

Privacy Statement

PRIVACY POLICY

1. Introduction

All Suburbs Strata Management Pty Ltd ("the Agency") is a Sydney based agency specialising in providing services to strata and community schemes. The Agency activities ("Activities") include:

- Provision of strata management services to clients.
- Provision of strata inspection services and reporting to clients.

This policy sets out how the Agency will collect, hold, use or disclose personal information about an individual. This is governed by the Privacy Act 1988 ("Act"), Privacy Regulation 2013 ("Regulation"), the Australian Privacy Principles ("APP") under the Act and confidentiality and other ethical obligations under the Strata Schemes Management Act 1996, Property Stock and Business Agents Act 2002 and the Strata Schemes Management Regulation 2010, Community Land Management Act 1989 and the general law. The Agency is committed to complying with its obligations under these laws and will only collect, hold, use or disclose personal information as set out in indicated in this policy, with your consent or as otherwise required or authorised by law.

The law and associated technology change constantly and for that reason and others, the Agency reviews its policies from time to time, including this policy. The latest version will be published and available to view on the Agencies website.

<http://www.allsuburbsstrata.com.au/>

2. What personal information does the Agency collect and hold and for what purposes is it collected and held?

"Personal Information" means information or an opinion about an individual which identifies the individual or from which the individual could reasonably be identified, such as an individual's name, contact details, employment history, assets/liabilities, lot specific information and any correspondence.

"Sensitive Information" means the Personal Information which is health, genetic or biometric information or which concerns an individual's race or ethnic origin, political, religious or philosophical beliefs or affiliations, membership of professional or trade associations or trade unions, sexual preferences or criminal record.

Generally, the Agency collects only Personal Information, which is not Sensitive Information. However, it may at times be necessary to collect Sensitive Information about an individual in order to carry out properly our Activities. In those cases, the Agency will only collect sensitive information about an individual where reasonably necessary for the Agency's Activities and with the individual's consent.

The Agency may collect Personal Information, reasonably necessary for the Agency's Activities, relating to:

- The Agency's own staff.
- The Agency's clients, if natural persons.
- The Agency's expert consultants, suppliers and other persons with whom the Agency has dealings, if natural persons.
- If a client, expert consultant, supplier or other person with whom the Agency has dealings is not a natural person, The Agency may collect Personal Information about its officers, members, staff and other individuals with whom it has dealings.
- The Agency acts for many strata owners corporations and community associations and for them this would mean Personal Information about executive committee members, lot owners, staff and/or contractors of the owners corporation's strata managing agent, caretaker or building manager or other persons with whom the owners corporation has dealings.

The kinds of Personal Information collected by the Agency include:

- Names and titles.
- Contact details, such as addresses, e-mail addresses and telephone and fax numbers.
- Position descriptions.

- Relationships with relevant organisations.
- Areas of strata management and/or events in which the individual may be interested.
- Information about the individual's dealings with the Agency and/or its clients.
- References, opinions and other reports in relation to an individual.
- When acting for clients in relation to a current or proposed motion, information about any discussion held or votes cast in relation to the motion or any related circumstances.
- When acting for a client seeking to recover an amount allegedly owed by an individual or an organisation with which the individual is related, details of the individual's financial position, including assets and liabilities and credit history.
- In relation to prospective or current staff of the Agency, details of the individual's name, gender, contact details, qualifications, educational history, employment history, references, referee details and eligibility to work in Australia. The Agency may collect this information from the individual or from sources such as employment agencies and social media websites such as LinkedIn.

The purposes for which the Agency may collect personal information include:

- in relation to Personal Information relating to individuals who are applicants for employment with the Agency, for the purpose of assessing applications for employment.
- in relation to Personal Information relating to staff members of the Agency, for the purpose of training, performance review and providing reference information, if the Agency is named by the staff member as a referee.
- in relation to Personal Information about current or prospective suppliers of goods and services to the Agency, if a natural person or if not a natural person, personal information about individuals who are officers, members, employees or otherwise associated with the supplier, for the purpose of considering and facilitating such supply to the Agency or a client that they represent.
- in relation to Personal Information about an individual who is an officer, member, employee or otherwise associated with an entity, which is a court or tribunal, council or other entity performing functions under any legislation, for the purpose of procuring that the entity exercise its functions and to assist the entity in doing so.
- in relation to Personal Information about an individual who has participated in or expressed interest in participating in a seminar or other event provided or sponsored by the Agency or subscribing to a newsletter or mailing list published by the Agency, for the purpose of confirming satisfaction with the seminar or other event or promoting education and reform within the strata title sector.
- in relation to Personal Information about clients who are natural persons or where a client is not a natural person, Personal Information about individuals who are officers, members, employees or otherwise associated with the client, for the purpose of identifying those persons and providing the services requested by the client.
- for the purpose of managing and enhancing relationships with clients, suppliers and other parties with whom the Agency has dealings.
- for the purpose of assessing satisfaction with and improving the services provided by the Agency to clients.
- for the purpose of promoting education and reform within the strata title sector, including advising organisations and individuals with whom the Agency has dealings of developments and events which may be of interest to them.
- for the purpose of ensuring the Agency's compliance with the legal, contractual and ethical obligations.
- for the purpose of handling complaints or feedback.
- for the purpose of data analysis.

