

**PROXIMITY**

# Privacy Policy

August 2021

[proximity.com.au](https://proximity.com.au)



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# Privacy Policy

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## 1. INTRODUCTION

Proximity Advisory Services (Proximity) operates within a secure environment where privacy for our staff, clients and the public is of paramount importance. Since inception, we have had a culture of adhering to robust privacy practices and systems for managing personal information in accordance with the [Privacy Act 1998 \(Cth\)](#) (the Act).

In addition to our obligations under the Act, we are an incorporated legal practice. As legal practitioners, we are bound by strict professional obligations to our clients and the courts regarding privacy and confidentiality, such as legal professional privilege, that extends beyond our normal day to day dealings with clients.

## 2. PERSONAL INFORMATION

Under the Act, personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

This includes information such as your name, date of birth or contact details, and may include any recorded communication we may have had in our dealings with you.

## 3. SENSITIVE INFORMATION

Sensitive information is a subset of personal information and consists of information or opinions about your racial or ethnic origin, political opinions, memberships (including trade unions or associations), religious beliefs, sexual orientation, health or criminal record. For the full list, please see refer to the Act.

We only collect, use or disclose sensitive information about you if you have provided us with consent or if the law permits us to do so without consent.

The only sensitive information we would usually hold would be information about your professional memberships (eg your local Law Society), if you are an employee or you provide it to us as a prospective employee.

## 4. PERSONAL INFORMATION WE COLLECT & WHAT WE DO WITH IT

The table following explains the types of personal information we collect, and the purposes for which we use and disclose it.

| For these people...   | We collect this information personal about them...  | And use and disclose it for...   |
|---|---|--|
| people who work for our client organisations                        | name, business address, title, organisation and contact information   | providing services to our clients  |
| people who work for our prospective client organisations            | interests in areas of legal practice, commercial or governance services and events<br>information about client relationships or meetings  | business development and marketing   |
| people who attend our events  | The client usually provides this information to us at the commencement of a business relationship. However, we may collect information about client personnel from other public or non-public sources.                                      | business development and marketing   |
| people who subscribe to our electronic communications               |   |  |
| people who work for our business partner and supplier organisations | name, business address, title, organisation and contact information   | building and managing our commercial relationships with our partners and suppliers |
| individual suppliers  |   |  |
| prospective employees   | information provided by the person (eg a job application, including a referee report), on behalf of the person (eg by a recruitment agency)<br>information provided by other people, eg current Proximity staff                             | selecting people who would be right to join our team                               |
| referees for prospective employees                                  | written or oral referee reports   |  |
| current and past employees  | personnel records<br>information from applications for security clearance, criminal history checks or other checks required by our clients, and the high-level results (ie a security clearance granted, or a clear criminal history check) | managing the employment relationship   |
| people who browse our website                                       | see section 8 below   |  |

## 5. DATA SECURITY

Proximity has comprehensive information and data protection processes in place to ensure confidentiality and privacy, and to maintain privilege over communications. We use secure cloud-based ICT systems, primarily based on Microsoft Azure and Office 365 platforms. Most systems have data hosted in Australia. Some Microsoft services are hosted in the Asia-Pacific region, with a migration path to Australian hosting.

All Proximity employees and contractors are required to comply with our strict guidelines in the secure handling of all information. This includes ensuring all client confidential information is kept strictly confidential in line with each client's requirements.

## 6. OVERSEAS DISCLOSURE

We use IT development partners in India. Sometimes a copy of data containing some personal information is temporarily sent there for use in system development or testing, under contractual arrangements that require security and confidentiality of that data.

## 7. ARCHIVING AND DOCUMENT DESTRUCTION

Proximity does not retain client or matter-related records in hard copy. This eliminates many risks associated with the use of hard copy records, including physical loss, destruction, theft, space requirements and lack of traceability.

Hard copy material is used for temporary purposes only. All hard copy material, even if not confidential, is securely disposed of through our secure document destruction process.

## 8. USING OUR WEBSITE ([www.proximity.com.au](http://www.proximity.com.au))

When you visit our website, we receive information from your browser and information knowingly and voluntarily submitted by you. To improve your experience on our website, we may use 'cookies'. A cookie is a small text file that our site may place on your computer as a tool to remember your preferences. You may refuse the use of cookies by selecting the appropriate settings on your browser.

We collect and use the following kinds of personal information when you use our website:

- information about your use of the website, including which pages you visit and the length of time you remain on those pages;
- information that you provide for the purpose of using the website (eg an enquiry); and
- information about transactions carried out over the website.

We may use your personal information to:

- administer the website;
- personalise the website for you; or
- publish information about you on the Site.

Our website uses Google Analytics, a service that sends website traffic data to Google servers in the United States. Google Analytics does not identify individual users or associate your IP address with any other data held by Google. We use reports provided by Google Analytics to help us understand website traffic and webpage usage.

By using our website, you consent to the processing of data about you by Google in the manner described in [Google's Privacy Policy](#) – and for the purposes set out above. You can opt out of Google Analytics if you disable or refuse the cookie, disable JavaScript, or [use the opt-out service provided by Google](#).

Our website may contain links to other websites that we do not control. When you follow such a link, you should satisfy yourself about the privacy practices of that other website.

Our website uses interfaces with social media sites such as Facebook, LinkedIn and Twitter. If you choose to 'like' or 'share' information from this website through one of these services, you should review the privacy policy of that service.

## 9. CORRECTION OF INFORMATION

We do our best to ensure all personal and client data we hold is up to date, complete, relevant and appropriate in the case of disclosure.

If we believe information to be wrong, misleading or out of date, we will take reasonable steps to correct this information and notify third parties (if you notify us and it is reasonable and practicable for us to do so).

You can request a change of information by contacting us on our details below. However, we are under no obligation to change this information if it is found to be correct. If we do not agree with changes you have requested, we will tell you why in writing (unless the law allows us to not specify a reason). You may request that we associate a statement from you about the information.

## 10. ACCESS TO YOUR PERSONAL INFORMATION

You may ask for access to the personal information we hold about you at any time using our contact details below. We will respond to your request within three business days.

If we refuse to provide this information to you, we will tell you why in writing (unless the law allows us to not specify a reason) and tell you how to lodge a complaint about our refusal.

## 11. MARKETING

From time to time we send out marketing communications in the form of email communications, postal mail-outs or SMS text messages. Proximity maintains compliance in every electronic marketing communication in line with the [Spam Act 2003 \(Cth\)](#) (Spam Act) to ensure that recipients do not receive large volumes of unnecessary unsolicited communications and have the option of unsubscribing.

## 12. ENQUIRIES & COMPLAINTS

If you have any concerns, enquiries or complaints about this Privacy Policy or with how we obtain or store your personal information or compliance with the Act or any other related codes, you are welcome to contact us:

Phone: 1800 959 885

Email: [enquiries@proximity.com.au](mailto:enquiries@proximity.com.au)

Write: Proximity Advisory Services  
Level 2, 55 Blackall Street  
Barton ACT 2601

We will do our best to respond within three business days.

## 13. CHANGES TO THIS POLICY

We may change this policy from time to time. The current policy is on our website: [www.proximity.com.au](http://www.proximity.com.au).