

# Vitality Health and Wellness - Privacy policy

## Online - Privacy Statement

Vitality Health and Wellness Chiropractic has a commitment to privacy in accordance with the Privacy Act of 1988 and its amendments.

### 1. The purpose of this policy

This Policy applies to the information we gather through our Website and advertising mechanisms. Information gathered as part of our provision of Chiropractic Services are subject to a Health Records Policy. We are bound by the Privacy Act and the Australian Privacy Principles (**APPs**) which regulate the collection, use and disclosure of *personal information*. This Privacy Policy explains:

- the scope of our Privacy Policy;
- why we collect *personal information*;
- what *personal information* we collect;
- how we collect and use your *personal information*;
- how we disclose your *personal information*, including to overseas recipients;
- your right to access your *personal information*;
- your right to correct your *personal information*;
- how we protect the integrity of your *personal information*;
- your right to make a privacy complaint; and
- how you can contact us regarding privacy concerns.

We reserve the right to review, and if necessary, change this Privacy Policy. We will post changes to this Privacy Policy on our Website. This Privacy Policy is on our Website.

### 2. Scope

This Privacy Policy governs all *personal information* collected by and provided to us and must be adhered to by all persons who access, use, process, control or otherwise deal with *personal information* on our behalf. This policy applies to independent contractors and job applicants, as well as individuals who provide us with their *personal information*. This Privacy Policy does not apply to our acts and practices which relate directly to the employee records of our current and former employees.

### 3. What is *personal information*?

*Personal information* is any information that can be used to identify you. This includes any *personal information* or opinions about you, whether true or not, no matter how the information or opinions are recorded. The information may be collected from you directly or provided to us by another party. *Sensitive information* is a special category of *personal information* and includes, but is not limited to, information about your health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, or criminal record. *Health information* includes *personal information* collected from you in order to provide a health service. There are greater restrictions that apply to our collection, storage, use and disclosure of *sensitive information* under the Privacy Act.

### 4. Why do we collect *personal information*?

We collect *personal information* from you for the following purposes (**Primary Purpose**):

- to lawfully carry out our functions and activities;
- to deliver the products and services that you requested;
- to provide you with further information about the products and services you requested;
- to personalise and customise your experiences with us;
- to help us review, manage and enhance our services;
- to develop insights used in reports or other content developed by us;
- to communicate with you;
- for administration purposes, including charging, billing and collecting debts;
- to promote and market those of our other products and services which we consider may be of interest to you;
- when considering making offers to job applicants and prospective employees or for employment purposes; and
- to receive services from you or the organisation which employs you.

[SEP] In addition to the Primary Purpose, we may use the *personal information* we collect and you consent to us using your personal information to:

- provide you with news about any products and services;
- send you marketing and promotional material that you may be interested in;
- communicate with you, including by email, telephone and mail;
- manage and enhance products or your experience on our Website and domains;
- conduct surveys or promotions;
- verify your identity;
- investigate any complaints about, or made by you, or if we have reason to suspect you have breached any relevant terms and conditions; and
- as required or permitted by any law.

Unless otherwise provided by law, we will not collect, hold, use or disclose sensitive information without your consent.

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

The nature and extent of *personal information* we collect varies depending on your particular interaction with us and the nature of our functions and activities. *Personal information* that we commonly collect from you would include (but is not limited to):

- your name, position, date of birth;
- your address, email address, telephone numbers, gender, driver's licence number;
- your financial information including credit card and banking information, business references, details about your business, Australian Business Number;
- nature of products or services being sought for the purposes of filling your order;
- your occupation, career history and references.

We also collect information that is not *personal information*, such as data relating to your activity on our Website. If you feel that the *personal information* that we are requesting at any point is not information that you wish to provide, please feel free to raise this with us.

## **6. How do we collect *personal information*?**

Generally, *personal information* is collected by us from a variety of sources, including when dealing with members or customers, when

dealing with individuals, undertaking marketing initiatives, or when recruiting. For example, we may collect *personal information* from you in the following circumstances:

- when you deal with us as an independent contractor; or
- when you apply for a job.

