

# Privacy policy

How we protect privacy of personal information, transparently manage data and comply with the Privacy Act.



## TABLE OF CONTENTS

1. Introduction .....	3
1.1 Definitions.....	3
1.2 General Statement of Policy .....	3
1.3 Coverage of This Policy.....	3
2. Sensitive Information .....	3
3. Passive Information Collection .....	4
4. Personal Information .....	4
4.1 How Will We Collect Your Personal Information? .....	4
4.2 Why Do We Collect Your Personal Information? .....	4
4.3 Sharing Your Personal Data/Use and Disclosure of Personal Information .....	5
5. Accessing and updating your personal information.....	5
6. Security of personal information.....	5
7. Data breach response policy .....	5
7.1 What is a Data Breach?.....	5
7.2 What is Unauthorised Access? .....	6
7.3 What is Unauthorised Disclosure? .....	6
7.4 What is Loss of Information?.....	6
7.5 To Whom Do We Report Data Breaches? .....	6
7.6 How Do We Assess The Seriousness of a Data Breach? .....	6
7.7 What Do We Advise If We Suspect a Data Breach Has or May Have Occurred?.....	6
7.8 How Do We Respond to a Data Breach?.....	7
8. Inquiries and Complaints .....	7
9. Contact Details .....	7
10. Policy Implementation.....	8
10.1 Breach of This Policy.....	8
10.2 Policy Review.....	8
10.3 Dissemination of Policy.....	8
10.4 Legislation .....	8
11. Electronic Approval Record .....	9
12. Document Amendment Record.....	9

# 1. INTRODUCTION

## 1.1 Definitions

Employees	All staff, contractors, consultants and temporary workers of the Pacific Energy group of companies (Group).
CEO	Chief Executive Officer
Manager	An individual employee's direct supervisor/manager

## 1.2 General Statement of Policy

The Group is committed to respecting the privacy of personal information and this policy outlines how we comply with our obligations under the *Privacy Act 1988* (Cth) (Privacy Act). We are bound by the 13 Australian Privacy Principles which are contained in schedule 1 of the Privacy Act which regulate how we may collect, use, disclose and store personal information, and how individuals may access and correct personal information we hold about them.

Accordingly, the Group will take reasonable steps to ensure that it complies with the Privacy Act so that personal information is managed in an open and transparent way. This Privacy Policy and the Group's approach to privacy compliance applies to any personal information that may be collected by us or provided by individuals, including (but not limited to) personal information disclosed during or as a result of individuals' access to our website.

Throughout this Privacy Policy, we refer to "personal information" which means information that can be used to identify a person and may include, but is not limited to, name, email address or other physical address, title and other personally identifiable information such as work experience and qualifications.

## 1.3 Coverage of This Policy

This Privacy Policy applies to Personal Information that we manage as a result of:

- your interaction with us as a prospective, current or former employee;
- any business dealings you may have with the Group; and
- your use of, and any interaction you may have with, the Group's websites.

# 2. SENSITIVE INFORMATION

Some of the personal information we retain may be sensitive and may include, but is not limited to:

- information or an opinion about your work performance;
- medical history or condition;
- aptitude test results;
- trade or professional memberships;
- criminal record; and
- financial information, e.g. bank account details and tax file numbers.

In most cases, sensitive information can only be collected with your consent but we will only collect information that is necessary for the performance of services.

Under no circumstances do we collect or use personal information for the purposes of unlawful discrimination.

### **3. PASSIVE INFORMATION COLLECTION**

If you browse our website, but don't register for services or apply for a job, we do not collect information that identifies you personally, though we may collect information related to your visit to our website. This might include things like:

- your geographical location;
- the device or browser you use;
- the manner in which you access our website (i.e. a Google search, direct); and
- the pages where you entered and exited our site.

This information is transmitted to us so we can determine how users are interacting with our services, to assist us with improving our services and to correct any problems that may occur.

### **4. PERSONAL INFORMATION**

#### **4.1 How Will We Collect Your Personal Information?**

Your personal information can be collected in several different ways including:

- When you send an application to us via e-mail, online or post.
- When we conduct reference and/or police checks.
- When we receive results of medical tests.
- When you submit an application form or your resume through a third-party website.
- When we receive reports about background checks and various other assessments and inductions conducted in the workplace.
- Other information provided to us by you or your employer to assist us deliver our career guidance and outplacement services.

We sometimes collect information from third parties and publicly available sources when it is necessary for a specific purpose such as checking information that you have given us or where you have consented or would reasonably expect us to collect your personal information in this way.

#### **4.2 Why Do We Collect Your Personal Information?**

We collect and retain personal information about you, only where it is reasonably necessary and to:

- Assess your suitability for placement into positions.
- Keep records of you work performance and training so as to improve our ability to more efficiently assess you against future job prospects.

- Support investigations into workplace incidents.
- Assist the Group to comply with statutory obligations including, but not only, payments of taxes, charges and superannuation.
- Carry out any administrative tasks relating to our business.

We only collect personal information that is relevant to the purpose for which it is to be used.

### **4.3 Sharing Your Personal Data/Use and Disclosure of Personal Information**

We will generally use and disclose your personal information for purposes related to the main purpose for which the information was collected, or where you have consented to the use or disclosure.

We may otherwise use or disclose your personal information where required or authorised by law, which may include emergency situations and assisting law enforcement agencies.

## **5. ACCESSING AND UPDATING YOUR PERSONAL INFORMATION**

You may access the Personal Information we hold about you and to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing.

In order to protect your Personal Information we may require identification from you before releasing the requested information.

## **6. SECURITY OF PERSONAL INFORMATION**

Irrespective of whether personal information is stored electronically or in hard copy form, we take reasonable steps to protect the personal information we hold from misuse and loss and from unauthorised access, modification or disclosure.

