

# BLACKSHAW

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## Privacy Policy Statement

This privacy policy applies to the collection, storage, use and disclosure of personal information by or on behalf of the Blackshaw Real Estate (referred to in this policy as “BRE”, “our”, “we” or “us”). Please read it carefully.

We are committed to protecting your personal information and ensuring its privacy, accuracy and security. We handle your personal information in a responsible manner in accordance with the Privacy Act 1988 (Act) and the Australian Privacy Principles (APPs).

You do not have to provide us with your personal information. However, if you do not, we may not be able to conduct business with you.

By using any of our products or services, visiting our website or giving us your personal information, you agree to your information being collected, stored, used and disclosed as set out in this Privacy Policy.

### Defined Terms

In this policy:

Blackshaw Real Estate (BRE) means BRE Corporate Pty Ltd ABN 73 630 650 261 and all BRE franchise offices.

Related Bodies Corporate has the same meaning given to it in the Corporations Act 2001 (Cth).

### 1. Collection of personal information

(a) The kinds of personal information we collect and hold

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not.

The personal information we collect includes:

- i. names, addresses, e-mail addresses, phone numbers, other contact details, payment details, occupation, household details, financial information, employment references, rental references, and other information to assist us in conducting our business, providing and marketing our products and services;

- ii. information about staff and directors, as required in the normal course of human resource management and the operation of a business; and
- iii. information about current and previous BRE suppliers and clients with whom BRE has dealings.

Sensitive information is information or an opinion about an individual's race or ethnic origins, political opinions and associations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, trade or professional associations and memberships, union membership, criminal record, health or genetic information or biometric information.

We will only collect your sensitive information:

- iv. if you have consented to us doing so – for example, as part of information about directors and employees for company, visa application and human resource management purposes; or
- v. where required or permitted by law.

(b) Why we collect personal information

We collect the personal information:

- i. necessary for us to provide you with the products and services you have requested from us including acting as agent, buying or selling properties, leasing properties, and managing unit plans;
- ii. for marketing purposes and to provide you with information about products and services that may be of interest to you;
- iii. to improve the products and services we provide; and
- iv. To enable us to conduct our business, including meeting our legal and regulatory obligations.

If you do not provide your personal information, we may not be able to supply the requested product or service, employ you or otherwise deal with you.

(c) From whom do we collect personal information?

We may collect your personal information from a range of sources, including from you, your representatives, recruitment agencies, contractors, business partners, or government agencies. For example, we may collect your personal information when you:

- i. request or acquire a product or service from us;

- ii. provide a service or product to us;
- iii. apply for employment with us; or
- iv. communicate with us via our website, by e-mail, telephone or in writing.

Wherever reasonable and practicable, we collect personal information from the individual to whom the information relates. If you provide personal information about someone other than yourself, you agree that you have that person's consent to provide the information for the purpose for which you provide it to us. You also agree that you have told the person about this Privacy Policy and where to find it.

(d) How we collect personal information

We usually collect personal information from:

- i. face-to-face meetings, interviews and telephone calls;
- ii. business cards;
- iii. electronic communications – for example, e-mails and attachments;
- iv. forms filled out by people, including when attending an Open Home or as part of acquiring a product or service from us;
- v. subscriptions to marketing material such as monthly and/or quarterly newsletters;
- vi. third parties – for example, from recruitment agencies, unit plan developers, and your representatives or agents; and
- vii. our website, our Facebook page and other social media channels, including if you use them to contact us;
- viii. surveys.

We only collect personal information by lawful and fair means.

(e) How we deal with unsolicited personal information

If we receive personal information about you that we have not requested, and we determine that we could not have lawfully collected that information under the APPs had we asked for it, we will destroy or de-identify the information if it is lawful and reasonable to do so.

