



ABN 56 465 099 042

Commercial Design Consolidated (NSW) Pty Ltd		Privacy Policy	
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Issuer:	Ms Jenny Havebond		

### Adherence to RCSA Code for Professional Conduct

As a Member of RCSA Limited we must take reasonable steps to maintain the confidentiality and privacy of information obtained in the course of our professional practice.

We must also take reasonable steps to ascertain the extent to which any information we collect may be confidential.

RCSA administers Disciplinary & Dispute Resolution Procedures which you may have access to if you consider that we have breached any professional obligations.

### National Privacy Principles

The National Privacy Principles established by the *Privacy Act 1988* apply to **Commercial Design Consolidated (NSW) Pty Ltd; Unit 11 82-86 Pacific Hwy St. Leonards**

### AAP Entity

Commercial Design Consolidated (NSW) Pty Ltd manages personal information, as an APP Entity,

Because we are a contracted service provider to a range of Commonwealth, State and Territory government agencies, it sometimes becomes necessary for us to collect and manage personal information as an Agency under different privacy arrangements.

If you wish to know whether this applies to you, please contact us through our web site at [www.commercialdesign.com.au/contacts.html](http://www.commercialdesign.com.au/contacts.html) / phone / fax.

### Information Flow

When we collect your personal information:

- we check that it is reasonably necessary for our activities as a employment agency
- we check that it is current, complete and accurate. This will sometimes mean that we have to cross check the information that we collect from you with third parties;
- we record and hold your information in our Information Record System
- we retrieve your information when we need to use or disclose it for our activities At that time, we check that it is current, complete, accurate and relevant. This will sometimes mean

Commercial Design Consolidated (NSW) Pty Ltd  
UNIT 11 82-86 Pacific Hwy.  
St.Leonards NSW 2065  
Ph: 02 9439 2299  
Fax 02 9439 7997

that we have to cross check the information that we collect from you with third parties once again - especially if some time has passed since we last checked.

subject to some exceptions, we permit you to access your personal information in accordance with APP:12 of the (APPs).

- we correct or attach associated statements to your personal information in accordance with APP:13 of the (APPs).
- we destroy or de-identify your personal information when it is no longer needed for any purpose for which it may be used or disclosed provided that it is lawful for us to do so. We do not destroy or de-identify information that is contained in a Commonwealth Record.
- We will only collect information that is reasonably necessary for one or more of our tasks, functions or activities.
- We do not collect personal information just because we think it could be useful at some future stage if we have no present need for it.
- We do not routinely conduct criminal history checks and only do so in order to obtain relevant criminal history with regard to particular jobs you are offered or for which you are shortlisted.
- We do not collect or use personal information for the purposes of unlawful discrimination.
- We may decline to collect unsolicited personal information from or about you and may take such measures as we think appropriate to purge such information from our systems.

Personal information will be collected from you directly when you fill out and submit one of our application forms, together with any other information in connection with your application for work.

Personal information is also collected when:

- we receive or give any reference about you;
- we receive results of inquiries that we might make of your former employers, work colleagues, professional associations or registration body;
- we receive the results of any competency or medical test;
- we receive performance feedback (whether positive or negative);
- we receive any complaint from or about you in the workplace;
- we receive any information about a workplace accident in which you are involved;
- we receive any information about any insurance investigation, litigation, registration or professional disciplinary matter, criminal matter, inquest or inquiry in which you are involved;
- you provide us with any additional information about you;
- electronically through our telecommunications and technology systems – see the section in this policy on electronic transactions;

#### **Kinds of information that we collect and hold**

Personal information that we collect and hold is information that is reasonably necessary for the proper performance of our activities as a Recruitment Agency and is likely to differ depending on whether you are:

- **a Work-seeker**
- **a Client**
- **a Referee**

We sometimes collect information from third parties and publicly available sources when it is necessary for a specific purpose such as checking information that you have given us or where you have consented or would reasonably expect us to collect your personal information in this way.

Sometimes the technology that is used to support communications between us will provide personal information to us - see the section in this policy on Electronic Transactions

#### **For Work-seekers**

The type of information that we typically collect and hold about Work-seekers is information that is necessary to assess amenability to work offers and work availability; suitability for placements; or to manage the performance in work obtained through us and includes:

- Work experience
- Qualifications
- Legitimacy to work
- Taxation status and other statutory compliances

Our use and disclosure of collected information is for the purpose of :

- work placement operations;
- recruitment functions;
- statistical purposes and statutory compliance requirements;

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APPs and our Privacy Policy.

#### **For Clients**

The type of information that we typically collect and hold about Clients is information that is necessary to help us manage the presentation and delivery of our services and includes:

- Skills required
- Industry type
- Technology used
- Company size
- Fields of operation

Our use and disclosure of collected information is for the purpose of :

- client and business relationship management;
- recruitment functions;
- marketing services to you;
- statistical purposes and statutory compliance requirements;

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APPs and our Privacy Policy.

