

Privacy Policy

BGC's commitment to protecting Personal Information

Our management and staff are aware of the importance of protecting the privacy of individuals who come in contact with us.

We are committed to ensuring the privacy of the Personal Information we collect in the course of our business. We believe that respect for your privacy forms part of the ongoing trust we wish to develop with you.

We are bound by the [Privacy Act 1988 \(Cwth\)](#), including the [Australian Privacy Principles](#) contained in that Act. The [Australian Privacy Principles](#) set out the way in which organisations can collect, use, keep secure and disclose Personal Information. It also gives individuals the right to know what information an organisation holds about them and the right to correct that information if it is wrong. Further information on the Australian privacy law is available from the Office of the Australian Information Commissioner (<https://www.oaic.gov.au>).

The purpose of this *Privacy Policy* is to tell you:

- what kinds of Personal Information we may collect or hold about you (and how we collect that information);
- how we use and hold that Personal Information;
- whether we disclose that Personal Information to anyone (including anyone outside Australia);
- the choices you have regarding our use of that Personal Information;
- your ability to access or correct that Personal Information; and
- how you may make complaints about any breach by us of the [Australian Privacy Principles](#) and how we will deal with those complaints.

This *Privacy Policy* also includes our credit reporting policy, that sets out our commitments to protect the Personal Information of our customers that we may provide credit to or consider providing credit to and the guarantors and potential guarantors of those customers. The additional Personal Information that we collect in connection with a credit application, or a credit facility is referred to as credit information. Credit information includes a broad range of information that relates to your credit history, including for example what types of loans you have applied for, any defaults you have made in repaying any loans and any information about any personal insolvency impacting you.

Members of the BGC group of companies

The BGC group of companies (referred to as BGC, we, us or our in this *Privacy Policy*) is a leading privately owned Western Australian group of companies with interests in residential construction and manufacturing. BGC includes BGC (Australia) Pty Ltd, Esther Investment Proprietary Limited and all their subsidiaries including:

- BGC Insurance (L) Ltd
- BGC Residential Pty Ltd
- Buckeridge Nominees Pty Ltd t/a BGC Windows and t/a Affinity Windows
- J-Corp Pty Ltd
- Midland Brick Pty Ltd
- Leon Enterprises Pty Ltd t/a Envirotechnics
- Westswan Nominees Pty Ltd t/a Floortech
- Ventura Home Group Pty Ltd

Personal Information

'Personal Information' is information or an opinion about an individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether or not it is recorded in material form.

What kinds of Personal Information does BGC collect and hold?

The Personal Information we may collect, and hold varies and is dependent on the product requested or the service to be provided or the other circumstances in which we deal with you. Details can include but are not limited to:

- **identification information**, such as:
 - name;
 - date of birth;
 - gender;
 - job title;

