes as used by the CP for subparagraphs 8.2(c)(i) and 8.2(c)(ii)(1), the meaning of those codes when used under paragraph 8.2(d) is not the same.

Assessment:

Core functionality of the system as per point 8

TALEFIN offer guidance to all users on how to disclose Payment and FHA Information.

All prescribed codes are available and displayed in the UI at any payment grids, via the reference data calls for API users and downloadable credit report

<https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information>

<https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information> has all the details for the requirements being met. Detailed view on all the various codes and reporting dates ranges is available.

Status: COMPLIANT

8A. Financial hardship information

The information that Part IIIA permits CRBs, subject to conditions, to collect includes financial hardship information. A CP is only permitted to disclose financial hardship information to a CRB if the CP is a licensee or is prescribed by the Regulations and the National Credit Code applies to the consumer credit. A CRB is only permitted to disclose financial hardship information to a CP that is a licensee or is prescribed by the Regulations (and for a purpose that is not prohibited). A CP must, subject to limited exceptions, disclose financial hardship information to a CRB in a month if an individual's payment obligation for that month is affected by a financial hardship arrangement and the CP discloses repayment history information.

Assessment:

Users can submit FHA via the UI, API and Batch

Where a status V (variation FHA) is submitted, the date from when the FHA is applicable is mandatory.

Where a status A (temporary FHA) is submitted, the date from when the FHA is applicable as well as the length in months of the agreement is mandatory

There are checks to ensure that when a backdated FHA cannot be older than 1 year, and retention period checks in place to ensure that FHA data older than 1 year is deleted on a daily basis.

As no segregation is implemented, all users are able to see any FHA data that was uploaded and the explainer of the codes was added to the legend of the Credit Reports generated within the system

<https://wiki.talefin.com/books/credit-reporting-user-guides/page/repayment-information> has all the details for the requirements being met. Detailed view on all the various codes and reporting dates ranges is available. The various FHA codes detail the information required.

Status: COMPLIANT

9. Default information

Default information

The information that Part IIIA permits CRBs, subject to conditions, to collect and disclose includes default information. Preconditions to the disclosure of default information include – the consumer credit payment must be overdue by at least 60 days, the overdue amount must not be less than \$150 (or if a higher amount is prescribed by the Regulations, that amount) and the CP must have met the notice obligations specified in Part IIIA, the Regulations and this CR code.

Assessment:

Core functionality of the system

Both UI and API users have access to the various default functions to create and manage calls and TALEFIN also have built in validation to make sure the amount is more than \$150 and is at least 60 days beyond the account opened date. If these validations fail, the default record is rejected.

DefaultValidations.png has the required details to accept/reject default with the amount and the 60 days period. TALEFIN have very limited means of knowing and enforcing.

Part of the client self-assessment questionnaire that TALEFIN developed to ensure that Credit Providers understand their obligations under the code. It is also something TALEFIN brings up during the initial sign-up process.

From a system standpoint, TALEFIN are not allowed to collect this type of information or evidence, so there is a basic check in place displayed in screenshot in evidence 09 folder, that does not allow a default date to be less than 60 days after the opened date.

Status: COMPLIANT

11. Publicly available information

Publicly available information

The information that Part IIIA permits CRBs, subject to conditions, to collect and disclose includes publicly available information (an undefined term in the Privacy Act) that relates to the individual's credit worthiness and meets other requirements set out in Part IIIA.

Assessment:

At this stage TALEFIN does not collect any other publicly available information as part of the credit bureau.

No publicly available information collected.

Status: COMPLIANT

11.1 A CRB must only collect publicly available information about an individual:

- (a) from an agency or a state or territory authority; and
- (b) if the content of the information that is collected is generally available to members of the public (whether in the form provided to the CRB or another form and whether or not a fee must be paid to obtain that information);
- (c) if it relates to activities conducted within Australia or its external territories; and
- (d) if it is related to the individual's creditworthiness.

Assessment:

At this stage TALEFIN does not collect any other publicly available information as part of the credit bureau.

No publicly available information collected.

Status: COMPLIANT

11.2 For the avoidance of doubt publicly available information does not include:

- (a) originating process issued by a Court or Tribunal; or
 - (b) any judgment or proceedings where the individual's rights have been subrogated to an insurer; or
 - (c) any judgment or proceedings that is otherwise unrelated to credit;
- because this information does not relate to the individual's creditworthiness
-

Assessment:

At this stage TALEFIN does not collect any other publicly available information as part of the credit bureau.

No publicly available information collected.

Status: COMPLIANT

12. Serious credit infringements

Serious credit infringements

The information that Part IIIA permits CRBs, subject to conditions, to collect and disclose includes serious credit infringements – this is defined as:

- (a) an act done by an individual that involves fraudulently obtaining consumer credit or attempting fraudulently to obtain consumer credit;
- (b) an act done by an individual that involves fraudulently evading the individual's obligations in relation to consumer credit or attempting fraudulently to evade those obligations; or
- (c) an act by an individual if:
 - (i) a reasonable person would consider that the act indicates an intention, on the part of the individual, to no longer comply with the individual's obligations in relation to consumer credit provided by a CP;
 - (ii) the CP has, after taking such steps as are reasonable in the circumstances, been unable to contact the individual about the act; and
 - (iii) at least 6 months have passed since the CP last had contact with the individual.

Assessment:

Core functionality of the system

Both UI and API users have access to the various default functions to create and manage calls. A serious Credit Infringement requires the flag and date to be set for the default that promotes an existing default to a SCI.

SCI.png sighted for the SCI. Details include information on Default and related dates and escalation to infringement with date captured for SCI.

Status: COMPLIANT

13. Transfer of rights of credit provider

Transfer of rights of credit provider

The Privacy Act recognises that the repayment rights of a CP in relation to credit may be transferred and treats the acquirer as a CP for the purposes of the credit.

