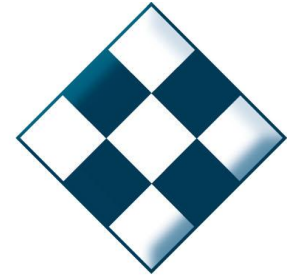


CH^{ES}S



employment, vocational & support services

Privacy Policy

1. OUTLINE

1.1 This Privacy Policy, which is subject to the Privacy Act and APPs to which we are bound, regulates how we collect, use and disclose *personal information*.

1.2 We may change, vary or modify all or part of this Privacy Policy at any time in our sole discretion.

1.3 If we adopt a new Privacy Policy:

1.3.1 we will post the new Privacy Policy on the Platform; and

1.3.2 it will then apply through your acceptance of it by subsequent or continued use of the Platform and/or our services.

1.4 It is your responsibility to check this Privacy Policy periodically for changes.

1.5 This Privacy Policy does not apply to our acts and practices which relate directly to the employee records of our current and former employees.

2. WHY WE COLLECT

2.1 We collect your *personal information* for the following purposes (**Primary Purpose**):

2.1.1 to lawfully carry out our functions and activities; and

2.1.2 to deliver the products and services that you requested or to which you were referred to, including helping our customers with training and to secure jobs.

2.2 In addition to the Primary Purpose, we may use the *personal information* we collect and you consent to us using your *personal information* to:

2.2.1 provide you with further information about the services you requested;

2.2.2 help us review, manage and enhance our services;

2.2.3 administer our services, including charging, billing and collecting debts;

2.2.4 promote and market those of our other services which we consider may be of interest to you;

2.2.5 consider making offers to job applicants and prospective employees or for employment purposes;

2.2.6 send you marketing and promotional material that you may be interested in;

2.2.7 communicate with you, including by email, telephone and mail;

2.2.8 conduct surveys or promotions;

2.2.9 investigate any complaints about, or made by you, or if we have reason to suspect you have breached any relevant terms and conditions; and

2.2.10 as required or permitted by any law.

2.3 Unless otherwise provided by law, we will not collect, hold, use or disclose your *sensitive information* without your consent.

3. WHAT WE COLLECT

3.1 *Personal information* we collect about you may include your name, date of birth, address, telephone number, gender, payment information and email addresses, including any information you enter to register on or use our Platform, provide to use or access our services and other information from which your identity is apparent or can be reasonably ascertained.

3.2 We maintain a database of suppliers, customers and other contacts with which we engage in financial transactions, which may include *personal information*. Our computerised financial system accesses this database in order to process financial transactions. The information held in the database for each contact consists of the contact's name, address, telephone numbers and one or more identifiers necessary for effective financial processing.

3.3 We also collect information that is not *personal information*, such as data relating to your activity on the Platform (**Other Information**).

3.4 Other Information we collected may include:

3.4.1 the Internet Protocol address and a component of the domain name used (e.g. .com or .net);

3.4.2 the type of browser and operating system you used;

3.4.3 the date and time you visited the Platform;

3.4.4 the web pages or services you accessed at the Platform;

3.4.5 the time spent on individual pages and the Platform overall;

3.4.6 which files you downloaded; and

3.4.7 information about your computer and Internet connections using cookies.

3.5 Irrelevant *personal information* must be securely disposed of and must not be kept.

3.6 We will not request your Tax File Number (**TFN**). If your TFN is provided to us, we will remove or otherwise destroy the record containing your TFN.

4. HOW WE COLLECT

4.1 Your *personal information* may be collected:

4.1.1 when you complete an application, consent or similar form in paper, via our Platform or otherwise;

4.1.2 when you participating in one of our services;

4.1.3 when you contact us;

4.1.4 from publicly available sources of information;

4.1.5 from government regulators, law enforcement agencies and other government entities;

4.1.6 from business contacts, external service providers and suppliers;

4.1.7 from prospective employees; and

4.1.8 by other means as we will reasonably inform you of (as relevant).