- drivers licence details;
- passport and visa details;
- government identifiers such as your tax file number;
- any other information that we need to identify you;
- **information required to provide our goods and services and marketing materials to you**, such as:
 - geographical location;
 - consumption habits and preference information;
 - information included in complaints that you make to us or other correspondence that you send to us;
- **other information related to customers, potential employees or contractors, our suppliers and service providers and their employees**, such as:
 - bank account and credit card details;
 - contact details, including telephone numbers, email addresses and current home and/or business addresses (including postal address);
- **other information related to credit assessments and ongoing management of any credit account that you hold with us**, such as:
 - credit references;
 - property ownership;
 - information about your dependents (including but not limited to their ages) and cohabitants;
 - previous addresses, including information about how long you resided at each such address and at your current address;
 - bank statements and statements for electricity and gas accounts;
 - financial information including your current earnings, assets and liabilities, investment and loan accounts (including any loans that you have outstanding), insurance application details and consumer and other spending and foreign exchange transaction details;
 - credit information, including information regarding your repayment history for any loans or other credit facilities you may have or had outstanding in the past, defaults under any loans or other credit facilities, insolvency related court proceedings relating to you, any financial hardship arrangements that you have entered into with us or any other credit provider, credit scores, credit evaluations and other information related to your credit-worthiness which is derived by BGC from any other information collected by us;
 - provided that we obtain, where relevant, any necessary consent, consumer and commercial credit reports, including reports obtained from credit reporting bodies (**CRBs**) and reports relating to credit payment and default information, including credit accounts held, and your repayment history, with other credit providers;
 - rental references and prior rental contacts;
 - information about any credit account that you hold with us, including how long that account has been held, credit limits and payment and default information; and
- **other information related to employment and recruitment**, such as:
 - if you apply for employment with us, details regarding your employer, employment history and current occupation, education qualifications, interests and similar information;
 - information related to your employment preferences;
 - notes from interviews and reference checks;
 - information obtained from any identity verification services, including information regarding work rights, visa status, first aid and other qualifications;
 - results of any psychometric tests and background checks, including criminal record checks and information concerning your right to work in Australia (if applicable);
 - taxation, banking and superannuation information in relation to employees;
- **other information**, such as:
 - photographs;
 - if you apply for insurance with us, your health information, provided that you have consented to us obtaining that information;
 - information collected regarding your access to our premises or sites or use of any of our assets such as vehicles;
 - images of you from our surveillance cameras when you access our premises or sites;
 - information that we collect from your interactions with our websites and portals, including through the use of cookies and other tracking technologies, such as login details, IP addresses, browser type and records of use of our websites and other websites; and
 - any other information you voluntarily provide to us.

The above information is collected and recorded about individuals who interact with us such as:

- our customers, potential customers and their representatives;
- our suppliers and their representatives;
- other contractors and their representatives providing goods and services to us;
- our employees, past and present;
- applicants for employment with us; and

- any other person who comes into contact with BGC.

In most cases, if we do not collect Personal Information about you, then we may be unable to undertake certain activities, such as providing you with the requested information, goods and/or services, including credit facilities, or accepting a guarantee from you for any credit facilities we provide to a third party.

The [Privacy Act](#) does not apply to employee records where used in relation to acts or practices directly related to a current or former employment relationship. An employee record is a record of Personal Information related to a current or former employment relationship. Please contact the [Privacy Officer](#) for more details.

How does BGC collect Personal Information?

Generally, we collect Personal Information directly from you, where reasonable and practical.

We may collect Personal Information directly from you when you:

- provide information to us in any way (including by completing a form (whether at our premises or on any of our websites), disclosing information over the phone, providing us a business card or applying for employment with us);
- visit any of our websites or premises or sites from which we operate;
- acquire goods from us or use or apply for our services, including when you apply for credit from us or ask us to consider accepting a guarantee from you for credit that we might provide to a third party;
- provide goods or services to us;
- drive BGC Group vehicles or use other BGC Group assets;
- request information about us, our products or our services;
- provide feedback;
- enter a competition or respond to a survey; or
- where we are required or authorised by law to do so.

We may collect Personal Information directly from you via our security or other cameras installed at our premises.

We may also collect Personal Information about you from other sources, including for example from:

- your nominated representatives (such as a spouse, accountant, lawyer, brokers and other professional advisors);
- if applicable, other credit applicants and from your guarantors or proposed guarantors;
- finance brokers, other credit providers and trade references;
- CRBs and mercantile reporting agencies;
- identity verification services (including in connection with assessing the information you provide in any application for employment you make with us);
- your employer or any former employer;
- other persons in connection with the services that you seek from us, such as where you seek our services about a loan or a lease;
- publicly available sources of information including for example where we seek your current contact details if we have been unable to contact you;
- related companies and businesses within BGC;
- referees, if you submit an employment application to us;
- lawyers, medical providers, investigators, insurers (including WorkCover in relation to insurance claims) or other third parties who provide products or services to us; or
- deriving this information from your dealings with BGC or other information collected by us.

We will only collect your Personal Information from third parties if it is unreasonable or impractical to collect the necessary information directly from you or if we are otherwise permitted by law to do so.

How does BGC handle sensitive information?

The [Privacy Act](#) describes 'sensitive information' as including information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual orientation or criminal record which, in any case is also Personal Information, and health information about an individual.

