

Privacy Policy (Australia)

The Small Print

Incomm Australia & New Zealand Pty Ltd ACN 125 567 357 (**Incomm, we, us, our**) and its related entities respect your concerns about privacy and value the relationship we have with you. This Privacy Policy describes the types of personal information we may collect, how we may use that information, with whom we may share it, and the measures we take to protect the security of the information. In addition, we describe the choices you can make about how we use the information you provide to us. We also provide you direction on how you can reach us to update certain information you've given us, ask us not to send you future communications, or answer any questions you may have about our privacy practices.

This Privacy Policy (other than the section "Employees") explains how we manage personal information about individuals other than employees. The section titled "Employees" explains the position of employees.

Key definitions

In this document:

- **"APPs"** means the Australia Privacy Principles set out in the Privacy Act;
- **"personal information"** has the meaning set out in the Privacy Act, and (in summary) means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or otherwise;
- **"Privacy Act"** means the *Privacy Act 1988* (Cth); and
- **"sensitive information"** has the meaning set out in the Privacy Act, and includes certain specific types of personal information such as health information, and information about a person's racial or ethnic origin, sexual orientation or practices, criminal record, religious beliefs or affiliations, political opinions, membership of a political, professional or trade association, and biometric and genetic information.

How we collect your personal information

We will collect and hold your personal information in a fair and lawful manner, and not in an intrusive way. Where it is reasonably practical to do so, we will collect your personal information directly from you. We may collect the personal information you directly give us through some of the following means:

- when you make an inquiry or order in relation to goods or services, including through our website located at incomm.com (**Website**);
- when you enter into contracts with us for our goods or services;
- in administering and performing any contracts with service providers;
- when you apply for a role with us;
- from correspondence (whether in writing or electronically) or when you contact us via telephone, social media platforms or other means;
- when you upload content to or interact (in an identifiable manner) with our Website or our social media pages;
- through any apps provided by our organisation;
- if you attend any of our premises, we may record certain contact details so that we can comply with applicable laws, and we may also record your image and/or voice if we have surveillance systems operating at those premises;
- when administering any of our services; and
- as otherwise required to manage our business.

However, in certain cases we may collect personal information from publically available sources and third parties, such as suppliers, recruitment agencies, your employers, contractors, our clients, business partners, referees, government bodies (e.g. police checks, if required), academic and professional bodies (e.g. to validate details and currency of qualifications).

Types of personal information we collect

The types of personal information we collect about you depends on the circumstances in which the information is collected. Typically, the types of personal information we may collect can include (but is not limited to) your name, address, email address and phone numbers.

If we enter into contracts with you, request or receive goods or services from us or have any other commercial dealings with us, we may also collect your date of birth, signature, payment and / or banking details and billing information.

If we need to confirm your identity, we may collect a copy of appropriate identification.

If you access our Website or if you download and access any of our apps, we may:

- utilize cookies to collect additional information about your use of our Website and apps, such as your internet protocol (IP) address, device information, browser information, and details on your usage of our Website and apps, so we can determine whether you are a repeat visitor to our Website and apps. Please see <https://www.incomm.com/about/policies/cookies/> for further details; and
- if you have provided us with permission to access your device location when using our Website or apps, we may collect information about your geographical location.

If you call us via telephone, we may monitor and in some cases record such telephone conversations for staff training, quality assurance and record-keeping purposes.

If we communicate with you by email, we may use technology to identify you so that we will be in position to know when you have opened the email or clicked on a link in the email.

If you are an individual contractor to us or apply for a role with us, we may also collect information relevant to your engagement with us including qualifications, length of engagement, resume, current and former employment details, pay rate and salary, bank details, feedback from supervisors, training records and logs of your usage of our equipment (e.g. phones, computers and vehicles).

If you attend a premises we operate or manage, we may:

- collect certain contact details that you provide to us (which may be via digital check-in apps), including the date and time of attendance, including so that we can comply with applicable laws (such as public health directives). If we collect such information to comply with a particular law, we will only use and disclose it in accordance with applicable laws; and
- record your image and/or voice through the use of Closed-Circuit Television (CCTV) systems for the purposes of managing security of the premises and health and safety of occupants and the public generally.

If you do provide sensitive information to us for any reason (for example, if you provide us with information about a disability you have), you consent to us collecting that information and to us using and disclosing that information for the purpose for which you disclosed it to us and as permitted by the Privacy Act and other relevant laws.

