

# PRIVACY POLICY

Effective May 2023

## PRIVACY

### OVERVIEW

Select Plant Australia is committed to keeping personal information accurate and private. This Privacy Policy, together with any terms of use of our website and systems, sets out what happens to personal information we collect directly from you, through our website or through any other form of communication with us, or which you communicate to our agents or contractors. This Privacy Policy applies to personal information we handle about our business partners, employees, staff, visitors to our website, individuals who access our sites/premises and other members of the public.

Our Global Code of Conduct is available on our website and sets out the guiding principles and standards we apply across our business to the management of personal information. We expect the same principles and standards from those with whom we do business.

Other Select policies and protocols relevant to the collection and use of personal information will apply to our employees and staff. Our employees and staff can access the policies and protocols applying to them via our intranet and should direct any queries to their line manager or one of our Privacy Contact Officers. The relevant policies and protocols for employees and staff in our main countries of operation can be found on the iGMS:

[https://laingorourke.sharepoint.com/sites/igms-au/enterprise/Pages/Code\\_of\\_Conduct\\_and\\_policies.aspx](https://laingorourke.sharepoint.com/sites/igms-au/enterprise/Pages/Code_of_Conduct_and_policies.aspx)

### APPLICABLE PRIVACY LAWS

We are bound by the laws of the countries where we operate which protect the privacy of individuals by regulating the collection and use of personal information.

These laws may contain exemptions for the collection and use of some personal information, including employee and staff records. We may also be bound by workplace surveillance legislation in some countries which regulate camera, computer and tracking surveillance of employees and staff.

The relevant data privacy law(s) governing our main countries of operation are likely to be:

- **Australia** *Privacy Act 1988 (Cth) and the Australian Privacy Principles*
- **Canada** *Personal Information Protection and Electronic Documents Act 2000*
- **Cyprus** *Processing of Personal Data (Protection of the Individual) Law 2001 representative.*
- **Hong Kong** *Personal Data (Privacy) Ordinance (Cap. 486)*
- **New Zealand** *Privacy Act 1993*
- **United Arab Emirates** *UAE Penal Code and DIFC Data Protection Law 2007*
- **United Kingdom** *Data Protection Act 1998*

To the extent that the relevant data privacy law(s) are amended, substituted or repealed from time to time then this Privacy Policy should be read as referring to those relevant data privacy law(s) as so amended, substituted or repealed.

### WHAT INFORMATION DOES THIS PRIVACY POLICY APPLY TO?

**Personal information** is any information (including an opinion) about you where your identity is apparent, or that contains details that may identify you. It may include your name, date of birth, address, postcode, telephone numbers and email address. It includes **sensitive information**.

**Sensitive information** is a particular type of personal information about your racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health. In certain circumstances we may collect sensitive information about you.

The type of personal information we collect and manage includes:

- Your name, address, email address, date of birth and gender
- Your nationality, ethnic origin, residency/immigration status
- Your contact details (including telephone number, facsimile, emergency contact details, next of kin, beneficiaries, dependents, etc)
- Identification documents such as passport, utility bills and driving licence details
- Your qualifications, experience and employment history (including third party references)
- Your medical history and other health information
- Your driving and insurance claims history (where you operate our vehicles or plant)
- Your tax file number
- Bank account details into which you have asked us to pay your remuneration and benefits
- Other information you may have provided as part of an application for employment with (or your engagement by) us or which we may have obtained as part of your application for employment with us including criminal records history
- Information regarding employee and staff remuneration assessment, performance review and personal development plans
- Courses and programmes attended by our employees and staff or employees and staff of our business partners and supply chain organisations
- Details of your remuneration (including any superannuation contributions and salary packaging arrangements) and associated benefits and rewards
- Details relating to your employment such as hours worked, employment costs and priority job seeker status
- Drug and alcohol testing data
- Incident and accident details in which you are (or may have been) involved, including audio, images and tracking data from surveillance and CCTV systems
- Any additional information relating to you that you provide to us directly or indirectly through use of our website or online presence, through our representatives, your employer, recruitment agencies, government training organisation or otherwise.

