

# PRIVACY POLICY

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## **1. INTRODUCTION**

In the course of DMD Storage Group's business in Australia, there may be circumstances where DMD Storage Group collects personal information. The DMD Storage Group Privacy Policy has been developed to ensure that such information is handled appropriately.

DMD Storage Group is committed to complying with the Privacy Act 1988 in relation to all personal information it collects. This commitment is demonstrated in this Policy. The Privacy Act incorporates the National Privacy Principles and except as outlined below, personal information held by DMD Storage Group will be treated in accordance with those Principles, regardless of any exemptions which may apply under the Privacy Act.

The Policy sets out the broad controls which DMD Storage Group has adopted to govern the way it uses personal information, the circumstances in which it might disclose personal information to third parties, how persons can access their personal information held by DMD Storage Group and what they can do if they are unhappy with DMD Storage Group's treatment of their personal information.

The purpose of this Policy is to provide guidelines to employees on the use of personal data within the work place and to ensure that the National Privacy Principles are followed in the course of the job role.

## **2. SCOPE**

This Policy applies to all persons in respect of whom DMD Storage Group currently holds, or may in the future collect personal information on.

## **3. WHAT DOES THE DMD STORAGE GROUP PRIVACY POLICY APPLY TO?**

This Policy applies to personal information. Personal information is information or an opinion, whether true or not, regarding a person where the identity of the person is apparent or can reasonably be ascertained from the information or opinion.

In this Policy there are also references to sensitive information. Sensitive information is information or an opinion about a person's racial or ethnic origin, political opinions, membership or 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. Sensitive information is a subset of personal information.

## **4. WHAT INFORMATION IS NOT PERSONAL INFORMATION?**

Information where DMD Storage Group has removed any reference to a person and provided that the identity of the person can no longer be ascertained from the information, is not personal information. DMD Storage Group may use this information for its own purposes and commercial gain.

## 5. HOW AND WHEN DOES DMD STORAGE GROUP COLLECT PERSONAL INFORMATION?

DMD Storage Group collects personal information in a variety of ways during the course of conducting its business, including:

Providing goods and services to customers

Responding to questions regarding our products and our business

Interacting with people via our websites

Security video surveillance at DMD Storage Group sites

Where reasonable and practicable, DMD Storage Group will collect personal information directly from the person and inform the person that this is being done. However, in some circumstances, it is necessary for DMD Storage Group to collect personal information through third party service providers or agents, for example, from a source of publicly available information (e.g. a telephone book).

At or soon after the time that DMD Storage Group collects personal information, DMD Storage Group will take reasonable steps to ensure that the person is aware of the purpose of the collection, the types of information, if any, to which the information may be disclosed and any law that required the particular information to be collected.

### 5.1 Collection of sensitive information

DMD Storage Group will not collect sensitive information without the consent of the person to whom it relates, unless the collection is required by law, is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential).

### 5.2 How does DMD Storage Group use personal information?

The use, to which we can put personal information depends on the reason for which it was collected. DMD Storage Group may use personal information for its primary purpose of collection (e.g. the delivery of goods to the person) or for any related secondary purpose that we could reasonably be expected to use the personal information for.

In certain circumstances, DMD Storage Group may use personal information for promotional or direct marketing purposes. However, a person may at any time request DMD Storage Group not to use their personal information for sending direct marketing material to that person. Such a request can be made by contacting DMD Storage Group either in writing, by email or by telephone at the contact details below. There is no fee for making such a request.

### 5.3 Disclosure of personal information

DMD Storage Group respects the privacy of personal information and we will take reasonable steps to keep it strictly confidential.

DMD Storage Group will disclose personal information to third parties if it is necessary for the primary purpose of collecting the information, or for a related secondary purpose.

If the disclosure could be reasonably expected (e.g. disclosure to a delivery contractor for the purpose of delivering goods ordered from DMD Storage Group). Where such a disclosure is

necessary, DMD Storage Group will require that the third party undertake to treat the personal information in accordance with the National Privacy Principles.

Otherwise, DMD Storage Group will only disclose personal information to third parties without the consent of the person to whom it relates if the disclosure is:

- Necessary to protect or enforce DMD Storage Group's legal rights or interests or to defend any claims
- Necessary to prevent or lessen a serious threat to a persons' health or safety
- Required by law

Under no circumstances will DMD Storage Group sell personal information without the consent of the person to whom it relates.

## **5.4 Accessing personal information**

A person may request to access personal information about them held by DMD Storage Group.

DMD Storage Group will grant a person access to their personal information as soon as possible, subject to the circumstances of the request. A request to access personal information will be rejected if:

The request is frivolous or vexatious

Providing access would have an unreasonable impact on the privacy of another person

Providing access would pose a serious and imminent threat to the life or health of any person

Providing access would prejudice DMD Storage Group's legal rights

There are other legal grounds to deny the request

DMD Storage Group may charge a fee for reasonable costs incurred in responding to an access request. The fee (if any) will be disclosed prior to it being levied.

## **5.5 Correcting personal information**

DMD Storage Group will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if a person believes that any personal information that we hold about them is inaccurate or out of date, then they should contact DMD Storage Group in writing at the address below.

# **6. INFORMATION SECURITY**

DMD Storage Group will take all reasonable steps to ensure that all personal information held by DMD Storage Group is secure from any unauthorised access or disclosure. However, DMD Storage Group does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.

DMD Storage Group will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which DMD Storage Group is authorised to use it.

## **Information Privacy Principles**

### **Principle 1 – Manner and purpose of collection of personal information**

1. Personal information shall not be collected by a collector for inclusion in a record or in a generally available publication unless:
  - a) The information is collected for a purpose that is a lawful purpose directly related to a function or activity of the collector; and
  - b) The collection of information is necessary for or directly related to that purpose
2. Personal information shall not be collected by a collector by unlawful or unfair means.

