



1 Introduction

This Privacy Policy has been published to provide a clear and concise outline of how and when personal information is collected, disclosed, used, stored and otherwise handled by TMW Group and its related bodies ("**TMW**"). The Policy relates to personal information collected by any means and by any technology.

TMW treats the handling of your personal information very seriously. To that end, TMW has systems and procedures in place to protect your privacy in relation to the handling of your personal information. TMW's objective is to handle information responsibly and provide you with some control over the way information about you is handled.

TMW abides by applicable privacy principles, including those under the Privacy Act 1988 (Cth). Those principles relate to the collection, disclosure, use, and storage of personal information. Certain exemptions apply under those laws, including in relation to employee records. TMW may rely on those exemptions despite this Policy. Further information about privacy laws mentioned is available from the regulator (Office of the Australian Information Commissioner) whose details are set out in section 9 of this Policy.

2 Collection of Personal Information

- (a) Personal information is information or opinion from which an individual's identity may be reasonably ascertained. The nature of personal information collected by TMW generally includes an individual's name and contact details (including address, phone, fax and e-mail).
- (b) TMW also collects other types of personal information from time to time (eg, credit information and drivers licence details), and will inform you upon collecting such information the purpose for which it is being collected. (See the "Credit reporting" section below for further details about TMW's handling of that information.)
- (c) TMW personnel are required to undergo a medical examination and drug and alcohol screening prior to and during the course of your employment with TMW.
- (d) TMW does not collect personal information unless it is necessary for TMW to perform one or more of its functions and activities. On occasion, some of this personal information may be sensitive and TMW will only collect it with your consent or when required or authorised by law.
- (e) TMW will take reasonable steps to destroy personal information when it is no longer required for such functions and activities.
- (f) TMW will generally collect personal information from you directly where reasonable and practical to do so. For example, TMW may collect personal information via telephone or letter, or when you provide a resume or enter an agreement.
- (g) There may be other occasions when TMW may source personal information from another TMW company or an external third party including public sources and the parties described below under 'Use and disclosure of Personal Information'.



- (h) For security, training, dispute resolution and quality purposes TMW may monitor and record your communications with TMW (including email and telephone) and operate video and audio surveillance devices in TMW's premises.

3 Use and disclosure of Personal Information

- (a) Personal information provided to TMW may be shared with related companies associated with TMW.
- (b) TMW may use and disclose your personal information for the purpose for which the personal information was initially collected.
- (c) TMW may also use and disclose that personal information for a purpose related to the initial purpose of collection if that other purpose would be within your reasonable expectations.
- (d) TMW uses and discloses personal information for a range of purposes including internal auditing and administration, staff management, payroll, superannuation, health and safety, security, insurance (including workcover), providing and improving our services, verifying identity, conducting market and workplace research, managing complaints and claims, managing and investigating misconduct, protecting our lawful interests and the rights of third parties, adding your name to a contact list or helping us to identify business activities which may be of benefit or interest to you.
- (e) TMW may also use or disclose your personal information with your express or implied consent or where the use or disclosure is:
 - (1) required in order to investigate an unlawful activity;
 - (2) required by an enforcement body for investigative activities;
 - (3) necessary to prevent a serious and imminent threat to a person's life, health or safety, or to public health or safety; or
 - (4) otherwise required or authorised by law.
- (f) TMW may not be able to provide its services and perform its functions without your personal information. For example, TMW may not be able to contact you or make payments to you. As with most business organisations, TMW relies on third party suppliers who are contracted to provide a range of services including insurance broking, vehicle and petrol supply, telecommunications, equipment supply, engineering, security, data processing, data analysis, information broking, credit reporting, online computing, printing, contact centre, legal, accounting, business consulting, auditing, archival, delivery, mailing, surveillance, investigation, payroll, superannuation, training, employee share scheme, staff benefits, travel and hospitality services. While personal information may be provided to these suppliers in order to enable them to perform the agreed tasks, TMW will make every effort to ensure that the supplier handles the personal information in accordance with appropriate privacy and confidentiality principles. TMW may require such suppliers to provide privacy undertakings and enter confidentiality agreements.
- (g) TMW may disclose personal information of its personnel to TMW's customers or prospective customers where appropriate, for example to facilitate the provision of our services or meet our customers' regulatory or security obligations.



- (h) TMW aims to co-operate with government agencies and may disclose personal information where appropriate or in response to reasonable requests from such agencies including workplace safety and workcover authorities.
- (i) TMW may disclose personal information to parties and advisors involved in any purchase or potential purchase of any part of TMW's business.
- (j) Some of the third parties to whom TMW may disclose personal information (including our suppliers and related companies) may be located in countries overseas. In these circumstances, TPI will either obtain your express or implied consent, use reasonable endeavours to ensure that your personal information will receive protection similar to that which it would have if the information were in Australia or otherwise comply with relevant laws restricting cross-border disclosure of personal information.

4 Credit reporting

TMW provides some products and services to customers on credit terms. While this is commercial credit rather than consumer credit, TMW may have reason to handle personal information about consumer credit worthiness in connection with those arrangements, for example where TMW provides credit to sole traders, or individuals provide personal guarantees. This section applies only in relation to that sort of personal information ("**credit-related personal information**").

