



Privacy Policy

This Privacy Policy describes how Baristar Pty Ltd (ACN 664 526 836) manages personal information about individuals whose data is collected and processed by us via the Baristar smartphone/tablet app that we make available for download via the Android Play Store or Apple App Store (the **Baristar App**).

We are committed to complying with our privacy obligations in accordance with all applicable data protection laws, including the Australian Privacy Principles contained in Schedule 1 to the *Privacy Act 1988* (Cth) (each, an **APP**).

We may review our Privacy Policy periodically and reserve the right to change it at any time at our discretion by posting such changes on the Baristar App. Changes will be effected immediately when posted on the Baristar App and your continued access, browsing or use of the Baristar App thereafter will constitute your acceptance of those changes. Our policy is to be open and transparent about our privacy practices.

Baristar provides business operators (each, a **Business**) and independent contractors (each, a **Supplier**) with, among other things, functionality that enables Businesses to identify local Suppliers to supply required services and Suppliers to identify local Businesses requiring their services. Businesses can then engage Suppliers, do the work and get paid. For further information about the Barista App, please see www.baristar.com.au

1 Consents

- 1.1 Businesses and Suppliers are required to comply with all applicable privacy laws.
- 1.2 We rely on Businesses and Suppliers to obtain all relevant privacy consents and authorisations from their data subjects required by law, in order for the personal information that is provided to us about them and entered into the Baristar App to be collected, disclosed and otherwise processed by us.
- 1.3 We also rely on Businesses and Suppliers to ensure that all personal information about their data subjects held by us is accurate, up to date, complete, relevant and not misleading.
- 1.4 We encourage Businesses and Suppliers to ensure that data subjects are familiar with their privacy policies so that data subjects understand how they will collect, use and otherwise process personal information about them, via the Baristar App or otherwise.

2 The types of personal information that we collect and hold about personnel

- 2.1 Baristar collects and holds the following types of personal information:
 - (a) **Content provided to us and/or entered into the Baristar App about data subjects:** All information, including personal information, that is provided to us or entered into the Baristar App (either by Businesses, Suppliers or their respective personnel) is stored in systems managed by us. The types of personal information collected or held by us may include names and contact details, as well as any other personal information provided to us or entered into the Baristar App by, about or on behalf of, a data subject.
 - (b) **Information about Business and Supplier personnel:** We collect contact details of our Businesses' and Service Providers' personnel, such as names, contact information and billing information, including credit card details. Credit card details are not held by us, but are held by payment gateway providers that we use. Other than the last 4 digits of a credit card, all such credit card information is not accessible by us. For Business personnel and Supplier personnel who are data subjects, we also collect the information about them referred to in paragraph (a) that is provided to us or entered into the Baristar App.
 - (c) **Information required for the support, maintenance and security of Baristar:** In order to support and maintain the Baristar App, we collect and process end user information including IP addresses, email and physical addresses, telephone numbers, user access logs, usernames, passwords, and information included by Businesses and Suppliers in technical support tickets, security logs and error messages.

3 How we collect personal information

- 3.1 Our policy is to not collect personal information by means that are unfair or unreasonably intrusive in the circumstances.
- 3.2 We collect information about prospective Businesses and Suppliers from public and private databases and when they otherwise voluntarily disclose it to us or authorise us to collect it, in order for us to market and supply the functionality that the Baristar App provides.
- 3.3 After a prospective Business registers an account on the Baristar App, we collect personal information about their data subjects in one or more of the following ways:
 - (a) when users enter personal information into the Baristar App;
 - (b) when a Business provides personal information to us (for example, as part of the onboarding process for new Businesses);
 - (c) when it is provided to us by third parties on behalf of a Business; and

(d) when it is voluntarily disclosed to us (such as via telephone, e-mail and online forms).

3.4 After a prospective Supplier registers an account on the Baristar App, we collect personal information about their data subjects in one or more of the following ways:

- (a) when users enter personal information into the Baristar App;
- (b) when a Supplier provides personal information to us (for example, as part of the onboarding process for new Supplier)
- (c) when it is provided to us by third parties on behalf of a Supplier;
- (d) when it is voluntarily disclosed to us (such as via telephone, e-mail and online forms).

