

POLICY

The Privacy Act 1988 [Cth] (“Privacy Act”) and the National Privacy Principles (“NPP’s”) normally govern the way in which we must manage people’s Personal Information however the Privacy Act and the NPP’s do not apply to the Personal Information of employees.

This policy sets out how Hamilton Island Enterprises Limited¹ (“HIE”) collect, use, disclose and otherwise manage Employee Personal Information . Our privacy policy with respect to Personal Information we collect, use, disclose and otherwise manage which is not Employee Personal Information, is disclosed on the HIE website².

DEFINITIONS

What is Employee Personal Information?

For the purposes of this document, Employee Personal Information is personal information collected from employees which is directly related to the employment relationship between HIE and those individuals. For the purposes of this policy, Employee Personal Information also includes the Personal Information of prospective employees.

What is privacy?

Privacy is the word we give to being able to keep certain information to ourselves and to control what happens to our personal information. It also refers to being able to do things without interference by others. Privacy issues can arise in all aspects of life.

What is personal information?

Personal information is information that identifies a person. There are some obvious examples of personal information such as a person's name or address. Personal information can also include photos, credit history information, bank account details and even information about what a person likes, their opinions and where they work - basically any information where the person is reasonably identifiable.

What is workplace privacy?

Employers will have access to personal information about employees. This information may be sensitive and employees may wish to keep this information private. In many cases, Commonwealth privacy laws will not apply when it comes to employee records. Commonwealth privacy laws only apply to employee personal information if the information is used for something that is not directly related to the employment relationship between the employer and the employee.

COLLECTION

As your employer or prospective employer, HIE may collect and hold Personal Information about you or information that may identify you, such as:

- Employee, referee and emergency contact details;
- Applications for employment and supporting documents;
- Employment contracts and other documents relating to the terms and conditions of employment;
- Details of salary packaging arrangements and documents relating to any novated lease agreements;
- Proof of Australian citizenship;
- Certified copies of academic qualifications;
- Records relating to salary, employment benefits and leave;
- Medical certificates or health related information supplied by an employee or their medical practitioner;
- Taxation details;

¹ "Hamilton Island Enterprises Limited", "HIE", "we", "our" or "us" means Hamilton Island Enterprises Limited (ABN 61 009 946 909) and each of its subsidiaries, related bodies corporate and business operations conducted under our brands including qualia, the Reefview Hotel, Beachclub, Palm Bungalows, Hamilton Island Holiday Homes, Hamilton Island Golf Club, Hamilton Island Yacht Club and Audi Hamilton Island Race Week.

² <http://www.hamiltonisland.com.au/privacy-policy#ref1>

- Banking information necessary to pay wages;
- Superannuation contributions;
- Information relating to an employee's training and development;
- Information about an employee's workplace performance including information relating to warnings given to employees and non compliance with Company policies and procedures; and
- Information concerning an employee's breaches of Island Rules and Regulations or arrangements relating to accommodation on Hamilton Island.

We categorise the Employee Personal Information collected as either being "routine" or "non routine".

Routine Employee Personal Information is solely and wholly related to the routine day to day work duties and responsibilities of an employee and includes information such as:

- contact details (e.g. a work email address or work phone number);
- length of service;
- past and present work classifications, e.g. that someone is an F&B manager working at Romanos;
- past and present work responsibilities, e.g. that the employee manages buggy registrations on Island; and
- information about qualifications held where they are required for the employee's position, e.g. that a scientific officer holds a Bachelor of Science.

Non Routine Employee Personal Information is Personal Information that is not related wholly to the routine day to day work activities of an employee and all Personal Information of a prospective employee. With respect to employees, Non Routine Employee Personal Information includes, for example:

- complaints made by or about an employee (including information relating to warnings given to employees and non compliance with HIE policies and procedures including breaches of the Hamilton Island and Dent Island Rules & Regulations and the Code Of Conduct);
- reasons why an employee is accessing leave entitlements of any kind or when they have taken, or intend to take, leave;
- opinions expressed at work that are not about work, e.g. an email discussion about a movie they had both seen;
- opinions about other employees;
- the fact that an employee has been unsuccessful in applying for a different position;
- details of how an employee utilises a flexible working hours arrangement, e.g. when they chose to start and finish work or when they access flextime;
- opinions or reports about how well an employee performs their duties; and
- sensitive information³.

