



Advantage Professional Pty Limited

Privacy Policy

Last updated 8th March 2014

Advantage Professional Privacy Policy

Table of Contents

Introduction:	3
A) Employee records	3
B) Collection	5
C) Collection of unsolicited Personal Information	7
D) Collection of sensitive information	7
E) Notification of collection of Personal Information	8
F) Use and Disclosure of Personal Information.....	8
G) Quality control and security of Personal Information.....	10
H) Accuracy of Personal Information.....	11
I) Accessing Personal Information	11
J) Correcting Personal Information.....	13
K) Complaint about breach of privacy by Advantage Professional	14
L) Employees' responsibilities	14
M) Breach of policy by employees or contractors.....	15
N) Changes to this privacy policy	15
O) Using the Advantage Professional website.....	15
P) Definitions	16
Q) Contacting Advantage Professional.....	16

Introduction:

Advantage Professional Pty Limited ("**Advantage Professional**") is an Advantage Resourcing 'satellite' operation located in Sydney Australia. Advantage Professional Australia provides assistance with workforce consulting, management of payroll, procurement, recruitment outsourcing, and project management.

Advantage Professional respects the privacy of individuals' Personal Information and is committed to ensuring that it complies with the Australian Privacy Principles ("**APPs**") as set out in the *Privacy Act 1988* (Cth) ("**Privacy Act**").

This policy outlines the steps that Advantage Professional will take to ensure compliance with its obligations and the protection of individuals' rights under the Privacy Act.

This Privacy Policy binds all staff, contractors and volunteers and any breach of this policy may result in disciplinary action and/or termination of employment or engagement.

The APPs apply to the management of Personal Information by Advantage Professional. However, the Privacy Act specifies certain exemptions to the application of the APPs to Personal Information.

A) Employee records

The APPs contained in this policy will not apply to the management of Personal Information to the extent the act done or practice engaged in by Advantage Professional is directly related to a current or former employment relationship and the Personal Information is an employee record relating to the individual. Employee records mean a record of Personal Information relating to the employment of the employee. Examples of employee records include health information about the employee and information about all or any of the following:

- the engagement, training, disciplining or resignation of the employee;
- the termination of the employment of the employee;
- the terms and conditions of employment of the employee;
- the employee's personal and emergency contact details;
- the employee's performance or conduct;

- the employee's hours of employment;
- the employee's salary or wages;
- the employee's membership of a professional or trade association;
- the employee's trade union membership;
- the employee's recreation, long service, sick, personal, maternity, paternity or other leave;
- the employee's taxation, banking or superannuation affairs.

This exemption does not apply to candidates for future employment or the agency representing such candidates and authorisation is required to use Personal Information to undertake activities related to candidature, such as checking employment history and contacting referees.

If Advantage Professional discloses Personal Information regarding employees, the third party to whom it has disclosed the information, such as a superannuation fund, the employee records exemption will not apply and the third party will be bound by the APPs.

Legal compliance

The APPs in relation to the anonymity and pseudonymity, the collection of sensitive information or the use or disclosure of Personal Information will not apply to Personal Information to the extent where the anonymity and pseudonymity, the collection or the use or disclosure is required or authorised by or under an Australian law or a court/tribunal.

Permitted general situations

The APPs in relation to the collection of sensitive information or the use or disclosure of Personal Information will not apply in circumstances involving:

- serious threats to life, health or safety of any individual, or to public health or safety;
- suspected unlawful activity or serious misconduct;

- missing persons;
- legal or equitable claims; or
- alternative dispute resolution processes.

B) Collection

Advantage Professional collects, holds, uses and discloses Personal Information from employees, clients, suppliers, candidates and other individuals interested in our staffing services. Most Personal Information received by Advantage Professional is collected from the individual directly when the individual fills out and submits our online registration forms or makes an application to us for registration. The Personal Information collected from individuals may include their:

- name, date of birth street address, postal address, email address, phone numbers, fax numbers;
- credit card details;
- health and medical details (where necessary);
- interest in areas of Advantage Professional's business; and
- opinions about employees, for example, as an individual or service provider;

Advantage Professional may collect more specific information including, but not limited to:

- bank account details;
- tax file number and taxation information such as HECS information;
- work history;
- health history, results of competency or medical tests, such as for insurance or placement purposes;
- emergency contact details;

- references;
- superannuation information;
- results of inquiries that Advantage Professional might make of an individual's former employers, work colleagues, professional associations or registration body;
- performance feedback;
- complaints from or about an individual in the workplace;
- workplace incident reports in which an individual is involved; and
- information about any insurance investigation, litigation, registration or professional disciplinary matter, criminal matter, inquest or inquiry in which an individual is involved.

