



## THE BALLER FACTORY PRIVACY POLICY

### Privacy Policy

The Baller Factory Pty Ltd (**us, we or our**) are committed to protecting your privacy. This policy outlines how we manage privacy protection of your personal information.

We may change this policy from time to time by publishing changes to it on our website. We encourage you to check our website periodically to ensure that you are aware of our current Privacy Policy.

### Personal information we collect and why we need it

Personal information is collected by us where necessary or related to one or more of our functions or activities. The types of personal information collected may depend on the type of interaction that you have with us, and includes but is not limited to:

- name and contact details;
- age and date of birth;
- emergency contact details;
- debit/credit card details, bank account details and/or tax file numbers;
- health or medical information where relevant to your use of the Facility or our equipment;
- where applicable, your driver's licence, vehicle registration and insurance details;
- where applicable, your student identification details;
- payment history;
- your image, if you are photographed at our Facility;
- bankruptcy details;
- device ID, device type, geo-location information, computer and connection information, page view statistics, site traffic, internet protocol address and web log information;
- details of products and services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
- any additional information that you provide to us directly through our website or app or indirectly through your use of our website or app or online presence or through other websites or accounts from which you permit us to collect information;
- information you provide through customer surveys;
- if you apply for a job at our Facility, details about your education, employment history, membership of professional associations, referees and next of kin; and
- any other personal information that may be required in order to facilitate our relationship and dealings with you.

We may collect, hold, use and disclose your personal information for the following purposes:

- for the purpose of provision of our services to you;
- to respond to a query or feedback;
- to provide information about products, services and/or special offers to a member or prospective member;

- to operate, protect, improve and optimize our services, business and our clients' experience, such as to perform analytics, conduct research and for advertising and marketing;
- to send you service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by you;
- to send you marketing and promotional messages and other information that may be of interest to you, including information sent by, or on behalf of, our business partners;
- to administer rewards, surveys, contests, or other promotional activities or events sponsored or managed by us or our business partners; and
- to comply with our legal obligations, resolve any disputes that we may have with any of our clients and contacts, and enforce our agreements with third parties.
- to process and consider an application for employment;
- for any other purposes that could be reasonably expected of us; and
- to enable us to comply with our obligations under law.

We may provide access to your information to third parties who assist us to use this information for these purposes.

We and our business partners may use your information to send you direct marketing communications and details of other products and services that may be of interest to you. If you no longer wish to receive this additional marketing material let us or our business partner know, and your details will be removed from the relevant database.

You are not obligated to provide the requested information, however failure to do so may mean we are not able to provide you with the services or assistance you have requested.

In addition, when you apply for a job or position with us we may collect certain information from you (including your name, contact details, working history and relevant records checks) from any recruitment consultant, your previous employers and others who may be able to provide information to us to assist in our decision on whether or not to make you an offer of employment or engage you under a contract.

### **How we collect and hold personal information**

We may collect your personal information in a number of ways including:

- when you send us an e-mail, "contact us" message, or any other form of written enquiry;
- via mobile sites, applications, widgets and other mobile interactive features, for example when you provide feedback via a QR Code application;
- via our official social media pages such as on Facebook, TikTok and Instagram;
- when you visit or telephone us to ask about our services or provide updated information;
- when you sign up to use our services, whether online or in person;
- when you make a booking at our Facility;
- when you enter a promotion, competition, provide feedback or participate in a survey, market research or other promotional activities which we (or one of our agents) conducts;
- when you sign up to receive our newsletters or marketing material;
- if your photograph is taken at our Facility; and
- when you submit an application for a contract or employment with us.

Wherever reasonable or practicable, we will ask you for the information directly. We may also obtain your information from public sources or from private databases and records including those maintained by your employers, business associates, bankers, credit reference agencies and referees.

Our Facility has surveillance cameras which may capture your image on film. This information may be used in respect of management and security and may be provided to law enforcement and government bodies for such purposes.

