

Privacy Policy

This page relates to personal information collected by BIARRI and held by BIARRI as part of our day-to-day business dealings with you.

This Privacy Policy sets out the approach which BIARRI will take in relation to the treatment of Personal Information and Sensitive Information (as those terms are defined in the *Privacy Act 1988 (Privacy Act)*). It includes information on how BIARRI collects, uses, discloses and keeps secure, individuals' Personal Information. It also covers how BIARRI makes the Personal Information it holds available for access to and correction by the individual.

This policy has been drafted having regard to BIARRI's obligations under the Privacy Act, including the Australian Privacy Principles.

In this Privacy Policy, we use the terms:

- (a) 'customers' to refer to individuals who engage us to provide goods and services, and individuals at businesses who engage us to provide goods and services;
- (b) 'customer clients' to refer to individuals whose Personal Information is entered into any of our software products by our customers;
- (c) 'suppliers' to refer to individuals who provide us with goods or services, and individuals at businesses who provide us with goods or services;
- (d) 'visitors' to refer to individuals who engage with us on our website or social media, or who enquire about our goods, services, functions or activities via electronic means;
- (e) 'enquirers' to refer to individuals who enquire about our goods, services, functions, or activities via phone or in person; and
- (f) 'applicants' to refer to individuals who apply for employment or other engagement with us.

In some circumstances, you may belong to more than one of these groups, and multiple sections of this Privacy Policy will then apply to you.

1. Customer Clients

- 1.2 Our customers may use our software to deliver their goods and services. If you are a customer client, then we may have access to your Personal Information as a result of the customer's use of our software. The kinds of Personal Information we have access to is determined by the customer but may include your name, contact details, date of birth, photograph, health information, biographical information, and other information relevant to the goods and services provided by the customer. This privacy policy applies to that Personal Information to the extent we have access to it in our provision of the software and related services to the customer. We do not use this Personal Information for our own purposes. Additionally, each customer's privacy policy will apply to their collection, use, and disclosure of your Personal Information. If you have any questions about the collection, use, and disclosure of your Personal Information by a customer of ours, please direct those questions to the relevant customer. We are not responsible for the privacy or security practices of our customers, which may be different from our privacy and security practices.

2. Collection

- 1.3 Biarri Optimisation Pty Ltd and its related entities ("we", "our", "BIARRI") provides services and products in a variety of industries. The kinds of Personal Information we collect about you depends on our relationship with you, and we limit the information we collect to what is reasonably necessary for one or more of our functions or activities. Generally, Personal information held by BIARRI will include your name, and other information relevant to providing you with the information, goods and services (as applicable) you or someone on your behalf are seeking.

