

230 WORK POLICY AND/OR PROCEDURE

Privacy

GENERAL

This privacy policy relates to how Godfrey Spowers (Victoria) Pty Limited as trustee for the Godfrey & Spowers Unit Trust (ACN 005 950 505) (ABN 37 128 820 749) trading as Spowers collects and handles your personal information. In this policy “we”, “our” and “us” refers to Spowers.

For the purposes of this policy, “*personal information*” means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

This privacy policy explains how we will treat your personal information that you provide to us in any way. We review our privacy policy regularly to ensure it is up to date, so we encourage you to review it from time to time via the link on our website at <https://www.spowers.com.au/disclaimer/>

DETAILS

1 Open and transparent management

We take our obligations under the *Privacy Act 1988* (the **Act**) and the Australian Privacy Principles (**APPs**) very seriously and have implemented practices, procedures and systems to ensure we comply with those laws.

We are committed to maintaining the confidentiality and security of your personal information and managing it in an open and transparent way.

2 Collection of solicited personal information

2.1 Types of information collected

In the process of conducting our business, we collect a range of personal information about our current and prospective customers, service providers, suppliers, agents other business associates and the people who run the businesses we deal with. This information can include such things as name, postal address, email address, date of birth.

2.2 Personal information (that is not sensitive information)

We will only collect your personal information where:

- (a) it is reasonably necessary for us to pursue one or more of our functions or activities; or
- (b) we are required to by law.

2.3 Sensitive information

Some personal information (e.g. race, ethnicity, health information etc.) is sensitive and requires a higher level of protection under the Act. We will only collect your sensitive information when:

- (a) we have your consent; and
- (b) the collection is reasonably necessary for us to carry out one or more of our functions or activities.

2.4 Exceptions to the need for your consent

We will not need your consent to collect your sensitive information when:

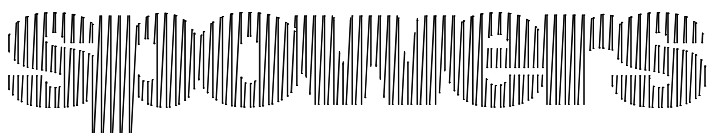
- (a) it is required or authorised by law;
- (b) a “permitted general situation” exists as defined under the Act; and
- (c) a “permitted health situation” exists as defined under the Act.

2.5 Collection by lawful and fair means

We will only collect your personal information by lawful and fair means.

2.6 Collection from you

Our preference is to try and collect your personal information directly from you as this is the best way to ensure its accuracy. It also provides you with an opportunity to contact us with any questions about our



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privacy policy before collection. We may also collect your personal information through correspondence, whether by telephone, email or enquiry forms on our website.

We will directly collect your personal information unless:

- (a) we have your consent to collect it from a third party; or
- (b) we are required or authorised by law; or
- (c) it is unreasonable or impracticable to do so.

3 Dealing with unsolicited personal information

If we receive your personal information from a third party without having asked you for it, then within a reasonable time, we will determine whether we could have collected it in the ways outlined in paragraph 2 above. If we determine that it could not have been collected in one of those ways and it is lawful and reasonable to do so, then as soon as practicable we will:

- (a) destroy the information; or
- (b) ensure that it is de-identified.

4 Notification of collection

Before or at the time of collecting your personal information (or as soon as practicable afterwards) we will take reasonable steps to notify you or ensure you are aware of the following:

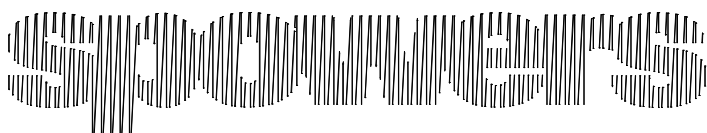
- (a) our identity and contact details;
- (b) circumstances where we have collected your personal information from you without your knowledge or from someone other than you;
- (c) circumstances where we are required or authorised by law to collect your personal information;
- (d) reasons why we have collected your personal information;
- (e) what may happen if we do not collect all or some of your personal information;
- (f) details of the persons or entities that we usually disclose personal information to;
- (g) how you may access and seek correction of your personal information;
- (h) how you can lodge a complaint with us.

5 Use or disclosure of personal information

We will only hold and use your personal information for the purpose of conducting our business of providing architectural, interior and related professional services (**Primary Purpose**).

We will not use or disclose your personal information (not being sensitive information) for another purpose (**Secondary Purpose**) unless:

- (a) we first obtain your consent; or
- (b) you would reasonably expect us to use or disclose it for a Secondary Purpose that is related to the Primary Purpose or - in the case of sensitive information – directly related to the Primary Purpose; or
- (c) we are required to by law; or
- (d) a permitted general purpose exists; or
- (e) a permitted health situation exists; or
- (f) we reasonably believe it is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body. In this circumstance we will make a note of such disclosure.



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6 Direct marketing

6.1 What is direct marketing?

For the purposes of this policy, “**direct marketing**” is the promotion of goods and services directly to you including through emails, telephone calls and the post.

6.2 Adoption of direct marketing laws

How we use your personal information for direct marketing is tightly controlled by the Act. We will follow those laws to ensure you only receive direct marketing in circumstances where you are expecting to.

