

## PRIVACY POLICY

### OUR PHILOSOPHY

LSCH Group Pty Ltd ACN 612 175 612 trading as the Fit Lab Health and Fitness Centre (**we** or **us**) is committed to protecting and respecting your privacy by handling all personal information securely and with care, in accordance with the Australian Privacy Principles (the **APPs**) as set out in the *Privacy Act 1988* (Cth) (the **Act**). The APPs regulate the manner in which personal information is collected, used, disclosed, stored, accessed, corrected and disposed of.

We have adopted this Privacy Policy to ensure that we comply with the APPs. The Policy provides an overview of the types of information held by us, as well as our information handling practices, procedures, and systems.

Please read the Policy carefully to ensure that you understand our practices regarding the management of any information you disclose to us.

### WHAT IS 'PERSONAL INFORMATION' AND 'SENSITIVE INFORMATION'?

'**Personal Information**' is any information or an opinion about you that identifies you or that could reasonably identify you. This could include information such as your name, contact detail, date of birth or employment details.

'**Sensitive Information**' is any information or opinion about you which is health information or which relates to your racial or ethnic origin, political opinion, religious beliefs, sexual orientation or criminal record. The APPs place more stringent obligations on us when we handle your sensitive information.

### WHAT INFORMATION DO WE COLLECT?

The Personal Information and Sensitive Information that you disclose to us or which we obtain from third parties enables us to provide health, fitness, exercise and wellbeing services to you. We will only collect and retain information that is reasonably necessary for the performance of our activities and functions so that we are able to provide you with the services you require or which we recommend to you.

The kinds of Personal Information and Sensitive Information we collect and hold depends on the specific services provided to you, but will generally include basic personal contact information, as well as other information that is deemed relevant. This will usually include the following:

1. your contact details (name, postal address, email address, etc.);
2. your personal details (date of birth, gender, cultural identity, socio-economic status, etc.); and
3. your health information and medical history.

If you do not provide us with the required information, we may not be able to perform the services which you require us to provide.

### HOW WE COLLECT AND HOLD PERSONAL AND SENSITIVE INFORMATION

During the course of providing our services to you, we will collect Personal Information and Sensitive Information from you by asking you verbally for that information, or requiring you to complete forms or documents necessary to enable us to provide you with our services.

We will take reasonable steps to store information in a secure manner, protected by a combination of physical and technical measures. We store all Information electronically, on a local server that is located securely within the business premises. Any Information in hard copy is also stored securely in the business premises temporarily, until such time as it is scanned and stored electronically, at which point the hard copy is confidentially destroyed.

We will take all reasonable steps to protect the security of your Personal Information and Sensitive Information held by us. This includes appropriate technology to protect your Personal Information and Sensitive Information stored electronically, such as passwords, as well as limiting the number of personnel who have access to your Personal Information and Sensitive Information, whether stored electronically or in hard copy.

To limit the possibility of human error, we will regularly provide training to our staff regarding the collection, storage and handling of your Information.

When we no longer require your Personal Information and Sensitive Information, it will be destroyed or permanently de-identified. However, we will retain information for as long as the law requires.

### **WHAT HAPPENS IF THERE IS A DATA BREACH?**

A data breach is when Personal Information and/or Sensitive Information held by us is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference. Examples of a data breach are when a device containing personal information of clients is lost or stolen, an entity's database containing personal information is hacked or an entity mistakenly provides personal information to the wrong person. A 'data breach' may also constitute a breach of the Privacy Act, however this will depend on whether the circumstances giving rise to the data breach also constitute a breach of one or more of the APPs.

We have a data breach response plan. Our actions in the first 24 hours after discovering a data breach are crucial to the success of our response. A quick response can substantially decrease the impact on the affected individuals.

However, despite our reasonable efforts, we cannot guarantee that the security of your Personal Information and Sensitive Information will not be breached. Therefore, to the fullest extent permitted by law, we disclaim all liability and responsibility for any damage you may suffer due to a data breach, except to the extent that our liability cannot be excluded by applicable laws and regulations which we are subject to.