## 2. Use and disclosure of personal information

### (a) Use of personal information

We only use your personal information for the purpose for which it was provided to us, for related purposes or as required or permitted by law. Such purposes include:

- i. in the ordinary course of conducting our business. For example, supplying services such as assisting with purchasing, selling or leasing properties, managing unit plans, acquiring products and services, responding to your enquiries and feedback, and providing information about our events, news, publications and products and services that may be of interest to you;
- ii. market research and product and service development, so that we are able to better understand our customers' needs and tailor our future products and services accordingly;
- iii. performing general administration, reporting and management functions. For example, invoicing and account management, payment processing, risk management, training, quality assurance and managing suppliers;
- iv. employment-related purposes, such as recruiting and providing services to staff;
- v. as part of a sale (or proposed sale) of all or part of our business; and
- vi. other purposes related to or in connection with our business, including meeting our legal and contractual obligations to third parties and for internal corporate governance purposes.

### (b) Disclosure of personal information

We may disclose, and you consent to us disclosing, your personal information to third parties:

- i. engaged by us to provide products or services, or to undertake functions or activities, on our behalf. For example, processing payment information, managing databases, providing computer software programs, undertaking property maintenance, marketing, research and advertising;
- ii. that are authorised by you to receive information we hold;
- iii. as part of a sale (or proposed sale) of all or part of our business. For example, we may disclose information to our external advisers, to potential and actual bidders and to their external advisors;
- iv. such as our external advisers, and government agencies. For example, where disclosure is reasonably required to obtain advice, prepare legal proceedings or investigate suspected unlawful activity or serious misconduct; or

vi. as required or permitted by law.

We may disclose, and you consent to us disclosing, your personal information among the entities that comprise BRE and to any of our Related Bodies Corporate whether located in Australia or overseas. If we disclose your personal information to a Related Body Corporate, your information will be collected, stored, used and disclosed in accordance with this Privacy Policy and the APPs.

(c) Use or disclosure of sensitive information

We will only use or disclose your sensitive information for the purpose for which it was initially collected or for a directly related purpose, as required or permitted by law, or where you consent to the use or disclosure.

(d) Marketing use and disclosure

We may use and disclose your personal information (other than sensitive information) to provide you with information about our products and services that we consider may be of interest to you.

You may opt out at any time if you do not, or no longer, wish to receive marketing and promotional material. You may do this by:

- ii. contacting us via e-mail at the address below and requesting that we no longer send you marketing or promotional material; or
- iii. where applicable, clicking the "Unsubscribe" button.

### **3. Disclosure of personal information overseas**

We may disclose personal information to overseas recipients including but not limited to contracted service providers or Related Bodies Corporate based in the U.S. and other countries other than Australia for processing, storage or back-up.

Any overseas disclosure does not affect our commitment to safeguarding your personal information. Where reasonable in the circumstances, our contracts with overseas recipients oblige them to comply with the APPs and the Act. However, you acknowledge that, in agreeing to the disclosure of your information to overseas recipients, we will no longer be required to take reasonable steps to ensure overseas recipients' compliance with the APPs in relation to your information and we will not be liable to you for any breach of the APPs by those overseas recipients. On this basis, you consent to such disclosure.

## 4. Data quality

We take reasonable steps to ensure that your personal information is accurate, complete and up-to-date. However, we rely on you to advise us of any changes or corrections to the information we hold about you.

If you consider that the information we hold about you is not accurate, complete or up-to-date, or if your information has changed, please let us know as soon as possible.

## 5. Security of personal information

### (a) Security

We take reasonable steps to protect your personal information from misuse, interference, loss and unauthorised access, modification and disclosure. Such steps include:

- i. physical security over paper-based and electronic data storage and premises;
- ii. computer and network security measures, including use of firewalls, password access and secure servers;
- iii. restricting access to your personal information to employees and those acting on our behalf who are authorised and on a 'need to know' basis;
- iv. retaining your personal information for no longer than it is reasonably required, unless we are required by law to retain it for longer; and
- v. entering into confidentiality agreements with staff and third parties.

### (b) Destruction and de-identification of personal information

Where we no longer require your personal information, including where we are no longer required by law to keep records relating to you, we will ensure that we take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.

## 6. Access and correction

### (a) Access to personal information

You may request access to the personal information we hold about you by contacting us. We will respond to your request within a reasonable time.

We will provide you with access to the information we hold about you unless otherwise permitted or required by law. If we deny you access to the

information, we will notify you of the basis for the denial unless an exception applies. Where reasonable and practicable, we will provide access to the information we hold about you in the manner you request.

No fee applies for requesting access to information we hold about you. However, we reserve the right to charge a reasonable fee where we do provide access.

