

## Café Sydney Privacy Policy

### 1. Privacy Policy Summary

- 1.1 Customs House Café Pty Ltd (**Café Sydney, we, us, our**) take privacy very seriously.
- 1.2 Our Privacy Policy outlines the types of personal information that we collect, why we collect it and how we handle it.
- 1.3 We collect different types of personal information depending upon how we engage with you. It is collected from various different sources including directly from you (e.g. when you book to dine with us or apply to work with us) and from outside sources and third parties (e.g. when we contact a referee).
- 1.4 The primary purpose for which we collect personal information from you is to best manage our relationship with you and/or provide you with our goods and services. We may also collect your personal information for reasons associated with these primary purposes. We will only use your personal information if we have a lawful reason to do so.
- 1.5 The security of your personal information is very important to us and we have systems in place to protect the personal information we hold. We securely store the personal information that we collect.
- 1.6 This is a summary only. For more detail about how we manage your personal information, please see the complete policy below.
- 1.7 To access or update your personal information or make a complaint in relation to Café Sydney's Privacy Practices, please contact the Chief Executive Officer via [jan@cafesydney.com](mailto:jan@cafesydney.com)

### 2. Commencement of this Policy

- 2.1 This Privacy Policy (**Policy**) applies from 29 September 2021.

### 3. Scope of this Policy

- 3.1 This Policy applies to all Café Sydney's prospective, current, and former employees, volunteers and contractors and its customers.
- 3.2 It does not form part of any person's contract of employment or contract for goods or services.

### 4. Purpose of this Policy

- 4.1 The *Privacy Act 1988* (Cth) (**Privacy Act**) requires us to have a privacy policy.
- 4.2 We use all reasonable efforts to protect the privacy of individuals' personal information and to comply with the obligations imposed by the Privacy Act and the Australian Privacy Principles (**APP**).
- 4.3 The purpose of this policy is to:
  - (a) provide for the fair collection and handling of Personal Information;
  - (b) ensure that Personal Information we collect is used and disclosed for fair and lawful purposes only;
  - (c) protect the confidentiality of Personal Information through appropriate storage and security;
  - (d) regulate access to and correction of Personal Information.

### 5. Collection of Personal Information

- 5.1 '**Personal Information**' is defined as information or an opinion about a person from which an individual's identity can reasonably be ascertained. This includes any personal information or

opinions about the person, whether true or not, no matter how the information or opinions are recorded.

- 5.2 The main way that we collect Personal Information is when we ask a person to give it to us.
- 5.3 We only collect Personal Information by fair and lawful means and only if the collection is necessary for a purpose related to the proper operation of our business, a person's interaction with Café Sydney or a person's employment.
- 5.4 Examples of the types of Personal Information that we may collect include:
  - (a) general identification information such as name, occupation, date of birth, gender;
  - (b) contact details such as address, email address, mobile phone number;
  - (c) educational qualifications, employment history, referee report;
  - (d) financial information such as credit card and bank account details;
  - (e) visa or work permit status and related information;
  - (f) communications between us and you.
- 5.5 '**Sensitive Information**' is a subset of Personal Information and includes information about a person's health (e.g. COVID-19 vaccination status or medical exemption information), race or ethnic origin, political or religious beliefs, membership of a trade union or association, sexual preference or criminal record.
- 5.6 It may be necessary in some circumstances for us to collect some forms of Sensitive Information if collecting it is reasonably necessary for or directly related to one or more of our functions.
- 5.7 We will only collect and use Sensitive Information with your consent or where required or authorised by or under an Australian law or in a de-identified manner.
- 5.8 Examples of the types of Sensitive Information that we may collect and store include health information (e.g. COVID-19 vaccination status or medical exemption information). We do not anticipate collection of other types of Sensitive Information.
- 5.9 Where Personal Information is collected from an entity, we consider it is that entity's responsibility to ensure they are entitled to disclose that information for our perusal in accordance with our Privacy Policy, without us taking any additional steps.
- 5.10 If we receive Personal Information that we have not solicited and we could not have obtained the information by lawful means, we will destroy or de-identify the information as soon as practicable and in accordance with the law.

