



The Hornibrook Group Privacy Policy and Procedures

Our Commitment:

The Hornibrook Group is committed to the protection of personal information that it receives on behalf of its employees or on behalf of any person or entity.

The Hornibrook Group acknowledges that it is bound by the **Privacy Act (C'wealth) 1988 (The Act)** and where its turnover exceeds \$3m and is required to abide by the Australian Privacy Principles (APPs).

Each State or Territory places restrictions upon what information can be made available in a public forum and more specifically to Government bodies.

The Hornibrook Group is committed to compliance with the relevant state laws.

The Hornibrook Group acknowledges that the Fair Work Act 2009 provides obligations on an employer not to disclose confidential information.

The Hornibrook Group has taken the view that notwithstanding exemptions provided for in the Act relating to 'employee records' it will include 'employee records' as part of the Policy.

Currently 'employment records' which relate directly to the current or former employment relationship are exempt. This exemption however does not apply to third party emails relating to the employee for instance or information about future employment or even information provided to third party marketing groups.

Coverage:

The Policy and Procedures set out below applies at all times to employees of The Hornibrook Group and to all persons or entities which provide to the Company information which may be considered personal information.

Purpose:

The Hornibrook Group has developed this Policy to regulate how it handles personal information (direct and third party provided), conducts employee surveillance and testing and recruits employees.

The Policy details:

1. The kinds of personal information that it collects and holds
2. How it collects and holds personal information
3. How it conducts it surveillance
4. The purpose for which it collects, holds and discloses personal information
5. How an person can access their personal information and correct that information in circumstances where the information is inaccurate or misleading
6. A process whereby an aggrieved person may complain about breaches of the Privacy Policy, and
7. Limitations on disclosure to cross border entities and direct marketing groups



Policy:

The kind of personal information that it collects and holds

The Hornibrook Group would propose only to collect personal information reasonably necessary for or directly related to the operation of its business.

The Hornibrook Group collects personal information from third parties including, but not limited to, complaints against the Company and its employees; SSTS details and other school/ education related details; information relating to applicants for employment; customer (charter etc) business details; contractor to the Company information; Government information about its employees.

As part of its employment process The Hornibrook Group collects personal information relating to its employees, including health related information. Other types of employee information would include:

- (a) the engagement, training, disciplining or resignation of the employee;
- (b) the termination of the employment of the employee;
- (c) the terms and conditions of employment of the employee;
- (d) the employee's personal and emergency contact details;
- (e) the employee's performance or conduct;
- (f) the employee's hours of employment;
- (g) the employee's salary or wages;
- (h) the employee's membership of a professional or trade association;
- (i) the employee's trade union membership;
- (j) the employee's recreation, long service, sick, personal, maternity, paternity or other leave;
- (k) the employee's taxation, banking or superannuation

Unless the employee agrees it is not the intention of The Hornibrook Group to collect sensitive information from the employee. Sensitive information would normally be that information which is not reasonably required for the employment of the employee or as a statutory or regulatory obligation imposed upon the Company and for which no consent has been given.

How it collects and holds personal information

The Hornibrook Group collects the information referred to in this Policy during the course of its business. In the case of employees (existing or future) the collection occurs during the recruitment stage. The information will only be collected from the employee themselves unless they consent to a third party providing the information.

The Company may collect information from a third party by the use of a pseudonym or retain anonymity in the dissemination of information if requested, except in circumstances where the Company is required by law to provide the name of the employee.

The Hornibrook Group will not forward, redirect, sell, or otherwise supply personal user information to any third party not directly affiliated to us, except as required under any obligation to any authority or as part of any criminal investigation.



The Hornibrook Group further retains such information either electronically or in the case of employees as a hard copy in an employee file.

The Hornibrook Group has allocated responsibility to its dedicated Human Resource Manager or in circumstances where no dedicated officer exists to the General Manager. Otherwise access is denied to all other persons.

How it conducts its employee surveillance

The Hornibrook Group monitors its employees through the use of its computers, telephones and close circuit video recording. The purpose of such monitoring is to ensure the safety of the employee and to ensure compliance with Company employment policies.