13.1 If:

- (a) an acquirer acquires the rights of a CP in relation to the repayment of an amount of consumer credit;
 - (b) the original CP notifies the individual to whom that consumer credit was provided of the transfer event; and
-

- (c) prior to the transfer event, the original CP had disclosed to a CRB consumer credit liability information or default information about the consumer credit,
- both the original CP and the acquirer must ensure that disclosure is made to the CRB of:
 - (d) the transfer event within 45 days of its occurrence including the name of the acquirer; and
 - (e) any information that is thereafter required to be disclosed under Part IIIA, the Regulations or this CR code (and for the purposes of that subsequent disclosure the acquirer is taken to have made any disclosures by the original CP in relation to that credit that were made prior to the transfer event).

Assessment:

The process can be performed by TALEFIN admins if requested, have not been needed up to this point. All data points are linked to a company. If ownership needs to be transferred, a custom database script will be created to transfer the data across. TALEFIN have not had the need to do this yet, so if this request does happen, will need to build a custom database script for the Credit Provider to transfer the ownership. Also have the functionality for an admin in TALEFIN's development backlog to implement though.

Status: COMPLIANT

14. Permitted CRB disclosures

Permitted CRB disclosures

Part IIIA permits a CRB to disclose credit reporting information to CPs, mortgage insurers and trade insurers - but only for certain permitted purposes.

Assessment:

Core functionality of the system

At this stage only have Credit Providers, Debt Collectors and Consumer Agents, so no additional segregation has been implemented or needed for different user types.

Core functionality of the system is to limit the disclosures only to the users intended. Currently limited to Credit Providers, Debt Collectors and Consumer Agents and no other.

Status: COMPLIANT

14.1 Where, in response to a request:

- (a) a CRB discloses credit reporting information to a CP, mortgage insurer or trade insurer;
 - or
 - (b) a CP discloses credit eligibility information to an entity to which a permitted CP disclosure may be made; and the CRB, CP, mortgage insurer or trade insurer (as applicable) subsequently becomes aware that the credit reporting information or credit eligibility information was about an individual other than the individual that is the subject of the request:
 - (c) in the case of a recipient of the information - it must:
 - (i) advise the disclosing CRB or CP (as applicable) of the mistake as to identity (unless it was the disclosing CRB or CP that identified the mistake); and
-

- (ii) destroy the disclosed information; and
- (iii) take reasonable steps to ensure that any derived information that is based on the disclosed information is not disclosed or used for the purpose of assessing the credit worthiness of the individual to whom the information relates; and
- (d) in the case of a CRB or CP that disclosed the information - it must:
 - (i) advise the recipient of the information of the mistake as to identity (unless it was the recipient of the information that identified the mistake); and
 - (ii) take reasonable steps to review its disclosure practices, procedures and systems so that similar mistakes are minimised in the future.

Assessment:

From a system perspective TALEFIN would need to be able to delete an enquiry with a system user. This process can be done manually if requested by a system admin.

Incorrect Disclosure process can be found here.

Evidence - 14 - TaleFin - Incorrect Information Disclosure.docx

Incorrect information Disclosure document sighted. Contains the business context on disclosures as well as process if incorrect information is identified.

Status: COMPLIANT

14.2 Before a CRB discloses credit reporting information to a CP, mortgage insurer or trade insurer, the CRB must have taken reasonable steps to ensure that the CP, mortgage insurer or trade insurer has been notified of the requirements of the Privacy Act, the Regulations and the CR code governing limitations on use and disclosure of credit reporting information.

Assessment:

TALEFIN impose those requirements through TALEFIN's standard terms and conditions. Each of TALEFIN's customers receive their own legal advice around how they adhere to the Privacy Act and the CR Code. Terms and conditions available as well as agreements include these.

Status: COMPLIANT

15. Security of credit reporting information

Security of credit reporting information

Part IIIA requires CRBs to take reasonable steps to maintain the security of credit reporting information. CRBs must enter into agreements with CPs requiring them to protect credit reporting information from misuse, interference and loss and unauthorised access, modification or disclosure.

Assessment:

TALEFIN mention this in their product terms and conditions under the Confidentiality section
TALEFIN have the following note their credit report

Disclaimer

Please note that this Credit Report contains personal and credit information under the regulations of the Privacy Act and the Credit Reporting Code and should therefore be dealt with in accordance with the privacy legislation in Australia. Due to the confidential nature of the information, this document should not be shared with any unauthorized third party and be destroyed once it was used for the purpose to which it was provided. Should you suspect any unlawful use, please report it to the following email address info@talefin.com.

Product terms and conditions sighted. The confidentiality section addresses the requirement to protect information from misuse. Encryption was evidenced through screenshots of Encryption configuration on AWS and for Databases. Windows updates are regularly done as evidenced through WIndowsUpdateHistory screenshots.

Status: COMPLIANT

15.1 CRBs and CPs must maintain reasonable practices, procedures and systems to ensure the security of electronic transmission and storage of credit reporting information and credit eligibility information.

Assessment:

All Evidence to the below points are in the Evidence 15 Folder

Infrastructure:

- All communication external to the system is only via secure HTTPS
- Web Application Firewall (WAF) is configured in front of all API accesses and filters malicious traffic.
- Operating systems are maintained with regular scheduled system patch updates
- Up-to-Date antivirus software is installed on all server
- Databases are encrypted at rest on the database server
- Database backups are certificate encrypted in their backup location
- Off-site database backups are stored encrypted and restricted to authorised TaleFin Staff
- Virtual Machine disks are encrypted on AWS
- Virtual Machine backups are encrypted on AWS
- All infrastructure is hosted within Australia

Application:

- All access requires an authorised user token to be acquired before a user can interact with the system
 - Each call verifies that a user has access privileges to the data they are requesting
 - Each API has a Authentication test section - Where applicable, end points have tests ensuring a given user only has access to their own data
 - Each user action (enquiry, application, report retrieval, etc) is logged against the calling user, date/time. It logs which consumer TALEFIN is retrieving information for as well as the type of information
 - All changes to consumer and credit liability information data are logged with date stamps
 - Historical (superceeded, expired, corrected) data cannot be accessed by end-users.
-

Helpdesk:

- Every user interaction generates a tracked and logged ticket

Team:

- Employment contracts reflect the confidentiality requirements of the data
- Adequate training has been provided
- Appropriate segregations of duties have been applied

Sighted the configurations for Infrastructure controls: Antivirus, AWS Encryption, Database Encryption, DSighted the configurations for Infrastructure controls: Antivirus, AWS Encryption, Database Encryption, Data sovereignty through Data residency within Australia (locations in Aus only), Load Balancer configuration settings, Web Application Firewall Settings and Windows Update History for patching and vulnerabilities management.

