

Privacy Policy

RWHUMPOL0020 | v. 1.3 | rev. 3/03/2023

Introduction

This policy sets out the approach in which **RecruitWest** (the “Company”) will take, in relation to the treatment of personal information. It includes information on how the Company collects, uses, discloses, and keeps secure, individuals’ personal information, and how it makes the personal information it holds available for access to, and correction by, the individual.

1 Open and Transparent Management of Personal Information

The Company promotes a working environment which operates within the guidelines of the [Privacy Act 1988](#), and ensures, where practicable, that:

- Processes, procedures, systems, and training are designed to be compliant with the Australian Privacy Principles (“APPs”).
- Employees understand, and are monitored and assessed on their compliance with, the APPs; and,
- Employees are open and responsive to inquiries or complaints, from individuals, concerning the Company’s compliance with the APPs.

This policy is reviewed and maintained according to the Company’s manual review schedule, and is made available to the public, free of charge, and will be in such form as is appropriate.

2 Anonymity and Pseudonymity

The Company provides the option for individuals to not identify themselves (or use a pseudonym), except when required or authorised by, or under, Australian law, or a court/ tribunal order, or, it is impracticable to do so.

3 Collection of Personal Information

The Company does not collect personal information unless it is directly related to, or required for, one or more of its primary or secondary functions, services, and/or processes, including, but not limited to, Accounts and Payroll, Workplace Health and Safety (“WHS”), Recruitment; and, statistics and reporting.

The Company respects that some items of collected information, while relevant, may not affect an individual’s opportunity for employment, and identifies the items as ‘optional’ or ‘voluntary’.

4 Dealing with Unsolicited Personal Information

Upon receipt of unsolicited personal information about an individual, the Company reserves the right to use or disclose the information for the purposes of determining whether:

- It could have collected the information if it had solicited the information from the individual – in which case, the Company retains the information as if it were collected in accordance with this policy; or,
- It could not have collected the information if it had solicited the information from the individual – in which case, if the information is not contained in a Commonwealth record, the Company destroys or de-identifies the information, as soon as it is practicable, and only if it is lawful and reasonable to do so.

5 Notification of the Collection of Personal Information

Once in receipt of personal information obtained from a Third Party, the Company takes reasonable steps to alert the individual:

- That the information has been collected.
- That the collection of the information was required or authorised by, or under, an Australian law or a court/ tribunal order, if applicable.
- The purposes for which the information was collected.
- The main consequences, if any, for the individual, if all or some of the information is not collected; and,
- The name of any other entity that the information is disclosed to, if applicable.

6 Use or Disclosure of Personal Information

If the Company is holding personal information about an individual that was collected for a particular purpose (the “primary purpose”), it will not use or disclose the information for a secondary purpose, unless:

- The individual has consented to the use or disclosure.
- It would be reasonable for the individual to expect the use or disclosure for the secondary purpose.
- The use or disclosure is required or authorised by or under an Australia law or court/ tribunal order; or,
- The Company has reason to believe that such use or disclosure could prevent a serious threat to the life, health, or safety, of any individual, or to public health or public safety.

If the Company has used or disclosed personal information in accordance with this policy, it will be noted in the individual's file.

7 Direct Marketing

The Company may use or disclose personal information (other than sensitive information) about an individual for the purpose of direct marketing, or for the purpose of facilitating direct marketing by other entities, if:

- The information was collected from the individual.
- The individual would reasonably expect the Company to use or disclose the information for that purpose; and,
- The individual has not requested to ‘opt out’.

The Company takes reasonable steps to monitor and observe restrictions already in place, by way of the [Do Not Call Register Act 2006](#), the [Spam Act 2003](#), and any other Act of the Commonwealth, or a Norfolk Island enactment, prescribed by the regulations.

The Company provides a simple, free of charge, ‘opt out’ mechanism with all its direct marketing.

8 Cross-border Disclosure of Personal Information

If personal information about an individual must be disclosed to an overseas recipient, the Company takes reasonable steps to verify that the recipient is aware of, and is bound by, the APPs, when dealing with that information.

9 Adoption, Use, or Disclosure, of Government Related Identifiers

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The Company does not adopt government related identifiers as its own identifiers.

The Company does not use or disclose a government related identifier of an individual, unless:

- It is to verify the identity of the individual.
- The use or disclosure of the identifier is reasonably necessary for the Company to fulfil its obligation to an agency, or a State or Territory authority; or,
- The use or disclosure of the identifier is required or authorised by or under an Australian law or a court/ tribunal order.

10 Quality of Personal Information

The Company takes reasonable steps to ensure that the personal information it collects, uses, or discloses, is accurate, up-to-date, and complete.

