

AU-ITwww02

## **Website privacy notice**

## Privacy Policy and Notice

This is the privacy notice of Winter & Co Tax and Business Specialists In this document, “we”, “our”, or “us” refers to Winter & Co Tax and Business Specialists Pty Ltd registered in Australia with ACN 624718127

Our registered office is at 67 Broadway Glenelg South SA 5045

This is a notice to inform you of our policy about all information that we record about you. It covers both information that could and could not identify you and information.

We are extremely concerned to protect your privacy and confidentiality. We understand that all users of our web site are quite rightly concerned to know that their data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party. Our policy is both specific and strict. It complies with Australian law [and with the laws of all jurisdictions of which we are aware]. If you think our policy falls short of your expectations or that we are failing to abide by our policy, **do please tell us.**

We regret that if there are one or more points below with which you are not happy, your only recourse is to leave our web site immediately.

Except as set out below, we do not share, or sell, or disclose to a third party, any personally identifiable information collected at this site.

Here is a list of the information we collect from you, either through our web site or because you give it to us in some other way, and why it is necessary to collect it:

### 1. Business and personal information

This includes basic identification and contact information, such as your name and contact details and also includes all information given to us in the course of your business and ours, such as information you give us in your capacity as our client. We undertake to preserve the confidentiality of the information and of the terms of our relationship. It is not used for any other purpose. We expect you to reciprocate this policy.

This information is used:

- 1.1. to provide you with the services which you request;
- 1.2. for verifying your identity for security purposes;
- 1.3. for marketing our services and products;

- 1.4. information which does not identify any individual may be used in a general way by us or third parties, to provide class information, for example relating to demographics or usage of a particular page or service.

We keep information, which forms part of our business record for a minimum of six years. That is because we may need it in some way to support a claim or defence in court. That is also the period within which our tax collecting authorities may demand to know it.

## **2. Market place information**

When we obtain information from you specifically to enable you to use services offered on our web site by some other person, we assume that in giving us your information, you are also giving us permission to pass it to the relevant person.

## **3. Your domain name and e-mail address**

This information is recognised by our servers and the pages that you visit are recorded. We shall not under any circumstances, divulge your e-mail address to any person who is not an employee or contractor of ours and who does not need to know, either generally or specifically. This information is used:

- 3.1. to correspond with you or deal with you as you expect;
- 3.2. in a collective way not referable to any particular individual, for the purpose of quality control and improvement of our site;
- 3.3. to send you news about the services to which you have signed up;
- 3.4. to tell you about other of our services or services of sister web sites.

## **4. Information you post on our website**

Information you send to us by posting to a forum or blog or in your advertisement, is stored on our servers. We do not specifically use that information except to allow it to be read, but you will see in our terms and conditions that we reserve a right to use it in any way we decide.

## **5. Website usage information**

We may use software embedded in our website (such as JavaScript) to collect information about pages you view and how you have reached them, what you do when you visit a page, the length of time you remain on the page, and how we perform in providing content to you.

## **6. Financial information relating to your credit cards**

At the point of payment, you are transferred to a secure page on the website of Square Payment or some other reputable payment service provider. That page may be dressed in our “livery”, but it is not controlled by us. Our staff and contractors never have access to it.

## **7. Note on padlock symbols and other trust marks**

Many companies offer certification and an icon or other small graphic to prove to site visitors that the site is safe. Some certify to a high level of safety. Others are more concerned to take our money than to provide a useful service. We do not handle information about your credit card so do not subscribe to any such service.

## **8. Credit reference**

To assist in combating fraud, we share information with credit reference agencies, so far as it relates to clients or customers who instruct their credit card issuer to cancel payment to us without having first provided an acceptable reason to us and given us the opportunity to refund their money.

## **9. Third party advertising**

Third parties may advertise on our web site. In doing so, those parties, their agents or other companies working for them may use technology that automatically collects your IP address when they send an advertisement that appears on our site to your browser. They may also use other technology such as cookies or JavaScript to personalise the content of, and to measure the performance of their adverts. We do not have control over these technologies or the data that these parties obtain. Accordingly, this privacy notice does not cover the information practices of these third parties.

