

Toll Group

Privacy Notice for Personnel



Overview

The Toll Way is the underpinning foundation of our core beliefs and values which guides our decisions and actions.

Toll is committed to protecting the privacy of its employees and the other individuals whose personal information comes into its possession.

Scope

We set out below information regarding Toll's collection, disclosure and other use of information relating to Toll's employees and individual contract workers. Where we refer below to "employees" we are also referring to contract workers, although the information that we collect in relation to such contractors, subcontractors and other short term contract workers, and our disclosure and other use of that information, may be somewhat more limited.

Employees should familiarise themselves with, and abide by, Toll's policies on data protection and privacy, copies of which are available on Toll's intranet and from your line manager

Principles

1.1 What information do we collect about our employees?

- 1.1.1 Toll collects information about its employees in the course of the recruitment process and their subsequent employment with Toll. Some of this information is collected directly from you (for example, in forms that you are asked to complete). Other information is generated automatically when you use or otherwise interact with Toll's systems (for example, when you log in to our network or send an email which is retained in our systems); created by colleagues (for example, in the appraisal process, in the course of an internal investigation or where your role in a particular business activity is described in an internal document); or provided to us by third parties (for example, when a customer or supplier comments on your performance or we conduct background checks).
- 1.1.2 The information we collect about employees includes:
 - (a) name, date of birth / age, gender, racial or ethnic origin, religion, trade union membership, marital status and related family information, business and personal contact (including emergency contact) information, photograph, national insurance number or equivalent and passport number and other details;
 - (b) citizenship and, where relevant, residency and work permit status and other immigration-related information;
 - (c) relevant information regarding health and disabilities;
 - (d) job title, department, responsibilities, responsible line manager(s), team members for whom you are responsible and related information such as your employee ID number;
 - (e) employment terms and conditions, date of hire and resignation / termination (with reasons and related information), content of references obtained, employment history (with and before joining Toll), educational history, qualifications and results of background checks and assessment results;
 - (f) information regarding business expenses and salary, pensions, insurance and other benefits (including bank account details);

Effective: 25 May 2018

Document Owner: Chief Legal Officer

N.B. This Notice does not form part of your employment contract and Toll may vary, revoke or replace this Notice from time to time.

- (g) records of working hours, sickness and other absence records, records of training and development activities and plans and of performance appraisals and records of disciplinary and grievance processes, and depending on the nature of your position with Toll, records of your aspirations, mobility, and job competency assessments;
- (h) depending on the nature of your position with Toll, records of your role in Toll's business, HR, compliance and other activities;
- (i) records relating to personal trading and gifts received, inside information lists and lists relating to external activities / actual or potential conflicts of interest; and
- (j) records relating to your access to both Toll's physical premises and information technology systems, including user profiles, account and log-in information and access rights and information as to your interactions with those systems (details of systems and websites accessed, emails and other communications sent and received (including their content; and including communications sent using personal accounts) and telephone calls made and received (including their content, when you have been notified that calls are recorded)).

1.2 ***Why do you need my information?***

We will tell you, when we ask you to provide information about yourself, if provision of the requested information is necessary for compliance with a legal obligation or, on the other hand, if it is purely voluntary and you can, if you wish, decline to provide the information. Otherwise you should assume that we need the information for our business, human resource management or compliance purposes, and that you are therefore required to provide it pursuant to your duties as an employee of Toll. In those circumstances, or where provision of information is necessary for compliance with a legal obligation, refusal to provide information requested by Toll could lead to disciplinary sanctions, up to and including dismissal. If you are uncertain as to Toll's need for information that we request from you, please raise the question with the person requesting the information and your line manager.

1.3 ***How do you use my information?***

- 1.3.1 We use employee information for legitimate business, human resource management and compliance purposes and to perform our obligations under your employment contract, including:
- (a) operation of our business;
 - (b) equal opportunity monitoring;
 - (c) payroll operation and pension administration;
 - (d) education and training;
 - (e) career development (including providing references), appraisals, succession planning and performance management;
 - (f) operation of employee benefits, plans and insurances;
 - (g) to administer and operate information technology systems and related policies and procedures;
 - (h) to carry out human resource and legal / regulatory compliance functions, including assessing compliance with your employment contract and related Toll policies;
 - (i) the management of grievances and disciplinary procedures;
 - (j) business protection, including ensuring the physical security of our premises, guarding against breach of confidence / theft or infringement of intellectual property, fraud, cyber attack and other interference; and
 - (k) to assess our and our employees' compliance with law and regulation.



