

1 Introduction

- 1.1 In this Policy, 'MSS' refers to Maintenance Systems Solutions Pty Ltd (ACN 109 526 463).
- 1.2 Maintenance Systems Solutions (MSS) is committed to protecting the privacy and security of all personal information provided to MSS by individuals other than personal information in our employee records used for a purpose directly related to our employment relationship with that employee. This Privacy Policy details how we collect, use, disclose and manage this personal information.
- 1.3 MSS is committed to complying with the Privacy Act 1988 and the 13 Australian Privacy Principles (APP) in Schedule 1 of that Act in relation to all personal information it collects. This commitment is demonstrated in this Policy. Except as outlined below, personal information held by MSS will be treated in accordance with the Australian Privacy Principles, subject to any exemptions which may apply under the Privacy Act.
- 1.4 In the course of MSS's business, there may be circumstances where MSS collects personal information and the MSS Privacy Policy has been developed to ensure that such information is handled appropriately.
- 1.5 This Policy applies to any individuals in respect of whom MSS currently holds, or may in the future collect, personal information.
- 1.6 This Policy sets out the broad controls which MSS has adopted to govern the way it uses personal information, the circumstances in which it might disclose personal information to third parties, how persons can access their personal information held by MSS and what they can do if they are unhappy with MSS's treatment of their personal information.

2 What information does the MSS Privacy Policy Apply to?

- 2.1 This Policy applies to personal information. 'Personal information' is information or an opinion, whether true or not, regarding an identified individual or an individual who is reasonably identifiable.
- 2.2 In this Policy there are also references to 'sensitive information'. 'Sensitive information' is information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information, genetic information, biometric information or biometric templates. Sensitive information is a subset of personal information.

3 What types of personal information do MSS collect?

- 3.1 MSS collects personal information in a variety of ways in the course of conducting its businesses, including:
 - You complete a job application for employment with MSS and provide information in connection to your application.
 - We receive reference information about you.
 - We receive the results of any background, medical or competency tests.
 - We receive additional information through our induction and onboarding process.
 - We receive any complaint from you or our customer about you.
 - We receive any other information about any insurance investigation, litigation, registration or professional disciplinary matter, criminal matter, inquest or inquiry in which you were involved.
 - We receive any information about a workplace incident in which you were involved.
 - Providing goods and services to customers.
 - Responding to questions regarding our services, products and our business.
 - Receiving requests via our websites.
 - Participating in seminars, trade shows, conferences and competitions.
 - Security video surveillance at some MSS sites for the sole purpose of protecting MSS's lawful interests.

- 3.2 Where reasonable and practicable, MSS will collect personal information directly from the individual and inform them that this is being done.
- 3.3 However in some circumstances, it is necessary for MSS to collect personal information through third party service providers or agents (eg. customer information received from conference listings) or from a source of publicly available information (eg. a telephone book).
- 3.4 At or soon after the time when MSS collects personal information, MSS will take reasonable steps to ensure that the individual is aware MSS has undertaken the collection, the purpose(s) of the collection, the types of organisation (if any) to which the information may be disclosed and any law that required the particular information to be collected.

4 Collection of sensitive information

- 4.1 MSS will not collect sensitive information without the consent of the individual to whom it relates unless the collection is required by law, is necessary to prevent or lessen a serious and imminent threat to the individual's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential).

5 How does MSS use personal information?

- 5.1 The use to which MSS can put personal information depends on the reason for which it was collected.
- 5.2 MSS may use personal information for its primary purpose of collection (eg. the delivery of goods or services to the individual) or for any related secondary purpose that we could reasonably be expected to use the personal information for. Examples may include:
 - Your possible or actual work placement with MSS.
 - Career guidance or management.
 - Your performance appraisals.
 - Our assessment of your ongoing performance and prospects.
 - Any test or assessment (including medical tests and assessments) that you might be required to undergo.
 - Our identification of your training needs.
 - Informing you of possible work opportunities, relevant candidates, or other events such as training or information sessions by direct mail/email/SMS.
 - Any workplace rehabilitation.
 - Our management and resolution of any complaint, inquiry or investigation in which you are involved.
 - Any insurance claim or proposal that requires disclosure of your personal or sensitive information.
 - Undertaking criminal reference checks.
 - Compliance to our company values and standards for servicing our customers.
 - For research, development, business systems and other business purposes to assist us in providing our services to you.

6 Disclosure of personal information

- 6.1 MSS respects the privacy of personal information and we will take reasonable steps to keep it strictly confidential and secure.
- 6.2 MSS will disclose personal information to third parties if it is necessary for the primary purpose of collecting the information, or for a related secondary purpose, if the disclosure could be reasonably expected (eg. disclosure to a delivery contractor for the purpose of delivering goods or services ordered from MSS). Where such a disclosure is necessary, MSS will seek an undertaking that the third party will treat the personal information in accordance with the Australian Privacy Principles.
- 6.3 Otherwise, MSS will only disclose personal information to third parties without the consent of the individual to whom it relates if the disclosure is:
 - a) necessary to protect or enforce MSS's legal rights or interests or to defend any claims;

- b) necessary to prevent or lessen a serious threat to a person's health or safety; or
- c) required or authorised by law.

