

KINDFUL NUTRITION – PRIVACY POLICY

This website: www.kindfulnutrition.com.au (**'Website'**) is owned and operated by Kirsten Maier trading as Kindful Nutrition, ABN: 39 337 640 762 (**'we', 'us' or 'our'**). We invite you to access and use our websites including, but not limited to, www.nourishdigital.com.au and www.kindfulnutrition.com.au (the "Websites").

1. YOUR PRIVACY IS IMPORTANT TO US

1.1 We are committed to protecting your Personal Information. For that reason, you should ensure that you read this privacy policy (**'Privacy Policy'**) carefully. If you have any questions you can contact us using the details in the **Contact** section below.

1.1 In this Privacy Policy:

- (a)** **'You'** or **'your'** means all users and visitors to this Website and all individuals we interact with in the conduct of our business, including but not limited to our clients, customers, employees, prospective employees, business contacts and third-party service providers.
- (b)** **'Personal Information'** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, as defined in the *Privacy Act 1988* (Cth) (**'Privacy Act'**).

2. OVERVIEW

2.1 We comply with the Privacy Act and the Australian Privacy Principles (**'APPs'**) contained in the Privacy Act. The APPs govern standards, rights and responsibilities in relation to the collection, use and disclosure of Personal Information, an organisation's governance and accountability, the integrity and correction of Personal Information, and the rights of individuals to access their Personal Information.

2.2 This Privacy Policy outlines our approach to privacy and how we endeavour to protect your Personal Information. It sets out the basis on which we collect, use, store and disclose your Personal Information and your rights to access the Personal Information we collect and store about you, and how you can contact us about our privacy practices.

2.3 This Privacy Policy applies when you visit, browse, access, purchase from, or use products, services, resources, benefits, features, contact/request forms or functions offered on this Website, and in relation to Personal Information we may otherwise collect when you interact with us in the conduct of our business.

2.4 By visiting, browsing, accessing, purchasing from, or using the products, services, resources, benefits, features, contact/request forms or functions offered on this Website, or when you otherwise interact with us in the conduct of our business, you indicate that you have read, understood and accept this Privacy Policy and you agree to abide by it.

2.5 You also consent to the collection, use, storage and disclosure of your Personal Information as detailed in this Privacy Policy. You do not have to consent to us collecting, using, storing and disclosing your Personal Information, however if you do not do so, or if your Personal Information cannot be verified, we may not be able to provide you with the products, services, resources, benefits or features you have requested, engage or do business with you, or provide you with a personalised experience on this Website.

3. WHAT PERSONAL INFORMATION WE COLLECT

3.1 The type of Personal Information we collect from you depends on the context in which you interact with us. Personal Information we collect may include your:

- (a) Full name, date of birth, address(es), telephone number(s), electronic address(es) and other contact details.
- (b) Business name, ABN and ACN.
- (c) Verification of identity details such as a copy of and details contained on your driver licence, passport, credit card and other identification information or documents.
- (d) Financial details such as credit card information.
- (e) Demographic information such as your suburb, postcode, preferences and interests.
- (f) Information about how you heard about us.
- (g) Communications, enquiries or interactions with us.
- (h) Employment and professional background such as employer, occupation, role or position, qualifications, training records, licences and tax file number.
- (i) Any other information you supply to us.

3.2 We do not collect debit/credit card details or payment information. We use third-party service providers for the processing of all payment transactions on this Website (**Third-Party Payment Processors**). Payment information is provided directly to Third-Party Payment Processors whose collection of Personal Information is governed by their privacy policy. We work with the following Third-Party Payment Processors:

- (a) **PayPal**. Please read and consider PayPal's privacy policy [here](#).
- (b) **Stripe**. Please read and consider Stripe's privacy policy [here](#).

By purchasing through this Website, you consent to Third-Party Payment Processors processing your payment transaction and to their privacy policy.

3.3 We may collect sensitive information in accordance with the Privacy Act, but only if you agree to provide it to us. For example, if you apply for employment with us, we may require you to provide us with a National Police Check.

3.4 We may collect information about your use and interaction with this Website to protect you from fraudulent activities and to prevent your Personal Information being exploited. Accordingly, we may collect technical information from your computer, mobile, tablet or other device/technology to identify any malicious, fraudulent, illegitimate or illegal activities.

3.5 On occasion, you may provide us with, and we may collect from you, Personal Information relating to a third-party, such as in providing us details of references for employment purposes. In such cases, it is your responsibility to ensure those individuals are aware of, read, understand and accept this Privacy Policy.

