

## T/AS EMPATHY FIRST AND LOSE YOUR MIND PRIVACY POLICY

### 1 Overview

T/AS EMPATHY FIRST AND LOSE YOUR MIND is a business which EMPATHY EDUCATION AND CONSULTING. In order to provide you with the best user experience and protect your interests and the interests of other members on our Site and/or App, we require all users of the Site and/or App to comply with the following Terms of Use and the Privacy Policy.

This privacy policy (Privacy Policy) sets out how LEANNE BUTTERWORTH ABN 35 667 423 955 trading as T/AS EMPATHY FIRST AND LOSE YOUR MIND of PO BOX 2480, KEPERRA QLD 4054 ('The Supplier', 'Us', 'We') collects, stores, uses, protects and shares your personal information. It applies to our website ([WWW.EMPATHYFIRST.COM.AU](http://WWW.EMPATHYFIRST.COM.AU) and [WWW.LOSEYOURMIND.COM.AU](http://WWW.LOSEYOURMIND.COM.AU)) and all related websites, applications, services and tools (together the Website). By visiting or using the Website you agree to the collection, storage, usage and disclosure of your personal information by Us in the manner described in this Privacy Policy. Unless we obtain your written consent, we will not sell, disclose, licence or rent your personal information to a third party for that third party's marketing purposes.

We comply with the Australian Privacy Principles and, for the benefit and security of our international customers, we also given consideration to privacy requirements of other countries. Specifically, we have adopted practices from the EU-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use and retention of Personal Data (defined in Section 2.1) from European Economic Area (EEA) member countries, and we also give consideration to the [Asia-Pacific Economic Cooperation \(APEC\) Cross Border Privacy Rules System](#). The APEC CBPR system provides a framework for organizations to ensure protection of personal information transferred among participating APEC economies.

By using any this website, you consent to the terms of this Privacy Policy. We reserve the right to amend this Privacy Policy at any time by posting the amended terms on the Website. If we make material changes to this policy, we will notify you by means of a notice on our announcements board and/or other means so that you access and review the changes. If you object to any changes, you may close your account or discontinue communication with us. By continuing to use the Website after notice of changes has been sent to you or published on the Website, you are deemed to have consented to the changes. "Personal Information" means information that can be associated with a specific person and can be used to identify that person and includes your Information. Information that has been made anonymous or aggregated so that it cannot be used, whether in combination with other information or otherwise, to identify a specific user is not personal information.

You understand that many online software packages including, but not limited to, Google and Xero, store data in facilities which may not be wholly or in part, based on Australian shores, and therefore may not fall under the jurisdiction of the Australian Privacy Principles. We and any third parties or software providers we engage now and in the future, will take all reasonable steps to provide for the security of such stored data to the extent possible and act in accordance with the terms as provided by those third parties and software packages. You may refuse to work with us where you deem the risk of data breach to be greater than the convenience and cost effectiveness of the solution provided. To disengage our services, please notify us in writing and we will take measures to remove your details from our system.

### 2 Collection

We collect personal information in a number of ways, including:

- (a) when you provide information directly to Us in person, by phone or in writing (whether electronic, via our communication tools or otherwise);

- (b) when you visit and/or use the Website, in which case, We record information sent to us by your computer, mobile device or other access device; and
- (c) from third parties such as Our related entities, service providers to Us, operators of linked websites, applications and advertising on the Website.

### **3 What we collect**

We collect the following types of personal information in order to provide you with access to and use of the Website and for the purposes provided for in this Privacy Policy:

- (a) your name, phone number, mobile telephone number, email address, physical address and other contact information;
- (b) feedback, market research and opinion polls provided by you;
- (c) financial information such as credit card or bank account numbers provide by you;
- (d) records and content of communications with Us or any other person including when using Website communication tools;
- (e) personal information based on your activities on the Website;
- (f) personal information you provide to us through any discussions boards, correspondence, user information pages, disputes, or shared by you from other social applications, services or websites;
- (g) to the extent permitted by law, other personal information provided by or obtained from third parties (such as a credit bureau) including navigation and demographic data and credit check information;
- (h) additional personal information we ask you to provide to verify your identity or when we suspect that you are in breach of our Terms of Service, this Privacy Policy or other Website policies (including your personal ID and your answers to any questions we pose to you); and
- (i) personal information from your interaction with the Website and its content and advertising, including device identifiers, device type, geo-location information, connection information, statistics on page views, traffic to and from the Website, mobile network information, time, date, referring URL, the type of operating system and browser, ad data, IP address and standard web log data.

