

Rigby Cooke Lawyers' Privacy Policy

Rigby Cooke Lawyers (ABN 58 552 536 547) (**Rigby Cooke, we, us, our**) understands that you value your privacy and wish to have your personal information kept secure. For these reasons, we place a high priority on the security of the personal information we hold. We have developed this policy to inform you why, when and how we collect personal information, as well as how we manage your personal information and maintain its integrity and security.

We are bound by the *Privacy Act 1988* and must comply with the Australian Privacy Principles (**APPs**). You can find more information about the *Privacy Act* and the APPs at the Office of the Australian Information Commissioner's website at: www.oaic.gov.au.

While we are committed to keeping your personal information highly secure, we also recognise your right to be informed about how we handle that information. If, after reading this policy, you have any questions or would like further information, please contact us by using the contact details provided below.

By providing personal information to us, you are taken to have read this Privacy Policy, and consent to the collection, use disclosure and handling of your personal information in accordance with this Privacy Policy.

Collecting personal information

We aim to collect personal information only if it is reasonably necessary to providing the service, product or information you have requested from us. The kinds of information we collect and hold about you will depend on the services we provide you with or if the law requires us to collect it.

In general, you can assume that we collect and hold the following personal information:

- > name;
- > contact details such as your address, telephone number and email address;
- > date of birth;
- > details about you to assist in managing our relationship with you, including information about legal matters that we deal with that involve you; and
- > details of the services or information we have provided to you or that you have enquired about, including any additional information necessary to deliver our services to you and respond to your enquiries.

In the event that you require Rigby Cooke to provide you with any professional services, you will be required to provide us with at least your name, address and telephone number. We may request additional information in order to provide you with the professional services you have requested.

If you are a prospective employee, we may collect details about your employment history and other details about you to assist with the recruitment process. We may collect this information from you directly, or from a recruiter.

Visiting our website

Information that we may collect when you visit this website includes the following:

- > if you decide to contact Rigby Cooke via the website, we may request your name, email address and telephone number; and
- > if you subscribe to a newsletter or enrol for a seminar, we may request your name, email address, telephone number, details of the company or organisation you work for and your position, and credit card details.

When subscribing to a newsletter, the only essential information you need to provide is your name and email address. When enrolling for a seminar, the only information that you must provide is your name, email address, telephone number and payments details (if applicable). All other information requested is optional and will not prevent you from subscribing or enrolling.

When you visit our website, our Internet Service Provider will record and collect the following information:

- > the date and time of your visit;
- > the internet address you are using; and
- > the pages you accessed;
- > the type of web browser you are using.
- > the website that referred you to us;

This information is used for statistical and website development purposes only.

Cookies

Our website also contains cookies. A cookie is a small file saved on your computer's hard drive when you visit our website. When you return to our website, the data saved in the cookie is sent back to the website. We use cookies to assist you in navigating the website when you return.

The cookies we use in no way gives us access to your computer or any information about you, other than the information you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

How we collect personal information

Unless it is unreasonable and impracticable to do so, we collect your personal information from you directly when we provide our services to you, or by using cookies on our website (as set out above).

In some cases we may collect personal information from a third party, such as when a client requires us to collect information on their behalf. At the time of collection, or as soon as practicable after we have collected it, we will take reasonable steps to notify you of the collection and of any matters relevant to the collection, unless it is obvious from the circumstances that you would know or would expect us to have the information.

Naturally we collect and hold a broad range of personal information gathered during the course of providing our products or services. However as stated above, we strive to ensure that we collect and hold only that personal information which is relevant and necessary to your specific matters.

We may collect personal information about you when you:

- > are a client or potential client of Rigby Cooke;
- > engage with us in the course of receiving services from us or enquiring about our services;
- > visit our website or engage with us on social media;
- > subscribe to receive newsletters or information from us;
- > apply as a candidate for a position of employment with us; or
- > supply goods or services to us.

Purposes of collection

We collect and hold your personal information primarily to provide the service requested by you, or to respond to your queries (or if it is reasonable to expect that we would use or disclose your personal information for purposes which are related to providing the service or responding to your queries).

When you enrol for a seminar or subscribe to a newsletter, we may retain your information and use it to enhance and develop our relationship with you by providing you with information on the services offered by Rigby Cooke, other newsletters, upcoming seminars and events, and to inform you of developments at Rigby Cooke and other services that we can provide.