### **Principle 2 – Solicitation of personal information from individual concerned**

Where:

- a) A collector collects personal information for inclusion in a record or in a generally available publication; and
- b) The information is solicited by the collector from the individual concerned, the collector shall take such steps (if any) to ensure that, before the information is collected, or as soon as practicable after the information is collected, that the individual concerned is generally aware of:
  - The purpose for which the information is being collected
  - If the collection of the information is authorised or required by or under law the fact that the collection of the information is so authorised or required
  - Any person to whom, or anybody or agency to which, it is the collector's usual practice to disclose personal information of the kind and collected, and (if known by the collector) any person to whom, or anybody or agency to which, it is the usual practice of that first mentioned person, body or agency to pass on that information.

### **Principle 3 – Solicitation of personal information generally**

Where:

- a) A collector collects personal information for inclusion in a record or in a generally available publication; and
- b) The information is solicited by the collector; the collector shall take such steps (if any) to ensure that:
  - The information collected is relevant to that purpose and is up to date and complete; and
  - The collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.

### **Principle 4 – Storage and security of personal information**

A record-keeper who has possession or control of a record that contains personal information shall ensure:

- a) That the record is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and
- b) That if it is necessary for the record to be given to a person in connection with the provision of a service to the record-keeper, everything reasonably within the power of the record-keeper is done to prevent unauthorised use or disclosure of information contained in the record.

#### **Principle 5 – Information relating to records kept by record-keeper**

1. A record-keeper who has possession or control of records that contain personal information shall, subject to clause 2 of this Principle, take such steps as are, in the circumstances, reasonable to enable any person to ascertain:
  - a) Whether the record-keeper has possession or control of any records that contain personal information; and
  - b) If the record-keeper has possession or control of a record that contains such information:
    - The nature of that information
    - The main purposes for which that information is used; and
    - The steps that the person should take if the person wishes to obtain access to the record.
2. A record-keeper is not required under clause 1 of this Principle to give a person information if the record-keeper is required or authorised to refuse to give that information to the person under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.
3. A record-keeper shall maintain a record setting out:
  - a) The nature of the records of personal information kept by or on behalf of the record-keeper
  - b) The purpose for which each type of record is kept
  - c) The classes of individuals about whom records are kept
  - d) The period for which each type of record is kept
  - e) The persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
  - f) The steps that should be taken by persons wishing to obtain access to that information.
4. A record-keeper shall:
  - a) Make the record maintained under clause 3 of this Principle available for inspection by members of the public; and

#### **Principle 6 – Access to records containing personal information**

Where a record-keeper has possession or control of a record that contains personal information, the individual concerned shall be entitled to have access to that record, except to the extent that the record-keeper is required or authorised to refuse to provide the individual with access to that record under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.

#### **Principle 7 – Alteration of records containing personal information**

1. A record-keeper who has possession or control of a record that contains personal information shall take such steps (if any), by way of making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the record:
  - a) Is accurate; and
  - b) Is, having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete and not misleading

2. The obligation imposed on a record-keeper by clause 1 is subject to any applicable limitation in a law of the Commonwealth that provides a right to require the correction or amendment of documents.
3. Where:
  - a) The record-keeper of a record containing personal information is not willing to amend that record, by making a correction, deletion or addition, in accordance with a request by the individual concerned; and
  - b) No decision or recommendation to the effect that the record should be amended wholly or partly in accordance with that request has been made under the applicable provisions of a law of the Commonwealth; the record-keeper shall, if so requested by the individual concerned, take such steps (if any) as are reasonable in the circumstances to attach to the record any statement provided by that individual of the correction, deletion or addition sought.

**Principle 8 – Record-keeper to check accuracy etc. of personal information before use**

A record-keeper who has possession or control of a record that contains personal information shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete.

**Principle 9 – Personal information to be used only for relevant purposes**

A record-keeper who has possession or control of a record that contains personal information shall not use the information except for a purpose to which the information is relevant.

**Principle 10 – Limits on use of personal information**

1. A record-keeper who has possession or control of a record that contains personal information shall take such steps (if any), by way of making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the record:
  - a) The individual concerned has consented to use of the information for that other purpose
  - b) The record-keeper believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person
  - c) Use of the information for that other purpose is required or authorised by or under law
  - d) Use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; or
  - e) The purpose for which the information is used is directly related to the purpose for which the information was obtained.

**Principle 11 – Limits on disclosure of personal information**

1. A record-keeper who has possession or control of a record that contains personal information shall not disclose the information to a person, body or agency (other than the individual concerned) unless:
  - a) The individual concerned is reasonably likely to have been aware, or made aware under Principle 2, that information of that kind is usually passed to that person, body or agency



- b) The individual concerned has consented to the disclosure
  - c) The record-keeper believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person
  - d) The disclosure is required or authorised by or under law; or
  - e) The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.
2. Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, the record-keeper shall include in the record containing that information a note of the disclosure.
  3. A person, body or agency to whom personal information is disclosed under clause 1 of this Principle shall not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.

## **7. RESPONSIBILITY**

DMD Storage Group is committed to ensuring that this policy is maintained in our business and will be supported by the Human Resources Department.

### **Line Manager**

Individual managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with the Human Resources Department prior to any action being taken.

### **Employee**

Employees who violate this Policy may be subject to disciplinary action, up to and including termination of employment and legal action. If you have any questions about this policy or a specific posting out on the web, please contact Human Resources.

### **Human Resources**

The Human Resources department has the responsibility for ensuring the maintenance, regular review and updating of this policy. Revisions, amendments or alterations to the policy can only be implemented following consideration and approval by the Directors.