Sighted the following as well: Datahistory.png, DBAUditLog.png, DBTables.png, TestCaseExplanation1.png, TestCaseExplanation2.png for application level controls.

Status: COMPLIANT

16. Use and disclosure of credit-related personal information by CPs and affected information recipients

Use and disclosure of credit-related personal information by CPs and affected information recipients. Part IIIA places restrictions and conditions on the use and disclosure of credit information and credit eligibility information

Assessment:

Product Terms and conditions place the required restrictions on the use and disclosure of the credit information and credit eligibility information.

Status: COMPLIANT

16.2 A CRB must only disclose credit reporting information to a CP, for the purposes of enabling the CP to assist the individual to avoid defaulting on his or her obligations in relation to consumer credit provided by the CP to the individual where either:

- (a) the CP confirms to the CRB that it is aware of circumstances that reasonably indicate that the individual may be at significant risk of defaulting in relation to those obligations; or
- (b) the CRB is aware that an event has occurred in relation to the individual that is an event of the kind that the CP has identified could, if it were to occur, reasonably indicate that the individual may be at significant risk of defaulting in relation to those obligations.

Assessment:

TALEFIN provide all credit related information that they have on the file for the purpose of decisioning. All information provided is for the CPs to make better decisions.

Status: COMPLIANT

17. Protections for victims of fraud

Protections for victims of fraud

Where an individual has been a victim of fraud (including identity fraud), Part IIIA enables the individual to request a CRB to commence a ban period during which the CRB may not disclose or use the individual's credit reporting information unless the individual expressly consents in writing.

Assessment:

Consumers are required to create an account for the Consumer application for they can log on and Add, Remove and Extend a BAN at any time.

Account creation sighted via ConsumerApp1.png, ConsumerApp2.png, ConsumerApp3.png, ConsumerApp4.png, ConsumerApp5.png

Status: COMPLIANT

17.1 Where an individual believes on reasonable grounds that the individual has been, or is likely to be, a victim

of fraud and the individual requests, a CRB not to use or disclose their credit reporting information, the CRB must immediately:

- (a) include on the credit reporting information held in relation to the individual a notation about the individual's request and retain this for the duration of the ban period;
- (b) explain to the individual the effect and duration of the ban period, including that the individual may not be able to access credit during the ban period; and
- (c) explain to the individual that they may request a ban period with other CRBs, and that the individual can consent to the CRB (the first CRB) notifying the CRBs nominated by the individual (the notified CRBs) that the individual has requested that the notified CRB/s not use or disclose the individual's credit reporting information (additional ban period request). Where this additional ban period request is made by the individual:
 - (i) the first CRB must, as soon as reasonably practicable, provide the notified CRB/s with the ban period request provided by the individual to the first CRB;
 - (ii) The notified CRB must treat the additional ban period request provided by the first CRB as if it had been provided by the individual directly to the notified CRB.

Assessment:

Ban system is fully operational.

While creating a Ban, TALEFIN explain what the effect on customer's profile would be and are unlikely to be granted access to credit while the profile has an active Ban.

During a Ban a credit report cannot be generated.

Do not currently share Bans with other Bureaus or receive bans from them.

LiftBan.png, LogBan.png and ReportDuringBan.png sighted in this regard.

Status: COMPLIANT

17.2 Where a CRB receives a request from a CP, mortgage insurer or trade insurer for credit reporting information about an individual in relation to whose credit reporting information a ban period is in effect, the CRB must inform the CP, mortgage insurer or trade insurer of the ban period and its effect.

Assessment:

Same as 17.1 above

Reported as per BAN circumstances.

Status: COMPLIANT

17.3 Where a CRB has established a ban period in relation to credit reporting information about an individual, the CRB must notify the individual not less than 5 business days before the end of the ban period:

- (a) of the date the ban period is due to finish;
- (b) about the individual's rights under Part IIIA, the Regulations and this CR code to extend the ban period; and
- (c) what, if any, information the CRB requires to support the individual's allegation of fraud.

Assessment:

This has been developed and implemented through the customer portal. An email is sent automatically via the portal on existing bans.

Sighted the following in this regard: BanExtend.png, BanLogged.png, BanLoggedHomeScreen.png, BanOutcome.png

Status: COMPLIANT

17.4 For the purposes of paragraph 17.1(c), where an individual seeks to extend a ban period under paragraph 17.3, the individual can consent to the first CRB notifying the previously notified CRBs of the request to extend to the ban period and, where this ban period extension request is made by the individual:

- (a) the first CRB must, as soon as reasonably practicable, provide the notified CRB/s with the ban period extension request and any supporting material provided by the individual to the first CRB;
- (b) the notified CRB must treat the ban period extension request provided by the first CRB as if it had been provided by the individual directly to the notified CRB.

Assessment:

Ban system is fully operational.

TALEFIN do not currently share Bans with other Bureaus or receive bans from them.

Ban information is not shared with other CRBs.

Status: COMPLIANT

18. Use by a CRB of credit reporting information to facilitate a CP's direct marketing

Use by a CRB of credit reporting information to facilitate a CP's direct marketing.

