



THE MITOLO GROUP

This Policy covers the entities and employees, including but not limited to the Mitolo Group, Maranello Trading, Mitolo Vineyards and Mitolo Management

## Privacy

For the purpose of this Policy and Procedure, please note the following terms:

- A. “Senior Manager(s)” refers to Department Managers, Production Manager and/or Farm General Manager
- B. “Manager(s)” refers to Production Team Leader and/or Farm Manager/Supervisor.

## Policy

The Mitolo Group is committed to protecting the privacy of individuals’ personal information. The Mitolo Group is bound by the National Privacy Principles set out in the *Privacy Act 1988*. The Mitolo Group will only collect, use or disclose personal information in accordance with the Act and this Privacy Policy. The Mitolo Group takes its obligations under the *Privacy Act 1988* seriously, and as such, will take all reasonable steps in order to comply with the Act and protect the privacy of personal information that it holds.

The *Privacy Act 1988* provides extensive regulations about the collection, storage and use of information relating to individuals. It also contains some specific exemptions for organisations that have a need to collect, store and use information about individuals, one of which is to exempt the “acts and practices of employees in relation to employee records”.

To be exempt, an act or practice relating to the employee record must be directly related to the employment relationship. This means that acts or practices of an employer that are outside the scope of employment relationship are not exempt. For example, The Mitolo Group could not sell details of employees to another organisation.

The act or practice must also be directly related to a current or former employment relationship. This does not cover future employment relationships. This means that personal information collected from prospective employees who are subsequently not employed, such as unsuccessful job applicants, will not be covered by the employee records exemption.

Once an employment relationship is formed with an individual, the records The Mitolo Group holds relating to the individual’s pre-employment checks then become exempt.

The Mitolo Group is also covered by 10 National Privacy Principles, as set out in the legislation, which cover all aspects of dealing with personal and sensitive information, not only those relating to employees.

The Mitolo Group recognises the importance of protecting personal information, which it may be required to collect from individuals who become associated with its business. The purpose of this Privacy Policy is to ensure that any individual who provides information to The Mitolo Group is protected according to the requirements of the *Privacy Act 1988*.

For the purpose of this Privacy Policy, ‘information’ is defined as:

- > ‘Personal information’ means information relating to an individual, including an opinion, which may be provided to The Mitolo Group whether immaterial or not, and whether true or not. Such information may personally identify an individual or make the person’s identity apparent.

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- > ‘Sensitive information’ means information or an opinion about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual practices, criminal record or health information.

**Procedure**

The Mitolo Group may require the collection of personal information from individuals to enable it to provide a range of services to all employees, contractors, and clients.

The personal information may be required for the purpose of:

- > Giving the information which a member/customer is entitled to;
- > Supplying to, and administrating, the products and services the member/customer requires;
- > For the provision of marketing, unless a specific request in writing is provided, detailing what is not required;
- > To provide personal information to other organisations to comply with its legal obligations, such as auditors, legal advisors and the Australian Taxation Office (or any other relevant organisation).

The Mitolo Group may disclose personal information, for the purpose set out above, to any of its subsidiaries, branches, franchises or legally related companies, agents, dealers or contractors.

The Mitolo Group must not disclose information about an individual for any purpose other than the primary purpose of collection unless:

- > The secondary purpose relates to the primary purpose of collection;
- > The individual would expect The Mitolo Group to disclose the information for the secondary purpose;
- > The individual consents to the use or disclosure of the information; or
- > As otherwise permitted by the *Privacy Act 1988*

The Mitolo Group may collect and hold personal information, such as, but not limited to, names of employees and proprietors of organisations, addresses, telephone numbers, facsimile numbers, email addresses, titles and professional affiliations. These details are collected for the purpose of providing The Mitolo Group services to customers and clients, and the selling and marketing of its products and extended range of services. The Mitolo Group may also use such information to apply customer/member satisfaction surveys and events such as ‘loyalty’ programs. The Mitolo Group will not disclose the information to any other organisation, nor will it send any information overseas for any purposes whatsoever.

In the event that sensitive information is collected by The Mitolo Group, it will not be used for any purpose without the express permission of the individual.

The Mitolo Group acknowledges that there is no obligation for an individual to provide it with personal information. However, if an individual chooses not to provide The Mitolo Group with personal details, it

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may not be able to provide the individual with a full range of services or reduce the ability of servicing the individual's organisation direct.

### Storage, Access and Retention of Personal Information

All personal information collected by The Mitolo Group will be retained as part of a database, which will be securely monitored and maintained by The Mitolo Group. The data will not be made available to a third party, unless it is legally required and verified, without the authority of the individual who provided the personal information.

The Mitolo Group will make available for inspection all personal information, based on the information supplied by the individual, in relation to an individual, provided reasonable notice is given. In the event that any part of the personal information that the individual inspects is determined to be incorrect and alteration is required, then The Mitolo Group will make such alteration in compliance with the corrected advice provided by the individual.

The Mitolo Group will take all reasonable steps to protect the security of the personal information that it holds. This includes appropriate measures to protect electronic materials and materials stored and generated in hard copy.

Where information held by The Mitolo Group is no longer required to be held, and the retention is not required by law, The Mitolo Group will destroy such personal information by a secure means.

### Sources of Information

Where possible, The Mitolo Group will collect the information directly from individuals, customers and clients. In some circumstances, The Mitolo Group may collect personal information from press reports or published mediums and in this case, it will endeavour to verify such details with the person concerned.

### Compliance

If an individual has any concerns regarding the privacy of personal information, then the individual may make a complaint to the Human Resource Manager who will then endeavour to resolve the complaint.

## Roles & Responsibilities

### Responsible Officer

- Ensure that systems are set up in order to maintain privacy and are in accordance with the Privacy Policy and *Privacy Act 1988*
- Assist in rectifying any breaches of the Privacy Policy where necessary

### Human Resource Manager

- Ensure all employees are aware, have access to and comply with the Privacy Policy
- Ensure that systems are utilised appropriately and properly to ensure all personal information is stored correctly
- Investigate and resolve any concerns or complaints made concerning the privacy of employee's information

### Employee

- Be aware and comply with the Privacy Policy
- Provide personal information to The Mitolo Group, understanding that the employee has a right not to release information that may hinder services provided to them
- Report any breaches of the Privacy Policy immediately to the Human Resource Manager
- Ensure that all information is correct

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- If the employee's position required the entering, updating or use of personal information for the primary purpose of collection, employee's must at all times maintain the guidelines of this policy

### Review of Policy

This policy will be reviewed by the Responsible Officer and/or Human Resource Manager and/or Senior Managers and Managers and/or employee representative.

This review will include analysing possible improvements to assist in educating all employees on the policy.

### Dissemination of Policy

Employees will be notified of all company policies during the Induction Process. All employees will have access to policies through request to their Manager at a central location point. All employees will be notified of any changes to policies through company procedure.

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Frank Mitolo  
Managing Director

\_07\_/\_05\_/2021\_  
Date

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