Advantage Professional will collect Personal Information about an individual from the individual unless it is unreasonable or impracticable to do so. Advantage Professional only collects Personal Information by lawful and fair means without being unreasonably intrusive.

Individuals may choose not to provide Personal Information requested by Advantage Professional. Advantage Professional respects the individual's choice, but accordingly the individual may not be eligible to receive certain products and services as a result of this action. This may effect an individual's eligibility for placements, or Advantage Professional's ability to locate suitable work for an individual, provide assistance with workforce consulting, management of payroll, procurement, recruitment outsourcing and project management by Advantage Professional.

Personal Information may be collected by written or electronic correspondence, via telephone, via online forms or in meetings with individuals.

In some circumstances it may be necessary for one or more of Advantage Professional's functions or activities for it to collect Personal Information about individuals from a third party. Where Personal Information is collected from a third party, Advantage Professional will take reasonable steps to ensure the individual is aware of the matters listed above.

Advantage Professional may also collect Personal Information from its parent company, Recruit Holdings Co. Ltd., and the other Advantage Resourcing associations ("**Other Advantage Associations**") including:

- Advantage Resourcing North American Staffing;
- Advantage Resourcing xPO;
- Advantage Resourcing UK Staffing; and
- Advantage Resourcing xPO: Secondary Headquarters London, UK.

C) Collection of unsolicited Personal Information

If Advantage Professional receives unsolicited Personal Information, it will determine within a reasonable period after receiving the information whether or not it could have collected the information if it had solicited the information.

If Advantage Professional determines that it could not have collected the information, Advantage Professional will, as soon as practicable and it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

D) Collection of sensitive information

Advantage Professional may collect sensitive information in certain circumstances with the relevant individual's consent if the information is reasonably necessary for one or more of Advantage Professional's functions or activities.

In certain circumstances, Advantage Professional may collect sensitive information about an individual without their consent if:

- the legal compliance exemption applies; or
- a permitted general situation exemption applies,

in relation to the collection of the information.

E) Notification of collection of Personal Information

At or before the time (or, if that is not practicable, as soon as practicable after) Advantage Professional collects Personal Information it will generally give notice to the individual of:

- the fact that he or she may be able to gain access to the information;
- the purposes for which the information is collected;
- to whom Advantage Professional usually discloses information of the type collected;
- any law that requires the particular information to be collected; and
- the main consequences (if any) if all or part of the information is not provided.

F) Use and Disclosure of Personal Information

Disclosure generally means the release of information to an outside body.

If Advantage Professional holds Personal Information about an individual that was collected for a particular purpose (the primary purpose), Advantage Professional will not use or disclose the information for another purpose (the secondary purpose) unless the individual has consented to the use or disclosure of the information or one of the exemptions apply:

- the individual would reasonably expect Advantage Professional to use or disclose the information for the secondary purpose, the information is not sensitive information and the secondary purpose is related to the primary purpose;
- the legal proceedings exemption; or
- a permitted general situation exists in relation to the use or disclosure.

Reasonably related purposes may include, but are not limited to:

- verifying an individual's identity;
- developing, running, administering and marketing programs, activities and other events relating to the industries that Advantage Professional operates in and services;
- marketing products, services, merchandise and special offers made available by

Advantage Professional or our respective corporate partners, licensees, suppliers and sponsors;

- administering and managing our respective web sites and providing individuals with access to those web sites;
- keeping individuals informed of news and information related to Advantage Professional, including by distributing newsletters, publications and other communication via various mediums;
- management of any complaint, investigation or inquiry in which an individual is involved;
- referring a client or individual to a third party such as another staffing or resourcing company;
- where an insurance claim or proposal requires disclosure of your personal or sensitive information
- liaising with a professional association or registration body that has a proper interest in the disclosure of your personal and sensitive information;
- statistical or aggregated purposes which may be related to business planning or some other purposes as required by legislation from time to time.

Advantage Professional will only use the information for other purposes if the individual's consent is obtained, or if it is otherwise entitled to do so under the Privacy Act.

Advantage Professional will not disclose sensitive information without the individual's consent unless the secondary purpose is directly related to the primary purpose or there is a need to disclose such information in accordance with the Privacy Act.

