

Privacy policy
BERRILL & WATSON PTY LTD (ACN 613 000 936)

Berrill & Watson Pty Ltd ('B&W') have obligations to handle all personal data according to the *Privacy Act 1988* (Cth) (the Privacy Act) and the Australian Privacy Principles ('APP') (collectively, the 'Privacy Laws').

A copy of the Australian Privacy Principles may be obtained from the website of the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/>, and the Privacy Act 1988 can be obtained from the website: <https://www.legislation.gov.au/>.

1. Kinds of information we manage

In running our business, we are required to collect, receive, use, disclose, and manage personal information that identifies individuals. This will include an individual's name, date of birth, signature, address or other contact details, occupation, employment history, family relationships, bank account details, financial information, and information from your computer or phone that may identify your location.

Other personal information could include information about an individual's racial or ethnic origin, political opinions and affiliations, religious or philosophical beliefs, memberships of professional or trade associations or of a trade union, sexual orientation or practices, criminal record, detailed medical and health information and government numbers, letters or symbols assigned by a State or Territory authority or agency to identify an individual or verify identity, such as a Tax File Number, Medicare Number, Centrelink Reference Number, Driver's Licence Number and Passport details.

2. Why we collect and process information about you

We collect, receive, use, disclose and process the kinds of personal information set out above only where it is reasonably necessary for us to do so, whether to provide legal services or consider an application from a prospective employee.

If you are a client or prospective client, we collect, receive, use, generate, disclose and otherwise process information about you that is reasonably necessary for the primary purpose of providing legal services, and to comply with legal requirements, such as taxation or financial reporting requirements.

You are not obligated to provide information of the kind requested above. However, if it is not given, we will be unable to provide the legal services you require.

If you apply for a job or work placement with B&W, you may need to provide personal information and information regarding your education and previous employment. Your application will constitute your consent for our use of this information to assess your application and, if deemed necessary, to allow us to carry out any screening checks (including reference, eligibility to work, police checks and skills/experience suitability).

You are not obligated to provide the requested information. However, if it is not provided, we may not be able to consider your application.

3. How we collect and hold information about you

Most information about you is collected directly from you, either verbally, in writing or from documents you provide. We also collect and receive information about you from the following third parties with your authority:

- material provided under Freedom of Information, health records and other legislation;
- taxation records from the Australian Taxation Office;
- information from other government agencies;
- medical records and information from treating doctors and other health professionals;
- statements from policing authorities and witnesses, if relevant;
- employment records and information from employers and former employers;
- financial information from accountants and financial advisors;
- information from disability support groups and consumer referral groups
- claims records and other information from insurers; and
- data from our website and the internet due to receiving subscription applications and emails.

If applying for a job at B&W, most information about you is collected directly from you in writing or verbally via your application form, resume and covering letter, recruitment agency applications, during face to face and video interviews and phone calls, and from publicly available sources such as LinkedIn or other social media sites. We may also collect information from third parties when conducting reference, background, and other checks.

We use secure, encrypted and password-protected software to protect your personal data. We have contractual arrangements with our software providers, which require them to protect your personal information under the Privacy Laws, including that they only use it for the purpose for which it is disclosed.

If we receive unsolicited information about you that we are not lawfully entitled to, it will be destroyed or de-identified as soon as practicable if lawful and reasonable to do so.

4. Usual use or disclosure of information about you

We disclose information about you to the following third parties or entities outside of B&W where it is reasonably necessary for the purposes set out in Section 2 above:

- courts, tribunals, ombudsmen, commissions and regulatory authorities (information provided to courts and tribunals may be made available to other parties to the litigation and will be on the public record);
- other parties involved in your matter and their solicitors;
- third parties or entities who assist us in providing legal services or who provide services to you, or who provide services to us including recruitment services, data storage, technology support services, and business development services;
- insurers;
- unions;
- any entity or person with your authority.
- We have contractual arrangements with our service providers which require them to protect your personal information in accordance with the Privacy Laws, including that they only use it for the purpose for which it is disclosed.

5. Security of Personal Information

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification, or disclosure.

When we no longer require your personal information for the purpose for which it was obtained, after a minimum of 7 years, which is the minimum period by law we are required to hold your personal information, we will destroy or permanently de-identify it.

6. Your rights (Australian privacy principles)

Maintaining Up To Date Records

We will take reasonable steps to ensure your personal information is accurate and up to date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records.

Policy Updates

This Policy may change from time to time. The most up-to-date version will always available on our website: <https://www.berrillwatson.com.au/>

Privacy Policy Complaints and Enquiries

If you have any queries or complaints about our Privacy Policy, please contact us at:

Attention: Privacy Officer
Berrill & Watson Lawyers
PO Box 179
Moonee Ponds Vic 3039

Phone: 03 8486 4013
Email: pm.vic@berrillwatson.com.au

If we cannot resolve your query or complaint, you can raise a complaint with:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

Phone: 1300 363 992
Website: www.oaic.gov.au