



## Privacy Statement and Privacy Policy

### Version history

Version	Date	Reason
1.1	December 2024	Added reference to Microsoft Clarity
1.0	November 2023	Original

### Section 1.01 About this Privacy Policy

Your privacy is important to Cure for MND Foundation INC (ABN 62 740 350 704) (**FightMND, we, us or our**) and this Policy outlines our ongoing obligations to you in respect of what kinds of Personal Information we may collect or hold, how we may collect, hold, use and disclose that Personal Information, choices you have regarding our use of that Personal Information, and your ability to access or correct that Personal Information. If you wish to make any inquiries regarding this Privacy Policy, you should contact us using the contact details specified at Section 1.11.

The Australian Privacy Principles (**APPs**) contained in the Privacy Act 1988 (Cth) (**the Privacy Act**) applies to FightMND. The APPs govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

A copy of the APPs may be obtained from the website of The Office of the Australian Information Commissioner at [www.OAIC.gov.au](http://www.OAIC.gov.au).

From time-to-time, FightMND may be related to other companies and entities (related entities). This Privacy Policy applies to the use of your Personal Information by us and by those related entities. Those related entities may also have their own privacy policies which set out additional detail or differences in their privacy practices. To the extent that those privacy policies are inconsistent with this Privacy Policy, those privacy policies will prevail over this Privacy Policy in relation to the actions of those related entities. A reference in this Privacy Policy to **FightMND, we, us or our** is also a reference to those related entities.

### Section 1.02 What is Personal Information and why do we collect it?

Personal Information is information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual who is reasonably identifiable.

Examples of Personal Information we collect include:

- name
- age and/or date of birth
- marital status
- contact details including telephone numbers (landline and/or mobile)
- current address (including postal address)
- email address



- gender
- identification information such as driving licence details, including driving licence number
- your connection to MND, which may include health/medical information (i.e., do you or any family members live with MND)
- payment details, such as your credit card or bank account details
- donation and purchase history
- photographs and/or images of you from camera footage
- information recorded based on conversations we have with you (e.g., in person or on the phone)
- information based on the service you require (e.g., your clothing size, your dietary requirements).

In addition to the above examples, we collect further Personal Information from our employees, job applicants and volunteers, including:

- tax-file numbers;
- information required to maintain our employment relationship with you;
- occupation and employment details (i.e., employment status and any previous work experience); and
- information from or in connection with your resume or job application if you apply for a position with us.

We collect and record Personal Information about individuals such as:

- organisations and their representatives who receive support and financial assistance from FightMND, or who enquire/apply to receive support and financial assistance from FightMND
- individuals who provide donations to FightMND
- individuals who purchase merchandise from FightMND
- organisations and their representatives who provide donations or purchase merchandise from FightMND
- individuals and volunteers who assist with fundraising for FightMND
- our suppliers and potential suppliers and their representatives, directors, and partners
- contractors and subcontractors and potential contractors and subcontractors and their representatives in relation to providing goods and services to us
- our employees past and present, including job applicants, and
- any other person who comes into contact with FightMND.

### **Section 1.03 How and when do we collect Personal Information?**

We collect your Personal Information to allow us to conduct our business and charity functions and services and for the specified purposes set out in Section 1.02 below. In some circumstances the collection of Personal Information may be required by law. When we collect Personal Information, we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

We may collect your Personal Information (which may also include Sensitive Information)



in the course of providing you with our services, or:

- when you engage with or use our services
- when you provide us, or you offer or apply to supply us, with goods or services
- when you provide information to us in any way (including by completing a form, disclosing information over the phone or via email)
- when you request information about us or our services
- when you provide feedback to us
- when you visit premises from which we operate
- when you (or your employer) provide that information to us in the course of conducting or administering our relationship with you, or when you are carrying out activities in connection with our operations
- when you submit a job application to us
- when you otherwise contact us by telephone, fax, email, social media, post or in person, or
- where we are otherwise required or authorised by law to do so.

We may also collect Personal Information (and at times Sensitive Information) about you from third parties and other sources such as:

- your nominated representatives (e.g., spouse, power of attorney, carer, family member etc.), and
- publicly available sources of information,

but we will only collect your Personal Information in this way if it is unreasonable or impracticable to collect this information directly from you or if we are otherwise permitted to do so. Please see Section 1.04 in relation to the collection of your Sensitive Information. Where we engage with you multiple times over a short period in relation to the same matter, we may not provide you with a separate notice about privacy each time we engage with you.

In most cases, if you choose not to provide your Personal Information to us for the purposes set out in this Privacy Policy, or if we do not or are unable to collect the Personal Information we require, we may not be able to provide you with requested information, or services, or to effectively conduct our relationship with you.

