

1.0 PURPOSE

The purpose of this policy is to ensure that all employees, contractors, and visitors understand their obligations when handling employee records where applicable and documents which belong to the Company in accordance with the Privacy Amendment (Privacy Sector) Act 2000.

2.0 SCOPE

This policy and procedure is applicable to all JSW Australia (JSW) full time, part time and casual employees. This policy and procedure also apply to independent contractors and visitors to JSW.

This policy and procedure apply to the behaviors and conduct that occurs in any of the following locations or situations:

- At a JSW workplace.
- When working offsite or visiting client premises; or
- When representing JSW in any capacity (i.e. when wearing a JSW uniform, attending events, conferences or training, responding to an email using JSW logo or similar at an alternate/ external location within and outside of normal business hours).

3.0 DEFINITIONS

“Confidential Information” includes the names, details and information relating to clients; matters of a technical nature; trade secrets; technical data; marketing procedures and information; financial information; strategic and business plans; and other information which **JSW** informs an employee is confidential.

“Privacy” is the right to have some control over how an individual’s personal information is collected stored and used.

4.0 LEGISLATION

- Privacy Act 1988 (Cth); and
- Privacy Amendment (Private Sector) Act 2000.

5.0 RESPONSIBILITIES

All employees shall ensure they understand and adhere to the guidelines and process requirements defined in this policy and procedure.

6.0 POLICY AND PROCEDURE DETAILS

6.1 Confidentiality

While discharging his/her duties on behalf of JSW; employees, contractors, and visitors may have access to confidential employee, client, customer, contractor, or supplier information, records and other documents pertaining to clients, customers, contractors, or suppliers and in some instances employees.

All employees are required to:

- Treat as confidential records, all Employee, Client/ Customer, Contractor and Supplier information and any other JSW proprietary documents intended for internal use, in accordance with the Privacy Amendment (Private Sector) Act 2000.
- Understand that all confidential records, documents, and other papers, together with copies or extracts thereof, made, or acquired by JSW employees while carrying out their duties, must be returned to JSW prior to their final date of employment or engagement with JSW.
- Employees shall not, without specific authority, release any Employee, Client/ Customer, Contractor and Supplier information or proprietary information held either on paper and/or electronic files. For the purpose of this clause, information shall mean and include all information, data and material, which is man-readable or machine-readable.
- Employees understand that any breach of confidentiality, such as the unauthorised disclosure to a third party or use of Employee, Client/ Customer, Contractor and Supplier information or proprietary information, is grounds for instant dismissal or termination of services and will render themselves liable to possible legal action.
- Employees are encouraged to understand their obligations and personal liabilities in accordance with the Privacy Amendment (Private Sector) Act 2000.
- Employees will not, without prior written authority of the Company, convey any information to any person regarding inventions, discoveries, copyright, intellectual property, terms and conditions of employment or any information regarding to the affairs of the Company. Any such invention, discovery, copyright, intellectual property, terms and conditions of employment or information remains the property of the Company.

6.2 Privacy

6.2.1 Collecting Solicited Information Lawfully

JSW is committed to collecting information from employees fairly and lawfully. JSW will directly approach individuals for collection of personal information, unless impractical to do so, or unless the individual permits JSW to collect the information from another party. Other parties may be referees; recruitment agencies; medical practitioners; logs from the internet or other electronic communications; and personal communications with employees and service providers.

JSW may collect and hold the following information from employees: all information collected during the recruitment and selection process; bank details; tax details; employment contract terms and conditions; date of birth; contact details; emergency contact details; and other details if they pertain directly to the employment relationship with JSW.

JSW may collect and hold the following information from engaged contractors: terms and conditions of the engagement; performance information; tax and bank details; and health information (should the contractor permit JSW to do so).

JSW will not request information from employees pertaining to sensitive information, with the exception of health and medical information or results. Applicants and employees may be required to undertake medical assessments and provide health

information for the purposes of JSW's primary work operations, and to assess the capacity for an individual to safely fill a position.

6.2.2 Dealing with Unsolicited Information Lawfully

Should JSW receive unsolicited information which is illegal or inappropriate for the organisation to hold, it will 'destroy' the information as soon as is practical.

6.2.3 Notifying Employees of the Collection of Information

Should JSW not collect the information from the individual directly as detailed in this policy, JSW will notify the individual from whom it is collecting information, and when it intends to do so. In the case of JSW contacting an applicant's referees, it is reasonable to assume that if the individual has provided the contact details of the referee they have given consent for JSW to contact them for the purpose of collecting employment related information. As such applicants may not be contacted for notification that reference checks have commenced.

6.2.4 Using Collected Information Only for Primary Purpose

JSW will not use or disclose personal information for anything not relating to its primary purpose of workplace operations and employment related matters.

6.2.5 Not Using Information for direct Marketing Purposes

The organisation will not use personal information for the purpose of direct marketing.

6.2.6 Holding Personal Information

JSW is committed to ensuring that the personal information that is collected is kept accurate, up-to-date and complete (and relevant).

Employment applications will be kept and may be referred to for a period of up to twelve (12) months or after the employment/ contracting relationship ends.

6.2.7 Securing Personal Information

JSW is committed to ensuring the security of their employees' personal information. JSW stores information in paper and electronic form, and as such uses different security measures to protect information from misuse, interference, loss, unauthorised access, modification or disclosure

JSW's security measures include:

- Maintaining confidentiality policy and employment contract standards,
- Maintaining document storage security procedures,
- Providing system access security,
- Only allowing access to personal information if an individual seeking access has satisfied reasonable identification requirements,
- Providing building access controls; and
- Maintaining understanding of their obligations and personal liabilities in accordance with the Privacy Amendment (Private Sector) Act 2000.

7.0 RELATED POLICIES, FORMS AND TEMPLATES

- Grievance Resolution Policy and Procedure

DECLARATION

- I have read and understand this Confidentiality & Privacy Policy & Procedure.
- I understand that I must comply with the terms of my employment or engagement by the Company, including complying with the specific policies and procedures that are in effect, as well as behaving according to the standards outlined in this Policy.
- I understand that any breach may result in counselling, disciplinary action or the termination of my employment or engagement.
- Please return a copy of this signed declaration to Human Resources.

Signature

Name

Date