

Privacy Policy

1 About our Privacy Policy

- 1.1 This policy was last modified on **27 May 2015**.
- 1.2 The privacy of your Personal Information is important to Physio Gym. We respect your rights to privacy and rights under the Privacy Act and are committed to complying with the requirements of Privacy Legislation in the collection and handling of your Personal Information.
- 1.3 This policy explains how we collect and handle your Personal Information and describes the kinds of Personal Information we collect, use and disclose and our purposes for doing so.
- 1.4 Generally, Personal Information is information which may be used to identify you.
- 1.5 This policy applies to your use of our Website as well as your dealings with us and sets out how and why we collect your Personal Information during your interactions with us.

YOUR CONTINUED USAGE OF OUR WEBSITE AND SERVICES WILL BE TAKEN TO INDICATE YOUR ACCEPTANCE OF THE TERMS OF THIS PRIVACY POLICY

- 1.6 Please note that our Website may contain links to other websites, and your use of those websites is not covered by this privacy policy.

2 Why and how we collect Personal Information

- 2.1 We collect your Personal Information reasonably required for the purposes of our business operations and activities. We may collect, hold, use or disclose your Personal Information for one or more of the following purposes:
 - (a) In providing you with our products or services;
 - (b) In connection with your attendance or participation in functions, events or activities at one of our gyms;
 - (c) To manage our relationship with you and evaluate our business performance;
 - (d) To provide you with information about our products, services, functions, events or activities;
 - (e) When you place an order, either through our Website or via telephone or written order; and
 - (f) When you are using our Website to measure the performance of our Website.

3 What kinds of Personal Information we collect

3.1 The kinds of information we collect when you deal with us includes:

- (a) Your name, address, contact details, date of birth, gender and emergency contact information for your next of kin or nominated emergency contact;
- (b) A copy of your photographic identification; this may include your Driver Licence, Passport or other photographic identification;
- (c) Other identification documents including your birth certificate, private health card, Medicare card or health insurance information including your member number;
- (d) Your email address;
- (e) Demographic information including ethnicity, languages spoken, occupation and other demographic information which can be used as a healthcare identifier;
- (f) Health information including your medical and health history, medications you have or are taking, allergies, family medical history, social history of your relationships, adverse events (such as accidents or injuries) and information concerning other risk factors that may impact upon your health; and
- (g) Credit card and direct debit details for your bank.

4 Information collected through our Website

4.1 We also collect information from your computer automatically when you browse our Website. This information may include:

- (a) the date and time of your visit;
- (b) your domain;
- (c) locality;
- (d) operating system;
- (e) the server your computer is using to access our Website;
- (f) your browser and version number;
- (g) search terms you have entered to find our Website or enter on our Website;
- (h) pages and links you have accessed both on our Website and on other websites;
- (i) the last website you have visited;
- (j) the pages of our Website you access; and

- (k) your IP Address.
- 4.2 Please note that it may be possible to identify you from information collected automatically from your visit(s) to our Website.
- 4.3 We may use statistical analytics software tools such as Google Analytics and software known as cookies which transmit data to third party servers located overseas including in the United States of America. To our knowledge Google Analytics does not identify individual users or associate your IP Address with any other data held by Google.
- 4.4 If you do not wish to grant us the right to use cookies to gather information about you while you are using our Website, then you may elect to set your browser settings to disable cookies. This may cause parts of our Website to not function properly.

5 How we collect and store data and transmit Personal Information

- 5.1 We usually collect and store information in paper, physical and electronic form provided by you in person or when you communicate with us by telephone, email, web-based form, letter, facsimile or other means, including:
 - (a) When you initially contact us over the phone;
 - (b) When we provide you with our services including:
 - (i) If you contact us by phone, during that initial call;
 - (ii) When you attend Physio Gym, when you complete Patient Information Form and provide us with a patient consent; and
 - (iii) When treatments and services are provided to you, for example to record what occurred and how you are progressing towards your goal(s).
 - (c) When we provide you with assistance or support for our products or services;
 - (d) When you participate in our functions, events or activities;
 - (e) When you request that we provide you with information concerning our products or services; and
 - (f) If you complete any forms requesting information from you, complete any survey or provide feedback to us concerning our products or services.
- 5.2 Where practicable we will only collect information from you personally. However, we may collect Personal Information from other sources including:
 - (a) From your guardian or responsible person;
 - (b) From your other health care professionals, such as a treating specialist, radiologist, pathologist, hospital or other health professional;

- (c) In an emergency situation we may also need to collect Personal Information from your relatives, friends or your nominated emergency contact.
- 5.3 As part of providing our services we may hold medical records such as x-rays, CT scans, videos, photos and audio recordings which may constitute Personal Information.
- 5.4 Please note that we use our own and third party computer servers including our website hosts, data backups and payment gateway(s), which may be located overseas and as such your Personal Information will likely be transmitted overseas as part of the operation of our Website.
- 5.5 We take reasonable steps to protect your Personal Information by:
 - (a) Securing our physical premises and storing physical records of data in cabinets which are locked at the close of business;
 - (b) Placing password protection and access control over databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and
 - (c) Taking regular back-ups of our electronic systems.

