

1. ES2 People Privacy Policy

1.1. Our Commitment

ES2 People complies with the Australian Privacy Principles (APPs) set out in the Australian Privacy Act of 1988 and associated amendments, which provide guidelines for the collection, use, storage, protection and disclosure of Personally, Identifiable Information (PII) and sensitive information. Individuals have the right to know what information ES2 People holds about them and to have any incorrect information amended.

ES2 People takes its commitment to protect the privacy of PII very seriously and is committed to protecting your privacy.

“Personal Information” means any information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion. Your name, address, home address, email address, qualifications, skills and employment details, are examples of Personal Information. Personal Information may also include information we may collect about your individual preferences.

1.2. Your personal information is important to us

ES2 People is committed to protecting your privacy. We recognise that you have a right to control how your Personal Information is collected and used. We know that providing Personal Information is an act of trust and we take that seriously.

1.3. Collection of Personal Information

ES2 People will only collect information which is necessary for the purpose of conducting its business as a recruitment organisation. Personal information will need to be collected as an inherent requirement of the job or work being considered or for the verification of right to work in Australia. No information will be collected that could be considered to be unlawful or discriminatory. ES2 People may also collect information as part of our background check process which can include but is not limited to public record, third party referees, the Internet and social media profiles (LinkedIn etc).

The kinds of Personal Information we may collect from you will depend on what type of interaction you have with us and will differ depending on whether you are, a Candidate, a Client or just a Referee.

1.4. Collection of Sensitive Information

ES2 people may be required to sight but will not collect ‘sensitive’ information about you as defined under the Australian Privacy Principle. ES2 People will provide the purpose for the collection of information and it will only be disclosed with your consent.

1.5. Using and Disclosing Personal Information

Any personal information provided to ES2 People will be used solely for the purpose provided and will not be shared, sold or given to any third parties unless authorised under the exemptions to the Privacy Act for lawful purposes.

1.5.1. If you are a Candidate

We may use your Information to check with referees and former employers to verify work experience, with educational institutions to verify qualifications and with law enforcement agencies to verify whether you have a criminal record. We may also use your email address to advise you of industry updates, events and direct-market products and services to you, and at any time you can unsubscribe to such communications.

From time to time we may engage third party contractors to perform services for us which may involve handling Personal Information, and we will take reasonable steps to prevent the contractor from using the Personal Information except for the purpose for which it was supplied.

We may also use your Personal Information for other purposes not listed above which will be made clear to you at the time we collect your Personal Information

1.6. Disposal of Personal Information

Any personal information provided during the initial process that is not required during the recruitment and contracting process will be eradicated from ES2 People systems.

1.7. Required Information

As part of the processes necessary to conduct the ES2 People business, the following information will be collected:

■ Candidate Information

The type of Personal Information we collect is the information that is necessary to assess suitability for work placements and amenability to work offers. This can include Personal Information about:

- Qualifications, skills, personality and experience;
- Work entitlement and your right to work in Australia;
- Your health and ability to undertake specific types of work;
- Tax File Number and bank details;
- Any criminal history you may have;
- Work history and performance;
- Career preferences;
- Contact details.

If you do not provide us with the information we request, we may be unable to do one or more of the above.

■ Client Information

The type of Client information we collect is necessary for the delivery of services and includes: relationship, key personnel details, hiring authority, organisational structures, ABN and financial information.

■ Referee Information

The type of Referee information we collect is typically used to confirm an assessment of candidate suitability and identity, which may include authority to give a reference and contact details, opinions regarding a Candidate's work performance, character and experience of having worked with a Candidate.

1.8. Storage and Security of Personal Information

ES2 People takes all reasonable steps to keep any personal information that is provided and held about you protected from loss, misuse and from unauthorised access, modification or disclosure.

If a substantial data breach has or may have occurred (for example, your Personal Information was stolen by an unauthorised attacker) we will notify you as soon as is practicable and notify the Office of the Australian Information Commissioner (OAIC) about that actual or possible breach.

Personal Information you provide to ES2 People is stored on our secure cloud-based recruitment database which is restricted and accessible by staff through the use of individual log-in credentials.

1.9. Access to Personal Information

Persons whose information is known to ES2 People may request access to any such information held by the organisation at any time. This request is subject to some exceptions permitted by law. The exceptions under the Australian Privacy Principles which affect your right to access your Personal Information we hold about you include the following:

- access would pose a serious threat to the life or health of any individual;
- access would have an unreasonable impact on the privacy of others;
- a frivolous or vexatious request;
- the information relates to a commercially sensitive decision-making process;
- access would be unlawful or denying access is required or authorised by law;
- access would prejudice enforcement activities relating to criminal activities and other breaches of law, public revenue, a security function, or negotiations with the individual; and
- legal dispute resolution proceedings.