- 1.4 If you are a customer, we will also collect your current and previous addresses, telephone/mobile numbers, e-mail address, bank account details, business name and ABN (for sole traders and partnerships), information about your role, marketing and communications preferences, and other information we require to provide our services to you.
- 1.5 if you are a supplier, we will also collect your contact details, business name and ABN (for sole traders and partnerships), bank account details (for payment of your invoices), and information about your role.
- 1.6 if you are a visitor, we will also collect your email address, information about your use of our website and the device you are using (including numbers that identify your device, IP address, geographic location of your IP address and device where that is relevant to the services and information we are providing, cookie information, and user preferences). You may choose to enable or disable information you share with us via the website in your browser or device settings. Disabling the sharing of some information may affect your ability to use certain features of the website, and your visitor experience generally.
- 1.7 If you are an applicant, depending on your potential or actual position with us, we will also generally collect your Personal Information contained within an application and CV/resume, employment history, Personal Information derived from a reference, Personal Information derived from an interview, Personal Information derived through testing (including psychometric or aptitude testing, as applicable), licences and other certificates and qualifications, and Personal Information included in a passport, birth certificate, visa or other documentation demonstrating your right to work in Australia.
- 1.8 We will generally collect Personal Information directly from you when you interact with us, such as in person, by email, by phone, by enquiry or feedback form, or via our website, social media channels, interviews (via any method), any of our standard forms (including application forms), contract negotiation, our employment and engagement application process, our surveys (where applicable), or any other means when you provide us with your Personal Information.
- 1.9 We may also need to collect Personal Information about you from third parties from time to time where it is necessary for us to do so and it is unreasonable or impractical to collect directly from you, where you have consented to us doing so, or where we are otherwise required to or authorised to by law. Those third parties include:
 - (a) if you are a customer client: from the customer who is providing you with goods or services;
 - (b) if you are a customer or supplier: publicly available records such as the Australian Securities Investment Commission, and Australian Business Register;
 - (c) if you are an applicant: referees when they provide references, academic institutions or training and certification providers, providers of licence and background-checking services, recruiters and other service providers who assist in the engagement process, and other publicly available sources such as social media platforms.
- 1.10 Except as otherwise permitted by law, we only collect Sensitive Information about you if you consent to the collection of the information and if it is reasonably necessary for the performance of our functions and activities. Consent may be implied by the circumstances existing at the time of collection. There may also be circumstances under which we may collect Sensitive Information without your consent, as required or authorised by law.
- 1.11 If you provide us with Personal Information about someone else, you must ensure that you are authorised to disclose that information to us and that, without us taking any further steps required by applicable privacy laws, we may collect, store, use and disclose such information for the purposes described in this Privacy Policy. Where we request you to do so, you must assist us with any requests by the individual to access or update the Personal Information you have collected from them and provided to us.

2. Purpose for Collection, Holding, Use, and Disclosure

- 2.1 BIARRI will only collect, hold, use, and disclose your Personal Information where the information is reasonably necessary for or directly related to BIARRI performing one or more of its functions or activities.

- 2.2 Our functions and activities include:
- (a) to facilitate our internal business operations, including:
 - (i) establishing our relationship with you;
 - (ii) maintaining and managing our relationship with you, and communicating with you in the ordinary course of that relationship;
 - (iii) updating Personal Information;
 - (iv) fulfilling our legal requirements, both at law and under contractual arrangements with you;
 - (v) accounting purposes;
 - (vi) business planning and product development, analysing our goods and services, and customer and supplier needs, with a view to developing new or improved goods, services, and business operations;
 - (vii) conducting market research and monitoring use of our goods and services, including contacting you to ask you for your feedback or a testimonial;
 - (viii) marketing our goods and services;
 - (ix) if you are a customer or enquirer, to supply you with information and details of our products and services;
 - (x) if you are a supplier: to purchase goods and services from you;
 - (xi) if you are a visitor or customer: streamlining and personalisation of website experiences, and tailoring our information, goods and services for you; and
 - (xii) if you are an applicant, considering your application with us.
 - (b) to de-identify and aggregate Personal Information about you and your use of our goods and services to improve the quality of our goods and services, and for research purposes. After we delete Personal Information, we may retain de-identified and anonymised information (that can no longer be associated with you) and may continue to use this de-identified data indefinitely without further notice to you; and
 - (c) for any other purpose identified at the time of collection.
- 2.3 BIARRI will not collect Personal Information secretly or in an underhanded way.
- 2.4 BIARRI may use or disclose Personal Information for a secondary purpose which would be within the relevant individual's reasonable expectations for us to do so, and that secondary purpose is related (or directly related in the case of Sensitive Information) to the primary purpose set out above.
- 2.5 BIARRI may send you direct marketing communications and information about our goods and services via mail or email with your consent (which may be implied in some circumstances). BIARRI will ensure that individuals are clearly notified on any direct marketing material of their right to opt out from further direct marketing using opt-out methods provided on the material. If you opt out of all direct marketing, the opt out will be respected by BIARRI and implemented free of charge.
- 2.6 BIARRI will not use Sensitive Information for direct marketing.
- 2.7 BIARRI may also use and disclose Personal Information and Sensitive Information in circumstances required or authorised by law, such as to avoid an imminent threat to a person's life or to public safety, and reasons related to law enforcement or internal investigations into unlawful activities.
- 2.8 BIARRI will not use Personal Information without taking reasonable steps to ensure that the information is accurate, complete and up to date.

