

Protecting your Privacy

Newleaf Communities

Westpac and Becton Property jointly own Newleaf Communities (50%) and in addition, Becton, Westpac, Spotless and St George will jointly own a special purpose company – Bonnyrigg General Management Pty Ltd.

Newleaf Communities have committed to undertake the following: Commercial (Westpac), Development (Bonnyrigg Development), Tenancy Management (St George), Facilities Management (Spotless), Management & Integration of Services (Bonnyrigg Management Company) and Communication & Consultation & Community Renewal (Bonnyrigg Management Company)

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Privacy Policy

Newleaf Communities are committed to providing you with the highest levels of customer service. This includes protecting your privacy. Newleaf Communities are bound by the Commonwealth Privacy Act 1988, which sets out a number of principles concerning the protection of your personal information.

Also the content of this manual has been developed to assist and provide Newleaf Communities managers and staff with an understanding of the Privacy Amendment (Private Sector) Act 2001. The Privacy Act provides the protection of personal information held by private sector organisations. Broadly speaking, the Privacy Act regulates the collection, use and disclosure, quality and security of personal information.

This is to be used as a guide to gain a better understanding of the Privacy Act and its implications and to assist you with information to deal with day-to-day queries relating to the Privacy Act. Please note this document will be constantly subjected to change as new legislation is introduced. Updates will be forwarded accordingly.

As part of the Newleaf Communities Induction, all staff will be required to sign the Newleaf Communities Confidentiality Form to declare that they understand the principles of confidentiality and agree to abide by those principles. This completed form will be kept in a Central location with the Newleaf Communities Office Manager.

Set out below is information that Newleaf Communities are required to communicate to its customers. Newleaf Communities recommends that you keep this information for future reference.

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Background to the New Federal Privacy Law

The *Privacy Act 1988* has been amended to introduce a new Federal privacy regime, which applies to private sector organisations from 21 December 2001. Previously, privacy laws applied only to the government sector and in special areas such as tax file numbers and credit reporting. The new privacy regime applies to all organisations in Australia, unless covered by an exemption in the Act.

The Act is governed by **10 National Privacy Principals (NPP's)** and from 21st December 2001, organisations must **NOT** breach any of the 10 NPP's listed below:

1. Collection: Personal information may only be collected if necessary for an organisation's activities and may occur only -

- By lawful and fair means
- In a reasonable and un-intrusive way
- Where it is reasonable and practical to collect information directly from the individual

In addition, the individual must be informed of the following:

- The name and contact details of the organisation holding their personal information
- Access is available to personal information
- The purpose of collection
- To whom the organisation discloses information of that kind

2. Use and Disclosure: information collected may only be used or disclosed for the purpose for which it was collected or for certain other purposes including:

- Where the person has consented
- Where the secondary purpose is related to the primary purpose and the person could expect such use or disclosure
- Where use is for direct marketing (subject to limitations)
- Where circumstances relate to public interest (e.g. law enforcement or health & safety)

Business Cards

Business cards are a business tool and are therefore not considered to be personal information even if they contain personal details.

3. Data Quality: An organisation must take reasonable steps to make sure that the information it collects uses or discloses is accurate, complete and current.

NB:

- In relation to collection of personal information, NPP3 applies to that collected from 21 December 2001
- In relation to information used or disclosed, it applies to any personal information whether collected before or after 21 December 2001.

4. Data Security: Reasonable steps must be taken to:

- Protect personal information held by an organisation from unauthorised access, modification or disclosure
- Destroy or permanently de-identify personal information when it is no longer needed
- Ensure that, when taking documents containing personal information such as resumes home to review, they are kept confidential, as they are deemed personal information and may be of a sensitive nature. If reading documents containing personal information in public areas (e.g. tram, train etc), ensure information is not exposed to those around you.

5. Openness: An organisation must have a policy outlining its information handling practices and must make this policy available to interested parties.

