

The Behavioural Architects Australia

Privacy Policy

About this Privacy Policy:

The Behavioural Architects (herein referred to as 'TBA' 'we', 'us' or 'our') are committed to protecting the privacy of your personal information in accordance with Australian privacy laws.

The purpose of this privacy policy is to explain how we use and look after any personal data that we may collect from you as part of being a participant in a research project or customer or employee survey.

This privacy policy explains in detail the types of personal information we may collect about you, how we collect and use it, who we might share it with, the steps we take to ensure it is safe and your rights to your personal information.

Our Privacy Policy complies with the Australian Privacy Principles set out in the Privacy Act 1988 (Cth) as amended from time to time ('Privacy Act').

In addition, TBA complies with its obligations under the GDPR (General Data Protection Regulation) legislation which imposes additional protections and obligations in relation to the processing of personal information of individuals located in the European Union.

TBA also abides by the principles of the Australian Market and Social Research Society's Code of Professional Behaviour. More information about the code can be found at www.amsrs.com.au

How we collect your personal information:

TBA will collect your personal information either:

- directly from you with your verbal and written consent. You are not obliged to give your consent, but if you do not consent, you will not be included in the research project or customer or employee survey;
- from a third party acting on your behalf such as a fieldwork company or recruitment company;
- from a company of a product or service you have used or registered with, where you have given your permission to take part in research to help them improve their products and services; or
- when you contact us by any means such as a query or complaint.

The type of information we process:

The kinds of personal information we may collect from you will depend on what type of interaction you have with us (we provide alternative consent for children and vulnerable adults). Personal information we may collect from you includes, among other things:

- identity particulars - such as your name, address, date of birth, occupation, telephone numbers and e-mail address;
- bank details for incentive payment;
- demographic, attitudinal and behavioural information;
- photographs or images of you;
- your records of communication with us;
- video or audio recordings from face to face research interviews or your submissions on online research platforms;
- your social media username, if you interact with us through those channels, to help us respond to your comments, questions or feedback; or

- information gathered by the use of cookies in your web browser (if you visit our website), or your website usage information such as your IP address.

The purpose for collecting your personal information:

We will generally only collect and use your personal information for the primary purposes of:

- our general business operations;
- communicating with you;
- responding to your inquires or complaints;
- meeting our legal and regulatory obligations;
- conducting, improving and developing a relationship with you;
- direct marketing (such as providing you with information about our products and promotional notices and offers); and
- improving our websites.

Your personal information is only collected by lawful and fair means and where practicable, only from you or from a person acting or authorised to act on your behalf.

We will take reasonable steps to ensure that you are aware of:

- the likely use of the information;
- the right of access to the information;
- the identity and contact details of our employee/representative collecting your personal information;
- any law requiring collection of the information; and
- the main consequences of failure to provide your personal information.

Sensitive personal information we process:

The Behavioural Architects will ask for your explicit consent or provide an explicit opt-out if we are collecting and processing your sensitive personal information. In this instance, we will provide you will full details of the information we need and the reason why we need it. Categories of sensitive personal information may include your:

- Race or ethnic origin;
- Religious or other beliefs;
- Sexual orientation;
- Physical or mental health details;
- Trade union membership;
- Political opinions; and
- Criminal convictions.

Dealing with unsolicited information

We will take all reasonable steps to ensure that all unsolicited information is destroyed or de-identified immediately.

Anonymity when dealing with us

Only where it practicable to do so, we may allow you the option not to identify yourself when dealing with us.

How we will use your information:

TBA may use your personal information in the following ways:

- the primary purposes for which it was collected;
- to communicate with you;
- to transfer money to you;
- to bring to life research reports e.g. by including photographs, audio recordings or short edited video clips from research – these may be used for internal conferences, internal presentations or as part of an internal internet by the client who has commissioned the research*;
- to bring to life the research to a wider audience – only when you have provided consent to do so;
- to carry out your instructions i.e. to process a request;
- conducting research and providing reports and recommendations based on that research;
effectively providing you with our services;
- meeting our legal and regulatory obligations;
- direct marketing (such as providing you with information about our products and promotional notices and offers); and
- improving our websites.

Your information will only be used for the exact purposes as specified in consent forms or the invitation to participate in the research

*Please note: TBA anonymise all the information we gather as part of the research, e.g. your comments. The exception to this is photographs or video images of your face, & audio recordings of your voice which will remain identifiable and will only be shown if you have explicitly provided consent to do so.