Occasionally it may be reasonably necessary for us in connection with our functions or activities to collect sensitive information about you, such as:

- health information, if required by law, in connection with an employment or recruitment process or your ongoing employment; or if you seek hardship or similar relief in relation to any credit facility we provide to you;

- racial origins, if you request the use of a translator to engage with us;
- if required in connection with an employment or recruitment process, membership of a professional or trade association or a trade union and criminal records;
- if we provide insurance to you; and
- if you voluntarily provide that information to us.

If you or third parties provide us with sensitive information about you, we will only use and disclose the information for the purpose for which it was provided or another directly related purpose, unless you agree otherwise, or where permitted or required by law.

We will only collect sensitive information with your consent or as otherwise permitted by the [Australian Privacy Principles](#).

Why does BGC collect, hold and use Personal Information?

BGC is committed to providing quality customer service to our internal and external clients and to operate our businesses within statutory requirements and comply with our legal obligations.

We collect, hold and use your Personal Information in order to conduct our businesses – this includes providing and marketing our products and services, including credit facilities, managing our business relationships, recruitment, managing safety and security risks, complying with our legal obligations and monitoring access to our websites. We will only use your Personal Information, including your credit information, in compliance with our obligations under the [Privacy Act](#) and the [Privacy \(Credit Reporting\) Code 2014](#).

We collect, hold and use your Personal Information:

- **to provide and market our products and services to you**, including:
 - to identify and communicate with you;
 - to enable us to provide requested goods and services to you or to other persons (including through online transactions), including credit facilities;
 - to help us to manage and enhance goods and services we provide to you;
 - to collect payments in respect of goods or services we provide to you;
 - to produce marketing material, including newsletters and other communications, and to allow us to provide advertising material to you regarding us, our clients and other business partners, unless you advise us not to do so;
 - to respond to, and where relevant investigate, any questions, feedback or complaints you may have;
- **to assess your eligibility for, and to provide and manage, credit facilities**, including:
 - to assess any request you make for credit or proposal by you to provide a guarantee;
 - to derive other information about your credit-worthiness;
 - to assess your ability to repay any credit, including a loan;
 - to notify CRBs, other credit providers and trade referees of a default by you or of any other information that we are permitted by law to disclose to such persons;
 - to manage and maintain credit accounts;
 - to consider any financial hardship requests you make;
- **to manage our relationships with our suppliers, service providers and our other business relationships**, including:
 - in the case of our suppliers or service providers, or individuals engaged by our suppliers or service providers, to manage the provision of goods or services to us and to otherwise manage our relationships with those suppliers and service providers;
 - to place insurance policies and to notify and assess insurance claims, pay settlements and finalise insurance claims and determine liability;
 - for business related and other support purposes including administration, managing real estate leases and licenses, workforce management, management and maintenance of our assets, and product recalls;
 - for purposes related to the sale of BGC or any assets of BGC or the acquisition by BGC of any company or assets;
 - to provide information to our shareholders and other persons that have an interest in our business;
- **for recruitment and employment related purposes**, including:
 - to process any application submitted by you for employment or for engagement as a contractor and for our other employment and recruitment related activities;
- **to manage safety and security risks**, including:
 - to regulate and monitor entry, and access, to our premises, systems (including IT systems), work sites and equipment (including vehicles), including for health and safety purposes and to manage unlawful access and other unlawful activities;
 - to undertake investigations of potentially unlawful activities;
 - to protect you, us and, if applicable, our suppliers and service providers, from fraud and other breaches of law;

- **for other purposes**, including:
 - to exercise our rights and comply with our statutory and legal obligations, including engagement with law enforcement agencies or other government agencies;
 - to monitor activity on our websites and to otherwise administer our websites, including to upgrade any of our websites;
 - for any other purpose which we separately notify directly to you or you expressly consent to; and
 - where required or authorised by or under any Australian law or a court or tribunal order.

If we collect government identifiers, such as your tax file number, we do not use or disclose this information other than as required by law. We will never use a government identifier to identify you.

When does BGC disclose your Personal Information?

