

Privacy Policy

1. Background

TALi Health Pty Ltd ABN 54 600 516 550 (“TALi Health,” “we,” “us,” or “our”) is an entity bound by, and committed to, the Australian Privacy Principles (“APPs”). The specific legal obligations of TALi Health when collecting and handling your personal information are found in the Privacy Act 1988 (Cth) (“Privacy Act”), in the APPs found in the Privacy Act, the Children’s Online Privacy Protection Act (“COPPA”) and the Family Educational Rights and Privacy Act (“FERPA”). This Privacy Policy outlines the manner in which TALi Health handles personal information in order to comply with the APP’s, COPPA and FERPA.

This Privacy Policy applies to all users of TALi Health’s websites including www.talihealth.com and the TALi Health applications accessed and used via the internet, mobile phones, or tablets (collectively referred to as our “Programs”).

Our Privacy Policy will be reviewed regularly to take account of changes in legislation, technology, and our operations and practices. We aim to ensure the policy is appropriate to the changing environment. Any changes we make to this privacy policy will be updated and published on our website as necessary.

This Privacy Policy only applies to personal information that TALi Health collects and holds on its own systems.

2. Definitions

For this Privacy Policy, the following definitions apply:

“*Personal Information*” means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from that information or opinion. For example, your name, address, telephone number, and email address.

“*Anonymous Information*” means data that is not associated with or linked to your Personal Information; Anonymous Information does not, by itself, permit the identification of individual persons.

3. Consent

By continuing to access TALi Health’s websites, registering an account with us, or using our Programs, you will be deemed to consent to the information handling practices in this Privacy Policy.

4. What type of information does TALi Health collect about you?

We only collect Personal Information to the extent that this is reasonably necessary for one or more of our functions or activities. This includes the following types of information:

- (a) when you register or apply for an account with TALi Health we ask you for and collect your full name and email address;
- (b) when you register for one of our Programs as a healthcare provider, we ask you for and collect your full name, email address, business address, and occupation;
- (c) when you register an account to use one of our Programs as a parent of a child being treated by a healthcare provider, we ask you for and collect your full name, and email address;
- (d) specific Programs may ask you for and collect additional information including Personal Information about another person, such as your child’s first name, age, gender and clinical diagnosis (if applicable);

- (e) if you choose to add information in the optional fields during your registration of an account, we will collect that information, such as your email address, first name and surname;
- (f) if you choose to participate in a survey or market research, we may ask for and collect other requested information, such as your opinion of TALi Health or your phone number;
- (g) if you choose to contact us by sending us an email, fax, or letter, we collect your email address, fax number, or mailing address, and any information contained in the email, fax, or letter you send us; and
- (h) when you pay for one of our Programs, we use services provided by Stripe Payments Australia Pty Ltd to process payment. We do not have direct access to credit card details, we only store transaction details.

5. What type of information do we collect from organisations that provide our Programs?

We work with certain organisations that provide our Programs to their clients as part of the services they offer to their clients. In some cases, you may register for one of our Programs with that organisation, and that organisation will, as a result of such registration, pass Personal Information about you (such as your name and email address) to us so that we can register you for one of our Programs. The information passed to us will be disclosed to you by that organisation when you register for one of our Programs through that organisation. We require this Personal Information in order to provide the Programs to you.

6. What type of information is created when you use our Programs?

6.1 In addition to collecting Personal Information that you provide to us, some information is obtained automatically. When you use our Programs, we record certain information automatically, for example the manufacturing ID and operation system of the tablet you are using, the time and date at which you access our Programs, and an estimate of your geographical location.

6.2 When you use our Programs, we record actions you have taken in our Programs, for example what buttons you click; events that occur, for example when you start a training exercise; and your usage, progress, and performance data.

7. How do we get and store information about you?

7.1 Our website uses “Cookies” and other standard web technology to enable our Programs to work. A “Cookie” is a small data file that we store on your computer. We may use session Cookies (which expire once you close your browser) or application local storage (which remain on your computer for an extended period of time). For healthcare providers that access the web portal via the TALi Health website, we set a persistent Cookie on your computer, so you don’t have to log in to the TALi Web Portal each time you visit. Most web browsers accept Cookies by default, but allow users to reject Cookies by changing the browser preferences. If you have set up your browser to reject Cookies, our Programs will not work properly. In addition, our Programs may cause Cookies from third party sites or applications to be saved on your browser or device. Our Privacy Policy does not cover these third-party Cookies since we do not have any control over them.

7.2 The TALi Health website uses Google Analytics to analyse aggregate user behaviour. Google Analytics is used to collect data relating to your interaction with our website. The types of data we collect includes:

- (a) Your devices IP address;
- (b) Device type, operating system and browser information;
- (c) Geographical information;
- (d) Search terms and pages visited;
- (e) Referring domain; and
- (f) Date and time the website was accessed.