## **10. Third party content**

Our web site is a publishing medium in that anyone may register and then publish information about himself or some other person. We do not moderate or control what is posted. If you complain about any of the content on our web site, we shall investigate your complaint. If we feel, it may be justified, we shall remove it while we investigate. Free speech is a fundamental right, so we have to make a judgment as to whose right will be obstructed: yours, or that of the person who posted the content which offends you. If we think, your complaint is vexatious or without any basis, we shall not correspond with you about it.

## **11. Information we obtain from third parties**

Although we do not disclose your personal information to any third party (except as set out in this notice), we do receive data which is indirectly made up from your personal information, from software services such as Google Analytics and others. No such information is identifiable to you.

## **12. Content you provide to us with a view to be used by third party**

If you provide information to us with a view to it being read, copied, downloaded, or used by other people, we accept no responsibility for what that third party may do with it. It is up to you to satisfy yourself about the privacy level of every person who might see your information. If it is available to all the World, neither we nor you have no control whatever as to how it is used.

## **13. Cookies**

Cookies are small text files that are placed on your computer's hard drive through your web browser when you visit any web site. They are widely used to make web sites work, or work more efficiently, as well as to provide information to the owners of the site.

Like all other users of cookies, we may request the return of information from your computer when your browser requests a web page from our server. Cookies enable our web server to identify you to us, and to track your actions and the pages you visit while you use our website. The cookies we use may last for a single visit to our site (they are deleted from your computer when

you close your browser), or may remain on your computer until you delete them or until a defined period of time has passed.

Although your browser software enables you to disable cookies, we recommend that you allow the use of cookies in order to take advantage of the features of our website that rely on their use. If you prevent their use, you will not be able to use all the functionality of our website. Here are the ways we use cookies:

- 13.1. to record whether you have accepted the use of cookies on our web site. This is solely to comply with the law. If you have chosen not to accept cookies, we will not use cookies for your visit, but unfortunately, our site will not work well for you;
- 13.2. to allow essential parts of our web site to operate for you;
- 13.3. to operate our content management system;
- 13.4. to operate the online notification form - the form that you use to contact us for any reason. This cookie is set on your arrival at our web site and deleted when you close your browser;
- 13.5. to enhance security on our contact form. It is set for use only through the contact form. This cookie is deleted when you close your browser;
- 13.6. to collect information about how visitors use our site. We use the information to improve your experience of our site and enable us to increase sales. This cookie collects information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from, and the pages they visited;
- 13.7. to record that a user has viewed a webcast. It collects information in an anonymous form. This cookie expires when you close your browser;
- 13.8. to record your activity during a web cast. An example is as to whether you have asked a question or provided an opinion by ticking a box. This information is retained so that we can serve your information to you when you return to the site. This cookie will record an anonymous ID for each user, but it will not use the information for any other purpose. This cookie will last for [three] months, when it will be deleted automatically;
- 13.9. to store your personal information so that you do not have to provide it afresh when you visit the site next time. This cookie will last for [90] days;

13.10. to enable you to watch videos we have placed on YouTube. YouTube will not store personally identifiable cookie information when you use YouTube's privacy-enhanced mode.

## **14. Calling our help line**

When you call our help line, we collect Calling Line Identification (CLI) information. We use this information to help improve the efficiency and effectiveness of our help line.

## **15. Sending a message to our support system**

When you send a message, we collect the data you have given to us in that message in order to obtain confirmation that you are entitled to receive the information and to provide to you the information you need. We record your request and our reply in order to increase the efficiency of our business / organisation. We do not keep any personally identifiable information associated with your message, such as your name or email address.

## **16. Complaining**

When we receive a complaint, we record all the information you have given to us. We use that information to resolve your complaint. If your complaint reasonably requires us to contact some other person, we may decide to give to that other person some of the information contained in your complaint. We do this as infrequently as possible, but it is a matter for our sole discretion as to whether we do give information, and if we do, what that information is.

We may also compile statistics showing information obtained from this source to assess the level of service we provide, but not in a way that could identify you or any other person.