TMW may collect, hold and disclose any types of credit-related personal information about an individual permitted under the Privacy Act, including:

- (a) name, sex, date of birth, driver's licence number, employer name and three most recent addresses;
- (b) the fact that the individual has applied for credit and the amount and type of credit and credit limit;
- (c) confirmation of previous information requests to credit reporting bodies made by other credit providers, mortgage insurers and trade insurers;
- (d) details of the individual's credit providers;
- (e) start and end dates of credit arrangements, and certain terms and conditions of those arrangements;
- (f) permitted payment default information, including information about related payment arrangements and subsequent repayment;
- (g) information about serious credit infringements (e.g. fraud);
- (h) information about adverse court judgments;
- (i) publicly available information about the individuals credit worthiness;
- (j) certain insolvency information from the National Personal Insolvency Index; and
- (k) any credit score or credit risk assessment indicating a credit reporting body's or credit provider's analysis of your eligibility for consumer credit.

Where we collect credit-related personal information about you from a credit reporting body ("**CRB**"), we may use that information to produce our own assessments and ratings in respect of your credit worthiness.

We may exchange credit-related personal information (including the information types described above) with CRBs to, where permitted by law:



- (a) assist those bodies to maintain information about you to provide to other credit providers for credit assessments;
- (b) assess a credit application made by you or an application to be a guarantor;
- (c) manage credit;
- (d) collect overdue payments; and
- (e) create assessments and ratings of your credit worthiness. The

CRBs we use may include:

- Veda, 1300 762 207 You have the right to request CRBs not to:
- use your credit-related personal information to determine your eligibility to receive direct marketing from credit providers; and
- use or disclose your credit-related personal information, if you have been or are likely to be a victim of fraud.

We may also exchange your personal information with debt collection agencies, debt buyers and persons authorised by you.

Please see other sections of this Privacy Policy for further information regarding access, correction, complaints, cross-border disclosures of personal information and how we collect and hold personal information. In some cases, we are subject to further obligations under the Privacy Act regarding credit-related personal information, and this Privacy Policy is not intended to limit or exclude those obligations. Additional privacy consents and notifications may also apply where we provide credit.

5 Personal Information quality

TMW's objective is to ensure that all personal information collected by TMW is accurate, complete, and up-to-date. To assist TMW in achieving its objective, please contact the Privacy Officer (details below) if any of your details change. Further, if you believe that the information TMW holds is not accurate, complete, or up-to-date, please contact the Privacy Officer in order to have the information corrected.

6 Personal Information security

- (a) TMW is committed to keeping your personal information secure, and we will take reasonable precautions to protect your personal information from loss, misuse and interference and from unauthorised access, disclosure and alteration.
- (b) Your personal information may be stored in hard copy documents, or electronically on our software or systems.
- (c) TMW maintains physical security over its paper and electronic data stores, such as locks and security systems. TMW also maintains computer and network security using passwords to control and restrict access to authorised staff for approved purposes. Where information is particularly sensitive, the information is overwritten and then manually deleted.



7 Access to Personal Information

- (a) You may request access to the personal information TMW holds about you.
- (b) The procedure for gaining access is as follows:
 - (1) All requests for access to your personal information should be addressed to the Privacy Officer (committee);
 - (2) You should provide as much detail as possible regarding the business entity, department or person to whom you believe your personal information has been provided, and when, and about the specific information you seek, as this will allow us to process your request faster;
 - (3) TMW will acknowledge your request within 14 days, and access will usually be granted within 14 days, or if it is more complicated, 30 days. TMW will inform you if this timeframe is not achievable;
 - (4) You will be asked to verify your identity;
 - (5) A fee may apply to such access in the event that a request for access is onerous or time consuming. Such a fee will cover staff costs involved in locating and collating information, and reproduction costs, and will not exceed legal maximums (if any);
 - (6) Depending on the circumstances, you may be forwarded the information by mail or email, or you may be given the opportunity to personally inspect your records at the appropriate place; and
 - (7) You will be given the opportunity to correct any personal information which is no longer accurate.
- (c) In some circumstances, we may not be in a position to provide access. Such circumstances include where:
 - (1) Access would create a serious threat to safety;
 - (2) Providing access will have an unreasonable impact upon the privacy of other individuals;
 - (3) Denying access is required or authorised by law;
 - (4) The request is frivolous;
 - (5) Legal proceedings are underway or are anticipated and the information would not be available through the process of discovery in relation to those proceedings;
 - (6) Negotiations may be prejudiced by such access; or
 - (7) Access would reveal a commercially sensitive decision making process.
- (d) If TPI denies access to your personal information, we will provide you with reasons in writing.

8 Changes to this Policy

TMW may change this Policy from time to time for any reason and will update the Policy accordingly.



9 Complaints

If you believe that your privacy has been infringed you are entitled to complain. All complaints should initially be in writing and directed to the Privacy Officer. TMW will respond to your complaint as soon as possible, within 14 working days, to let you know who is responsible for managing your query. We will try to resolve the complaint within 30 working days. When this is not possible we will contact you to provide an estimate of how long it will take to handle the complaint.

If you believe TMW has not adequately dealt with your complaint, you may complain to the Privacy Commissioner whose contact details are as follows:

Office of the Australian Information Commissioner GPO
Box 5218
Sydney NSW 2001
+ 61 2 9284 9749
www.oaic.gov.au

10 Privacy Officer's contact details

Please address all written correspondence to:

"Private and Confidential"

Committee Member XXXX
Privacy Officer,
Bathers Kiama Shop #9
Kiama Manning St
Email; privacy@themanwalk.com.au

This Policy was updated on 25 June 2019