

## POLICY STATEMENT

It is the policy of this company to operate our business in a manner that consistently meets or exceeds the legal rights of persons in regard to the privacy and confidentiality of information relating to them by ensuring compliance with the provisions of relevant privacy legislation.

## SCOPE

This Privacy Policy applies to personal information collected by the Master Landscapers of SA (MLSA). MLSA respects the need to protect the privacy of the personal information of individuals with whom we deal, in accordance with the Australian Privacy Principles ('APPs') of the Privacy Act 1988 (Cth) (Privacy Act).

## AIMS AND OBJECTIVES

As an organisation, we will ensure that only such information as is necessary for employment and business purposes is collected and that this information will only be accessible by persons who are specifically authorised to access the information.

## PRIVACY PRINCIPLES

We acknowledge that the privacy principles are designed to protect the rights of the individual, yet still allow access by particular authorities in specific circumstances and for specific purposes. To meet our obligation to comply with these principles under privacy laws, we will ensure that these principles are adhered to by management of the organisation and all of our employees and agents.

We will ensure that we comply with these principles in regard to -

- The necessity of personal information to be collected, and the means of collection of this information
- The use or disclosure of personal information about an individual
- Ensuring that information held is accurate, complete, and up to date
- The protection of information from misuse, loss and unauthorised access, modification or disclosure
- The way in which personal information is managed, including the right of individuals to know what type of personal information relating to them is collected, held, used or disclosed
- Allowing individuals reasonable access to information held about them to the extent allowed by law
- The identification of individuals
- The right of individuals to anonymity when entering into transactions where lawful and practicable
- The transfer of personal information to persons in a foreign country except where allowed by law, and
- The collection of sensitive information without consent or legal authority.

## COLLECTION

### What personal information does MLSA collect and hold?

MLSA only collects personal information as defined at law (information/opinion about an individual who can reasonably be identified from that information/opinion) that is reasonably necessary for our functions or activities, or is required or permitted by law.

MLSA collects personal information from a variety of sources – for example when:

- people post comments and information via our social media sites – Facebook, Instagram and LinkedIn;
- people sign-up as registered customers, subscribe to our mailing lists, purchase products or provide feedback via our website [www.landscapesa.com.au](http://www.landscapesa.com.au);
- a person contacts us (including via the email and telephone details listed on our website) asking for information or advice about MLSA;
- we liaise with individual officers, employees and other representatives of the MLSA;
- we liaise with government agencies, industry bodies, unions and other stakeholders and organisations in the course of promoting the viewpoints and interests of the national building and construction industry;
- we conduct events or deliver training;
- we research policy issues;
- we record who we have had contact with in relation to media or other public relations events;
- we manage our corporate and personnel functions, including when people apply for or enquire about employment opportunities with us; and
- we otherwise engage with people in the course of pursuing our objectives and managing our corporate functions.

We do not collect sensitive information (e.g. information about an individual's race, ethnic origins, political opinions or association, trade or professional associations and memberships, union membership, criminal record or health information) unless:

- the individual has consented to the collection of the information and the information is reasonably necessary for one or more of MLSA's functions or activities; or
- the collection is required or permitted by law.

### How and from whom does MLSA collect personal information?

MLSA only collects personal information by lawful and fair means.

MLSA usually collects personal information about individuals directly from those individuals or their authorised representative, as a result of, and in connection with, our on-going business relationship with those individuals.

MLSA sometimes collects personal information from a third party or from a publicly available source, but only if it is unreasonable or impracticable to collect that personal information from the individual.

## Why do we collect the personal information?

MLSA collects personal information:

- necessary for MLSA to provide products and services requested by individuals and organisations;
- for marketing purposes and to provide information about products and services that may be of interest to individuals and organisations;
- to improve the products and services we provide; and
- to enable us to conduct our business, including meeting our legal and regulatory obligations.

Generally, we will tell the individual why we are collecting the information, prior to or when we collect it.

If all or some of an individual's personal information is not collected, MLSA may not be able to provide all the benefits, services or products to the individual.

## Unsolicited personal information

If we receive personal information about you that we have not requested, and we determine that we could not have lawfully collected that information had we asked for it, we will destroy or de-identify the information if it is lawful and reasonable to do so.

## Use and disclosure

MLSA will only use your personal information for the purpose for which it was provided to us, for related purposes or as required or permitted by law. Such purposes include:

- in the ordinary course of conducting our business. For example, supplying or acquiring products and services; responding to individuals' enquiries and feedback; providing information about our events, news, publications and products and services that may be of interest to individuals; and maintaining a relationship with individuals;
- for market research and product and service development, so that we are able to better understand our customers' needs and tailor our future products and services accordingly;
- in performing general administration, reporting and management functions. For example, invoicing and account management, payment processing, risk management, training, quality assurance and managing suppliers;
- for employment-related purposes, such as recruiting and providing services to staff; and
- for other purposes related to or in connection with our business, including meeting our legal and contractual obligations to third parties and for internal corporate governance purposes.