In addition, an organisation must know:

- What sort of information it holds
- For what purpose the information is being held
- How it collects, holds, uses and discloses information

6. Access and Correction: An organisation must:

- If requested, give an individual access to personal information it may hold about the individual
- If requested, amend the information it holds about an individual (or give reasons for its refusal to do so)

NB: NPP6 applies only to personal information collected on and post 21 December 2001 except where the organisation updates, reactivates, uses or discloses information gathered pre 21 December 2001.

7. Identifiers: An organisation must not adopt, use or disclose an identifier that has been assigned to an individual by a Commonwealth Government Agency – i.e. driver's licence number, Medicare number, tax file number.

8. Anonymity: Wherever it is lawful and practicable, individuals must be given the option of not identifying themselves when entering transactions with an organisation.

9. Trans-border Data Flows: An organisation may only transfer personal information to a recipient in a foreign country in limited circumstances:

- The individual must consent in writing
- The organisation must satisfy itself that the information will have similar protection to that which it has within Australia

10. Sensitive Information: An organisation must not collect sensitive information unless:

- The individual has consented
- It is required by law
- There are special circumstances (relating to non profit organisations)

Sensitive information includes specific information relating to, race, political opinion, religion, disability, sexual preference etc.

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Newleaf Communities' Policy on Privacy

Newleaf Communities is bound by and committed to the National Privacy Principles incorporated in the Privacy Amendment (Private Sector) Act 2000 (the Act). The Act regulates the way organisation must collect, use, keep, secure and disclose personal and sensitive information. This policy and associated guidelines is available to any individual who requests access to it.

To this end, **Newleaf Communities** will:

- Collect personal information in a manner that is fair, lawful and not intrusive in accordance with its Collection Statement;

- Only use or disclose the information for the purpose it was collected (unless the person has consented), or for a related secondary purpose, or in circumstances related to public interest such as law enforcement, public or individual health and safety;

- Take reasonable steps to ensure that the personal information collected, used or disclosed is accurate, complete and up-to-date;

- Take reasonable steps to protect the personal information held from misuse and loss and from unauthorised access, modification or disclosure;

- Provide an individual access to personal information it holds about an individual upon request;

- Not adopt, use or disclose, an identifier that has been assigned by a Commonwealth government 'agency';

- Provide individuals with the option to interact anonymously whenever it is lawful and practicable to do so;

- Only transfer personal information to a recipient in a foreign country where that information will have appropriate protection and consent by the individual;

- Not collect sensitive information without prior consent, unless it is required by law or in other special specified circumstances;

Newleaf Communities Privacy Statement

1. Types of Personal Information held:

Personal information that is collected by Newleaf Communities includes information in relation to prospective employees, private owners, tenants, contractors, clients and other stakeholders.

Employment Information:

Employment information may include information submitted by the candidate and other sources in connection with applications for work, information relating to the personal background of workplace participants, including home address, sex, date of birth, nationality, police checks, psychometric testing, medical reports, languages spoken, employment history, educational qualifications, candidates application forms and details of contact people in the event of any emergencies.

2. Purpose for which Personal Information is held:

- Client and business relationship management.
- Facilities management
- Tenancy management
- Maintenance of share registry
- Investors contact information – potential investors and others interested in the Company can register to receive information.
- Business contact information – contact details are collected and stored for business purposes only.
- Marketing contact list – Newleaf Communities may develop or acquire a marketing contact list, via competitions or promotions where people are invited to provide personal details.
- Maintenance of contractor records

3. Collection Statement:

Newleaf Communities will comply with the National Privacy Principles in respect to personal information including notifying people that the Company has collected information, the purpose of the collection and how the individual can contact the company. Newleaf Communities may disclose personal information throughout the organisation for the purposes for which it is primarily held or for a related secondary purpose. The consent will be taken from all tenants with a signed statement for the purpose of sharing information amongst Newleaf Communities consortium partners. The company may disclose personal information where there is a legal duty to do so, including circumstances where there is a lawful duty to disclose information with external stakeholders, interests and parties other than consortium partners.

4. Storage / Security of Information:

Newleaf Communities will take all reasonable steps to protect the security of the personal information that it holds. This includes appropriate measures to protect electronic materials and materials stored and generated in hard copy. Newleaf Communities will endeavour to maintain a secure system for storing personal information.

