

# Privacy policy

Compliance document 1 – last updated 06 May 2014

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# Privacy policy

In this privacy policy, the expressions “**Primary Communication**”, “we”, “us” and “our” are a reference to Primary Communication Pty Ltd (ABN 62 061 627 263) and its Related Bodies Corporate (as defined by the provisions of the *Corporations Act 2001* (Cth))

This privacy policy applies to personal information collected by us. We are bound by the *Privacy Act 1988* (Cth), which governs the way private sector organisations collect, use, keep secure and disclose personal information.

This Privacy Policy is to inform people of:

- how and when Primary Communication collects personal information;
- how Primary Communication uses and discloses personal information;
- how Primary Communication keeps personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how Primary Communication will facilitate or resolve a privacy complaint.

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint. Please see paragraph 10 for further details.

We can be e-mailed at [privacy@primary-pr.com](mailto:privacy@primary-pr.com) or write to us at 8/50 Reservoir Street, Surry Hills NSW 2010 or contact us on (02) 9212 3888 and our privacy officer will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

## 1. What is personal information?

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The *Privacy Act 1988* (Cth) defines “personal information” to mean information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is reasonably identifiable, from the information or opinion.

## 2. Sensitive Information

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### 2.1 What is Sensitive Information?

- (a) Sensitive information is a subset of personal information. It means information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.
- (b) In general, we attempt to limit the collection of sensitive information we may collect from you, but depending on the uses you make of our products this may not always be possible and we may collect sensitive information from you in order to carry out the services provided to you. However, we do not collect sensitive information from you without your consent.
- (c) The type of sensitive information we may collect from you or record about you is dependent on the services provided to you by Primary Communication and will be

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limited to the purpose(s) for which it is collected. We do not use sensitive information to send you Direct Marketing Communications (as defined in paragraph 6 below) without your express consent.

## 2.2 Consent to collection of certain types of sensitive information

We may collect certain types of sensitive information where you have consented and agree to the collection of such information.

Generally speaking, we will obtain this type of consent from you at (or around) the point in time in which we collect the information, but the main type of sensitive information that we may collect (if any) will usually relate to:

- (a) the criminal record of an individual when Primary Communication is considering whether to engage you as an employee or a contractor, or as otherwise requested as part of a Primary Communication questionnaire, survey, focus group or other research activity;
- (b) the health or medical information about an individual to the extent such information may be requested or is provided by you as part of a Primary Communication questionnaire, survey, focus group or other research activity; and
- (c) information regarding an individual's political persuasion, religious or philosophical beliefs, to the extent that such information may be requested or is provided by you as part of a Primary Communication questionnaire, survey, focus group or other research activity, including lobbying the Government, if applicable,

but only to the extent that where you volunteer such information or if it is necessary for, or incidental to, the purposes of collection set out in paragraph 4.

## 3. Collection of your personal information

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- 3.1 We only collect personal information that is necessary for what we do and we hold the personal information we collect within our own data storage devices or with a third party provider of data storage. The type of information we may collect from you includes depends ultimately upon the purpose of collection and we set out the general purposes of collection at paragraph 4 below.
- 3.2 To the extent practicable, you will have the option of dealing with Primary Communication on an anonymous basis or through the use of a pseudonym. However, there may be circumstances in which it is no longer practicable for Primary Communication to correspond with you in this manner and your personal information may be required in order to provide you with our products and services or to resolve any issue you may have.
- 3.3 In the event we collect personal information from you, or a third party, in circumstances where we have not specifically requested that information (unsolicited information), and it is determined by Primary Communication (in its absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.
- 3.4 The type of information we may collect from you includes (but is not limited to) the following:
  - (a) your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone numbers;

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- (b) details relating to your employment (if applicable) or your previous employment, which shall include, but is not limited to, obtaining your tax file number and superannuation details;
- (c) details relating to your education and qualifications, if applicable;
- (d) professional background information, if applicable;
- (e) your date of birth and if applicable, proof of your date of birth (including, but not limited to, driver's licence, passport, birth certificate);
- (f) any sensitive personal information listed in paragraph 2.2;
- (g) emergency contact details;
- (h) your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views:
  - (1) in relation to information requested from you, or you provide, in relation to a client's project or brief, focus group, enquiry, business, organisation, community or government; and
  - (2) on the products and services offered by Primary Communication or its clients;
- (i) if you are requesting products or services from us or we are purchasing goods or services from you, then any relevant payment or billing information (including but not limited to bank account details, direct debit, credit card details, billing address, repayment information and invoice details); and
- (j) any other information reasonably necessary to continue to provide our products and services to you.

