

Privacy Policy

TERMINOLOGY

In these terms and conditions, the expressions “we”, “us” and “our” are a reference to Fox Digital Web Pty Ltd (ABN 56 844 873 833). The expressions “you” and “your” are a reference to you.

This Privacy Policy also applies to visitors to our website who are not yet customers whether you upload information, download it, or are merely visiting our website.

Some terms used in this Privacy Policy are defined in the *Privacy Act 1988* (Cth) (Privacy Act).

“Personal Information” is defined to mean information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

“Sensitive Information” is defined to mean Personal Information and includes information about an individual’s:

- racial or ethnic origin;
- political opinions;
- membership of a political association;
- religious beliefs or affiliations;
- philosophical beliefs;
- membership of a professional or trade association;
- membership of a trade union;
- sexual preferences or practices;
- criminal record;
- health information;
- genetic information;
- biometric information and templates.

PRIVACY

We respect your privacy and understand that it is of paramount importance to you.

We are committed to protecting and maintaining the privacy of all individuals that we deal with. We are committed to adhering to the requirements of the Privacy Act and the Australian Privacy Principles within the Privacy Act. The Privacy Act contains 13 Australian Privacy Principles which provide for rules on how organisations must handle Personal Information, including such matters as

how you can access and correct that Personal Information.

Information on the Privacy Act and the Australian Privacy Principles can be obtained from the Office of the Australian Information Commissioner (OAIC).

In providing our services, we will be transparent about how and why we collect, use and disclose your information.

So that you may understand how we deal with your Personal Information, we have set out how we collect, hold, use, manage and disclose Personal and Sensitive Information in this Privacy Policy. We undertake to comply with the terms of our privacy policy whether we have asked for the information or not.

This Privacy Policy also explains how to contact us if you have any further questions about how we manage your information.

This Privacy Policy applies to you only to the extent that the collection and handling of your information by us is subject to the Privacy Act.

ALTERATIONS

We may modify or make additions to this Privacy Policy from time to time if we change our privacy practices. Should we amend our Privacy Policy we will update it on our website. We encourage you to visit our website regularly to ensure that you view the latest version of our Privacy Policy.

WHAT INFORMATION IS COLLECTED AND HOW IS IT COLLECTED

We may collect and hold the following types of information in order to supply our services:

- identifying details such as your name and questions and answers to security questions;
- contact details such as your address, phone and facsimile number, domain name, email address, skype address and other addresses or contact details;
- financial and business information such as an ABN/ACN your bank or credit card details;
- information such as your prior service provider and services that you consider obtaining from us, our suppliers or business associates;
- occupation, employment and position, qualifications, work experience, professional memberships, referee reports, employment history and academic record;
- Tax File Numbers of employees, contractors and suppliers; and
- information about inquiries made to us, our suppliers or business associates.

You may provide your Personal Information to us:

- via our website or web based forms;
- through communications with you and others, including letters, emails, telephone calls, facsimiles and via social media applications;
- personally in face to face meetings;
- in the course of our business functions and activities such as in our providing products or services to you; or
- by other means such as via third party providers, our professional advisers, and from organisations engaged by us to carry out functions on our behalf.

We may also monitor and record telephone conversations with you from time to time for training purposes and improving our service to you.

We may also receive unsolicited Personal Information in the course of our business activities and we will deal with this unsolicited Personal Information in accordance with the Privacy Act.

We gather statistical information on our website to collect information about the number of visitors to the website. The information gathered is non identifying information and only records the IP address of the visitor. It is used to improve the performance and structure of the website and to ascertain which areas of the website are the most popular.

We may also place a unique alphanumeric identifier known as a cookie on your computer hard drive during your visit to our website. A cookie is used to help identify the number of visitors to our website and the source of the visits. A cookie does not identify you personally but it does identify your computer. Personal Information cannot be gathered from them. They are simply an identifier shared between you and us to improve the services we offer through the website. Most web browsers automatically accept cookies. It is possible to set your browser to refuse to accept cookies but this may reduce the functionality of the website.

Sometimes we may collect information that links to you individually, for example, if you log in as a registered user of a service provided by us. In that case, we may store information such as pages viewed and links you click on.

