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**OSCAR HOSPITALITY PTY LTD  
PRIVACY POLICY STATEMENT**

This Privacy Policy sets out the policy of OSCAR Hospitality Pty Ltd ACN 132 912 899 trading as OSCAR Care Group ('we' or 'us') with respect to the way we obtain, use and disclose information about you, including through our website at <http://www.oscarcaregroup.com.au> in compliance with the Australian Privacy Principles ('APPs') contained in *Privacy Act 1988* (Cth) ('the Act').

We understand and appreciate that you are concerned about privacy, particularly in relation to the use and disclosure of Personal and Sensitive Information. We are committed to providing a high level of privacy in relation to all Personal and Sensitive Information that is collected by us.

This Privacy Policy covers Personal and Sensitive Information collected, used and disclosed by us about you, if you are (or have enquired about becoming) one of the following:

- a client;
- a student;
- a resident in aged care or a child in childcare;
- a supplier engaged by us or a partner collaborating with us;
- an independent contractor or an employment applicant; and
- an employee, except where the use or disclosure is directly related to the relationship between us as employer and you as the employee and relates to an "employee record" about you as a present or past employee.

**What are Personal Information and Sensitive Information?**

"Personal Information" is information or an opinion about you as an identified individual or an individual who is reasonably identifiable, whether or not the information or opinion is true and whether or not it is recorded in a material form.

"Sensitive Information" is information about an individual's health (including predictive genetic information), racial or ethnic origin, political opinions, membership of a political association, professional or trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, biometric information that is to be used for certain purposes and biometric templates.

**What Personal and Sensitive Information do we collect from you?**

The types of Personal and Sensitive Information collected by us may differ, depending on whether you are, or would like to become, a client, resident or child, supplier, employee or independent contractor.

Generally, the Personal Information collected by us includes your name, business address, telephone number and email address.

If you are a resident or a child, we also may require your residential address, gender and date of birth. In addition, we may collect Sensitive Information consisting predominantly of medical and health information, for example food allergy and food tolerance information, dietary preferences, where required to enable us to provide the OSCAR Care Group services requested by you.

From our employees, independent contractors and/or prospective employees, we collect several types of information, including, but not limited to, employment status, bank account details, emergency contact details, qualifications, industry certification, memberships of professional bodies, previous employment details, police checks, working with children checks, medical and health information, leave summaries, wages and salary information, superannuation information, tax file numbers, where relevant visa and immigration information and information relating to performance and conduct.

We do not otherwise collect Sensitive Information.

In some circumstances, you may deal with us anonymously or using a pseudonym. However, in most circumstances it is impracticable to do so because if you do not provide us with the Personal and Sensitive Information that we require or if you provide it in a way that does not identify you, we are unlikely to be able to provide the goods and services requested by you.

## **How do we collect your Personal and Sensitive Information?**

We collect Personal and Sensitive Information in a number of ways, including:

- from you when you make a telephone or online or email enquiry or complete an online form or when you purchase goods or services from us;
- from you when you provide us with information, for example, via our website, feedback forms or when you subscribe to our newsletter or agree to receive electronic direct mail or text messages from us;
- by visiting or subscribing to any website or social media site established by us, including but not limited to Facebook and LinkedIn ("Social Media Sites");
- from third parties such as relevant government departments, doctors and family members (where relevant);
- from publicly available sources of information;

- through analysis of the Social Media Sites conducted by us or by third parties on our behalf; and
- from our own records.

When you look at our website, we may use tracking technologies such as cookies to make a record of your visit by logging your internet protocol address, device name, operating system version, the date and time of your visit to our site, the pages that you have accessed and the type of browser you were using. We use this information for statistical purposes and for the purposes of marketing and advertising to you. This type of statistical information does not identify you. You have the option to either accept or refuse cookies and to know when a cookie is being sent to your device. If you do not wish to receive any cookies you may set your browser to refuse them. However, this may result in you being unable to use our website.

