

Performance in Health – Privacy Policy

Last updated: April 2020

About this Privacy Policy

Performance in Health (ABN 90 452 613 287) is a complementary health care service owned and operated by Tanya Edwards. Your rights to use the Performance in Health Services (the “**Service**”) are set out in these Terms of Service (“**Terms of Service**”) and our Privacy Policy (“**Privacy Policy**”).

In these Terms of Service the terms “we”, “us”, and “our” refers to the Performance in Health.

“**Website**” means the whole or any part of the web pages located at www.performanceinhealth.com.au and includes the layout, individual design elements, underlying code elements and any text, sounds, videos, graphics, animated elements or other content contained on our Website.

Our Terms of Service and our Privacy Policy are collectively referred to as the Agreement (“**Agreement**”).

Performance in Health provides this Privacy Policy to help you make an informed decision about whether to use or continue using the Performance in Health Service. If you do not agree to our practices, please do not use the Service.

This Privacy Policy is subject to the Terms of Service. Your use of the Service and any Personal Data you provide through the Service remains subject to the terms of this Agreement.

Capitalised terms defined in Performance in Health’s Terms of Service have the same meaning in this Privacy Policy.

We know how important security and privacy is to you. They are at the heart of Performance in Health and as such we strive to make things as safe and clear as possible for everyone involved.

This Privacy Policy sets out how Performance in Health (“**we**”) treat the privacy of those who use our Service and others with whom we interact.

This Privacy Policy outlines the specific legal obligations Lifeline Australia has when collecting and handling your personal information are outlined in the *Privacy Act 1988* (Cth), and in particular the Australian Privacy Principles found in that Act.

We will update this Privacy Policy when our information handling practices change. Updates will be published on our website.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at www.aoic.gov.au.

1. What is Personal Information?

This Privacy Policy refers to all “Personal Information” as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not

2. Changes

From time to time we will review our Privacy Policy to keep pace with changes in our Service and any data protection and privacy laws applicable to the processing of Personal Data that we are committed to comply with, including:

- a) the Privacy Act 1988 (Cth, Australia);
- b) the Privacy Act 1993 (New Zealand);
- c) the Personal Data Protection and Electronic Documents Act, SC 2000, c5 (federal, Canada);
- d) the Personal Data Protection Act (Alberta, Canada);
- e) the Personal Data Protection Act (British Columbia, Canada);
- f) all applicable United States federal and state privacy laws, including, but not limited to, the California Online Privacy Protection Act (CalOPPA), Early Learning Personal Data Protection Act (ELPIPA);
- g) the General Data Protection Regulation (EU);
- h) the Data Protection Act 2018 (UK);
- i) any other applicable privacy legislation.

(the above collectively referred to as “**Data Protection Laws**”)

This Privacy Policy is our most recently updated Privacy Policy. Your continued use of the Service constitutes your agreement to this Privacy Policy and any amendments. We encourage you to read our Privacy Policy carefully.

3. Collection of Personal Data

(a) We may collect your Personal Information if you:

- speak with us directly over the phone or via our support service;
- have contact with us in person;
- participate in public or closed surveys, questionnaires, or events;
- register for face-to-face or online events (such as webinars);
- interact with us online, via our website, email, mobile applications and/or social media pages (such as Facebook, Twitter, YouTube, Instagram or LinkedIn – these social media platforms will also manage your personal information in accordance with their own privacy policies);
- apply for a position with us (either as an employee, or as a volunteer or as a contractor).

(b) The collection of your Personal Information may be required in order for you to:

- join our website as a registered user;
- receive information from us including alerts via email or SMS communications;
- register to use forum or digital application;
- download our online resources
- register as a volunteer
- access services or resources for your educational institution or organisation;
- receive information about or become involved in our programs, campaigns or other initiatives and/or
- work with us

4. Collecting personal information through our website

In some instances, we may also collect your personal information through the use of “cookies”. When you access one of our websites, we may send a “cookie” (a small summary file containing a unique ID number) to your computer or internet enabled device.