Who we share your information with:

TBA understands the importance of data security and we will treat your data with the utmost care and take all appropriate steps to protect it. We ensure that your data is handled securely and treated in accordance with law.

We may **disclose** personal information we collect from you:

- for direct marketing, but giving you the opportunity to opt out of such direct marketing;
- to relevant Federal, State, Territory authorities (where required by law);
- where the law requires or authorises us to do so;
- with your consent (express or implied), to others.

We may also share your personal information with third parties with whom we have contractual agreements such as viewing facilities, service providers, data processing services, suppliers or freelancers that have been commissioned in order to carry out the research. We require that your data is handled securely and treated in accordance with law. TBA have policies in place with these organisations to protect your privacy and keep your information safe. In the event we stop engaging an organisation a specific service, it is required that any of your data held by that organisation will either be deleted or rendered anonymous.

Who we never share your information with:

TBA will never release your personal information to the general public and it will not be used for general broadcast without your explicit consent.

Your personal information will not be passed to external agencies to be used for sales or marketing purposes.

How your personal information is stored and secured

We take reasonable steps to protect your personal information from loss, misuse or unauthorised access by restricting access to the information in electronic format and by appropriate physical and communications security.

If a substantial data breach has or may have occurred (for example, your personal information was shared with unauthorised persons) we will notify you as soon as is practicable.

We only keep your personal information for as long as it is required for the purpose for which it was collected or as otherwise required by law. We will take appropriate measures to destroy or permanently de-identity your personal information if we no longer need to retain it. These measures may vary depending on the type of information concerned, the way it was collected and how it was stored.

Most personal information captured about you will be deleted 12 months after the completion of the research project, with the following exceptions:

1. Selected photographs, video footage and audio recordings may be included in a final report;
2. Signed consent forms;
3. Signed acceptance of incentive forms; and
4. Longitudinal research – We will explicitly inform you about the timelines for retaining personal data in relation to longitudinal research.

At the completion of a research project, the client who has commissioned the research will receive a report that may contain selected photographs, video footage and audio recordings of you. This material will be used for the internal conferences, internal presentations or as part of an internal intranet. This material is not to be released to the general public nor to be used for general broadcast.

Signed consent forms and incentive acceptance sheets will be held as a record of your participation for up to seven years.

Use of government related identifiers

We do not use government identifiers (e.g. tax file numbers or Medicare numbers) to identify individuals.

Cross border disclosure

Your personal information may also be processed by, or disclosed to employees, representatives, or other third parties operating outside of Australia who work for, or are engaged by us in other countries, including the United Kingdom and China. For example, we may use a server hosted overseas to store data, which may include your personal information.

We will take reasonable steps, in the circumstances, before your personal information is disclosed to an overseas recipient, to ensure that the overseas recipient does not breach privacy laws in relation to your personal information ('the reasonable steps').

The reasonable steps may not apply if you consent to the disclosure of your personal information to an overseas recipient and we reasonably believe that the overseas receipt is subject to laws that are suitability similar to privacy laws in Australia.

If you consent to the disclosure of your personal information to an overseas recipient, the overseas recipient may not be accountable under the Privacy Act, and you will not be able to seek redress for breaches under the Privacy Act.

Using our Website and Cookies

As with most websites, when you visit our website or use an application on our website, we may record anonymous information such as IP address, time, date, referring URL, pages accessed and documents downloaded type of browser and operating system.

We also uses “cookies”. A cookie is a small file that stays on your computer until, depending on whether it is a sessional or persistent cookie, you turn your computer off or it expires. Cookies may collect and store your personal information. You may adjust your internet browser to disable cookies. If cookies are disabled you may still use our website, but the website may be limited in the use of some of the features.

Our website may also contain links to or from other websites. We are not responsible for the privacy practices of other websites. This privacy policy applies only to the information we collect on our website. We encourage you to read the privacy policies of other websites you link to from our website.

Marketing and Opting-Out

We may use your personal information for:

- promoting and marketing of our current and future products and services;
- informing you of upcoming events and special promotions and offers; and
- analysing our products and services so as to improve and develop new products and services.

We may exchange your personal information between our related entities and so they can also assist in the marketing of our services.

At the point we collect information from you, you may be asked to “opt in” to consent to us using or disclosing your personal information. You will generally be given the opportunity to “opt out” from receiving marketing communications from us. You may “opt out” from receiving these communications by clicking on an unsubscribe link at the end of an email or by contacting us with this request.

