

PURPOSE

This policy sets out Comcater’s framework processes and procedures for managing Privacy considerations in the conduct of our business, ensuring compliance with company values, best practice, and legislative obligations.

Comcater Pty Ltd (“Comcater/We”) collects information for several reasons including to build our relationship with our customers, to conduct, monitor and analyse our business and relationships and product improvement.

We are committed to protecting the privacy of individuals in accordance with the Australian Privacy Principles (“APP”) and the Privacy Act (Cth) 1998 (“Privacy Act”) which establishes a comprehensive national scheme for the collection, holding, use, disclosure, and transfer of individuals by organisations in the private sector. It gives individuals the right to know what information an organisation holds about them and a right to correct that information if it is wrong. We will only collect, use, or disclose personal information in accordance with the Act and this Privacy Policy.

SCOPE

This policy applies to all employees, contractors/subcontractors, and suppliers. Compliance is mandatory.

For the purpose of this Privacy Policy, “Personal Information” is information or an opinion about an individual person, whether true or not, which identifies that person or from which that person’s identity can reasonably be ascertained.

RESPONSIBILITY AND AUTHORITY

All Managers and Staff

- Ensure compliance with the policy.

Contractors/Sub-contractors / Suppliers

- Ensure compliance with the policy, commensurate with their level of engagement.

Privacy Compliance Officer

- Receives complaints from an individual regarding an alleged breach of privacy by Comcater.
- Investigates and resolves the complaint internally through mediation with the individual.
- Comcater’s Privacy Compliance Officer is Comcater’s General Manager of People and Culture.

THE INFORMATION COLLECTED

Personal information will only be collected to the extent necessary by lawful and fair means and not in an unreasonably intrusive way for one or more of Comcater's functions or activities. All Personal Information that is collected will be stored on our electronic server, internal computers and in hard copy files.

The type of Personal Information collected by us may differ depending on whether we are dealing with a client, supplier, employee, or independent contractor. It may include (but is not limited to) name, date of birth, address, mobile and telephone numbers, facsimile number and email address, employee work records, information concerning your dealings with us and sensitive information. If applicable, we may also require details of a customer's ABN and/or ACN, financial information including bank account and credit card details, profit and loss statements, balance sheets, a person's employer details and their occupation.

We may hold personal information in either electronic or hard-copy form. We use a variety of physical and electronic security measures to keep your personal information secure from misuse, interference, loss, or unauthorised access, use or disclosure, including firewalls, secure databases. We password protect our IT systems, frequently update our anti-virus software, use cyber security services, and conduct regular audit and data integrity checks. All our employees are also obliged to keep your personal information secure and treat it as confidential.

HOW WE COLLECT HOLD AND USE PERSONAL INFORMATION

We will collect Personal Information in several ways including:

- information provided by you by telephone or by completing an on-line enquiry through our websites, application forms, customer service satisfaction surveys, contracts or any other document provided by you to us.
- from third parties such as credit reporting agencies, insurance companies or a person's personal representative.
- from media and publications.
- from publicly available sources of information; and
- from our own records.

We may also collect sensitive information including health information and criminal background checks. Whenever it is lawful and practicable, individuals will have the option of not identifying themselves when entering into transactions with us.

Tracking technologies such as cookies may be used on our website to recognise a user's browser each time that user visits our websites. Cookies are pieces of information that a website transfers to a computer's hard disk for record keeping purposes and to assist us in distinguishing you from other website users. Most web browsers are set to accept tracking technologies such as cookies. These tracking technologies do not purposefully identify the user. If you do not wish to receive any cookies you may set your browser to refuse them. However, your use of our websites may be affected.

Our website does not provide systems for secure transmission of Personal Information across the Internet except where otherwise indicated. Visitors to our website should be aware that there are inherent risks in transferring Personal Information over the Internet and that we accept no responsibility for Personal Information provided on unsecured websites.

We will take reasonable steps to protect personal information we hold from misuse and loss and from unauthorised access, modification, or disclosure. However, except to the extent that liability cannot be excluded by law, Comcater excludes all liability for the consequences of the unauthorized disclosure of personal information.

PURPOSES FOR WHICH INFORMATION IS COLLECTED, HELD AND USED

We collect and use Personal Information for the purpose for which it was provided or where you have consented, expressly or impliedly, to its use for a secondary purpose related to the purpose for which it was collected, or it is authorized by an Australian Court or tribunal order, or it is otherwise authorized by the APP's.

These purposes include purposes that relate to:

- providing customers with our products and services.
- managing and administering the provision of our products and services.
- providing quality assurance for our products and services.
- responding to enquiries and feedback regarding our business, our products and our services.
- monitoring performance of our business and products and our employees and subcontractors.
- marketing, promotional and educational activities.
- enforcing the terms and conditions of engagement with customers; and
- the management of our database.

We, and our agents, will only use and disclose Personal Information in accordance with purposes listed in this policy and as permitted by the APP's and the Privacy Act.

Personal Information may be shared between Comcater and its related entities.

Normally we will not disclose Personal Information to third parties unless:

- it is necessary to provide the goods and services requested and such disclosure is made on a confidential basis.
- it is required by law or required for co-operation with any government authority.
- for the purposes of obtaining professional services.
- with third party providers we use in conducting our business, subject to confidentiality provisions we deem appropriate e.g. technology and archival service providers and database management; and
- in the event of the sale of our business, to potential purchasers.