Technological and operational policies and procedures are in place to protect personal information from misuse and loss and from unauthorised modification or disclosure. Newleaf Communities will dispose of personal information where it is no longer necessary to fulfil the purposes for which the information was collected or as required by law.

5. Stakeholders:

Newleaf Communities retain personal information of its stakeholders to facilitate the management of stakeholder requirements. This information may include details such as name, address, phone number, tax file number and banking details.

This information may be supplied by the company to its registry service provider, Computer share Investor Services Pty Ltd, related companies, contractors, agents and suppliers to assist in servicing shareholder requirements. The information will be maintained with the utmost security and the company will ensure that the information is not used for any purpose other than which it is collected, unless the law requires otherwise, or other exceptional circumstances prevail as described under the Act.

Disclosure of personal information to a stockbroker, accountant or some other agent will only be made once written authorisation is received from the stakeholder that the party contacting Newleaf Communities is acting on the stakeholders' behalf. Stakeholders will be able to access their personal information upon request. However this information shall be forwarded to the stakeholders registered address.

Newleaf Communities will protect the personal information collected and that information will be managed confidentially and securely and will be retained in accordance with the Act.

6. Internet Privacy Policy:

Newleaf Communities does not retain any personal information on visitors to the Newleaf Communities public web sites other than that submitted in the course of applications for employment.

7. Access to Personal Information / Inquiries and Complaints:

Newleaf Communities provide access to the personal information that it holds. Access is provided in accordance with the Privacy Act.

1. In many cases inquiries will be dealt with on the telephone. If the inquiry is more involved, the company will aim to provide you with access to the information within 15 working days. Inquiries requiring additional searching may take longer.
2. Information to be inspected in person will normally be provided at a location as convenient as possible. For inspections of information, photo identification such as a driver's licence, will be required for security purposes.
3. Newleaf Communities will consider any recommendation by a person to change or amend their personal information and will advise the individual of the action taken.

Complaints may be made to the Bonnyrigg Management General Manager during office hours.

Updates to this Policy/Statement:

This Policy and Statement will be reviewed from time to time to reflect new laws and technology, changes to our operations and practices and the changing business environment.

Newleaf Communities Privacy Guidelines

Definitions

Your 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. Personal information held by Newleaf Communities may include your name, date of birth, current and previous addresses, telephone/mobile phone number, email address, bank account or credit card details, occupation and driver's licence number. Newleaf Communities also hold certain details about your personal interests. Whether a person's identity is reasonably ascertainable will depend on the context and who holds the information.

Newleaf Communities need to provide your personal information between their teams of Bonnyrigg Management, Spotless Facility Management Services and St. George Community Housing Services to provide effective service delivery. If you do not want to share your information between our teams, Newleaf Communities rely on you to inform us not to provide your personal information to Newleaf Communities teams.

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

How we collect personal information

Newleaf Communities collect personal information in a number of ways, including:

- directly from you, when you provide information by phone or in application forms, or when you submit your personal details through BP web sites;
- from third parties such as BP's related companies, credit reporting agencies or your representatives;
- from publicly available sources of information;
- from the other teams of BP identified below under 'When BP discloses your personal information';
- from Newleaf Communities own records; or
- When legally required to do so

How we use your personal information

Your personal information may be used to:

- verify your identity;
- assist you to subscribe to BP services;
- provide the services you require;
- administer and manage those services, including charging, billing and collecting debts;
- inform you of ways the services provided to you could be improved;
- conduct appropriate checks;
- research and develop BP's services;
- gain an understanding of your information and communication needs in order for Newleaf Communities to provide you with a better services; and
- Maintain and develop BP's business systems and infrastructure, including testing and upgrading of these systems.

Also, your personal information is collected so that Newleaf Communities can promote and market its services to you (including by way of direct mail, telemarketing, SMS and MMS messages). Newleaf Communities does this to keep you informed of its services. If you do not wish BP to promote and market its services to you, please call 1300 137 265.