We may disclose your Personal Information to any of the following, for any of the purposes set out above:

- the members of the BGC group of companies, including any internal divisions of the individual members;
- our shareholders and other persons that have an interest in our business;
- your nominated representatives, including your finance broker, lawyer or accountant;
- your employer;
- CRBs, other credit providers and mercantile reporting agencies;
- referees listed on any employment or recruitment application submitted by you;
- trade referees listed in your credit application (or any credit application where you are listed as a guarantor);
- financial planners;
- trade suppliers;
- mercantile agents;
- our funders or other financial intermediaries;
- banks, mortgage insurers, lenders, valuers, real estate agents (referees), insurers, brokers, settlement agents, auditors, business consultants and IT service providers;
- other companies or individuals who assist us in providing products and services to you;
- professional service providers and advisors who perform functions on our behalf or who provide services to us, such as lawyers, credit processors, identity verification service providers (including in connection with assessing the information you provide in any application for employment you make with us) and debt collectors;
- medical providers including medical and rehabilitation practitioners for assessing insurance claims;
- Government, regulatory authorities and other organisations as required or authorised by law (such as Centrelink and the Police); and
- other persons when we obtain your consent to do so.

We outsource various administrative functions to third parties that provide mailing services, invoice and statement printing services, archiving functions, marketing services, and other services and functions as deemed necessary by management from time to time. We provide your Personal Information to those service providers. We may also disclose your Personal Information to our website hosts or software application providers in certain limited circumstances, for example when any of our websites experience a technical problem or to ensure that it operates in an effective and secure manner.

Organisations providing professional services to us are required to keep those dealings and Personal Information provided by us confidential unless required to disclose such information by statute or law.

In general, we do not disclose your Personal Information to any overseas recipient. However, we may use cloud storage to store the Personal Information we hold about you and the cloud storage and the IT servers may be located outside Australia. In addition, we, or one of our third-party providers may disclose your Personal Information to overseas recipients including insurers, IT service providers, auditors and medical providers if:

- our related entities are overseas;
- we outsource certain activities to an offshore entity; or
- transactions, services, or products have an overseas connection.

Some divisions of the BGC Group disclose Personal Information to persons located in the United States of America, India or the Philippines for one or more of the reasons set out in this section.

We do not otherwise disclose your Personal Information, unless the disclosure is:

- in accordance with this *Privacy Policy* or any agreement you enter into with us;
- required or authorised by law, including without limitation the [Australian Privacy Principles](#) and, where applicable, the [Privacy \(Credit Reporting\) Code 2014](#); or
- made with your consent.

Marketing

You consent to us using your Personal Information (other than sensitive information) for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties, now and in the future. You also consent to us sending you such information by means of mail, email, SMS and MMS messages. You can opt out of receiving direct marketing communications by using the opt out link or details provided in the direct marketing communication, or you can contact us using the contact details specified in the Enquiries section below if you do not want to receive marketing information from us.

We may use images from security cameras for marketing of our construction projects, provided that if you are identifiable from any such images we first obtain your consent.

How does BGC manage Personal Information security?

We take reasonable steps to protect the security of your Personal Information by ensuring it is protected from misuse, loss, interference and from unauthorised access, modification or disclosure.

Our personnel are required to respect the confidentiality of your Personal Information and the privacy of individuals. We maintain policies and procedures to prevent unauthorised access to the Personal Information we hold whether it is in an electronic or paper format, and to ensure the correct use of this information. Training on the requirements of the [Privacy Act](#) is provided to our personnel.

Where we no longer require your Personal Information and we are not required to retain it by an Australian law or a court or tribunal order, we will take reasonable steps to de-identify or destroy all record of the information held.

You can access and update your Personal Information

You are generally entitled to access the Personal Information that we hold about you (in a manner you request, if this is reasonable and practicable) by contacting us by any means set out in the Enquiries section below. We will respond to any request you make within a reasonable period of time.

If BGC cannot provide access to your Personal Information, it will provide you with the reasons why. Depending on the nature of the request, BGC may charge for providing access to this information, however such charge will not be excessive.

