

MENTALLY FRIENDLY PRIVACY POLICY

Effective as of 28 August 2020

This policy ('**Privacy Policy**') explains how **Mentally Friendly Pty Ltd** (ACN 137 323 105) ('**Mentally Friendly**' or '**us**') seeks to protect the Personal Information of individuals. Mentally Friendly is committed to protecting the safety and security of the Personal Information of individuals whose information Mentally Friendly has access to, including Clients, users of the MF Services and other persons with whom Mentally Friendly interacts (each a '**User**' or '**you**').

The Privacy Policy has been developed in accordance with the *Privacy Act 1988* (Cth) ('**Act**'), including the Australian Privacy Principles.

Under the Act, "**Personal Information**" is defined as: *Information or an opinion about an identified individual, or an individual who is reasonably identifiable:*

- (a) whether the information or opinion is true or not; and*
- (b) whether the information or opinion is recorded in a material form or not.*

Please read this Privacy Policy carefully in order to understand how your Personal Information is collected, held, used, or otherwise processed by us.

Mentally Friendly reserves the right to make changes or updates to this Privacy Policy from time to time. If this happens, we will update this Privacy Policy and notify you of any changes, most likely via email or website. However, you should also periodically check this Privacy Policy for any updates.

1. ABOUT MENTALLY FRIENDLY

Mentally Friendly is a design and innovation studio. In delivering its services, Mentally Friendly provides a variety of strategy and design services primarily for Australian businesses, and offers digital interactive services, including a website and social media services (collectively '**MF Services**').

In providing the MF Services, we are sensitive to Users' concerns about the safety of their Personal Information.

In essence, Mentally Friendly will typically only:

- collect, use or share your Personal Information with your consent (unless it is not reasonable in the circumstances to obtain your consent and it is legally permissible for us to do so) or when required by a legal obligation; and
- interact with your Personal Information in order to: (a) provide you with access to the MF Services, (b) help us improve and develop the MF Services, and (c) meet our obligations in respect of any agreement we have with you.

Mentally Friendly has developed a privacy framework to assist Users, and to comply with privacy legislation and regulations applicable to us and our management of your Personal Information.

2. HOW MENTALLY FRIENDLY COLLECTS YOUR PERSONAL INFORMATION

Mentally Friendly collects Personal Information from individuals in one of three main ways:

- (a) **Directly from Users**, when they interact with Mentally Friendly or the MF Services (e.g. content or data generated by a User as they use a prototype, website, app, or platform controlled by Mentally Friendly or when Content or data is uploaded by a User to a prototype, website, app, or platform controlled by Mentally Friendly).
- (b) **Passively from Users**, when they interact with and use the MF Services (e.g. when content or data is recorded during a user testing session or provided by a user during a user testing session);

- (c) **From third parties** in certain, specific circumstances (e.g. a third-party service or platform may provide us with information you have consented to them sharing).

All teams and employees at Mentally Friendly have the shared responsibility of collecting, storing, and using Personal Information.

The types of Personal Information collected in each situation is discussed further below.

3. WHEN MENTALLY FRIENDLY COLLECTS INFORMATION FROM USERS AND WHAT WE COLLECT

Personal Information collected directly

We collect the following types of Personal Information directly and consensually:

- **Basic User information**, including your name, company name, address, and email; and
- **User feedback gathered during a testing session**, such as questionnaires and online forms.

We will collect the following types of information from Users as they use the MF Services:

- **Content** that you post and submit to us, including content you may post directly on our social media pages, which includes any content from third party platforms.

When a User makes an **enquiry** or sends us **unsolicited feedback**, we may collect the following types of Personal Information directly and consensually:

- **Basic contact information**, including your name and email; and
- **Feedback information** and the details of your interactions with us, including communications with customer support or other Mentally Friendly personnel (e.g. the contents of an email an email sent to hello@mentallyfriendly.com) or other information provided by you regarding your enquiry.

When you respond to a **survey** we may directly and consensually collect the Personal Information disclaimed on the survey form.

When you submit an **application for employment at Mentally Friendly**, we may collect any Personal Information provided within that application, such as the contents of a personal statement made in support of your application.

Personal Information collected passively

As you **interact with digital and interactive services**, we may collect the following types of Personal Information about your usage:

- **Content that is posted about you by others over our social media accounts;**
- **Content or data that is entered into a prototype** during a testing session.
- The following types of **browser and system information** regarding devices you use to access our digital content:
 - **Web data tracking information**, such as your IP address and logs of your access of the Mentally Friendly website; and
 - **Browser information** provided by the browser you use to access the Mentally Friendly website, such as cookies.

