

# Protecting your privacy

Hutton Property Partners are committed to protecting your personal information. This policy outlines how we collect, use and manage personal information for the purposes of selling, renting, leasing and managing property and providing other property related services.

When collecting, using and handling personal information, Hutton Property Partners are required to comply with the Privacy Act 1988 and are bound by the Australian Privacy Principles set out in that Act.

In this policy, 'personal information' means information or an opinion about an identified individual or an individual who is reasonably identifiable (whether the information is true or not or recorded in any form or not).

'Personal information' when used in this policy also includes sensitive information and health information. 'Sensitive information' is personal information about an individual's health, racial or ethnic origin, political opinions or memberships, religious beliefs or affiliations, philosophical beliefs, professional or trade association/union memberships, sexual preferences and practices or criminal record. 'Health information' includes information about an individual's physical or psychological health, health services provided to the individual or an individual's expressed wishes about the future provision of health services.

# **Who are Hutton Property Partners?**

In this policy, Hutton Property Partners Pty Ltd refers to the company trading as

Hutton Property Partners ACN: 645 917 371.

# **Why do we collect your personal information?**

Hutton Property Partners needs to collect personal information about individuals who:

Apply or are associated with people who apply, for a tenancy;

Are currently renting a property we manage;

Seek advice in relation to property investment or management;

Seek or receive services from us in respect of the purchase or sale of a property;

Seek or receive services from us in respect of the leasing or management of a property.

We also collect personal information about staff and about individuals who are or are associated with our contractors, and service providers.

Hutton Property Partners uses the personal information it collects for different purposes depending on the services provided.

If you are a tenant or prospective tenant, we collect personal information for the purpose of assessing the risk of providing you with a tenancy, processing your tenancy application, preparing the lease or tenancy agreement, collecting rental payments and other purposes related to the establishment or management of your tenancy, including the connection of utilities.

If you are a property owner, we collect personal information for the purpose of managing or selling your property and providing you with related services.

If you are a purchaser or prospective purchaser, we collect personal information for the purpose of keeping you updated during the purchase process.

If you are purchasing a property we manage, we collect personal information for the purpose of managing tenancy changes arising from the change of ownership.

If you are a staff member or associated with a contractor or service provider, we collect personal information for purposes associated with your employment or managing the contract or services provided.

If the information we require is not provided, we may not be able to provide the services you want or to the level you want. For example, we may be unable to:

Properly assess a tenancy application, which may result in the application being declined;

Provide you with our property management, sales or other services; arrange for maintenance or repair of a property; or

Deal with enquiries and complaints.

## **What personal information do we collect?**

The types of personal information Hutton Property Partners collects depends on the type of service sought or provided. To provide any of our real estate services, whether to a tenant or owner, we at the very least need to collect names and contact information. In addition, we also collect the following types of information:

With tenancy applications, we usually collect:

Identity verification information (e.g. driver licence or other ID details);

Emergency contact details;

Details of any current tenancy and/or rental history;

Details of current home ownership;

If you are employed, details of current and previous employment (including information about your employer(s) and the income received)

If you are self-employed, information about your business and business advisors (e.g. solicitor or accountant);

If you are a student, information about your place and course of study, income and parents;

If you are in receipt of a Centrelink or other benefits, details of the type and amount of benefit;

Details of vehicle and pet ownership where applicable; and

Names and contact details for referees.

In the case of new or established tenancies, we may need to collect:

Information about your use of the property (for example to provide maintenance or utility connections); and

Sensitive or health information (for example if there are special circumstances that you would want taken into account by the property manager or owner).

In the case of property owners or purchasers, we usually need to collect:

Emergency contact information;

Information about the property;

Banking details; and

If we are providing advice about property for investment purposes, financial information.

Where it is practicable to do so, we will allow individuals to deal with us anonymously or using a pseudonym. However, this will ordinarily only be possible in the case of very general or preliminary enquiries.

How do we collect the personal information?

Where possible, we will collect your personal information directly from you. We may do this in person, in writing, by telephone, email and through our website.