If an individual does not wish to receive our newsletters, publications and other communications, they should contact Advantage Professional (contact details are set out below).

Advantage Professional will not sell or trade the database to a third party.

Advantage Professional does not generally disclose Personal Information to overseas entities. However, if necessary it may do so where:

- the individual consents, or
- the recipient of the Personal Information is also subject to laws or a contract with equivalent protection to the APPs.

G) Quality control and security of Personal Information

Advantage Professional will take reasonable steps to ensure that the Personal Information Advantage Professional uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

Advantage Professional makes every effort to ensure that the Personal Information it holds is protected from misuse or unauthorised access, modification or disclosure. Security measures include, but are not limited to:

- requiring individuals who handle Personal Information to respect and maintain the confidentiality of that information and the privacy of individuals;
- restricting access to computer systems to authorised persons through the use of user names and passwords. These restrictions also allow Advantage Professional to track which authorised persons have accessed records;
- the use of firewalls, intrusion detection devices and virus scanning tools to prevent unauthorised persons and viruses entering Advantage Professional's systems; and
- controlling access to physical records and providing secure storage through the use of physical barriers such as locks.

Personal Information will be retained for only as long as needed to meet the primary purpose for which it was collected or as otherwise required. Personal Information not required by Advantage Professional for the ongoing administration of Advantage Professional's relationship with the individual will be archived or destroyed.

Advantage Professional will take reasonable steps to protect Personal Information from misuse, interference and loss and from unauthorised access, modification or disclosure.

If Advantage Professional holds Personal Information about an individual and it no longer needs the information for any purpose for which the information may be used or disclosed by Advantage Professional and Advantage Professional is not required by or under an Australian law, or a court/tribunal order, to retain the information, Advantage Professional will take reasonable steps to destroy the information or to ensure that the information is de-identified.

H) Accuracy of Personal Information

Advantage Professional will take reasonable steps to ensure that the data collected, used or disclosed is complete and up-to-date and has been obtained directly from individuals or reputable sources.

Advantage Professional requests that if an individual discovers an error in their Personal Information or their Personal Information changes, that the individual notifies Advantage Professional of the necessary changes as soon as possible.

I) Accessing Personal Information

If Advantage Professional holds Personal Information about an individual, an individual can request access to the information. Any individual who wishes to access Personal Information Advantage Professional holds about them should contact Advantage Professional (contact details are set out below) and Advantage Professional will respond to the request within a reasonable period. If necessary, Advantage Professional may also require the individual to verify their identity.

Where the request is accepted, Advantage Professional may charge the individual a reasonable fee for providing access to the Personal Information.

Advantage Professional is entitled to refuse a request to access Personal Information in particular circumstances including, but not limited to, where providing access would be unlawful or would have an unreasonable impact on the privacy of other individuals.

Advantage Professional may not be required to give the individual information to the extent that:

- it believes 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 other individuals;

- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between Advantage Professional and the individual and would not be accessible by the process of discovery in those proceedings;
- giving access would reveal the intentions of Advantage Professional 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 Australian law or a court/tribunal order;
- Advantage Professional has reason to suspect that unlawful activity, or misconduct of a serious nature that relates to Advantage Professional's functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- giving access would reveal evaluative information generated within Advantage Professional in connection with a commercially sensitive decision-making process.

If Advantage Professional refuses to give access to the Personal Information because of any of the reasons above, Advantage Professional will give you a written notice that sets out:

- the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- the mechanisms available to complain about the refusal.

If Advantage Professional refuses to give access to the Personal Information because of above reasons or refuses to give access in the manner requested by the individual, it will take such steps (if any) as are reasonable in the circumstances to give access in a way that meets the needs of the entity and the individual, for example through the use of a mutually agreed intermediary.

J) Correcting Personal Information

If Advantage Professional holds Personal Information about an individual and either:

- Advantage Professional is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
- The individual requests the entity to correct the information

Advantage Professional will take reasonable steps to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

Advantage Professional will respond to such request within a reasonable period after the request is made. Advantage Professional will not charge the individual for making the request, for correcting the Personal Information or for associating the statement with the Personal Information.

If Advantage Professional corrects Personal Information about an individual and Advantage Professional previously disclosed to another entity and the individual requests the entity to notify the other entity of the correction, Advantage Professional will take reasonable steps to give that notification unless it is impracticable or unlawful to do so.

