



Fyna Foods

Privacy Policy

Author: Caroline Douglas, HR Manager

Date: March 2015



Fyna Food's Privacy Policy

Purpose and Scope	3
Our Policy.....	3
Collection of Personal Information.....	3
Sensitive Information.....	4
Identifiers	4
Use of Information.....	4
Reason for collecting information	4
Information Protection	5
Data security.....	6
Anonymity	6
Access and correction of information.....	6
Correcting information	6
Transfer of data outside of Australia	7
Cookies and IP addresses	7
Use of other information	7
Changes to this Privacy Policy	7
Contacting Us/Privacy Complaints	8
Employees and Recruitment Related Information	8



Purpose and Scope

This Privacy Policy applies to how Fyna Foods may collect, use, store and disclose personal information. Personal information is any information or opinion about a person, whether true or not, from which that person may be identified.

Fyna Foods is bound by the Privacy Act and the Australian Privacy Principles (APPs) set out in that Act. The APPs regulate the way that personal information is collected, used, disclosed, passed on and/or amended.

This Privacy Policy does not apply to personal information of Fyna Foods' employees (employees should contact HR for further information).

In this Privacy Policy, "Fyna Foods", "we" and "us" means Fyna Foods Pty Ltd.

Our Policy

Collection of Personal Information

Personal information means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

From time to time, we may collect personal information from individuals in different ways, such as via email, direct mail questionnaires, competitions, product packaging, marketing mailing lists, promotions, inbound and outbound telephone contact with us, social/digital media, employment applications and through our web site.

Information that we may collect that is personal may include: your name, email, address, contact phone number, gender, age occupation and date of birth. We may also collect sensitive information from you (such as your health or medical information) where we are authorised or required by law to do so, or you have consented to us collecting that information from you for a particular purpose.

We will not collect personal information from you unless you provide it to us voluntarily and knowingly. We do not require you to provide personal information in order to communicate with us and you can always refuse to provide us with such information, however it may limit affect our ability to provide satisfactory responses regarding your enquiry.

Personal information you provide will be used for the purposes we mention below, or for any other purpose that we state when we collect the personal information.

We may collect personal information from third parties such as our related entities or third parties supplying our products. We may also ask you to give us personal information about other people, such as your family. In this case, we trust and rely on you informing those people that you have provided their personal information to us and direct them to this Privacy Policy.



Sensitive Information

Sensitive information is information or an opinion about your:

- racial or ethnic origin; or
- political opinions; or
- membership of a political association; or
- religious beliefs or affiliations; or
- philosophical beliefs; or
- membership of a professional or trade association; or
- membership of a trade union; or
- sexual preferences or practices; or
- criminal record; that is also personal information; or
- health information about you; or
- genetic information about you that is not otherwise health information.

We will not collect sensitive information about you unless:

- you have consented and the information is reasonably necessary for, or directly related to one or more of Fyna Food's functions or activities; or
- if we are required by law or the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual. Where the individual whom the information concerns:
 - is physically or legally incapable of giving consent; or
 - physically cannot communicate consent to the collection; or
 - the collection is necessary as part of a legal claim.

Identifiers

We will not adopt, use or disclose as our own, an identifier that has been assigned by a government agency (or by the government's agent or contractor). Examples are an individual's Medicare or Tax File Number. Fyna Foods will not use or disclose an identifier, except where it is necessary for us to fulfill our lawful obligations to an agency.

Use of Information

When we collect your personal information we will explain how we will use it, and we will only use it for the stated purpose (this may be explained in our terms and conditions, agreements, etc).

Reason for collecting information

We generally collect personal information in order to allow us to better understand our consumers and to market and promote our products. If you specifically agree to follow-up contact by us or have asked to be put on one of our mailing lists, we may contact you from time to time, with things such as product offerings, competitions, etc.

If you have provided us with any sensitive information for a particular purpose, we will only use it for that purpose.

Fyna Foods will only use the information we receive for the purpose for which it was collected (primary purpose). We will only use the personal information for another purpose (secondary) if:



- 1) You have consented; or
- 2) The secondary purpose is related to the primary purpose and you would reasonably expect Fyna Foods to use or disclose the information for the secondary purpose. If the personal information is sensitive information, the secondary purpose must be directly related to the primary purpose of collection; or
- 3) Provided the information is not sensitive, we will use it for the secondary purpose of direct marketing if:
 - a) It is impracticable to seek your consent before the particular use; and
 - b) There is no charge for implementing your request to Fyna Foods not to receive direct marketing; and
 - c) You have not made a request to Fyna Foods not to receive direct marketing; and
 - d) In each direct marketing communication with the individual, Fyna Foods notifies the individual that they may elect not to receive any further direct marketing communications; and
 - e) Each written direct marketing communication with the individual by Fyna Foods sets out Fyna Foods's business address, telephone number and email address at which Fyna Foods can be contacted directly; or
- 4) We reasonably believe that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health or safety or a serious threat to public health or public safety; or
- 5) We have reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant authorities or persons; or
- 6) The use or disclosure is required or authorised by or under law; or
- 7) We reasonably believe that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
 - (a) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
 - (b) the enforcement of laws relating to the confiscation of the proceeds of crime; or
 - (c) the protection of the public revenue; or
 - (d) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - (e) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

Information Protection

We won't share any personal information you give us with anyone outside of Fyna Foods except when required or permitted by law, and with our suppliers and contractors (such as



our advertising, promotional agencies, technology providers, service providers, professional advisors (e.g. accountants, debt collectors, lawyers, etc.) or our related entities that need to have access to the information to provide products or services to us, or on our behalf, or as you have requested. We protect your personal information with appropriate security measures, and we require our suppliers and contractors outlined above to comply.