4 How we use personal information

4.1 How we use personal information about data subjects is set out in the following table:

Category	How we use and process that personal information	Our reason for collecting the personal information
Personal information about prospective Businesses' personnel	<ul style="list-style-type: none"> • To inform, market and promote Baristar to prospective Businesses and negotiate contracts with them. 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (in order to operate and grow our businesses).
Personal information about Businesses' personnel	<ul style="list-style-type: none"> • To onboard new Businesses and configure the use of the Baristar App by users. • To communicate with Businesses about their current and prospective use of the Baristar App, including with respect to their current and anticipated usage of it, and to discuss and implement Businesses' services requirements. • To provide Businesses with technical support and maintenance services including by responding to help desk tickets, scheduling upgrades and enhancing the Baristar App. • To provide professional services to Businesses (including training and other services). • To send out billing information and notices to Businesses and process payments. • To discuss our security requirements. • To provide Businesses with information about promotional offers and new products and solutions that we make available. • In order to identify Businesses when contacted with technical support questions. • To administer our contractual relationships with Businesses (and to enforce our contractual rights and their contractual obligations). 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (in order to operate, administer and grow our businesses including to operate the Baristar App, IT systems and networks, manage our suppliers and hosting environments and ensure the successful delivery of our products and services). • Performance and enforcement of agreements with our Businesses and Suppliers. • Compliance with our legal obligations.
Personal information about Businesses' end users and other data subjects	<ul style="list-style-type: none"> • As required to provide and support the functionality of the Baristar App for a Business and to process the personal information of its end users and data subjects on behalf of a Business via the Baristar App. We will collect all personal information entered into the Baristar App in order for the Baristar App to operate. Where we provide technical support, upgrades or maintenance of the Baristar App, we may need to access a database that we maintain that will include the personal information of end users and 	<ul style="list-style-type: none"> • Performance of our agreements with Businesses. • Necessary for our legitimate interests (in order to administer our businesses including to allow Businesses to operate the Baristar App, and to enable us to operate our IT systems and networks, manage our hosting environments and ensure the successful delivery of our services). • To comply with our legal and statutory obligations.

	<p>other data subjects in order for us to provide such support, upgrades and maintenance services.</p> <ul style="list-style-type: none"> • To provide technical support services to our Businesses that require us to view and/or update data subject data held by us or in the Baristar App. • Backing up and restoring data that includes data subject personal information. • To carry out security audits, investigate security incidents and implement security processes and procedures that require access to data subject personal information. 	
Personal information about prospective Suppliers' personnel	<ul style="list-style-type: none"> • To inform, market and promote the Baristar App to prospective Suppliers and to onboard them. 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (in order to operate and grow our businesses).
Personal information about Suppliers' personnel	<ul style="list-style-type: none"> • To onboard new Suppliers and configure the use of the Baristar App by its personnel. • To communicate with Suppliers about their current and prospective use of the Baristar App, including with respect to their current and anticipated usage of it, and to discuss and implement Supplier's services requirements. • To provide Suppliers with technical support and maintenance services. • To send out billing information and notices to Suppliers and process payments. • To discuss our security requirements. • To provide Suppliers with information about promotional offers and new products and solutions that we make available. • In order to identify Suppliers when contacted with technical support questions. 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (in order to operate, administer and grow our businesses including to operate the Baristar App, IT systems and networks, manage our suppliers and hosting environments and ensure the successful delivery of our services). • Performance and enforcement of our agreements with Businesses and Suppliers. • Compliance with our legal obligations.
Personal information about Suppliers' end users and other data subjects	<ul style="list-style-type: none"> • As required to provide and support the functionality of the Baristar App for a Supplier and to process the personal information of end users and other data subjects via the Baristar App. We will collect all personal information entered into the Baristar App in order for the Baristar App to operate. Where we provide technical support, upgrades or maintenance of the Baristar App, we may need to access relevant database that we manage that will include the personal information about end users and other data subjects stored in the platform in order for us to provide such support, upgrades and maintenance services. • To provide technical support services to our Suppliers that require us to view and/or update data subject data held by us or in the Baristar App. • Backing up and restoring data that includes data subject personal information. • To carry out security audits, investigate security incidents and implement security processes and procedures that require access to personal information about end users and other data subjects. 	<ul style="list-style-type: none"> • Performance of our agreements with Suppliers. • Necessary for our legitimate interests (in order to administer our businesses including to allow Suppliers to operate the Baristar App, and to enable us to operate our IT systems and networks, manage our hosting environments and ensure the successful delivery of our services). • To comply with our legal and statutory obligations.