## **For Referees**

The type of information that we typically collect and hold about Referees is information that is necessary to help to make determinations about the suitability of one of our Work-seekers for particular jobs or particular types of work and includes:

- Knowledge of work-seeker
- Knowledge of work-seekers ability
- Term of engagement
- The synergy between work-seeker and work environment

Our use and disclosure of collected information is for the purpose of:

- to confirm identity and authority to provide references;
- Work-seeker suitability assessment;
- recruitment functions;

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APPs and our Privacy Policy

## **Outsourced Service Suppliers**

We outsource a number of services to contracted service suppliers (CSPs) from time to time. Our CSPs may see some of your personal information. Typically our CSPs would include:

- I.T. contractors and database designers and service internet service suppliers, some of whom may be off shore;
- legal and other professional advisors;
- insurance brokers, loss assessors and underwriters;
- superannuation fund managers;
- background checking and screening agents;

All reasonable steps will be taken to ensure that terms of service with our CSPs recognise that we are bound by obligations to protect the privacy of your personal information and that they will not do anything that would cause us to breach those obligations

## **Direct Marketing**

If you do not wish to have your personal information used for direct marketing purposes, you may contact our Privacy Co-ordinator and request not to receive direct marketing communications from us.

## **Personal Information Quality**

We rely on you to tell us when there are changes to your personal information that we hold about you. This could be for example a change of address or employment status.

## **Children, Minors and Persons under a Legal Disability**

Determining the decision-making capabilities of a person who is under a legal disability can be a complex matter, often raising ethical and legal issues.

We endeavour to address each case individually with a view to deciding whether the individual is able to give consent or receive notifications based upon an assessment of whether the individual has sufficient understanding to comprehend the nature and quality of what is being proposed.

In some circumstances, it may be appropriate for a parent, guardian, holder of an enduring power of attorney (or like authority) or next of kin to be contacted in any case in which consent is required or

notification is to be given and where it is not practicable to obtain it from, or give it directly to, the individual.

## **Personal Information Security**

We take such steps as are reasonable in the circumstances to protect the personal information that we hold from:

- misuse, interference and loss; and
- unauthorized access, modification or disclosure.

Our Data Recruitment System is:

- is electronically stored, access to data is password protected.
- is electronically backed up each day and stored remote from file server for security purposes.

We take reasonable steps to destroy or permanently de-identify personal information when it is no longer required for any purpose for which it may be used or disclosed. However, it is not always practicable to destroy or de-identify electronic data. Where it is not reasonable to destroy or permanently de-identify personal information in electronic form, we will take reasonable steps to prevent inadvertent access to it.

## **Photos and Images**

We will not request that you supply photographs, scan photo ID, or capture and retain video image data of you in cases where simply sighting photographs or proof of identity documents would be sufficient in the circumstances.

## **Disclosures**

We may disclose your personal information for any of the purposes for which it is primarily held or for a related purpose where lawfully permitted.

We may disclose your personal information where we are under a legal duty to do so, including circumstances where we are under a contractual or lawful duty of care to disclose information.

We do not share personal information about you with government agencies, organisations or anyone else unless one of the following applies:

- you have consented;
- you would reasonably expect, or have been told, that information of that kind is usually passed to those individuals, bodies or agencies;
- it is required or authorised by law;
- it will prevent or lessen a serious and imminent threat to somebody's life or health;
- 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 public revenue.

## **Other Parties**

We cannot guarantee that any recipient of your personal information will protect it to the standard to which it ought be protected. The costs and difficulties of enforcement of privacy rights in foreign jurisdictions and the impracticability of attempting to enforce such rights in some jurisdictions will mean that, in some instances, we will need to seek your consent to disclose. However, we will take steps as are reasonable in the circumstances to ensure that an overseas recipient does not breach the Australian Privacy Principles in relation to the information.

## **Access**

Subject to some exceptions that are set out in privacy law, you can gain access to the personal information that we hold about you.

Important exceptions include evaluative opinion material obtained confidentially in the course of us performing reference checks and access that would impact on the privacy rights of other people. Access may be refused if it would breach any confidentiality that attaches to that information or if it would interfere with the privacy rights of other people. In many cases evaluative material contained in references that we obtain will be collected under obligations of confidentiality that we make and which the communicator of that information is entitled to expect will be observed.

If you wish to obtain access to your personal information you should contact our Privacy Co-ordinator. You will need to be in a position to verify your identity.

We might impose a moderate charge in providing access. Our Privacy Co-ordinator would discuss this with you.

You should also anticipate that it may take a little time to process your application for access as there may be a need to retrieve information from storage and review information in order to determine what information may be provided. We will generally respond to your request for access within a reasonable time.

## **Correction**

If you are able to establish that personal information we hold about you is misleading, irrelevant, not accurate, complete or up-to-date, we will take reasonable steps to correct it.

If we are unable to agree that personal information we hold about you is not misleading, relevant, accurate, complete and up-to-date, you may ask us to place with the information a statement by you that claims that particular information is misleading, irrelevant, not accurate, incomplete or out of date.

