

# VOCONIQ PRIVACY POLICY

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Updated 16 May 2022



For more information on this  
privacy policy, please contact:

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Welcome to Voconiq's privacy policy.

Voconiq respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy policy is provided in with a Glossary so you can understand the meaning of some of the terms used in this privacy policy.

## 1. Important information and who we are

### Purpose of this privacy policy

This privacy policy aims to give you information on how Voconiq collects and processes your personal data through your use of this website, including any data you may provide through this website when you sign up to our newsletter, register for an account, purchase a product or service, undertake one of our surveys or use one of our expression of interest forms, contact us via telephone, email and/or web form, interact with our social media, or provide your details to any of our staff or representatives in person.

This website and our surveys are not intended for children below 15 years of age and we do not knowingly collect data relating to children below 15 years of age. We collect an additional level of parental consent for any data we collect in our surveys that is from those aged 15 to 18.

It is important that you read this privacy policy together with any other privacy policy, fair processing policy or consent form we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### Controller

Reflexivity Pty Ltd is the controller and responsible for your personal data (collectively referred to as "Voconiq", "we", "us" or "our" in this privacy policy).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights (item #9 below), please contact the data privacy manager using the details set out below.

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## Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: Reflexivity Pty Ltd t/a Voconiq

Email address: [info@voconiq.com](mailto:info@voconiq.com)

Postal address: Voconiq, 310 Edward St, Brisbane, QLD, Australia, 4000

Telephone number: +61 1800 232 836

You have the right to make a complaint at any time to the regulator responsible for data protection issues in your country. We would, however, appreciate the chance to deal with your concerns before you approach the regulator so please contact us in the first instance.

In the UK, you can contact the Information Commissioner's Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

For locations in the EU, please contact your local regulator for data protection issues.

In Australia, please contact the Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au)).

## Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 27 September 2021.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

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## 2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address, telephone numbers and social media handles.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website and for our surveys.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, social media handles, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

In some of our surveys, we explicitly collect the following **Special Categories of Personal Data** about you: details about your race or ethnicity, religious or philosophical beliefs or political opinions. If you provide any other Special Categories of Personal Data such as health information or information relating to criminal convictions as part of open questions in our surveys, we will not process such data.

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**If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

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### 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may be referred to us by a third party acting on our behalf but you will always provide data directly to us. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
    - apply for our products or services;
    - create an account on our website;
    - subscribe to our service or publications;
    - request marketing to be sent to you;
    - enter a competition, promotion or survey; or
    - give us feedback or contact us.
  - **Automated technologies or interactions.** As you interact with our website or surveys, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our [cookie policies](https://voconiq.com/legal) (voconiq.com/legal) for further details.
  - **Identity and Contact Data from data brokers or aggregators** such as:
    - Arvanitis Marketing P/L based in Zimbabwe
    - Frezzatti & Fadino Gestão Empresarial e Terceiro Setor Ltda based in Brazil
    - Taverner Research based in Australia
    - Tobumo Pty Ltd based in Australia
    - Sample Solutions B.V. operating in Portugal, based in Denmark
    - Comunicação e Imagem, LDA based in Portugal
    - Marknadskraft i Norden AB based in Sweden
    - Polis Pesquisa E Consultoria based in Brazil
    - DatosClaros based in Argentina
    - ACNexo based in Chile
    - Perfopis Perfis de Opinion CIA. LTDA. based in Ecuador
  - **Identity and Contact Data from publicly available sources** such as:
    - LinkedIn based in The United States of America
    - Facebook based in The United States of America
    - Twitter based in The United States of America
    - Instagram based in The United States of America
    - Websites and Google entries
    - Media Publications
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## 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges  (b) Collect and recover money owed to us	(a) Identity (b) Contact  (c) Financial  (d) Transaction  (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include:	(a) Identity	(a) Performance of a contract with you

<p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to leave a review or take a survey</p>	<p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p>	<p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</p>
<p>To enable you to partake in a prize draw, competition or complete a survey</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p> <p>(f) Technical</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>

To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact  (c) Technical (d) Usage (e) Profile  (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

### Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, product/service experience or other transactions.

## **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please navigate to the relevant Cookie Policy for your region, available at [voconiq.com/legal](https://voconiq.com/legal).

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

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## 5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table in item #4 (*Purposes for which we will use your personal data*) above.