Under the Act we may use your personal information for the purposes of direct marketing if:

- (a) we collected the information directly from you; and
- (b) you would reasonably expect us to use or disclose your personal information for the purpose of direct marketing.

6.3 Personal information provided by third parties.

Unless it would be impracticable or unreasonable, we need your consent when:

- (a) collecting your personal information from a third party for the purpose of direct marketing; or
- (b) you would not reasonably expect to receive the direct marketing.

If at any time you want to know who provided us with your personal information, then please send a request to us at the contact information at the base of this document. We will provide the details of that third party within a reasonable time.

6.4 Sensitive information

We will not use your sensitive information for the purpose of direct marketing unless you have given us permission in writing.

6.5 Opting out

We will always provide a simple means for you to “opt-out” from receiving direct marketing, which typically involves an “unsubscribe” or “opt-out” link on emails, a check box on the collection notice or through a pop-up on your screen when you provide personal information online.

We will not use or disclose your personal information for the purposes of direct marketing material if you have previously told us not to.

If at any time in the future you do not want us (or one of our service providers) to send you direct marketing material or you wish to cancel a previous consent, please inform us by contacting us at the contact details at the base of this document. We will affect the change in a reasonable time and without charge.

7 Cross-border disclosure of personal information

We will always endeavour to store your information on an Australian server. However, in circumstances where this is not possible, we may disclose your personal information to an overseas entity when we:

- (a) have taken reasonable steps to ensure that they also treat it in accordance with the Act; or
- (b) reasonably believe that the overseas entity is subject to the same or similar laws to that found in the Act and there are ways that you can take action to enforce those overseas laws; or
- (c) expressly inform you of your option to consent to that disclosure and you then provide us with informed consent to do so; or
- (d) are required or authorised by law; or
- (e) a permitted general purpose exists; or
- (f) a permitted health situation exists; or



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(g) we reasonably believe it is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body. In this circumstance we will make a note of such disclosure.

8 Adoption, use or disclosure of government related identifiers

We will not adopt a government related identifier as your identifier unless:

- (a) we are required or authorised by law; or
- (b) it is reasonably necessary to verify your identity for the purposes of our activities or functions; or
- (c) it is reasonably necessary to fulfil our obligations to an agency or State or Territory authority; or
- (d) it is required or authorised by or under an Australian law, or a court/tribunal order; or
- (e) some (but not all) permitted general situations exist; or
- (f) we reasonably believe it is reasonably necessary for enforcement related activities by, or on behalf of, an enforcement body; or
- (g) where it is allowed under regulations.

9 Quality of personal information

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

10 Security of personal information

10.1 Protection

We will take such steps as are reasonable in the circumstances to protect your personal information:

- (a) from misuse, interference and loss; and
- (b) from unauthorised access, modification or disclosure.

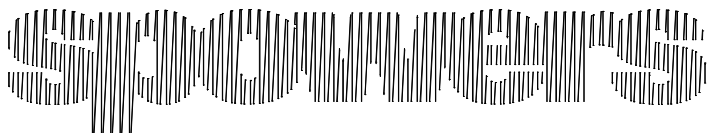
10.2 Destruction

When we no longer need your personal information for a permitted purpose and we are not required to keep it to comply with any laws, we will take such steps as are reasonable in the circumstances to destroy your personal information or to ensure that the information is de-identified.

11 Access to personal information

Upon your written request we will provide you with a copy of your personal information that we hold unless:

- (a) 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; or
- (b) giving access would have an unreasonable impact on the privacy of other individuals; or
- (c) your request for access is frivolous or vexatious; or
- (d) the information relates to existing or anticipated legal proceedings between us and you, and would not be accessible by the process of discovery in those proceedings; or
- (e) giving access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations; or
- (f) giving access would be unlawful; or
- (g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- (h) we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in and giving you access would be likely to prejudice the taking of appropriate action in relation to those matters; or



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- (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (j) giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

12 Correction of personal information

12.1 Correcting personal information

We will take reasonable steps to correct your personal information (at no charge) if we are satisfied that it is inaccurate, out-of-date, incomplete, irrelevant or misleading. This extends to third parties that we have provided your personal information to unless it is impracticable or unlawful to do so.

12.2 Circumstances when we decline to make corrections

In certain circumstances we may decline to correct your personal information. When this occurs we will provide you with a written notice that sets out:

- (a) the reasons for the refusal; and
- (b) the mechanisms available to complain about the refusal.

13 Making a complaint

If you have a concern or complaint relating to our handling of your personal

information or any breaches of the APPs, please notify us at via the details below, outlining the nature of the complaint. We will endeavour to respond to your complaint within 30 days of receipt. If unresolved, the complaint may be referred to an external complaint's resolution entity and finally, if necessary, taken to the Office of the Australian Information Commissioner.

If you would like a copy of this privacy policy sent to you then please request it by contacting us and we will provide you with a copy of this privacy policy.

14 Contact Us

We care about your privacy. Please contact us if you have any questions or comments about our privacy policies and procedures. We welcome your feedback.

You can contact us by:

- (a) sending an email to melbourne@spowers.com.au
- (b) calling us on 03 9614 6144
- (c) speaking to us in person at Level 1/460 Collins Street Melbourne (Entry via 83-89 William St).

Spowers Document Control

Author/s	Studio Co-ordinator, Studio Manager, Company Secretary, Quality Assurance Manager
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