



Clemenger Group Limited – Privacy Policy

Updated August 2020

Clemenger Group Limited (ABN 98 004 882 928) and its related group of companies and associated bodies corporate (**us, we, our**) maintain a policy of strict confidence concerning your (**you, your**) personal information (**Privacy Policy**).

This Privacy Policy has been developed in accordance with the Australian Privacy Act 1988 (Cth) and New Zealand Privacy Act 1993. This Policy sets out what information we gather, how we may use it, and how you may correct or change it. This Privacy Policy applies to information provided to us whether via the site or any other means.

1. Collecting personal information

- 1.1 We will generally collect personal information directly from you, unless it is unreasonable or impracticable to do so. We may also collect personal information from third parties such as your representatives or external data suppliers. When we have collected personal information about you, we will notify you at the point of collection, or as soon as practicable, to ensure that you are aware of such collection and its purpose.
- 1.2 If someone other than you provides us with personal information about you that we did not ask for and we determine that we could have collected this information from you had we asked for it, we will notify you as soon as practicable. However, this notice will not be provided if doing so would be a breach of an obligation of confidence. If we could not have collected this personal information, we will lawfully de-identify or destroy the personal information.
- 1.3 We will only collect sensitive information revealing your race, ethnic origin, political opinions, religious or philosophical beliefs, trade union memberships or details of health or disability if:
 - you have given express consent to us to do so and the information is reasonably necessary for us to carry out our functions or activities; or
 - the use of information is:
 - required or authorised under Australian or New Zealand law or a court or tribunal order;
 - necessary for the establishment, exercise or defence of a legal claim;
 - necessary for lessening or preventing a serious threat to health or safety;

- necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct;
- for a diplomatic or consular function or activity or certain Defence Force activities outside Australia or New Zealand; or
- used in relation to confidential alternative dispute resolution process.

1.4 In regards to the collection of data on the Careers page of the site, as a customer of Springboard via our Recruitment Process Outsourcing contract our privacy policy covers any candidates who use the system. The full privacy policy can be found here: <https://www.springboard.com.au/privacy/>.

If you are a user of the PeopleScout Services and/or Website from Australia and New Zealand, your privacy rights include the following:

- **Right to access Personal Data.** Subject to certain exceptions, you have the right to access your Personal Data upon request. PeopleScout will provide requests within a reasonable period after the request is made.
- **Right to seek correction of Personal Data.** You have the right to have your Personal Data corrected.
- **Right to complain to the Commissioner.** You have the right to submit a complaint to the Information Commissioner about our handling of your Personal Data in violation of applicable law.

We acknowledge that you have the right to access your Personal Data. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should also direct their query to the PeopleScout Client (the data controller) pursuant to the PeopleScout Client's public privacy policies.

Alternatively, if the PeopleScout Client is unable to assist with correction, amendment, or deletion requests, you may access, correct, or request deletion of your Personal Data by sending an email to privacy@springboard.com.au.

If requested to remove Personal Data we will respond within a reasonable timeframe and in compliance with all applicable laws.

If your request or concern is not satisfactorily resolved by us, you may approach your local data protection authority.

2. Cookies

2.1 We may collect non-personal information about the computer, mobile telephone, smartphone or other device that you use to access our products or services. Where you allow our mobile services and products to deliver content based on your location (by enabling this feature on your mobile device) we may collect location data. This information is used only for the automated delivery of relevant content to you and for no other purpose.

2.2 We may use a cookie file containing information that can identify the computer you are working from. The cookie file is anonymous as it only gives us details of your IP address, PC platform (Windows, Linux or OS X), Browser (e.g. Internet Explorer, Google Chrome, or other, plus the version of Browser) and domain (whether you are accessing the site from Australia, New Zealand or elsewhere). We may use the information generated by "cookies" to:

- track traffic patterns to and from our sites such as the pages you visit, the time you spend on each page, the date and time of your visit, where your mouse hovers, and referring pages (pages you came from or go to);
- enable you to use certain services as a member without having to log on each time and to visit member-restricted areas of the site.

2.3 You can choose to refuse cookies by turning them off in your browser and/or deleting them from your hard drive. You do not need to have cookies turned on to use our websites, but you may need them for customisable areas of sites we may develop in the future. If your cookies are turned off we will not have any control over the frequency of display of certain ad formats. This could affect your reading experience. Visit <https://www.allaboutcookies.org/manage-cookies/> for a comprehensive guide on how to control and delete cookies on a wide range of web browsers and operating systems.