We may disclose your personal information to the following third parties:

- > external providers of services that we may use to operate our business and manage our business systems (for example, this may include file storage service providers, database and mailing service providers, marketing service providers, couriers and/or freight service providers, printers, providers of payment processing and identity verification services, debtor managers, credit controllers, payment gateway providers, IT technicians who may need access when providing on-site support (although it is our practice for them to work under supervision) and other professional service providers as required from time to time); and
- > our auditors;

If you are a client or potential client, we may also disclose your personal information to:

- > your representative or any person acting on your behalf (for example, accountants, settlement agents or real estate agents);
- > government or regulatory bodies as required or authorised by law.
- > third parties necessary to provide the requested service to you, such as courts, government agencies and barristers; and
- > referrers that referred your business to us.

We are not likely to disclose information to overseas recipients unless it is with your consent, or the disclosure is required or authorised by law.

The privacy and collection practices of entities to which we disclose personal information are governed by their own privacy policies and collection notices.

We will not otherwise disclose information about you unless the disclosure:

- > is required by law;
- > is authorised by law; or
- > you have consented to our disclosing the information about you.

Personal information quality

We aim to ensure that your personal information is accurate, complete and up to date. To assist us in this respect, you need to provide true, accurate, current and complete information about yourself as requested and properly update the information to us to keep it true, accurate, current and complete.

If you believe that the information is inaccurate or incomplete, please contact us and we will use all reasonable effort to correct the information.

In the event that we do not believe the information to be incorrect, we will take reasonable steps to add a statement to the information claiming that you believe the information is not accurate, complete or up-to-date.

Securing your personal information

We are committed to keeping your information secure and will take reasonable steps to protect the personal information we hold from misuse, loss and unauthorised access, modification or disclosure. We will also take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed, except where we are required to retain this information by law.

Accessing and correcting your personal information

You may request access, or correction, to all personal information that we hold about you. We will give you access to, or correct, your personal information unless there is a lawful reason for refusing your request for access or correction. If we refuse your request we will give you a written notice explaining our reasons for that refusal and how you may complain about that refusal.

In some cases, we may charge a fee for access, but in no cases will we charge you a fee for applying for access.

We are not required to provide access where:

- > the information relates to existing or anticipated legal proceedings between ourselves and an individual, and the information would not be accessible by the process of discovery in those proceedings;
- > where denying access is required or authorised by law; or
- > providing access would be unlawful.

Change in control of Rigby Cooke

If we sell or otherwise transfer part or the whole of our business to another entity (including in the course of a transaction like a sale, merger or acquisition or as part of a dissolution, liquidation, administration, receivership or other form of insolvency), you agree that your personal information that is collected by Rigby Cooke may be disclosed to a third party, prospective buyer, transferee or insolvency practitioner and that this is reasonable to enable that party to continue or manage the business.

Employee records

The handling of personal information by private sector employers, including Rigby Cooke, is exempt from the *Privacy Act* if the personal information relates directly to a current or former employment relationship between the Company and an individual and is part of an employee record relating to that individual.

An employee record is a record of personal information relating to the employment of the employee. Examples include but are not limited to health information and personal information about the employee's engagement, terms and conditions of employment, training, performance/conduct (including discipline) and termination.

Accordingly, whilst this Privacy Policy does not apply to employee records, we will comply with the *Fair Work Act 2009* (Cth) and Fair Work Regulations 2009 (Cth) regarding making, maintaining, providing access to and correcting applicable employee records.

We comply with the *Privacy Act* in respect of the collection of all personal information including health information (including your COVID-19 vaccination status or a medical certificate given by a medical practitioner) about employees. We only collect personal information that is reasonably necessary for our functions and activities and will only do so either with your consent or as otherwise required by law.

The primary purpose for collecting your personal information is to administer your employment, salary and entitlements, maintain your employee record, for the provision of associated services, and to meet our legislative requirements. In connection with your health information, we may also use this information to comply with the requirements of the *Public Health and Wellbeing Act 2008 (Vic)*, the *Occupational Health and Safety Act 2004 (Vic)* and to otherwise manage or prevent COVID-19 in the workplace.

Changes to this Privacy Policy

This Privacy Policy is not a static document, and we may make changes from time to time for any reason. We will publish these changes on our website and encourage you to check our website periodically to ensure that you are aware of Rigby Cooke's current Privacy Policy.

Complaints and contacting us

If you have a complaint about our collection, use or disclosure of your personal information, or you wish to make a complaint about a breach of the APPs, please contact our Marketing Department at the details set out below.

Please set out details of your complaint and your contact details. Our Marketing Department will contact you to acknowledge your request and ask for any other applicable information. Our Marketing Department will then investigate the issue and advise you in writing of the outcome.

You can also make a complaint to the Office of the Australian Information Commissioner. Further information is available at www.oaic.gov.au.

If you would like further information regarding this Privacy Policy, if you have concerns about the information that we currently hold about you, or any aspect of this Privacy Policy, please contact our Marketing Department as follows:

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Email: Marketing@rigbycooke.com.au
Post: Marketing Department
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