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.

In relation to survey, marketing and promotional material sent via email or post, BP will send such material only if you elect to receive it (i.e. opt-in) or if it is provided in response to your request. You can indicate your opt-in preference by phone or email to us.

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When we disclose your personal information

In order to deliver the services you require, Newleaf Communities may disclose your personal information to other teams of Newleaf Communities. A written consent will be taken from all the tenants including tenants for this purpose. Your personal information is disclosed to Newleaf Communities teams only in relation to Newleaf Communities providing its services to you. These teams of BP (Becton, Westpac, BM, Spotless and St. George) carry out following services deliveries:

- Development
- Mobilisation
- Management and Integration
- Facilities Management
- Temporary Housing
- Tenancy Management
- Communication and Consultation
- Community Renewal.

Newleaf Communities take reasonable steps to ensure that these organisations are bound by confidentiality and privacy obligations in relation to the protection of your personal information.

In addition, Newleaf Communities may disclose your personal information to:

- your authorised representatives or your legal advisers (e.g. when requested by you to do so);
- Government and regulatory authorities and other organisations, as required or authorised by law;

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.
- Newleaf Communities also understands that this exemption does not apply to contractors, subcontractors or prospective employees

Help us to ensure we hold accurate information

Newleaf Communities take all reasonable precautions to ensure that the personal information it collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of that information depends to a large extent on the information you provide. That's why Newleaf Communities recommend that you:

- Let Newleaf Communities know if there are any errors in your personal information; and
- Keep Newleaf Communities up-to-date with changes to your personal information such as your name, address or contact details.

General guidelines about information handling practices at Newleaf Communities:

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:

- Personal information must only be used or disclosed for the primary purpose for which it was collected. If it is to be used for any other purpose (eg. providing candidate information or client details to another company or entity). 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, unauthorised access, modification and disclosure. Therefore:
 - All personal information must be kept in a secure environment, eg 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 (eg by shredding). This also includes the deletion of information from hard drives.
 - Screen saver passwords should be utilised on computers where personal information is stored.

An individual may request access to their personal information, however the **Company may refuse this request if:**

- The disclosure poses 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
- Information is subject to legal proceedings
- The documentation is likely to prejudice a criminal investigation

Current Employees:

Under current legislation, employee records are exempt from the operation of the Privacy Act. This includes current and former employees.

It is important to note that this exemption does not cover contractors and sub-contractors nor does it apply to prospective employees.

Recent publications indicate that by December 2002 current employee records may be included in the Privacy Act.

Updates relating to the potential legislation change will be forthcoming.

You can access your personal information

You have a right to access your personal information, subject to some exceptions allowed by law. If you would like to do so, you will need to put your request in writing for, security reasons and either send it by mail to the Newleaf Communities, P.O. Box No. 151, Bonnyrigg, NSW - 2177 or by facsimile to (02) 9616 9100 or by email to info@bonnyriggpartnerships.com.au

How to contact us

If you have any questions in relation to privacy, please contact Newleaf Communities on 1300 137 265 between 9.00am and 5.00pm, Monday to Friday. Please note that this number is for general service enquiries. Alternatively, you can write to our Privacy Manager at the Newleaf Communities, P.O. Box No. 151, Bonnyrigg, NSW - 2177 or by sending an email.

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Privacy Policy Confidentiality Form

To be completed by Management, Staff, Contractors and Volunteers of Newleaf Communities

Name: _____

Address: _____

Occupation: _____

BP Employer: _____

All information gained from Newleaf Communities regarding residents, applicants and/or clients of the services provided by Newleaf Communities shall not be discussed outside Newleaf Communities. Also I have understood Privacy Act and its' Policy which has to be followed by me at all times.

All personal information should remain confidential and used solely for the purpose for which it was collected, for a directly related purpose or for a purpose for which the person has given consent.

Personal information can **only** be used without consent in order to deal with a serious and imminent risk to a person's (including clients of the service and staff) health or safety.

I have read and agree to the above principles.

Signed: _____

Date: _____

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