*Personal information* may be provided by you using our Website or by telephone, business cards, contracts, applications, competition entries, survey entries, mail or email, registration forms, face-to-face or in writing, whether verbally, in hardcopy or electronic format. Where possible, we collect your *personal information* directly from you. In some circumstances we may obtain *personal information* from a third party. If you provide *personal information* about another person to us, we require that you:

- inform that person you have done so and provide them with a copy of this policy; and
- confirm to us that you have that person's consent to provide such information for the purpose specified.

If we receive unsolicited *personal information* about you that we could not have collected in accordance with this Privacy Policy and the Privacy Act, we will within a reasonable period, destroy or de-identify such information received.

## **7. Website and Google analytics**

Information we collect may include:

- the Internet Protocol address and a component of the domain name used (e.g. .com or .net);
- the type of browser and operating system you used;
- the date and time you visited our Website;
- the web pages or services you accessed at our Website;
- the time spent on individual pages and our Website overall;
- which files you downloaded; and
- information about your computer and Internet connections using cookies.

## **8. How do we use your *personal information*?**

We will only use and disclose your *personal information*:

- for purposes which are related to the Primary Purpose; or
- if we otherwise get your consent to do so,

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[SEP] in accordance with this Privacy Policy and the Privacy Act. We will not use your *personal information* for any purpose for which you would not reasonably expect us to use your *personal information*. Additionally, we will not disclose your *sensitive information* without your consent, unless there is a need to disclose such information in accordance with the Privacy Act or to comply with any other regulatory requirement. We will only use or disclose your *personal information* for the purposes of direct marketing if:

- we collected the information from you;
- it is reasonable in the circumstances to expect that we would use or disclose the information for direct marketing purposes;
- we provide you with a simple means to ‘opt-out’ of direct marketing communications from us; and
- you have not elected to ‘opt-out’ from receiving such direct marketing communications from us.

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You are not obliged to give us your *personal information*. If you would like to access any of our services on an anonymous basis or using a pseudonym, we will take reasonable steps to comply with your request. However, we will require you to identify yourself if:

- we are required by law to deal with individuals who have identified themselves; or
- it is impracticable for us to deal with you if you do not identify yourself or elect to use a pseudonym.

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[SEP] Please also be aware that your request to be anonymous or to use a pseudonym may affect our ability to provide you with the requested goods and/or services and the range of options available to you or the organisation as a member may be limited

### **10. When do we disclose your *personal information*?**

For the purposes referred to above in this Privacy Policy, you acknowledge and agree that we may disclose *personal information* and you consent to us disclosing such *personal information* to:

- our Affiliated Entities;

- third parties engaged by us to perform functions or provide products or services on our or their behalf such as mail outs, marketing or advertising;
- third parties that sponsor or promote us;
- your referees and former employers;
- credit agencies;
- our professional advisors, including our accountants, auditors and lawyers;
- persons authorised by you to receive information held by us; and
- any persons as required or permitted by any law.

## **11. Do we send information overseas?**

We may in some circumstances as necessary send *personal information* to overseas recipients, all recipients will be subject to our privacy provisions and have signed an enforceable agreement to this effect.

## **12. Access to your *personal information***

If you require access to your *personal information*, please contact our General Manager. You are required to put your request in writing and provide proof of your identity.<sup>[1]</sup><sup>[SEP]</sup> We are not obliged to allow access to your *personal information* if:

- we reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- giving access would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between you and us and would not ordinarily be accessible by the discovery process in such proceedings;
- giving access would reveal our intentions in relation to negotiations with you in a way that would prejudice those negotiations;
- giving access would be unlawful;
- denying access is required or authorised by or under an Australian law or a court/tribunal order;

- we have reason to suspect that unlawful activity, or misconduct of a serious nature relating to our functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- giving access would reveal internal evaluative information in connection with a commercially sensitive decision-making process.

<sup>[1]</sup><sub>[SEP]</sub> If you make a request for access to *personal information*, we will:

- respond to your request within a reasonable period; and
- if reasonable and practicable, give access to the information in the manner requested.

If we refuse to give access to the *personal information* because of an exception or in the manner requested by you, we will give you a written notice that sets out at a minimum:

- our reasons for the refusal (to the extent it is reasonable to do so); and
- the mechanisms available to complain about the refusal.