4. HOW WE COLLECT PERSONAL INFORMATION

4.1 We collect Personal Information from you using lawful and fair means. Personal Information we collect from you directly, includes when you:

- (a) Interact with us in the conduct of our business.

- (b) Visit, browse, access, purchase from or use the products, services, resources, benefits, features, contact/request forms or functions offered on this Website.
 - (c) Submit your Personal Information on this Website.
 - (d) Sign up to our marketing communications.
 - (e) Contact us by telephone, email, mail or in person.
 - (f) Contact us or submit your Personal Information through our social media and blog pages.
 - (g) Participate in a survey or submit feedback.
 - (h) Enter a competition or promotion.
 - (i) Interact with us, our third-party service providers or suppliers in any manner relating to the conduct of our business.
 - (j) Are employed or apply for employment with us.
- 4.2** We may obtain Personal Information about you from related companies, credit reporting bodies, identity verification services, publicly or commercially available sources, trade/business references, your business banker, your accountant, employment references and other third-parties, for the purpose of conducting business with you or complying with applicable laws.
- 4.3** We may obtain Personal Information if you participate in a competition or promotion, which is conducted by us directly or through a third-party service provider.
- 4.4** If you are employed or apply for employment with us, we may obtain Personal Information about you directly or from third-parties such as recruitment agencies, employment agencies and references.

5. HOW WE USE PERSONAL INFORMATION

5.1 We use Personal Information to:

- (a) Take your orders and deliver products to you.
- (b) Supply you with products, services, resources, benefits or features you have requested.
- (c) Identify clients and provide you with personalised service support, and process returns.
- (d) Allow you to leave items in your cart to purchase later.
- (e) Communicate with you regarding products, services, resources, benefits or features you have requested.
- (f) Contact you by telephone, email messaging, mobile messaging (SMS/MMS), social media, mail or any other forms of contact you supply to us.
- (g) Carry out accounting, billing and administrative functions.
- (h) Process authorised financial transactions via Third-Party Payment Processors. Payment information is provided directly to Third-Party Payment Processors whose use of Personal Information is governed by their privacy policy. Please read and consider PayPal's privacy policy [here](#) and Stripe's privacy policy [here](#).
- (i) Resolve disputes and troubleshoot problems on this Website.
- (j) Deliver targeted marketing communications about our products, services, resources, benefits, or features including direct marketing.
- (k) Inform you of competitions, promotions, offers or additional benefits.

- (l) Invite you to participate in our events or surveys.
- (m) Conduct market research.
- (n) Market and promote our business, products, services, resources, benefits or features. If you submit comments on this Website or on our social media and blog pages about our products, services, resources, benefits or features, you consent for us to use your comments on this Website, our social media and blog pages, and any other marketing collateral.
- (o) Notify you of service, security, privacy and other updates relating to this Website.
- (p) Manage, support, improve or develop our business.
- (q) Undertake statistical and analytical functions.
- (r) Assess applications for employment with us.
- (s) Develop and train our employees.
- (t) Monitor, measure and improve satisfaction of our services.
- (u) Measure activity, improve and develop this Website.
- (v) Conduct fraud monitoring, detection and prevention activities.
- (w) Satisfy our legal and regulatory obligations, including with our third-party service providers and suppliers.
- (x) Protect our lawful interests, investigate and prevent potentially illegal activities.
- (y) Comply with applicable laws.
- (z) Pursue our legitimate business interests and as is reasonably necessary in the conduct of our business.

5.2 We do not buy, sell or deal in Personal Information.

6. HOW WE STORE AND PROTECT PERSONAL INFORMATION

- 6.1 We store Personal Information in both paper form and electronic form on our internal database, which is held on our online server.
- 6.2 We do not store debit/credit card details or payment information. All debit/credit card details or payment information is directly provided to Third-Party Payment Processors whose storage and protection of Personal Information is governed by their privacy policy. Please read and consider PayPal's privacy policy [here](#) and Stripe's privacy policy [here](#). Please also read and consider PayPal's security measures [here](#) and Stripe's security measures [here](#).
- 6.3 Your Personal Information is subject to access controls. Our authorised administrator users have full access to Personal Information. All our other employees and third-party service providers have restricted access to Personal Information, limited to a need-to-know basis depending on the function or job they perform and the services they provide and are obliged to treat information held by us with strict confidentiality.
- 6.4 We may combine or link Personal Information we already hold about you to other Personal Information we collect about you.
- 6.5 We take reasonable physical, technical and administrative safeguards to store your Personal Information safely and protect it from misuse, interference, loss, unauthorised access, modification or disclosure. Examples include: all access to our online server is encrypted in transmission by electronic security technologies; monitoring our employees' access to Personal

Information; and auditing our third-party service providers to ensure their access to Personal Information is limited to a need-to-know basis depending on the function or job they perform.