We cannot guarantee the security of your personal information. The internet is not a secure environment. If you do use the internet to send us any information, including your email address, please be aware that it will be sent at your own risk.

Websites may contain links to websites operated by third parties. If you access a third-party website through our website, personal information may be collected by that third party website.

CONSENT

By requesting our services or those of our subcontractors by making enquiries via telephone or by visiting our websites or participating in an on-line enquiry, you consent to your Personal Information being used in accordance with this Privacy Policy. We will endeavour not to use or disclose Personal Information in a way which is unreasonable, contrary to your expectations. If a person would prefer that we not use their Personal Information in any way set out in this Privacy Policy, please contact us. However, users should be aware that if they do not consent to certain uses and disclosures of their Personal Information, we may not be able to provide our products and services to them.

DATA SECURITY

When Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify Personal Information. However, most of the Personal Information will be stored in files which will be kept by us for a minimum of 7 years and to comply with our record-keeping obligations.

The Privacy Amendment (Notifiable Data Breaches) Act 2017 (NDB Act) established a Notifiable Data Breaches (NDB) scheme requiring organisations covered by the Act to notify any individuals likely to be at risk of serious harm by a data breach. The Office of the Australian Information Commissioner (OAIC) must also be notified.

Accordingly, Comcater has in place a Data Breach Response Plan to act quickly in the event of a data breach (or suspected breach) to limit potential harm to person(s) affected. In the event of any loss, or unauthorised access or disclosure of your personal information that is likely to result in serious harm to you, Comcater will investigate and notify you and the OAIC as soon as practicable, in accordance with the Privacy Act.

TRANSBORDER DATA FLOWS

As the internet is a global environment, using the internet to collect and process Personal Information necessarily involves the transmission of information worldwide.

While we aim to use services and instances that are located in Australia, some of these suppliers and other parties may be located outside Australia or receive, access, process, host or store your personal information in overseas locations.

The countries in which these third parties are located will depend on the circumstances. However, during our ordinary business operations we commonly disclose personal information to third parties located in the following countries:

- selected European Union countries.
- the United Kingdom; and
- the United States of America.

When we have disclosed your personal information to third parties, as described in "The Information Collected" section above, your files may be stored by or transferred to entities located outside of Australia. The storage or transfer of your personal information by these third parties will be subject to confidentiality provisions in accordance with this policy.

We will not disclose personal information about an individual outside Australia unless:

1. we have taken reasonable steps to ensure the overseas recipient does not breach the APPs in relation to the information; or
2. we reasonably believe that:
 - a. the recipient of the information is subject to a law or binding scheme which has the effect of protecting the information in a way that, overall, is at least substantially similar to the way in which the APP's protect the information; and
 - b. there are mechanisms in place that you can access to take action to enforce that protection of the law or binding scheme; or
3. both of the following apply:
 - a. we expressly inform you that if you consent to the disclosure of the information to an overseas recipient, we are relieved of the obligation to take such steps as are reasonable in the circumstances to ensure that the APP's are not breached in relation to that information; and
 - b. you consent to the disclosure in that knowledge; or
4. the disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order.

HOW TO ACCESS PERSONAL INFORMATION

We rely upon the accuracy of Personal Information to provide our products and services. To assist us with this, a person should contact our Privacy Officer whose details appear below immediately if any of their Personal Information ceases to be current.

Similarly, if for any reason a person believes that the information we have about them is not accurate and complete, they can contact us and request its correction. If we believe that the information we have about a person is inaccurate, out-of-date, incomplete, irrelevant or misleading, we will make the appropriate correction. If the Personal Information that we have previously disclosed to another APP Entity is corrected on our records, at that person's request we will notify that other APP Entity of the correction.

We will endeavour to respond to these requests within a reasonable period after the request is made and may, if appropriate and permitted by law, refuse to change our records. If this occurs, we will provide reasons why this has occurred.

There are some circumstances in which we may refuse to provide access or only provide partial access to this information. If the request for access is not granted, we will explain our reasons. A nominal fee may apply to enable us to recover the reasonable costs of making such information available to a person.

PROCEDURE FOR MAKING A COMPLAINT

A person may make a complaint if they feel their personal information has been handled inappropriately in breach of Comcater's privacy obligations under the Privacy Act or access their personal information to assess or correct it. Please provide your name, address and telephone number for this purpose.

In the first instance, complaints should be directed to Comcater's Privacy Officer in writing as follows:

Comcater Pty Ltd
191 Salmon Street
Port Melbourne VIC 3207

Attention: Privacy Officer

Email: privacy_officer@comcater.com.au

Telephone: 03 8369 4600

Comcater will investigate the complaint and prepare a response to the complainant in writing within a reasonable period of time. Our target response time is 30 days. We will expect the complainant to co-operate with us during the process and provide us with relevant information we request.

We expect our procedures will deal fairly and promptly with a complaint. However, if a complainant remains dissatisfied, they can also make a formal complaint with the Office of the Australian Information Commissioner, the regulator responsible for privacy in Australia.

NOTIFIABLE DATA BREACHES SCHEME

In the event of any loss, or unauthorised access or disclosure of personal information that is likely to result in serious harm, we will investigate and notify the affected person/s and the Australian Information Commissioner as soon as practicable, in accordance with the Privacy Act 1988.

POLICY UPDATES

This Policy is reviewed from time to time and may change. The current policy is available on our website.