

COUNCIL OF SMALL BUSINESS ASSOCIATIONS OF AUSTRALIA LTD

PRIVACY POLICY – DOING IT TOUGH GRANTS PROGRAM

This privacy policy (**Policy**) describes how the Council of Small Business Associations of Australia Ltd, ACN 008 597 304 of 33-35 Atchison Street, St Leonards, NSW 2065 and any of its related parties (**COSBOA**) may collect, use and disclose Personal Information (as defined in paragraph 2) in relation to the Doing It Tough Grants Program.

This Policy has been formulated in accordance with the Australian Privacy Principles (**APPs**) set out in the *Privacy Act 1988 (Cth)* (**Privacy Act**) and any other applicable data protection laws including the EU General Data Protection Regulation (**GDPR**). A copy of the APPs may be obtained from the website of The Office of the Australian Information Commissioner at <https://www.oaic.gov.au>.

A copy of this Policy is available at our website, <https://www.cosboa.org.au/>, and upon request by contacting COSBOA at the details set out at 0 below.

1 GENERAL SCOPE OF PRIVACY POLICY

This Policy applies to any customer, user, or other person (the **User, Users, You, or Your**) who:

- (a) accesses any COSBOA website (**Site**); or
- (b) applies for grant funding from COSBOA under the Doing it Tough grants program (**Program**)

(collectively, the **Products and / or Services**).

This Policy applies only to Personal Information and location information that a User discloses or transmits to COSBOA via the Site or that is collected by COSBOA in the course of the provision of Products and / or Services.

COSBOA is not responsible for the privacy policies or content of any third party websites (including advertisers) that You may access through links on COSBOA's Site, and You must rely on that third party Site for information about their privacy practices.

2 WHAT IS PERSONAL INFORMATION?

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

3 YOUR CONSENT TO THE TERMS OF THIS PRIVACY POLICY

By providing COSBOA with Personal Information, or through Your use of COSBOA's Site, You agree with the terms of this Policy. Whenever You submit Personal Information to COSBOA, You consent to the collection, handling, use, disclosure and storage of that Personal Information by COSBOA in accordance with this Policy, the Privacy Act (including the APPs), any other applicable data protection legislation and any other contractual relationship that You have with COSBOA. If You do not consent to the collection, use and disclosure of Your Personal Information or location as described in this Policy, You are not permitted to use the Site or apply for a grant under the Program.

4 DISCLOSURE TO OVERSEAS RECIPIENTS

COSBOA generally processes and stores Personal Information on its servers in Australia. In some cases, COSBOA may also rely on data processors, service providers, data hosting and servers located overseas. Consequently, You should be aware that Your Personal Information may be disclosed to overseas recipients. In addition, COSBOA may process some Personal Information to provide its own Services, and / or Services on behalf of and according to the instructions of a third party, such as COSBOA's advertising partners, which may also include disclosure to overseas recipients.

5 INCORPORATION INTO TERMS AND CONDITIONS

This Policy is incorporated into and is subject to the COSBOA Doing It Tough Grants Program Terms and Conditions. Your use of the Products and / or Services and Your provision of any Personal Information or location information to COSBOA is subject to the terms of this Policy, the COSBOA Doing It Tough Grants Program Terms and Conditions and any other terms under which You have engaged with COSBOA.

6 WHAT KINDS OF PERSONAL INFORMATION DOES COSBOA COLLECT ABOUT YOU AND HOW IS IT COLLECTED AND HELD?

COSBOA collects Personal Information that is reasonably necessary for it to perform its functions. This may include:

- (a) information You give COSBOA when You request Products and / or Services from COSBOA ;
- (b) financial information about You such as Your financial position;
- (c) information about grant applicants including tax returns, contact details, bank details, identity documents and criminal history checks; and
- (d) communication between COSBOA and other professionals that You have authorised COSBOA to communicate with (if applicable); and

The types of Personal Information COSBOA may collect may include Your name, address, telephone numbers, e-mail address, location information, information on how You use COSBOA's Services, information on Your browsing activity when visiting COSBOA's Site, and personal preferences regarding the use of COSBOA's Products and / or Services.