If Advantage Professional refuses to correct the personal statement as requested by the individual and the individual requests Advantage Professional to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading, Advantage Professional will take reasonable steps to associate the statement in such a way that will make the statement apparent to users of the information.

If Advantage Professional refuses to correct the Personal Information as requested by the individual, Advantage Professional will give the individual a written notice that sets out:

- the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- the mechanisms available to complain about the refusal.

K) Complaint about breach of privacy by Advantage Professional

An individual may complain about a breach of the APPs by contacting Advantage Professional on (02) 9262-5344 between 8.00 am and 6.00 pm Monday to Friday. Alternatively a written request should be made directly to:

Advantage Professional Pty Ltd
Level 6, 115 Pitt Street
Sydney NSW 2000
Fax (02) 9262-5808

Contact can also be made through the Advantage Professional email address – apsydneyreception@advantageresourcing.com

If an individual needs to contact us about their Personal Information urgently outside normal office hours they should contact

Aimee Stephenson
Office Manager
Advantage Professional Pty Ltd
(02) 8199 9460

Advantage Professional will deal with complaints in accordance with our Complaints Procedure.

When we receive your complaint:

- We will take steps to confirm the authenticity of the complaint and the contact details provided to us to ensure that we are responding to you or to a person whom you have authorised to receive information about your complaint;
- Upon confirmation we will write to you to acknowledge receipt and to confirm that we are handling your complaint in accordance with our policy;
- We may ask for clarification of certain aspects of the complaint and for further detail;
- We will consider the complaint and may make inquiries of people who can assist us to establish what has happened and why;
- We will require a reasonable time (usually 30 days) to respond;
- If the complaint can be resolved by procedures for access and correction we will suggest these to you as possible solutions;
- If we believe that your complaint may be capable of some other solution we will suggest that solution to you, on a confidential and without prejudice basis in our response;

If the complaint cannot be resolved by means that we propose in our response, we will suggest that you take your complaint to any recognised external dispute resolution scheme to which we belong or to the Office of the Australian Information Commissioner.

L) Employees' responsibilities

If an employee provides Personal Information to Advantage Professional about someone else, the

employee must ensure that they are entitled to disclose that information to Advantage Professional and that, without Advantage Professional taking any further steps required by privacy laws, it may collect, use and disclose such information for the purposes described above.

M) Breach of policy by employees or contractors

Failure to comply with their responsibilities and obligations as outlined in this policy may result in an employee or contractor's disciplinary action. This disciplinary action may involve a verbal or written warning or in serious cases, termination of their employment or contract with Advantage Professional.

Employees who believe that a breach of this policy may have occurred should report the matter to our Complaints Co-ordinator (Aimee Stephenson, 02 8199 9460) Complaints made about breaches of this policy will be treated seriously.

N) Changes to this privacy policy

This information relates to Advantage Professional's current privacy standards. It may vary these privacy standards from time to time. Advantage Professional will notify individuals of these changes by publishing them on its website.

O) Using the Advantage Professional website

Advantage Professional collects general Personal Information about visitors coming to our website by the use of cookies. This includes:

- the date and time of access to the website;
- parts of the website visited; and
- address of the website from the website was accessed.

Cookies are small files that a website writes to the hard drive when a site is visited. Cookies can not read information from a hard drive or read information from other cookies.]

P) Definitions

Personal Information includes information or an opinion (including information or an opinion forming part of a database) whether true or not, and whether recorded in a material form or not, about an individual (not a corporate body) whose identity is apparent, or can reasonably be ascertained, from the information or opinion. It includes all Personal Information regardless of its source.

Sensitive information is a subset of Personal Information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information about an individual.

Q) Contacting Advantage Professional

If an individual is unsure about any of the Australian Privacy Principle requirements of Advantage Professional they should contact Advantage Professional on (02) 8302 6000 between 8.00 am and 6.00 pm Monday to Friday. Alternatively a written request should be made directly to:

Advantage Professional Pty Limited
Level 6, 115 Pitt Street
Sydney NSW 2000
Phone – (02) 9262-5344
Fax – (02) 9262-5808

Contact can also be made through the Advantage Professional email address–apsydneyreception@advantageresourcing.com

If an individual needs to contact us about their Personal Information urgently outside normal office hours they should contact:

Aimee Stephenson
Office Manager
Advantage Professional Pty Ltd
(02) 8199 9460