3.5 As much as possible or unless provided otherwise under this privacy policy, we will collect your information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless:

- (a) such information is received from any personal referee you have listed on any application for employment with Primary Communication;
- (b) we have taken reasonable steps to ensure the organisation who has provided us with this information has complied with the Australian Privacy Principles;
- (c) such information is received from media relation organisations such as AAP Media Net;
- (d) we have collected this information from publically available sources, including but not limited to any social media or information available from the internet; or
- (e) as otherwise required or authorised by law.

3.6 When you engage in certain activities, such as entering a contest or promotion, filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

3.7 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data or any other information we require in order for us to provide our services to you, we may

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be unable to effectively provide our services to you.

- 3.8 If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns and to serve you more efficiently if you revisit our website. A cookie does not identify you personally but may identify your internet service provider or computer. You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance.
- 3.9 We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

## **4. How we may use and disclose your personal information**

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- 4.1 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as set out below.
- 4.2 You consent to us using and disclosing your personal information collected in accordance with paragraph 3 to facilitate a purpose in connection with:
- (a) if required, the verification of your identity;
  - (b) the verification of your date of birth, if applicable;
  - (c) your employment or potential employment with Primary Communication, if applicable;
  - (d) the provision of our products and services to you, which shall include but is not limited to:
    - (1) contacting you to discuss, and send you information regarding, your enquiry in relation to the provision of Primary Communication's products and services, which shall include but is not limited to your participation in a stakeholder activity or focus groups held by Primary Communication on behalf of its clients;
    - (2) the processing and reporting on the results of any Primary Communication questionnaire, survey, research activity or any other information collected relevant to client project or brief;
    - (3) to facilitate any engagement, marketing, outreach program, Government relations and lobbying and media relations in relation to our clients and their requirements for a project or brief;
    - (4) any requirements or requests of you or your clients and any associated business and community contacts;
    - (5) understanding a range of views and impacts regarding your, or another client's, project or brief;
    - (6) the administration and management of our products and services, including charging, billing, credit card authorisation and verification, checks for financial standing, credit-worthiness (including but not limited to undertaking an assessment for credit loss and obtaining credit references, if applicable), fraud and collecting debts; and
    - (7) to offer you updates, or other content or products and services that may be of interest to you;

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- (e) the administration and management of Primary Communication;
- (f) the improvement of our services (including to contact you about those improvements and asking you to participate in surveys about our products and services);
- (g) the maintenance and development of our products and services, business systems and infrastructure;
- (h) marketing and promotional activities by us and our related bodies (including by direct mail, telemarketing, email, SMS and MMS messages) such as our newsletters;
- (i) to provide customer service functions, including handling customer enquiries and complaints;
- (j) to offer you updates, or other content or products and services that may be of interest to you;
- (k) our compliance with applicable laws;
- (l) the sale, and matters in connection with a potential sale, of our business or company to a third party; and
- (m) any other matters reasonably necessary to continue to provide our products and services to you.

4.3 We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:

- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- (d) if it is required or authorised by law.

4.4 In the event we propose to use or disclose such personal information other than for reasons in 4.1, 4.2, and 4.3 above, we will first seek your consent prior to such disclosure or use.

4.5 If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required by law or as permitted by the *Privacy Act 1988* or by this privacy policy or otherwise with your consent.

