

<b>POLICY:</b>	<b>Privacy</b>
<b>Version:</b>	2
<b>Effective Date:</b>	June 2015
<b>Policy Sponsor:</b>	Corey Scott
<b>Contact Person:</b>	Louise Geoghegan

## 1. Overview

Your privacy is important to us. This document outlines TEN's policy on how we manage the personal and sensitive information we hold about our employees, customers and suppliers. It is TEN's policy to respect the confidentiality of information and the privacy of individuals. TEN is bound by the Australian Privacy Principles (APP's) contained in the *Privacy Act 1988*.

## 2. Scope

This policy applies to:

- all employees of TEN, volunteers, contractors or any person working in any capacity for TEN; and
- TEN's customer and suppliers from whom we collect personal information.

In this policy, "We", "us" and "our" refers to: TEN. "You" and "your" refers to: the individual in respect of whom we hold personal information.

## 3. Responsibility

It is your responsibility to abide by this policy and understand the guidelines for collecting, storing, accessing and protecting personal information. All employee personal records are to be treated with a high degree of privacy and confidentiality.

## 4. Review of policy

This policy will be reviewed annually by the HR Manager to take account of new laws and technology, changes to our operations and practices, and to make sure it remains appropriate to the changing environment. TEN is committed to protecting privacy and adheres to the *Privacy Act 1988*.

## 5. Part 1 – Consideration of personal information privacy

### 5.1. Open and transparent management of personal information (APP 1)

TEN will take reasonable steps to ensure that we will manage personal information in an open and transparent way. We will implement practices, procedures and systems that will comply with the Australian Privacy Principles (APPs) and how to deal with inquiries or complaints from individuals about its compliance.

### 5.2. Anonymity and pseudonymity (APP 2)

You have an option of not identifying yourself, or you can use a pseudonym, when dealing with us in relation to a particular matter. This does not apply however, if:

- We are required or authorised under Australian law, to deal with individuals who have identified themselves; or
- It is impracticable for us to deal with individuals who have not identified themselves or who have used a pseudonym.

## 6. Part 2 – Collection of personal information

### 6.1. Collection of solicited personal information (APP 3)

We usually collect personal information about individuals directly from those individuals. We will only collect solicited personal information where the information is reasonably necessary for one or more of TEN's functions or activities and is accordance with the Privacy Act 1988. Sensitive information will not be collected unless individual consent has been given.

We may collect personal information from a third party or from a publicly available source, but only if the individual has consented to such collection or would reasonably expect us to collect their personal information in this way.

### 6.2. Dealing with unsolicited personal information (APP 4)

If we receive unsolicited personal information, we will, within a reasonable period after receiving the information, determine whether or not the information could have been solicited by TEN under APP 3. We may use or disclose the personal information if this is determined. If we are unable to determine that we could have collected the personal information and the information is not contained in a Commonwealth record, we must destroy the information or ensure that the information is de-identified.

### 6.3. Notification of the collection of personal information (APP 5)

TEN will take such steps (if any) as are reasonable in the circumstances, to notify you, or otherwise ensure that you are aware of the collection of your personal information and the uses and disclosures made of your personal information.

### 6.4. Types of personal information collected and stored

We collect personal information about employees, creditors, customers and suppliers. The personal information we collect about you will depend on the circumstances of the collection. The types and instances of collection may include:

- Information collected when you complete a Commercial Credit Application, which may include the names of Directors, Partners, and Proprietors of your business, names of witnesses, drivers licence details, date of birth and contact details;
- Information collected when you provide customer contact information to us, including business and after hours telephone numbers and business addresses; key business contact names (including key employees);
- Consumer data collected as part of a marketing project, such as consumer promotional data such as business address or contact telephone numbers;
- names, addresses and contact telephone numbers of employees/employment applicants/referees that may be contained within resumes, CV's and references etc;
- sensitive information disclosed by employees during employment such as medical and health issues.

- Information collected when you use an on-line form such as your name, e-mail address, street address, telephone number, company name;
- Information collected when you email us.

#### 6.5. How we collect personal information

We obtain personal information in various ways, including:

- Credit application forms;
- Employment application forms;
- Consumer competitions/promotions;
- Product complaints/questions; and
- Questionnaires.

Where possible, we seek to collect information about you directly from you. However, there may be occasions when we collect information about you from a third party. For example:

- you may be listed as a proprietor, director, guarantor or referee on a credit application;
- employment application form;
- Product safety information obtained by company representatives (e.g. Sales Representative communicating directly with customer/consumer);
- Marketing/consumer campaigns conducted by third parties.

#### 6.6. How we hold personal information

We protect the security and integrity of your personal information. Personal information is stored securely in:

- Electronic systems subject to strict security guidelines and protection, including firewalls and passwords;
- Paper based filing systems kept in a secure environment to which access is only permitted to defined staff members.

## 7. Part 3 – Dealing with personal information

### 7.1. Use or disclosure of personal information (APP 6)

We will use your personal information in accordance with this Privacy Policy. If we collect information for a particular purpose (the primary purpose), we will not use or disclose the information for another purpose (the secondary purpose) unless it is consented to, or reasonably expected to be used for a secondary purpose, or required under law. We will generally use your information for the following purposes:

- to evaluate credit applications;
- to maintain a customer relations database (being for product quality, consumer questions etc);
- to monitor customer promotion feedback and evaluation;
- to contact you in the case of emergency, or in relation to the services you provide to us;
- to conduct marketing research campaigns;
- to respond to any comments/questions you have made to us.