HIE generally collects Employee Personal Information directly from employees or potential employees but may also collect Personal Information from an employee's supervisors or managers, other employees or intermediaries such as immigration/recruitment agents and personnel providers. HIE may also collect Employee Personal Information from third parties, for example previous employers, when it is relevant to the selection process.

In rare cases we may collect Personal Information without your consent such as where it is necessary to investigate suspected unlawful activity or misconduct of a serious nature within our organisation.

STORAGE AND PROTECTION

We store your Personal Information in a number of ways including:

- on secure servers;

³ "sensitive information" as defined in the legislation means: (a) information or an opinion about an individual's: racial or ethnic origin; or political opinions; or membership of a political association; or religious beliefs or affiliations; or philosophical beliefs; or membership of a professional or trade association; or membership of a trade union; or sexual orientation or practices; or criminal record; that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.

- in electronic systems and devices;
- in paper files; and
- document retention services off-site.

This may include storage on our behalf by third party service providers.

HIE has implemented various physical, electronic and managerial security procedures in order to protect Personal Information from loss and misuse, and from unauthorised access, modification, disclosure and interference.

If we no longer require your Personal Information, we will take we will take reasonable steps to destroy or de-identify it unless we are required to keep it by law.

PURPOSE FOR COLLECTION & STORAGE

HIE collects, keeps and handles Employee Personal Information to enable us to properly manage our business affairs and the recruitment and employment of staff.

The following people may use Personal Information held on HR files for the purposes set out above:

- HIE Chief Executive Officer
- HIE People, Culture & Development staff
- HIE Finance staff
- HIE Corporate Services
- HIE General Managers
- Members of HIE Management teams

DISCLOSURE OF PERSONAL INFORMATION TO EXTERNAL PARTIES

The reason for disclosing Routine Employee Personal Information would, in most instances, be done in order to facilitate the workings of the organisation or to carry out its legitimate business. The test on disclosure we apply is whether an employee would reasonably expect that Routine Employee Personal Information would be disclosed to third parties where it was necessary for legitimate business of HIE.

HIE will not disclose Non Routine Employee Personal Information to an external entity unless you agree, or we are required to by law.

Examples of where we must disclose Employee Personal Information include:

- **Information requested by a Fair Work Inspector:** A Fair Work Inspector can request information about employees in order to establish that the business is meeting its employment obligations. Under the FW Act, employers are required to provide this information to a Fair Work Inspector;
- **Information requested by other government agencies:** Some government agencies, such as the Australian Tax Office, have powers to request information from employers; and
- **Information requested by a permit holder⁴:** There may be occasions where a permit holder (generally a union official) may also ask to inspect or copy documents. In certain circumstances HIE must allow the inspection or copying of such documents. We are however not required to allow the permit holder to inspect or copy documents if doing so would contravene a federal law (including the federal privacy laws) or a state or territory law.

Information for references

We are often approached to provide employment references about former or current employees. Providing information that relates directly to the employment relationship between an employer and employee is not a breach of Commonwealth privacy laws. Our policy with respect to the provision of such information is that we will provide Routine

⁴ As defined in the Fair Work Act 2009

Employee Personal Information but will not provide Non Routine Employee Personal Information unless approved by you.

EMAIL AND INTERNET

An employee's use of the internet and email is governed by the HIE Information Technology Acceptable Use Policy and should not be considered private. HIE can and does monitor the use of internet and email where breaches of the Acceptable Use Policy are suspected and for other reasons. Where Personal Information is collected about employees as a result of such monitoring, such information will be subject to the provisions of this document.

ACCESSING & CORRECTING PERSONAL INFORMATION OR MAKING A COMPLAINT

You can access, and ask that we correct, Employee Personal Information we hold about you, or make a complaint about how we have handled your Personal Information, in accordance with the processes found in our main privacy policy, found here:

<http://www.hamiltonisland.com.au/privacy-policy>

Contacts are detailed below for further information:

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APPROVAL

General Manager - People, Culture & Development

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