We may from time to time review information about employees held in our systems – including the contents of and other information related to your email and other communications and the information generated regarding system access and use (see paragraph 1.1.2(j) above) – for the purposes set out in paragraphs 1.3.1(g) to (k) above. This may include reviews for the purposes of disclosure of information relevant to litigation and/or reviews of records relevant to internal or external regulatory or criminal investigations. To the extent permitted by applicable law these reviews will be conducted in a reasonable and proportionate way and approved at an appropriate level of management. They may ultimately involve disclosure of your information as described in paragraphs 1.4.2(f), (i), (l) and (m) below. Your emails and other communications may also occasionally be accessed for ordinary business management purposes (for example, where necessary when you are out of the office or have left Toll).

- 1.3.2 We are entitled to use, disclose and otherwise process our employees' (and former employees') information as described in this paragraph 1 because we have a legitimate interest in carrying out the processing for the purposes described above at 1.3.1. Some of our processing may also be required so that we can comply with your employment contract or our legal obligations. We do not rely on our employees' **consent** to collect, use or otherwise process their personal information other than in exceptional circumstances where our processing is genuinely optional – in those circumstances we will ask for your consent on a case-by-case basis.

1.4 ***Do you disclose my information to other parties?***

- 1.4.1 Depending on the nature of your position with Toll, certain limited employee information (your name and business contact details and relevant information about your involvement in our business) will be widely available within the Toll group and may be disclosed to our customers, suppliers and other business contacts, and where appropriate made publicly available, in the ordinary course of our business.

- 1.4.2 In addition, Toll may disclose your information, where reasonably necessary for the various purposes set out in paragraph 1.3.1, to:

- (a) other members of the Toll group;
- (b) Toll's accountants and auditors;
- (c) payroll administrators;
- (d) providers of travel services;
- (e) employee benefits advisers;
- (f) expense management providers;
- (g) credit card providers
- (h) outside legal counsel and other advisers;
- (i) other service providers processing employee information on our behalf in the course of supporting our business and operations;
- (j) third parties responsible for Toll's employee benefits, such as pension schemes, health insurance, etc.;
- (k) potential future employers, when you ask us to give a reference;
- (l) third parties to whom Toll is required to disclose information by law or regulatory requirement (including litigation counterparties); and
- (m) competent regulatory and prosecuting authorities.

1.5 ***Do you transfer my information overseas?***

The disclosures of employee information described in paragraph 1.4 may involve international transfers, including transfers to countries outside the European Economic Area which do not have data protection laws as strict as those in your home country. In these cases, where we transfer employee information to other members of the Toll group or third party service providers acting on our behalf, we do so on the basis of agreements put in place to protect your information in a form approved for this purpose by the European Commission.

1.6 ***How long do you keep my information for?***

1.6.1 We may retain information about you throughout your employment with Toll, although some information will be deleted in accordance with our records management policies while you remain employed with us. Some information will be retained after your employment ends – this will apply, for example, to routine business information relevant to those continuing your work; home contact information; and certain human resource related information which we retain in case we need to give a reference, you apply to work for us again or employment-related disputes arise between us.

1.6.2 As a general principle, we do not retain employee information (except in anonymised / statistical form) for longer than we need it, given the purposes for which it is held. Toll's Data Retention Standard provides more specific information as to the periods after which employee information in various categories will be deleted.

1.7 ***What rights do I have?***

1.7.1 With limited exceptions, employees (and former employees) have legal rights to be given copies of the personal information that we hold about them and to require inaccurate information to be corrected. In some circumstances you can also require us to delete (or restrict or stop making active use of) your personal information. In certain limited circumstances, to receive some of the personal information that you have provided to us in a structured, commonly used and machine-readable format and to transmit that information to another service provider. If you wish to exercise any of these rights, or if you would like to see copies of any of the agreements referred to in paragraph 1.5 or have other questions about our employee information processing or related policies, please contact the relevant data protection contact at

Data Compliance Lead
Toll Holdings Limited
Level 7, 380 St Kilda Road
Melbourne VIC 3004
Australia
Email: privacy@tollgroup.com

1.7.2 You also have the right, at any time, to lodge a complaint about our processing of your personal information with the relevant data protection authority in the jurisdiction where you are located.