

Transdev John Holland Buses Privacy Policy

Scope

For the purposes of this Privacy Policy, “us”, “our”, “we” means Transdev John Holland Buses (NSW) (**Transdev John Holland**) Pty Ltd of Level 8, 469 La Trobe St, Melbourne Victoria 3000 and our related entities. “You”, “user”, “member” and “visitor” means anyone who may have dealings with us, including but not limited to our employees, anyone who uses our services or visits our websites, as the context requires.

This policy describes our practices in connection with information collected through all our services including provision of passenger transport services, advertising services, websites, applications, competitions and customer surveys (collectively, the “**Services**”). You agree to read and ensure you understand this policy, in particular the consent at the end of this document, when using or participating in our Services, in particular the part titled “*Understanding and Consents*”. This policy applies to all persons who interact with us, including our employees, members of the public, advertisers, subscribers to Services and registered and unregistered users of Services.

In the course of our dealings with you, we and our related entities (including their service providers) may collect personal information about you which is protected under the Australian Privacy Principles and the applicable State privacy laws. For the purposes of this policy, “**Personal Information**” is information or an opinion about you:

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

Personal Information may include Sensitive Information.

This policy describes how your personal information will be collected, used, stored and disclosed by us, or on our behalf in accordance with:

- a) the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth);
- b) the Information Protection Principles set out in the *Privacy and Personal Information Protection Act 1998* (NSW);
- c) the *Health Records and Information Privacy Act 2002* (NSW) (“HRIPA”); and
- d) any other state or territory privacy laws (as applicable).

(together referred to as “the **Privacy Laws**”)

This policy applies to any Personal Information which you or others provide to us or our agents in the course of our business or employment dealings with you relating to the Services. The Australian Privacy Principles and HRIPA may not apply to Personal Information that is collected during the Services and that is ultimately an employee record.

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Compliance

This policy does not contain all associated documentation necessary for procedural compliance, and it is mandatory for all staff to familiarise themselves with relevant information provided in Promapp/ISPO.

Policy

Personal Information we may collect

We may collect a variety of Personal Information about you, depending on the circumstances of our dealings with you, such as the type of Service you may request or deliver and the payment methods chosen for the Services. If, in the course of our dealings with you, you provide personal information about a third party, your provision of that information is governed by the Privacy Laws. In order to comply with the Privacy Laws, we require you to notify the third party of your disclosure of their personal information to us and to refer the third party to this policy.

Customers

Depending on the nature of your dealings with us, Personal Information collected will commonly include your:

- identification information including your name;
- contact details including you email address and contact number;
- payment details including your credit card details and billing address;
- any other special requirements you may notify to us with respect to the use of our Services (which may include information such as comments, likes, tweets, profile information and complaint details); and
- photo or video footage through CCTV.

Employees

We may collect employee Personal Information which for the purposes of this policy are collectively referred to as "**Employee Records**", including your:

- identification information including your name, address, date of birth and other relevant identification information;
- contact details including you email address and contact number;
- tax file number ("**TFN**");
- terms and conditions of employment and your employment objectives;
- training and disciplinary information;
- performance or conduct information (including from CCTV);
- membership records, leave records, taxation, banking and superannuation affairs that is directly related to the employment relationship between Transdev John Holland and the employee;
- information about your working styles, competency, ability and suitability for a position; and

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- certain types of sensitive personal information as described below.

Sensitive information

In limited circumstances we may collect Sensitive Information about you, with your consent, such as information or opinions about your:

- gender;
- health;
- criminal record;
- disability (you may be asked to provide us with information regarding any disability that you have for the purposes of ensuring that the Services are accessible to you and for assessing the suitability of any role, including any accommodations that can be made); and/or
- racial or ethnic origin (this may only be asked for in some regions, in accordance with applicable law and for the purpose of monitoring equal opportunity/diversity), (collectively, "**Sensitive Information**").

We ask that you not send us, and you not disclose, any Sensitive Information related to sexual orientation, religious or other beliefs, political opinions, trade union membership, criminal background or racial or ethnic origin throughout the Services. You should only provide any Sensitive Information if we expressly ask for it.