4.2 If we collect any *personal information* about you from someone other than you, to the extent not already set out in this Privacy Policy, we will inform you of the fact that we will collect, or have collected, such information and the circumstances of that collection before, at or as soon as reasonably practicable after we collect such *personal information*.

4.3 *Personal information* collected from our Personal Helpers and Mentors or Partners In Recovery customers often include *health information* and other *sensitive information*. We will only collect such information with your consent or of your guardian.

4.4 As a contracted service provider to the Commonwealth Government to provide employment and related services, we may also collect *personal information* about you from Commonwealth government departments and agencies such as:

4.4.1 Department of Employment;

4.4.2 Centrelink;

4.4.3 NSW Department of Education and Training;

4.4.4 NSW Department of Health; and

4.4.5 NSW Department of Social Services.

4.5 If we receive unsolicited *personal information* about you that we could not have collected in accordance with this Privacy Policy and the Privacy Act, we will within a reasonable period, destroy or de-identify such information received.

- 4.6 You are not obliged to give us your *personal information*. If you would like to access any of our services on an anonymous basis we will take reasonable steps to comply with your request. However, we will require you to identify yourself if:
- 4.6.1 we are required by law to deal with individuals who have identified themselves; or
 - 4.6.2 it is impracticable for us to deal with you if you do not identify yourself or elect to use a pseudonym; or
 - 4.6.3 We use Google Analytics to track visits to our website, and we use this information to track the effectiveness of our website, like visits, length of visit, viewed pages and the technical capabilities of our visitors. While this data is mostly anonymous, sometimes we will connect it to you, for instance in personalising a webpage, or prefilling a form with your details. For more information on our analytics tools, read Google's Privacy Policy.

5. USE

- 5.1 We will only use and disclose your *personal information*:
- 5.1.1 for purposes which are related to the Primary Purpose; or
 - 5.1.2 if we otherwise get your consent to do so, in accordance with this Privacy Policy and the Privacy Act.
- 5.2 We will not use your *personal information* for any purpose for which you would not reasonably expect us to use your *personal information*. Additionally, we will not disclose your *sensitive information* without your consent, unless there is a need to disclose such information in accordance with the Privacy Act or to comply with any other regulatory requirement.
- 5.3 We will only use or disclose your *personal information* for the purposes of direct marketing if:
- 5.3.1 we collected the information from you;
 - 5.3.2 it is reasonable in the circumstances to expect that we would use or disclose the information for direct marketing purposes;
 - 5.3.3 we provide you with a simple means to 'opt-out' of direct marketing communications from us; and
 - 5.3.4 you have not elected to 'opt-out' from receiving such direct marketing communications from us.
- 5.4 You may opt out of receiving such communications by:
- 5.4.1 clicking a link on the email communications sent to you;
 - 5.4.2 contacting our admin staff by telephone on 02 6691 9333 or at admin@chessemployment.com.au; or
 - 5.4.3 writing to us at PO Box 1585, Coffs Harbour NSW 2450 .

6. DISCLOSURE

- 6.1 We may disclose *personal information* and you consent to us disclosing such *personal information* to:
- 6.1.1 third parties engaged by us to perform functions or provide products or services on

- our or their behalf such as mail outs, marketing or advertising;
 - 6.1.2 your referees and former employers;
 - 6.1.3 our professional advisors, including our accountants, auditors and lawyers;
 - 6.1.4 persons authorised by you to receive information held by us; and
 - 6.1.5 any persons as required or permitted by any law.
- 6.2 We may in some circumstances as necessary send *personal information* to overseas recipients (including recipients which may or may not be affiliated with us). The countries in which likely overseas recipients of *personal information* are located includes: United States of America;
- 6.3 If we send *personal information* to overseas recipients, we will take reasonable measures to protect your *personal information* such as ensuring all information is de-identified where appropriate before being transmitted. However, you acknowledge and agree that if we disclose *personal information* to overseas recipients, we are not obliged to take reasonable steps to ensure overseas recipients of your *personal information* comply with the Privacy Act and the APPs.