Cookies are used to:

- Recognise your computer or internet enabled device
- Greet you each time you visit our website
- Keep track of services you view
- With your consent, send you news about viewed services
- Measure traffic and engagement patterns, to evaluate our website visitor’s habits
- Identify and continually improve our services, programs, content and resources
- If you do not wish to receive cookies, you can set your browser so that your computer does not accept them

Our websites also use Google Analytics, a service which transmits website traffic data to Google servers in the United States. Google Analytics does not identify individual users or associate your IP address with any other data held by Google. We use reports provided by Google Analytics to help us understand website traffic and webpage usage in order to improve our services, programs, content and resources.

By using our Website and mobile applications, you consent to the processing of data about you by Google in the manner described in Google’s Privacy Policy and for the purposes set out above. You can opt out of Google Analytics if you disable or refuse the cookie, disable JavaScript, or use the opt-out service provided by Google.

What personal information do we collect?

We collect the personal information which you provide to us. This may include your name, address, age or date of birth, telephone number, organisation, service or institution details, email address, communication preferences. In some instances, with your consent, we may also collect health information about you.

If you make a purchase via our Website, you may also provide credit card details and other information which will allow us to process your request and make the transaction.

We may also request:

- your preferences for receiving further information about our programs, campaigns or activities;
- additional types of personal information such as title, department name, company information, or demographic information

The choice of how much information you provide to us is yours, but we require certain information from you in order to provide particular services. Where possible, you have the option of interacting with us anonymously (for example, as a visitor of the website) or using a pseudonym if you feel more comfortable with this.

5. Use of Personal Data

We collect your Personal Information for the primary purpose of providing our services to you. We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing/marketing lists at any time by contacting us in writing via our website.

When we collect Personal Information we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

6. Sensitive Information

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information. This information will be collected by methods that are reasonably secure and will be used by us only:

- For the primary purpose for which it was obtained
- With your express or implied consent; or where required or authorised by law

The sensitive information I ask you to provide is reasonably necessary for the provision of my services which may include:

- your birth date, information about your medical history, family history, allergies and intolerances, current medications, supplements and diagnosed health conditions, so I can provide you with a safe and effective naturopathic service.
- information about the food and fluids you consume, as well as dietary and lifestyle preferences or habits, in order to understand factors influencing your health, and enable realistic and appropriate dietary and lifestyle recommendations as part of your treatment plan.
- information about your physical wellbeing, such as blood pressure, pulse rate, temperature, weight, height, nail, tongue or iris data, to further inform my naturopathic understanding of your case, your treatment plan and ensure safety.
- we may discuss your emotional wellbeing at the consultation, in which case I may record some of the emotions you're experiencing, to help track your progress and identify most appropriate treatment options, including any referrals.

I am committed to securely storing and handling your sensitive information.

Cloud Storage

- Information you share via email or text message with me may be stored on my mobile phone, which has a security code. With your consent during the consultation, I may take photographs of your supplements, medications or test results for research purposes, or of you, in order to track treatment progress. These images are temporarily stored on my mobile phone, but will be moved to your encrypted file within 24 hours of the consult and then deleted from the phone. Photos taken on my iPhone are not uploaded to iCloud.

- Information may also be stored on a service called Klaviyo which sends electronic newsletters to you via email. If you subscribe to this list, your name and email address are stored on Klaviyo servers to enable me to communicate with you in this way. You can opt out at any time by clicking the 'unsubscribe' button at the bottom of emails. Please refer to [Klaviyo's Privacy Policy](#) for further information
- I use a service called Cliniko for booking naturopathic appointments. This system stores your name, email address, phone number and other details you provide as part of the intake form if you book online. Cliniko's Privacy Policy can be found [here](#).
- If required, I may use Vital.ly, Biomedica, Metagenics and/or Integria to supply your herbal and nutritional supplements. These companies store your name, email address and other details you provide to them (such as your postal address and phone number), together with details of the product(s) I've prescribed for you. For safety reasons, I may supply these companies with details of your known allergies or diagnosed medical conditions. Please refer to their privacy policies below for more information.
 - [Vital.ly](#)
 - [Integria](#)
 - [BioMedica](#)
 - [Metagenics](#)

Collection from Minors

Sensitive information may be collected from children under the age of 18 under the following circumstances:

- when they become my client, with the full consent and presence of their parent or guardian.
- when they subscribe to my newsletter, in which case their name and email address are stored via Klaviyo as described above. Please refer to [Klaviyo's Privacy Policy](#) for further information.

7. Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you.