If, contrary to the request not to provide Sensitive Information, you do provide Sensitive Information, that information will be dealt with in accordance with this policy and the Privacy Laws as unsolicited Personal Information.

Sensitive Information may be de-identified and aggregated for the purposes of internal and external reporting. Any such reporting will not identify the responses provided by individuals.

Employee Records

If you are in an employment relationship with us, the information that has been collected during the Services and any recruitment activities (see our "Recruitment Privacy Policy" for further detail) will likely be added to an employment record. An employment record is a record of Personal Information relating to the employment of the employee and may include health information as described above.

Relevantly, acts or practices of a private sector employer are exempt from the Australian Privacy Principles and HRIPA where it is directly related to:

- a current or former employment relationship between the employer and the individual; and
- an Employee Record held by the organisation and relating to the individual.

Employee Records we hold will not be given, sold, rented or leased to any other party for commercial purposes. When permitted or required by law, we may disclose Employee Records to a third party such as a government agency or third parties (see "*Why we collect, use and disclose Personal Information during Recruitment Activities from third parties*" below for further detail). It is the responsibility of all Transdev John Holland employees to act in a manner that respects and ensures employee confidentiality and privacy.

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Why we collect, use and disclose Personal Information during Services

We may collect Personal Information about you during the Services that is reasonably necessary for, or directly related to, Transdev John Holland’s functions. The primary purpose this information is collected, used and disclosed is to:

- provide public transport services;
- measure and improve those Services through research and data analysis;
- improve your customer experience with our public transport Services;
- provide customer support and respond to inquiries; and
- report to public transport authorities,

in accordance with applicable laws (the “**Primary Purpose**”).

We may collect, and may use and disclose, Personal Information and Employee Records about you during Services for secondary purposes such as (as applicable depending on the nature of our involvement with you):

- to analyse, develop and improve Transdev John Holland’s Services (including recruitment activities);
- for occupational, health and safety reasons and matters related to the employment relationship which may not directly relate to the employment relationship (such as enterprise bargaining);
- to allow you to comment on the Services;
- to participate in competitions or rewards programs;
- to fulfil administrative functions associated with the Services;
- to enter into contracts with you or third parties; and
- for marketing and client relationship purposes,

(the “**Secondary Purposes**”).

By way of additional explanation regarding Sensitive Information which is health information:

- information collected as an Employee Record for the Primary Purpose will be collected to assess whether you can fulfil the inherent requirements of your role;
- information collected (other than an Employee Record) for the Primary Purpose will be collected to assess and improve our ability to meet your accessibility needs in the provision of the Services;
- information collected for the Secondary Purposes will be collected for the purposes of making operational and management decisions related to occupational health and safety.

We may periodically send promotional materials (including direct marketing materials) or notifications which we believe might be of interest to you. Promotional materials may include invitations to participate in various activities (such as customer surveys) or special promotions or offers. If you do not want to receive direct marketing communications, please refer to “*Understandings and consents*” below.

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If you do not provide all the Personal Information sought by Transdev John Holland for a particular Service, we may not be able to provide the Services to the best of our ability. If you have any concerns about why certain Personal Information is being sought, and the consequences of not providing it, it is recommended that you speak to the Transdev John Holland Privacy Officer.

Why we collect, use and disclose Personal Information during Recruitment Activities from third parties

Depending on the nature of our relationship with you, we may use your Personal Information and/or Employee Records by providing it to third parties that assist in the provision of Services such as:

- our contractors to whom we contract out certain services;
- other public transport operators and travel service providers; and
- data processing companies for the Primary and Secondary Purposes of which the information was collected, for instance, to complete a payment transaction on your behalf or provide you with a Service that you have requested.

We may also use Personal Information and/or Employee Records about you by providing it to third parties to hold on our behalf such as:

- third party service and content providers, such as providers of data cloud services, website hosting service providers and software hosting companies that are engaged by us in relation to the Services.

Third parties that support the Services by serving or hosting may use technologies that collect Personal Information such as meta data and user data (information about your computer, device, and browser such as your IP address, browser type, and other software or hardware information).

