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PRIVACY POLICY

Executive responsible: Wayne L Belcher
Approved by: Wayne L Belcher
Date approved: January 2019

1 Privacy Commitment and Scope of Policy

Wayne L Belcher is committed to ensuring that your information is managed in accordance with the *Privacy Act 1988 (Cth) (Act)* and the requirement of the Australian Privacy Principles.

This Policy sets out Wayne L Belcher's rights and responsibilities in relation to the collection, use, storage and disclosure of personal and sensitive information.

2 What Personal Information does Wayne L Belcher Collect?

We routinely collect necessary personal and sensitive information as required to perform our core business functions.

On inquiry of, and making contact with Wayne L Belcher, and in agreement with the person making contact, some personal information may be collected.

2.1 Personal and sensitive information (**Information**) collected and held by us may include, and may not be limited to:

Clients and Prospective Clients

- Contact details (including name, address, telephone number and email address);
- Personal details (including date of birth, gender, religious affiliations, Medicare and health fund details);
- Health information and history; and
- Credit card and bank account details.

3 How does Wayne L Belcher Collect Information?

- a) Information may be collected by us through various means, including in face to face meetings, by telephone, forms and questionnaires.
- b) Where possible, Wayne L Belcher collects Information directly from the individual concerned or their legal representative.
- c) We may also collect information from the client's referral source.

4 How does Wayne L Belcher Use the Information it collects?

- a) **Primary purpose** refers to the particular purpose for which the information in question was collected.
- b) **Secondary purpose** is any purpose other than the primary purpose for which we have collected your Information. Information will only be disclosed or used for a

secondary purpose where:

- you have consented to the use or disclosure;
 - you would reasonably expect Wayne L Belcher to use or disclose the Information for that secondary purpose;
 - the use of disclosure is required by or under an Australian law or a court/tribunal order;
 - a 'permitted general situation' exists, such as lessening or preventing a serious threat to life, health or safety, locating a missing person or to undertake a confidential alternative dispute resolution process; and
 - Wayne L Belcher reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by or behalf of an enforcement body.
- c) We use or disclose Information for the primary purpose for which it was collected, or as permitted or required by law.
- d) We will not use or disclose Information for any secondary purpose including for the purpose of direct marketing without your consent unless the Information is collected directly from you or your legal representative and:
- You would reasonably expect us to use your Information for direct marketing; and
 - You have not elected to 'opt out' from receiving any direct marketing materials from Wayne L Belcher. To opt out, please contact us at the following email address admin@wlbelcher.com.au or via the contact details set out below in section 9 of this document.
- e) Wayne L Belcher may disclose your Information to external organisations including:
- Emergency services (including ambulance and police);
 - Doctors and other health care professionals;
 - Referees if you apply for employment or volunteer work; and
 - Wayne L Belcher's professional advisers.

We may also give your address details to third parties (such as couriers, bulk mail / direct mail distributors, or Australia Post) for the purposes of mailing communications to you.

Where a party, other than Wayne L Belcher, has access to your Information, they will be required to comply with the Act and the Australian Privacy Principles and, where appropriate, to enter into privacy agreements with Wayne L Belcher.

- f) From time to time, Wayne L Belcher produces publications, promotional material and information brochures which may include photographs, video footage and sound recordings. Wherever practicable, Wayne L Belcher will obtain your consent prior to using or publishing your image or recording for marketing purposes.
- g) Other than as set out above and below in section 5, we will not disclose your Information to a third party, unless you consent to the disclosure.

5 How does Wayne L Belcher Store and Protect the Information it Holds About You?

- a) Wayne L Belcher stores Information in paper copy form as well as electronically. We take reasonable steps to protect the security of the Information it holds from misuse, interference and loss, as well as unauthorised access, modifications or disclosure.
- b) We will take all reasonable steps to destroy or de-identify Information held once it is no longer required.
- c) It is not currently standard practice for Wayne L Belcher to disclose personal information to overseas recipients. Wayne L Belcher reserves the right to do so. Indirect overseas disclosure may occur via third party data and storage providers, and hosting entities overseas. Overseas disclosure may occur in the future if Wayne L Belcher changes its current structure so that our:
 - website may be hosted overseas;
 - email and other communication systems, such as, but not limited to, Survey Monkey, Create Send, Mail Chimp, or Campaign Monitor, may be hosted overseas;
 - back up of collected Information may be on a cloud based system provided by a third party data storage provider; and
 - communications via social media may be hosted overseas.

