

Privacy Policy

Pharos HR Pty Ltd

18 March 2019

PRIVACY POLICY

1. INTRODUCTION

The Board of Pharos HR Pty Ltd (**Pharos HR**) is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information will not be used by Pharos HR in any way with which it was not intended to be used and collected data will be held securely. Any such personal information that Pharos HR collects, holds or administers will be handled in accordance with the *Privacy Act 1998* (Cth), which contains the Australian Privacy Principles (**APPs**), and other applicable state and territory laws.

1.1 Definitions

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

Sensitive information is a special category of personal information. Sensitive information means:

- (a) information or an opinion about an individual's (i) racial or ethnic origin, (ii) political opinions, (iii) membership of a political association, (iv) religious beliefs or affiliations, (v) philosophical beliefs, (vi) membership of a professional or trade association, (vii) membership of a trade union, (viii) sexual orientation or practices, (ix) criminal record, that is also personal information;
- (b) health information about an individual;
- (c) genetic information about an individual that is not otherwise health information; and
- (d) biometric information, including information based on personal attributes such as fingerprints, DNA, iris, facial features, hand geometry and voice, that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

2. PURPOSE

The purpose of this document is to provide a framework for Pharos HR in dealing with privacy considerations.

3. POLICY

Pharos HR collects and administers a range of personal information for the purposes of account management, organisation management and human resource management. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

Pharos HR recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and also reflected in our Privacy Policy, which is compliant with the Privacy Act 1988 (Cth).

Pharos HR is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information. Pharos HR will:

- Collect only information which the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

4. AUTHORISATION

[Signature of Board Secretary]
[Date of approval by the Board]
Pharos HR Pty Ltd

PRIVACY PROCEDURES

1. Responsibilities

Pharos HR's Board is responsible for developing, adopting and reviewing this policy.

Pharos HR's CEO is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

2. Processes

2.1 Collection

Pharos HR will:

- Only collect information that is necessary for the performance and primary function of Pharos HR;
- Notify stakeholders about why we collect the information and how it is administered;
- Notify stakeholders that this information is accessible to them;
- Collect personal information from the person themselves wherever possible;
- If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected;
- Collect Sensitive information only with the person's consent. (Sensitive information includes health information and information about religious beliefs, race, gender and others); and
- Determine, where unsolicited information is received, whether the personal information could have collected it in the usual way, and then if it could have, it will be treated normally. (If it could not have been, it must be destroyed, and the person whose personal information has been destroyed will be notified about the receipt and destruction of their personal information).

2.2 Use and Disclosure

Pharos HR will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose;
- For other uses, Pharos HR will obtain consent from the affected person;
- In relation to a secondary purpose, use or disclose the personal information only where:
 - A secondary purpose is related to the primary purpose and the individual would reasonably have expected us to use it for purposes;
 - or
 - The person has consented; or

- Certain other legal reasons exist, or disclosure is required to prevent serious and imminent threat to life, health or safety.
- In relation to personal information which has been collected from a person, use the personal information for direct marketing, where that person would reasonably expect it to be used for this purpose, and Pharos HR has provided an opt out and the opt out has not been taken up;
- In relation to personal information which has been collected other than from the person themselves, only use the personal information for direct marketing if the person whose personal information has been collected has consented (and they have not taken up the opt-out);
- State in Pharos HR's privacy policy whether the information is sent overseas and further will ensure that any overseas providers of services are as compliant with privacy as Pharos HR is required to be;
- Provide all individuals access to personal information except where it is a threat to life or health or it is authorized by law to refuse and, if a person is able to establish that the personal information is not accurate, then Pharos HR must take steps to correct it. Pharos HR may allow a person to attach a statement to their information if Pharos HR disagrees it is inaccurate;
- Where for a legal or other reason we are not required to provide a person with access to the information, consider whether a mutually agreed intermediary would allow sufficient access to meet the needs of both parties; and
- Make no charge for making a request for personal information, correcting the information or associating a statement regarding accuracy with the personal information.

2.3 Storage

Pharos HR will:

- Implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorized access, interference, unauthorized modification or disclosure;
- Before Pharos HR discloses any personal information to an overseas recipient including a provider of IT services such as servers or cloud services, establish that they are privacy compliant. Pharos HR will have systems which provide sufficient security; and
- Ensure that Pharos HR's data is up to date, accurate and complete.

2.4 Destruction and de-identification

Pharos HR will:

- Destroy personal information once is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones; and
- Change information to a pseudonym or treat it anonymously if required by the person whose information Pharos HR holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

2.5 Data Quality

Pharos HR will:

- Take reasonable steps to ensure the information Pharos HR collects is accurate, complete, up to date, and relevant to the functions we perform.