Where required by the Privacy Laws to do so, we will:

- take reasonable steps to ensure that the third party does not breach the Privacy Laws (as applicable) before providing your Personal Information to the third party to hold, or before disclosing any Personal Information about you to them;
- take reasonable steps to ensure that the third party collects Personal Information about you in accordance with the Privacy Laws (as applicable).

These reasonable steps may include terms and conditions in our contractual arrangements with these third parties stipulating the manner in which Personal Information is to be collected (including the purposes for which it is collected), used, disclosed and stored.

If you have any concerns or questions about how these third parties manage their privacy obligations, it is recommended that you make contact with us to obtain copies of the third parties' privacy policy using the information below:

Privacy Officer – Transdev John Holland Buses (NSW) Pty Ltd
 GPO Box 5092
 Melbourne
 Victoria, Australia 3001

Alternatively, please email tda.privacy@transdev.com.au

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How information will be stored and secured

Your Personal Information will either be stored by us in hard copy or electronically or a combination of these. As indicated above, information that is stored electronically may be stored on software which is hosted by third party service providers under contract to us. Personal Information that is Sensitive Information will be password protected, have limited access protocols and/or be encrypted where reasonably necessary.

We will take reasonable administrative, technical and procedural steps to protect your Personal Information and Employee Records from misuse, interference and loss, or from unauthorised access, modification or disclosure.

We adhere to the Tax File Number Rule for the collection, storage, use, disclosure, security and disposal of TFN information. We will not require, request or collect TFN information for unauthorised purposes, or use or disclose TFN information unless permitted under taxation, personal assistance or superannuation law.

If you provide us with your TFN information, we will only use or disclose it where you consent, or where the use is authorised or required by law.

We will only hold information as long as required to perform the activities for which it was collected and dispose of it appropriately (for instance, by way of secure document destruction) when no longer required.

If you are a Transdev John Holland employee, your Personal Information and Employee Records will be retained for a period of up to seven years, or longer if your employment exceeds seven years and retention is required by law.

It is recommended that you retain your own copy of any information you submit to us.

How information may be used and disclosed within Transdev John Holland

Personal Information about you that is collected during the Services will be dealt with by employees, directors and officers of the entity that collected the Personal Information in accordance with the Privacy Laws, as applicable. Personal Information about you that is collected during the Services will only be used by these employees, directors and officers to perform their jobs.

Personal Information that is not Sensitive Information may be disclosed to and used by related bodies corporate of the entity that collected the information and their employees, directors and officers for the Primary and Secondary Purposes which is was collected, subject to any exemption or exceptions that may apply.

Personal Information that is Sensitive Information may be shared by the entity that collected the information with related bodies corporate. Where Personal Information that is Sensitive Information is shared, this privacy policy will apply to the entity that the information was shared with as well as the entity that shared it.

Understandings and consent

By providing Personal Information to us after reviewing this privacy policy, you will be communicating to us that you:

- understand that we collect Personal Information about you that is reasonably necessary for, or directly related to, our functions and activities;
- understand we collect Personal Information, including Sensitive Information, for the Primary Purpose and Secondary Purposes explained in this policy;

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- understand that Personal Information that is Sensitive Information may be collected, used and disclosed without further consent being sought from you if an exemption or exception to the obligation to obtain consent under the Privacy Laws applies;
 - understand that Personal Information that is not Sensitive Information may be used and disclosed without further consent being sought if an exemption or exception under the Privacy Laws to consent applies;
 - understand that Personal Information may be disclosed to the third parties outlined in this privacy policy for the reasons set out in this policy;
 - understand that Employee Records are exempt from the scope of the Australian Privacy Principles and HRIPA;
 - have given us your express and/or implied consent to the following:
 - Transdev John Holland Buses (NSW) Pty Ltd **collecting** from you, and a third party referred to in this privacy policy, Personal Information about you, including Sensitive Information, for the Primary Purpose and Secondary Purposes during the Services;
 - Transdev John Holland Buses (NSW) Pty Ltd **using** Personal Information about you, including Sensitive Information, that is collected in accordance with this privacy policy for the Primary Purpose and Secondary Purposes;
 - Transdev John Holland Buses (NSW) Pty Ltd **disclosing** Personal Information about you, including Sensitive Information, that is collected in accordance with this privacy policy to third parties for the Primary Purpose and Secondary Purposes;
 - Transdev John Holland Buses (NSW) Pty Ltd **disclosing** Personal Information about you, including Sensitive Information, collected by it in accordance with this privacy policy, to its related bodies corporate for the Primary Purpose and Secondary Purposes;
 - Transdev John Holland Buses (NSW) Pty Ltd holding or using Personal Information by storing it with third parties as set out in this privacy policy.
 - We may not seek your consent to collect, use or disclose Personal Information where:
 - it is unreasonable or impracticable to obtain your consent to the collection, use or disclosure and we reasonably believe that the collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety;
 - we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in and we reasonably believe that the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter;
- collection, use or disclosure is required or authorised under law;
- collection, use or disclosure is necessary to assist an enforcement body with law enforcement activities; or
 - collection, use or disclosure is required is related to an emergency or disaster and the Commonwealth’s response to that disaster.