6.4 Disclosure outside Australia

MSS will not transfer personal information overseas to a third party unless:

- a) MSS has the consent of the individual to whom the information relates to do so;
- b) the receiving party provides commitments to privacy and confidentiality which are at least equal to the Australian Privacy Principles; or
- c) the receiving party is bound by privacy protection laws in their own country that offer at least the same level of protection as required under the Privacy Act in Australia.

6.5 If we are likely to share your information with an overseas entity we will take reasonable steps to ensure you are aware of the countries where those entities are when we collect your personal information.

6.6 MSS may disclose your personal information to regulatory or law enforcement authorities; MSS's advisors; suppliers of IT services; third parties engaged by MSS to provide services to you for the purpose of, providing services requested by you; to protect any intellectual property rights in any materials displayed on or otherwise available from the MSS website.

6.7 MSS may also disclose the personal information you provide to us via the MSS careers and contact website to MSS HR practitioners, MSS Hiring Managers and to MSS's Recruitment Advisors for the purpose of conducting business or considering you for career opportunities with MSS.

7 Information Security

7.1 MSS will take reasonable security measures to ensure that all personal information held by MSS is secure from any unauthorised access or disclosure. However, MSS does not guarantee that personal information cannot be accessed by an unauthorised person (eg. a hacker) or that unauthorised disclosures will not occur.

7.2 MSS hold personal information in a combination of secure computer storage facilities and paper-based files and other records, and take such steps as are reasonable in the circumstances to protect the personal information we hold from misuse, interference, loss, unauthorised access, modification or disclosure.

7.3 MSS will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which MSS is authorised to use it.

7.4 We train our staff in the importance of privacy and maintaining the confidentiality of individuals information.

7.5 When you are visiting the MSS website, please note that other websites may be accessible via hyperlinks from the MSS website. These other websites are not subject to the MSS Privacy Policy. Please review the privacy policy of each individual website you access via hyperlinks from the MSS website, and assess whether the policy of each website is satisfactory to you before you use the other websites.

8 Accessing personal information

8.1 An individual may request to access personal information about them held by MSS. Such a request must be made in writing to 'General Enquiries' on the Contact form on the MSS website.

8.2 MSS will acknowledge receipt of requests for information within 10 working days and aim to provide the personal information requested within 30 working days. This may not be possible in all circumstances depending on the contents of the request.

8.3 MSS may charge a reasonable fee for reasonable costs incurred in responding to an access request. The fee (if any) will be disclosed prior to it being levied.

8.4 A request to access personal information will be rejected if:

- a) the request is frivolous or vexatious;
- b) providing access would have an unreasonable impact on the privacy of another person;

- c) providing access would pose a serious and imminent threat to the life or health of any person;
- d) providing access would prejudice MSS's legal rights; or
- e) there are other legal grounds to deny the request.

8.5 If we reject a request for personal information we will provide a written explanation of why we have done so.

9 Correcting Personal Information

- 9.1 MSS will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if an individual believes that any personal information that we hold about them is inaccurate or out of date, then they should contact MSS in writing using the details below.
- 9.2 MSS will acknowledge receipt of requests for correction of personal information within 10 working days and aim to correct the information within 30 working days. This may not be possible in all circumstances depending on the contents of the request.
- 9.3 MSS may charge a reasonable fee for reasonable costs incurred in responding to a correction request. The fee (if any) will be disclosed prior to it being levied.
- 9.4 If we reject a request to correct personal information we will provide a written explanation of why we have done so.

10 Complaints

- 10.1 You can make a complaint about claimed breaches of the Australian Privacy Principles by contacting us in writing [using](#) the details at point 11 below.
- 10.2 MSS will acknowledge receipt of all complaints within 10 working days and aim to resolve all complaints within 30 working days. This may not be possible in all circumstances depending on the contents of the complaint.
- 10.3 If MSS has not responded to your complaint in a reasonable time, if you are not satisfied with our response or if you have other concerns about complaining directly to us you can complain about interferences with your privacy to the Office of the Australian Information Commissioner (OAIC). They can be contacted through their website <http://www.oaic.gov.au/> or by telephoning 1300 363 992.

11 Contacting MSS

- 11.1 If you would like to access or correct your personal information, or if you have a complaint or enquiry about our privacy practices, please contact our Privacy Officer:

Phone: 1300 856 772

Post: PO Box 69, Devonport TAS 7310

Email: privacy@mss.com.au