- 2.9 BIARRI will not attempt to match de-identified or anonymous data collected through surveys or such online devices as “cookies”, with information identifying an individual, without the consent of the relevant individual.

3. Disclosure

- 3.1 BIARRI will generally disclose your Personal Information for the purposes for which it was collected (set out above at section 2). BIARRI may disclose Personal Information about you to:
- (a) our related entities;
 - (b) to our employees, contractors, consultants, and other parties who require the information to assist us with the purposes for which it was collected, and with establishing, maintaining, or terminating our relationship with you;
 - (c) third party service providers who assist us in operating our business and providing information, resources, goods and services to you or someone else on your behalf (including IT and technology service providers, recruitment providers, insurers, and professional advisers such as lawyers, accountants, and auditors); and
 - (d) third parties where consent has been obtained from the individual to disclose, and where the information was collected from you (or from a third party on your behalf) for the purposes of passing it to on the third party.
- 3.2 BIARRI will take reasonable steps to ensure that its contracts with third party service providers include requirements for third parties to comply with the use and disclosure requirements of the Privacy Act.
- 3.3 In the rare event that BIARRI is required to disclose Personal Information to law enforcement agencies, government agencies or external advisors BIARRI will only do so in accordance with the Privacy Act or any other relevant Australian legislation.
- 3.4 BIARRI may disclose Personal Information as otherwise required or authorised by law, including to avoid an imminent threat to a person’s life or to public safety.
- 3.5 BIARRI does not generally share its customer lists on a commercial basis with third parties but if it did, and except in circumstances described in paragraph 3.6, it would only do so if we had the appropriate consent of the individual involved.
- 3.6 BIARRI may expand or reduce our business, and this may involve the sale and/or transfer of control of all or part of our business. Personal Information, where it is relevant to any part of the business for sale and/or transfer, may be disclosed to a proposed new owner or newly controlling entity for their due diligence purposes, and upon completion of a sale or transfer, will be transferred to the new owner or newly controlling party to be used for the purposes for which it was provided.

4. Remarketing

- 4.1 This section 4 applies to visitors.
- 4.2 BIARRI also uses 3rd party vendor re-marketing tracking cookies, including the Google Adwords, Facebook, LinkedIn and other tracking cookies. This means we will continue to show ads to you across the internet, specifically on the Google Content Network (GCN) or other related networks. As always we respect your privacy and are not collecting any identifiable information through the use of Google’s or any other 3rd party remarketing system.
- 4.3 The third-party vendors, including Google, whose services we use – will place cookies on web browsers in order to serve ads based on past visits to our website. – Third party vendors, including Google, use cookies to serve ads based on a user’s prior visits to your website. This allows us to make special offers and continue to market our services to those who have shown interest in our service.

5. Information Quality

- 5.1 BIARRI will review, on a regular and ongoing basis, its collection and storage practices to ascertain how improvements to accuracy can be achieved.
- 5.2 If required, BIARRI will take steps to destroy or de-identify Personal Information after as short a time as possible and after a maximum of seven years, unless the law requires otherwise.