- 5.1 We hold and store personal information that we collect in our offices, computer systems and third party owned and operated hosting facilities.
- 5.2 We take reasonable steps to protect personal information that we hold using such security safeguards as are reasonable in the circumstances to protect against loss, unauthorised access, modification and disclosure and other misuse, and we implement technical and organisational measures to ensure a level of protection appropriate to the risk of accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal information transmitted, stored or otherwise processed by us.
- 5.3 We:
- (a) only use reputable cloud hosting providers to host personal information;
 - (b) implement passwords and access control procedures, anti-virus, firewall and security controls for email and other applicable computer software and systems;
 - (c) maintain files, in both hardcopy and electronic form, at our offices and other access-controlled premises;
 - (d) operate online records managements systems on secure networks;
 - (e) regularly perform security testing;
 - (f) maintain physical security measures in our buildings and offices such as visitor access management, cabinet locks, surveillance systems and alarms to ensure the security of information systems (electronic or otherwise);
 - (g) require our employees, agents and contractors to comply with the privacy and confidentiality provisions in their employment and subcontractor agreements that we enter into with them;
 - (h) use SSL encryption on our systems;
 - (i) have data backup archiving and disaster recovery processes in place;
 - (j) if appropriate in the circumstances taking into account the state of the art, the costs of implementation and the nature, scope, content and purpose of the processing, we will encrypt personal information; and
 - (k) with respect to personal information that we no longer require or where we are otherwise required to destroy it under applicable law, we ensure that such personal information is securely destroyed.

6 Disclosure of personal information

- 6.1 We will disclose personal information to our employees, officers, advisors, suppliers, agents and/or related entities who assist us in the performance of our services. We ensure that they are aware of their information security responsibilities, are appropriately trained to meet those responsibilities and have entered into agreements which require them to comply with privacy and confidentiality obligations which apply to personal information that we provide to them.
- 6.2 We only disclose personal information that we collect to third parties as follows:
- (a) where required under a contract with a Business or a Supplier, we will transmit their data subject personal information to third party applications on behalf of the Business or Supplier (as applicable);
 - (b) in order to host databases that the Baristar App relies on, we engage reputable hosting providers who host those databases on our behalf;
 - (c) when performing contracts we may outsource certain obligations to third party contractors in accordance with our contractual rights (such as hosting, software development and other professional services). Professional services carried out by them may require access to data subject personal information;
 - (d) when providing information to our legal, accounting or financial advisors/representatives or insurers, or to our debt collectors for debt collection purposes or when we need to obtain their advice, or where we require their representation in relation to a legal dispute;
 - (e) where a person provides written consent to the disclosure of personal information about them;
 - (f) where it is brought to our attention that specific personal information needs to be disclosed to protect the safety or vital interests of any person;
 - (g) to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences;
 - (h) for the enforcement of a law imposing a pecuniary penalty;
 - (i) for the protection of public revenue;

- (j) for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
- (k) where required by law.

7 Third party products and websites

- 7.1 We may provide links to third party websites or applications and integrations with third party products and services. Our linking to those websites or applications does not mean that we endorse or recommend them. We do not warrant or represent that any third party complies with applicable data protection laws. You should consider the privacy policies of any relevant third party prior to sending personal information to them.