The Hornibrook Group will not disclose any results from its surveillance without the consent of the employee unless such surveillance discloses any wilful breach of the Company's policies or an unlawful act.

The purpose for which it collects, holds and discloses personal information

The Hornibrook Group collects, holds and discloses personal information for a multitude of prescribed business purposes some of which are listed below:

- As part of its normal business operations or as part of a promotion of its business or promote its business
- As a result of a statutory obligation to a Government body such as the Transport department to confirm employment, the taxation office to confirm taxation payments, the Police in circumstances of an alleged wrongdoing, to meet superannuation contributions
- As requested or approved by an employee to officers of a trade union or such other professional person as requested by the employee
- Under an order of a Court for which no privilege is available
- Or as an exception to the APPs such as individual consent or reasonably necessary to enable the Company to function properly.
- For health reasons that would affect the employee's capacity to undertake their employment.

The Hornibrook Group As a general principle will not disclose personal information of an employee either obtained from that employee or from a third party, to any third party without the consent of the employee except in circumstances where the employer has a statutory obligation or where the disclosure would be required because of some unlawful action or criminal activity by the employee.

In relation to dealings with the Trade Unions The Hornibrook Group will not disclose personal information of its employees to the Trade Union without the consent of the employee and without be satisfied of the reasons for which the information is sought by the Trade Union.



How an individual can access their personal information and correct that information in circumstances where the information is inaccurate or misleading

An individual or entity is able to access the personal information collected by the Company in order to correct that specific information received it.

In this regard the individual or entity should specify what information is required, which shall allow the Company to provide that part of the information for correction.

Information and reports that have been compiled by Management as part of an internal disciplinary or complaint by another employee or as part of an assessment of an employee's competency may not, at the discretion of Management, be shown to the employee. The employee is however entitled to be provided with details of any complaints made against the employee and will provide copies of any statements upon which it relies to defend an action in the Courts or as a result of a Court order.

At any time an employee is entitled to approach the Human Resource Manager or such other person appointed by the Managing Director in lieu to advise the Company or changes or corrections to the personal information collected on behalf of the employee.

In this regard the following procedure shall occur:

Step One: Employee requests a meeting with the relevant officer of the Company.

Step Two: A meeting is arranged.

Step Three: Employee advises of incorrect information to the Designated Management Person

Step Four: Management, where possible, verifies the change

Step Five: The change of information is made and appropriate notification given

A process whereby an individual or entity may complain about breaches of the APPs or any other Privacy Codes

The Hornibrook Group provides the following process whereby an individual or entity can complain about a breach of the Privacy Policy.

Step One: The individual or entity makes a written complaint to the HR Manager or person delegated by the Managing Director to deal with the Privacy issues. The complaint details the complaint including how the Policy has been breached.

Step Two: The HR Manager or delegated person investigates the complaint and provides a written report to the Managing Director for consideration.

Step Three: The outcome of the complaint is advised to the individual or entity and if it is found to have occurred immediate action is taken to ensure no repeat occurs and the Company seeks to rectify any consequences to the individual or entity.



Limitations on disclosure to cross border entities and direct marketing groups

As a general principle The Hornibrook Group will not disclose any personal information to any direct marketing organisation to any overseas or cross border instrumentalities.

An exception to this Policy will apply in circumstances where the individual or entity gave information to the Company for the purpose of disclosure to a direct marketing group or for cross border purposes.

In no circumstances will sensitive information be made available to a marketing group of cross border entity.

Compliance with the Policy:

All employees of the Company are expected to be familiar with the Privacy Policy and Procedures and will use their best endeavours to comply with it.

Failure to adhere to the Policy may lead to disciplinary action and wilful breach may lead to immediate termination of employment for serious misconduct.

Responsibilities:

The Human Resource Manager will be responsible for the administration of the Policy and Procedures. The General Manager/ Managing Director may delegate another person to manage the Policy and Procedures. All employees are to be advised of such a change in management.

Review:

The Company is committed to monitoring the effect of the Policy upon individuals and entities and will from time to time conduct a review of the Policy to test its effectiveness.