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How you may access and correct your Personal Information

If you would like to access or correct your Personal Information, you may contact us at tda.privacy@transdev.com.au. Requests to correct Personal Information include requests to ensure Personal Information is accurate, up-to-date, complete, relevant and not misleading.

In your request, please include your email address, name, address, and telephone number and specify clearly what information you would like to access or correct. We may need to share this information with other third party service providers (such as software hosting companies) who can assist in responding to your request and therefore your consent to disclose may be required. We will respond to your request within a reasonable period after the request is made.

Requests for access to and correction of the Personal Information we hold about you will generally be granted. However, we may refuse your request on the exemption grounds provided by the Privacy Laws. We will provide you with written reasons for any refusal of the request, including an explanation of the relevant exemption ground. You may request that we review any decision to deny your request.

You may also withdraw any consents provided to us in respect of your Personal Information.

For instance, you may ask us to stop, or limit, our collection, use or disclosure of your Personal Information at any time.

Our direct marketing materials will include a link to opt out/unsubscribe from receipt of such marketing materials.

If you would like to make the requests or withdrawal of consents above, please contact:

Privacy Officer – Transdev John Holland Buses (NSW) Pty Ltd
 GPO Box 5092
 Melbourne
 Victoria, Australia 3001

Alternatively, please email tda.privacy@transdev.com.au

The accuracy of Personal Information will be reviewed on a regular basis, as determined by us taking into consideration the nature of the Personal Information concerned.

What are your responsibilities?

You are responsible for the information that you provide or make available to us, and you must ensure it is relevant, truthful, accurate and not misleading in any way. You must ensure that the information provided does not contain material that is obscene, defamatory, or infringing on any rights of any third party; does not contain malicious code; and is not otherwise legally actionable. Further, if you provide any Personal Information concerning any other person, such as individuals you provide as references, your provision of that information is governed by the Privacy Laws (as applicable) and you are responsible for providing any notices and obtaining any consents necessary for us to process that information as described in this policy.

How can you opt out or raise complaints?

If you have a question or complaint about the collection of your Personal Information please write to:

Privacy Officer – Transdev John Holland Buses (NSW) Pty Ltd
 GPO Box 5092
 Melbourne

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Victoria, Australia 3001

Alternatively, please email tda.privacy@transdev.com.au

We will provide a response to any complaint within a reasonable period after the complaint is made and in accordance with the applicable law. We will also let you know the next steps in resolving any complaint. If you are not satisfied with our response to your complaint, or at any time, you may refer your complaint to the Office of the Australian Information Commissioner (www.oaic.gov.au):

The OAIC's contact details are:

Phone enquiries	1300 363 992 Mon–Thu 10am–4pm AEST/AEDT
Online enquiries	Enquiry form
Post	GPO Box 5218 Sydney NSW 2001
Fax	+61 2 9284 9666
Street address	175 Pitt Street Sydney NSW 2000 In-person enquiries by appointment only

Further notifications

We may issue further notifications to you about your Personal Information in accordance with Australian Privacy Principle 5 and other provisions of the Privacy Laws (as applicable).

Changes to this policy

Please note that we may make changes to this policy from time to time in accordance with changing business practices and laws. Please visit our website for the most recent version of this policy.



Mark McKenzie
Managing Director
Transdev John Holland Buses (NSW) Pty Ltd

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