

LIMINAL STUDIO PRIVACY POLICY

OVERVIEW

At LIMINAL Studio we understand the importance of how privacy and the personal information of our team, clients, collaborators, community and stakeholders is managed.

This policy has been developed so all team members understand and can take responsibility for our practices in relation to how we handle private, sensitive and personal information.

The policy has been developed to comply with the Studio's legislative obligations under the *Fair Work Act 2009*, the *Personal Information Protection Act 2004* and the *Privacy Act 1988*.

This policy will be periodically reviewed and updated. Any updates and changes will be communicated to the team.

If you have any questions or would like further information, please contact the Studio Manager, who is also the Privacy Officer.

TABLE OF CONTENTS

INTRODUCTION	4
What is Personal Information?	4
Team Member Records	4
1. Kinds of Information Collected and Held	4
1.1 Candidate	4
1.2 Clients	4
1.3 Supplier	4
1.4 Referee	4
1.5 Sensitive Information	4
2. How Personal Information is Collected and Held	5
3. Purposes for Collecting, Holding, Using and/or Disclosing Personal Information	5
3.1 Direct Marketing	6
3.2 Website	6
4. Disclosure of Personal Information	6
5. Access to Personal Information	6
6. Correction of Personal Information	6
7. Integrity and Security of Personal Information	7
8. Notification of Data Breaches	7
9. Anonymity and Pseudonymity	7
10. Complaints	8

Document details

This policy applies to all team members of LIMINAL Studio.

APPLIES TO	All team members
THE STUDIO	All studios or locations where Studio team members work Including 100 New Town Road Hobart TAS 7008
POLICY OWNER	Studio Manager
EFFECTIVE DATE	1/11/2020
DATE OF LAST REVIEW	29/01/2021
DOCUMENT NUMBER	1
RELATED INFORMATION	LIMINAL Studio Employment Agreements <i>Fair Work Act 2009</i> <i>Personal Information Protection Act 2004</i> <i>Privacy Act 1998</i>
SCOPE	The version of this policy applies from the sign-off date. It replaces all previous versions and should be read in conjunction with all current policies and procedures and relevant legislation. Queries in regard to content of this policy are to be referred to the Studio Manager. This policy will be reviewed regularly, and modified as required, to reflect changes in Studio policy, best practice and compliance with the relevant legislation.
TERMS	'Studio' refers to: LIMINAL Studio PTY LTD and A.C.N. 079 131 712 Pty Ltd trading as: Liminal Architecture Liminal Spaces Liminal Objects Liminal Ideation

LIMINAL STUDIO PRIVACY POLICY

Introduction

From time to time, LIMINAL Studio is required to collect, hold, use and/or disclose personal information relating to individuals (including, but not limited to, its customers, contractors, suppliers and team members) in the performance of its business activities.

This document sets out the Studio policy in relation to the protection of personal information, as under the *Privacy Act 1998* (Cth) (or the 'Act') and the *Australian Privacy Principles* ('APP').

The APPs regulate the handling of personal information.

What is Personal Information?

According to the *Privacy Act 1998*, personal information means information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual who is reasonably identifiable.

Team Member Records

This policy does not apply to the collection, holding, use or disclosure of personal information that is a team member record. A team member record is a record of personal information relating to the employment of a team member. Please see the Act for examples of employment records.

1. Kinds of Information Collected and Held

LIMINAL Studio collects personal information that is reasonably necessary for one or more of its functions or activities.

The type of information that LIMINAL Studio collects and holds may depend on the person's relationship with the Studio. For example:

1.1 Candidate

For candidates seeking employment with LIMINAL Studio, the Studio may collect and hold information including their name, address, email address, contact telephone number, gender, age, employment history, references, resume and qualifications.

1.2 Clients

For clients of LIMINAL Studio, the Studio may collect and hold information including a client's name, address, email address, contact telephone number, gender and age.

1.3 Supplier

For suppliers of LIMINAL Studio, the Studio may collect and hold information including their name, address, email address, contact telephone number, business records, billing information and information about goods and services provided.

1.4 Referee

For referees of candidates being considered for employment by LIMINAL Studio, the Studio may collect and hold information including their name, contact details, current employment information and professional opinion of the candidate.