If you wish to have your personal information corrected, you should contact our Privacy Co-ordinator who will respond within a reasonable period. You will need to be in a position to verify your identity.

If we have disclosed personal information about you that is inaccurate, out of date, incomplete, irrelevant or misleading, you can ask us to notify the third parties to whom we made the disclosure and we will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

## **Inquiries and Complaints**

You can make further inquiries or complaints about our privacy policies to our Privacy Co-ordinator whose contact details are Ms Jenny Havebond (02) 9439 2299 Mon to Friday 8:30 – 4:30

You can also make complaints to the Office of the Federal Privacy Commissioner.

Complaints may also be made to RCSA, the industry association of which we are a member.

RCSA administers a Code of Conduct for the professional and ethical conduct of its members.

The RCSA Code is supported by rules for the resolution of disputes involving members.

NOTE: The Association Code and Dispute Resolution Rules do NOT constitute a recognised external dispute resolution scheme for the purposes of the APPs; but are primarily designed to regulate the good conduct of the Associations members.

When we receive your complaint:

- We will take steps to confirm the authenticity of the complaint and the contact details provided to us to ensure that we are responding to you or to a person whom you have authorised to receive information about your complaint;
- Upon confirmation we will write to you to acknowledge receipt and to confirm that we are handling your complaint in accordance with our policy.
- We may ask for clarification of certain aspects of the complaint and for further detail;
- We will consider the complaint and may make inquiries of people who can assist us to establish what has happened and why;
- We will require a reasonable time (usually 30 days) to respond;
- If the complaint can be resolved by procedures for access and correction we will suggest these to you as possible solutions;
- If we believe that your complaint may be capable of some other solution we will suggest that solution to you, on a confidential and without prejudice basis in our response;

If the complaint cannot be resolved by means that we propose in our response, we will suggest that you take your complaint to any recognised external dispute resolution scheme to which we belong or to the [Office of the Australian Information Commissioner](#)

## Electronic Transactions

This section explains how we handle personal information collected from our website [www.commercialdesign.com.au](http://www.commercialdesign.com.au) and by other technology in the course of electronic transactions.

It is important that you understand that there are risks associated with use of the internet and you should take all appropriate steps to protect your personal information. It might help you to look at:

- Australia: - <http://www.privacy.gov.au/topics/technologies>

It is important that you:

- Know your rights: read our privacy policy, collection statement and consent to electronic transactions.
- Be careful what information you share on the Web.
- Use privacy tools on the site - control access to your search listing and profile.
- Make sure your anti-virus and data protection software is up-to-date.

Please contact our office by phone or mail if you have concerns about making contact via the internet.

Sometimes, we collect personal information that individuals choose to give us via online forms or by email, for example when individuals:

- make a written online enquiry or email us through our website;

## Social Networks and Web Searches

In order to assess your suitability for positions and to assist you to find work, we will need to collect, use and disclose personal information about you. It has become common practice in some places for employment service providers to conduct background checking via social network media sites frequented by candidates.

We will not conduct background checking via social network media sites other than those that you identify and authorise us to check. However we do conduct internet searches using search engines and entering your name and relevant identifying details.

## **Uploading photographs**

Please make sure that you do not upload photographs of any individuals who have not given consent to the display of their photograph. Displaying photographs without that person's consent may breach privacy laws, and you may be responsible for any legal consequences.

## **Emails**

When your email address is received by us because you send us a message, the email address will only be used or disclosed for the purpose for which you have provided it and it will not be added to a mailing list or used or disclosed for any other purpose without your consent other than as may be permitted or required by law.

## **Call and message logs**

When your call number is received by us because you phone us or send us a message, the number will only be used or disclosed for the purpose for which you have provided it and it will not be added to a phone list or used or disclosed for any other purpose without your consent other than as may be permitted or required by law.

## **Teleconferences and Video conferences**

Teleconferences and video conferences may be recorded with your consent. In cases where it is proposed that they be recorded, we will tell you first the purpose for which they are to be used and retained.

## **Database**

We use recruiting software and databases to log and record recruitment operations.

## **Paperless Office**

Recognising the environmental advantages and efficiencies it provides, we operate a partially paperless office as a result of which your paper based communications with us may be digitised and retained in digital format, and the paper based communications may be culled.

It is therefore important that, except where specifically requested, you do not send us originals of any paper based document and that you retain copies for your own records.

Where we do request original paper based documents we will return them to you once they are no longer required by us for the purpose for which they may be used or disclosed.

## **Future Changes**

This policy may change over time in light of changes to privacy laws, technology and business practice. If you use our website regularly it is important that you check this policy regularly to ensure that you are aware of the extent of any consent, authorisation or permission you might give.

Our Privacy Principles are in conformity with those from the  
Office of the Australian Information Commissioner  
Australian Privacy Principles and Guidelines + Privacy Fact Sheet 17 Feb 2014.