6 Not identifying yourself

- 6.1 We may be able to provide you with limited information in the absence of your identifying yourself but generally we will be unable to provide you with services unless you have identified yourself.
- 6.2 Where you choose not to provide requested information, it may seriously impact our ability to help you reach your goal(s). Where possible we will try to advise you of the potential consequences of you failing to provide information that we might reasonably request.

7 Why we collect your Personal Information

- 7.1 The purposes for which we collect and hold your Personal Information include:
 - (a) To deliver services and treatments to you;
 - (b) To provide you with aftermarket services, such as seeking your feedback, addressing any further requests you may have in connection with our services;
 - (c) To manage orders and visits made to our Website operated in conjunction with our business, including analysing data collected from our Website concerning site visits and activities of users on our Website. This helps us run our Website more efficiently and give you a better experience online. We use information from third party services such as Google Analytics to help further improve your experience in using our Website;

- (d) To conduct research, compile or analyse statistics relevant to the operations of our business or in relation to public health or public safety;
- (e) To create backups of our business records; and
- (f) For direct marketing purposes as set out below.

8 How we disclose Personal Information

- 8.1 We will not use your Personal Information for a purpose other than those set out above without your further consent.
- 8.2 We will not sell, trade or rent your Personal Information to any third parties for marketing purposes without your consent.
- 8.3 We will disclose your Personal Information if we are required to do so under law or if the disclosure is made in connection with either the normal operation of our business in a way that you might reasonably expect, for example to process an insurance claim on your behalf, or if such disclosure is incidental to IT services being provided to our business, or in connection with any insurance or warranty claim or for the resolution of any dispute that arises between you and us. This disclosure may involve your Personal Information being disclosed overseas.
- 8.4 For example we may disclose your Personal Information:
 - (a) In connection with a claim being made to Medicare or your private health insurer which may involve disclosure via a payment processing company;
 - (b) When your authorised representative, such as an accountant or lawyer, contact us in connection with providing you with services;
 - (c) If the disclosure is requested by a government agency or the courts and we are obliged to comply.
- 8.5 We may also disclose your Personal Information if you choose to participate in online or “app” based service offerings whereby your Personal Information may be disclosed to and stored in software which is operated by a third party. We will take all reasonable steps to ensure that such third parties are required to deal with your Personal Information in a manner no less restrictive than set out in our Privacy Policy. Personal Information disclosed in this way will be transmitted offshore, including to the United States of America.
- 8.6 In the event of a sale of our business (or part of our business), we may disclose your Personal Information to the buyer, but only upon our being reasonably satisfied that the buyer has agreed to treat your Personal Information in a manner no less restrictive on the buyer than as set out in this policy.

9 How we use Personal Information for direct marketing

- 9.1 We may contact you from time to time to inform you about existing and new products and services that we feel you may be interested in.
- 9.2 We will ensure that any e-mail that you are sent by us as direct marketing comply with the *SPAM Act* and contain a no-cost 'unsubscribe' option so that you can remove yourself from any further marketing communications.
- 9.3 You can also call or write to us to request that your details be removed from our direct marketing list.
- 9.4 Our direct marketing list may be operated by software and servers located overseas and as such your Personal Information may be sent overseas as part of our marketing.

10 How to access or correct your Personal Information or make an enquiry or complaint

- 10.1 If you wish to access or correct the Personal Information we hold about you, or make a complaint, please contact us in writing:

Business Owner
Matthew Squires
Physio Gym
PO BOX 111
LEICHHARDT NSW 2040

or by email to the Business Owner: Matthew.Squires@physiogym.net.au

- 10.2 Please note that in order to disclose information to you in response to such a request we may require you to provide us with sufficient comfort as to your identity.
- 10.3 We may also (depending on the request) charge you a fee to provide this service, which we will inform you of at the time. All requests for Personal Information will be handled in a reasonable period of time.
- 10.4 We may be required by law to retain certain healthcare records for certain periods of time depending on your age at the time we provide you with services.
- 10.5 We may deny you access to your medical records in certain circumstances permitted by law. For example, if the disclosure may cause, in our opinion, a serious threat to your health or safety we may not disclose the information. We will always tell you why we have chosen not to disclose the information and the options you have to respond to our decision.
- 10.6 If you are not satisfied with our handling of a complaint or the outcome of a complaint you may make an application to the Australian Information Commissioner or the Privacy Commissioner in your State or Territory.

11 Updates to this privacy policy

11.1 This policy may be updated from time to time and the most up to date version will be located at our Website.

12 Definitions used in this policy

- “IP Address”** means a number automatically assigned to your computer and which is required when you are using the internet and which may be able to be used to identify you.
- “Patient Information Form”** means our internal document that is completed by all of our clients on their first visit to Physio Gym.
- “Personal Information”** has the meaning set out in the Privacy Act.
- “Physio Gym” “we” “our”, “us”** and similar terms means Universal Motion Physiotherapy Pty Ltd, A.B.N. 45 121 498 342 trading as Physio Gym.
- “Privacy Act”** means the *Privacy Act 1988* (Cth) as amended from time to time.
- “Privacy Legislation”** means such laws as may place requirements on the handling of Personal Information including the Privacy Act.
- “You”, “your”** and similar terms means, as the context requires:
- (a) You during your usage of our Website; and/or
 - (b) You as a paid member of Physio Gym;
- “Website”** means www.physiogym.net.au and other website as we may operate from time to time.