COSBOA will collect the Personal Information directly from You at the time You ask COSBOA to provide You with the Products and / or Services, or if You access the Site. COSBOA may also collect your information in other ways, including:

- (a) by telephone;
- (b) by email
- (c) from Your website;
- (d) from other media and publications;
- (e) from publicly available sources;
- (f) from cookies; and
- (g) from third parties.

Your use of the Site will determine the amount and type of information that COSBOA will collect about You.

If You browse COSBOA's website, COSBOA's internet service provider logs the following information:

- (a) Your server (IP) address and top level domain name;
- (b) the date and time of Your website visit;
- (c) the country that Your server is located;
- (d) the pages that You looked at;
- (e) the type of browser You used;
- (f) the previous Site You visited; and
- (g) the Site You visited next.

Some of this information (such as browser type and version, operating system, sites visited) will not be Personal Information because it will not reveal Your identity. This information allows COSBOA to analyse User behaviour in an anonymous form, and is typically used to improve the quality and Products and / or Services of COSBOA's website and to prevent fraud, maintain the integrity of COSBOA's IT systems, and to enhance the security of COSBOA's network and IT systems.

Some of the Products and / or Services may feature or include various location-based components. Location information includes, but is not limited to, any information COSBOA derives to identify a User's geographic position. This information may be collected directly from a User, or from a User's wireless carrier or from certain third party service providers. A User's location information, however, is only displayed and shared in accordance with his or her established privacy settings.

COSBOA will not use information obtained from Your browsing activities to send You any unsolicited information.

Whenever COSBOA collects "sensitive information" (such as certain financial information) from You, then such information will be treated in accordance with the relevant rules and requirements of the Privacy Act.

COSBOA will take reasonable steps to ensure that the Personal Information COSBOA collects, uses or discloses is accurate, complete, up-to-date and stored in a secure environment protected from unauthorised access, modification or disclosure.

COSBOA will only retain Your Personal Information for as long as it is reasonably necessary to fulfil the purpose for which it was collected or as required for a reporting, legal or accounting purpose.

7 WHY IS PERSONAL INFORMATION COLLECTED BY COSBOA?

The Personal Information You provide to COSBOA will enable COSBOA to provide COSBOA's Products and / or Services to You. This information may also be used to help COSBOA develop and make available Products and / or Services to suit Your needs. In particular, the Personal Information You provide COSBOA may be collected, used and disclosed for a number of purposes connected with COSBOA's business operations, which may include:

- (a) verifying Your identity or transactions which You may enter into with COSBOA (including as required pursuant to applicable anti-money laundering and anti-terrorism financing legislation);
- (b) administering and managing the provision of COSBOA's Products and / or Services;
- (c) providing You with information, Products and / or Services requested;
- (d) responding to queries or complaints;
- (e) complying with COSBOA's risk management policies and procedures;
- (f) training COSBOA's staff;
- (g) carrying out market and product analysis and marketing Products and / or Services;
- (h) assisting in arrangements with other organisations in relation to the promotion or provision of Products and / or Services ;
- (i) carrying out any activity in connection with a legal, governmental or regulatory requirement that COSBOA has to comply with or in connection with legal proceedings, crime or fraud prevention, detection or prosecution, including investigating any fraud, unlawful activity or misconduct.

COSBOA may also use Your Personal Information for purposes related to those described above which would be reasonably expected by You. For example, COSBOA may use Your Personal Information to keep You informed about its Products and / or Services or to conduct analysis in order to provide better services. As noted above, if You provide information that may be deemed sensitive information for the purpose of Privacy Act, COSBOA will manage and treat that information in accordance with the APPs.