7. ACCESS + CORRECTION

- 7.1 **Access.** You have a right to access your *personal information*, subject to certain exceptions provided for in the Privacy Act.
- 7.2 If you require access to your *personal information*, please contact us using our contact details below.
- 7.3 In many instances, our staff will be able to provide you with access to your *personal information* without the need to complete an 'Accessing personal information' form. You must otherwise complete the 'Accessing personal information' form and submit it to our Privacy Officer along with proof of identity to request access to your *personal information*.
- 7.4 We are not obliged to allow access to your *personal information* if:
- 7.4.1 we reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
 - 7.4.2 giving access would have an unreasonable impact on the privacy of other individuals;
 - 7.4.3 the request for access is frivolous or vexatious;
 - 7.4.4 the information relates to existing or anticipated legal proceedings between you and us and would not ordinarily be accessible by the discovery process in such proceedings;
 - 7.4.5 giving access would reveal our intentions in relation to negotiations with you in a way that would prejudice those negotiations;
 - 7.4.6 giving access would be unlawful;
 - 7.4.7 denying access is required or authorised by or under an Australian law or a court/tribunal order;
 - 7.4.8 we have reason to suspect that unlawful activity, or misconduct of a serious nature relating to our 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;
 - 7.4.9 giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - 7.4.10 giving access would reveal internal evaluative information in connection with a commercially sensitive decision-making process.
- 7.5 If you make a request for access to *personal information*, we will:
- 7.5.1 respond to your request within a reasonable period; and
 - 7.5.2 if reasonable and practicable, give access to the information in the manner requested.
- 7.6 If we refuse to give access to the *personal information* because of an exception or in the manner requested by you, we will give you a written notice that sets out at a minimum:
- 7.6.1 our reasons for the refusal (to the extent it is reasonable to do so); and
 - 7.6.2 the mechanisms available to complain about the refusal.
- 7.7 We reserve the right to charge you reasonable expenses for providing access to *personal information*, for example, a fee for photocopying any information requested by you.
- 7.8 **Correction.** We request that you keep your *personal information* as current as possible. If you feel that information about you is not accurate or your details have or are about to change, you can:
- 7.8.1 contact us using our contact details below and we will correct or update your *personal information* that we hold.
 - 7.8.2
- 7.9 If you make a request to correct your *personal information*, we will:
- 7.9.1 respond to your request within a reasonable period; and
 - 7.9.2 if reasonable and practicable, correct the information in the manner requested.
- 7.10 If we refuse a request to correct *personal information*, we will:
- 7.10.1 give you a written notice setting out the reasons for the refusal and how you may make a complaint; and
 - 7.10.2 take reasonable steps to include a statement with your *personal information* explaining the reason why we refused a request to correct your *personal information*.
- 7.11 We reserve the right to charge you reasonable expenses for making a correction to your *personal information*, for example, a fee for photocopying relevant information.
- 7.12 When *personal information* is received from a third party about you, it must be confirmed at the first opportunity e.g. at the next client interview.

8. SECURITY + PROTECTION

- 8.1 We will take all reasonable steps to:
- 8.1.1 ensure that the *personal information* that we collect is accurate, up to date and complete;
 - 8.1.2 ensure that the *personal information* that we hold, use or disclose is, with regard to