In addition to the types of personal information identified above, we may collect personal information as otherwise permitted or required by law.

Where you do not wish to provide us with your personal information, we may not be able to provide you with requested goods or services and/or certain functionality of our Websites and apps.

Our purposes for handling your personal information

As a general rule, we only process personal information for purposes that would be considered relevant and reasonable in the circumstances. The purposes for which we use and disclose your personal information will depend on the circumstances in which we collect it. Whenever practical we endeavour to inform you why we are collecting your personal information, how we intend to use that information and to whom we intend to disclose it at the time we collect your personal information.

We may use or disclose your personal information for the purposes for which we collected it (and related purposes which would be reasonably expected by you), for other purposes to which you have consented and as otherwise authorised or required by law.

In general we collect, use and disclose your personal information so that we can do business together and for purposes connected with our business operations.

Error! Unknown document property name.

Some of the specific purposes for which we collect, hold, use and disclose personal information are as follows:

- so you can contact us through our Website. If you e-mail us via the "Contact Us" link on our Website, we ask you for information such as name and e-mail address so we can respond to your questions and comments. You may choose to provide additional information and we use the information you provide to respond to your inquiries;
- to provide you with our goods and services;
- to receive goods or services from you and to pay you for them;
- to consider you for a job (whether as an employee or contractor) or other relationships with us;
- to provide you with invoices for our goods and services and, if you have ordered goods from us, dispatch and tracking information, returns and exchange authorisations;
- to confirm your identity;
- to operate, monitor, develop and improve our Website, apps and our goods and services;
- to optimise and customise the user experience (including content and advertising) for users of the Websites, apps and services;
- to facilitate your entry and participation in a competition or trade promotion;
- to protect the security and integrity of the Website and our other websites, apps and services;
- to contact you (directly or through our service providers and marketing research agencies) to obtain your feedback and to find out your level of satisfaction with our goods and services;
- to comply with our legal and regulatory obligations;
- to protect the security, health and safety of our premises, facilities, personnel and visitors;
- to address any issues or complaints that you or we have regarding our relationship; and
- to contact you regarding the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

Who we disclose your personal information to

We may disclose your personal information to third parties in connection with the purposes described in the "**Our purposes for handling your personal information**" section of this Privacy Policy. This may include disclosing your personal information to the following types of third parties:

- our service providers, suppliers and contractors that provide us with technical and support services or who manage some of our business functions (such as website hosting, customer service, payment processing, fraud detection and information technology services). These organisations are not authorized by us to use or disclose the information, except as necessary to perform services on our behalf or to comply with legal requirements;
- our related entities (who may use and disclose the information in the same manner we can);
- on a confidential basis to our accountants, insurers, lawyers, auditors and other professional advisers;
- any third parties to whom you have directed or permitted us to disclose your personal information (e.g. referees).

We may also disclose your personal information in accordance with any consent you give or where disclosure is authorised, required or permitted by law, including in response to a request from law enforcement authorities or other government officials, when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal activity, or to exercise our legal rights or defend against legal claims.

We reserve the right to transfer any information we have about you in the event we sell or transfer all or a portion of our business or assets. Should such a sale or transfer occur, we will use reasonable efforts to try to direct the transferee to use personal information you have provided through this website in a manner that is consistent with this Privacy Policy.

If we disclose information to a third party, we generally require that the third party protect your information to the same extent that we do.

Overseas transfers of personal information

Some of the third parties to whom we disclose personal information may be located outside Australia. The countries in which such third party recipients are located depend on the circumstances. In the ordinary course of business we commonly disclose personal information to recipients (including our related entities) located in **United States**. Such recipients typically provide billing, payment, IT and other administrative services to us (including, but not limited to, offshore data hosting and processing, data analytics, help desk, data-entry, and other employment-related services).

Whenever we transfer your personal information outside of Australia, we will do so in accordance with the requirements of applicable privacy and data protection laws. We may disclose your personal information to overseas recipient without your consent where permitted by the Privacy Act (and, in such circumstances, we will comply with the applicable requirements of the Privacy Act in doing so).

Employees

We collect information in relation to employees as part of their application and during the course of their employment, either from them or in some cases from third parties such as recruitment agencies, referees, government bodies (e.g. police checks, if required) and academic and professional bodies (e.g. to validate details and currency of qualifications). Such information may include contact details, qualifications, resume, current and former employment details, pay rate and salary, bank details, feedback from supervisors, training records and logs of your usage of our equipment (e.g. phones, computers and vehicles). We may also collect details of disabilities, allergies and health issues that may impact your role or which arise while on our premises or in the performance of your duties, so we can accommodate and otherwise assist you with any such health requirements or incidents.