The Agency will not collect Personal Information which it does not need, but if the Agency were unable to collect Personal Information which it does need, the Agency may be unable to undertake its Activities or to satisfy its obligations, including:

- the provision of services to clients, where the requested information relates to the provision of those services.
- the assessment of employment applications, where the requested information relates to such an application.
- engagement of third parties to supply goods and services to the Agency, where the requested information relates to such a supply.

Wherever lawful and practical for the Agency to do so, the Agency will allow individuals to deal with the Agency on an anonymous basis or using a pseudonym. This may be the case when individuals make general enquiries about the Agency's services or participate in online surveys. However, the Agency will generally be required to identify individuals or individual representatives of organisations proposing to contract with the Agency or engage the Agency to provide legal representation and may be unable to contract or accept engagement to provide services if such individuals are not identified.

3. How does the Agency collect and hold personal information?

The Agency may collect Personal Information about an individual when:

- the individual applies for employment with the Agency or as an employee of the Agency engages in employment related activities, such as providing services to clients and training.
- the individual or an organisation of which the individual is an officer, member, employee or otherwise associated engages or proposes to engage the Agency to provide service and/or advice.
- the individual or an organisation of which the individual is an officer, member, employee or otherwise associated provides or proposes to provide goods and/or services to the Agency or a client that they represent.
- an organisation, which is a court or tribunal, Council or other entity performing functions under any legislation, of which the individual is an officer, member, employee or otherwise associated engages in dealings with the Agency.
- the individual or an organisation of which the individual is an officer, member, employee or otherwise associated, on behalf of the individual, participates in or expresses interest in participating in a seminar or other event provided or sponsored by the Agency or subscribing to a newsletter or mailing list.
- The individual visits areas of our website or ASSM Access Portal (which may or may not require a log on) to browse or download information, we will record the date and time of your visit, the page that you viewed, the path you followed to get there and the information, if any, that you downloaded. This information can be used to personally identify you. The information is used for statistical and maintenance purposes which aid with the continual evaluation of the website and our services.

Generally, the Agency will only collect personal information about an individual where:

- reasonably necessary for the Agency's Activities.
- by lawful and fair means.
- from the individual, unless required or authorised by law to collect the information from someone else or where it is unreasonable or impractical to collect it from the individual.
- if Sensitive Information is involved, with the individual's consent.

However, there will be situations which it is in unreasonable or impractical to collect Personal Information from the relevant individual, in which case we may obtain it from a third party, such as a spouse or partner, an organisation with which the individual has a relationship or a court, tribunal, council or other entity performing functions under any legislation. This may include situations in which, in order to measure satisfaction with a seminar or other event provided or sponsored by the Agency or to promote education or reform within the strata title sector, the Agency considers it appropriate to collect names and contact details for individuals who may be participants in such seminars or events or stakeholders in the strata title sector.

In these cases, the Agency will take reasonable steps to ensure that the individual is aware that the information has been collected and the basis on which the information will be held, used and disclosed, including the option of requesting that no further communications be sent to the individual.

The Agency will deal with unsolicited personal information and personal information which is no longer required in accordance with the requirements of the act, including where required and lawful, by destroying or de-identifying the information. However, the Agency is obliged by law and ethical obligations to retain most records for a period of time specified by law.

4. How does the Agency maintain and secure Personal Information?

The Agency takes reasonable steps to ensure that:

- the Personal Information collected by the Agency is accurate, up-to-date and complete.
- the Personal Information used or disclosed by the Agency is accurate, up-to-date, complete and relevant.

However, the Agency can only update Personal Information in light of circumstances of which the Agency is aware and depends on individuals in relation to whom the Agency holds Personal Information to advise the Agency of any change in their circumstances warranting amendment of the Personal Information held by the Agency.