Part IIIA restricts a CRB's use of credit reporting information to facilitate a CP's direct marketing. It does, however, permit a CRB at the request of a CP to undertake pre-screening of a list of individuals provided by the CP using eligibility requirements nominated by the CP.

Assessment:

No direct marketing functionality is provided through the platform, nor is it permitted through the standard terms and conditions.

No pre-screening functionality currently exists.

Discussed and agreed that this is not applicable and therefore considered compliant as part of the outcomes.

Status: COMPLIANT

18.1 Notwithstanding Section 20E(2), a CRB must not:

(a) use credit reporting information for the purpose of developing any tool or service for provision to a CP or affected information recipient for the purposes of assisting them:

(i) to assess the likelihood that an individual may accept:

- 1) an invitation to apply for, or an offer of, credit or insurance in relation to mortgage credit or commercial credit; or
- 2) an invitation to apply for a variation of, or an offer to vary, the amount of or terms on which credit or insurance in relation to mortgage credit or commercial credit is provided; or

(ii) to target or invite an individual to apply, or accept an offer, for:

- 1) credit or insurance in relation to mortgage credit or commercial credit; or
- 2) variation of the amount of, or terms on which, credit or insurance in relation to mortgage credit or commercial credit is provided; or

(b) provide any such tool or service that uses credit reporting information to a CP or affected information recipient.

Assessment:

No direct marketing functionality is provided through the platform, nor is it permitted through the standard terms and conditions.

Discussed and agreed that this is not applicable and therefore considered compliant as part of the outcomes

Status: COMPLIANT

18.4 Each CRB must keep a confidential register of individuals who have made a request of the kind referred to in paragraph 18.3.

Assessment:

This can now be supported by the Jira support desk

If direct marketing or similar is ever implemented, this will be moved to the consumer portal where users can provide and remove consent.

Status: COMPLIANT

19. Access

Part IIIA obliges CRBs and CPs to provide access on request by an individual to credit reporting information held about the individual and to do so within a reasonable period (in the case of a CRB this cannot be longer than 10 days). A CRB is not permitted to charge for access if the individual (whether directly or through an agent) has not made a request for access within the preceding 12 months. If a request has been made within the preceding 12 months, the CRB may impose a charge, but this must not be excessive. A CP (except a CP that is an agency) may impose a reasonable charge for providing access to credit information.

Assessment:

Consumer portal sign-up process facilitates this. Data TALEFIN hold for a consumer is available at any time by logging into the Consumer Portal.

ConsumerApp1.png sighted for customer access that is available for them via login. All data available once the customer logs in.

Status: COMPLIANT

19.1 Where a person requests a CRB or CP to provide them with access to credit reporting information or credit eligibility information (as applicable), the CRB or CP (as applicable) must not provide access without first obtaining such evidence as is reasonable in the circumstances to satisfy itself as to the identity of the person making the request and that person's entitlement under Part IIIA, the Regulations and the CR code to the access.

Assessment:

Consumer portal sign-up process facilitates this. Data TALEFIN hold for a consumer is available at any time by logging into the Consumer Portal.

ConsumerApp1.png sighted for customer access that is available for them via login. All data available once the customer logs in.

Status: COMPLIANT

19.2 Where an individual (whether personally or through another access seeker) requests a CRB to provide access to the individual's credit reporting information, the CRB must not charge a fee for giving access to the information if the individual provides the CRB with evidence that, not more than 90 days previously, a CP refused a consumer credit application made by the individual. This is the case whether or not the CRB has provided the individual with access to credit reporting information free of charge at any time during the previous 12 months.

Assessment:

Consumer portal sign-up process facilitates this. Data TALEFIN hold for a consumer is available at any time by logging into the Consumer Portal.

ConsumerApp1.png sighted for customer access that is available for them via login. All data available once the customer logs in.

Status: COMPLIANT

19.4 Where credit reporting information is provided to an access seeker free of charge by a CRB as required by Part IIIA, the Regulations or this CR code:

- (a) the CRB must provide the access seeker with access to:
 - (i) all credit information in relation to the individual currently held in the databases that the CRB utilises for the purposes of making disclosures permitted under Part IIIA; and
 - (ii) all current CRB derived information about the individual that is available;
 - (iii) the individual's credit rating as set out in paragraph 19.7;
- (b) the CRB must present the information clearly and accessibly and provide reasonable explanation and summaries of the information to assist the access seeker to understand the impact of the information on the individual's credit worthiness;
- (c) the CRB may only provide the access seeker with a direct marketing communication where the access seeker has provided his or her consent to receipt of this communication by opting in to providing this consent. A pre-ticked consent box does not constitute opting in; and
- (d) if the CRB does not provide the information to the access seeker in the manner requested by the access seeker, the CRB must take reasonable steps to provide access in a way that meets the needs of the CRB and the individual.

Assessment:

Consumer portal sign-up process facilitates this. Data TALEFIN hold for a consumer is available at any time by logging into the Consumer Portal.

No direct marketing functionality.

Status: COMPLIANT

19.6 Where a CRB provides an access seeker with CRB derived information about the individual or a CP provides an access seeker with CP derived information about the individual, this may be done in a way that preserves the confidentiality of the methodology, data analysis methods, computer programs or other information that is used to produce the derived information.

Assessment:

Consumer portal sign-up process facilitates this. Data TALEFIN hold for a consumer is available at any time by logging into the Consumer Portal.

The only derived information at this stage is an estimated future instalment amount.

ConsumerApp1.png sighted for customer access that is available for them via login. All data available once the customer logs in.

Status: COMPLIANT

20. Correction of information

Part IIIA provides an individual with correction of information rights. Where a CRB or CP is satisfied that credit related personal information is inaccurate, out-of-date, incomplete, irrelevant or misleading, the CRB or CP (as applicable) must take reasonable steps to correct the information within 30 days or such longer period agreed to by the individual in writing. Where necessary to resolve the correction request, the CRB or CP (as applicable) must consult with other CRBs or CPs.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy.

