



## PRIVACY POLICY

Swick is committed to ensuring that the Personal Information it holds about individuals is handled appropriately and lawfully. Swick believes that privacy is an important individual right and is important to our business and businesses of our clients.

### Definitions

Personal Information means information which identifies an individual or from which an individual's identity can be reasonably ascertained and includes Sensitive Information. Names, addresses and home telephone numbers are examples of Personal Information.

Sensitive Information includes information or an opinion about an individual's racial or ethnic origin, political opinions, philosophical or religious beliefs or affiliations, membership of a political, trade or professional association or trade union, sexual preferences or practices, criminal record or Health Information.

Health Information means information or an opinion about individual's physical, mental or psychological health, disability, health services and donation of body parts, including genetic information. This encompasses sick leave certificates, doctors' reports and medical checks.

### Scope

Swick will comply with this policy in handling Personal Information about its clients, customers, contractors, consultants and job applicants.

Swick will endeavour to adhere to this Policy in handling Personal Information about its employees. The degree of compliance depends on Swick's business requirements and legal or regulatory obligations. Swick will comply with this Policy in handling Health Information about employees.

Swick requires that all staff (including casual and contract staff) comply with this policy at all times in collecting and handling Personal Information in the course of their employment or engagement with Swick.

Staff must collect and handle Personal Information in accordance with this policy and take reasonable steps to protect any Personal Information in their care from misuse, loss, unauthorised access, modification and disclosure. This can include measures such as:

- storing Personal Information in locked filing cabinets;
- having a clean desk policy;
- not allowing others to use your computer passwords and locking your computer when away from your desk;
- not gossiping about personal details concerning others.

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This list is by no means exhaustive and the security measures taken should be those that are reasonable in the circumstances.

If you have any concerns about the way in which Personal Information is being handled, or believe there has been an interference with the privacy of any individual, you should contact the Human Resources Department.

### **Collection of Personal Information**

Swick will only collect personal information if it is necessary for our business purposes, including to comply with legal or regulatory obligations.

Swick will collect Personal Information by lawful and fair means and not in an unreasonably intrusive way.

When Swick collects any Personal Information, it will take reasonable steps to provide the relevant person information about:

- the identity of Swick and how to contact it;
- why Swick is collecting the Personal Information;
- the intended recipients of the information, including the types of organisations (if any) to which Swick may disclose the Personal Information (eg payroll processing services);
- their right to request access to their Personal Information;
- any law that requires the particular information to be collected; and
- the main consequences for failure to provide that information.

Where reasonable and appropriate, Swick will collect Personal Information directly from the individual. However there are certain situations in which Personal Information about an individual may be collected from someone else. In either case, Swick will take reasonable steps to notify the individual of the matters listed above.

In certain circumstances Swick may collect Sensitive Information or Health Information. Swick will only collect this information with your consent or otherwise in accordance with the law.

### **Use and Disclosure of Personal Information**

Personal Information is generally used for the primary purpose for which it was collected. This may include supplying our services or responding to an individual's request.

Where Swick needs to use or disclose Personal Information for purposes other than these purposes, Swick will obtain consent where appropriate and necessary. Exceptions to this include where:

- the use or disclosure is required to lessen or prevent serious threat to a person's health or life , or to public health and safety;
- the use or disclosure is required or authorised by the law
- the use or disclosure is reasonably necessary to assist a law enforcement agency in its law enforcement functions; or
- Swick suspects fraud or unlawful activity.

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### **Storage of Personal Information**

All reasonable steps are taken to protect the security of the Personal Information that we hold. This includes appropriate measures to protect electronic material and material stored and generated in hard copy.

### **Quality and accuracy of Personal Information**

Swick will take reasonable steps to ensure that any Personal Information that Swick uses or discloses is complete, accurate and up-to-date. If you become aware that any Personal Information Swick holds is not accurate, you must notify the Human Resources Department promptly.

### **Access to Personal Information**

You generally have a right to request access to any Personal Information held by Swick about you.

There are a number of exceptions to this principle including:

- where providing access would pose a serious and imminent threat to the life or health of any individual;
- where providing access would have an unreasonable impact upon the privacy of other individuals (this may be relevant where information about other individuals is included on a file);
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings where the information would not otherwise be discoverable;
- providing access would be unlawful;
- denying access is required by law;
- providing access would prejudice an investigation of possible unlawful activity; and
- providing access would prejudice law enforcement.

Requests for access should be forwarded to the Human Resources Department.

You may also make corrections and additions to your Personal Information to make sure that the information is accurate, up to date and complete. To do this, please contact payroll.

### **Retention and destruction of Personal Information**

Swick will only keep Personal Information on file for as long as it is necessary to fulfil business needs or legal requirements. When Swick no longer requires the Personal Information, Swick will destroy or dispose of it in a secure manner.

### **Complaints procedure**

If an individual complains about their Personal Information being inappropriately handled, then that complaint should be immediately referred to the Human Resources Department.

Complaints will be handled impartially and as promptly as possible in the circumstances. Only those people who are involved in the investigation of the complaint will have access to Personal Information in relation to the complaint.

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Individuals found to have breached this policy will be subject to appropriate disciplinary action, which may include termination of employment or engagement with Swick.

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