

Privacy Policy

Updated September 2018

1. Background

1.1 General

Foost Pty Ltd (ABN 72 164 223 901) (we, us, our) is a social enterprise established to promote good health and nutrition. Our main initiative is implementing an approach called Positive Food Education throughout Australia.

Positive Food Education is a non-judgemental, non-diet approach to food and nutrition education created by Foost, incorporating strategies pioneered by family dietitian Kate Wengier. We offer basic cooking courses, education about nutritious food as well as strategies and mindset coaching to help people eat happier and healthier.

We are committed to protecting your privacy, in accordance with applicable Australian privacy laws.

This Policy is designed to give you a greater understanding of how we collect, use, disclose and otherwise handle personal information.

A copy of this Privacy Policy is available on our website at www.foost.com.au, or you can request a copy by contacting us (details under heading 11 below).

1.2 What is personal information?

Personal information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is identified or reasonably identifiable.

1.3 Our obligations

We are required to comply with the Australian Privacy Principles (APPs) in the Privacy Act. The APPs regulate the manner in which personal information is handled throughout its life cycle, from collection to use and disclosure, storage, accessibility and disposal.

We are also required to comply with more specific privacy legislation in some circumstances, such as:

- applicable State and Territory health privacy legislation (including the Victorian Health Records Act) when we collect and handle health information in the relevant jurisdiction; and

- the Spam Act and the Do Not Call Register Act.

1.4 Employee records

We are generally exempt from the Privacy Act when we collect and handle employee records and this Privacy Policy does not apply to that information. However, where State or Territory health privacy legislation applies, we are still required to protect the privacy of employee health information. This Privacy Policy will apply in those circumstances.

2. What we collect

2.1 General

The type of personal information that we collect about you depends on the type of dealings you have with us. For example, if you:

- **register your interest as a volunteer for Foost**, we will collect your name, address, contact details, date of birth, details of the area you are interested in and how you heard about Foost
- **purchase merchandise or a gift voucher**, we will collect your name and payment details
- **subscribe to receive our newsletter**, we will collect your name, address, date of birth, contact details, details of the area you are interested in and how you heard about Foost
- **make a booking for a Foost course or event**, we will collect your name, address, contact details, gender, date of birth, emergency contact details, whether you are of Aboriginal or Torres Strait Islander origin (optional), how many people live in your household, how many children under the age of 18 live at your home, your country of origin, organisation details (if relevant), selected course, whether you have a disability (and, if so, details about that disability), how you heard about Foost and your payment details
- **participate in a Foost course or event**, we may collect sound recordings, photographs, film, tape and other images or likenesses of you
- **apply to host a Foost pop-up kitchen**, we will collect your name, address, contact details, organisation or community group details (if relevant) and details about your community (including community characteristics, community need, site availability, complementary programs and community support)
- **send us an enquiry or provide us with feedback**, we may collect your name, contact details, details of your enquiry or feedback and information about our response
- **apply for a job with us**, we will collect the information you include in your job application, including your cover letter, resume, contact details and referee reports

2.2 Sensitive information

Sensitive information is a subset of personal information that is generally afforded a higher level of privacy protection. It includes health and genetic information and information about racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, sexual preferences or practices, criminal record and some types of biometric information.

We only collect sensitive information where it is reasonably necessary for our functions or activities and either:

- the individual has consented; or
- we are permitted by law to do so.

For example, when you make a booking for a Foost course or event, we may collect information about:

- whether you identify as an Aboriginal or Torres Strait Islander and your country of origin; and
- whether you have a disability (so that we can assess whether it is safe for you to participate in the Foost course and, where practical, to try to accommodate any special needs).

2.3 Collection of information other than personal information through our website

When you visit our website, some of the information that is collected about your visit is not personal information, as it does not reveal your identity.

Site visit information

For example, we record the pages you visited, any documents you downloaded, the previous site you visited and the type of device, browser and operating system you used.

We use and disclose this information in anonymous, aggregated form only, for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. You are not individually identified, however we reserve the right to use or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where we are otherwise required or authorised by law to do so.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. Our cookies do not identify individual users, although they do identify the user's internet browser.

We use cookies to hold anonymous session information. This information is used to personalise your current visit to the website, for example to allow the website to remember who you are by keeping server variables linked to your session. We only use non-persistent cookies. That is, they are held on your browser's memory only for the duration of your session.

Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. There are also software products available that can manage cookies for you. Rejecting cookies can, however, limit the functionality of our website.