All non PII information can be updated via the Credit Providers.

All information can be updated and fixed if the consumer logs a correction request via the application and does not need an account to do so.

If a ticket is logged via the issue management system, the turn-around time can be tracked and reported.

Sighted Credit Reporting Policy

<https://www.talefin.com/talefin-credit-reporting-policy>

Section: How do I correct my information?

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files. JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.2 When a CRB or CP (the consulted CRB or CP) is consulted by another CRB or CP (the first responder CRB or CP):

(a) the first responder CRB or CP must take reasonable steps to provide the consultation request to the consulted CRB or CP within a time period of five business days of the correction request being made;

(b) when making the consultation request, the first responder CRB or CP must notify the consulted CRB or CP the date when the 30-day period to resolve the individual's correction request ends (the correction period);

(c) the consulted CRB or CP must take reasonable steps to respond to the consultation request as soon as practicable, and not less than five business days before the end of the correction period (unless the consultation request is made less than five business days before the end of correction period, in which case the response must be provided as soon as practicable);

(d) where the consulted CRB or CP will be unable to respond to the consultation request by the end of the correction period, it must advise the first responder CRB or CP at least five business days before the end of the correction period of the delay (unless the consultation request is made less than five business days before the end of correction period, in which case the advice must be provided as soon as practicable), the reasons for this and the expected timeframe to respond to the consultation request. This timeframe must be reasonable.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy.

All non PII information can be updated via the Credit Providers.

All information can be updated and fixed if the consumer logs a correction request via the application and does not need an account to do so.

If a ticket is logged via the issue management system, the turn-around time can be tracked and reported.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files. JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also, the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.3 If a CRB or CP forms the view that it will not be able to resolve an individual's correction request within the 30 day period required by Part IIIA, the CRB or CP (as applicable) must as soon as practicable:

(a) notify the individual of the delay, the reasons for this and the expected timeframe to resolve the matter;

(b) seek the individual's agreement to an extension for a period that is reasonable in the circumstances; and

(c) advise that the individual may complain to a recognised external dispute resolution scheme of which the CRB or CP (as applicable) is a member – and provide the contact details for that scheme – or, in the case of a CP that is not a member of one, to the Commissioner; and

(d) if the individual has not agreed to the requested extension, provide a response to the correction request within the timeframe sought for extension.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Sighted Credit Reporting Policy

<https://www.talefin.com/talefin-credit-reporting-policy>

Section: How do I correct my information?

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.4 When correcting credit-related personal information:

(a) If a CRB or CP receives a correction request, they must determine whether the credit-related personal information needs to be corrected as soon as practicable.

(b) If a CRB or CP is satisfied that credit-related personal information needs to be corrected (whether in response to a correction request, or under section 20S or section 21U), the CRB's or CP's obligation to take reasonable steps to correct the information will be satisfied where the CRB or CP, or a CRB or CP consulted in relation to the correction request (as applicable):

(i) corrects the credit information, where this correction is in response to a correction request, within five business days of determining the correction should occur and otherwise as soon as practicable;

(ii) takes reasonable steps to ensure that any future derived information is based on the corrected credit information; and

(iii) takes reasonable steps to ensure that any derived information that is based on the uncorrected credit information is not disclosed or used for the purpose of assessing the credit worthiness of the individual to whom the information relates.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.5

(a) If:

(i) an individual enters into a new arrangement with a CP of the kind referred to in Section 6S(1)(c) or a CP has disclosed payment information in relation to the individual; and

(ii) the individual requests a CRB to correct the credit reporting information held by the CRB about the individual by removing default information that relates to an overdue payment that is the subject of that new arrangement or payment information; and

(iii) the request is made on the basis that the overdue payment occurred because of the unavoidable consequences of circumstances beyond the individual's control, such as natural disaster, bank error in processing a direct debit or fraud, the CRB must, in consultation with the CP that disclosed the relevant default information, consider whether the default information is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to the purpose for which the information is held by the CRB.

(b) Where, under paragraph 20.5(a), the CRB and CP are satisfied that the default information is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to the purpose for which the information is held by the CRB, the CRB must agree to correct the credit reporting information about the individual by destroying the default information.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, COsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also, the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.6 On request by an individual, a CRB must correct the credit reporting information held by it in relation to the individual by destroying any default information that relates to a payment that the individual is overdue in making to a CP if, at the time of the correction request, the CP is prevented by a statute of limitations from recovering the amount of the overdue payment.

Assessment:

PProcess is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also, the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.7 A CRB or CP must notify an individual of a decision about a correction request made by the individual under Section 20T or Section 21V within 5 business days of the decision. Where the decision is to correct the information, the notice must:

(a) include all relevant credit reporting information or credit eligibility information (as applicable) held by the CRB or CP (as applicable) so that the individual can check that the information has been appropriately corrected;

(b) explain:

(i) that the individual has a right under this CR code to obtain their credit reporting information from a CRB free of charge if the access request relates to a decision by a CRB or a CP to correct information about the individual; and

(ii) how that right may be exercised; and

(c) if the CRB or CP (as applicable) is proposing to rely upon paragraph 20.9 of this CR code: explain what CRBs, CPs and affected information recipients the CRB or CP (as applicable) is intending to notify to fulfil its notification obligation under Part IIIA, the Regulations and this CR code; and

(ii) ask the individual if there is any other CP or affected information recipient that the individual would like the CRB or CP (as applicable) to notify of the correction.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also, the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.8 Where a CRB or CP corrects credit-related personal information by updating identification information about an individual, the CRB or CP (as applicable) is not obliged to notify any previous recipient of the information about the updating of that information, unless requested by the individual.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.9 Where a CRB or CP corrects credit-related personal information and this gives rise to an obligation under Part IIIA to give notice to a CRB, CP or affected information recipient, unless it is impracticable or illegal to give that notice, the notification obligation is taken to be met where:

(a) the correcting CRB or CP gives notice of the correction to:

(i) all CRBs to which it disclosed the pre-corrected information;

(ii) all CPs and affected information recipients to which it disclosed the pre-corrected information within the previous 3 months; and

(iii) any other CP or affected information recipient that has been nominated by the individual and to which it disclosed the pre-corrected information more than 3 months previously;

(b) if notice is given (in accordance with paragraph 20.9(a)) to a CP or affected information recipient that previously received CRB derived information or CP derived information that is no longer correct by reason of the correction, the notice includes revised CRB derived information or CP derived information (as applicable) that has been derived using the corrected information and such identification information or credit ID information necessary to identify the individual and their consumer credit to the CP; and

(c) the notice is given within 7 business days of the correction.