- 6.6** We retain your Personal Information if we are providing you with products, services, resources, benefits or features. We may retain your Personal Information after we cease providing you with our products, services, resources, benefits or features for the purposes of complying with legal, taxation, accounting and financial reporting requirements and for monitoring, detecting and preventing fraudulent or illegal activities. We retain data in line with limitation periods and obligations required by applicable laws. If your Personal Information is no longer required, we take reasonable steps to ensure it is not compromised. In such circumstances, we securely destroy or permanently de-identify your Personal Information, unless we are required to retain the information under applicable laws.
- 6.7** No data transmission or storage system is guaranteed as entirely secure. Irrespective of our reasonable precautions to protect your Personal Information, we cannot take responsibility or guarantee the security of any Personal Information you send to or receive from us. We are not liable for any misuse, interference, loss, unauthorised access, modification or disclosure of your Personal Information. Any Personal Information you transmit to us is at your own risk.

7. HOW WE DISCLOSE PERSONAL INFORMATION

- 7.1** We will only disclose Personal Information as outlined in this Privacy Policy or as otherwise notified to you at the time of collection. We may share Personal Information with:
- (a)** Our related companies, employees, third-party service providers and employees of our third-party service providers.
 - (b)** Our service providers, suppliers and professional advisors who assist in the conduct of our business, such as development or hosting of this Website, provision of email services, credit reporting, fraud prevention, identity verification, marketing and promotion, market research, statistics and analytics, customer service, debt recovery, legal, accounting, auditing, business consulting or technology services.
 - (c)** References you have nominated when applying for employment with us.
 - (d)** A company intending to acquire, invest or merge with us.
 - (e)** Other parties where you have provided your express consent or direction.
- 7.2** Payment information is provided directly to Third-Party Payment Processors. Please read and consider PayPal's privacy policy [here](#) and Stripe's privacy policy [here](#) which detail the manner in which Third-Party Payment Processors disclose Personal Information.
- 7.3** We will disclose Personal Information to law enforcement, government authorities or other third-parties, as authorised by applicable laws or in circumstances permitted by the Privacy Act. For example: in response to a subpoena, court order, or other legal obligation; where we have reasonable grounds to suspect unlawful activity or misconduct of a serious nature is being, or may be engaged in; or where we reasonably believe that disclosure is necessary to prevent fraudulent or illegal activities relating to our products, services, resources, benefits or features.

8. COOKIES

- 8.1** We use cookies to improve and personalise your experience on this Website and provide you with a better service. Cookies are an industry standard and used by most websites. Cookies make this Website more user friendly by allowing our web applications to customise their operations

to you. Cookies store information about your preferences and do not personally identify you as the user.

- 8.2** We may use cookies to collect statistical information relating to your use of this Website, which include: your IP address; your geolocation; the date and time you access this Website; pages you have accessed; how you were referred to each page and time spent on each page; your carrier/operating system; and your browser type.
- 8.3** Most web browsers are set up to automatically accept cookies. Cookies can be managed by accessing the settings in your browser. You can set your browser to refuse cookies, unless cookies are needed to safeguard this Website or to prevent fraudulent activities. However, if you refuse cookies you may be prevented from taking full advantage of this Website and we may not be able to provide you with the products, services, resources, benefits or features you have requested.
- 8.4** By visiting, browsing, accessing, purchasing from or using the features, contact/request forms or functions offered on this Website and agreeing to this Privacy Policy, you consent to us placing and storing cookies on your browser for the purposes outlined in this Privacy Policy.

9. ANALYTICS

9.1 Google Analytics: We may use Google Analytics, a web analysis service, to collect, monitor and analyse Personal Information about users and visitors to this Website.

- (a)** Google Analytics transmits and stores a website's traffic data to Google servers in the United States. Google Analytics provides reports which assist in understanding a website's usage and traffic. Google Analytics does not personally identify you as the user or correlate your IP address with any other data held by Google.
- (b)** You can refuse the use of Google Analytics by setting your browser to disable cookies used by Google Analytics. However, if you refuse cookies used by Google Analytics, you may be prevented from taking full advantage of this Website.
- (c)** By visiting, browsing, accessing, purchasing from or using the products, services, features, contact/request forms or functions offered on this Website and agreeing to this Privacy Policy, you consent to Google processing data about you in the manner described in Google's privacy policy [here](#) and for the purposes outlined in this Privacy Policy.