## **HOW DO WE COLLECT YOUR PERSONAL INFORMATION AND WHY?**

We only collect personal information that is necessary for us to manage our business effectively, to develop and promote our services and to assist us with complying with our legal, regulatory and contractual obligations.

Generally, we try to collect personal information directly from you but we may collect personal information from publicly available records, third parties and/or other sources. We will only collect personal information about you from publicly available records, third parties and/or other sources if it is unreasonable or impracticable to collect it from you directly.

We will only collect sensitive information about you if we have your consent or we are permitted or required by law to collect the information.

The ways we collect personal information include:

- During the recruitment and engagement of employees and staff, including reference checking and agency searches

- As part of training, induction and on-boarding programmes
- Our dealings with government agencies
- Our dealings with clients, contractors, subcontractors, suppliers and other service providers
- During conversations between you and our representatives
- Through access to our website
- Access control systems and registers for individuals accessing our sites and premises
- Random drug and alcohol testing on operatives on our sites and premises
- Monitoring and surveillance systems, including CCTV systems from social media web sites and blogs
- Through third party companies engaged to undertake credit reference and due diligence checks on individuals and organisations with whom we engage in the operation of our business
- Incident and accident investigations.

If we receive your personal information and we did not request it, then we will determine, within a suitable time after receiving that information, whether it is reasonably necessary for us to retain that information and in the case of sensitive information, whether you consented to the collection. If not, we will de-identify or destroy the information.

Regardless of how we obtain the information, we will take reasonable steps to ensure that you are aware of the way we are collecting the information, any laws requiring the collection, who we usually disclose it to and any consequences for you if we are not provided with the information.

## **PURPOSE FOR WHICH WE COLLECT PERSONAL INFORMATION?**

We may collect your personal information to enable us to properly operate, manage and administer our business including:

- The recruitment of employees and staff
- The management of our employees and staff and workforce in all of our business operations, including management planning and forecasting
- The management of our vehicle and plant fleets and other operational assets
- Maintaining effective access, safety and security controls for our sites and premises
- To process and respond to specific inquiries or issues that you have raised with us
- Where you are a representative of an organisation with whom we deal, in relation to the services that we provide to (and/or receive from) that organisation
- To investigate any allegation or complaint about our practices or conduct made by you
- Compliance with our legal and regulatory requirements, policies and contractual obligations or in cooperation with any governmental authority of any country
- Government reporting for social procurement purposes
- Management of claims, disputes and litigation proceedings arising out of our business operations
- Engaging the services of external consultants, agents, temporary and casual workers and other operatives
- Obtaining credit references and conducting due diligence on individuals or representatives of corporate entities
- Processing and responding to enquiries, allegations or complaints from members of the public
- Maintaining supplier and contractor databases (where the supplier or contractor is a sole trader)
- Compilation of and access to business contact databases

- To conduct business processing functions including providing personal information to our related companies, contractors, service providers or other third parties
- Investigation/prevention/detection/prosecution of unlawful or inappropriate activities
- Establishment and operation of our corporate banking accounts and systems
- Provision of health practitioner or health monitoring
- Emergency medical assistance services
- Monitoring use of our website.

## **PASSIVE INFORMATION COLLECTION**

As you navigate through our website or otherwise use our equipment, systems and technology, we may collect information about your computer including, where available, your IP address, operating system and browser type, for system administration. This is statistical data about our users' browsing actions and patterns and does not identify any individual.

We use 'cookies' which are small text files placed on your computer by a web page server which may later be retrieved. A cookie enables us to recognise your computer without the need for a fresh request for you to register.

The cookies do not allow us to collect personally identifiable information about you.

## **HOW WE USE YOUR PERSONAL INFORMATION**

We use the personal information we collect to enable us to effectively and efficiently conduct our business. The precise use can vary, depending on the circumstances in which it was collected, including:

- For any of the purposes set out in this Privacy Policy
- To verify your identity and conduct credit and other verification checks
- To update your details and keep our records up to date
- To provide you with access to protected areas of our website/intranet
- To conduct business processing functions and reporting including providing information to our related companies, contractors, suppliers, service providers, business partners, clients and other third parties
- As part of tenders, bids and proposals we submit to clients and potential clients for the provision of works and services
- To inform you of existing and proposed services which we provide and commercial opportunities which we offer from time to time.