Personal Information collected from third parties

In certain specific situations, Mentally Friendly may collect Personal Information about you from third parties. For example, we may collect **third party web data tracking information** about Mentally Friendly Users (e.g. reports which track patterns of interactions with our web pages). You can generally control the information we receive from these sources by through your browser privacy settings, or through privacy settings on third party services or platforms.

4. WHY MENTALLY FRIENDLY COLLECTS YOUR PERSONAL INFORMATION AND WHAT WE USE IT FOR

Although Mentally Friendly collects Personal Information from Users in a number of circumstances, Mentally Friendly will only collect this information in order to provide you with access to the MF Services, improve and develop the MF Services, improve the User experience of MF Services, and to meet our obligations in respect of any agreement we have with you. Here are the main ways we use Personal Information to achieve these objectives:

Communicating with Users

Mentally Friendly will use **basic User and contact information** to communicate with individuals about their feedback or issues with the MF Services.

If Users have consented, Mentally Friendly will also use these types of Personal Information to share relevant news and updates about Mentally Friendly and the MF Services.

Administration and delivery of MF Services

Mentally Friendly will use **basic User information** to provide you with the baseline experience of the MF Services and related services.

Mentally Friendly may use your **Personal Information** to learn more about you and provide you with a personalised and tailored experience when using the MF Services.

Ensuring User safety

Mentally Friendly will also use any type of information collected to prevent and address risks to all Users.

Research and development

Mentally Friendly will use the following types of information to develop, test and improve the MF Services:

- **Survey and feedback information**, as well as any **content that is submitted** in relation to features of the MF Services;
- **Content you submit**, either directly through the MF Services or through third party platforms or services;
- **Browser and system information**; and
- **Third party web tracking information**.

Together these types of Personal Information are used to provide us with an overview of how the MF Services is being used, any shortcomings it may have, and subsequently to highlight what will be the best means of improving the experience for all Users.

Mentally Friendly's preference will be to de-identify these types information first, and then use it for this purpose in conjunction with **de-identified browser and system information** (see section 6 below for an explanation of what we mean by "de-identified").

Marketing

Where Users have consented, Mentally Friendly will use **basic contact and enquiry information** to provide Users with relevant marketing materials and offers. Users can always opt out of this through the functionality provided in each marketing communication (e.g. by clicking "unsubscribe" at the bottom of an email).

5. MENTALLY FRIENDLY'S DISCLOSURE OF PERSONAL INFORMATION

Generally, Mentally Friendly does not disclose Personal Information to any third parties except:

- **Service providers Mentally Friendly engages to help us provide and develop the MF Services** (e.g. cloud service providers); and
- **Law enforcement agencies, or another party that has a legitimate legal right** to access the information.

The above disclosures will only be made in circumstances where the recipient has provided an undertaking that they will maintain the confidentiality of the Personal Information and that they recognise the appropriate limitations placed on the use of the Personal Information. Disclosures will also always be in accordance with this Privacy Policy.

Overseas Disclosure

Some of the third parties Mentally Friendly discloses Personal Information to are located overseas. This is particularly the case for our third-party software and cloud service providers which are currently located in the United States.

As with disclosures to third party service providers, overseas disclosures are always made once Mentally Friendly has taken all reasonable steps to determine the information will be treated at least as favourably under the Act and other applicable privacy laws.

6. MENTALLY FRIENDLY'S TREATMENT AND STORAGE OF INFORMATION

Mentally Friendly's general approach

Mentally Friendly will keep your Personal Information confidential and not sell or knowingly divulge User information to any external third parties, unless:

- The disclosure is made in accordance with an agreement on foot with you, or to which you otherwise consented;
- We believe, in good faith, that we are required to share the Personal Information with a third party in order to comply with legitimate legal obligations;
- The disclosure is to a third-party processor of Personal Information that acts on our behalf and/or under our instruction in order to enable us to develop and deliver the MF Services (e.g. a cloud service provider or local marketing and development partner);
- Other entities acquire ownership or operation of Mentally Friendly or the MF Services; and/or
- We need to protect the safety of Users, and the security of the MF Services.