To ensure the integrity and security of your Personal Information, ES2 People will only disclose such Personal Information if our internal procedures are satisfied.

To request access please contact the ES2 People's Privacy officer using privacyofficer@es2people.com.au Depending upon the complexity of the request, a small charge may be applicable.

1.10. Email Communications

Any emails received by ES2 People will only be used for the purpose given and are subject to the conditions set out in this Privacy Policy. Please note, as email communication outside of the ES2 People domain is not secure, any personal information sent to ES2 People via email is performed at the sender's risk.

1.11. Website

The ES2 People website is used to collect personal information that is voluntarily provided by clients, this information is protected during the process to the same extent as all personal information stored and transmitted by ES2 People. In order to gain a statistical perspective ES2 People utilises Google Analytics to assess usage of the site without affecting or sharing any personal information. Cookies may be used in a secure manner.

1.12. This Privacy Policy does not apply to

- Acts or practices of ES2 People that are directly related to employee records of current or former employees.
- Information about companies, individual partners or sole traders acting in a business capacity.

1.13. European Union, General Data Protection Regulation (GDPR)

Additional security controls are required where the personal information of citizens of European Union are provided to ES2 People under the auspices of the European Union, General Data Protection Regulation (GDPR).

As a business that collects, stores and processes Personal Information as stated in this Privacy Policy, ES2 People understands the rights of EU Data Subjects. Subject to identity verification and depending on the processing activity we are undertaking; EU Data Subjects have a right to:

- Request that we provide you with a copy of Personal Information that we collect. You have the right to be informed of the source of your Personal Information, the purpose of collection and legal basis, as well as the processing methods used by ES2 People and to whom your Personal Information may be transferred.
- Request that we correct inaccurate Personal Information. We may seek to verify the accuracy of the Personal Information before correcting it.
- Request that we delete your Personal Information when it is no longer needed for the purpose under which it was collected, or you withdraw your consent to use (subject to our legal obligations for retaining historic records).
- Ask us to restrict your Personal Information, where the Personal Information is not accurate or unlawfully processed, or it is no longer needed for the purpose under which it was collected. We will only continue to use your Personal Information where we have your consent or to protect the rights of covered individuals or exercise legal rights.
- Ask us to provide your Personal Information to you in a readable format or have it transferred to another party for automated processing under consent or Service Agreement.
- Object to any processing of your Personal Information which has our Legitimate Interests as its legal basis, if you believe your fundamental rights and freedoms outweigh our Legitimate Interests. You can also request that we change the manner in which we contact you for marketing purposes, or you can remove yourself from our marketing lists.
- We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally required to retain Personal Information, or we are entitled to deal with the request in a different way.

ES2 People's candidate portal allows Candidates' the opportunity to log in and update their profiles at any time for the purposes above. For additional assistance ES2 People's Privacy officer using privacyofficer@es2people.com.au.

1.14. Policy Review

We may from time to time review and revise our policies. Accordingly, we reserve the right to change this Privacy Policy at any time based on corporate direction or changes to Australian law.

1.15. Contacting Us

Although we are committed to ensuring that at all times there is strict adherence to the Australian Privacy Principles, in the event that you are dissatisfied in any way with the collection, use, storage and/or disclosure of your Personal Information or believe that there has been a breach of the Australian Privacy Principles, we invite you to contact us as soon as possible.

All complaints are to be made in writing to ES2 People. ES2 People is then allowed a reasonable time (within 30 days) to respond to complaints. We may ask you to participate in a dispute resolution scheme (such as mediation) in order to resolve your complaint.

If you are not satisfied with the manner in which we deal with your complaint, you may refer it to the Office of the Australian Information Commissioner ("OAIC"). You can contact OAIC by:

- visiting www.oaic.gov.au;
- forwarding an email to enquiries@oaic.gov.au;
- telephoning 1300 363 992; or
- writing to OAIC at GPO Box 5218, Sydney NSW 2001.

Terms

APP	Australian Privacy Principles
OAIC	Office of the Australian Information Commissioner
Personal Information	Information or an opinion about an identified individual, or an individual who is reasonably identifiable
Sensitive Information	Information about an individual's racial or ethnic origin, political opinion, religious beliefs, sexual orientation or criminal record
Candidate	Someone looking for work through ES2 People or whom has been identified as a person that may be receptive to an offer of employment.
Client	Someone looking to utilize ES2 People's recruitment services or whom has been identified as a person that may be interested in acquiring our services.
Referee	A person either nominated by a Candidate or from whom can provide facts or opinions regarding the suitability of the Candidate for a position through us.