3. Use and disclosure of information

3.1 Your personal information may be used by us in a number of ways, including to:

- provide the products and services offered on the site and in any other forum to you;
- enhance and improve your use of the site and our products and services;
- respond to any questions, comments or queries submitted on the site or by any other means;
- disperse marketing materials and keep you informed about new products, initiatives and opportunities;
- for internal business purposes, for example, to research and develop the site and our other products and services; and
- as required or authorised by law, including under the Australian and New Zealand Privacy Principles.

3.2 We will not disclose information that personally identifies you to any third party other than as set out in this Privacy Policy. In order to deliver the products and services, we may disclose your personal information to other organisations but only in relation to providing our services to you. This disclosure may include providing your personal information to our clients in order to provide the products and services as agreed upon by you and them. We take reasonable steps to ensure that these organisations are bound by privacy obligations in relation to the protection of your personal information.

4. Direct marketing

4.1 We may use personal information about you for the primary purpose of providing you with our services. We may also use it for other purposes for which you might reasonably expect us to use that information. This includes sending you information about new developments, products, services and special offers by post, telephone or any form of electronic communication. We may also contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases your personal information is not transferred to the third party. You authorise us to use any email address or other contact information you provide to use at any time for such above purposes.

- 4.2 You agree and acknowledge that even if you opt out of receiving marketing material, we will still send you essential information that we are required to send you relating to the services we provide.

5. Accuracy of your information

We are based in Australia and New Zealand, any personal information that you provide to us will be collected, held and processed by us in Australia and New Zealand. Under the Privacy Acts of both countries you have rights of access to and correction of personal information that we hold. We offer the ability to correct or change the information collected at any time and as often as necessary. Please contact the Privacy Officers of Clemenger Group if you would like to make any changes.

6. Your consent

You have the right to withdraw consent at any time.

You may sign-up to receive emails from us on some of our websites. If you would like to discontinue receiving this information, you may update your email preferences by using the "Unsubscribe" link found in emails we send to you.

You may opt out of certain other communications that we provide by following the instructions for opting out in those communications.

For any other withdrawals of consent not addressed above, please contact the Privacy Officers of Clemenger Group.

7. Storage and Security

- 7.1 We will use all reasonable endeavours to keep your personal information in a secure environment, however this security cannot be guaranteed. Our procedures are designed to prevent your personal information being accessed by unauthorised personnel, lost or misused. If you reasonably believe that there has been unauthorised use or disclosure of your personal information please contact us (see section 9.2 below).

NB: No data transmission over the Internet can be guaranteed to be 100% secure. We cannot guarantee or warrant the security of any information you transmit on or through our Sites and you do so at your own risk.

- 7.2 If we no longer need your personal information, unless we are required under law or a court or tribunal order to retain it, we will take reasonable steps to destroy or securely delete your personal information in accordance with our document retention policy.

8. Changes to Policy

We reserve the right to change this policy at any time by notifying site users of the existence of a revised privacy policy.

9. Privacy breach and access to information we hold about you

- 9.1. If you have any questions, or if you wish to receive more information on our information practices and Privacy Policy, please contact our Privacy Officers.

- 9.2. If you request access to the personal information we hold about you, we will respond to your request within a reasonable period of time and, where reasonable and practicable, give access to the information in the manner you request. This will be subject to any exemptions allowed under the Privacy Act. You may request this information by writing to our Privacy Officers:

Australia: Rowan Darling, Clemenger Group Limited, 474 St Kilda Road, Melbourne VIC 3004

New Zealand: Mike Higgins, Clemenger Group Limited, 100 College Hill, Freemans Bay, Auckland 1011

Fees may be charged for the provision of this information.

- 9.3. When contacting us, you have the option to either not identify yourself or to use a pseudonym. However, this will not apply if it is impracticable for us to communicate with you that way or if we are required or authorised under Australian or New Zealand law (or a court or tribunal order) to only deal with individuals who have identified themselves.

- 9.4. If you believe your privacy has been breached please contact our Privacy Officer.

10. Children's privacy

Protecting the privacy of the young, i.e. children under the age of 13, is especially important. For that reason, we never collect or maintain information for our services from those we know are under 13, and no part of our services are structured to attract anyone under 13. If a child has provided us with personal information, we ask that a parent or guardian of the child contact us at rowan.darling@clemenger.com.au or mike.higgins@clemenger.co.nz if they would like the information submitted by the child deleted from our database. We will use all reasonable efforts to delete such information from our database.

11. More Information

For information about Australia and New Zealand's Privacy Acts and how they protect the personal information of individuals, please refer to the following links:

- [New Zealand Privacy Act 1993](#)
- [Australia Privacy Act 1988](#)