#### **Section 1.04 Sensitive Information**

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record, or health information.

If the Personal Information we collect includes sensitive information, including health information and biometric information, we will ask for your consent to collect sensitive information, unless the law allows us to collect it without your consent.

#### **Section 1.05 Information collected via our Website**



Personal Information may be collected by us and by our third party service providers who assist us in operating our websites at <https://fightmnd.org.au/> and <https://www.diybigfreeze.com.au/> including their subdomains and any other website we operate from time to time (collectively the Website).

We may use various technological methods from time to time to track the visiting patterns of individuals accessing our Website, including but not limited to the methods set out in this Section 1.05.

### **Google Analytics**

We use Google Analytics to help analyse how you use our Website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated is used to create reports about the use of our Website. Google will store this information.

If you do not want your Website visit data reported by Google Analytics, you can install the Google Analytics opt-out browser add-on. For more details on installing and uninstalling the add-on, please visit the Google Analytics opt-out page at <https://tools.google.com/dlpage/gaoptout>.

### **Click Stream Data**

When you read, browse, or download information from our Website, we or our internet service provider may also collect information such as the date, time and duration of a visit, the pages accessed, the IP address of your computer, and any information downloaded. This information may be used for purposes including statistical, reporting and website administration, maintenance, and improvement purposes. This information may be used for other purposes too.

### **Microsoft Clarity**

We partner with Microsoft Clarity and Microsoft Advertising to capture how you use and interact with our website through behavioural metrics, heatmaps, and session replay to improve and market our products/services. Website usage data is captured using first and third-party cookies and other tracking technologies to determine the popularity of products/services and online activity. Additionally, we use this information for site optimization, fraud/security purposes, and advertising. For more information about how Microsoft collects and uses your data, visit the [Microsoft Privacy Statement](#).

If you wish to prevent Clarity from gathering data on your page views you can utilize the system built by the Digital Advertising Alliance to enable opt-out experiences for customers. You can opt out of Clarity telemetry by selecting Microsoft [here](#). If you install the [Protect My Choices](#) app for your browser, you can ensure your opt-out preference is saved. For more information, visit <https://learn.microsoft.com/en-us/clarity/faq>

### **Cookies**

Our Website may use 'cookies' from time to time. Cookies are small text files that are transferred to a user's device by a website for the purpose of storing information about a user's identity, browser type or website visiting patterns. Cookies may be used on our Website to monitor web traffic, for example, the time of visit, pages visited and some



system information about the type of device being used. We use this information to enhance the content and services offered on our Website.

Cookies are sometimes also used to collect information about what pages you visit and the type of software you are using. If you access our Website or click-through to our Website from a link in an email we send you, a cookie may be downloaded onto your device.

Cookies may also be used for other purposes on our Website.

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.

If you disable the use of cookies on your web browser or remove or reject specific cookies from our Website or linked sites, then you may not be able to gain access to all of the content and facilities in those websites.

### **Section 1.01 Third Parties**

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

### **Section 1.02 How do we use your Personal Information?**

We use the Personal Information we collect about you for our business functions and activities, in order to operate our business efficiently, and to market our services and products for the benefit of our beneficiaries, donors, and customers.

We may collect, hold, and use your Personal Information:

- to identify and communicate with you
- to enable us to provide you with requested information or services
- to otherwise assist individuals who are receiving support from FightMND, individuals who wish to receive support from FightMND or individuals who wish to donate, purchase products or volunteer to fundraise by providing them with information
- to collect and process payments
- to help us to manage and enhance services, support, and assistance we provide to you
- to help us to manage and enhance goods and services we procure from our suppliers and subcontractors
- to manage and administer any account you may hold with us
- to promote and market our services to you
- to provide you with information that we believe may be of interest to you or that you may be interested in receiving, including advertising material, regarding us and our business partners
- to enable us to market our products and services with a better understanding of your needs and the needs of individuals who donate to, or purchase merchandise from, us



- to protect you and us from fraud
- to provide for the safety and security of workers and onsite visitors
- to help us manage our business operations
- for business support purposes including maintenance, backup, and audit
- to process any job application submitted by you
- to respond to any queries or complaints you may have
- to investigate, review, or mitigate risks associated with, and inform you of, a data or other security breach involving your Personal Information, or
- to comply with our statutory and legal obligations.

We may aggregate Personal Information for reporting, statistical and analysis purposes, and for business, product, and service improvement purposes. This allows us to better inform ourselves and anticipate our donors' and customers' preferences and requirements, and to monitor and improve the effectiveness of our business, products, and services. We may also de-identify information for inclusion in such aggregated databases or reports.

We reserve the right at all times to monitor, review, retain, and/or disclose any information as necessary to satisfy any applicable law, but we have no obligation to monitor the use of the Website or to retain the content of any user session.