## **17. Job application and employment**

If you send us information in connection with a job application, we may keep it for up to three years in case we decide to contact you at a later date.

If we employ you, we collect information about you and your work from time to time throughout the period of your employment. This information will be used only for purposes directly relevant to your employment. After your

employment has ended, we will keep your file for six years before destroying or deleting it.

## **18. Marketing information**

With your permission we pass your email address and name to selected associates whom we consider may provide services or products you would find useful. You may opt out of this service at any time by instructing us at: [reception@winterco.net.au](mailto:reception@winterco.net.au)

## **19. Re-marketing**

We may use re-marketing from time to time. This involves Google or some other supplier placing a tag or marker on your website in order to be able to serve to you an advert for our products / services when you visit some other website.

## **20. Affiliate information**

This is information given to us by you in your capacity as an affiliate of us or a customer or client of ours. Such information is retained for business use only. We undertake to preserve the confidentiality of the information and of the terms of our relationship. It is not used for any other purpose. We expect any affiliate to agree to reciprocate this policy. As an exception to this, we have the right to disclose your first name and URL of your affiliate connection to other affiliates and to any other person or organisation, on and off site. The reason is solely to enable us to mention winners and others whose performance as an affiliate is in some way outstanding.

## **21. Use of site by children**

We do not market to children, nor do we sell products or services for purchase by children. We do sell products and services for end use by children, but for purchase by adults. If you are under 18, you may use our site only with consent from a parent or guardian.



## **22. Disclosure to Government and their agencies**

We are subject to the law like everyone else. We may be required to give information to legal authorities if they so request or if they have the proper authorisation such as a search warrant or court order.

## **23. Compliance with the law**

This confidentiality policy has been compiled so as to comply with the law of every jurisdiction in which we aim to do business. If you think it fails to satisfy the law of your country, we should like to hear from you, but ultimately it is your choice as to whether you wish to use our website.

## **24. Review or update personally identifiable information**

At any time you may review or update the personally identifiable information that we hold about you, by contacting us at the address below. To better safeguard your information, we will also take reasonable steps to verify your identity before granting access or making corrections to your information.

## **25. Removal of your information**

If you wish us to remove personally identifiable information from our web site, you may contact us at [reception@winterco.net.au](mailto:reception@winterco.net.au). To better safeguard your information, we will also take reasonable steps to verify your identity before granting access or making corrections to your information.

## **26. Data may be “processed” outside Australia**

Our web sites are hosted in Australia. We also use outsourced services in countries outside Australia from time to time in other aspects of our business. Accordingly, data obtained within Australia may be “processed” outside Australia and data obtained in any other country may be processed within or outside that country.

## **27. Complaints procedure**

27.1. If you have a complaint about how we are collected or handled your personal information, please contact us. We will endeavour in the first

instance to deal with your complaint and take action to resolve the matter.

- 27.2. If your complaint cannot be resolved at the first instance, we will ask you to lodge a formal complaint in writing, explaining the circumstances of the matter that you are complaining about, how you believe your privacy has been interfered with and how you believe your complaint should be resolved.
- 27.3. We will acknowledge receipt of your formal complaint and indicate the timeframe that you can expect a response. We will endeavour to resolve the complaint as quickly as possible, but if the matter is complex and our investigation may take longer, we will let you know when we expect to provide our response.
- 27.4. If you are unhappy with our response, you may refer your complaint to the Office of the Australian Information Commissioner.

#### **How you can contact us**

Emailing [reception@winterco.net.au](mailto:reception@winterco.net.au)

**Sending** a letter to us at:

**Attn: Privacy Officer**  
67 Broadway Glenelg South SA 5045

**OAIC contact details:**  
Officer of the Australian Information Commissioner (OAIC)  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## **28. Change in Privacy Policy**

As we plan to ensure our privacy policy remains current, this policy is subject to change. Please return periodically to review our privacy policy.

If you have any question regarding the privacy policy, please contact us through the contact page.