It is important to us that the Personal Information we hold about you is accurate and up to date and we ask that you inform us if any of your Personal Information that you have previously provided to us, such as your contact details, changes. In addition, if the Personal Information BGC holds about you is inaccurate, incomplete or not up to date you may request that BGC corrects the information by, if you have an online account with us, updating that online account; by contacting the BGC personnel that you typically engage with; or by contacting us by any means set out in the Enquiries section below. We will respond to any request you make within a reasonable period of time.

If we agree that the Personal Information we hold about you is not accurate, complete and up to date, we will take reasonable steps to correct the information so that it is accurate, complete and up to date. If we do not agree that the information requires correction or there are no reasonable steps we can take to correct the information, we will provide reasons for denial of correction.

BGC will require you to verify your identity before BGC responds to a request for access to, or correction of, your Personal Information. It would assist us to ensure we properly understand your request, and allow us to respond more promptly, if requests are made in writing (including by email) and include as much detail as possible.

How does BGC deal with complaints?

If you feel that we have not respected your privacy or that we have conducted ourselves inconsistently with this *Privacy Policy* or otherwise breached the [Australian Privacy Principles](#) or the [Privacy \(Credit Reporting\) Code 2014](#), please contact us by any means set out in the Enquiries section below. We will investigate your complaint within a reasonable time frame depending on the complexity of the complaint.

It would assist us to respond to your complaint promptly if it is made in writing (including by email), setting out information relevant to your complaint and to those parties involved in the alleged breach.

If you feel that we have not satisfactorily addressed your complaint, you may also make a complaint to the *Office of the Australian Information Commissioner* in the manner specified at www.oaic.gov.au.

If your complaint relates to credit information you may also be entitled to make a complaint to our external dispute

resolution service provider in some cases. That provider is the Australian Financial Complaints Authority, which may be contacted via:

Online: afca.org.au

Email: info@afca.org.au

Phone: 1800 931 678

Mail: GPO Box 3, Melbourne VIC 3001

Relationship with Credit Reporting Bodies

Credit Reporting Bodies (CRBs) are able, under applicable privacy regulation, to handle Personal Information relating to credit. If BGC provides any of your Personal Information (including information as to whether you fail to make payments to us) to any CRB, that CRB may include that information in reports provided to other credit providers to assist such other credit providers to assess your credit-worthiness. Some of your credit information that we provide to a CRB or CRBs may reflect adversely on your credit-worthiness and this may negatively impact your ability to obtain credit from other credit providers.

BGC uses the credit reporting services provided by Equifax Australasia Credit Ratings Pty Ltd T/A Equifax Pty Ltd and Corporate Scorecard (together **Equifax**). Equifax may use the credit reporting information (as defined in the [Privacy Act](#)) it holds about you for "pre-screening" for direct marketing by certain third parties. You have the right to request Equifax not to use that credit reporting information for pre-screening purposes. You also have the right to request Equifax not to use or disclose that credit reporting information if you believe on reasonable grounds that you have been or are likely to be a victim of fraud.

Please refer to Equifax's credit reporting policy for details on its management of credit reporting information. A copy of that policy can be obtained at www.mycreditfile.com.au or by contacting Equifax as follows:

Mailing Address: Equifax - Customer Resolutions
PO Box 964
North Sydney
NSW 2059, Australia

Phone: 1300 762 207

Updates to this Privacy Policy

We may update this *Privacy Policy* from time to time in response to changes to laws, regulations and technology. All the Personal Information we hold will be governed by our most recent *Privacy Policy* located at www.bgc.com.au and on the websites of the other BGC group members. Any changes to the *Privacy Policy* will be advised to you by updating these pages on our websites. We encourage you to check these pages from time to time for any changes.

Enquiries

If you have any concerns or queries about our *Privacy Policy*, or if you would like more information about privacy-related issues please contact our [Privacy Officer](#) at:

E-mail address: privacy@bgc.com.au

Mailing Address: The Privacy Officer
BGC Privacy Services
PO Box 1620
Osborne Park DC WA 6916

Phone: +61 8 6220 4800

This policy was last updated in 19 August 2024. If you have any general comments on this policy, please feel free to contact our [Privacy Officer](#).