<sup>[1]</sup><sub>[SEP]</sub> We reserve the right to charge you reasonable expenses for providing access to *personal information*, for example, a fee for photocopying any information requested by you. <sup>[1]</sup><sub>[SEP]</sub> <sup>[1]</sup><sub>[SEP]</sub> Nothing in this Privacy Policy replaces other informal or legal procedures by which you can be provided with access to *personal information*.

### **13. Correction of your *personal information***

We request that you keep your *personal information* as current as possible. If you feel that information about you is not accurate or your details have or are about to change, you can:

<sup>[1]</sup><sub>[SEP]</sub> If you make a request to correct your *personal information*, we will:

- respond to your request within a reasonable period; and
- if reasonable and practicable, correct the information in the manner requested.

<sup>[1]</sup><sub>[SEP]</sub> If we refuse a request to correct *personal information*, we will:

- give you a written notice setting out the reasons for the refusal and how you may make a complaint; and
- take reasonable steps to include a statement with your *personal information* we refuse to correct.

We reserve the right to charge you reasonable expenses for making a correction to your *personal information*, for example, a fee for photocopying relevant information. Nothing in this Privacy Policy replaces other informal or legal procedures by which you can correct *personal information*.

## 14. Integrity of your personal information

We will take reasonable steps to:

- ensure that the *personal information* that we collect is accurate, up to date and complete;
- ensure that the *personal information* that we hold, use or disclose is, with regard to the relevant purpose, accurate, up to date, complete and relevant; and
- secure your *personal information* while it is being held by us.

We will take reasonable steps to protect *personal information* from:

- misuse, interference and loss; and
- unauthorised access, modification or disclosure.

Electronic information is protected by various security measures (including encryption and password protection) and physical paper files are stored in a secure location. *Personal information* is de-identified where appropriate. Data protection includes the use of password access areas and secure servers. You acknowledge that the security of communications sent by electronic means or by post cannot be guaranteed. We cannot accept responsibility for misuse, loss or unauthorised access to your *personal information* where the security of information is not within our control. If you suspect any misuse or loss of your *personal information* please contact us immediately. We will take reasonable steps to destroy or de-identify any *personal information* held by us if we no longer need to hold the information for the purpose it was collected and we are not otherwise required by law to retain the information.

## 15. Complaints

If you have a complaint about how we collect, use, disclose, manage or

protect your *personal information*, or otherwise consider there may be a breach of the Privacy Act or the APPs, please contact us in writing. We treat all complaints seriously and intend to resolve your complaint within a reasonable timeframe, usually 14 days or otherwise as soon as practicable. However, in some complex cases, resolution may take longer. Once the complaint has been received, we will try to resolve the matter in a number of ways:

- **Request for further information:** We may request further information from you. You should be prepared to provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution. All details provided will be kept confidential.
- **Discuss options:** We will discuss options for resolution with you and if you have suggestions about how the matter might be resolved you should raise these with our Privacy Contact Officer.
- **Investigation:** Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress your complaint.
- **Conduct of our employees:** If your complaint involves the conduct of our employees we will raise the matter with the employees concerned and seek their comment and input in the resolution of the complaint.

## 16. Cookie Tracking and Remarketing

This website uses Google AdWords, Adroll & Facebook remarketing service to advertise on third party websites to previous visitors to our site. It could mean that we advertise to previous visitors who haven't completed a task on our site, for example using the contact form to make an enquiry. This could be in the form of an advertisement on the Google search results page, a site in the Google Display Network, any Adroll inventory or somewhere on Facebook. Third-party vendors, including Google, Adroll & Facebook, use cookies to serve ads based on someone's past visits. Of course, any data collected will be used in accordance with our own privacy policy, as well as Google, Adroll & Facebook privacy policies.

You can opt-out of remarketing by visiting the links below:

For Google: <https://support.google.com/ads/answer/2662922?hl=en>

For Facebook: [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/)

For Adroll: <https://app.adroll.com/optout>

## **Contact**

Please forward all correspondence in respect of this Privacy Policy to the [info@vitalityhealthwellness.com](mailto:info@vitalityhealthwellness.com).