**Now take me back where I was before reading this.**

# Explanatory notes:

## Website privacy notice

### General notes

1. This privacy notice is usually referred to as a “privacy policy”. Notice is called first layer and sometimes called the ‘short form’, or ‘privacy notice highlights’.
2. We have therefore drawn this very comprehensive document for your use. The best we can do is to comply with the law, while recognising that someone somewhere may find it inadequate.

The document we have provided does not magically absolve you from risk of data mismanagement, but it is a giant first step. A good privacy notice is prime evidence to everyone you deal with and to the IBO, that you take confidentiality seriously.

3. We have provided a menu of possibilities, use of which depends on the structure of your business and your website. Your privacy policy is a matter for your discretion. We have not tried to use magic words to protect you from spamming and selling data abroad. This model policy is built around:
  - 3.1. reminding you how to avoid contravening the Commonwealth of Australia Laws as amended up to date;
  - 3.2. providing re-assurance to your customers or clients;
  - 3.3. maintaining a professional but friendly image.

For compliance, it is essential that you specify what data is collected and what you do with it. The image you present to your customers is of course a matter of your choice.

4. For compliance, do include all that you might do with the data.
5. The introduction provides a statement that you do not market to children. Of course this may need to be adjusted if it is not true.
6. This document updated according to new changes in the law on March 2014.

If you were not aware of these changes, Net Lawman recommends you visit the website of the Office of the Australian Information Commissioner.

<http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>.

## Paragraph Specific notes

Notes referable to specific numbered paragraphs

### **1 Business and Personal information**

This is information collected by most web sites. What you do with it is obvious but including it here completes the picture.

### **2 Market place information**

To use if you take orders on your web site for a third party.

### **3 Your domain name and e-mail address**

This is information collected by most web sites. Basic and obvious.

### **4 Information you post on our website**

This is an area often omitted from suggested text, but it may be important. The fact that someone posts insensitive or forbidden or stupid information does not give you a licence to use it without care. However, well drawn terms and conditions will make clear that contractually you have a licence to use any such information as you decide.

### **5 Website usage information**

This information is unlikely to be personally identifiable.

### **6 Financial information relating to your credit cards**

In this and the following paragraphs we have given you several alternatives. Select the one that most accurately reflects the way you do business.

**7&8** Alternative paragraphs. You can choose that suits you best.

### **9 Financial information about your direct debits**

Provides for direct debit arrangements and explains in plain English how they work.

### **10 Credit reference**

We suggest that you leave this paragraph in place even if you have no immediate intention of liaising with debt collectors. It may be a useful reminder to users of your web site.

### **11 Third party advertising**

This is a simple statement of the obvious. In practice, the demons that appear in our systems are usually cookies of some sort, placed by these third parties, often with the connivance of the webmaster of a site based far away.

## **15 Cookies**

Regulation of cookies is probably the single most important element of the new regulations. You must identify what cookies you use and why so as to give a user of your site notice of what you are planting on his hard disk. It is particularly important to mention any cookie that may prove objectionable to someone. The purpose of this document is to tell those who might use your web site what will happen if they do. There are thousands of possible use of cookies. We have mentioned a few of the most obvious. Add your own. (Please tell us of any we have missed which are also obvious!)

**16 to 28** We have no comment on these paragraphs. Select which apply to you.

**21** “Remarketing” is the process whereby a visitor to your site is tagged and that tag picked up by Google or some other re-marketing service provider when your visitor goes to some other site that you have decided may be relevant to yours. If you are not immediately familiar with re-marketing, you should delete the provision. If you do use re-marketing, you should choose your words carefully in how you describe what may be regarded as an intrusive practice. More information is at:  
<https://www.google.com/ads/innovations/remarketing.html>

## **29 Data may be “processed” outside Australia**

It is important that this information is disclosed to comply with the law.

## **30 Complaints procedure**

According to new changes in privacy policy, a customer can complaint against how a data will be handle and if any breach he can complaint which should be decided in a reasonable time. The time frame for gov sector is 30 days and reasonable time for private sector as per new APP. The company must train a privacy officer who handle the privacy breach complaint and if client not satisfy he can complaint to the Office of the Australian Information Commissioner

**31** We have no comments

## **End of notes**