

Privacy Policy

This Privacy Policy (**Policy**) was last updated November 2021.

At Modus Projects Pty Ltd (**Modus, we, us, our**), we value your privacy and take all reasonable steps to implement procedures and policies that ensure compliance with the Australian Privacy Principles (**APPs**) contained in the Privacy Act 1988 (Cth) (**Privacy Act**). The APPs govern the way in which we collect and handle your personal information. The APPs require us to include specific matters in this Policy which we acknowledge and include.

A copy of the APPs may be obtained from the website of The Office of the Australian Information Commissioner (**OAIC**) at www.oaic.gov.au.

When you provide your personal information to us, you consent to the use, storage and disclosure of that information as set out in this Policy.

Purpose

The purpose of this Policy is to outline our privacy practices including how we collect and manage your personal information, why we collect it, how you may access and correct records containing your personal information. This Policy will also outline how you can make a complaint about the way we have handled your personal information.

In this Policy, **you** and **your** refers to any person whose personal information we collect (excluding staff).

Scope

This policy applies to the personal information we collect or otherwise handle on people who interact with Modus. All Directors, executive and staff of Modus must adopt practices and actions to ensure compliance with this Policy. Any practice or action which results in a deviation to this Policy must be reported to the Director of Corporate Services as soon as reasonably practicable.

This policy also deals with personal information relating to employees and recruitment applicants. Personal information about staff constitutes an "employee record" and will be used in conjunction with the management of staff.

1. What Personal Information we collect and handle

Personal information means information about you as an identified or reasonably identifiable individual ("**Personal Information**"). This may include your name, address, telephone number, email address and profession or occupation, as well as 'sensitive information' such as information or opinion about your health, racial or ethnic origin, sexual orientation and criminal record. sensitive information also includes information about your vaccination status against COVID-19.

The types of Personal Information we collect will depend on your relationship and interaction with us. This includes whether you are:

- a Modus customer
- a website user
- an employee
- a job applicant, or
- another third party (such as an existing or potential business partner).

Privacy Policy

Generally, we may collect the following types of Personal Information from you:

- Name
- Mailing or street address
- Email address
- Telephone number
- Facsimile number
- Age or birth date
- Profession, occupation or job title
- Any information relating to you that you provide to us directly or indirectly through our websites or online presence (e.g. pages you visit, language preferences, your interactions, searches you make), through our representatives or otherwise.

Additionally, if you are entering one of our construction sites or places of work, we may collect evidence of your COVID-19 vaccination status.

If you are a job applicant or an employee, Modus may collect the following Personal Information and Sensitive Information from you:

- Identification data and contact details
- Employment history
- Background information (CV, professional qualifications)
- Nominated referees
- Immigration/visa status
- Previous applications/roles
- Medical information, such as COVID-19 vaccination status evidence and general medical certificates if you are employed with us, and
- Other information you voluntarily provide throughout the recruitment process and/or your employment.

As a general rule, during the recruitment process, we try not to collect or process any of the following: information that reveals your racial or ethnic origin, religious, political, or philosophical beliefs or trade union membership; genetic data; biometric data for the purposes of unique identification; or information concerning your health (**"Sensitive Information"**), unless authorised by law or where necessary to comply with applicable laws. We also may collect your Personal Information from other sources during reference and background checks.

2. How we collect your Personal Information

We collect your Personal Information (and any Sensitive Information) directly from you unless it is unreasonable or impracticable to do so. We may only collect your Personal Information when it is reasonably necessary for, or directly related to, our functions or activities.

In some circumstances we may also collect Sensitive Information about you when you consent, or when the collection is authorised or encouraged by law or when the collection is otherwise allowed under privacy laws.

When collecting Personal Information from you, we may collect in various ways including:

- through your access and use of our websites,
- through interaction between you and Modus, and/or
- through a job application.

We may also collect Personal Information from third parties including through a recruitment advisor for a vacant role, or for pre-employment medical checks and/or criminal history checks.

Privacy Policy

Where we receive information about you from someone else, we will take reasonable steps at the time of or before the time of collection (or as soon as practicable after collection) to let you or your authorised representative know that we have collected your Personal Information and the circumstances of the collection. We do not usually collect unsolicited Personal Information, unless we are permitted by law.