Under the Privacy Act, personal information about a current or former employee may be held, used or disclosed in any way that is directly connected to the employment relationship. We handle employee information in accordance with legal requirements and our applicable policies in force from time to time.

Links to other sites

We may provide links on our Website to other websites for your convenience and information. These sites operate independently from our Website and are not under our control. These sites may have their own privacy notices in place, which we strongly suggest you review if you visit any linked websites. We are not responsible for the content of these sites, any products or services that may be offered through these sites, or any other use of these sites.

Security

We maintain administrative, technical and physical safeguards designed to protect against unauthorized disclosure, use, alteration or destruction of the personal information we have about you. When you provide credit card information to make a purchase, we use the industry standard for Internet security -- Secure Socket Layer (SSL) technology -- to help protect the information you provide. This Internet encryption standard scrambles data as it travels from your computer to our server. Please note, however, that perfect security does not exist on the Internet. You'll know that you're in a secure area of our website when a "lock" icon appears on your screen and the "http" portion of our URL address changes to "https." The "s" stands for "secure."

We will destroy or de-identify personal information once it is no longer needed for a valid purpose or required to be kept by law. We may need to retain records containing personal information to comply with record keeping obligations, and for other legitimate business purposes (such as quality assurance).

Accessing and correcting your personal information

You may contact us (see **"Contact Us"** section below) to request access to the personal information that we hold about you and/or to make corrections to that information, at any time. On the rare occasions when we refuse access (which we will only do in accordance with applicable laws), we will provide you with a written notice stating our reasons for refusing access. We may seek to recover from you reasonable costs incurred for providing you with access to the personal information we hold about you.

We are not obliged to correct any of your personal information if we do not agree that it requires correction and may refuse to do so. If we refuse a correction request, we will provide you with a written notice stating our reasons for refusing.

We will respond to all requests for access to or correction of personal information within a reasonable time.

Your Choices

If you would prefer not to receive certain communications from us (such as e-mail), please contact us (see "**Contact Us**" section below).

Like most businesses, marketing is important to our continued success. We therefore like to stay in touch with customers and let them know about new offers and opportunities. We may provide you with information about products, services and promotions either from us, or from third parties which may be of interest to you, where:

- you have consented to us doing so; or
- it is otherwise permitted by law.

You may opt out at any time if you no longer wish to receive direct marketing messages from us. You can make this request by contacting us (see "**Contact Us**" section below).

Verifying your identity

When you make a request, we may take steps to verify your identity before responding to your request. In order to verify your identity, we will ask you to confirm your email address by sending you an email, or if your request is made via telephone call or via letter, we will ask you to verify your identity by confirming your email, account or asking questions about the scope of your interaction with us. We reserve the right to take additional steps to verify your identity using other information we have about you. You may designate an authorized agent to make a request on your behalf. You may make such a designation by providing the agent with written permission to act on your behalf. As permitted by law, we may take steps to verify your own identity in response to a request even if you choose to use an agent.

Privacy complaints and concerns

If you have any questions, concerns or complaints about this Privacy Policy or how we handle your personal information, including if you believe we have breached the APPs, please contact us (see the "**Contact Us**" section below).

When contacting us please provide as much detail as possible in relation to your question, concern or complaint.

We take all complaints seriously, and will respond to your complaint in accordance with any applicable timeframes imposed by law and otherwise within a reasonable period. We request that you cooperate with us during this process and provide us with any relevant information that we may need.

If you are dissatisfied with the handling of your complaint, you may contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner
GPO Box 5218, Sydney NSW 2001
Telephone: 1300 363 992
Email: enquiries@oaic.gov.au

Updates to this Privacy Policy

We may update or change this Privacy Policy from time to time and without prior notice to you. We will post a prominent notice on our Website to notify you of any significant changes to our Privacy Policy and indicate below when it was most recently updated.

Contact Us

We can be contacted as follows:

Postal address: Suite 11.02, Level 11, 11 Queens Road, Melbourne, Victoria, Australia, 3004
Email: IncommPrivacy@incomm.com

Last Update

This notice was last updated on 22 June 2022 (the "**Last Update**").