## How MLSA discloses personal information

MLSA may disclose personal information to third parties:

- engaged by us to provide products or services, or to undertake functions or activities, on our behalf. For example, processing payment information, managing databases, marketing, research and advertising;
- that are our Member MLSA Associations, business partners, joint venturers, partners or agents;
- that are our external advisers, e.g. where disclosure is reasonably required to obtain advice, prepare legal proceedings or investigate suspected unlawful activity or serious misconduct; and
- as required or permitted by law.

## **SENSITIVE INFORMATION**

MLSA will only use or disclose an individual's sensitive information for the purpose for which it was initially collected (the 'primary purpose') or for another purpose only with your consent or if required or permitted by law.

## **MARKETING USE AND DISCLOSURE**

MLSA may use and disclose individuals' personal information (other than sensitive information) to provide individuals with information about our products and services that we consider may be of interest to the individual. An individual may contact us (see 'How to Contact Us') if they wish to opt out of receiving further marketing offers, via email or otherwise. Direct marketing offers will contain an opportunity to opt out from receiving further communications of this nature.

## **OVERSEAS DISCLOSURE**

MLSA is not likely to disclose personal information to overseas recipients, save where it is necessary to provide personal information as part of travel or delegate attendance at international meetings or conferences.

Any overseas disclosure does not affect our commitment to safeguarding individuals' personal information. Where reasonable in the circumstances, our contracts with overseas recipients oblige them to comply with the Act. However, individuals acknowledge that, in agreeing to the disclosure of their information to overseas recipients, we will no longer be required to take reasonable steps to ensure overseas recipients' compliance with the Policy in relation to the individual's information and we will not be liable to the individual for breach of the Policy by those overseas recipients. On this basis, individuals consent to such disclosure when supplying their personal information to MLSAA.

## **QUALITY OF INFORMATION**

MLSA will take reasonable steps to ensure that the information we collect, use and disclose is accurate, complete and up-to-date. However, MLSA relies on individuals to advise us of any changes or corrections to the information we hold about the individual. An individual is able to contact us (see 'How to Contact Us') and ask for the correction of personal information we hold if the individual believes the information we hold is inaccurate or incomplete.

## SECURITY OF PERSONAL INFORMATION

We take reasonable steps to keep personal information protected from loss and misuse and unauthorised access, modification and disclosure. We use a variety of physical and electronic security measures including restricting physical access to our offices, appropriate encryption and secure databases.

When personal information that we collect is no longer required, we will take reasonable steps to destroy or permanently de-identify the personal information.

## ACCESS OF PERSONAL INFORMATION

An individual may contact us (see 'How to Contact Us') to access the personal information that we hold about the individual. We will respond to such a request within a reasonable period after the request is made. There are occasions where this access may be denied under the exemptions contained in the Privacy Act. If we deny access in some circumstances, we will advise the individual about the reasons.

No fee applies for requesting access to information we hold about individuals. However, we reserve the right to charge a reasonable fee where we do provide access.

## CORRECTION OF PERSONAL INFORMATION

An individual may contact us (see 'How to Contact Us') to correct the personal information that we hold. We will deal with your request within a reasonable period after the request is made. We will take all reasonable steps to correct that information and ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.

## AVAILABILITY OF PRIVACY POLICY AND AMENDMENTS

This policy is available upon request. It will be reviewed from time to time and any amendments will be included in the updated policy.

We reserve the right to revise this Privacy Policy or any part of it from time to time. Please review this Policy periodically for changes. Any revised policy will be placed on our website at [www.landscapesa.com.au](http://www.landscapesa.com.au).

An individual's continued use of our website, products or services, requesting our assistance, or the provision of further personal information to us after this Privacy Policy has been revised, constitutes the individual's acceptance of the revised Privacy Policy.

## MAKING A COMPLAINT

An individual may contact us (see 'How to Contact Us') to complain about a breach of this Privacy Policy. MLSA will handle any complaints promptly in a professional manner by referring the matter internally to the President. MLSA will endeavour to remedy any breaches of this Privacy Policy and put procedures in place to ensure any such breaches are not repeated. If the complainant is not satisfied with the MLSA has handled a complaint, a further complaint to the Office of the Australian Privacy Commissioner is able to be made.

## HOW TO CONTACT US

If you have any queries regarding this Policy in the first instance, please contact;

- Peter Adley, MLSA President, on 0411 234 186 or at [pete@yardstick.net.au](mailto:pete@yardstick.net.au)
- Amanda Grocock, MLSA CEO, on 0488 300 922 or at [ceo@landscapesa.com.au](mailto:ceo@landscapesa.com.au)