

Our Privacy Policy

Last updated - November 2014

This Privacy Policy sets out how and why The Performance Factory ABN 44 149 294 762 (“TPF”, “we” or “us”) collects, stores, uses and discloses your personal information.

You may be able to deal with us without identifying yourself (ie anonymously or by using a pseudonym) in certain circumstances, such as when you use our website.

You do not have to provide us with your personal information, however if you do not provide us with the personal information that we need, we may not be able to provide our services to you.

By visiting our website, using any of our services, or otherwise providing us with your personal information (or authorising it to be provided to us by someone else), you agree to your personal information being handled as set out in this Privacy Policy.

We may collect information about you from someone else but we will take reasonable steps to ensure you are aware of the information collected and the circumstances of collection.

Cookie Policy

A cookie is a small piece of computer code that remains on your computer and contains information that helps us identify your browser and previous information viewed in relation to our services. When you visit our websites, cookies record certain details including the date, time, and advertising content of that site. The information we collect in this way may include your internet service provider’s address, date and time of your visit, pages accessed, and type of browser used.

If you do not want us to use cookies, then you can stop them, or be notified when they are being used, by changing the settings on your browser. If you do not allow cookies to be used, some or all of our website might not be accessible to you.

Revisions to this Privacy Policy

We may update this Privacy Policy from time to time and we invite you to review it periodically for changes. If the changes are significant or substantive, they will either be advised to you in writing or posted on our website.

Your continued use of our website or services, or the provision of further personal information to us (directly or via an authorised person) after this Privacy Policy has been revised, constitutes your acceptance of the revised Privacy Policy.

Why does The Performance Factory collect and use personal information?

We only collect, hold, and use personal information for the purposes for which it was provided to us, related purposes, or as permitted or required by law. Such purposes may include:

- to send you information, offers, and promotions about products and services based on your preferences and any prize notifications (“**Offers**”) by mail, phone/SMS/MMS or email;
- for inclusion in information products and information management services provided to clients, and to assist clients manage consumer information and strengthen communications between consumers, businesses and service providers;
- to administer our database of personal information, including improving and personalising Offers, verifying and assessing your identity, maintaining and updating records, and developing new products and services;
- to enable brands and advertisers you select to communicate with you;
- to provide information to third parties to enable them to send you Offers and additional information;
- to improve the quality and quantity of information on our websites; and
- for statistical and marketing analysis and analytics.

In certain circumstances, we may be required or permitted by law or Court or Tribunal order to collect certain personal information about you.

You may opt-out of receiving any Offers and information from us at any time by submitting a request in writing to us, or under the relevant Offer or communication. You can opt out of receiving any Offers and information from a third party to whom we provide your information under the relevant Offer or communication from that third party.

What personal information does The Performance Factory collect?

We generally collect personal information such as:

- your name.
- your contact details (eg address, email address, phone number).
- your date of birth.
- details about your interests .
- your lifestyle preferences.

- subjects about and persons from whom you may like to receive communications and information.
- your interactions and communications with us, including your participation in competitions and surveys.

How does The Performance Factory collect personal information?

We may collect your personal information in various ways, including via telephone, our website, email, or online forms. In most situations we collect your personal information directly from you. Collection of your personal information may be direct or indirect.

Direct Collection

We collect personal information from you when you respond to one of our surveys or competitions, when you opt into an Offer, or when you request further information from an advertiser.

Indirect Collection

We may also collect information about you via technology, including cookies from our websites when you visit. That information may be added to your details if we have collected them and may be used in conjunction with the other information about you, including for the purpose of enhancing your experience with us.

On all occasions, personal information is collected, held, used and disclosed by us in accordance with this Privacy Policy.

Who does The Performance Factory disclose personal information to?

We disclose personal information to our clients and advertisers, third party agents, service providers, and contractors only for purposes consistent with the reasons for collecting the information set out in this Privacy Policy.

Some of the recipients of the personal information, including some of our service providers, are located in countries outside of Australia. Before we disclose personal information to local or overseas recipients, we take reasonable steps to ensure they have privacy practices that are at least as protective as Australian privacy law and this Privacy Policy. Where possible, our contracts with these parties will include an obligation for them to comply with Australian privacy law and this Privacy Policy. You consent to the disclosure of your personal information on that basis.

We may disclose personal information to any person or authority where we are required to by law.

Other than set out in our Privacy Policy, we will not disclose your personal information without your prior consent.

How does The Performance Factory protect personal information?

We are committed to ensuring security of personal information we hold. We take reasonable steps to protect any personal information we hold from misuse, interference and loss and from unauthorised access, alteration and disclosure. The Performance Factory holds personal information electronically and in hard copy form, both on our own premises and with the assistance of our service providers, including the use of secure servers to store personal information. In addition, we implement the following security measures:

- security procedures for access to our business premises.
- security procedures within our offices.
- IT security procedures including password protection, firewalls, and site monitoring.

However, data protection measures are never completely secure and, despite the measures we have put in place, we cannot guarantee the security of your personal information. You must take care to protect your personal information. You should notify us as soon as possible if you become aware of any security breaches.

If we no longer need your personal information, we will take steps to destroy or de-identified it, although we may need to retain certain records to meet our legal requirements.

We do not have control over information while in transit over the internet and cannot guarantee security of personal information during such transmission. Our web site may include web links to other websites. We are not responsible for and do not endorse the content of those other websites or their privacy practices. We recommend you review the privacy policies of those websites.

Accessing your personal information held by The Performance Factory

You may access personal information we hold about you. If you wish to access the personal information we hold about you, you should contact us immediately (using the contact details below).

While we do not charge you for a request for accessing your personal information, we may charge a reasonable fee (which will be notified to you once you make a request) for time and cost if an extended amount of time is required to collate and prepare material for you.

We are required to provide our reasons if we refuse your request and, if you disagree, you are entitled to ask us to make a note of the request with your information.

How can you correct and update your information?

We take reasonable steps to ensure that the personal information we hold about you is accurate, complete and up-to-date. However, we also rely on you to advise us of any changes to your personal information.

Please contact us using the contact details below as soon as possible if there are any changes to your personal information, or if you believe the personal information we hold about you is not accurate, complete or up-to-date so that we can update our records accordingly.

What do you need to do if you have a complaint?

If you wish to make a complaint about a breach of this Privacy Policy or the privacy laws of your local jurisdiction, you can contact us using the details below. You will need to provide us with sufficient details regarding your complaint, together with any supporting evidence.

We will investigate the issue and determine the steps (if any) we will undertake to resolve your complaint. We will contact you if we require any additional information from you and will notify you in writing of the outcome of the investigation.

If you are not satisfied with our determination, you can contact us to discuss your concerns.

You can also lodge a complaint with the Australian Privacy Commissioner via www.oaic.gov.au.

Contact us

If you have a query relating to this Privacy Policy or wish to make a complaint, please contact us using the following contact details:

The Performance Factory
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100 William Street
Darlinghurst, 2010
E: workers@thepformancefactory.com.au
P: 02 9430 6843