3. Use of your Personal Information

Modus uses your Personal Information first and foremost to provide our services to you. The other purposes for which we may use Personal Information include:

- a) to improve customer service,
- b) to advertise and promote our services; and/or
- c) for marketing and promotional activities.

Where applicable, you are able to unsubscribe from our promotional and marketing materials at any time.

If you are a job applicant, we will use your Personal Information to process your application. This includes assessing your skills, qualifications, and background for a particular role, verifying your information, carrying out reference checks or background checks (where applicable) and to generally manage the hiring process and communicate with you about it.

If you are accepted for a role at Modus and become an employee, information collected during the recruitment process will form part of your "employee record". If you are unsuccessful, how your information will be retained can be found at Part 7 of this Policy.

4. Disclosure of your Personal Information

Modus may disclose your Personal Information:

- a) to any of our employees, officers, insurers, professional advisers, agents, suppliers or subcontractors insofar as reasonably necessary for the purposes set out in this Policy. Personal Information is only supplied to a third party when it is required for the delivery of our services;
- b) in order to comply with a legal requirement, such as a law, regulation, Court order, subpoena or warrant, in the course of a legal proceeding or in response to a law enforcement agency request; and/or
- c) with the consent of the individual concerned.

By providing us with Personal Information, you consent to the terms of this Policy and the types of disclosure covered by this Policy.

5. Disclosure of your Personal Information outside of Australia

Modus does not sell or rent any of your Personal Information to others. Modus does not disclose Personal Information outside of Australia.

Privacy Policy

6. Security of your Personal Information

Modus is committed to ensuring that the Personal Information you provide to us is secure. We will hold your Personal Information for as long as you authorise us, or by you remaining on our mailing list. We adopt appropriate data collection, storage and processing practices and security measures to protect against unauthorised access, alteration, disclosure or destruction of your Personal Information stored via the website. While Modus takes precautions to secure your data, if there is a security issue, we will alert you of this fact. It is our standard practice to destroy or de-identify your Personal Information once it is no longer needed.

7. Retention and destruction practices and obligations

We will only keep Personal Information for as long as it is needed for any purpose for which it was collected or if we are required to retain your Personal Information under Australian law or by order of a court or tribunal. All personal information which is no longer needed or required by law to be retained will be properly de-identified or destroyed.

If you are accepted for a role at Modus, the information collected during the recruitment process will form part of your "employee record" and will be managed and stored by our Human Resources team. If you are unsuccessful, we may still keep your application for no more than a maximum of 12 months after the notification of refusal or longer with your prior consent to allow us to consider you for other suitable openings within Modus in the future. Your information will be held by us in accordance with the Privacy Act and the APPs.

8. Non-Personal Identification Information

We may collect non-personal identification information about you whenever you interact with our website. Non-personal identification information may include the browser name, the type of computer and technical information about your means of connection to the website, such as the operating system and the Internet service providers you use and other similar information.

9. Web Browser Cookies

As with most websites, we may use "cookies" to enhance your experience. Cookies do not cause damage or harm to your system and are used to assist you with the website. You may choose to alter personal web browser settings so as to refuse cookies, or to provide alerts when cookies are being sent. However, if cookies are blocked, some parts of the website may not function properly.

10. Third-Party Websites

The website may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that Modus is not responsible for the privacy practices of other such websites. We encourage our users to be aware that when they leave the website, they should read the privacy statements of websites that collect Personal Information.

11. Access, Correction and Complaints

It is important that your Personal Information is accurate at all times, so we ask that you notify us of any changes that arise. If you would like access to your Personal Information, please put your request in writing. Additionally, if you believe your Personal Information has been mishandled, you have the right to make a complaint. Please forward any complaints to us in writing at deb@modusprojects.com.au. We will respond to your concern within thirty (30) days.

Further information about making a privacy complaint and your privacy rights generally can be obtained by contacting the Office of the Australian Information Commissioner.

12. Changes to this Privacy Policy

We may, from time to time, review and update this Policy to reflect law reforms and changes to technology, our operations and practices. This is to ensure this Policy remains appropriate to the ever-changing environment we operate in. Any updated version of this Policy will continue to be available on our website.