2.6 Data Security and Retention

Pharos HR will:

- Only destroy records in accordance with the organisation's Records Management Policy.

2.7 Openness

Pharos HR will:

- Ensure stakeholders are aware of Pharos HR's Privacy Policy and its purposes; and
- Make this information freely available in relevant publications and on the organisation's website.

2.8 Access and Correction

Pharos HR will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.

2.9 Anonymity

Pharos HR will:

- Allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

2.10 Making information available to other organisations

Pharos HR can:

- Release information to third parties where it is requested by the person concerned.

3. Authorisation

[Signature of CEO]

[Name of CEO]

[Date]

PRIVACY POLICY – FOR EXTERNAL USE/PRIVACY ACT COMPLIANCE

1. Your privacy is important

This statement outlines Pharos HR's policy on how Pharos HR uses and manages personal information provided to or collected by it.

Pharos HR is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act and is compliant with the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Pharos HR may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Pharos HR's operations and practices and to make sure it remains appropriate to the changing legal environment.

2. What kind of personal information does Pharos HR collect and how does Pharos HR collect it?

The type of information Pharos HR collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- Individuals' health records;
- Individuals' finances; and
- Individuals' contact details.

3. Personal Information you provide:

Pharos HR will generally collect personal information held about an individual by way of phone calls, forms, meetings etc. You do have the right to seek to deal with us anonymously or using a pseudonym, but in almost every circumstance it will not be practicable for us to deal with you or provide any services to you except for the most general responses to general enquiries, unless you identify yourself.

4. Data Ownership and Personal Information provided by other people:

In some circumstances Pharos HR may be provided with personal information about an individual from a third party.

Pharos HR is the controller of your Personal Data as described in this Privacy Statement, unless expressly specified otherwise.

For the avoidance of doubt, this Privacy Statement does not apply to the extent Pharos HR process Personal Data in the role of a processor on behalf of our customers, including where we offer to our customers various cloud products and services through which our customers (and/or their affiliates): (i) create their own forms and file uploads running on our platforms; (ii) sell or offer their own products and services; (iii) send electronic communications to other individuals; or (iv) otherwise collect, use, share or process Personal Data via our cloud products and services.

For detailed privacy information related to where a Pharos HR customer and/or a customer affiliate who uses the Pharos HR cloud products and services is the controller, please contact the respective customer directly. Pharos HR is not responsible for the privacy or data security practices of our customers, which may differ from those set forth in this Privacy Statement. For more information, please also see section below.

Pharos HR may process Personal Data submitted by or for a Customer to our cloud products and services. To this end, if not stated otherwise in this Privacy Statement or in a separate disclosure, we process such Personal Data in the role of a processor on behalf of a Customer (and/or its affiliates) who is the responsible controller of the Personal Data concerned. Pharos HR is not responsible for and have no control over the privacy and data security practices of our customers, which may differ from those set forth in this Privacy Statement. If your data has been submitted to Pharos HR by or on behalf a Pharos HR customer and you wish to exercise any rights you may have under applicable data protection laws, please inquire with the applicable customer directly. Because we may only access a customer's data upon instruction from that customer, if you wish to make your request directly to us at support@pharoshr.com. Please provide to us the name of the customer who submitted your data to us. We will refer your request to that customer, and will support them as needed in responding to your request within a reasonable timeframe.

5. In relation to employee records:

Under the Privacy Act the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to Pharos HR's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Pharos HR and employee. However, Pharos HR must provide access and ensure compliance with the Health Privacy Principles under the Victorian Health Records Act 2001.

6. Job applicants, staff members and contractors:

In relation to personal information of job applicants, staff members and contractors, Pharos HR's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which Pharos HR uses personal information of job applicants, staff members and contractors include:

- For insurance purposes;
- For recruitment and screening purposes;
- For HR and people management purposes; and
- To satisfy Pharos HR's legal obligations.

Where Pharos HR receives unsolicited job applications these will usually be dealt with in accordance with the unsolicited personal information requirements of the Privacy Act.