## **7. DATA BREACH RESPONSE POLICY**

In Australia, data breaches of personal information are regulated by the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth) and came into effect on 22nd February, 2018.

Most of the personal information retained by the Group, is gathered from Australian residents and the policy is written to comply with the principles in the Australian Privacy Act.

Non-Australian residents who share their personal information with us may have more or less protections available to them, under data protection and privacy laws applicable in their country of residence.

### **7.1 What is a Data Breach?**

A data breach occurs when personal information is lost or subjected to unauthorised access, modification, use or disclosure, or other misuse.

## 7.2 What is Unauthorised Access?

Unauthorised access of personal information occurs when personal information is accessed by somebody who is not permitted to have access to it. This could include an employee or contractor to whom we have not given permission to access.

## 7.3 What is Unauthorised Disclosure?

Unauthorised disclosure of personal information occurs when confidential information is disclosed to outside parties in a way that is not permitted under the Privacy Act.

## 7.4 What is Loss of Information?

Loss of personal information refers to the accidental or inadvertent loss, in circumstances which are likely to result in unauthorised access or disclosure. For instance, an employee leaves personal information on public transport. It could also include the on-line theft of personal information.

## 7.5 To Whom Do We Report Data Breaches?

We are required to report to the Office of the Australian Information Commissioner (OAIC) any data breach that, in the opinion of a reasonable person, is likely to result in serious harm.

## 7.6 How Do We Assess The Seriousness of a Data Breach?

In assessing whether the data breach is likely to result in serious harm, we shall consider the following information:

- the kind of information breached;
- the sensitivity of the information breached;
- whether the information is protected by one or more security measures;
- the persons or kinds of persons who obtained, or could obtain, the information;
- if a security technology or methodology was in place, was the technology or methodology designed to make the information unintelligible or meaningless to persons who are not authorised to access the information;
- the nature of the harm; and
- any other relevant matters.

## 7.7 What Do We Advise If We Suspect a Data Breach Has or May Have Occurred?

- Any staff member who knows, or has a reasonable suspicion that a data breach has occurred must report the breach to their Supervisor or Manager.
- The Manager will investigate the seriousness of the breach and if the breach is serious, report it to the Chief Executive Officer (CEO) immediately.
- The CEO will determine whether the data breach or suspected data breach is an 'eligible data breach' that requires notification to the OAIC. In making this determination, the CEO will consider:
  - o Are multiple individuals affected by the breach or suspected breach?
  - o May there be a real risk of serious harm to the affected individuals?
  - o Does the breach indicate a systemic problem?



## 7.8 How Do We Respond to a Data Breach?

The Manager, in conjunction with the CEO, will take urgent action to contain the breach as far as possible.

- We will conduct an initial investigation and promptly collect information about the breach including:
  - o The date, time, duration and location of the breach
  - o The type of information involved
  - o How the breach was discovered
  - o The cause and extent
  - o A list of the affected individuals or possibly affected individuals
  - o The risk of serious or other harms
  
- The Manager and CEO will determine whether to notify affected individuals. A notification to the individuals affected and the OAIC should include the following information:
  - o The identity and contact details of the organisation
  - o A description of the breach
  - o The kinds of information concerned and
  - o Recommendations to the individuals, about steps they should take in response to the breach
  
- The Manager and CEO will consider whether security needs be updated, adjust policies and procedures and revise staff training if necessary.

## 8. INQUIRIES AND COMPLAINTS

If you have concerns regarding a breach of privacy or would like further information please use the contact details below.

You are also free to lodge a complaint with the Office of the Australian Information Commissioner.

## 9. CONTACT DETAILS

If you have any questions, concerns or feedback about privacy, please contact Pacific Energy Group Holdings Ltd:

Address: 338 Gnangara Road, Landsdale WA 6065, AUSTRALIA

Postal Address: PO Box 5, Kingsway WA 6065, AUSTRALIA

Email: [info@pacificenergy.com.au](mailto:info@pacificenergy.com.au)

Telephone: +61 8 9303 8888

Facsimile: +61 8 9303 8899

## 10. POLICY IMPLEMENTATION

### 10.1 Breach of This Policy

Failure to comply with the principles of this policy could result in appropriate disciplinary actions, including termination. Additionally, individuals may be subject to loss of Group access and privileges.

### 10.2 Policy Review

The CEO will monitor the effectiveness and review the implementation of this policy, considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible.

All employees are responsible for the success of this policy and should ensure they use it to disclose any suspected wrongdoing.

Employees are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Company Secretary.

This policy will be reviewed annually by 20 December.

### 10.3 Dissemination of Policy

A copy of this policy will be provided to each employee upon commencement of employment and additional copies will be made available upon request.

### 10.4 Legislation

- (i) Privacy Act 1988 (Cth)
- (ii) Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)



Jamie Cullen  
Group CEO

28 September 2022



## 11. ELECTRONIC APPROVAL RECORD

DATE OF AUTHOR	AUTHOR ROLE	NAME
06/09/2018	HR Services Manager	Mandy Macaskill
DATE OF REVIEW	REVIEWER ROLE	NAME
28/09/2022	Chief People, Culture & Sustainability Officer	Kaye Butler
DATE OF APPROVAL	APPROVER ROLE	NAME
28/09/2022	Chief Executive Officer & Managing Director	Jamie Cullen

## 12. DOCUMENT AMENDMENT RECORD

DATE OF CHANGE	REVISION	CHANGE EFFECTED
20/11/2018	1.0	New document.
07/10/2020	2.0	Updated.
22/06/2022	3.0	Document numbered, formatting and section 9 name change to Pacific Energy Group Holdings Ltd from Pacific Energy Ltd.
23/01/2024	4.0	Updated cover page.