8 COOKIES

COSBOA uses cookies and other tracking software to provide You with enhanced Products and / or Services and a more personalised experience. Cookies may also be used to analyse trends, diagnose problems, track Your engagement with the Site and Services, gather data on search patterns, administer its website, and gather broad information. The information COSBOA collects through cookies may be Personal Information. Where it is not by itself Personal Information, it may become Personal Information if it is linked to Personal Information about an individual. If the information collected is Personal Information, COSBOA will use and manage that information in accordance with this Policy, the Privacy Act and other relevant legislation.

You can choose not to accept cookies, or You can set Your browser to block cookies, in which case Your experience of COSBOA's Site may be impaired. You can also clear stored cookies from Your browser.

9 EXEMPTIONS

Due to the nature of some of COSBOA's business activities, COSBOA's use of some Personal Information may be exempt from the operation of the Privacy Act. These exemptions may include:

- (a) dealing with Personal Information contained in Your employment record in certain circumstances where COSBOA has a current or former employment relationship with You; and

- (b) dealing with Your Personal Information in the course of journalism (**Media Exemption**). Where the Media Exemption applies, COSBOA will comply with the Australian Press Council Privacy Standards. If You require more information on the collection and use of Personal Information in the course of journalism, please visit the Australian Press Council Privacy Standards at www.presscouncil.org.au/privacy-principles.

10 WHO WILL COSBOA SHARE MY PERSONAL INFORMATION WITH?

COSBOA may disclose or receive Personal Information or documents about You to/from:

- (a) COSBOA's employees and related bodies corporate, in the course of their role as employees and as related bodies corporate, respectively;
- (b) any organisation that is in an arrangement with COSBOA to jointly offer Products and / or has an alliance with COSBOA to share information for marketing purposes to enable that organisation or COSBOA to provide You with Products and / or Services or promote a Product and / or Service ;
- (c) Service providers or agents (some of whom may be overseas) who assist COSBOA in providing its Products and / or Services , including organisations that assist COSBOA with archival, research, mail and delivery, auditing, consulting, financial and legal advisory, banking, security, storage or technology Services;
- (d) regulatory bodies, government agencies, law enforcement agencies and courts and any organisation that assist COSBOA to identify, prevent or investigate fraud, unlawful activity or misconduct;
- (e) Your authorised agents, executor, administrator or trustee in bankruptcy, Your legal representative, attorney or anyone acting for You;
- (f) overseas recipients, in certain circumstances; and
- (g) any other party as otherwise permitted by law (including the Privacy Act).

Where information is disclosed to overseas recipients, COSBOA will take reasonable steps to ensure that any overseas recipient does not breach the APPs. You should be aware, however, that Your rights to make a claim against COSBOA in relation to any misuse of Your Personal Information by an overseas recipient will be limited.

You may nominate third parties to view or access the account details maintained by COSBOA in respect of You for any purpose. If You nominate a third party, that third party may be able to view and / or access Your information. By nominating a third party, You explicitly consent to the sharing of Your information with that third party by COSBOA.

COSBOA may combine the Personal Information and / or the location information that You submit to COSBOA with information from other Products and / or Services or third parties in order to provide You with an enhanced experience and / or to improve the overall quality of the Products and / or Services. For certain Products and / or Services, COSBOA may give You an opportunity to opt-out of the combination of such information.

11 INFORMATION SECURITY

COSBOA takes appropriate measures to protect unauthorised access to, or unauthorised alteration, disclosure or destruction of, the Personal Information and location information transmitted or disclosed to COSBOA. These include internal reviews of COSBOA's data

collection, storage and processing practices and security measures, as well as physical security measures to guard against unauthorised access to systems where User data is collected, stored, and / or maintained.

COSBOA requires that when You log in to the Site or utilise Products and / or Services that require a log in, a secure connection between Your computer and COSBOA's server be established. COSBOA cannot warrant or ensure the security of any Personal Information and location information that it receives on behalf of Users or any other information that a User transmits, shares or discloses to COSBOA. For improved security, COSBOA recommends that Users use the https:// prefix when using its Products and / or Services. COSBOA may also use technology such as Secure Socket Layer (SSL) encryption technology to increase the encryption of connections between COSBOA and You. Despite the possibility that COSBOA is using technology such as SSL encryption to safeguard the confidentiality of Personal Information as far as possible, You should be aware that no Internet or e-mail transmission is ever fully secure or error free.