8 Interacting with us without disclosing personal information

- 8.1 If you do not provide us with your personal information, you can only have limited interaction with us. For example, you can browse our website without providing us with personal information, such as the pages that generally describe the Baristar App that we make available, and our Contact Us page. However, when you submit a form on our website or become a Business or Supplier, we need to collect personal information from you in order to identify who you are, so that we can manage your use of the Baristar App, and for the other purposes described in this Privacy Policy.
- 8.2 You have the option of not identifying yourself or using a pseudonym when contacting us to enquire about the Baristar App but not if you wish to actually use the Baristar App or any part thereof. It is not practical for us to provide you with access and/or use of the Baristar App or any part thereof if you refuse to provide us with personal information.

9 Offshore disclosure

- 9.1 We may transfer personal information to our contractors and service providers who assist us with the supply, hosting and maintenance of the Baristar App, and to assist us with the operation of our business generally, where we consider it necessary for them to provide that assistance. We will take reasonable steps to ensure that such recipients do not breach the APPs in relation to personal information or other relevant State and Territory laws (as applicable).

10 How to access and correct personal information held by us

- 10.1 Businesses, Suppliers and their respective personnel who wish to access and correct the personal information held by us about them should contact us.
- 10.2 Prior to contacting us or submitting a request for access to correct any personal information held about them, Businesses, Suppliers and their respective personnel can update the personal information about them by logging into their account on the Baristar App, where such functionality is available. However, we encourage you to contact us in any event and we would be happy to assist you.
- 10.3 All other data subjects who wish to access and correct the personal information held by us about them should contact us.
- 10.4 It is our policy to retain personal information in a form which permits identification of any person only as long as is necessary for the purposes for which the personal information was collected; and for any other related, directly related or compatible purposes if and where permitted by applicable law. We will only process personal information that you provide to us for the minimum length of time permitted by applicable law and only thereafter for the purposes of deleting or returning that personal information to you (except where we also need to retain the data in order to comply with our legal obligations, or to retain the data to protect your or any other person's vital interests).
- 10.5 In addition to clause 10.4, we retain personal information in connection with the Baristar App as follows:
 - (a) Personal information about a Business and its personnel will be held while the Business has an account on the Baristar App and thereafter for a period of 5 years.
 - (b) Personal information about a Supplier and its personnel will be held while the Supplier has an account on the Baristar App and thereafter for a period of 5 years.
 - (c) Any other data subject's personal information will be held while the Business or Supplier that supplied the personal information has an account on the Baristar App and thereafter for a period of 12 months;
 - (d) Personal information about prospective Businesses' and Suppliers' personnel will be retained by us for 5 years; and
 - (e) We will only keep personal information for longer periods than specified above, where required under applicable law.
- 10.6 As an alternative to deleting personal information, we may elect to de-identify it where permissible by law. We will de-identify certain types of personal information for the purpose of improving the Baristar App and for provision to third parties for marketing and research purposes.
- 10.7 Where you require personal information to be returned, it will be returned to you at that time, and we will thereafter delete all then remaining existing copies of that personal information in our possession or control as soon as reasonably practicable thereafter, unless applicable law requires us to retain the personal information, in which case we will notify you of that requirement and only use such retained data for the purposes of complying with those applicable laws.

10.8 We will handle all requests for access to personal information in accordance with our statutory obligations. You can request to receive a copy of your personal information by emailing info@baristar.com.au. We may require payment of a reasonable fee by any person who requires access to their personal information that we hold, except where such a fee would be contrary to applicable law. We will not charge you for the making of any such request. We will endeavour to provide a response to any request for access to personal information within 72 hours from the time a request is made.

11 Our contact details

11.1 Any person who wishes to contact us for any reason regarding our privacy practices or the personal information that we hold about them, or make a privacy complaint, may contact us as follows:

Contact: Privacy Representative
Email: info@baristar.com.au

11.2 We endeavour to resolve any privacy complaint with the complainant within a reasonable time frame given the circumstances. This may include working with the complainant on a collaborative basis or otherwise resolving the complaint.

11.3 If the complainant is not satisfied with the outcome of a complaint or they wish to make a complaint about a breach of the Australian Privacy Principles, they may refer the complaint to the Office of the Australian Information Commissioner, which can be contacted using the following details:

Telephone: 1300 363 992
Email: enquiries@oaic.gov.au
Address: GPO Box 5218, Sydney NSW 2001

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