Users can always refuse or revoke this consent, but sometimes this will affect Mentally Friendly's ability to provide them with the MF Services and other offerings. Mentally Friendly will advise Users if this is the case.

De-identification

De-identified information refers to information that cannot reasonably be used to identify a particular individual.

De-identified information that will never be able to personally identify particular individuals is referred to as **anonymised information** (e.g. statistics that show 90% of Users were happy with the MF Services). Additionally, de-identified information that can identify individuals only if it is combined with another, separate piece of information is referred to as **pseudonymised information** (e.g. ID numbers).

Where possible Mentally Friendly will aim to collect, store and use **anonymised information** as a first preference, and if not, then **pseudonymised information**.

However, sometimes it will be impractical for User information to be de-identified or treated in this way, and in this case, Mentally Friendly will continue to use and hold the information in a personally identifiable state. For example, if Mentally Friendly needs to reply to a User enquiry we will have to use the contact information provided.

Security

Mentally Friendly is committed to information security. We will use all reasonable endeavours to keep the Personal Information that we collect, hold and use in a secure environment. All information collected will be classified based on its sensitivity. Security controls and storage of the information will be dependent on the classification.

To this end we have implemented technical, organisational and physical security measures that are designed to protect Personal Information, and to respond appropriately if it is ever breached. For example, all Personal Information stored digitally is encrypted and all Personal Information stored in hard copy is stored in a closed locker with a padlock. Mentally Friendly has also developed an extensive Data Breach Response Plan which we use to prepare and respond to data breaches.

When information collected or used by Mentally Friendly is stored on third party service providers (e.g. AWS cloud servers), Mentally Friendly takes reasonable steps to ensure these third parties use industry standard security measures that meet the level of information security Mentally Friendly owes Users.

As part of our privacy framework we endeavour to routinely review these security procedures and consider the appropriateness of new technologies and methods.

Data Breaches

In the circumstances where Mentally Friendly suffers a data breach that contains Personal Information, we will execute our Data Breach Response Plan and endeavour to take all necessary steps to comply with the **Notifiable Data Breach Scheme** outlined under the Act.

This means we will immediately make an objective assessment of whether a breach of Personal Information is likely to result in serious harm to individuals, and if this is the case, endeavour to notify the affected individual(s) and the **Australian Information Commissioner**.

7. MENTALLY FRIENDLY'S RETENTION OF INFORMATION

Mentally Friendly retains Personal Information until it is no longer needed to provide or develop the MF Services.

However, Mentally Friendly will retain:

- **Personal Information** in circumstances **where we have legal and regulatory obligations** to do so (e.g. for law enforcement purposes, employment law, corporate or tax record keeping, or where the information is relevant to legitimate legal proceedings); and

- **anonymised information** for analytic and service development purposes.

The information we retain will be handled in accordance with this Privacy Policy.

8. MANAGING PERSONAL INFORMATION YOUR INFORMATION

Accessing and ensuring the accuracy of Personal Information

Mentally Friendly takes reasonable steps to ensure that the Personal Information we collect and hold is accurate, up to date and complete.

Users have a right to access and request the correction of any of Personal Information we hold about them at any time. Any such requests should be made by directly contacting us at the details set out below. Mentally Friendly will grant access to the extent required or authorised by the Act and applicable laws, and will take all reasonable steps to correct the relevant Personal Information where appropriate.

There may be circumstances in which Mentally Friendly cannot provide Users with access to information. We will advise you of these reasons if this is the case.

Contacting Mentally Friendly

Mentally Friendly has appointed a Privacy Officer to be the first point of contact for all privacy related matters and to assist in ensuring our compliance with our privacy obligations.

Privacy Officer

Privacy Officer
Email: hello@mentallyfriendly.com

199 Cleveland Street
Redfern, Sydney, NSW, 2016

If you have any queries or wish to make a complaint about a breach of this Privacy Policy or the Act you can contact or lodge a complaint to our Privacy Officer using the contact details above. You will need to provide sufficient details regarding your complaint as well as any supporting evidence and/or information.

The Privacy Officer will respond to your query or complaint as quickly as possible. Mentally Friendly will contact you if we require any additional information from you and will notify you in writing (which includes electronic communication via email) of the relevant determination. If you are not satisfied with the determination you can contact us to discuss your concerns or complain to the **Australian Privacy Commissioner** via www.oaic.gov.au.

This Privacy Policy was last updated on 28 August 2020.