If Information is transmitted overseas, Wayne L Belcher will not disclose Information to entities without a privacy policy meeting or exceeding the standard of stringency contained in this Privacy Policy. Where third party social media sites are used, those social media sites' terms and conditions and privacy policies will govern their use of your Information.

- d) Wayne L Belcher has a policy in place for determining whether we will retain or destroy records of personal information. We periodically review the records of the Information we hold. Where we have held such records for the length of time required under the relevant legislation and in accordance with Appendix B: Destruction of Records Schedule of our Records Management Policy over seven years or have records for a project of plan which was completed over seven years ago in our possession, we will take reasonable steps to determine whether it is appropriate for Wayne L Belcher to retain or destroy that information.

6 How can You Access Your Information?

- a) If you wish to access the Information that we hold about you, you can contact us in writing, by email or by telephone and request access to your Information. Our contact details are set out within section 9 of this Policy. Wayne L Belcher will always try to meet your request within a reasonable timeframe.
- b) In some circumstances, your request for access may be denied. These circumstances may include:
 - If we no longer hold any Information about you;
 - If your request is frivolous or vexatious;
 - If the Information requested relates to existing or anticipated legal proceedings and would not normally be disclosed as part of those proceedings;
 - If providing access would be unlawful; and
 - If denying access is required or allowed by law.
- c) Access to Information may result in administrative or reproduction fees.
- d) If we are unable to give you access to the Information you have requested, we will provide you with written reasons for this decision when we respond to your request.

7 Correcting Your Personal Information

It is important that the Information Wayne L Belcher holds about you is accurate and up-to-date. You are expected to provide us with any changes to your Information (including change of address, name, telephone number or email address) to enable us to update our records. We will always take reasonable steps to ensure that the Information held about you is accurate and up-to-date.

8 Notifiable Data Breaches

We are committed to protecting information we hold about you, and to compliance with the Notifiable Data Breaches scheme.

Where we become aware of a potential data breach which is likely to result in serious harm to any individuals about whom we hold information, we will:

- investigate the suspected breach and determine scope of any breach that has occurred and the risk of harm to affected individuals whose information may have been compromised;
- notify you and the Privacy Commissioner of the potential breach; and

- take steps to minimise any harm caused to affected individuals as a result of the breach.

9 Revision History

You can contact Wayne L Belcher during office hours about this Privacy Policy or the way in which we collect, store and disclose your personal information. We will always try to respond to you and address your questions, concerns or complaints within a reasonable time. Wayne L Belcher's contact details are set out below:

Contact Person: Wayne L Belcher
Telephone number: 0419 230 655
Postal Address: 26 Strathalbyn Loop CARRAMAR WA 6031

This Privacy Policy is available on Wayne L Belcher's website at wlbelcher.com.au. You can also contact us and request that a copy of this Policy be sent to you by mail or email.

10 Complaints Procedure

You have the right to make a complaint in relation to the manner in which Wayne L Belcher collects, uses or discloses your Information. Any complaint should be sent to the contact person named in Section 9 of this Policy. Upon receiving a complaint, Wayne L Belcher will investigate your complaint and deal with it in accordance with our relevant policies and procedures.

We will use our reasonable endeavours to resolve any complaint within a reasonable timeframe and will respond to you within 30 days. However, if the matter is complex, resolution of your complaint may take longer.

11 Related Documents

- Image Release Form
- Data Breach Response Plan

12 References

- The Privacy Act 1988 (Privacy Act)

13 Revision History

Date	Reviewed by	Amendments Revision
16.01.2020	WLB	First complete drafting of Policy