7.3 Our Programs that are accessed and used on personal devices such as tablets store information about you on your device.

7.4 We store information about you on computer servers and databases managed by us and hosted by several third-party companies. Currently we store Personal Information on secure computer servers in the same region that a user is located, for example a user in Australia will have their personal information stored on computer servers located in Australia.

8. How do we use information about you?

8.1 Purposes for which we may collect Personal Information include the following activities:

- (a) we use your Personal Information to provide our services to you (including to allow you to use our Programs), to personalise your experience with our Programs, to improve our Programs, and to secure your account;
- (b) we may use your Personal Information to send you transactional emails (such as a password reset), informational emails (such as a newsletter), and promotional emails (such as a special offer);
- (c) we may create Anonymous Information from your Personal Information, for example by making a copy of information generated by our Programs such as your usage, performance and progress data, collectively your "Training Data" that is not linked to your Personal Information. We reserve the right to use and disclose Anonymous Information at our discretion; and
- (d) we may use Anonymous Information to conduct scientific studies, and we may publish the results, for example at scientific conferences or in research journals.

8.2 We do not use Personal Information in such work, nor do we disclose Personal Information in the conduct of such work. We will not use or disclose Personal Information for the purposes other than those connected with the primary purpose of collection, or a reasonably related secondary purpose which we believe you should reasonably expect.

8.3 Secondary purposes might include disclosure to maintenance personnel or other third party contractors (including outsourced and cloud service providers) who may be unable to avoid accessing Personal Information in the course of providing technical or other support services to our company.

9. How do we disclose information about you?

9.1 Except as otherwise stated in this Privacy Policy, we do not trade, rent, or share your Personal Information with third parties, unless you ask or authorise us to do so.

9.2 Disclosure to certain Groups

(a) We work with certain organisations such as healthcare clinics (occupational therapists, speech pathologists, psychologists, neurologists and psychiatrists), hospitals, schools, and scientific organisations (collectively referred to as “Groups”), who provide our Programs to and directly supervise the use of our Programs by their members, such as patients, students, and research study participants.

(b) If your access to our Programs has been provided by a Group, or if at your request we added you to a Group, then your Personal Information may be shared with that Group so that they can offer their services to you. The privacy policies of these Groups may apply to the use and disclosure of your Personal Information that we collect and disclose to such Groups.

(c) Because we do not control the privacy practices of Groups, you should read and ensure you understand their privacy policies so you are aware of how they will treat your Personal Information.

(d) You can contact us at info@talihealth.com to identify any Groups that you are a member of, or may have been registered with, and who, as a result, has access to your Personal Information.

(e) At your written request, we will remove you from any Group that you are a member of; however, this may mean that you will no longer have access to our Programs as a result of your removal from membership in the Group. In the case of healthcare providers wishing to provide access to our Programs to patients, you will need to purchase a personal subscription via the web portal on the TALi Health website.

9.3 Disclosure to third party service providers

(a) We may provide your Personal Information to third party service providers who work on behalf of or with us to provide functionality and support to our Programs, such as email services and web analytics services.

(b) These service providers are obligated to use your Personal Information only to provide services to us and not to disclose your Personal Information (except pursuant to a legal requirement such as a warrant).

(c) Disclosure to parent company, subsidiaries, joint ventures

We may share some or all of your Personal Information with any parent company, subsidiaries, joint ventures, or other companies under common control with us, in which case we will require them to strictly comply with this Privacy Policy.

(d) Disclosure during transactional matters

We may share some or all of your Personal Information in connection with or during negotiation of any merger, financing, acquisition or dissolution transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, Personal Information may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the Personal Information collected by us and will assume the rights and obligations regarding your Personal Information as described in this Privacy Policy.

(e) Disclosure required by law

- (i) We may be required by law to record some or all of your communications on or through the Programs.
- (ii) We may, and you hereby authorise us to, disclose your Personal Information (including your account information) and your communications through the Programs, if required by law, or if we believe in good faith that disclosure is necessary to:
 - A. comply with relevant laws or to respond to warrants served on us;
 - B. protect and defend the rights, property or safety of us, other users, or you;
 - C. investigate any violation or potential violation of the law, this Privacy Policy, the applicable terms of your contract with us in respect of the use of our Programs, or any other agreements between you and TALi Health, including any website terms of use; or
 - D. disclose a data breach to the Office of the Australian Information Commissioner, including information we are obliged to include in a Mandatory Breach Notification System now prescribed under the Privacy Act.

10. Transfer of Personal Information Overseas

10.1 Your Personal Information may also be transferred overseas when the third parties with whom we may share it (as described in this Privacy Policy) are located overseas.

10.2 In addition, it is possible that we, or our subcontractors, will utilise cloud technology in connection with the storage of Personal Information, and it is possible that this may result in Personal Information being stored outside of Australia.