COSBOA cannot guarantee that information will not be accessed, shared, disclosed, altered, or destroyed by a breach of any of COSBOA's physical, technical, or other safeguards. COSBOA recommends that You take special care in deciding what information is shared, transmitted or disclosed to COSBOA.

12 DATA INTEGRITY

COSBOA processes Your Personal Information only for the purposes for which it was collected and in accordance with this Policy or any applicable terms that You agree with COSBOA. COSBOA reviews data collection, storage, and processing practices to ensure that COSBOA only collects, stores and processes the Personal Information needed to provide or improve the Products and / or Services. COSBOA will take reasonable steps to ensure that the Personal Information COSBOA processes is accurate, complete, and current, but COSBOA depends on You to update or correct Your Personal Information wherever necessary.

13 WHEN CAN COSBOA VARY THIS POLICY?

From time to time it may be necessary for COSBOA to review and amend this Policy. Subject to the terms of the Privacy Act and the APPs, COSBOA reserves the right to amend this Policy at any time. You should check COSBOA's website from time to time for COSBOA's latest Policy. Your continued use of the Products and / or Services constitutes Your agreement to this Policy and any future revisions.

14 ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

Once COSBOA has collected Your Personal Information, You are entitled under APP 12 to request the details of the information COSBOA is holding about You. In order to request such information, You need to contact COSBOA by letter, email, or telephone and outline the nature of Your enquiry. COSBOA will take reasonable steps to let You know, generally, what sort of Personal Information COSBOA holds, for what purposes and how COSBOA collects, uses and discloses that information.

Upon Your request and verification of Your identity, COSBOA will provide access to Your Personal Information COSBOA holds, except in certain circumstances, including: emergency situations; specified business imperatives; law enforcement; public interest reasons; where it would interfere with the privacy of others; or where it would result in a breach of confidentiality.

COSBOA will endeavour to keep and maintain the data held by COSBOA as accurate, complete, relevant and up to date as possible. It is important that the information that COSBOA holds about You is up to date. You must let COSBOA know if information that You have provided to COSBOA has changed.

The APPs also give You a right to request correction of Your Personal Information. If You establish that Personal Information held by COSBOA is not accurate, complete, relevant, up-to-date or is misleading, COSBOA will take reasonable steps in accordance with its obligations under the Privacy Act and APPs to correct the information so that it is accurate, complete, relevant, up-to-date and not misleading.

If You would like to access or correct Your Personal Information, please contact:

The Privacy Officer

WILL HARRIS

Email: info@cosboa.org.au

To opt-out of receiving certain COSBOA marketing materials, You will need to tell COSBOA.

To do this please send COSBOA an email with "unsubscribe" in the subject field to info@cosboa.org.au

How can I complain if COSBOA breaches this Policy?

If You have a question, concern or complaint regarding the way in which COSBOA handle Your Personal Information please contact COSBOA on the details listed below. You are entitled to lodge a complaint if You believe that COSBOA have breached the APPs. If You wish to lodge a complaint with COSBOA, You need to write to COSBOA setting out the details of Your complaint as addressed to:

The Privacy Officer

Email: info@cosboa.org.au

COSBOA will issue You with a response to any complaint within a reasonable time that, if appropriate, will outline the measures that COSBOA will take to resolve the complaint.

If You feel that COSBOA has not satisfactorily addressed Your complaint, You may also make a complaint to the Office of the Australian Information Commissioner (**OAIC**) by visiting www.oaic.gov.au or by writing to GPO Box 5218 Sydney NSW 2001 in accordance to instructions listed on OAIC website.

If You have any additional questions or concerns about this Policy, please feel free to contact COSBOA any time by email at info@cosboa.org.au.

This Policy was last updated 27 September 2021.