For personal information that is sensitive information, we will only collect, use or disclose that information where it is reasonably necessary in the operation of our business and we have received your consent to do or it is permitted or required by law.

As part of our safety and security commitment to our employees and staff, clients and members of the public, we conduct camera, computer and tracking surveillance of our sites, premises, assets and business systems. If we intend to conduct surveillance activities which might affect you, we will give you notice of those activities as we are required under applicable law(s). Any surveillance activity will only be conducted by appropriate individuals and any resulting personal information collected will be held in accordance with this Privacy Policy.

We may also use your personal information for purposes related to those described above which would reasonably be expected by you or to which you have consented.

## **SHARING YOUR PERSONAL INFORMATION**

We may disclose your personal information in certain circumstances, such as where we are required or permitted by law, where you have consented to us doing so or for any of the purposes for which the information was collected.

The persons to whom we typically may disclose your personal information include:

- Specified persons in accordance with a request made by you (for example other employers, banks or property agents)
- Our related companies, business partners, contractors, subcontractors, suppliers, consultants, clients and service providers for the purpose of our business operations including reporting
- Individuals or organisations to whom we have commercial relationships, including individuals or organisations engaged in providing us with professional, business, technology, corporate and administrative services which are reasonably required for the effective operation of our business government agencies (including local tax authorities) and regulators as required or permitted by law.

Where appropriate, we will only release personal information if we have an appropriate commitment from the recipient to use the information in a lawful, secure and responsible manner and only for the purpose(s) for which it is released.

Additionally, we are a part of the Laing O'Rourke group of companies, which are incorporated and operate in different countries including Australia, Canada, Hong Kong, New Zealand, the United Arab Emirates and the United Kingdom.

Some of the information we collect is stored on cloud-hosted systems which may be outside the country in which we collect the information.

We will only share your personal information outside the country in which we collect the information (including with cloud-hosted systems) if one or more of the following apply:

- We reasonably believe the recipient of the information is subject to a law regarding the holding and use of that information that is substantially similar to the relevant privacy laws of the country in which we collect the information
- We are permitted or required to do so by law
- We have taken reasonable steps to ensure that the recipient of the information will not breach the relevant privacy laws of the country in which we collect the information

You may contact us to obtain a list of countries in which likely overseas recipients of your personal information are located (see "How to contact us" below). As cloud-hosted systems may be accessed from different countries, it is not always feasible for us to know the countries in which some personal information is held.

## **ACCESS TO YOUR PERSONAL INFORMATION**

You may request access to any of the personal information we hold about you by contacting us (see "How to contact us").

We are required to provide you with that access although there are exceptions such as:

- Where your request is frivolous
- Where there is an unreasonable impact on others
- Where we are prevented by law or a court order.

We reserve the right to require you to verify your identity (so that we process access requests responsibly) and to charge a reasonable fee for the costs of retrieval and supply of any requested information. In some cases, such as where you have requested copies of the personal information that we hold about you (rather than access to that information), we may require you to make your request in writing.

We will respond to access requests within a reasonable time and will give you access in the manner you request usually by mailing or emailing it to you (provided it is reasonably practicable to do so). If we cannot give you access to all the personal information we hold, or if we cannot give you access in the manner you requested, we will take steps to give you alternative access that meets our respective needs. If we can only give you limited or no access to your personal information, we will set out written reasons why this is the case and you may contact us to complain about that refusal (see "How to contact us" below).

We will take reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete and up to date, relevant and not misleading. Please notify us of any errors or changes to your personal information and we will take appropriate steps to update or correct such information in our possession.