### **Primary purpose for which we use and disclose your Personal and Sensitive Information**

We will use and disclose your Personal and Sensitive Information for the primary purposes for which it was provided to us, which generally include:

- supplying our products and services to you including:
  - confirming your identity;
  - communicating with you, including via SMS or email;
  - providing advice about available support;
- providing quality assurance for our products and services;
- responding to your enquiries and feedback regarding our business, our products and services;
- monitoring the performance of our business, our contractors and employees and our goods and services including by requesting that you participate in client satisfaction surveys, feedback phone calls and/or online star rating reviews;
- marketing including email marketing and other promotional activities relating to our goods and services;
- enforcing the terms and conditions of our engagement with you;
- for the management of our database; and
- ensuring compliance with statutory obligations.

We use and disclose information we hold about you as an employee of or incidental to our role as your employer and in accordance with applicable laws.

## **Electronic Direct Marketing**

By providing your email address, you consent to being added to the OSCAR Care Group database which we use to communicate with you directly to promote our products or services, including via our newsletter. On each communication, we will advise how you may unsubscribe or opt out of receiving such communications. You may, at any time, request not to receive direct marketing communications from us and we will comply with that request.

## **Disclosure of your Personal Information via Social Media Sites**

By engaging in any Social Media Activity on our Social Media Sites, you agree to and are subject to the terms and conditions of such Social Media Sites. Any Personal or Sensitive Information shared by you on Social Media Sites is generally disclosed in accordance with the terms and conditions and privacy policies of such Social Media Sites.

Generally, photos and other material shared on Social Media Sites will be able to be viewed by the general public. Such material may be shared by others repeatedly and will be visible by anyone visiting the locations to which the material has been shared. You may be able to remove the material that you have shared from the location at which you shared it. However, any material that has been re-shared will be out of our control and neither you nor we will be able to remove it from any subsequently shared location. We are not responsible for any material that has been shared by you.

We reserve the right to remove any photos, comments or other material that is in any way inappropriate or offensive (in our opinion) from our Social Media Sites.

## **Consent to use and disclosure for secondary purposes**

In addition, you consent to our collection, use and disclosure of your Personal and Sensitive Information in the following circumstances:

- to third party consultants who may from time to time develop, upgrade or manage all or part of our database, our website and Social Media Sites, computer systems and online services including OSCAR Plus;
- to third parties where we outsource any of our functions, including but not limited to development, production and/or printing of advertising and marketing material and campaigns, including where such material contains photos or video of individuals; and

- of or incidental to a sale of all or part of our business to prospective purchasers and their legal and accounting representatives; and
- as required by law, including mandatory reporting of cases of occupational health and safety and suspected elder abuse where required by law.

Where your Personal and Sensitive Information is disclosed to a third party by us for these types of purposes, we take reasonable steps to ensure the information is not used for any purpose other than to perform the tasks assigned to them by us.

**Cross Border Disclosure**

We do not actively disclose your Personal or Sensitive Information overseas. However, some programs, software, online tools, or Social Media Sites used by us and/or our third-party providers are based in and/or housed overseas. The use of such programs by us or by our third-party service providers may involve disclosure of your Personal and/or Sensitive Information to such organisations overseas. Use and disclosure of your Personal Information by such organisations is in accordance with the terms and conditions and privacy policies of such organisations.

See the table below showing the products we use (which may change from time to time) and links to their privacy policies.

Product/website	Country	Link to Privacy Policy
Mail Chimp	USA	<a href="https://mailchimp.com/legal/privacy/">https://mailchimp.com/legal/privacy/</a> .
Survey Monkey	USA and other countries	<a href="https://www.surveymonkey.com/mp/legal/privacy/">https://www.surveymonkey.com/mp/legal/privacy/</a>
Outlook	USA and other countries	<a href="https://privacy.microsoft.com/en-us/privacystatement">https://privacy.microsoft.com/en-us/privacystatement</a>
Xero	USA and other countries	<a href="https://www.xero.com/au/about/legal/privacy/?escape=true">https://www.xero.com/au/about/legal/privacy/?escape=true</a>
Bookwhen	UK and other European Economic Area countries	<a href="https://bookwhen.com/privacy">https://bookwhen.com/privacy</a>

If you consent to disclosure of your Personal Information as described above, we are not required to take reasonable steps to ensure that such organisations do not breach the APPs in relation to the disclosed information, we will not be liable under the Act and you will not be able to seek redress under the Act. The overseas organisation may not be subject to any privacy obligations in their own country that are similar to the APPs, you may not be able to seek redress in the overseas

jurisdiction and the overseas recipient could be subject to foreign laws that compel disclosure to third parties, such as overseas authorities. Having been informed of the possibility that such disclosures may occur, you consent to that disclosure by undertaking the type of activities specified above which indicate your consent.