### **THIRD PARTY PERSONAL AND SENSITIVE INFORMATION**

We may ask you for Personal Information and Sensitive Information about other individuals, for example, your family members. If you provide us with this information, we rely on you to tell those individuals that you are giving their Personal Information and Sensitive Information to us, and to make them aware of this Policy.

### **HOW WE USE YOUR PERSONAL AND SENSITIVE INFORMATION**

We may use your Personal Information and Sensitive Information for the following purposes:

- to confirm your identity;
- to provide you with health, fitness, exercise and wellbeing services;
- to contact you directly about your services;
- to share it with our related entities, subsidiaries or other specialist providers as required to perform functions on our behalf;
- for other purposes communicated to you when your information is collected;
- for disclosures required by law, regulation or court order; and
- to provide data to Government department and agencies who provide funding for our services; and
- to conduct internal client research and assessment.

This includes us using this information to communicate with you about our services, for internal administration, direct marketing and planning purposes. We will also use your personal information for purposes related to those described above which would be reasonably expected by you. You may request not to receive direct marketing communication from us.

We will not use your Personal Information and Sensitive Information for purposes other than those described above, unless we have your consent, or there are specified law enforcement or public health and safety reasons (as permitted under the Act).

### **TRANSFER OF PERSONAL AND SENSITIVE INFORMATION**

We may outsource business functions to other organisations and as such, it is possible that your Personal Information and Sensitive Information will, as required from time to time, be disclosed or transferred to other organisations to allow them to assist us to provide you with services.

It is very unlikely that we will disclose your Personal Information and Sensitive Information to overseas recipients. If we transfer your Personal Information and Sensitive Information outside Australia, we will comply with requirements of the Act that relate to transborder data flows.

While we will not directly disclose your Personal Information and Sensitive Information to overseas recipients without your consent, the entities to which we may disclose your Personal Information and Sensitive Information may do so. We are unable to say what countries, if any, those recipients are likely to be located in.

## **CHANGES TO THIS PRIVACY POLICY**

This Privacy Policy discloses our current privacy practices. From time to time and in line with client expectations and legislative changes, this Privacy Policy will be reviewed, and, if appropriate, updated at any time without notice. We will endeavour to provide you with notice of the changes as soon as reasonably practicable to do so.

## **HOW TO CHANGE OR ACCESS THE INFORMATION WE HOLD ABOUT YOU**

You can access the Personal Information and Sensitive Information we hold about you.

We will take reasonable steps to ensure that any Personal Information or Sensitive Information that we collect, use, store or disclose, is relevant, accurate, complete and up-to-date. If you believe the information we hold is inaccurate, incorrect, or incomplete, you may request that your information be corrected and we can then take reasonable steps to correct this information.

Please contact our Privacy Officer (details below) to access or request updates to any Personal Information and/or Sensitive Information which we hold.

## **COMPLAINTS**

If you have a complaint about the way we have dealt with your Personal Information or Sensitive Information, or about this Policy itself, we invite you to provide written details of your complaint to our Privacy Officer (contact details below).

Our Privacy Officer will contact you within 14 days of the date we receive the written details of your complaint to acknowledge that we have received it. Our Privacy Officer will then:

1. review the way we dealt with your Personal Information and/or Sensitive Information;
2. conduct an internal investigation (if necessary) into how your Personal Information and/or Sensitive Information came to be handled in the way that it was; and
3. provide a report to you within one month of the date we acknowledged receipt of your complaint.

If you believe we have breached the APPs, you may also lodge a complaint with the Office of the Australian Information Commissioner.

## **CONTACT US**

Should you have any queries, complaints or comments about this Privacy Policy, please contact our Privacy Officer in writing by post or email at:

**POST:** Attention: The Manager  
PO Box 6093  
TOOWOOMBA QLD 4350

**EMAIL:** [manager@fitlab.com.au](mailto:manager@fitlab.com.au)