2.4 What if you don't provide us with your personal information?

We will provide individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us if it is lawful and practicable to do so. A pseudonym is a name or other descriptor that is different to an individual's actual name.

For example, you can access our website, make general phone queries and purchase merchandise in person (if you pay cash) without having to identify yourself. Donations may also be made anonymously (if you donate cash in person), but in this case we may not be able to issue a tax-deductible receipt.

In some cases however, if you don't provide us with your personal information when requested, we may not be able to provide you with the product or service that you are seeking. For example, you must identify yourself to subscribe to receive our newsletter, register as a volunteer, make a course booking or apply for a job.

3. How we collect personal information

3.1 Methods of collection

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

- in person (for example, in our kitchens or at events)
- through our website (for example if you subscribe for our newsletter, register as a volunteer, make a course booking or purchase a product)
- through our social media sites
- over the telephone
- through written correspondence (such as letters, faxes and emails)

- on hard copy forms (for example, group booking forms, competition entry forms and surveys)
- from third parties, including third party database providers
- from publicly available sources of information, such as the internet (for example, to confirm that the information provided to us is correct)

If you provide us with personal information about other people (for example, if you use a group booking form to register others for a program, or if you provide emergency contact details on a waiver form), we will ask you to tell them about this Privacy Policy.

3.2 Collection notices

Where we collect personal information about you, we will take reasonable steps to provide you with certain details about that collection (such as why we are collecting the information and who we may share it with). We will generally include this information in a collection notice.

Collection notices provide more specific information than this Privacy Policy. The terms of this Privacy Policy are subject to any specific provisions contained in collection notices and in the terms and conditions of particular offers, products and services. We encourage you to read those provisions carefully.

3.3 Unsolicited information

Unsolicited personal information is personal information we receive that we have taken no active steps to collect (such as an employment application sent to us by an individual on their own initiative, rather than in response to a job advertisement).

We may keep records of unsolicited personal information if the Privacy Act permits it (for example, if the information is reasonably necessary for one or more of our functions or activities). If not, we will destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so.

4. Why we collect personal information

The main purposes for which we collect, hold, use and disclose personal information are set out below:

- enrolling participants in Foost courses and scheduling and running those courses
- selling products, merchandise and gift vouchers
- processing payments
- engaging volunteers
- accepting donations
- registering subscriptions to our newsletter

- promoting ourselves and our products and services, including through direct marketing, events and competitions
- performing research and statistical analysis, including facilitating research by third parties and for service improvement purposes
- reporting statistics (on an aggregated, de-identified basis) to the government departments that fund us and to our sponsors and promotional partners
- answering queries and resolving complaints
- recruiting staff and contractors
- general account management, planning and administration

We may also collect, hold, use and disclose personal information for other purposes explained at the time of collection or:

- which are permitted by law; or
- for which you have provided your consent.

4.1 Direct marketing

We may use your personal information to let you know about our products and services (including promotions, special offers and events), either where we have your express or implied consent, or where we are otherwise permitted by law to do so. We may contact you for these purposes in a variety of ways, including by mail, email, SMS or telephone.

Opting out

Where you have consented to receiving marketing communications from us, your consent will remain current until you advise us otherwise. However, you can opt out at any time, by:

- contacting our head office by email at hello@foost.com.au, by phone on 1300 611 941 or by sending a letter to Foost, 758 North Rd, Ormond VIC 3204
- advising us if you receive a marketing call that you no longer wish to receive these calls
- using the unsubscribe facility that we include in our commercial electronic messages (such as emails and SMSs) to opt out of receiving those messages

Notification of source

If we have collected the personal information that we use to send you marketing communications from a third party (for example a direct mail database provider), you can ask us to notify you of our source of information, and we will do so, unless this would be unreasonable or impracticable.

5. Who we may share your personal information with

We may share your personal information with third parties where appropriate for the purposes set out under heading 4, including:

- financial institutions for payment processing
- third party research organisations (for example Deakin University Australia)
- referees whose details are provided to us by job applicants
- our contracted service providers, including:
 - delivery and shipping providers
 - information technology and data storage providers
 - research and statistical analysis providers
 - third party program evaluators
 - mail houses
 - external business advisers (such as recruitment advisors, auditors and lawyers)

In each case, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.

We may also report statistics to the government departments that fund us and to our sponsors and promotional partners for informational purposes, but this only will be done on an aggregated, de-identified Basis.