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

20.10 Where an individual makes a correction request under Section 20T or Section 21V the complaint handling provisions in Division 5 of Part IIIA will not apply to that request, even if the correction request includes an expression of dissatisfaction by the individual about an act or practice by the CRB or CP (as applicable)

Assessment:

Process is clearly articulated in TALEFIN's Credit Reporting Policy under the section called "How do I correct my information?"

<https://www.talefin.com/talefin-credit-reporting-policy>

All communication is captured in the issue management system.

Also SIGHTED the ConsumerApp1.png, ConsumerAp22.png and PIICorrectionExample.png files.

JiraResolutionTime.png, PIICorrectionExample.png for turnaround times. Also the Incorrect Information Disclosure policy document.

Status: COMPLIANT

21. Complaints

Part IIIA enables an individual to complain either to a CRB or a CP about an act that may breach Part IIIA other than certain provisions pertaining to access or corrections) or the CR code (other than an obligation that pertains to a Part IIIA excluded provision). The complaint must be acknowledged within 7 days, investigated and where necessary consultation with other CRBs or CPs must occur. A decision must be made in relation to the complaint within 30 days or longer period agreed to by the individual in writing.

Assessment:

Complaints functionality available on the TALEFIN website or via the consumer portal via Jira helpdesk. SIGHTED JiraEmail.png

Also Dispute Resolution Policy in this regard. The dispute resolution process is detailed with workflows.

Status: COMPLIANT

21.1 Where a CRB or CP is required by Australian law, a condition of a license issued by a regulatory authority or an enforceable Industry Code requirement to meet complaints handling requirements, the CRB or CP must comply with those requirements for the purposes of a complaint under Part IIIA.

Any other CRB or CP must comply with the following sections of ISO 10002:2018(E) Quality management - Customer satisfaction - Guidelines for complaints handling in organisations for the purposes of a complaint under Part IIIA:

- (a) Section 4 Guiding Principles;
- (b) Section 5.2 Leadership and Commitment;
- (c) Section 6.4 Resources;
- (d) Section 8.1 Collection of information; and
- (e) Section 8.2 Analysis and evaluation of complaints

Assessment:

Evidence 21 - TaleFin Dispute Resolution Policy.docx

SIGHTED JiraEmail.png

Also Dispute Resolution Policy in this regard. The dispute resolution process is detailed with workflows.

Status: COMPLIANT

21.2 A CRB must be a member of a recognised external dispute resolution scheme.

Assessment:

Talefin is AFCA member.

Status: COMPLIANT

21.3 A CRB or CP that is consulted by another CRB or CP about a complaint must take reasonable steps to respond to the consultation request as soon as practicable.

Assessment:

Complaints functionality available on the TALEFIN website or via the consumer portal via Jira helpdesk. Jira Helpdesk assists in this.

Status: COMPLIANT

21.4 If a CRB or CP forms the view that it will not be able to resolve a complaint within the 30 day period required by Part IIIA, the CRB or CP (as applicable) must:

- (a) inform the individual of this before the end of that period and provide the reason for the delay, the expected timeframe to resolve the complaint and seek their agreement to an extension for a period that is reasonable in the circumstances; and
 - (b) advise that the person may complain to the recognised external dispute resolution scheme of which the CRB or CP (as applicable) is a member – and provide the contact details for that scheme – or, in the case of a CP that is not a member of such a scheme, to the Commissioner.
-

Assessment:

Complaints functionality available on the TALEFIN website or via the consumer portal via Jira helpdesk. All communication is captured in the issue management system.

SIGHTED JiraEmail.png

Also Dispute Resolution Policy in this regard. The dispute resolution process is detailed with workflows. Complaints are captured in the issue management system.

Status: COMPLIANT

21.5 Where a CRB has an obligation under Section 23C(2), unless it is impracticable or illegal to do so, to give notice to a CP about a complaint relating to a CRB's act or practice that may breach Section 20S, this obligation is taken to be met if the CRB gives notice as soon as practicable to:

- (a) if the complaint relates to credit information that was disclosed to the CRB by a CP – that CP;
- (b) any other CP to which the CRB disclosed the credit information to which the complaint relates in the previous 3 months; and
- (c) any other CP that has been nominated by the individual for this purpose.

Assessment:

Complaints functionality available on the TALEFIN website or via the consumer portal via Jira helpdesk. All communication is captured in the issue management system.

SIGHTED JiraEmail.png

Also Dispute Resolution Policy in this regard. The dispute resolution process is detailed with workflows. Complaints are captured in the issue management system.

Status: COMPLIANT

22. Record keeping

Part IIIA imposes various obligations on CRBs and CPs to keep records where credit information is used or disclosed.

Assessment:

Database Audit Log caters for this requirement.

DataRetention1.png, DataRetention2.png and DataRetention3.png SIGHTED in this regard. Data Retention rules SIGHTED via Dat Retention Rules.pdf document.

Status: COMPLIANT

22.1 Each CRB and CP must maintain adequate records that evidence their compliance with Part IIIA, the Regulations and this CR code.

Assessment:

For compliance purposes partially it is this audit document. Additionally, it is part is reporting system and also the Helpdesk.