## **Security**

We are committed to ensuring the security of your Personal and Sensitive Information and we will take all reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure, including:

- having a robust physical security of our premises and databases/records;
- only allowing access to Personal and Sensitive Information on a need-to-know basis;
- authorised personnel monitoring system access which can only be accessed by authenticated credentials;
- regularly updating and auditing our storage and data security systems; and
- technological measures, such as computer passwords, data back-up, anti-virus software and firewalls.

We will take all reasonable steps to ensure your Personal Information is accurate and kept up-to-date and complete and is relevant for the purposes for which it may be used pursuant to this Privacy Policy. When no longer required, we destroy or archive personal information in a secure manner.

Please note that our website does not provide systems for secure transmission of Personal or Sensitive Information across the internet, except where otherwise indicated. When emailing or providing Personal or Sensitive Information to us via our website, please be aware that there are risks involved in transmitting Personal or Sensitive Information via the internet.

Our website may contain links to other internet sites. We have no control over the privacy practices employed at other websites and we accept no responsibility for the collection, use and disclosure of your Personal and Sensitive Information by other internet sites. We strongly advise you to review the privacy policies of such websites. We have no control over and assume no responsibility for the content, policies or practices or any third-party sites or services.

We cannot provide a guarantee with respect to the security of your Personal and Sensitive Information and we will not be liable for any breach of security or unintended loss or disclosure of information due to the website being linked to the internet.

## **How to check or change your details**

It is important that you tell us if your circumstances change to ensure you are only accessing payments and services you are eligible for. You can do this yourself using our self service options.

If you wish to view the Personal and Sensitive Information we hold about you, please send your request to our Privacy Officer by email or mail using the contact details at the end of this Privacy Policy. A fee may apply for such access. If we deny your request for access, we will let you know why.

If you wish to amend the Personal and Sensitive Information because it is inaccurate, out of date, incomplete, irrelevant or misleading, or if you wish your Personal and Sensitive Information to be deleted, please contact our Privacy Officer. If we refuse to comply with your request, we will let you know why.

## **Changes to our Privacy Policy**

From time to time we may amend or update this Privacy Policy. When this occurs, we will post the new version of the Privacy Policy on our website. We encourage you to periodically review this Privacy Policy so that you remain informed as to how we are protecting your Personal Information.

## **Complaints**

If you believe that we have not complied with our obligations pursuant to the Act, or have a complaint about the use or disclosure of your Personal or Sensitive Information by us, please contact our Privacy Officer. We will discuss your concerns with you and take action as necessary to address such concerns which may include contacting us to take the matter further.

We will endeavour to resolve your complaint as soon as possible. However, the length of time will depend on the nature and complexity of the issues you have raised.

You will receive an acknowledgement of receipt of the complaint from us within five business days. We will give you an estimate of how long it may take us to deal with the matter but we will endeavour to finalise the matter within 30 days.

If we decide that your complaint is justified, we will then decide what action we should take in response. We will always try to match our response to the nature of your complaint and your desired outcome, but this may not always be possible.

Some of the things that we may decide to do include:

- take steps to rectify the problem or issue you have raised;

- provide you with you additional information or advice so that you can understand what happened and how we have dealt with it;
- take steps to change our policies or procedures if your complaint identifies a problem in the way we are doing things.

It will not always be possible to resolve a complaint to everyone's satisfaction. In that case, you might want to escalate the matter to the Privacy Commissioner via an online privacy complaint form which can be found at: <https://www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us/>. We welcome your questions and comments regarding this Privacy Policy.

### Contact Details

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