9.2 Other Analytics: We may use other website analysis tools, including but not limited to Ubersuggest to perform analytical functions on this Website.

10. FACEBOOK PIXEL

10.1 We may use the Facebook Pixel tool to help us measure how effective our Facebook ad campaigns are by monitoring the actions people take on this Website.

10.2 Third-parties, including Facebook, may use cookies, web beacons or tracking pixels and other storage technologies to collect or receive information from this Website and elsewhere on the Internet and use that information to provide measurement services and target ads.

10.3 You may opt-out of the collection and use of information for ad targeting by clicking on the following link [facebook.com/ds/preferences/?entry_product=ad_settings_screen].

11. LINKS TO EXTERNAL WEBSITES

11.1 This Website may contain links to external websites. These external websites are not in our control and are not subject to this Privacy Policy. We are not responsible for Personal Information you may provide whilst visiting external websites. We strongly recommend that you make your own enquiries as to the privacy policy and terms of external websites.

11.2 This Website may link to social media sites. If you choose to 'like' or 'share' information from this Website through social media sites, we strongly recommend you review the privacy policy of those sites. If you have an account with a social media site, that site may link your visits to this Website with Personal Information.

12. MARKETING COMMUNICATIONS

12.1 We may send you marketing communications, including direct marketing by telephone, email messaging, social media accounts, mobile messaging (SMS/MMS), mail or any other forms of contact you supply to us.

12.2 You may opt-out of receiving marketing communications by notifying us using the details in the **Contact** section below, by clicking the unsubscribe link in our email messages, or as indicated in our mobile messages (SMS/MMS).

13. ACCESSING, CORRECTING AND UPDATING PERSONAL INFORMATION

13.1 You can contact us to access, correct, or update Personal Information we hold about you.

13.2 If you request access to Personal Information, we will endeavour to make it available to you within 30 days, unless giving access is unlawful or we are subject to restrictions or we are required to process your request earlier under applicable laws.

13.3 It is important your Personal Information is accurate and current. Please keep us informed if your Personal Information changes. We will take reasonable steps to ensure Personal Information we collect, use, store and disclose is correct, current and complete.

13.4 If you request to correct or update Personal Information, we will correct, update, or, if we consider it more appropriate, note your request for amendment of Personal Information on your record.

13.5 You can access, correct or update Personal Information by using the details in the **Contact** section below.

13.6 To access, correct or update Personal Information you must verify your identity by providing your full name, address and contact details, together with 100 points of identification.

14. TRANSFER OUTSIDE AUSTRALIA

14.1 We may share your Personal Information outside Australia to our service providers in other countries who may transfer, store or process data outside Australia. While it is not practicable for us to specify in advance each country where your Personal Information may be transferred, stored or processed, countries may include the United States and the European Union.

15. COMPLAINTS

- 15.1** If you have a complaint about the way we handle your Personal Information, you can contact us using the details in the **Contact** section below.
- 15.2** We will consider your complaint and take all reasonable steps to remedy any issues. We will endeavour to respond to you within 30 days.
- 15.3** If you are not satisfied with the outcome of your complaint, you may seek a review by contacting the Office of the Australian Information Commissioner [here](#).

16. CONTACT

- 16.1** If you have any questions about this Privacy Policy or the way in which we handle Personal Information, or you would like to access, correct or update your Personal Information, or if you have a complaint, please contact us in writing on the details below, marked for attention of the **Privacy Officer**:

Email: **hello@kindfulnutrition.com.au**

Phone: **0466 460 644**

17. UPDATES TO THIS PRIVACY POLICY

- 17.1** This Privacy Policy was last updated on **5 August 2020**.
- 17.2** This Privacy Policy replaces any other Privacy Policy published by us to date.
- 17.3** We reserve the right to alter, amend, modify or otherwise update this Privacy Policy in our sole and absolute discretion, from time to time, without notice to you.
- 17.4** Updates will be effective immediately upon publication on this Website. You should check this page from time to time to make sure you are aware of any updates.
- 17.5** By continuing to use this Website after publication of any updates, you acknowledge and agree that you have read, understood and accept to be bound by this Privacy Policy as altered, amended, modified or otherwise updated.