- Internal Third Parties as set out in the *Glossary (item #10 below)*.
  - External Third Parties as set out in the *Glossary (item #10 below)*.
  - Specific third parties such as:
    - Microsoft 365 Business Services based in the United States to store our data collected in Qualtrics on SharePoint and OneDrive, and to process data in PowerBI, as well as for our general business correspondence and management;
    - Asana based in the United States with additional servers in Germany and Ireland for customer project planning and project management.
    - Adobe Creative Suite products by Adobe Inc. based in the United States for designing our data reports and marketing.
    - Qualtrics based in Australia who conduct surveys, store data, contact survey participants on our behalf;
    - Dropbox based in the US and Australia to store our data collected in Qualtrics.
    - RStudio based in the US to process data in the R programming language;
    - Shinyapps.io based in the United States to process, manage and display our de-identified data;
    - GitHub based in the United States and Australia and BitBucket based in the US to store our development and data processing source codes;
    - BlueHost based in the United States (with additional servers in the United Kingdom, India and China) to store and serve our website and any data that comes through our website, and to store and serve our Shinyapps.io data visualisations;
    - Google based in the United States (with data centres globally including in Chile, Ireland, Netherlands, Denmark, Finland, Belgium, Taiwan, Singapore) for Google Analytics information for our website and Google Cloud storage for some of our data files;
    - CyberDuck based in Switzerland to access our server files;
    - Mailchimp based in the United States to store our email contact list, send emails and newsletters on our behalf;
    - Mail Merge Toolkit by MAPILab Ltd. based in Canada and Russia to send emails and newsletters through Microsoft products like Outlook;
    - HubSpot based in the United States and Germany to store our client contact information and send emails and newsletters on our behalf;
    - HubDoc based in the United States to store our client and business related documents;
    - Hootsuite based in Canada with servers in the United States to manage our social media;
    - Xero based in New Zealand to organise and process our accounting and payment related documents;
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- TollFreeForwarding based in the United States to manage our phone services and store data related to those who contact us by phone.
- GiftPay by Unified Incentives Pty Ltd based in Australia to allow us to provide incentives and rewards to survey takers and rewards groups;
- GiftCardStore by Cuscal Ltd/Zenith Payments Pty Ltd based in Australia to allow us to provide incentives and rewards to survey takers and rewards groups.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions and in line with this Privacy Policy.

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## 6. International transfers

We, and many of our external third parties are based outside the UK and the EU so their processing of your personal data will involve a transfer of data outside the UK or EU, as appropriate. The majority of our data processing takes place in Australia, and is also compliant with the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act), available at: [www.oaic.gov.au/privacy/australian-privacy-principles](http://www.oaic.gov.au/privacy/australian-privacy-principles).

Whenever we transfer your personal data out of the UK or EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is present:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data; or
- Where we use certain service providers, we may use specific contracts approved for use in the UK or EU, as appropriate, which give personal data the same protection it has in the UK or EU, as appropriate; or
- We will obtain your explicit consent to transfer your data to the country of storage/processing (which is typically Australia, where we are based), and maintain our internal processes and practices to honour all requests to enact your rights and handle your data in accordance with UK/EU/GDPR/RGPD standards.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK or EU.

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## 7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

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## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

In any event we will not retain your personal data for more than 12 months following the end of our relationship with you unless we are legally required to keep customer information (including Contact, Identity, Financial and Transaction Data) for tax purposes in which case we will keep that information for 6 years following the end of our relationship.

In some circumstances you can ask us to delete your data: see *your legal rights* (item #9) below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

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## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [Request access to your personal data.](#)
- [Request correction of your personal data.](#)
- [Request erasure of your personal data.](#)
- [Object to processing of your personal data.](#)
- [Request restriction of processing your personal data.](#)
- [Request transfer of your personal data.](#)
- [Right to withdraw consent.](#)

If you wish to exercise any of the rights set out above, please contact us.

In addition, a copy of the Australian Privacy Principles and rights for Australians (and those who have consented to have their data transferred to Australia) may be obtained from the website of The Office of the Australian Information Commissioner at [oaic.gov.au](https://www.oaic.gov.au).

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

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## 10. Glossary

### LAWFUL BASIS

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### THIRD PARTIES

#### Internal Third Parties

- Other companies in the Voconiq Group acting as joint controllers or processors and who are based in Australia and provide IT and system administration services and undertake leadership reporting.
- Service Providers acting as processors in Zimbabwe, Brazil and Australia who collect data on our behalf as part of surveys.

#### External Third Parties

- Service providers acting as processors based in Australia, Zimbabwe, Brazil, Chile, Argentina, Ecuador, Portugal, Denmark, Sweden, who provide IT and system administration services.
  - Professional advisers acting as processors including lawyers, bankers, auditors and insurers based in Australia, Zimbabwe, Brazil, Chile, Argentina, Ecuador, Portugal, Denmark, Sweden, The United States of America, Canada and New Zealand who provide consultancy, banking, legal, insurance and accounting services.
  - HM Revenue & Customs, regulators and other authorities acting as processors based in the United Kingdom who require reporting of processing activities in certain circumstances.
  - The Australian Tax Office regulators and other authorities acting as processors based in Australia who require reporting of processing activities in certain circumstances.
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## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

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**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

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