10.3 It is not practicable for us to specify in advance the location of every service provider with whom we deal, for example TALi Health understands that Google stores information it collects in multiple countries other than Australia. It is possible that information will be transferred to a jurisdiction where you will not be able to seek redress under applicable privacy law and that does not have an equivalent level of data protection as Australia. We will not be accountable for how these overseas recipients handle your Personal Information.

10.4 By providing your Personal Information to us, you consent to our disclosure of your Personal Information to these parties. If you have any concerns regarding the transfer of your Personal Information overseas please contact us using the details provided below.

11. Your choices regarding your Personal Information

11.1 We offer you choices regarding the collection, use, and sharing of your Personal Information.

11.2 You can manage your email preferences, indicating that you want or do not want to receive informational emails (such as a newsletter), or promotional emails (such as a special offer) by contacting us at info@talihealth.com or unsubscribing via the unsubscribe link on all emails. As long as you have an active account with us, you will receive transactional emails (such as a password reset, or notices of material changes to our Terms and Conditions or this Privacy Policy).

11.3 You can update any of your Personal Information, via the TALi Health Web Portal (if you are a member of a Group that has entered into a service agreement with us), through an organisation you are a member of or by contacting us.

11.4 You can manage your browser's Cookies using the tools your browser provides; however, this may impact how our Programs work. You can opt-out of third-party vendor's use of application local storage and Cookies.

12. Third Party Websites, Products, Services, Content, and Links

Please be aware that the terms of our Privacy Policy do not apply to third party websites, products, services, content, or to links to any of these third party offerings provided for the foregoing on our websites or Programs. Third party providers of such third party websites, products, services, or content, may collect (via tracking technologies like Cookies or web beacons) and use information regarding your interaction with the third-party website, product, service, or content that they deliver and with which you interact.

13. Security

13.1 We take considerable efforts to protect your Personal Information which we hold from misuse or loss and from unauthorised access modification or disclosure. We will take all reasonable steps to destroy or de-identify Personal Information once we no longer require it for our business purposes.

13.2 When using our Programs, you should be aware that no transmission over the internet can be guaranteed as totally secure and no company, including TALi Health, can fully eliminate security risks connected to handling information on the internet.

13.3 Although we strive to protect Personal Information, you acknowledge that security safeguards, by their nature, are capable of circumvention and TALi Health does not and cannot guarantee that your Personal Information will not be accessed by unauthorised persons capable of overcoming such safeguards. In particular, our Programs may be used to access and transfer information, including your Personal Information, over the internet. You acknowledge and agree that TALi Health does not operate or control the internet and that unauthorised users (such as hackers) may use viruses, worms, trojan horses, and other undesirable data and software to obtain access to or damage our sites, Programs, or your Personal Information.

13.4 Furthermore, we cannot be responsible for any of your Personal Information that you release on your own, or that you request or authorise us to release and you do so at your own risk.

14. Amendment

From time to time, we may change our Privacy Policy, for example how we handle Personal Information or the types of Personal Information which we hold. Any changes to our Privacy Policy will be published on our website (www.talihealth.com). You may obtain a copy of our current Privacy Policy from our website or by contacting us on the details below. It is your responsibility to check the website from time to time in order to determine whether there have been any changes.

15. TALi Health contact information

15.1 We will take such steps as are reasonable to ensure that the Personal Information which we collect remains accurate, up to date and complete.

15.2 We will provide you with access to your Personal Information held by us unless we are permitted by law to refuse to provide you with such access. Please contact us via the details below if you:

(a) wish to have access to the Personal Information which we hold about you;

(b) consider that the Personal Information which we hold about you is not accurate, complete or up to date; or

(c) require further information on our Personal Information handling practices.

15.3 There is no charge for requesting access to your Personal Information but we may require you to meet our reasonable costs in actually providing you with access.

15.4 If you consider that the Personal Information which we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps, to correct it if you so request.

15.5 We will respond to all requests for access and/or correction within a reasonable time.

16. Complaints

16.1 If you have a complaint about the way in which we have handled any privacy issue, including your request for access or correction of your Personal Information, you should advise us via the below contact details.

16.2 If you remain unsatisfied with the way in which we have handled a privacy issue, we suggest you approach an independent advisor or contact the Office of the Australian Information Commissioner by calling them at 1300 363 992, online at www.oaic.com.au or writing to the Commissioner at GPO Box 5128, Sydney New South Wales 2001, for guidance on alternative courses of action which may be available. We will provide our full cooperation in the event that you elect to pursue this course of action.

17. Contact Details:

If you wish to contact us by email or post, please mark your message "Attention: Privacy Policy."

Email: info@talihealth.com

Phone: 1300 082 013

Post: TALi Health, Level 5, 19 William Street, Cremorne Victoria 3121 Australia