Status: COMPLIANT

22.2 In particular, each CRB and CP must maintain the following records:

- (a) where credit-related personal information is destroyed to meet obligations under Part IIIA, the Regulations and this CR code (but only if this is possible);
- (b) in the case of a CP that receives credit eligibility information disclosed to it by another CP:
 - (i) the date on which that information was disclosed;
 - (ii) the CP who disclosed the information;
 - (iii) a brief description of the type of information disclosed; and
 - (iv) the evidence relied upon that the consent requirements have been met;
- (c) for each disclosure that a CRB or CP makes of credit reporting information or credit eligibility information (as applicable):
 - (i) the date of the disclosure;
 - (ii) a brief description of the type of information disclosed;
 - (iii) the CP, affected information recipient or other person to whom the disclosure was made; and
 - (iv) evidence that the disclosure was permitted under Part IIIA, the Regulations or the CR code;
- (d) records of any consent provided by an individual for the purposes of Part IIIA, the Regulations or the CR code;
- (e) in the case of a CP – records of any written notice given to an individual stating that a consumer credit application has been refused within 90 days of disclosure by a CRB to the CP of credit reporting information in relation to that individual; and
- (f) records of correspondence and actions taken in relation to:
 - (i) requests to establish or extend a ban period;
 - (ii) requests for, or notifications of, corrections;
 - (iii) complaints;
 - (iv) pre-screening requests by a CP; and
 - (v) monitoring and auditing of CPs in accordance with Part IIIA, the Regulations and this CR code.

Assessment:

These points have been addressed in previous questions. TALEFIN keep a log of every action performed with the user / company that performed the action. All Credit Related information has an owner which can be traced.

Reporting, issue management, helpdesk (JIRA) all provide traceability of information.

Status: COMPLIANT

22.3 Records must be retained for a minimum period of 5 years from the date on which the record is made unless, in the case of a CRB, the record includes information that the CRB is required by Part IIIA, the Regulations or the CR code to destroy at the end of the applicable retention period, in which case the record must be retained for the duration of that retention period only.

Assessment:

Test Automation exists under the Retention Period Tests Section

For each release, each of the data points as per business requirements are tested to exist and tested for removal after the database stored procedure is executed.

The requirements for data retention is as follows

Evidence 22 - Data Retention Rules.pdf

The screenshot DataRetention1.png shows what each test case is testing

DataRetention2.png provides the positive result of the test.

DataRetention3.png illustrates that TALEFIN are deleting data when outside of retention and it can no longer be accessed by any end user as a normal database query will not return any data (empty result at the bottom). TALEFIN do keep the records in the history table and can only be access internally if ever needed to investigate at a future date.

Keeping the data in the history tables ensures compliance with the previous point about record keeping in a safe manner.

DataRetention1.png, DataRetention2.png and DataRetention3.png SIGHTED in this regard. Data Retention rules SIGHTED via Data Retention Rules.pdf document.

Status: COMPLIANT

23. Credit reporting system integrity

Part IIIA includes measures to facilitate credit reporting system integrity including an obligation on CRBs to ensure that regular audits are conducted by an independent person to determine whether CPs are complying with aspects of their contractual obligations to the CRB.

Assessment:

TALEFIN are not currently aware of any outstanding data integrity issues. TALEFIN are in constant contact with all providers and have developed the questionnaire to ensure ongoing compliance. TALEFIN combine the answers from the questionnaire, overview reports and daily reports to ensure that users send and update all relevant data.

Data Supplier - Self Assessment - V1.1 SIGHTED; also filled form

Status: COMPLIANT

23.1 To ensure that CRBs are able to tailor the frequency and extent of the audits required by sections 20N and 20Q to the CPs that present the greatest risk of non-compliance, a CRB must establish a documented, risk based program to monitor CPs' compliance with their obligations under Part IIIA, incorporated in their agreements with the CRB, to ensure:

- (a) that credit information that the CP discloses to the CRB is accurate, up-to-date and complete;
- (b) that credit reporting information that the CRB discloses to the CP is protected by the CP from misuse, interference and loss and from unauthorised access, modification or disclosure; and
- (c) that the CP takes the steps in relation to requests to correct credit-related personal information required by Part IIIA, the Regulations and this CR code.

Assessment:

Client questionnaire has been developed.

Data Supplier - Self Assessment - V1.1 SIGHTED; also filled form.

Also CompanyUsageOverview.png SIGHTED. Also FullCompanyStatsReport.xlsx.

Status: COMPLIANT

23.2 The risk based program established by a CRB for the purposes of paragraph 23.1 must:

- (a) identify and evaluate indicators of risk of non-compliance by CPs with the obligations referred to in paragraph 23.1;
- (b) assess the risk posed by CPs of significant non-compliance with those obligations utilising those risk indicators and the range of information available to the CRB including correction requests and complaints;
- (c) utilise a reasonable range of monitoring techniques to validate and update those risk assessments from time to time (which could, for example, include questionnaires or attestations);
- (d) include an audit program for CPs to assess compliance with the obligations referred to in paragraph 23.1.

Assessment:

Client questionnaire has been developed.

Usage stats are exported as a basic version to indicated possible non-compliance

Data Supplier - Self Assessment - V1.1 SIGHTED also filled form

Also CCompanyUsageOverview.png SIGHTED. Also FullCompanyStatsReport.xlsx.

Status: COMPLIANT

23.4 A CRB must take reasonable steps to ensure that a person who conducts an audit of a CP as part of the CRB's auditing program referred to in paragraph 23.2 has sufficient expertise for the role including:

- (a) knowledge of the requirements of Part IIIA, the Regulations and this CR code;
- (b) knowledge of audit methodology and previous experience in conducting audits; and
- (c) credit reporting system experience.

Assessment:

Audit system

Client Questionnaire has been developed.

