

Privacy Policy

1. Introduction and Purpose of this Policy

This policy applies to SHAPE Australia Corporation Limited and its related bodies corporate, pursuant to the Corporations Act 2001 (Cth) (“SHAPE”).

SHAPE is committed to protecting the privacy of every person with whom it deals. SHAPE’s goal is that none of its employees, officers, contractors or consultants infringe the privacy of any other person.

All employees, officers, contractors and consultants of SHAPE who collect, use, keep, secure or disclose personal information about any person with whom SHAPE deals with must comply with this Privacy Policy.

SHAPE is committed to treating the personal information it collects in accordance with the Australian Privacy Principles of the Commonwealth’s Privacy Act and relevant state and territory privacy legislation.

Under the Australian Privacy Principles, SHAPE is required to have this external Privacy Policy that explains to third parties how we handle personal information.

1.1 Penalties for Non-Compliance

If SHAPE is found to have breached any of its privacy obligations, an investigation may result, and further legal action may be taken. If any employee, officer, contractor or consultant is found to have caused SHAPE to have breached any of its privacy obligations, disciplinary action may be taken which could result in dismissal.

1.2 Australian Privacy Principles

The Australian Privacy Principles are thirteen principles that govern the way organisations must handle personal information. The key concepts are set out below.

2. Collection of information

SHAPE must only collect personal information if doing so would be fair, lawful and not intrusive. Personal information is information or an opinion that can be used to identify a person. The information may include information or an opinion about a person that is untrue, but it does not include information contained in SHAPE’s employee records that are exempt from the legislation.

For example:

- a) SHAPE might receive personal information about individuals during pre-tender negotiations. Personal contact details are an example.
- b) If SHAPE records opinions about a particular person – say, for example, about the person’s performance in relation to a particular project – those records could also be captured by the legislation.

If SHAPE collects personal information from someone, we will always tell them:

- a) The name of our company; and
- b) Why we are collecting the information.

If a person asks, we will also inform them:

- a) That they may gain access to any personal information about them that we hold; and
- b) How they may go about accessing this information

3. Use and disclosure

We will only use or disclose personal information if we are doing so for the purpose(s) for which it was collected. Some exceptions include where:

- a) The person has consented to us disclosing or using the information for another purpose; or
- b) Our reason for using the information is related to the initial purpose for collecting it

If any employee, officer, contractor or consultant of SHAPE is unsure whether they may use or disclose certain information, they must consult the Group Executive - People, Brand and Communications before using or disclosing it.

4. Data Quality

We will take reasonable steps to safeguard all personal information we collect, use or disclose and keep it accurate, complete and up to date.

5. Data Security

We will take reasonable steps to protect all personal information held by SHAPE from:

- a) Misuse or loss; and
- b) Unauthorised access, modification or disclosure

We will take reasonable steps to destroy or make a piece of personal information unidentifiable if it is no longer needed

6. Openness

If anyone asks to see our Privacy Policy, we will provide them with a copy of this document.

7. Access and Correction

We will give a person access to all personal information which SHAPE holds about that person if that person requests us to do so. The person does not have to pay to receive that information.

There are limited exceptions to this rule, which include where:

- a) The information relates to existing or anticipated legal proceedings between SHAPE and the person in certain circumstances
- b) Providing access would reveal the intentions of SHAPE in relation to commercially sensitive negotiations; or
- c) Providing access would be unlawful

8. Identifiers

We will not adopt, use or disclose an identifier that has been assigned to a person by a Commonwealth government 'agency', such as Centrelink.

An identifier includes a number assigned by an organisation to an individual for that organisation's business. This does not include an individual's name or ABN but would include things such as tax file numbers and Medicare numbers.

9. Anonymity

We will give people the option of not identifying themselves when entering transactions with SHAPE whenever it is lawful and practicable to do so.

10. Cross-border Data Flows

SHAPE utilises a number of Software as a Service (SaaS) systems which store data outside of Australia. This is acceptable provided the service provider meets SHAPE's minimum cyber security standards.

We will only transfer personal information to a person in a foreign country if:

- a) We reasonably believe that the person receiving the information is bound by similar privacy principles as SHAPE
- b) The person to whom the information relates consents to the transfer
- c) The transfer is necessary for the performance of a contract involving the person; or
- d) It is for the person's benefit and it is impracticable to obtain their consent which would likely be given if asked

11. Sensitive Information

We will not collect "Sensitive Information" from any person unless:

- a) That person has consented
- b) The collection is required by law; or
- c) In other special specified circumstances, such as being necessary for a legal claim

"Sensitive information" is information about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, or health information.

In some instances, a client may require a person's criminal records before allowing that person access to a site. In that instance, we will ask that person to provide those records to the client directly.

12. Further Information

For further information about privacy matters, please contact:

- a) The Group Executive - People, Brand and Communications
Level 11
155 Clarence St
SYDNEY NSW 2000; or
- b) The Australian Government, Office of the Australian Information Commissioner (www.oaic.gov.au)

13. Review of this Policy

The Board will review this Policy every two years. This Policy may be amended by resolution of the Board.

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