For prospective tenants, personal information will be collected through online or hard copy tenancy application forms when applying to rent one of our properties.

For property owners, personal information will mainly be collected when the owner or agent asks us to sell or manage a property on the owner's behalf.

We may also collect personal information indirectly, including from:

Prospective tenants that provide us with personal information about another applicant, emergency contact or referee on a tenancy application form;

Debt collection agents, tenancy databases, courts, tenancy tribunals, rental bond authorities or insurers in respect of a tenant;

An estate agent who has engaged us to manage a property; and

Utilities, tradespeople and contractors who are providing services in relation to a property.

We rely on tenants, prospective tenants and owners to ensure that, if they provide personal information about a third party, they obtain that third party's consent or if that is not practicable, that they make the third party aware of the fact that their personal information has been provided to Hutton Property Partners.

# **What do we tell you about our collection of personal information?**

When we collect personal information, we are required to take reasonable steps to ensure that the individual is aware of certain details relating to the collection of personal information. We are required to do this whether we collect the information directly or indirectly via a third party.

Usually, Hutton Property Partners does this by ensuring that a 'collection statement' is provided at the time the personal information is collected. Usually the statement is provided with the hard copy application form or linked to the online portal through which the information is collected. The information may also be included in a pre recorded message given when you deal with us by telephone.

The collection statement will usually include information about the purposes for which we are collecting the information in the particular circumstances, the types of organisations that such information may be disclosed to, the consequences of us not being able to collect the information and whether there is any legal requirement for the information to be collected.

We may also inform people about our collection of personal information by other means, including through the media, through mail-outs or notices published on our website.

# **Use and disclosure of personal information**

Hutton Property Partners only uses and discloses personal information it collects for purposes that are related to the services it provides.

Depending on the type of services, we may use your personal information for the following purposes:

Processing a tenancy application;

Managing a tenancy;

Assisting with the rental, financing, sale or purchase of a property;

Enforcing a tenancy agreement;

Making payment or refund of a bond;

Resolving tenancy disputes;

Arranging repairs or maintenance of a property;

Arranging services or utility connections;

Recording or accessing information with residential tenancy authorities, land title registries or other government agencies;

Recording or accessing information on tenancy information services or databases; Client and business relationship management; and

Marketing of related products and services.

It is our general policy not to disclose your personal information to external organisations. However, Hutton Property Partners may sometimes need to disclose personal information to third parties for the purposes set out above. In particular, we may disclose personal information to:

Tenants and prospective tenants;

People listed as co-tenants and agents of a tenant;

Property owners and purchasers and their lawyers, advisers and contractors;

Estate agents who engage us to sell or manage properties;

Utilities, tradespeople and contractors who provide services in relation to a property (including Direct connect, a company that provides utility connection services);

Rental bond authorities and insurance providers;

Tenancy tribunals and courts;

Tenancy database operators;

Debt collection agents;

Referee's you have nominated; and

Media and photography organisations, in connection with advertising or publicising a property.

When we collect personal information using our standard application forms, we may require you to consent to us making some or all of these disclosures. Where we disclose information to third parties, we seek to ensure that they do not use personal information for anything other than the purpose for which we supplied that information to them.

If you subscribe to Hutton Property Partner's mailing list, we may use your contact details to send you news and information about Hutton Property Partners and details of products and services that we think may be of interest. Where we do this electronically, we will provide you with a functional opt out facility. If at any time you decide that you no longer wish to receive this sort of information, please let us know and we will remove your details from the mailing list.

However, if the law requires us to provide you with information about our products or services, we will provide that information to you even if you have elected not to receive information about those products or services generally.

Hutton Property Partners may disclose personal information to other persons or organisations if required to do so by the order of a court or tribunal or if the disclosure is otherwise authorised or required by law. For example, disclosure may be authorised or required where it is necessary to:

Eliminate or minimise a risk to public health or safety

Investigate or deal with unlawful activity or serious misconduct;

Locate missing persons; or

Establish or defend a legal claim.