### **4 How personal information is used**

Our principal purpose in collecting, using and storing your personal information is to provide you with access to and use of the Website in a personalised, safe and efficient manner. You consent to us collecting, using, storing and sharing your personal information to:

- (a) operate the Website, generate content and provide customer support and billing services (including updates and improvements);
- (b) provide the services requested by you;
- (c) provide you with information via blogs, general email and online correspondence and newsletters;
- (d) research, develop and improve Our services;
- (e) to conduct surveys to determine use and satisfaction with Our services;
- (f) to generate statistics in relation to the Website;
- (g) detect, investigate and prevent potentially unlawful acts or omissions or acts or omissions with the potential to breach our Terms of Service, this Privacy Policy or other policies;
- (h) enforce our Terms of Service, this Privacy Policy or other policies;
- (i) verify information for accuracy or completeness (including by way of verification with third parties);
- (j) combine or aggregate your personal information with information we collect from third parties and use it for the purposes set out this Privacy Policy;
- (k) contact you at your contact details we have collected, by way of voice call, post, text message or email;
- (l) aggregate and/or make anonymous your personal information, so that it cannot be used, whether in combination with other information or otherwise, to identify you;

- (m) collect fees, resolve disputes and to identify, test and resolve problems;
- (n) notify you about the Website and updates to the Website from time to time; or
- (o) supply you with generalised, targeted or personalised marketing, advertising and promotional notices, offers and communications based on your preferences, and measure and improve our marketing, advertising and promotions based on your ad customisation preferences.

## **5 Opting out**

You may withdraw your consent to us collecting, storing, using and disclosing your personal information in accordance with this Privacy Policy, but you may not be permitted to continue to use the Website or some of our services.

You may opt out of receiving our marketing, advertising and promotional notices, offers and communications by communicating this to us in writing at the email address below.

## **6 Disclosure to third parties**

Notwithstanding section 5 above, you agree that we may disclose your personal information to:

- (a) enforce our Terms of Service, this Privacy Policy and other policies;
- (b) comply with any applicable law, request by a governmental agency or regulatory authority or legally binding court order;
- (c) respond to or resolve claims that a member has violated the rights of others;
- (d) protect a person's rights, property or safety;
- (e) Our directors, staff, contractors, professional advisers and related entities;
- (f) outsourced service providers who assist Us to provide its services such as information technology providers and marketing advisers (including in relation to fee collection, fraud investigations and Website operations);
- (g) third parties to whom you expressly ask us to send, or consent to us sending, your personal information;
- (h) credit agencies (including regarding missed and late payments or other defaults or breaches on your account); or
- (i) such entities that we propose to merge with or be acquired by and in such case, we will require that the new entity following the merger or acquisition adhere to this Privacy Policy.

## **7 Use of Cookies**

- (a) We (or a third party providing services to Us) may use cookies, pixel tags, "flash cookies", or other local storage provided by your browser or associated applications (each a Cookie and together Cookies). A Cookie is a small file that stays on your computer or device until, depending on whether it is a sessional or persistent cookie, you turn your computer or device off or it expires (typically between 7 and 30 days depending on user settings).
- (b) Cookies may be used to provide you with our range of services including to identify you as a user or member of the Website, remember your preferences, customise and measure the effectiveness of the Website and our promotions, advertising and marketing, analyse your usage of the Website, and for security purposes.
- (c) Cookies may collect and store your personal information. This Privacy Policy applies to personal information collected via cookies. You may adjust your internet browser to disable cookies. If Cookies are disabled, We may not be able to provide you with the full range of Our services.
- (d) You also may encounter Cookies used by third parties and placed on certain pages of the Website that we do not control and have not authorised (such as webpages created by another user). We is not responsible nor liable for the use of such Cookies.

- (e) The Website may also include links to third party websites (including links created by users or members) and applications and advertising delivered to the Website by third parties (Linked Sites). Organisations who operate Linked Sites may collect personal information including through the use of Cookies. We is not responsible nor liable for Linked Sites and recommends that you read the privacy policies of such Linked Sites before disclosing your personal information.

If you wish to restrict or block cookies you can set your internet browser to do so - click on the following link for more information: [www.aboutcookies.org](http://www.aboutcookies.org).

## **8 No Spam, Spyware or Spoofing**

- (a) You are prohibited from engaging in spam, spyware or spoofing type activities, regardless of whether directed towards Us or other users of Us.
- (b) You must not use the Website to send, upload or distribute spam, viruses or malicious, illegal or prohibited content to the Website or otherwise send content that would breach our Terms of Service or this Privacy Policy.
- (c) You are not permitted to add a user or member to our mailing list (postal or email details included) without the written consent of a user or member.
- (d) We may (or we may engage a third party service provider to) take steps to scan and filter messages to check for spam, viruses, phishing attacks and other malicious activity or unlawful or content prohibited by this Privacy Policy and our Terms of Service.
- (e) To report spam, spyware or spoof activities to Us, please email us on the details below.

## **9 Storage and security**

- (a) We store and process your personal information on our host's servers, currently located in multiply locations around the world. You consent to the transfer, storage and retention of that information onto the servers of our host provider used from time to time by Us, regardless of the location of those servers.
- (b) We have taken steps to protect your personal information by contracting with a third party to provide technical and security measures. These measures are designed to mitigate, but do not guarantee against, the risk of loss, misuse, unauthorised access, disclosure and alteration.

## **10 Contact Us**

If you have a question regarding this Privacy Policy, would like to amend your Personal Information stored securely by us or you would like to make a complaint, please contact the Privacy Manager at:

**Email:** LEANNE@EMPATHYFIRST.COM.AU  
**Phone:** 0423143615  
**Address:** PO BOX 2480, KEPERRA QLD 4054  
**Contact:** LEANNE BUTTERWORTH