



## Privacy Law – Awareness & Guidelines (Australia)

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*HR – Working with You*

### Awareness & Guidelines

#### Background

Royal Wolf must ensure that RW policies, systems and processes for collecting, using, disclosing and storing personal information about customers, suppliers, employees, contractors and members of the public comply with the Privacy Act and ensure that personal and sensitive information is treated confidentially.

Royal Wolf is committed to protecting personal and sensitive information. We have appointed a privacy officer, the Manager People & Culture as an avenue for receiving and handling complaints with regards to all matters relating to Privacy Law. There are several privacy actions that **all** locations need to follow.

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

Whether a person is “reasonably identifiable” depends on the context. Some information obviously identifies a person – such as their name. Other information may not obviously identify a person, but could if it is linked with other information – such as their date of birth, contact information or photograph. Information may be personal information where alone it does not identify a person, but it can be cross-matched with other information held by Royal Wolf or publicly available so the person becomes identifiable.

Sensitive information is a subcategory of personal information that is subject to special protections. It is information or an opinion about an individual’s:

- racial or ethnic origin;
- political opinions or associations;
- religious or philosophical beliefs;
- trade union membership or associations;
- sexual orientation or practices;
- criminal record;
- health or genetic information; and
- some types of biometric information (particularly where it is used for automated identity verification).

You must consult with the privacy officer before handling any sensitive information.

#### What does this mean for you?

In your role, you may deal with personal information and it’s important to handle such information in compliance with confidentiality and privacy requirements.

#### What happens if we don’t comply with these new requirements?

If Royal Wolf does not comply with these requirements, there are a number of potential consequences, including:

- large fines may be imposed for breaches by the Company;
- complaints by customers and broader reputational damage;
- complaints to the Australian privacy regulator, which may involve payment of compensation to individuals; and
- other enforcement action may be taken against the Company by the privacy regulator and remedies, such as enforceable undertakings, may be sought.

#### Customer Information

Credit applications, customer agreements, emails and any other documents containing customer personal

information must be treated confidentially, such as;

- name and address
- drivers licence details
- date of birth
- telephone number
- email address

All such information must be secure and protected from misuse, interference, loss, unauthorised access and modification or disclosure.

Personal information must be kept in lockable drawers or cabinets when the office is unattended and once scanned & updated in Navision and any extra copies of the documents should be safely destroyed.

We must have consent from our customers before we send them marketing or product information. We normally obtain this consent in writing, through our new Credit Application and Terms and Conditions of Hire and Sale.

We must ensure that we only use or disclose personal information where permitted by the Privacy Act. Generally, where we list a use or disclosure in our Privacy Policy, this will be permitted by the Privacy Act but you can check with the privacy officer if you have any concerns.

If the Privacy Policy describes a use or disclosure that will only occur 'if permitted by the Privacy Act', then you should check with the privacy officer before using or disclosing the personal information.

Any uses or disclosures not contemplated by the Privacy Policy should be approved by the privacy officer before personal information is used or disclosed.

We should only collect personal information that is relevant to Royal Wolf's functions and activities. Make sure you only collect personal information that is relevant and required for a lawful purpose.

When Royal Wolf collects personal information about an individual, Royal Wolf should provide the individual with a privacy collection notice that describes the circumstances of the collection. (A privacy collection notice differs from a privacy policy in that a privacy collection notice describes the circumstances of a specific collection, whereas a privacy policy describes how an entity collects and handles personal information generally.) The privacy collection notice should be provided at or before the time of the collection or, if that is not practicable, as soon as practicable after the collection. The privacy collection notice must at least contain certain details listed under Australian Privacy Principle 5 (**APP 5**), which are the following:

- the identity and contact details of Royal Wolf;
- if:
  - Royal Wolf collects the personal information from someone other than the individual; or
  - the individual may not be aware that Royal Wolf has collected the personal information;the fact that Royal Wolf so collects, or has collected, the information and the circumstances of the collection;
- the fact that the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order (including the details of the law or order), in circumstances where the collection is required or authorised as such;
- the purposes for which Royal Wolf collects the personal information;
- the main consequences (if any) for the individual if all or some of the personal information is not collected by Royal Wolf;
- any other APP entity, body or person, or the types of any other APP entities, bodies, or persons, to which Royal Wolf usually discloses personal information that they collect;
- that the APP privacy policy of Royal Wolf contains information about how the individual may access the personal information about the individual that is held by Royal Wolf and seek the correction of such information;
- that the APP privacy policy of Royal Wolf contains information about how the individual may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds Royal Wolf, and how Royal Wolf will deal with such a complaint;

- whether Royal Wolf is likely to disclose the personal information to overseas recipients;
- if Royal Wolf is likely to disclose the personal information to overseas recipients; and
- if Royal Wolf is likely to disclose the personal information to overseas recipients – the countries in which such recipients are likely to be located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

### **Recruitment – Receiving Applications Policy**

If you are involved in the recruitment process, when applications come to you, please note:

- Any Resumes, CVs and applications received from internal or external applicants for positions vacant must be treated confidentially.
- Do not forward emails with resumes to other employees if they are not involved in the recruitment process.
- Resumes that have been printed must be stored in a locked drawer or cabinet at the end of each day.
- Do not leave resumes in a public area or lying around your office.
- After the recruitment process is complete, ensure you destroy any hard copies of resumes and delete any resumes from your computer files.

**New Employee Documentation Policy** – *documents such as Letters of Offer, Tax File Number, Bank Details, Superannuation Details, Personal details etc.*

Do not leave new employee documentation lying around; send it directly to HR. If you scan documents, remember to move them to a secure folder once scanned or delete them off the common drive once you've forwarded the scanned document via email.

### **References Policy**

We **do not give written references** to exiting employees; we do provide a Certificate of Service on company letter head.

For confirmation of an existing employee's employment and salary – please refer to the HR Dept.

Verbal references for ex-employees – confirm dates of employment and position title only; or refer to the HR Department.

Character or Personal written references are **NOT** to be provided on company letterhead.

Any complaints or questions from customers, suppliers, employees and contractors regarding how Royal Wolf handles their personal information should be referred to the Manager People & Culture (Privacy Officer).

### **Credit Information**

The privacy laws contain specific requirements about customers' credit information. 'Credit information' is information such as:

- the maximum amount of credit which is available to the customer;
- repayment history
- whether the customer has defaulted in the past

Some of the obligations under privacy laws which apply to customers' credit information are:

- Before we collect credit information from customers, we need to tell them the name and contact details of the credit reporting body we are likely to share the information with. You must direct them to read the "Credit Information" section of our Privacy Policy which has the details of the relevant credit reporting bodies.
- Where we receive credit information from a credit reporting body, we are only permitted to use the information for the purpose for which they are disclosed. This may be to assess an application for commercial credit, or to collect payments that are overdue in relation to commercial credit. For any other use case, you should check with the privacy officer before using the personal information.
- We are generally not allowed to disclose credit information we receive from a credit reporting body to others. You should check with the privacy officer before making any disclosure of such information.
- Customers have the right to correct their credit information with us. You must follow the procedure to make the necessary corrections.