Apart from the circumstances outlined above, your information will only be seen or used by persons working in or for Hutton Property Partners.

## **How do we hold and manage personal information we collect?**

Hutton Property Partners holds personal information in hard copy files and in electronic databases. Our information systems and files are protected from misuse, interference and loss and from unauthorised access, modification and disclosure by a range of security measures. Some of the ways we protect personal information include:

Securing premises both externally and internally;

Password protected electronic systems and technology products to prevent unauthorised computer access or damage to electronically stored information, such as requiring identifiers and passwords, firewalls and antivirus software;

Having internal policies which provide that staff and service providers have access to areas of our network only to the extent necessary for them to perform their role;

Maintaining physical security over hard-copy records; and

Providing Hutton Property Partners staff with training in relation to privacy obligations and requiring them to comply with this policy.

Hutton Property Partners relies on the personal information it holds in conducting its business. Therefore, we make every effort to ensure that the personal information we hold remains up-to-date and is used and disclosed appropriately. We provide tenants and owners with the opportunity to update personal details. We periodically review our databases to ensure that that this information remains accurate, complete and up-to-date. To do this, we will ask you to inform us if there are any changes to your personal information.

If any of the information we are holding is inaccurate, incomplete or out-of-date, we will take reasonable steps to correct, complete or update it. Staff are required to delete or archive material that is no longer required for ongoing provision of products or services. Information that is not required for operational purposes is archived. Personal information that is not required by law to be retained will be deleted.

## **Accessing and correcting personal information we hold about you**

Subject to any legal restrictions, Hutton Property Partners will let you know what personal information it holds about you if you ask.

If you believe there are errors in our records about you, please let us know and we will investigate and correct any inaccuracies.

All requests for access to personal information held by us should be made in writing through our contact us tab. If you want to access personal information on behalf of another person, you will need to provide legally signed written consent from that person.

# **Dealing with Hutton Property Partners online**

This policy also applies to personal information that you email to Hutton Property Partners or provide when using our website. There are inherent risks in transmitting information across the internet. Hutton Property Partners cannot ensure the security of personal information transmitted to us via online channels. Hutton Property Partners use SSL security to encrypt data sent over the internet for the owners online portal and smartphone apps.

Once we receive personal information online, we take steps to protect that information from misuse, loss, unauthorised access, modification and disclosure in accordance with this policy. If you are concerned about conveying personal information to Hutton Property Partners over the internet, you may prefer to contact us by telephone, mail or in person by appointment only.

Our website uses cookies and web beacons. A cookie is a small piece of code that is placed on your computer. A web beacon is a piece of code that is placed on each page that communicates the cookie's content once the page is visited. Cookies and web beacons may collect the information about:

Each page of the website that you visit;

your server address;

The type of browser you are using;

Your operating system;

Your top level domain name;

The date and time that each page is accessed; and

Documents that you download.

Use of cookies and web beacons does not involve the retrieval or recording of any personal information (such as a name or email address) by Hutton Property Partners. To the extent that this data could make you identifiable, Hutton Property Partners will not attempt to identify you from these records.

This policy does not apply to, and Hutton Property Partners is not responsible for, the use of or the protection of information provided to other websites linked to our website.

## **Complaints and further information**

If you believe your privacy has been interfered with and want to make a complaint, please contact us using our contact us button and we will investigate your complaint and notify you of the outcome. If your complaint indicates that there has been an interference with your privacy by a person other than Hutton Property Partners we may discuss the complaint with that other person in an attempt to resolve it.

If you are not satisfied with the outcome of your complaint or the way we handle it, you may make a complaint to the Office of the Australian Information Commissioner at:

<https://www.oaic.gov.au/>

If you would like further information on our privacy policy or if you have any concern about the protection of your personal information, please contact:

**Hutton Property Partners**

**PO Box 703, Marong VIC 3515**

**or via email at: [admin@huttonproperty.com.au](mailto:admin@huttonproperty.com.au)**