We may also collect information (including sensitive information, where applicable) from third parties, including but not limited to the following third parties:

- someone duly authorised to act on your behalf;
- your coach or trainer;
- Our commercial partners with whom we organise discounts or other promotional arrangements for members and customers;
- parents or guardians of Minor members;
- a current member who undertakes to have obtained your prior consent (via refer a friend initiatives);
- debit and payment service providers who process transactions on our behalf;
- the Australian Tax Office (ATO) and the Australian Securities and Investment Commission (ASIC);
- public sources (directories, client lists, professional and trade associations, bankruptcy or court registry searches);
- market researchers and direct marketing providers;
- our official pages on social media platforms and from people with whom you are friends with or otherwise connected to on social media platforms; and
- recruiters we have retained, and from referees you have provided in support of a job application.

### **Collecting Sensitive Information**

For the purposes of this Privacy Policy sensitive information is a subset of personal information and means the information a member has disclosed to us about their physical and mental health and wellbeing.

Sensitive information will only ever be used for providing services to members. Such information will not be used or disclosed for any other purposes without consent, except in exceptional cases when disclosure may be required, as set out in this Privacy Policy.

### **Anonymity and Cookies**

You don't need to identify yourself when you deal with us. However, in certain situations we will only deal with individuals who have identified themselves to us. If you do not provide us with certain information required, we may not be able to provide you with access to our services or products, or respond to your request or communication.

We use tracking technologies such as cookies or web beacons to make use of its website and services as convenient as possible. Cookies are pieces of information that a website transfers to a computer's hard disk for record keeping purposes. A web beacon is a technical method that sends information related to the access to websites, when you browse websites, or open or preview an HTML-formatted email. Most web browsers are set to accept tracking technologies such as cookies

or web beacons. These tracking technologies do not themselves personally identify users, although they do identify a user's browser. These tracking technologies allow us to monitor our website, and to record how many people are using the different parts of the site. It is possible to set the browser to refuse tracking technologies such as cookies or web beacons, however, this may limit the services provided by our website.

Our website uses Google Analytics, a web analytics service provided by Google, Inc. Google Analytics uses cookies to help the website analyse how users use the website. This information generated by the cookie about your use of our website (including your IP address) will be transmitted to and stored by Google on servers in the United States of America. Google will use this information for the purpose of evaluating your use of our website, compiling reports on website activity for website operators, and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. By using our website, you consent to the processing of data about you by Google in the manner and for the purposes set out above. Further information may be obtained via Google's privacy policy located on its website at [www.google.com](http://www.google.com).

Our website and social media pages may contain links to other websites. Unless it is our website, we are not responsible for the privacy practices of the owners of those websites. We recommend that you read the privacy policy of any website that asks you to provide your personal information.

### **Disclosing your Personal Information**

The third parties to which we may disclose personal information to includes:

- our employees, contractors and related entities;
- coaches and trainers (with your prior consent)
- commercial partners with whom we have agreed information sharing arrangements with;
- third party suppliers and service providers we use in marketing and operating our business;
- card payment merchants and other payment systems operators;
- our sponsors or promoters of any competition that we conduct;
- Our professional advisors such as legal professionals and accountants;
- law enforcement bodies;
- a purchaser of all or part of our business; and
- any other person for any other purposes that would be reasonably expected (including if required by law).

Some of these people may be located in countries outside Australia.

We do not sell your name or other personal information to third parties.

We recognise the trust with which individuals provide personal information, and such information (including sensitive information, where applicable) will not be used or disclosed for any other purposes beyond those set out in this Privacy Policy without consent, except in exceptional cases when disclosure may be required by law or is necessary to protect our rights or property, or any member of the public, or to lessen a serious threat to a person's health or safety.

## **Accessing your personal information**

You can access the personal information we hold about you by contacting us. Sometimes, we may not be able to provide you with access to all of your personal information and, where this is the case, we will tell you why. We may also need to verify your identity when you request your personal information.

Information may be reviewed, amended or deleted by contacting us via email at [privacy@theballerfactory.com.au](mailto:privacy@theballerfactory.com.au).

Please contact us if you think that any personal information we hold about you is inaccurate. We will take reasonable steps to ensure that it is corrected.

## **Complaints**

If you think we have breached a privacy law, or you wish to make a complaint about the way we have handled your personal information, please contact us at [privacy@theballerfactory.com.au](mailto:privacy@theballerfactory.com.au). Please include your name, email address, telephone number and the details of your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period of time. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.