Data security

We take reasonable steps to protect personal information we hold from misuse and loss that could occur from un-authorized access, modification or disclosure. We will also take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

Anonymity

We will provide you with the option of not identifying yourself when entering into transactions or dealing with us. Except when it is impracticable or when required or authorized under an Australian law, or court/tribunal order.

Access and correction of information

If you want to check the information we have collected to make sure that all the details we have are correct, you can contact us in writing:

- At the address listed 70-74 Star Crescent, Hallam or
- Online via the website "contact us" tab at www.fyna.com.au

Upon request, we'll make a copy of the personal information we hold available to you as soon as practical (subject to appropriate verification of your identity). You may also always change your preference for follow-up contacts, or advise us of changes in your details (such as address or phone number) just by writing or calling us at any time.

Correcting information

We will take reasonable steps to correct information to ensure that it is accurate, up to date, complete, relevant and not misleading. If we are unable to correct the personal information as you request, we'll do our best to:

- give you notice in writing to let you know why we are unable to do so,
- the avenues for you to complain and
- any other matter prescribed by the regulations.

There are circumstances when your request for access is not possible such as:

- In the case of providing access would pose a serious and imminent threat to the life or health of any individual;
- It has an unreasonable impact upon the privacy of other individuals;
- The request for access is frivolous or vexatious;
- The information relates to existing or anticipated legal proceedings between Fyna Foods and the individual;
- Providing access would be unlawful; denying access is required or authorised by law;
- Would reveal evaluative information in connection with commercially sensitive decision-making process, etc.



Transfer of data outside of Australia

From time to time we may need to disclose your personal information to organisations located overseas. Most of these overseas organisations are service providers, which perform a range of technology, operational - procurement functions on Fyna Food's behalf. We only disclose your information to the overseas organisations when it is necessary for the services they provide to us.

For any information that we share, we expect that they take reasonable steps to ensure that they don't breach the Australian Privacy Principles in relation to information handling.

We will take reasonable steps to ensure that the information, which it has transferred, will not be held, used or disclosed by the recipient of the information inconsistently with these rules.

Cookies and IP addresses

We use "cookie" technology on our websites. We use a temporary session cookie to enable you to use certain features on our websites. When you exit your browser, these temporary cookies are eliminated. Another type of cookie can be stored on your computer by your browser. When you log in, this type of cookie tells us whether you've visited Fyna Foods before or are a new visitor. The cookie doesn't obtain any personal information about you or provide us with any way to contact you, and the cookie doesn't extract any information from your computer. The cookie assists us to identify site features in which you may have the greatest interest, so that we can provide more of what you may want. Many web browsers can be configured so that they will not store cookies.

Our websites may make use of the IP addresses of your computer primarily for the following purposes:

- to identify the cause of and to resolve any technical problems
- for the purposes of site administration
- to verify unique or valid entries for a competition in accordance with the terms and conditions for that competition.

Use of other information

While any personal information provided to us is subject to our Privacy Policy, all other information you communicate to us through the Internet (including any remarks, suggestions, ideas, graphics or any other material) becomes and will remain our exclusive property and you grant to us ownership and unrestricted rights to use in any such material (including, but not limited to, product or advertising ideas), without compensating you or anyone else for them.

If requested by Fyna Foods, you will provide any consent or any other things reasonably required by us to use this material.

Changes to this Privacy Policy

From time to time, we may change this Privacy Policy. You should periodically review this policy to ensure that you are familiar with the most current version. Please refer to the revision date located at the front of this document.



Contacting Us/Privacy Complaints

If you have any questions about our Privacy Policy, wish to view your personal information file, or for any other complaints or concerns regarding personal information held by Fyna Foods. We will aim to deal with any complaints under this Privacy Policy in a prompt and responsive manner.

You can contact us in the following ways:

Direct Mail: The Privacy Officer/Human Resources
70-74 Star Crescent, Hallam

Phone: (03) 9215 4200 - (8:45am to 4:45pm AEST, Monday through Friday).

Internet: Via "Contact Us" tab at www.fyna.com.au

Employees and Recruitment Related Information

The Privacy Act does not apply to an act done or practice engaged in by Fyna Foods in relation to:

- A current or former employment relationship between Fyna Foods and the individual; and
- An employee record held by Fyna Foods relating to the individual (includes personal information relating to the employment relationship and may include information, such as recruitment/termination information, terms and conditions of employment, health and banking details).

This exemption does not apply to an applicant(s) who is/are unsuccessful in securing a role(s) with Fyna Foods. In those cases, we will take all the necessary steps to ensure proper collection, use, storage, disclosure of and access to information in accordance with the Privacy Act and other applicable laws.