6. Cross border disclosure of personal information

We do not currently disclose personal information to third parties located overseas. If this changes at some time in the future, we will comply with the requirements of the Privacy Act that apply to cross border disclosures of personal information and this Privacy Policy will be amended accordingly.

7. Use of government related identifiers

We will not:

- use a government related identifier of an individual (such as a Medicare number or driver's licence number) as our own identifier of individuals; or
- otherwise use or disclose such a government related identifier,

unless this is permitted by the Privacy Act (for example, to verify an individual's eligibility for concessions or where the use or disclosure is permitted by law).

8. Data quality and security

8.1 General

We hold personal information in a number of ways, including in hard copy documents, electronic databases, email contact lists, and in paper files held in drawers and cabinets. We take reasonable steps to:

- make sure that the personal information that we collect, use and disclose is accurate, up to date and complete and (in the case of use and disclosure) relevant;
- protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure; and
- destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the APPs (we do keep some information for a number of years to comply with legal requirements).

You can help us keep your information up to date, by letting us know about any changes to your details, such as your address, email address or phone number.

8.2 Security

The steps we take to secure the personal information we hold include website protection measures (such as firewalls and anti-virus software), security restrictions on access to our computer systems (such as login and password protection), controlled access to our corporate premises, policies on document storage and security and personnel security.

Online credit card payment security

We process payments using PayPal's secure payment facility.

Website security

While we strive to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online and you disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact us by telephone or post (details under heading 11 below).

Third party websites

Links to third party websites from www.foost.com.au that are not operated or controlled by us are provided for your convenience. We are not responsible for the privacy or security practices of those websites, which are not covered by this Privacy Policy. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

9. Access and Correction

9.1 General

Please contact our Privacy Officer (details under heading 11 below) if you would like to access or correct the personal information that we hold about you. We may ask you to verify your identity before processing any access or correction requests, to make sure that the personal information we hold is properly protected.

9.2 Access

We will generally provide you with access to your personal information, subject to some exceptions permitted by law. We will also generally provide access in the manner that you have requested (eg by providing photocopies or allowing a file to be viewed), provided it is reasonable and practicable for us to do so. We may however charge a fee to cover our reasonable costs of locating the information and providing it to you.

9.3 Correction

If you ask us to correct personal information that we hold about you, or if we are satisfied that the personal information we hold is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.

9.4 Timeframe for access and correction requests

Except in the case of more complicated requests, we will endeavour to respond to access and correction requests within 30 days.

9.5 What if we do not agree to your request for access or correction?

If we do not agree to your access or correction request, or if we do not agree to give you access in the manner you requested, we will provide you with a written notice setting out:

- the reasons for our decision (except to the extent that, having regard to the grounds for refusal, it would be unreasonable to do so); and
- available complaint mechanisms.

In addition, if we refuse to correct personal information in the manner you have requested, you may ask us to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading, and we will take reasonable steps to do this in such a way that will make the statement apparent to users of the information.

10. Complaints

If you have a complaint about how we have collected or handled your personal information, please contact our Privacy Officer (details under heading 11 below).

We will try in the first instance to deal with your complaint and take any steps necessary to resolve the matter within a week. If we are not able to do so, we will ask you to submit your complaint in writing.

We will endeavour to acknowledge receipt of your written complaint within 10 business days of receiving it and to complete our investigation into your complaint in a timely manner. This may include, for example, gathering the relevant facts, locating and reviewing relevant documents and speaking to relevant individuals.

In most cases, we expect to investigate written complaints and provide a response within 30 days of receipt. If the matter is more complex and our investigation may take longer, we will let you know, and tell you when we expect to provide our response. Our response will set out:

- whether in the Privacy Officer's view there has been a breach of this Privacy Policy or any applicable privacy legislation; and
- what action, if any, we will take to rectify the situation.

If you are unhappy with our response, you can refer your complaint to the Office of the Australian Information Commissioner ([see here](#) for further information) or, in some instances, other regulatory bodies, such as the Victorian Health Services Commissioner ([see here](#)) or the Australian Communications and Media Authority ([see here](#)).

11. Our contact details

Please contact us if you have any queries about the personal information that we hold about you or the way we handle that personal information. Our contact details are set out below.

Mail: Privacy Officer, Foost, 758 North Rd, Ormond VIC 3204

Email: hello@foost.com.au

Telephone: 1300 611 941

12. Changes to this Policy

We may amend this Privacy Policy from time to time. The current version will be posted on our website and a copy may be obtained by contacting our Privacy Officer (details above).