

## Privacy Guidelines

### Definitions

**Personal information** may refer to “information” or an “opinion”, whether true or not, about an individual whose identity is apparent or can be reasonably ascertained from the information. This would include information such as name, date of birth, address, phone number, email address, marital status, physical appearance, etc. Whether a person’s identity is reasonably ascertainable will depend on the context and who holds the information.

There are special provisions that apply to personal information which is considered to be **sensitive information**, eg. relating to a person’s health, race, ethnic origin, political opinions, membership of trade associations, religious or philosophical beliefs, sexual preferences, and criminal history.

**Record** means a document, database, or photograph or other pictorial representation of a person.

### What sort of information might this apply to?

Cornish Property Services may collect personal information if it gathers, acquires or obtains information from any source, by any means, in circumstances where the individual is identified or identifiable. It includes information that:

- ◆ Cornish Property Services comes across by accident or has not asked for but nevertheless keeps
- ◆ Information the Cornish Property Services receives directly from the individual
- ◆ Information about an individual received from somebody else

### Examples of types of information this may apply to:

- ◆ Applications for Employment, interview guides, health assessments, police checks, tax file numbers, etc, for prospective employees, unsuccessful candidates or anyone else who is not an employee
  - ◆ Internet and email usage - including information in digital form.
  - ◆ Some client information identifying person/s
  - ◆ Contractors and sub-contractors
  - ◆ Other personal information relating to customers identifying person/s
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- ◆ Collection includes where the Cornish Property Services tracks an individual’s activity on the internet using a cookie or web bug

- ◆ Where Cornish Property Services tracks the location of a mobile phone owner or records phone numbers of callers or calls made

## Exemption

Employee records are exempt from the operation of the Act if the organisation is or has been an employer of the individual in question and the Act or practice is directly related:

- To a current or former employment relationship between the employer and the individual
- An employee record held by the organisation and relating to the individual.
- Cornish Property Services also understands that this exemption does not apply to contractors, sub-contractors or prospective employees

## Collection Statement

Prior to collecting personal information, Cornish Property Services will take reasonable steps to ensure that all individuals are aware, and have been advised, of the following:

- that Cornish Property Services is the name of the organisation collecting the information
- how to contact Cornish Property Services
- the purpose of collection
- that the person can gain access to their personal information upon request
- any law that requires the information be collected
- the specific organisations or kinds of organisations to which Cornish Property Services usually discloses the information (if any)
- consequences for an individual who fails to provide the information

## General Guidelines About Information Handling Practices at "CORNISH PROPERTY SERVICES"

The exemption does not cover "personal information" held about unsuccessful job applicants collected during the recruitment process or ongoing job applications. This would be the most applicable type of information covered by the Act. Accordingly:

- Applicants must be informed when personal information is being collected, and their consent must be gained and documented. Documentation ensures that Cornish Property Services can demonstrate that all reasonable steps were taken to ensure that the applicant was aware of the purpose for which the information was being collected (as per the Collection Statement above).
- Personal information must only be used or disclosed for the primary purpose for which it was collected. Therefore, if it is to be used for any other purpose (eg. providing candidate information or client details to another company or entity) prior consent must be gained and provided that those companies are still covered by the same NPP's. Use of such information for a secondary purpose would be only acceptable if there was a reasonable expectation and consent that it would be used for such a purpose.

- Reasonable steps must be taken to protect information from misuse, loss, unauthorized access, modification and disclosure. Therefore:
  - All personal information must be kept in a secure environment, ie., in a lockable filing cabinet.
  - Access to such information should be limited to those who require it for the purposes of carrying out their duties and responsibilities.
  - a clean desk policy should be enforced at the end of each working day/shift to ensure that no information that is considered to be personal or sensitive is able to be accessed out of hours or when a work area is unattended
  - Where information is no longer required, it must be destroyed or de-identified (ie., by shredding). This also includes deletion from hard drives.
  - Screen saver passwords should be utilized on computers where personal information is stored.

## Can an individual request access to their personal information?

Cornish Property Services may refuse this request if:

- the disclosure may pose a serious threat to the health or life of the individual
- the disclosure may have an unreasonable impact on the privacy of someone else
- the request is frivolous or vexatious
- the matter is subject to legal proceedings
- the documentation is likely to prejudice a criminal investigation

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