1.5 Sensitive Information

LIMINAL Studio will only collect sensitive information where consent has been obtained, and when the information is reasonably necessary for one or more of the Studio's functions or activities. Sensitive information includes, but is not limited to, information or an opinion about racial or ethnic origin, political opinions, religious and/or philosophical beliefs, membership of a trade union, sexual preferences, criminal record, health information or genetic information.

It is optional for individuals to supply sensitive information.

2. How Personal Information is Collected and Held

LIMINAL Studio must collect personal information only by lawful and fair means. The Studio will collect personal information directly from the individual, if it is reasonable or practicable to do so.

LIMINAL Studio may collect personal information in a number of ways, including without limitation:

- Through application forms;
- By email or other written mechanisms;
- Over a telephone call;
- In person;
- Through transactions;
- Through the Studio website;
- By technology used to support communication:
 - a. through publicly available information sources (which may include telephone directories, the internet and social media sites); and
 - b. direct marketing database providers.

When LIMINAL Studio collects personal information through publicly available information sources, it will manage such information in accordance with the APPs.

When LIMINAL Studio collects personal information, it must take such steps as are reasonable in the circumstances to notify the individual at or before the time or, if it is not reasonably practicable, as soon as practicable afterwards. LIMINAL Studio will notify or otherwise ensure that the individual is made aware of the following:

- The identity and contact details of LIMINAL Studio;
- That LIMINAL Studio has collected personal information from someone other than the individual;
- That collection of personal information is required by Australian law and the purpose for which LIMINAL Studio collects the personal information;
- The consequences if LIMINAL Studio does not collect some or all of the personal information;
- Any other third party to which LIMINAL Studio may disclose the personal information;
- The LIMINAL Studio privacy policy contains information about how the individual may access and seek correction of personal information held by the Studio, and how they may complain about a breach of the APPs; and
- That LIMINAL Studio is unlikely to disclose personal information to overseas recipients, and the countries in which those recipients are likely to be located.

Unsolicited Personal Information is personal information that the Studio receives, which it did not solicit. Unless the Studio determines that it could have collected the personal information in line with the APPs or the information is contained within a Commonwealth record, it must destroy the information to ensure it is de-identified.

3. Purposes for Collecting, Holding, Using and/or Disclosing Personal Information

LIMINAL Studio will collect personal information if it is reasonably necessary for one or more of its functions or activities.

The main purposes LIMINAL Studio collects, holds, uses and/or discloses personal information may include but are not limited to:

- Recruitment functions;
- Client management and service;
- Training and events;
- Surveys and general research; and
- Business relationship management.

The Studio may also collect, hold, use and/or disclose personal information if consent is obtained, or if required or authorised under law.

3.1 Direct Marketing

LIMINAL Studio may use or disclose personal information (other than sensitive information) about a team member for the purpose of direct marketing (for example, to distribute Studio information such as newsletters).

The Studio may use or disclose sensitive information about the individual for the purpose of direct marketing if he/she has consented to the use or disclosure of the information for that purpose.

Individuals can opt out of receiving direct marketing communications from LIMINAL Studio by contacting the Privacy Officer in writing or, if permissible, accessing the Studio's website and unsubscribing appropriately.

3.2 Website

The LIMINAL Studio website (<https://www.liminalstudio.com.au/>) can be accessed and browsed without disclosing personal information.

The website is securely hosted in Australia. When users visit the website, basic traffic information is logged which includes a user's IP address, date and time, type of web browser, and pages accessed. Logs are only processed for security and reliability purposes, are stored in a secure environment, and are automatically deleted within 30 days.

LIMINAL Studio uses Google Analytics to collect non-personal, statistical information on how the LIMINAL website is used. Google Analytics sets persistent cookies (_ga, _ga_67XCLZXH41) which help it collect information about how people use the website. We provide an opt-out of sending information to Google Analytics.

LIMINAL Studio does not on sell this data to any third parties.

4. Disclosure of Personal Information

LIMINAL Studio may disclose personal information for any of the purposes for which it was collected or where it is under a legal duty to do so.

Disclosure will usually be internally and to related entities or to third parties such as contracted service suppliers.