What are your rights?

TBA is committed to ensuring its compliance with the European Union General Data Protection Regulation (‘GDPR’).

Although our Privacy Policy explains how TBA meets all of its obligations for Australian individuals, TBA may also have some individuals who are habitually located in the European Union (‘EU Residents’) that have additional rights in respect of their Personal Data.

Personal Data is defined as: “Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier”. This should be considered fundamentally interchangeable with the Australian expression “Personal Information” for the purposes of this Privacy Policy.

Under the GDPR, TBA is primarily a “controller” of Personal Data, as opposed to being a “processor”. As part of its GDPR compliance, TBA provides its services in a way that ensures:

- Personal Data (i.e. Personal Information) is:
 - processed fairly, lawfully and in a transparent manner; and
 - collected and processed only for specified and lawful purposes.
- Processed Personal Data (i.e. Personal Information that is used, held or disclosed by TBA) is:
 - adequate, relevant and not excessive;
 - accurate and, where necessary, kept up to date;
 - kept secure, and not longer than necessary;
 - not transferred to countries outside the European Union without adequate protection; and
 - treated in accordance with individuals’ legal rights.

Whilst TBA strives to provide all individuals with appropriate access and control over their data, individuals covered by the GDPR are also able to:

- prescriptively restrict, limit or otherwise provide instructions to TBA regarding how we can use their Personal Data. This includes being able to object to how and why their Personal Data is used (e.g. by the removal of their consent for particular functions);
- request the erasure (i.e. deletion) of their information; and
- request TBA provides all Personal Data held about them in a portable format, meaning in a way that is structured, commonly used and machine-readable. Individuals who exercise this right to data portability are also able to direct TBA to transmit this data to other entities who they intend to allow to process their Personal Data.

TBA will allow and assist individuals that are EU Residents to exercise these rights, unless we have compelling and legitimate legal grounds not to (e.g. a legal obligation under Australian legislation, or if the Personal Data has been fully anonymised).

Accurate and up-to-date information

We take reasonable steps to ensure your personal information is accurate, up-to-date and not misleading by updating our records whenever true and correct changes to the data come to our attention.

If you believe your information is incorrect, incomplete or not current, you can request that we update this information by contacting our Privacy Officer.

We will correct information we hold about you if we discover, or you are able to show to a reasonable standard, the information is incorrect. If you seek correction and we disagree that the information is incorrect, we will provide you with its reasons for taking that view.

We disregard information that seems likely to be inaccurate or out-of-date by reason of the time that has elapsed since it was collected or by reason of any other information in our possession.

Access to your personal information

We acknowledge that you have a general right of access to information concerning you, and to have inaccurate information corrected. You are able to access the personal information we hold about you by contacting our Privacy Officer. If access is refused to your personal

information for reasons permitted by the Privacy Act, we will give you a notice explaining our decision to the extent practicable and your options.

To contact our Privacy Officer please see contact details below. If you make an access request, we may ask you to verify your identity and put your request in writing for security reasons. We may charge a reasonable administration fee to cover the costs of meeting your request. We will reply to your request for access within 30 days of notification by you.

Transfer of ownership

As we develop our business, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganisation, dissolution or similar event, your Personal Information may be part of the transferred assets. You acknowledge and agree that any successor to or acquirer of our business (or its assets) will continue to have the right to use your Personal Information in accordance with the terms of this Privacy Policy.

Complaints and disputes

If you have reason to believe that we have not complied with our obligations relating to your personal information under this Privacy Policy or under the Privacy Act, please refer any complaint to queries to our Privacy Officer.

We will ensure your complaint is handled by our Privacy Officer in an appropriate and reasonable manner. Where necessary we may consult with our related entities and partners in order to deal with your complaint. A written notice of our decision regarding your complaint will be provided to you. If you are not satisfied with the outcome, then you may contact the Office of the Australian Privacy Commissioner:

Office of the Australian Information Commissioner

Website: www.oaic.gov.au

Phone: 1300 363 992

Who should you contact for further information?

Please refer any queries or complaints about our Privacy Policy or privacy issues to our Privacy Officer:

Samuel Paul

The Behavioural Architects Australia Pty Ltd

Suite 310-312, 19a Boundary Street, Darlinghurst NSW 2021

Phone: +61 2 9358 3855

Email: Sam@thebearchitects.com

Our Privacy Officer will consider your question or complaint and respond to you in a reasonable timeframe.

Last updated: 16 July 2024