You consent to us using your Personal Information in the above ways and as set out in this Privacy Policy.

We may otherwise collect, use, or disclose your Personal Information where the collection, use or disclosure is:

- in accordance with this Privacy Policy or any agreement you enter into with us, or
- required or authorised by law, including without limitation the Australian Privacy Principles under the *Privacy Act 1988 (Cth)*.

### **Section 1.03 Marketing**

Depending on how you have come into contact with FightMND (for example, if you have signed up to our mailing list, or donated), you consent to us using your Personal Information for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties (only in instances where these products and services specifically relate to or benefit FightMND), now and in the future. You also consent to us sending you such information by means of direct mail, email, SMS, and MMS messages.

If you do not want to receive marketing information from us, you can unsubscribe in any of the following ways:

- clicking on the 'Unsubscribe' or subscription preferences link in a direct marketing email that you have received from us, or
- contacting us using the contact details specified in Section 1.11 below.

### **Section 1.04 Disclosure of Personal Information**





FightMND may disclose, or provide access to, your Personal Information to third parties in connection with the purposes described in Section 1.02 'How do we use your Personal Information'. Depending on the circumstances and the nature of your engagement with us, we may disclose your Personal Information to our related entities, to third parties that provide products and services to us or through us, or to other third parties, including:

- any of FightMND's internal divisions, business units or departments
- your nominated representatives
- other organisations or individuals who assist us in providing products and services to you
- professional service providers and advisors who perform functions on our behalf, such as lawyers
- representatives, agents, or contractors who are appointed by us in the ordinary operation of our business to assist us in providing goods or services or administering our business (such as for data storage or processing, printing, mailing, marketing, planning and product or service development), and
- Government, regulatory authorities, and other organisations as required or authorised by law.

We may also disclose your Personal Information to our Website host or software application providers in certain limited circumstances, for example, when our Website experiences a technical problem or to ensure that it operates in an effective and secure manner.

We may otherwise disclose your Personal Information:

- where you consent to the use or disclosure, and
- where required or authorised by law.

Please note that notwithstanding any other provision of this Privacy Policy (or the privacy policies of any of our third party payment processors), FightMND's agreements with our third party payment processors provide that they are not to disclose any of your information with anyone, except in the course of facilitating donations and payments on our behalf.

### **Section 1.05 Interstate and Overseas disclosures**

Some of your Personal Information may be disclosed, transferred, stored, processed, or used overseas by us, or by third party service providers. This may happen if:

- we outsource certain activities overseas
- transactions, information, services, or products have an overseas connection, or
- our computer systems including IT servers are located overseas.

This also includes any of our third-party payment processors. As above, any Personal Information disclosed to them may be used and handled in accordance with their Privacy Policy, however, they are only authorised to do so for the purpose of facilitating donations and payments.



You consent to the collection, use, storage, and processing of your Personal Information outside of Australia as set out in this Privacy Policy.

In particular, your Personal Information may be disclosed to third parties overseas in the USA, EU, and such other countries in which those parties or their, or our, computer systems may be located, from time to time, where it may be used for the purposes described in this Privacy Policy. In these circumstances, where such parties are located overseas, you may have rights to enforce such parties' compliance with applicable data protection laws, but you might not have recourse against those parties under the Australian Privacy Act in relation to how those parties treat your Personal Information.

#### **Section 1.06 Other uses and disclosures**

We may collect, use, and disclose your Personal Information for other purposes not listed in this Privacy Policy. If we do so, we will make it known to you at the time we collect or use your Personal Information.

#### **Section 1.07 Security of Personal Information**

We take reasonable steps to store your Personal Information in a manner so as to protect it from misuse and loss and from unauthorized access, modification, or disclosure.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information, unless we are required to keep it by law. However, most of the Personal Information is or will be stored in client files which will be kept by us for a minimum of 7 years.

#### **Section 1.08 Access to your Personal Information**

You may access the Personal Information we hold about you and to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing at the contact details specified in Section 1.11 below.

FightMND will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your Personal Information.

In order to protect your Personal Information, we may require identification from you before releasing the requested information.

#### **Section 1.09 Maintaining the Quality of your Personal Information**

It is important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete, and up-to-date. If you find that the information we have is not up-to-date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

#### **Section 1.10 Privacy Policy Updates**

This Privacy Policy may change from time to time and is available on our website.





### **Section 1.11 Privacy Policy Complaints and Enquiries**

If you have any queries or complaints about our Privacy Policy, please contact us at any of the following:

FightMND  
PO Box 3073,  
Burnley North, Vic 3121

Telephone: 1800 344 486  
E-mail: [info@fightmnd.org.au](mailto:info@fightmnd.org.au)