

***Candidate Privacy Policy***

**Prospero Group Australia Pty Ltd** of Level 21 60 Margaret Street, Sydney NSW 2000,and its associated companies (“the Organisation”) collects and processes Personal Information relating to its employees to enable it to fulfil its obligations to candidates who engage the Organisation as a recruitment agency. The Organisation is committed to meeting its privacy obligations and being transparent about how it collects and uses any Personal Information collected. This Privacy Policy describes how we collect and use your Personal Information during and after your working relationship with us, in accordance with the *Privacy Act 2020 1988* (Cth) (the **Privacy Act**) and the Australian Privacy Principles.

**Definitions**

* “**Personal Information**” under the Privacy Act is defined to mean information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
* “**Third Party**” is an organisation or individual who is not Prospero Group Australia Pty Ltd or its associated companies.

**Your consent**

You consent to us using any Personal Information that we collect for any of the purposes set out in this Privacy Policy.

**What information does the Organisation collect?**

The Organisation collects and processes a range of Personal Information about you which is necessary to enable it to perform its duties and obligations. This information includes (but is not limited to):

* your name, address and contact details, including email address and telephone number, personal mobile numbers, date of birth and gender;
* the terms and conditions of your employment;
* details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Organisation;
* details of your bank account and Tax File Number;
* information about your marital status, next of kin, dependants and emergency contacts;
* information about your nationality and entitlement to work in Australia;
* details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence; and
* assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence.
* The Organisation might also collect and process a range of more sensitive types of personal information about you. This might include:
* information about criminal convictions and offences;
* information about your health, including any medical condition, health and sickness records.

**How is your personal information collected?**

The Organisation may collect Personal Information in a variety of way including but limited to:

* application forms;
* CVs or resumes;
* identification documents;
* information throughout the course of your engagement with us;
* meetings or other forums.

In some cases, the Organisation may collect Personal Information about you from Third Parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks as permitted by law.

# Why does the Organisation process personal data?

The Organisation needs to process Personal Information to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your Personal Information to provide you with an employment contract, to pay you in accordance with your employment contract and to administer all the benefits, pension and insurance entitlements. In other cases, the Organisation has a legitimate interest in processing Personal Information before, during and after the end of the employment relationship.

# Situations in which the Organisation will use your personal information

Processing your personal information allows the Organisation to:

* run recruitment processes;
* check you are legally entitled to work in Australia;
* engage with our clients for the purposes of finding work for you.

# Legal disclosure of Personal Information

We reserve the right to disclose any Personal Information which identifies you as required by law and when we believe that disclosure is necessary to protect our rights, or to comply with a judicial proceeding, court order, or legal process served on our Website.

# Disclosure

Your information may be shared internally with Prospero staff, if access to the data is necessary for performance of their roles.

In general, we will not process particularly sensitive Personal Information about you unless it is necessary for performing or exercising obligations or rights in connection with your prospective employment with our clients. In general, we will only process your Personal Information in the circumstances listed below.

We will use information about your physical or mental health, or disability status to provide our clients with any information they may require to keep you safe in their workplace, to assess your fitness to work, or to facilitate appropriate workplace adjustments. We need to process this information to exercise rights and perform obligations in connection with our obligations to our clients/your prospective employer.

The Organisation shares your Personal Information with Third Parties where required by law, where it is necessary to administer the prospective employment relationship with you or where we have another legitimate interest in doing so.

Where your Personal Information is disclosed to these Third Parties, they will only be authorised to use your Personal Information for the purpose that we supplied it to them. If those third parties are located overseas, then your Personal Information may be transferred overseas.

# How does the Organisation protect Personal Information?

The Organisation takes the security of your Personal Information seriously. The Organisation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Personal Information collected by us will be stored and processed on servers located within and outside of Australia.

To prevent unauthorised access, maintain data accuracy, and ensure the correct use of information, we have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online. The Organisation’s databases have restricted access, are securely protected from general access.

In other limited circumstances, we may need to send your Personal Information overseas. These circumstances include:

* Where we have a supplier assisting us with the provision of goods and services and our business functions; and
* Where a Third Party application is being used in connection with our interactions with you.

We will take all reasonable steps to maintain the security of Personal Information in these circumstances in accordance with this Privacy Policy, but our ability to ultimately control where these third-party providers host their applications or process their data may be limited.

If the Organisation has reasonable concern that there has been an eligible data breach and notifiable data breach, it be dealt with in accordance with the Privacy Act, which includes notifying the Office of the Australian Information Commissioner.

# How long does the Organisation keep your Personal Information?

The Organisation will hold, store and process your Personal Information for the duration of your engagement with the Organisation for recruitment services. After your engagement ceases with the Organisation, we will retain your Personal Information for no longer than 7 years or for any such period that it is necessary for us to retain your Personal Information (the **Retention Period**).

Once the Retention Period has lapsed, we will ensure the timely and secure destruction and/or disposal of your Personal Information, including both physical information and cyber information.

If at any other time, you request we destroy and/or dispose of your Personal Information, we will comply with your request in a timely matter, to the extent that it does not interfere with the conduct of our business.

# Your rights

If you:

* want to access the Personal Information we hold about you;
* require the Organisation to change incorrect or incomplete Personal Information;
* require the Organisation to delete or stop processing your Personal Information, for example where it is no longer necessary for the purposes of processing;
* object to the processing of your Personal Information;
* Wish to make a complaint about a breach of the Privacy Act, Australian Privacy Principles or a privacy code that applies to us; or
* request the transfer of your personal information to another party,

Please contact the Organisation’s Privacy Officer on privacyofficer@prosperogrp.com

If you are not happy with our response, you may complain directly to the Australian Privacy Commissioner.

# What if you do not provide personal information?

If you engage with the Organisation as a candidate, for recruitment support, you will be asked to provide sufficient personal information to enable the Organisation to provide to clients/your prospective employers.

The Organisation will advise you on what details it is required to provide to its clients. If you do not wish to provide all or some of that information, the Organisation may not be able to adequately represent you.

# Right to vary Privacy Policy

We may update our Privacy Policy from time to time in accordance with the Privacy Act and the Australian Privacy Policies if we consider it necessary. If we updated our Privacy Policy, it will be binding on you and us from the date of which it is amended.

# Contact us

If you have any questions about this Privacy Policy or how we handle your Personal Information, please contact privacyofficer@prosperogrp.com

We ask that you please sign and date the acknowledgement below, confirming your agreement to our Privacy Policy.

Name: ………………………………………….………….… Date: ………………………………………….………….…