7. Purposes for Use of Data:

Pharos HR collects and process your Personal Data for the purposes and on the legal bases identified in the following:

Providing our websites and services: Pharos HR processes your Personal Data to perform our contract with you for the use of our websites and services and to fulfil our obligations under applicable terms of use/service; where we have not entered into a contract

with you, we base the processing of your Personal Data on our legitimate interest to operate and administer our websites and to provide you with the content you access and request;

Promoting the security of our websites and services: Pharos HR processes your Personal Data by tracking use of our websites and services, creating aggregated, non-personal data, verifying accounts and activity, investigating suspicious activity and enforcing our terms and policies, to the extent this is necessary for our legitimate interest in promoting the safety and security of the services, systems and applications and in protecting our rights and the rights of others;

Providing necessary functionality: Pharos HR processes your Personal Data to perform our contract with you for the use of our websites and services; where we have not entered into a contract with you, we base the processing of your Personal Data on our legitimate interest to provide you with the necessary functionality required during your use of our websites and services;

Managing user registrations: If you have registered for an account with Pharos HR, we process your Personal Data by managing your user account for the purpose of performing our contract with you according to applicable terms of service;

Handling contact and user support requests: If you request user support Pharos HR processes your Personal Data to perform our contract with you and to the extent it is necessary for our legitimate interest in fulfilling your requests and communicating with you;

Managing event registrations: Pharos HR processes your Personal Data to plan and host events or webinars for which you have registered or that you attend, including sending related communications to you, to perform of our contract with you;

Managing payments: If you have provided financial information to us, Pharos HR processes your Personal Data to verify that information and to collect payments to the extent that doing so is necessary to complete the transaction and perform our contract with you;

Developing and improving our websites and services: Pharos HR processes your Personal Data to analyse trends and to track your usage of and interactions with our websites and services to the extent it is necessary for our legitimate interest in developing and improving our websites and services and providing our users with more relevant content and service offerings, or where we seek your valid consent;

Assessing and improving user experience: Pharos HR processes device and usage data as described in section 4.1 above, which in some cases may be associated with your Personal Data, in order to analyze trends in order to assess and improve the overall user experience to the extent it is necessary for our legitimate interest in developing and improving the service offering, or where we seek your valid consent;

Reviewing compliance with applicable usage terms: Pharos HR processes your Personal Data to review compliance with the applicable usage terms in our customer's

contract to the extent that it is in our legitimate interest to ensure adherence to the relevant terms;

Assessing capacity requirements: Pharos HR processes your Personal Data to assess the capacity requirements of our services to the extent that it is in our legitimate interest to ensure that we are meeting the necessary capacity requirements of our service offering;

Identifying customer opportunities: Pharos HR processes your Personal Data to assess new potential customer opportunities to the extent that it is in our legitimate interest to ensure that we are meeting the demands of our customers and their users' experiences;

Displaying personalized advertisements and content: Pharos HR processes your Personal Data to conduct marketing research, advertise to you, provide personalized information about us on and off our websites and to provide other personalized content based upon your activities and interests to the extent it is necessary for our legitimate interest in advertising our websites or, where necessary, to the extent you have provided your prior consent.

Sending marketing communications: Pharos HR will process your Personal Data to send you marketing information, product recommendations and other non-transactional communications about us and our affiliates and partners, including information about our products, promotions or events as necessary for our legitimate interest in conducting direct marketing or to the extent you have provided your prior consent; and

Complying with legal obligations: Pharos HR processes your Personal Data when cooperating with public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws to the extent this requires the processing or disclosure of Personal Data to protect our rights or is necessary for our legitimate interest in protecting against misuse or abuse of our websites, protecting personal property or safety, pursuing remedies available to us and limiting our damages, complying with judicial proceedings, court orders or legal processes or to respond to lawful requests.

8. Who might Pharos HR disclose personal information to?

Pharos HR may disclose personal information, including sensitive information, held about an individual to:

- Government departments and authorities as required;
- People providing services to Pharos HR; and
- Anyone you authorise Pharos HR to disclose information to.

9. Sending information overseas:

Pharos HR will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent will be implied); or
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

We do not use overseas providers of IT services including servers and cloud services.

10. How does Pharos HR treat sensitive information?

In referring to 'sensitive information', Pharos HR means:

“information relating to a person’s racial ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual”.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

11. Management and security of personal information

Pharos HR's staff are required to respect the confidentiality of personal information and the privacy of individuals.

Pharos HR has in place steps to protect the personal information Pharos HR holds from misuse, loss, unauthorised access, modification, interference or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.

When you use our website, having your cookies enabled will allow us to maintain the continuity of your browsing session and remember your details when you return. We may also use web beacons, Flash local stored objects and JavaScript. If you adjust your browser settings to block, reject or delete these functions, the webpage may not function in an optimal manner. We may also collect information about your IP address, although this may not identify you.

12. Cookies

Pharos HR uses cookies and similar technologies such as web beacons, tags and JavaScript, alone or in conjunction with cookies, to compile information about the usage of our websites and interaction with emails from Pharos HR.

When you visit our websites, Pharos HR or an authorized third party may place a cookie on your browser and/or device, which collects information, including Personal Data, about your online activities over time and across different sites. Cookies allow us to track usage, determine your browsing preferences and improve and customise your browsing experience.