8. Disclosure of Personal Data

Personal information will only be disclosed to third parties in accordance with this Privacy Policy. Performance in Health may at its discretion use other third parties to provide essential services. We may share your details as necessary for the third party to provide that service.

We limit the information we provide to third parties to the information they need to help us provide or facilitate the provision of goods and services and associated purposes. We deal with third parties that are required to meet the privacy standards required by law in handling your Personal Data and use your Personal Data only for the purposes that we give it to them.

We may disclose your personal information to:

- service providers that host our website servers;
- marketing service providers;
- professional advisors

We may also disclose your personal information if:

- you have consented to the disclosure;
- the disclosure is necessary to prevent injury to life or health; or
- it is required or authorised by or under an Australian law or a court/tribunal order

We only disclose your health information for the purposes for which you gave it to us, for a directly related purpose which you would reasonably expect, or with your consent. This includes cases where information is shared with other health care professionals if it is agreed another practitioner could help you further. In such cases, you are in control of what information I share with which health professionals. Other health professionals could include a GP, counsellor, psychologist, chiropractor, osteopath, or another naturopath. A de-identified summary of your case may be verbally shared with another naturopath for mentoring purposes, which would assist your treatment further.

Personal information may also be used for a naturopathic booking service called Cliniko. This system stores your name, email address, phone number and other details you provide as part of the intake form if you book online. Cliniko's Privacy Policy can be found [here](#).

If required, I may use Vital.ly, Biomedica, Metagenics and/or Integria to supply your herbal and nutritional supplements. These companies store your name, email address and other details you provide to them (such as your postal address and phone number), together with details of the product(s) I've prescribed for you. For safety reasons, I may supply these companies with details of your known allergies or diagnosed medical conditions. Please refer to their privacy policies below for more information.

- [Vital.ly](#)
- [Integria](#)
- [BioMedica](#)
- [Metagenics](#)

9. Security of Personal Data

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure.

Given internet transmissions cannot be guaranteed to be entirely secure, you acknowledge and agree that you use the Service at your own risk.

10. Retention and deletion of Personal Data

We will retain your Personal Data for as long as Performance in Health needs to provide you with our Service.

We take steps to regularly destroy Personal Data, however we may:

(a) in some cases, retain a copy of your Personal Data to comply with our legal obligations, resolve disputes, enforce our agreements and to comply with our trust and safety obligations.

Personal Data retained for this purpose will be archived and stored in a secure manner and will not be accessed unless required for any of these reasons;

(b) retain Personal Data in an aggregated, de-identified or otherwise anonymous form, such that there is no reliable way of identifying you from the information.

(c) retain Personal Data in order to create statistical information, including reports, about health trends pursuant to the sensitive medical information you have provided.

11. Your Rights

You may decline to submit Personal Data through the Service, in which case Performance in Health may not be able to provide certain services to you. If you do not agree with our Privacy Policy or Terms of Service, please discontinue use of the Service. Your continued usage of the Service will signify your assent to and acceptance of our Privacy Policy and Terms of Service.

You have the right to:

- (a) access and correct your Personal Data that is held by us;
- (b) request the erasure of any or all of your Personal Data;
- (c) restrict or object to the processing of any or all of your Personal Data; and
- (d) withdraw any consent to processing that you have previously given in respect of any or all of your Personal Data.

You may access the Personal Information we hold about you and request to correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing.

In order to protect your Personal Information, we may require identification from you before releasing the requested information.

12. Maintaining the Quality of your Personal Information

It is important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

13. Notifiable Data Breaches Scheme

In the event of any unauthorised access or unauthorised disclosure or loss of your personal information that is likely to result in serious harm to you, we will investigate and notify you and the Office of the Australian Information Commissioner in accordance with the Privacy Act

14. Policy Updates, Complaints, and Enquiries

This Policy may change from time to time and is available on our website.
If you have any queries or complaints about our Privacy Policy, please contact us.

15. Questions and comments

If you have any questions or comments, or want to access, update, or delete the Personal Data we hold about you, or have a privacy concern please contact us at:

Performance in Health

Email: tanya@performanceinhealth.com.au

Phone: (02) 8004 5521

Please provide sufficient detail about the information in question to help us locate it. We will respond to any privacy request in compliance with the applicable Data Protection Law.