Generally, we do not collect or hold Sensitive Information unless the Sensitive Information is directly related to an individual's employment and our collection and handling of the information is permitted under the Privacy Act for the management of the individual's employment records.

Where possible we will collect Personal Information directly from you or from your authorised representative. If the information is collected from another party, we will contact you, if we are able and it is reasonable to do so in the circumstances, unless an exception applies such as where the collection:

- occurs when you have given your consent or reasonably expect the collection to occur;
- is required or authorised by law;
- is for investigative purposes or to deal with personnel issues; or
- is for the purpose of litigation or for obtaining legal advice.

DEALING WITH US ANONYMOUSLY OR BY USING A PSEUDONYM

If you wish to do so, you may contact us anonymously or through the use of a pseudonym – unless there is a legislative requirement to the contrary).

So you may have the option of not identifying yourself when you are making an enquiry or providing feedback to us. You may therefore sign up for our newsletter using an email address that does not identify you.

You may withdraw your consent to our use of your Personal Information, including by opting out of receiving marketing or promotional materials or our newsletters.

If you choose to deal with us in this way, you should bear in mind that there may be instances where we will not be able to respond to you or deal with an enquiry or complaint properly if you do not provide contact details or adequate information.

WHY IS INFORMATION COLLECTED AND HOW IS IT USED

Information is gathered to improve our service and your experience in using our services. This will include provision of sales and technical support, billing and credit functions, renewal and maintenance notices, system changes and other functions relevant to our services.

We collect Personal Information because:

- you have given it to us;
- we need it to provide a product or service you have requested;
- to enable us to provide services and undertake our activities;
- to manage and support those services;
- you work for us;
- we need it to manage financial matters such as payments to vendors and contracted service providers;
- we need it to deal with a complaint (including in relation to privacy);
- we need it for a purpose directly related to the above.

We use information, including Personal Information, for the primary purpose for which it was collected. In other words, to deliver and manage our services to you.

Unless you object, this information may be used to:

- manage the relationship between you and us, including to provide you with the information, services, advice and materials requested by you;
- pursue our business activities and functions, including billing and account management;
- facilitate transactions between you and us or between you and other persons or organisations;
- improve the quality of our services or website;
- develop or add additional products or services;
- comply with the law;
- send news, information about our activities and general promotional material which we believe may be useful to you;
- monitor who is accessing the website or using services offered on the website; and
- profile the type of people accessing the website.

Where you have provided consent to the receipt of direct marketing materials, we will provide you with a means to make a request to not receive such materials.

We will preserve the content of any e-mail you send us if we believe we have the legal requirement to do so.

Your e-mail message content may be monitored by us for trouble-shooting or maintenance purposes or if any form of e-mail abuse is suspected.

Personal Information which we collect may be aggregated for analysis but in such circumstances we would ensure that individuals would remain anonymous.

All personal information which we collect (including your contact details and, if relevant, credit card details) is kept confidential to the best of our ability. You will appreciate, however, that we cannot guarantee the security of transmission.

We consider it is the responsibility of parents to monitor their children's use of our website. Nevertheless it is our policy not to require Personal Information from persons known to be under the age of 18 years or offer to send any promotional material to persons in that category.

SECURITY

Personal Information we collect is held securely in electronic and paper form.

When we hold, use or disclose your Personal Information we will take reasonable steps to:

- ensure that your Personal information is accurate, complete and up to date;
- protect your Personal Information from misuse, loss and unauthorised access, modification or disclosure; and
- destroy or de-identify your Personal Information if the information is no longer required for a purpose that is allowed under the Privacy Act.

Our premises are under 24 hour surveillance and access is via security pass only.

Additionally, we conduct regular system audits and staff training to ensure adherence to our protective and Information Technology practices.

Nevertheless, we ask that you are cautious about protecting your Personal Information when using digital services that are provided by third parties, such as social media (including blogs, Instagram, twitter, facebook, linkedin etc), as our ability to protect Personal Information in such environments is limited.