(b) Correction of personal information

If you believe that personal information we hold about you is incorrect, incomplete or not current, you may request that we update or correct your information by contacting us. We will deal with your request within a reasonable time.

If we do not agree with the corrections you have requested (for example, because we consider that the information is already accurate, up to date, complete, relevant and not misleading), we are not required to make the corrections. However, where we refuse to do so, we will give you a written notice setting out the reasons.

## 7. Identifiers

We do not adopt, use or disclose government related identifiers except as required or permitted by law.

## 8. Pseudonyms and anonymity

Where lawful and practicable, we will give you the option of interacting with us anonymously or using a pseudonym.

## 9. Data Breaches and Notifiable Data Breaches

- (a) A “Data Breach” occurs where personal information held by us is accessed by, or is disclosed to, an unauthorised person, or is lost. An example of a Data Breach may include:
- i. lost or stolen laptops or tablets;
  - ii. lost or stolen mobile phone devices;
  - iii. lost or stolen USB data storage devices;
  - iv. lost or stolen paper records or documents containing personal information relating to the Employer’s customers or employees;
  - v. employees mistakenly providing personal information to the wrong recipient (i.e. payroll details to wrong address);

- vi. unauthorised access to personal information by an employee;
  - vii. employees providing confidential information to the employer's competitors;
  - viii. credit card information lost from insecure files or stolen from garbage bins;
  - ix. where a database has been 'hacked' to illegally obtain personal information; and
  - x. any incident or suspected incident where there is a risk that personal information may be misused or obtained without authority.
- (b) If you are aware of or reasonably suspect a Data Breach, you must report the actual or suspected Data Breach to us as soon as reasonably practicable and not later than 24 hours after becoming aware of the actual or suspected Data Breach.
- (c) A "Notifiable Data Breach" occurs where there is an actual Data Breach, and:
- i. a reasonable person would conclude that the unauthorised access or disclosure would likely result in serious harm to the relevant individual (including harm to their physical or mental well-being, financial loss, or damage to their reputation); or
  - ii. in the case of loss (i.e. leaving an unsecure laptop containing personal information on a bus), unauthorised access or disclosure of personal information is likely to occur as a result of the Data Breach, and a reasonable person would conclude that the unauthorised access or disclosure would likely result in serious harm to the relevant individual (including harm to their physical or mental well-being, financial loss, or damage to their reputation).
- (d) A Notifiable Data Breach does not include a Data Breach where we have been successful in preventing the likely risk of serious harm by taking remedial action.
- (e) **Assessment** - If we are aware of any actual or suspected Data Breach, we will conduct a reasonable and expeditious assessment to determine if there are reasonable grounds to believe that the Data Breach is a Notifiable Data Breach or not.
- (f) **Notification** - Subject to any restriction under the Act, in the event that we are aware of a Notifiable Data Breach, the Company will, as soon as practicable, prepare a statement outlining details of the breach and notify:
- i. the Office of the Australian Information Commissioner in the first instance; and
  - ii. the individual whose personal information was part of the Data Breach.
- Assessment & notification will take place in 30 days.



## 10. Complaints

If you have a complaint in relation to the collection, storage, use or disclosure of your personal information, please contact our Corporate Team using the details below. You will need to provide us with details of your complaint, as well as any supporting evidence and information.

We will review all complaints received and we will respond to you.

If you are not satisfied with our response, you may discuss your concerns with or complain to the Australian Privacy Commissioner via [www.oaic.gov.au](http://www.oaic.gov.au).

## 11. Changes to this Privacy Policy

We reserve the right to revise this Privacy Policy or any part of it from time to time. Please review this Policy periodically for changes. Any revised policy will be placed on our website at [www.blackshaw.com.au/privacy](http://www.blackshaw.com.au/privacy).

Your continued use of our website, products or services, requesting our assistance, or the provision of further personal information to us after this Privacy Policy has been revised, constitutes your acceptance of the revised Privacy Policy.

## 12. How to contact us

If you have any questions about this Privacy Policy, please contact Corporate:

(a) by way of email: [enquiries@blackshaw.com.au](mailto:enquiries@blackshaw.com.au)

(b) by telephone: 1300 550 240