## **5. The types of organisations to which we may disclose your personal information**

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5.1 We may disclose your personal information to organisations outside of Primary Communication. Examples of organisations and/or parties that your personal information may be provided to include:

- (a) offshore service providers, if any;

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- (b) related entities and subsidiaries of Primary Communication;
  - (c) our clients, and where necessary, their clients, to the extent that the personal information is relevant to their project or brief;
  - (d) Australian Federal, State or other Government departments, to the extent of facilitating stakeholder engagements, government relations or lobbying;
  - (e) third parties, such as journalists, commentators or media outlets such as AAP Media Net, to facilitate media relations and related activities;
  - (f) third parties, such as data storage hosts, IT service providers, including but not limited to Microsoft Office365 and our cloud based backup provider;
  - (g) your financial institution and in some circumstances, our financial institution; and
  - (h) our contractors, agents, clients, potential clients, stakeholders, suppliers, investors, employees other companies who assist us in providing our products and services to you.
- 5.2 Your personal information is disclosed to these organisations and/or parties only in relation to the goods or services we provide to you or for a purpose permitted by this privacy policy.
- 5.3 We take such steps as are reasonable to ensure that these organisations and/or parties are aware of the provisions of this privacy policy in relation to your personal information.

## **6. Direct Marketing**

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- 6.1 You expressly consent to us using your personal information, including any email address you give to us, to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) (**Direct Marketing Communications**) which we consider may be of interest to you.
- 6.2 Without limitation clause 6.1, if it is within your reasonable expectations that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.
- 6.3 If at any time you do not wish to receive any further Direct Marketing Communications from us, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the email or by contacting us via the details set out at the top of this document.

## **7. Credit Information and our Credit Reporting Policy**

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- 7.1 The Privacy Act contains provisions regarding the use and disclosure of credit information, which applies in relation to the provision of both consumer credit and commercial credit.
- 7.2 As we provide terms of payment of accounts which are greater than 7 days, we are considered a credit provider under the Privacy Act in relation to any credit we may provide you (in relation to the payment of your account with us).

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- 7.3 We use credit related information for the purposes set out in paragraph 4.2, which includes but is not limited to using the information for our own internal assessment of your credit worthiness.
- 7.4 We will store any credit information you provide us, or which we obtain about you, with any other personal information we may hold about you.
- 7.5 You may request to access or correct your credit information in accordance with the provisions of paragraph 10.
- 7.6 Please see paragraph 11 if you wish to make a complaint in relation to our handling of your credit information.

## 8. Cross Border Disclosure

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- 8.1 Any personal information provided to Primary Communication may be transferred to, and stored at, a destination outside Australia, including but not limited to New Zealand and Singapore, where we may utilise overseas data and website hosting facilities or have entered into contractual arrangements with third party service providers to assist Primary Communication with providing our goods and services to you. As this type of storage can be accessed from various countries via an internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed.
- 8.2 Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.
- 8.3 By submitting your personal information to Primary Communication, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this privacy policy.
- 8.4 The *Privacy Act 1988* requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the *Privacy Act 1988*. By providing your consent, under the *Privacy Act 1988*, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting personal information and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this privacy policy.
- 8.5 If you do not agree to the transfer of your personal information outside Australia, please contact us by via the details set out at the top of this document.

## 9. Data quality and security

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- 9.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the Internet is involved.
- 9.2 Notwithstanding the above, we will take reasonable steps to:-
- (a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;

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- (b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- (c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.

9.3 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your personal information; and
- (b) keep us up-to-date with changes to your personal information (such as your name or address).

## 10. Access to and correction of your personal information

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10.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

10.2 If you would like access to or correct any records of personal information we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at the top of this document.

## 11. Resolving Privacy Complaints

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11.1 We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

11.2 If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, please contact us by:

- Telephone: (02) 9212 3888
- Email: primary@primary-pr.com.au
- Post: 8/50 Reservoir Street, Surry Hills, NSW 2010

11.3 Please mark your correspondence to the attention of the Privacy Officer.

11.4 In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;
- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint

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11.5 We will keep a record of the complaint and any action taken in a Register of Complaints.

## **12. Consent**

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12.1 By using our website or by accepting the terms of one of our terms and conditions which refer to this privacy policy, you are agreeing to the terms of this privacy policy.

12.2 We reserve the right to modify our privacy policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our website), after which, your continued use of our products, services or website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our privacy policy, please contact us via the details set out at the top of this document.