## **6. Use and Disclosure of Personal Information**

- 6.1 We only use Personal Information (including Sensitive Information) for reasons related to the proper operation of our business, a person's interaction with Café Sydney or a person's employment. Reasons include:
  - (a) to provide services to our customers;
  - (b) to comply with legal and work, health and safety requirements including Public Health Orders and our own requirements in relation to COVID-19 vaccinations;
  - (c) to maintain contact with our customers and other contacts and keep them informed of or services or other events;
  - (d) for administrative purposes including processing payment transactions, charging and billing and identifying breaches of our terms and conditions of engagement;
  - (e) for purposes relating to the employment of our staff and engagement of contractors, including recruitment processes such as contacting referees, assessment of suitability, background checks, and workforce management;
  - (f) for governance and compliance purposes including meeting any legal requirements;

- (g) for other purposes relating to our business.
- 6.2 We do not use or disclose Personal Information for a purpose other than the primary purpose of collection (secondary purpose), unless one of the following applies:
  - (a) you have consented to our using or disclosing your personal information for a secondary purpose;
  - (b) the secondary purpose is related (or directly related for Sensitive Information) to the primary purpose and you would reasonably expect disclosure of the information for the secondary purpose;
  - (c) we believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to an individual's life, health or safety or a serious threat to public health or public safety;
  - (d) the use or disclosure is otherwise required or authorised by law.
- 6.3 We will not disclose personal information for the purpose of direct marketing by other organisations.
- 6.4 We are unlikely to disclose Personal Information to overseas recipients.

## **7. Security of Personal Information**

- 7.1 Café Sydney is committed to keeping your Personal Information secure. Café Sydney will take all reasonable steps to ensure the Personal Information it holds is protected from misuse, interference, loss, unauthorised access, modification or disclosure.
- 7.2 We store emails and personal information with third-party data service providers. We ensure that these service providers comply with the Privacy Act or are subject to laws or schemes that provide similar standards and protections.
- 7.3 Café Sydney keeps records relating to its employees and contractors in a secure storage area. Records of previous employees or contractors are archived and stored in a locked service away from general use.
- 7.4 Our security measures include, but are not limited to:
  - (a) training our staff on their obligations with respect to your Personal Information;
  - (b) using passwords when accessing our data storage system; and
  - (c) using firewalls and virus scanning tools to protect against unauthorised interference and access.

## **8. Access to Personal Information**

- 8.1 You may request access to any Personal Information we hold about you. Any such requests must be made in writing.
- 8.2 We will consider any requests, but may refuse to provide access in circumstances where we are entitled to refuse access under the Privacy Act.

## **9. Correcting Personal Information**

- 9.1 Café Sydney will take reasonable steps to correct Personal Information if we are satisfied that it is inaccurate, out-of-date, incomplete, irrelevant, or misleading; or if the individual asks us to correct the information.

## **10. Questions, Concerns or Complaints**

- 10.1 If you wish to make a complaint about the way we have managed your Personal Information you may make that complaint in writing by setting out the details of your complaint to the: Chief Executive Officer by email: [jan@cafesydney.com](mailto:jan@cafesydney.com)
- 10.2 The complaint will be investigated by us in accordance with our internal procedures and processes.

10.3 You will be provided with a response to your complaint within a reasonable timeframe after completion of any investigation. This response will be in writing and will include the outcome of the investigation, any proposed action and details of the right to lodge a complaint with any relevant external organisations.

10.4 We expect our procedures will deal fairly and promptly with your complaint. However, if you remain dissatisfied you can contact the Australian Information Commissioner:

Complaints must be made in writing.  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001  
1300 363 992

## **11. Privacy Officer**

11.1 We have appointed a Privacy Officer to manage and administer all matters relating to this Privacy Policy.

11.2 The Privacy Officer can be contacted if you wish to obtain more information about any aspect of this policy or about the way in which we protect the privacy of Personal Information.

11.3 As stated above, complaints may also be made to the Privacy Officer if you suspect we have breached this Privacy Policy.

## **12. Amendments of this Policy**

12.1 Café Sydney reserves the right to vary, replace or terminate this policy from time to time.

### **Policy version and revision information**

Policy Authorised by: Jan McKenzie

Original issue: 29/09/2021

Title: Chief Executive Officer

Policy Maintained by: Michael Gavaghan

Version: 1

Title: Director of Operations

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