Data Supplier - Self Assessment - V1.1 SIGHTED also the filled form

Status: COMPLIANT

23.5 Subject to paragraphs 23.3 and 23.4, a CRB's CP auditing program for the purposes of paragraph 23.2(d) may utilise as auditors:

- (a) a CRB's compliance or auditing team;
 - (b) consultants engaged by the CRB;
 - (c) consultants engaged by the CP where the CRB is satisfied as to the consultant's independence and expertise; or
 - (d) an industry funded organisation where the CRB is satisfied as to that organisation's independence and expertise.
-

Assessment:

Client questionnaire has been developed.

Data Supplier - Self Assessment - V1.1 SIGHTED also the filled form

Status: COMPLIANT

23.6 The CRB must take reasonable steps to ensure that its audit oversight, including reporting arrangements, is sufficient to enable the CRB to form a view as to whether the CP is complying with the obligations referred to in paragraph 23.1

Assessment:

Current audit is being conducted.

Status: COMPLIANT

23.9 Where a CP fails to meet its contractual obligations to a CRB to comply with Part IIIA, the Regulations and this CR code and in particular fails to:

(a) ensure that the credit information that the CP discloses to the CRB is accurate, up-to-date and complete; or

(b) protect credit reporting information disclosed to the CP by a CRB from misuse, interference or loss, or unauthorised access, modification or disclosure;

the CRB will take such action as is reasonable in the circumstances, which may include termination of the agreement. However, termination may only occur if the CRB first provides the CP with reasonable notice of its intention to terminate the agreement and an opportunity to trigger the dispute resolution procedures in paragraph 23.10.

Assessment:

Client questionnaire has been developed.

Part of TALEFIN's terms and conditions state that a contract can be terminated at any time.

Terms and conditions SIGHTED.

Status: COMPLIANT

23.10 Where disputes arise between two or more CRBs, CPs and affected information recipients in relation to actions undertaken or required to fulfil their obligations under Part IIIA, the Regulations or this CR code, the parties to the dispute must endeavour to resolve the dispute in a fair and efficient way.

Assessment:

This can be done on an adhoc basis at the moment when the issue arises. TALEFIN do not share information to other CRBs.

Can be done as the need arises.

Status: COMPLIANT

23.11 A CRB must publish on its website, by 31 August each year, a report for the financial year ending on 30 June of the same year (or in the case of the report provided in 2014, for the period beginning on the date of commencement of this CR code and ending on 30 June 2014) that includes information about the following:

Assessment:

All previous Audit Reports can be found here

<https://www.talefin.com/talefin-legal-policies>

SIGHTED the report at

[https://assets-global.website-](https://assets-global.website-files.com/6253d0ab8b8c34b0d16f6001/64eedc86717532eb46dd8c35_2023%20Credit%20Reporting%20Annual%20Report.pdf)

[files.com/6253d0ab8b8c34b0d16f6001/64eedc86717532eb46dd8c35_2023%20Credit%20Reporting%20Annual%20Report.pdf](https://assets-global.website-files.com/6253d0ab8b8c34b0d16f6001/64eedc86717532eb46dd8c35_2023%20Credit%20Reporting%20Annual%20Report.pdf)

Status: COMPLIANT

24.2 Every 3 years, or more frequently if the Commissioner requests, a CRB must commission an independent review of its operations and processes to assess compliance by the CRB with its obligations under Part IIIA, the Regulations and this CR code. The CRB must consult with the Commissioner as to the choice of reviewer and scope of the review. The review report and the CRB's response to the review report must be provided to the Commissioner and made publicly available.

Assessment:

TALEFIN have engaged with the commissioner and have not heard anything from them. TALEFIN have now engaged with an external auditor to help with compliance audit.

LastOAICComms.png and OAIC Enquiry Acknowledgement.pdf documents SIGHTED.

Status: COMPLIANT

10. Qualifications and assumptions

The facts asserted in this report and on which we base our findings are derived wholly from the documents identified in Attachment 1 and the responses provided in interviews and meetings with the persons identified in Attachment 2.

This report concerns compliance only with TALEFIN's Part IIIA Obligations. We have not examined and offer no opinion regarding any other obligations under the Privacy Act or other laws that may be applicable to TALEFIN. In particular, we did not consider compliance with the Australian Privacy Principles to the extent that they overlap with Part IIIA Obligations.

Our report is designed to provide reasonable assurance that TALEFIN complies with its Part IIIA Obligations. In carrying out our review, we observed samples of documents and processes, rather than the entire population, where we considered it more appropriate and practical to do so.

The review procedures identified this report were carried out between 13 December 2023 and 14 December 2023.

To the extent that there was an overlap between the Australian Privacy Principles and Part IIIA Obligations, the application of the Australian Privacy Principles is outside the scope of this report and therefore was not considered (for example, the incidental collection of personal information that is not credit information from individuals requesting access to their credit report).

We have not independently verified statements of facts supplied to us by TALEFIN, other than to the extent specifically stated in this report.

Terms used in this report that are defined in the Glossary have the same meaning as in the Glossary.

This report has been prepared for the sole purpose of enabling TALEFIN to comply with clause 24.2 of the CR Code and is intended solely for the information of the Office of the Australian Information Commissioner. The content of the report is not to be taken as advice of any kind and should not be relied on as such. Neither Next Practice Management nor TALEFIN accepts any responsibility to any other person who may act in reliance on the report.

Aqeel Mohammad
Next Practice Management Pty Ltd
18 December 2023

Attachments 1: Meetings

Meetings between Aqeel Mohammad (Next Practice Management) and TALEFIN personnel

Date	TALEFIN personnel
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13 December 2023	Colin Strydom
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14 December 2023	Colin Strydom
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Information about relevant TALEFIN personnel

Name	Position
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Colin Strydom	Product Owner/Privacy Officer, Quality Assurance
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Aqeel Mohammad

Next Practice Management Pty Ltd

18 December 2023

Attachment 2: TALEFIN Credit Reporting Policy

<https://www.talefin.com/talefin-credit-reporting-policy>

TALEFIN CRB AUSTRALIA PTY LTD

Current Privacy Policy