We may disclose personal information to third parties. This will only occur if one of the following applies:

- you have consented;
- you would reasonably expect, or have been told, that information of that kind is usually passed to those individuals, bodies or agencies;
- it is otherwise required or authorised by law;
- it will prevent or lessen a serious and imminent threat to somebody's life or health; or
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

Other circumstances in which this might occur include:

- when providing/obtaining references (for credit applications);
- when providing confirmation of employment details (for banks, credit providers, realtors, government departments such as Child Support Agency, Australian Taxation Office, Centrelink);
- when communicating with consumers/customers in relation to consumer competitions/promotions;
- when communicating with customers regarding products complaints/questions etc;
- in relation to requirement imposed on us by law to do so.

### 7.2. Direct marketing (APP 7)

TEN does engage in direct marketing for the distribution of company newsletters and calendars to our employees, customers and suppliers. We will however, not use or disclose personal information for the purpose of direct marketing unless:

- Personal information has been collected by TEN from you;
- The you would reasonably expect TEN to use or disclose the information for that purpose;
- TEN provides a simple means by which you may easily request not to receive direct marketing communications from TEN; and
- You have not made such a request to TEN.

Sensitive information will only be used where you have consented to the use or disclosure of the information for that purpose.

### 7.3. Cross-border disclosure of personal information (APP 8)

TEN transacts with international suppliers and customers as part of regular trade. For this purpose, employee information such as name, position/title, and contact details are required to be disclosed to overseas recipients in order to carry out business activity. To the extent applicable, you consent to your information being disclosed to a destination outside Australia for this purpose and you understand and acknowledge that Australian Privacy Principle 8.1 will not apply to such disclosures of your personal information.

TEN will take such steps as are reasonable in the circumstances to ensure that the disclosure of personal information to an overseas recipient does not breach the APP's (other the APP 1) in relation to the information.

#### 7.4. Adoption, use or disclosure of government related identifiers (APP 9)

TEN may disclose government related identifiers where:

- the use or disclosure of the identifier is reasonably necessary for us to verify your for the purposes of TEN's activities or function;
- it is necessary for TEN to fulfil State or Territory authority obligations;
- it is required or authorised by or under an Australian law or a court/tribunal order; or
- it is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Examples of government related identifiers include:

- Tax file numbers;
- Drivers licence numbers;
- Passport numbers;
- Medicare numbers;
- Centrelink reference numbers.

## 8. Part 4 – Integrity of personal information

### 8.1. Quality of personal information (APP 10)

TEN will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that we collect is accurate, up to date and complete.

We will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that we use or disclose is, in regards to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

### 8.2. Security of personal information (APP 11)

TEN is obliged to protect personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure. Your personal information will not be released unless the law requires or permits it or your permission is given. Information which is no longer required will be destroyed, deleted or de-identified in a secure manner in accordance with Australian law.

We provide a secure environment and a reliable system but you should be aware that there may be inherent risks associated with the transmission of information via the Internet. For those who do not wish to use the Internet, TEN provides alternative ways of obtaining and providing information.

## 9. Part 5 – Access to, and correction of, personal information

### 9.1. Access to personal information (APP 12)

You have a right to access your personal information, subject to some exceptions as defined by law. We will respond to the request for access to your personal information within a reasonable period after the request is made and if it is reasonable and practicable to do so.

If you would like to gain access to this information, please contact our HR Manager. For security reasons, you may be required to put your formal request to us in writing.

With exception to access, TEN is not required to give you access to the personal information if:

- We believe that it 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 the entity and the individual, and would not be accessible by the process of discovery in those proceedings;
- Giving access would reveal the intentions of TEN in relation to negotiations with you 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;
- Both of the following apply:
  - TEN has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the entity's functions or activities has been, is being or may be engaged in;
  - 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 TEN in connection with a commercially sensitive decision-making process.

Where refusal to access occurs in relation to exceptions above, we will provide written notice that sets out:

- The reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so;
- The mechanisms available to complain about the refusal; and
- Any other matter prescribed by the regulations.

#### 9.2. Correction of personal information (APP 13)

TEN will take all necessary steps to ensure that personal information is accurate, up to date, complete, relevant and not misleading. If the information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, you can request for us to correct the information by contacting our HR Manager. Corrections will be completed within a reasonable period from the date the request was made.

### 10. Privacy complaints: How we handle privacy complaints

TEN places high priority on effectively dealing with any complaints about privacy that you may have. If you consider that any action of TEN breaches this Privacy Policy or the Australian Privacy Principles, or otherwise doesn't respect your privacy, you can make a complaint. At all times the conduct under this policy will be governed by the following principles:

- All complaints will be treated seriously;

- All complaints will be dealt with promptly;
- All complaints will be dealt with in a confidential manner;
- Any privacy complaint will not affect your existing obligations or the commercial arrangements that exist between TEN and you.

To make a complaint, please contact:

- Contact: Louise Geoghegan (HR Manager)
- Phone: 07 32128999
- Email: [info@tengroup.com.au](mailto:info@tengroup.com.au)
- Post: PO Box 851, Virginia BC, Qld 4014

If you are not satisfied with our response to your complaint, you can contact the Office of the Australian Information Commissioner (OAIC) Enquiries Line on 1300 363 992.

[ ] June 2015



**Louise Geoghegan**

**HR Manager**