Where we have corrected your personal information we will take reasonable steps to communicate that correction to any third party with whom we have shared the information (unless it is impracticable or unlawful to do so). If we refuse to correct your personal information following a request by you to do so, we will:

- Set out written reasons why this is the case and you may contact us to complain about that refusal (see "How to contact us" below)
- At your request (and where we are able to do so), associate with that personal information a statement that it is inaccurate, out-of date, incomplete, irrelevant or misleading in such a way that the statement is apparent to users of the information.

## **SECURITY AND RETENTION OF PERSONAL INFORMATION**

We store personal information in different ways including in electronic or hard copy form.

We will take reasonable precautions in the circumstances to safeguard your information from loss, misuse, interference, unauthorised access, modification, disclosure or destruction.

Some of the measures we take are:

- Insisting on confidentiality from our employees, staff and business partners in their use information we provide to them and/or directing them to the principles we apply regarding personal information as identified in our Global Code of Conduct
- Implementing document management controls
- Using access control and security measures for our sites, premises, assets and business systems
- Business continuity planning.

You should keep in mind that no internet transmission is ever completely secure or error free. In particular, emails sent to or from our website may not be secure.

In accordance with our document / personal information management controls, we will keep some forms of personal information longer than others in line with business or legal requirements.

If personal information we hold is no longer reasonably necessary for a purpose identified in this Privacy Policy and we are not required by law to retain that information, we will take reasonable steps to de- identify or destroy that information.

## **LINKS TO OTHER WEBSITES**

Our website may contain links or references to other websites to which this Privacy Policy may not apply. Please always read the privacy statement or policy of every website you visit.

**How to contact us or complain about a breach** If you have any questions about this Privacy Policy, are concerned that we have breached relevant data privacy law(s) or have a complaint about our information management practices, please contact one of our Privacy Contact Officers or use our dedicated Safecall hotline (which is independently run with trained operators available 24/7 and is also completely confidential) so that we can investigate your concerns. We request

that complaints about breaches of privacy be made in writing so that we can be sure about the details of the complaint.

Your question, concern or complaint will be handled by one of our Compliance Officers and where appropriate will be investigated in accordance with our procedures.

Details of our Privacy Contact Officers can be obtained via our intranet (for our employees and staff only) or on request, by contacting us using the "Contact Us" section of our website.

Details of the Safecall hotline are:

Telephone –

- Australia: 1800 312 928
- Canada: 1877 599 8073
- Hong Kong: 3077 5524
- UAE: 8000 441 3376
- UK: 0800 915 1571

Email – <http://safecall.co.uk>

Our Privacy Contact Officers will respond to you within a reasonable time and advise of any investigation process. If you feel that we have not adequately dealt with any privacy complaint you have made to us, you may wish to contact the appropriate data privacy authority relevant to your complaint. This is likely to be:

- Australia - Office of the Australian Information Commissioner
- Canada - Office of the Privacy Commissioner of Canada
- Cyprus - Office of the Commissioner for Personal Data Protection
- Hong Kong - Office of the Privacy Commissioner for Personal Data
- New Zealand - Office of the Privacy Commissioner
- United Arab Emirates - The UAE Data Office (for our businesses operating in the Dubai International Financial Centre only)
- United Kingdom - Information Commissioner's Office.

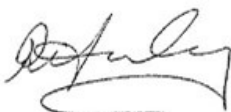
## **ANONYMITY AND PSEUDONYMS**

You may submit information to us anonymously or by using a pseudonym unless we are required by law to insist that you identify yourself or it is impractical for us to deal with the information unless you have identified yourself.

Where you provide information through our Safecall hotline, you may provide personal information on an anonymous basis. However, where you do not provide us with your name and contact details, we may be limited in our ability to investigate and deal with your complaint and under certain local laws (such as the Corporations Act 2001 (Cth) in Australia and the Public Disclosure Act 1998 in the United Kingdom). You may not be eligible for the legal protection provided to you by those laws to the extent your complaint relates to a breach of those laws.

## **CHANGES TO THIS PRIVACY POLICY**

Our Privacy Policy may change from time to time as updated on our website. Before providing us with personal information, please check our website for changes.



**Rebecca Hanley**  
**Managing Director**