

EHRP PRIVACY COLLECTION STATEMENT

10 June 2021

We are required by law (in Australia and New Zealand) to provide information to you about how we collect, use, store and disclose your personal information. This document provides you with the details in relation to this. Particulars of our identity and contact details are at the end of this notice.

Why we collect your personal information

We collect your personal information to collate, hold and manage records as requested by your employer, or a potential employer, where:

- (a) that entity has obtained, or is obliged to obtain, your consent to the collection of that personal information and the creation of those records (whether as part of your prospective employment arrangements or otherwise); or*
- (b) that information is directly related to:*
 - (i) your current or former employment relationship with that entity; or*
 - (ii) an employee record relating to you.*

For purposes of this document, “employer” also includes any entity retaining or seeking to retain your services under contract or other similar service arrangement.

How we collect your personal information

We principally collect your personal information from your employer or prospective employer as our customer. We may also collect your personal information directly from you and, through our services, from third party providers:

- (a) where you make an application for a role, including where search requests or corrections are made in respect of you;*
- (b) where data field are specified or created by your employer which require that; or*
- (c) whom you direct to make information available to us.*

You may choose what personal information you provide to us

Your employer will determine what personal information it provides to us in relation to you. Beyond that, it is up to you what personal information you provide to us. However, if you choose not to provide certain information, it may affect your employment record or the way we can interact with you or your employer in providing our services. For example, if you choose not to provide information required for a specific record requested by your employer, that information will not comprise part of your record and we may (where relevant) report that lack of results to your employer, either of which may in turn adversely impact your arrangements or prospects with that employer.

Similarly, where you have subscribed to fit2work's profile badging system, a failure to maintain your subscription or provide further information will mean that your badge can no longer be shared with your employer electronically via the EHRP platform.

How we use your personal information

In providing our information services, you accept that:

- (a) we act as the agent of your employer under a limited agency solely for purposes of providing services relating to employment records in accordance with our agreement with that employer and, in doing so, we assume no fiduciary or other obligations to you (beyond those that are imposed by law);*
- (b) the primary purpose for collecting your personal information (and, particularly, any sensitive information) is to generate and manage reports regarding you and any related services for the benefit of your employer, and that information is reasonably necessary for one or more of those functions or activities;*
- (c) where you are located overseas, or your background or a specific search or data field requested by your employer relates to a foreign activity or presence, we are likely to disclose your personal information overseas either (i) for purposes of communicating with you, or (ii) conducting such searches (in which case, the recipients are likely to be in that relevant jurisdiction, or in a jurisdiction (such as the USA, India or Costa Rica) that has agents in that relevant jurisdiction, for purposes of any such search or data field);*
- (d) we may make your personal information available, including a document provided by you:
 - (i) to a third party, as directed by your employer;*
 - (ii) to a third party, through our fit2work platform, under the terms and conditions governing that platform as and when directed by your employer; or*
 - (iii) to a relevant government authority or an issuing body, if we are or your employer is not satisfied as to your claimed identity or the legitimacy of the identity documents supplied for purposes of any search application;**
- (e) we will cease to hold, deidentify or destroy certain of your personal information in accordance with law or the specific requirements of any relevant government entity data supply contracts, but otherwise will only cease to hold, deidentify or destroy your personal information in accordance with our agreement with the employer or otherwise as determined and directed by that employer in accordance with its obligations or policies; and*
- (f) we and our related companies may, at any time, use and disclose your personal information to:
 - monitor traffic on our website;*
 - undertake data management for quality or operational purposes (and, where any such data contains sensitive information, that data will be de-identified to protect you, and this functionality is within your reasonable expectations);*
 - diagnose data collection or management issues (with any technical navigation information required for that purpose purged immediately after a problem (if any) has been remedied); and*
 - investigate any complaint made by you or on your behalf, either privately or by a relevant regulator or law enforcement agency.**

Our Privacy Policy also contains information about how we handle personal information and is available at www.equifax.com.au/hrsolution/pdf/privacy.pdf. How your employer collects information from you, and how the employer uses, discloses and manages that information through our services, is disclosed under and governed by its privacy policy or, for some public sector organisations, by other governing legislation.

Any requests or concerns regarding the gathering, use, disclosure or management of your personal information should be directed to the employer in the first instance.

Direct Marketing Consents

If you have elected by checking the box on our Application page, we and our related companies may, at any time, use your personal information (other than sensitive information) to send you information about us and our related companies' products and services, including fit2work's profile badging system. This will include promotional material including but not limited to communications of the following kind:

- newsletters;
- competitions;
- surveys; and
- promotions on existing or new products;
- other, if any.

We and our related companies may do this by using a variety of means including:

- electronic means such as emails, SMS, MMS or similar devices;
- hardcopy to your nominated address; and
- subject to Do Not Call Register, call you.

In doing so, we will be relying on the consent that you have provided on the website or over the telephone when you ordered our information services. At all times you are free to choose not to receive some of or all the marketing communications sent by or on behalf of us or our related companies. To exercise that choice, you need to communicate that to us, by:

- logging in and deselecting the "Direct Marketing" election;
- writing to us at:
Equifax
PO BOX 964, North Sydney NSW 2059
- or calling us on 138 332.

In doing this, we may disclose any of that information to our related companies, or to service providers to us or our related companies, where that disclosure is required to conduct the marketing activities.

How we store and disclose your personal information

As outlined in the description of our use of your personal information, we will disclose your personal information:

- (a) to your employer, or as it may direct, in accordance with our agreement with that employer; and
- (b) as required by those services, to other companies related to us, as well as to third parties which provide services to us or them.

We will only disclose your personal information to those third-party suppliers that require the information to enable us to provide our services to you or your employer. In addition, when providing this information, we will only provide the minimum information that these third parties require. Where we need to disclose your personal information to third parties we put appropriate steps in place to ensure that these third parties are aware of and bound by their obligations in relation to your privacy. When your personal information is used for data analytics, it will always be de-identified.

Other than where personal information is shared with an off-shore third party as is reasonably necessary for one or more of our functions or activities, we store and process your personal information:

- (a) where you, or your employer, are in Australia – in Australia; and
- (b) where you, or your employer, are in New Zealand – New Zealand,

on our secure information technology servers.

Where we share or make available your personal information with an off-shore third party for the purposes of fulfilling the functions or activities covered by this Statement, your personal information may be accessed from a location outside Australia including but not limited to:

- India;
- Malaysia.

Privacy Policy, identity and contact details

Our Privacy Policy contains information about how you may access and seek correction of your personal information held by us, or make a privacy complaint, and how we will deal with such a complaint. Our Privacy Policy and contact details are available at www.equifax.com.au/hrsolutions/pdf/privacy.pdf.

However, any requests or concerns regarding the gathering, use, disclosure or management of your personal information should be directed to the employer in the first instance.

Interpretation

Terms defined by our Terms of Supply (accessible at www.equifax.com.au/hrsolutions/pdf/terms-of-supply.pdf) or the EHRP SOW (accessible at www.equifax.com.au/hrsolutions/pdf/ehrsow.pdf) have the same meaning where used in this statement, unless the context otherwise requires.

In Australia, this Collection Statement is governed by the law of New South Wales, and the parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts hearing appeals therefrom. In New Zealand, this Collection Statement is governed by the law of New Zealand, and the parties submit to the non-exclusive jurisdiction of the courts of New Zealand.