The Agency takes reasonable steps to protect Personal Information which it holds from misuse, interference, loss, unauthorised access, modification or disclosure. This includes:

- Staff being subject to confidentiality obligations.

- Electronic personal information being stored in databases requiring logins and passwords for access and restricted to staff requiring access.
- The Agency maintains appropriate anti-virus and backup regime is for the purpose of securing electronic Personal Information.
- Physical files currently in use are stored at the Agency's premises, which are secured, accessible only by authorized persons and access to our premises by clients and other third parties is subject to staff supervision.
- The Agency generally destroys client files seven years after the date on which the relevant matter was finalised, after the physical file is scanned and retained as an electronic record.

5. How does the Agency use and disclose Personal Information?

The Agency uses and discloses Personal Information only for the business purposes for which it was collected.

The Agency may use and/or disclose Personal Information, including Sensitive Information, as follows:

- for the purpose for which it was collected;
- as required or authorised by law; or
- with the consent of the individual to whom the information relates and any client or other person to whom confidentiality obligations are owed in relation to the information.

In the case of Personal Information being used for the purpose of reporting on All Suburbs Strata Management activities, promoting education and reform within the strata title sector or advising clients and others with whom the Agency has dealings of developments and events which may be of interest to them, this will generally be in the form of a newsletter, e-mail or message by other communication technology, with an option to request no further communications. To make that request, an individual should send an e-mail message to that effect to the Agency's privacy officer, contact details for whom are set out at the end of this policy.

It is unlikely that the Agency would disclose Personal Information to an overseas recipient. However, this can occur where:

- the personal information relates to an individual who is an officer or employee of or otherwise related to a client, which is an overseas entity or related to an overseas entity and where disclosure of the information to the overseas entity is required for the purpose of providing services to the client or members of the client.
- the Agency stores data on the server of an external service provider, which stores that data on an external server. The Agency also currently stores all data on its own server at its own premises, but may alter such arrangements at a future date.

6. How can individuals access and seek correction of personal information held by the Agency?

Individuals, in relation to whom the Agency holds Personal Information, have the following rights under the Act:

- access to that Personal Information, subject to exceptions set out in APP 12.
- correction of that Personal Information, if it is inaccurate, not up-to-date, incomplete, irrelevant or misleading.

If you wish to exercise one of those rights, please contact the Agency's privacy officer, using the contact details set out at the end of this policy. The Agency's privacy officer will consider and respond to your request within a reasonable time.

If your request relates to access to Personal Information about you held by the Agency, the Agency's privacy officer will advise you:

- whether the Agency agrees to provide access to the relevant Personal Information in the manner requested by you.
- whether the Agency does not agree to provide access to the relevant Personal Information on one of the grounds set out in APP 12 and if so the grounds for that decision and the mechanisms available to you to complain about that decision.
- if the Agency does not agree to provide access to on one of the grounds set out in APP 12 or to provide access in the manner requested by you, whether there are steps which the Agency could take to give access, which are reasonable in the circumstances and which would meet the needs of the Agency and you.

Given the extent and complexity of the records kept by the Agency, as well as the confidentiality and other obligations owed by the Agency in relation to those records:

- the only reasonable and practical method of providing you with access to Personal Information about you may be to provide you with a scanned or printed copy of such information.
- the Agency may impose a charge for providing such access, if the Agency is put to any substantial time cost or expense in complying with your request, e.g. retrieving closed files from storage or reconstructing the relevant Personal Information from a data backup.

7. How can an individual complain about a breach of the Australian Privacy Principles and how will the Agency deal with such a complaint?

If you wish to make a complaint about how the Agency has collected, held, used or disclosed Personal Information about you, please contact the Agency's privacy officer, by post or e-mail, using the contact details set out at the end of this policy. You should at that time provide all information which the Agency's privacy officer might require in order to consider your complaint.

The Agency's privacy officer will consider and respond to your complaint within a reasonable time. Generally, provided that the Agency's privacy officer has received all information required in order to consider your complaint, that response would be made within 28 days of receiving your complaint. The Agency's privacy officer will let you know if further information is required and if so the timeframe within which he or she expects to respond to your complaint.

8. How can an individual contact us or request further information?

Further information about the Act and APP can be obtained from the Office of the Australian Information Commissioner ("OAIC"):

<http://www.oaic.gov.au/>

Further information about how the Agency collects, holds, uses or discloses Personal Information can be obtained by contacting the Agency's privacy officer, using the following contact details:

The Privacy Officer
All Suburbs Strata Management Pty Ltd
PO Box 142
Liverpool BC, NSW 1871
Email: info@allsuburbsstrata.com.au