Pharos HR uses both session-based and persistent cookies on our websites. Session-based cookies exist only during one session and disappear from your computer when you close your browser or turn off your computer. Persistent cookies remain on your computer or device after you close your browser or turn off your computer. Links are provided below to understand cookie settings and change preferences. You can control the use of cookies at the individual browser level, but choosing to disable cookies may limit your use of certain features or functions on our websites and services.

Pharos HR also uses web beacons on our websites and in email communications. For example, Pharos HR may place web beacons in marketing emails that notify when you click on a link in the email that directs you to one of our websites. Such technologies are used to operate and improve our websites and email communications. For instructions on how to unsubscribe from our marketing emails, please see below.

The following describes how Pharos HR uses different categories of cookies and similar technologies and your options for managing the data collection settings of these technologies:

Required Cookies

Required cookies are necessary for basic website functionality. Some examples include: session cookies needed to transmit the website, authentication cookies, and security cookies.

If you have chosen to identify yourself to us, we may place on your browser a cookie that allows us to uniquely identify you when you are logged into the websites and to process your online transactions and requests.

Because required cookies are essential to operate the websites, there is no option to opt out of these cookies.

Functional Cookies

Functional cookies enhance functions, performance, and services on the website. Some examples include: cookies used to analyse site traffic, cookies used for market research, and cookies used to display advertising that is not directed to a particular individual.

Functional cookies may also be used to improve how our websites function and to help us provide you with more relevant communications, including marketing communications. These cookies collect information about how our websites are used, including which pages are viewed most often.

Pharos HR may use our own technology or third-party technology to track and analyze usage information to provide enhanced interactions and more relevant communications, and to track the performance of our advertisements.

For example, Pharos HR uses Google Analytics ("Google Analytics"), a web analytics service provided by Google, Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. You can learn about Google's privacy practices by going to www.google.com/policies/privacy/partners/

Google Analytics uses cookies to help Pharos HR analyse how our websites are used, including the number of visitors, the websites from which visitors have navigated to our websites, and the pages on our websites to which visitors navigate. This information is used by us to improve our websites.

Pharos HR also utilizes Full Story to help analyse how our websites are used and to resolve system bugs. The privacy policy for Full Story is available here: <https://www.fullstory.com/legal/privacy/>

Pharos HR may also utilize HTML5 local storage or Flash cookies for the above-mentioned purposes. These technologies differ from browser cookies in the amount and type of data they store, and how they store it.

You can choose to opt out of functional cookies. To change your cookie settings and preferences, including those for functional cookies, adjust the settings on your Internet Browser.

To opt out from data collection by Google Analytics, you can download and install a browser add-on, which is available at <https://tools.google.com/dlpage/gaoptout?hl=en>.

To opt out from Full Story, you can disable it at this link: <https://www.fullstory.com/optout>

To learn how to control functional cookies via your individual browser settings, go to <http://www.aboutcookies.org/>.

To learn how to manage privacy and storage settings for Flash cookies, go to https://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118.

13. Updating personal information

Pharos HR endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by Pharos HR by contacting the Privacy Officer of Pharos HR at any time.

The Australian Privacy Principles and the Health Privacy Principles require Pharos HR not to store personal information longer than necessary. In particular, the Health Privacy Principles impose certain obligations about the length of time health records must be stored.

You have the right to check what personal information Pharos HR holds about you.

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which Pharos HR holds about them and to advise Pharos HR of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. To make a request to access any information Pharos HR holds about you, please contact the Privacy Officer in writing.

Pharos HR may require you to verify your identity and specify what information you require. Although no fee will be charged for accessing your personal information or making a correction, Pharos HR may charge a fee to retrieve and copy any material. Pharos HR If the information sought is extensive, Pharos HR will advise the likely cost in advance.

14. How long will Pharos HR keep my information?

Under our destruction and de-identification policies, your personal information that is no longer required will be de-identified or destroyed. In many circumstances, however it will be kept for marketing purposes, as you will have consented to that in signing up to Pharos HR.

15. Enquiries and privacy complaints

If you would like further information about the way Pharos HR manages the personal information it holds, please email support@pharoshhr.com. If you have any concerns, complaints or you think there has been a breach of privacy, then also please email support@pharoshhr.com. If we then have not dealt satisfactorily with your concerns we will meet with you to discuss further. If you are not satisfied with our response to your complaint within 30 days from this meeting then you can refer your complaint to the Office of the Australian Information Commissioner via:

- email: enquiries@oaic.gov.au
- tel: 1300 363 992
- fax: +61 2 9284 9666