Before the Studio discloses personal information about an individual to a third party, it will take steps as are reasonable in the circumstances to ensure that the third party does not breach the APPs in relation to the information.

5. Access to Personal Information

If LIMINAL Studio holds personal information about an individual, he/she may request access to that information by making a written request to the Privacy Officer. The Studio will respond to any request within a reasonable period; a charge may apply for giving access to the personal information.

There are certain circumstances in which the Studio may refuse to grant access to the personal information. In such situations, the Studio will give the requestor written notice that sets out:

- The reasons for the refusal; and
- The mechanisms available to make a complaint.

Reasons for refusing to grant access to personal information can include but are not limited to:

- Situations when providing the information could cause threat to the life, health or safety of the individual or an associated individual;
- Circumstances where it is unlawful to do so; and/or
- Where the information relates to an existing or anticipated legal proceeding.

6. Correction of Personal Information

If LIMINAL Studio holds personal information that is inaccurate, out-of-date, incomplete, irrelevant or misleading, it must take steps as are reasonable to correct the information.

If LIMINAL Studio holds personal information and the individual makes a written request to the Privacy Officer to correct the information, the Studio must take steps as are reasonable to correct the information. The Studio will respond to any request within a reasonable period.

There are certain circumstances in which the Studio may refuse to correct the personal information. In such situations, the Studio will give the requestor written notice that sets out:

- The reasons for the refusal; and
- The mechanisms available to make a complaint.

If LIMINAL Studio corrects personal information that has previously been supplied to a third party, the requestor can ask that the third party be notified of the correction. The Studio will take such steps as are reasonable to give that notification unless impracticable or unlawful to do so.

7. Integrity and Security of Personal Information

LIMINAL Studio will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that it collects is accurate, up-to-date and complete. It will also ensure that the personal information that it uses or discloses is, having regard to the purpose of its use, accurate, up-to-date and complete.

LIMINAL Studio will take steps as are reasonable in the circumstances to protect the personal information from misuse, interference, loss and from unauthorised access, modification or disclosure.

If the Studio holds personal information that it no longer needs to be used or disclosed, is not contained in any Commonwealth record, and the Studio is not required by law to retain the information, it will take such steps as are reasonable in the circumstances to destroy the information or to ensure it is de-identified.

8. Notification of Data Breaches

In the occurrence of a data breach, LIMINAL Studio is bound to notify those impacted by the breach.

A data breach is classified as:

- Unauthorised access or disclosure of information that a reasonable person would conclude is likely to result in serious harm to individuals to whom the information relates; or
- information that is lost in circumstances where unauthorised access or disclosure of information is likely to occur and it can be reasonably concluded that such an outcome would result in serious harm to any of the individuals to whom the information relates.

If there are reasonable grounds to believe there has been an eligible data breach, LIMINAL Studio will notify the Australian Information Commissioner and the individual(s) whose data was affected with:

- a description of what occurred
- the kinds of information concerned; and
- the recommended next steps that individuals affected should take in response to the data breach.

Failure to provide notification of a data breach would be considered a breach of the Act.

9. Anonymity and Pseudonymity

Individuals have the option of not identifying themselves, or using a pseudonym, when dealing with LIMINAL Studio in relation to a particular matter such as when making an enquiry or complaint. This does not apply:

- Where LIMINAL Studio is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or
- Where it is impracticable for the Studio to deal with individuals who have not identified themselves or who have used a pseudonym.

However, in some cases if a person does not provide the Studio with their personal information when requested, the Studio may not be able to respond to their request or provide them with the goods or services they are requesting.

10. Complaints

Individuals have a right to complain about how LIMINAL Studio handles their personal information if they believe the Studio has breached the APPs.

Those who wish to make such a complaint to LIMINAL Studio should first contact the Privacy Officer in writing. The complaint will be dealt with in accordance with the Studio's complaints procedure and the Studio will provide a response within a reasonable period.

If an individual is unhappy with the response to their complaint, they may refer the complaint to the Office of the Australian Information Commissioner.

Compliance

The Studio Manager and Directors are accountable for enforcing this Privacy Policy; however, all team members have a responsibility to adhere to the policy at all times. All breaches of the policy will be dealt with in accordance with the disciplinary procedures outlined in a team member's employment agreement.