

20 October 2014

Nerida Caesar  
Chief Executive Officer  
Veda Advantage Ltd  
Level 15, 100 Arthur Street, North Sydney, 2060

CC. Karen Toohey, Assistant Commissioner at Office of the Australian Information Commissioner  
CC. Matthew Strassberg and Margaret O'Connell, Veda.

Dear Nerida,

**RE: Veda Free Credit Report and Marketing**

We refer to our representative complaint dated 15 August 2014.

We confirm that as conciliation is imminent and the dispute below is related to the representative complaint we have received discretion from the OAIC to send a copy of this complaint to the OAIC as well.

For the sake of clarity, we note that we consider the issues raised below to be of broad public interest and do not intend to keep this letter confidential. We contend that the public needs to (urgently) be aware of the issues raised and in particular, the new process and the misleading conduct in regards to some of the form (as detailed below).

Veda Free Credit Report

Since the representative complaint, we note that Veda has now made free credit reports available online on the Veda website by filling out a form. This represents a step forward in resolving the matters set out in our representative complaint regarding access. Although as will be seen from the issues set out below there are still problems with that process.

A number of people working in our organisations have tried to access their free credit report on the Veda website using the form provided. The details of the experience are as follows:

- One person still has not received their free credit report after a month. A complaint has been made to Veda IDR.
- Applicants who ticked a box to agree to giving further information to Veda received a call from Veda offering to send the credit report immediately if they pay \$50.
- There are inconsistencies in the *mycreditfile* page entitled 'How to get your credit report free of charge' and the actual process of getting a free credit report.

We wish to complain about a number of aspects of the new process:

1. One report was not received within the 10 days as required by section 19 of the Privacy (Credit Reporting) Code 2014 (CR Code). Although the other reports were received within the required 10 day period.
2. The box that states "Veda can contact me on the details supplied above regarding my application for a copy of my credit report" is in our view misleading. Based on our experiences to date Veda does not contact the individual for further information but instead uses this as an opportunity to sell a paid credit report to individuals applying for their free credit report. We contend that Veda needs to immediately change its approach and ensure that the individual requesting the report is only contacted if further information is required to process the request.

Even if one reads the terms and conditions of the User Agreement the possibility of such marketing is not explicit enough. The User Agreement talks about "proof of identity" at 6, indicating that Veda they can contact the user for that purpose. It is not clear users that they are authorising Veda to call them about changing from the free credit report to a paid one (clause 11, 12 and 13).

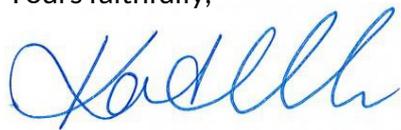
The box titled "I would like to be contacted by telephone/email with finance, insurance and other offers relating to finance. I consent to Veda providing my personal information including my contact details to relevant corporate partners for this purpose". We contend that:

- a. A request for a free report as a right under the law should not be used as a marketing opportunity; and
  - b. Informed consent cannot be given for this request as it is not clear who the "relevant partners" are. Accordingly, the consent is arguably in breach of the Australian Privacy Principles.
3. There are inconsistencies in the *mycreditfile* page entitled 'How to get your credit report free of charge' and the actual process of getting a free credit report. For example:
    - a. All of the identification requirements listed are not actually required, specifically the need to provide a copy of two forms of ID. When filling our 'Personal Details' form a user is only asked to provide a drivers license number, not the second form of ID or a photocopy of the driver's license; and
    - b. Similarly, when a user clicks the 'declined for credit' box, the user is not prompted for more info even though the 'How to' page tells the user 'you might be asked to supply a copy of this decline notice with your application'

We request that the above matters be rectified as soon as possible. We also seek confirmation that Veda is delivering reports within the 10 days as required by the CR Code.

If you have any questions or concerns regarding this complaint please do not hesitate to contact the Financial Rights Legal Centre on (02) 9212 4216.

Yours faithfully,



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