

Privacy Policy

Introduction

Recoveries and Reconstruction (Aust.) Pty Ltd (R&R) is committed to protecting the privacy and security of personal information it collects. We adhere strictly to the requirements of the Privacy Act 1988, the Privacy and Data Protection Act 2014 (Vic) and the Information Privacy Principles as set out in schedule 1 and other relevant privacy legislation.

The policy applies to all employees and contractors of R&R.

Definitions

Client

Client means, for the purposes of this policy, individuals who receive services from R&R or, where individuals who provide information to R&R.

Information

Information means

- (a) personal information; or
- (b) public sector data; or
- (c) law enforcement data; or
- (d) crime statistics data.

1. Collection

R&R only collects information it requires to carry out its functions as an incorporated legal practice providing debt management services to our clients. Information is only collected by lawful means and is kept in our in-house CMS management system. Examples of information we collect includes;

- (a) Names
- (b) Place of abode
- (c) Mailing addresses
- (d) Phone numbers
- (e) Email addresses
- (f) Legal Practitioners
- (g) Debt management details i.e amounts, payments, types
- (h) Employment details
- (i) Historical data to aid in the efficiency and conduct of future debt management services, such as arrangements, legal steps, form or payment

2. Use and Disclosure

R&R will not use or disclose personal information for a purpose (the secondary purpose) other than the primary purpose of collection, which is to provide debt management services to our clients. Personal information may be disclosed if any of the exceptions outlined in schedule 1 of the Privacy and Data Protection Act 2014 (Vic) ("PDP act") are met. Such as consent has been given to disclose, required by law to disclose, or in the public interest or required for the welfare of the individual or others.

R&R will use data to provide debt management services to our clients which is the primary purpose of collection. It should be noted that all personal information will be fully disclosed to our instructing client which is required to carry out the debt management services we are providing.

3. Data Quality

R&R will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date.

4. Data Security

R&R will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

R&R will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.

5. Openness

R&R privacy policy is available to anyone who asks for it and is available on our website www.r-r.com.au. Further upon request R&R will take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

6. Access and Correction

If R&R holds personal information about an individual, it will provide the individual with access to the information on request by the individual, except to the extent that R&R is not required to provide same as per section 6 of Schedule 1 of the PDP act. This includes;

- (a) providing access would pose a serious and imminent threat to the life or health of any individual; or
- (b) providing access would have an unreasonable impact on the privacy of other individuals; or
- (c) the request for access is frivolous or vexatious; or

- (d) the information relates to existing legal proceedings between R&R and the individual, and the information would not be accessible by the process of discovery or subpoena in those proceedings; or
- (e) providing access would reveal the intentions of R&R in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (f) providing access would be unlawful; or
- (g) denying access is required or authorised by or under law such as legal professional privilege; or
- (h) providing access would be likely to prejudice an investigation of possible unlawful activity; or
- (i) providing access would be likely to prejudice—

7. Unique Identifiers

R&R will not assign or share unique identifiers (i.e. a number or other code associated with an individual's name, such as a driver's licence number) of individuals unless the assignment or sharing of unique identifiers is necessary to enable R&R to carry out any of its functions or by consent.

8. Anonymity

If it is lawful and feasible, R&R will give individuals the option of not identifying themselves (i.e. remaining anonymous) when they engage with R&R.

9. Transborder Data Flows

R&R will not transfer personal information about an individual to someone (other than from R&R or the individual) who is outside Victoria, unless required by law or as set out in schedule 1 of the PDP act or the individual consents to the transfer.

10. Sensitive Information

R&R will only collect sensitive information in restricted circumstances as set out in schedule 1 of the PDP act or by consent.

"sensitive information" means information or an opinion about an individual's—

- (a) racial or ethnic origin; or
- (b) political opinions; or
- (c) membership of a political association; or
- (d) religious beliefs or affiliations; or
- (e) philosophical beliefs; or
- (f) membership of a professional or trade association; or

- (g) membership of a trade union; or
- (h) sexual preferences or practices; or
- (i) criminal record—

11. Internal staff mobile device management Internal staff mobile device management

Internal staff will be permitted to access from their mobile or electronic devices the company owned and operated application referred to as the R&R CMS application (“R&R app”), so that they can perform the duties required of them as employees. Access to the R&R app will be strictly confined to employees as the app has been developed in house specifically for R&R and R&R will maintain full copyright and ownership of all intellectual property of the R&R app.

The employee acknowledges that R&R can access their mobile or electronic device for the following work purposes.

- 1) The installation and updates of the R&R app and other necessary ancillary software;
- 2) To confirm location for court affidavits and security reasons;
- 3) To monitor access to the R&R app, to ensure employees only access the data they require to carry out their employment function and so the company can comply with reporting obligations if requested by a court of law.
- 4) To monitor the access to the device to ensure compliance with the company OH&S policies and Driver Safety and Fatigue Policy.
- 5) To lock the device in the event the device is lost, stolen or the employees employment is terminated, in accordance with our contractual obligations to our clients.
- 6) During work hours to monitor what the employee has downloaded or accessed to ensure that company employees are not breaching client’s privacy or company policy.

R&R hereby warrants and declares that the employees personal information obtained by R&R will only be used as follows:

- 1) We will share the above information to comply with laws, or to respond to lawful request and legal process.
- 2) In an emergency to protect the personal safety of any person.
- 3) To protect the rights and property of R&R, our agents, customers, and others, to enforce our agreements, policies, and term of service.
- 4) As part of a merger, acquisition, sale of company assets, or similar transactions. This includes, to the extent required, the event of bankruptcy, or receivership.
- 5) R&R will not sell personal information to any third party for whatever purpose.

Complaints

R&R is committing to protecting the privacy and security of personal information it collects. We adhere strictly to the requirements of the Privacy Act 1988, the Privacy and Data Protection Act 2014 (Vic) and the Information Privacy Principles as set out in schedule 1 and other relevant privacy legislation. If any person feels that their privacy or personal information has been breached a complaint can be lodged by contacting any of our operators on 1300 556 863. The complaint will be logged, a non-conformance report will be initiated and the matter investigated by senior management and the relevant client and a formal response will be provided.

Authorised by:



Ashley Carter
General Manager

22/01/2020