11 Security of Personal Information

The Company takes reasonable steps to protect the personal information it holds from misuse, interference, and loss, and from unauthorised access, modification, or disclosure.

All personal information held by the Company is stored electronically, encrypted, located in a secured, off-site, top-tier data centre, and accessible only with a valid username, password, and security token.

If the personal information about an individual is no longer required by the Company for any purpose for which the information may be used or disclosed, and the Company is not required by or under an Australia law, or a court/ tribunal order, to retain the information, the Company takes reasonable steps to destroy or de-identify the information.

12 Access to Personal Information

If an individual makes a request to the Company for access to the personal information it holds about that individual, the Company will provide access, unless it has reason to believe that:

- Giving access would pose a serious threat to the life, health, or safety, of any individual, or to public health or public safety.
- Giving access would have an unreasonable impact on the privacy of others.
- The request for access is frivolous or vexatious.
- The information relates to an existing or anticipated legal proceedings between the Company and the individual and would not be accessible by the process of discovery in those proceedings.
- Giving access would reveal the intentions of the Company in relation to negotiations with the individual, in such a way as to prejudice those negotiations.
- Giving access would be unlawful.
- Denying access is required or authorised by or under an Australia law or a court/ tribunal order; or,
- Giving access would reveal evaluative information generated within the Company in connection with a commercially sensitive decision-making process.

The Company may take steps to remove, exclude, or black-out, items of personal information that may otherwise result in an individual's request for personal information to be rejected, to meet the needs of the Company and the individual.

If the Company must reject an individual's request for personal information, it will provide the individual with a written notice that sets out the reasons for rejection, except to the extent that, having regard to the grounds for the rejection, it would be unreasonable to do so, and the mechanisms available to complain about the rejection.

Personal information being provided to an individual will be in a timely manner, and in the format requested by the individual, if reasonable and practicable to do so.

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The Company may charge an Administration Fee of \$45.00 (inc. GST) for giving access to personal information; however, it will not charge for the making of the request.

13 Correction of Personal Information

The Company takes reasonable steps to correct the personal information it holds about an individual, if the Company has reason to believe that the information is inaccurate, out of date, incomplete, irrelevant, or misleading, or the individual requests the Company to correct the information.

If the Company corrects personal information about an individual that it has previously disclosed to another entity, and the individual has requested the Company to notify the other entity of the correction, the Company takes reasonable steps to give that notification, unless it is impracticable or unlawful to do so.

If the Company must reject an individual's request to correct personal information, it will provide the individual with a written notice that sets out the reasons for rejection, except to the extent that, having regard to the grounds for the rejection, it would be unreasonable to do so, and the mechanisms available to complain about the rejection.

Corrections to personal information will be in a timely manner, and free of charge.

14 Rights to Representation

An individual has the right to appoint an intermediary, or Authorised Third Party, to act on their behalf for any, and/or all, dealings with the Company, and to be awarded the same rights as if they were the individual, without obligation.

The Company will not recognise an Authorised Third Party until the individual has supplied the Company with a signed Letter of Authority that sets out:

- That the individual provides the authority, in accordance with this policy, or words to that effect.
- The full name of the Authorised Third Party.
- The current residential address of the Authorised Third Party.
- The contact telephone number, or e-mail address, of the Authorised Third Party.
- The full name of the individual; and,
- The current residential address of the individual.

The signed Letter of Authority becomes null and void, and destroyed or de-identified by the Company, if, at any stage the individual retracts their authority to the Authorised Third Party, and/or the Authorised Third-Party refuses to act on behalf of the individual.

15 Confirming the Identity of An Individual

The Company does not use or disclose personal information about an individual, or the fact that it holds such information, with an individual, without first confirming the identity of the individual making the request and validating their rights to the information.

For all communication with an individual that is:

- In person or by telephone, mail, or fax – they must provide the individual's full name, and either the individual's residential address, as recorded in the database, or date of birth.
- Via e-mail – the e-mail must have originated from the individual's email account, as recorded in the database, and include the individual's full name.

16 Confirming the Identity of An Authorised Third Party

The Company does not use or disclose personal information about an individual, or the fact that it holds such information, with a Third Party, regardless of that Third Part being, or claiming to be, a relative, spouse/ partner, friend, or representative, of the

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individual, unless the Third Party has been identified by the individual as an Authorised Third Party, by way of providing the Company with a signed Letter of Authority, that the individual has not since retracted.

For all communication with an Authorised Third Party that is:

- In person or by telephone, mail, or fax – they must provide the Authorised Third Party's full name and residential address, as reported in the signed Letter of Authority.

Via e-mail – the email must have originated from the Authorised Third Party's e-mail account, as reported in the signed Letter of Authority, and include the Authorised Third Party's full name.



Brad Pense
Managing Director

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