DISCLOSURE

In order to carry out the above-mentioned purposes, we may disclose your Personal Information to persons, related bodies corporate or other organisations such as our professional advisers and regulatory bodies. We may also disclose your Personal Information to the organisations from which we collect your information.

We may disclose your Personal Information to third parties to:

- provide the services you wish to use;
- research in order to improve the performance, quality and maintenance of our services;
- customise and promote our services to you;
- provide technical support;

We may also disclose your Personal Information if permitted or required by law or otherwise with your consent.

We do not rent or lease customer lists to third parties and we will not disclose, sell or license any Personal Information about you or make any other use of your personal information, for any purpose which is not incidental to your use of this website or the provision of information by you unless you have provided your express consent or the other circumstances set out in this policy apply.

If you request us not to use personal information in a particular manner or at all, we will adopt all reasonable measures to observe your request but we may still use or disclose that information if we:

- subsequently notify you of the intended use or disclosure and you do not object to that use or disclosure;
- believe that the use or disclosure is reasonably necessary to assist a law enforcement agency or an agency responsible for government or public security in the performance of their functions;
- believe that such action is required in order to comply with a legal process served on us in relation to our business or website;
- are required by law to disclose the information.

Often we will impose contractual restrictions on third parties that we enter into contracts with which deal with the collection and use of Personal Information. However, in some cases, such as in social media (including blogs, Instagram, twitter, facebook, linkedin etc) our ability to apply contractual restrictions is limited.

Where we are providing hosting services to our clients our service is used to hold and process Personal Information collected by them and is subject to the privacy policies of those clients. .

When using digital, online or mobile platforms we therefore ask that you exercise care and caution in disclosing Personal Information as it is ultimately your responsibility in such situations to be careful.

We may disclose Personal Information to third parties overseas where:

- we have an affiliated entity assisting us with our business activities and functions;
- we have a supplier assisting us with our business activities and functions, for example for the supply of domain name services, website design, SEO and other services;
- our website or any hosting services used to support our services is hosted by us or a third party and the hosting facilities or disaster recovery or backup sites are located overseas;
- a third party application such as email or skype is being used in our interactions with you;

Countries that we may send information to include the USA, UK, and India.

HOW TO ACCESS AND CORRECT PERSONAL INFORMATION

You have the right to request access to personal information that is held by us about you and we will provide you with that access if it is reasonable and practical to do so.

You also have the right to request the correction of any of your personal information that we hold. We will take reasonable steps to make appropriate corrections to Personal Information so that it is accurate, complete and up-to-date.

We may ask you for verification of your identity to ensure that you are seeking to access or correct your own Personal Information.

To seek access to, or correction of, your Personal Information please contact us as follows:

By email: andy@foxdigitalweb.com.au

By telephone: +61 3 5249 5570

By mail: Fox Digital Web
6 Cemaloma Court
Highton Vic 3216

Our response will be in writing and may be to provide or refuse access or correction or to advise of an expected timeframe for finalising your request if we encounter difficulties in dealing with your request.

ENQUIRIES AND COMPLAINTS

We welcome feedback about privacy issues and will attend to all questions and complaints promptly.

You can contact us about any privacy issues as follows:

By email: andy@foxdigitalweb.com.au

By telephone: +61 3 5249 5570

By mail: Fox Digital Web
6 Cemaloma Court
Highton Vic 3216

We will acknowledge receipt of your complaint within 5 business days.

If we take more than 30 days to respond to your privacy complaint, or if you are dissatisfied with the outcome, you can make a complaint to the Privacy Commissioner at the Office of the Australian Information Commissioner.

The OAIC can be contacted as follows:

By email: enquiries@oaic.gov.au

By telephone: 1300 363 992

By mail: Office of the Australian Information Commissioner
GPO 5218
Sydney NSW 2001

or at www.oaic.gov.au

LINKS

For your information and convenience, we may provide links to third party websites. Privacy practices on those websites may be different from ours and are not under our control or covered by this Privacy Policy. As a result we do not make any representations about third party websites and do not assume any responsibility for the privacy or security practices of any other websites that are accessed through our website. We encourage you to review their privacy policies prior to submitting your information.

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