6. Information Security

- 6.1 BIARRI stores your Personal Information in different ways, including in paper and electronic form. Where your Personal Information is stored electronically, it may be stored on servers located in Australia or overseas. We take all reasonable measures to ensure your Personal Information is stored in a manner that reasonably protects it from interference, misuse and loss and from unauthorised access, modification or disclosure, including electronic and physical security measures, including:
 - (a) taking all reasonable steps to ensure that paper and electronic records containing Personal Information are stored in facilities that are only accessible by people within BIARRI who have a genuine “need to know” as well as “right to know”;
 - (b) only providing access to Personal Information under section 7 once proper identification has been given; and
 - (c) requiring employees and contractors to perform their duties in a manner that is consistent with BIARRI’s legal responsibilities in relation to privacy; and
 - (d) requiring third party providers to have acceptable security measures to keep Personal Information secure.
- 6.2 BIARRI will review, on a regular and ongoing basis, its information security practices to ascertain how ongoing responsibilities can be achieved and maintained.

7. Access and Correction

- 7.1 You may access the Personal Information we hold about you in accordance with the Privacy Act.
- 7.2 We endeavour to respond to requests for access within 30 days, but will otherwise respond within a reasonable period. We may decline a request for access to Personal Information in circumstances prescribed by the Privacy Act. If we decline a request for access, where reasonable, we will provide you with our reasons and information about your ability to complain about such refusal.
- 7.3 If you are a customer client, we may not be able to provide you with the requested information, and in those circumstances will recommend that you contact the customer who has collected your Personal Information.
- 7.4 In order to protect the confidentiality of your Personal Information, details of your information will only ever be passed on to you where we are satisfied that the information relates to you. Accordingly, we may request documentation from you which confirms your identity before passing on any Personal Information which relates to you.
- 7.5 If you believe the Personal Information BIARRI holds about you is incomplete, out of date, or is inaccurate, please advise us as soon as practicable. BIARRI will take reasonable steps to correct its records containing Personal Information as soon as practically possible, if we agree that the Personal Information is incomplete, out of date, or inaccurate having regard to the purpose for which it was collected. We endeavour to process correction requests within 30 days.
- 7.6 Individuals wishing to lodge a request to access and/or correct their Personal Information should do so by contacting BIARRI, as per the details set out in section 11.
- 7.7 BIARRI will not normally charge a fee for processing an access request unless the request is complex or is resource intensive. We will notify you in advance of any applicable fees. There are no fees for requesting access to or correction of your Personal Information.

8. Complaints

- 8.1 Please contact BIARRI via the details set out in section 11 for inquiries or complaints about privacy issues.
- 8.2 BIARRI will endeavour to investigate and manage any privacy related complaint efficiently and in a timely manner. If you are not satisfied with the outcome of the complaint process, you may contact the Office of the Information Commissioner, Australia. To lodge a complaint, visit the 'Complaints' section of the Information Commissioner's website, located at <http://www.oaic.gov.au/privacy/privacy-complaints>, to obtain the relevant complaint forms, or contact the Information Commissioner's office.

9. Anonymous Transactions

- 9.1 BIARRI will not make it mandatory for visitors to its web sites to provide Personal Information unless such Personal Information is required to answer an inquiry or provide a service. BIARRI may however request visitors to provide Personal Information voluntarily to BIARRI (for example, as part of a competition or questionnaire).
- 9.2 BIARRI will allow its customers to transact with it anonymously wherever that is reasonable and practicable.

10. Transferring personal information overseas

- 10.1 We are assisted by a variety of external service providers to operate our business and to provide you or someone else on your behalf with the information, goods and services sought. Some of these service providers may be located overseas, such as the United States and the European Union.
- 10.2 We take reasonable steps to ensure these service providers have appropriate security for your Personal Information and use it only for the purposes for which it was collected. Wherever possible, BIARRI will require the overseas organisation receiving the information to agree that it will handle that information in accordance with the Australian Privacy Principles, preferably as part of the services contract, and to protect Personal Information from misuse, interference, loss, unauthorised access, unauthorised modification, and unauthorised disclosure.

11. Contacting BIARRI

If you require further information regarding BIARRI's Privacy Policy, contact us. Telephone: +61 7 3252 0810 Level 5B, 230 Brunswick Street, Fortitude Valley, 4006, Australia.