the relevant purpose, accurate, up to date, complete and relevant; and

- 8.1.3 protect *personal information* from misuse, loss or unauthorised access and disclosure.
- 8.2 If you suspect any misuse or loss of your *personal information* please contact us immediately.
- 8.3 Electronic information is protected by various security measures (including encryption and password protection) and physical paper files are stored in a secure location. *Personal information* is de-identified where appropriate. Data protection includes the use of password access areas and secure servers.
- 8.4 You acknowledge that the security of communications sent by electronic means or by post cannot be guaranteed. We cannot accept responsibility for misuse, loss or unauthorised access to your *personal information* where the security of information is not within our control.
- 8.5 Our website uses cookies. You can configure your hard-drive not to accept cookies, however, you may lose some website functionality.
- 8.6 Security of network files is the responsibility of CHESSE' information technology experts and will be conducted in accordance with an approved information management security system.
- 8.7 Files containing personal information of customers are forwarded to private email addresses. CHESSE' email system contains security encryption.
- 8.8 Files containing personal information of customers is not sent to or stored on mobile phones. An exception is where both the phone and the file have password protection.
- 8.9 Files containing personal information of customers are not lodged on cloud services (e.g. Google docs, DropBox etc.) without official sanction from CHESSE' information technology experts.

9. COMPLAINTS

- 9.1 If you have a complaint about how we collect, use, disclose, manage or protect your *personal information* or that we have breached the Privacy Act or APPs, please contact us in writing.
- 9.2 We will respond to any written complaint within 14 days of receiving the complaint.
- 9.3 Our Privacy Complaints Process is displayed in the Reception area at every site. This will assist you with the contact details of people who you can go to for assistance with your concerns.
- 9.4 The management of complaints handling process involves a series of escalating steps:
- 9.4.1 Complaints should be directed to a worker at CHESSE that is your ordinary point of contact. Complaints must be attended to within a reasonable period of time and will be lodged in the complaints register.
- 9.4.2 Where the complaint is not rectified or resolved within a reasonable time period, you can escalate the complaint to the worker's supervisor.
- 9.4.3 Where none of the above approaches have resolved your issue, your complaint should be forwarded to the Privacy Officer for a more formal inquiry into the matter
- 9.4.4 You are free to lodge a complaint directly with the Office of the Australian Information Commissioner (**OAIC**) online, by mail, fax or email. For more information

please visit the OAIC website at <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>

- 9.5 Once the complaint has been received, we will try to resolve the matter in a number of ways:
- 9.5.1 **Request for further information:** We may request further information from you. You should be prepared to provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution.
- 9.5.2 **Discuss options:** We will discuss options for resolution with you and if you have suggestions about how the matter might be resolved you should raise these with our Privacy Officer.
- 9.5.3 **Investigation:** Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress your complaint.
- 9.5.4 **Conduct of our employees:** If your complaint involves the conduct of our employees we will raise the matter with the employees concerned and seek their comment and input in the resolution of the complaint.
- 9.6 After investigating the complaint, we will give you a written notice about our decision

10. PRIVACY CONTACT

- 10.1 Please forward all correspondence in respect of this Privacy Policy to:
- 10.2 Privacy Officer
- 10.3 PO Box 1585, Coffs Harbour NSW 2450
- 10.4 P: 02 6691 9333
- 10.5 F: 02 6691 9393
- 10.6 E: privacy@chessemployment.com.au

11. INTERPRETATION + DEFINITIONS

- 11.1 **Personal pronouns:** Except where the context otherwise provides or requires:
- 11.1.1 the terms **we**, **us** or **our** refers to CHESSE; and
- 11.1.2 the terms **you** or **your** refers to a user of the Platform and/or customer of CHESSE.
- 11.2 Terms italicised and defined in the Privacy Act have the meaning given to them in the Privacy Act.
- 11.3 **Defined terms:** In this Privacy Policy unless otherwise provided, the following terms shall have their meaning as specified:
- APPs** means any of the Australian Privacy Principles set out in Schedule 3 of the Privacy Act.
- CHESSE** means Coffs Harbour Employment Support Service Incorporated t/as CHESSE (ABN 91 677 106 763).
- Platform** means the CHESSE website at www.chessemployment.com.au including its sub-domains.
- Privacy Act** means the *Privacy Act 1988 (Cth)* as amended from time to time.

Privacy Policy means this privacy policy of *Skills road* as amended from time to time.