

LINDEN NEW ART

> COMMUNICATIONS POLICY & PROCEDURES

WEBSITE PRIVACY POLICY

Policy number	17.01	Version	001
Drafted by	Melinda Martin	Approved by Board on	18 May 2020
Responsible person	Gallery Director, Curator & Design & Marketing Coordinator	Scheduled review date	May 2022

BACKGROUND

Linden New Art Inc (Linden), ABN 84 299 880 930, takes all reasonable steps to implement processes and procedures for the responsible management of personal information through our website.

We have implemented this Website Privacy Policy in accordance with the Australian Privacy Principles (APP) and other data protection rules in order to be open and transparent about how Linden collects, holds, and uses your personal information, and under what circumstances Linden may disclose or transfer it.

This Website Privacy Policy applies to all personal information collected by Linden in the course of providing products and services to our audiences (You, Your and other similar terms) regardless of its source and forms part of the terms and conditions of our various agreements with you.

DISCLAIMER

While your privacy is important to us, nothing in this Privacy Policy constitutes a voluntary opt-in to any privacy laws, anywhere in the world, which Linden is not statutorily bound to comply with.

1. COLLECTION

1.1 COLLECTION OF PERSONAL INFORMATION

Linden collects personal information:

- a. when you interact with Linden online, over the phone, by email, in person or through other means of communication; and
- b. in order to assist you with the provision of products and services and to provide any related assistance or for other purposes requested through such communication.

The type of personal information Linden collects includes your name, telephone number, website, email address, company, relevant Facebook/Instagram data, IP Addresses and any additional information you provide to Linden.

Where you contact Linden on behalf of your employer, the information you provide often contains information about your employment, position and employers contact details. In those circumstances certain employment information is collected.

Information will only be collected directly from you, unless you authorise another person to provide the information.

1.2 DEVICE INFORMATION AND COOKIES

When you visit the Linden website, we may collect certain information about your device, including details about your web browser, IP address, time zone, and some of the cookies that are installed on your device.

Additionally, as you browse, Linden collects information about the individual web pages, products and services you view, what websites or search terms referred you, and information about how you interact with Linden online.

We collect device information using the following technologies:

- a. "Cookies" which are data files placed on your device or computer which may include an anonymous unique identifier;

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- b. "Log files" which track actions occurring on the website, and collect data including your IP address, browser type, internet service provider, referring/exit pages, and date/time stamps; and
- c. "Web beacons", "tags", and "pixels" which are electronic files used to record information about how you browse websites.

Please note, that Linden does not alter our websites' data collection and use practices when we see a Do Not Track signal from your browser.

Through Linden's use of Google Analytics, the information generated by the "cookies" about your use of the website (including Your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating Your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage.

Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

You may refuse the use of cookies by selecting the appropriate settings on your browser, however if you do, you may not be able to use the full functionality of our website.

1.3 CONSENT

By agreeing to this Privacy Policy, you give us your consent to use your personal information as set out herein. You have a right to withdraw your consent at any time and may do so by contacting us via the details provided below or unsubscribing to our website.

By using our website, you consent to the processing of data about you by Google in the manner described in Google's privacy policy and for the purposes set out above. You can opt out of Google Analytics if you disable or refuse the cookie, disable JavaScript, or use the opt-out service provided by Google.

2. USE

2.1 GENERAL USE

We use personal information collected as part of our not-for-profit operations which are primarily associated with the development and sale of art-based products and services, such as workshop and event bookings.

Examples of when your information may be used include:

- a. informing you about our products and services;
- b. providing you with the products and services requested;
- c. administration requirements in relation to providing you with products and service, including managing your account;
- d. dealing with requests, enquiries or complaints;
- e. engaging with the support of our products and services;
- f. marketing our products and services generally; and
- g. carrying out any activity in connection with a legal, governmental or regulatory requirement imposed on us or in connection with legal proceedings, crime or fraud prevention, detection or prosecution.

We may also use personal information for purposes, as would be reasonably expected by you, in connection with those activities described above. However, we will not use your personal information for purposes, other than as described in this privacy policy or other agreement we have with you, unless you consent to that use or there are specific law enforcement, public health or safety reasons.

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2.2 DIRECT MARKETING

From time to time we undertake direct marketing campaigns targeted at the contacts in our database who have consented to receive this type of communication from us. You may opt out of receiving these direct marketing communications at any time. Our electronic marketing activities will comply with the requirements of the *Spam Act 2003* (Cth).

2.3 ACCESSING YOUR INFORMATION

Upon your request and after satisfying ourselves of your identity, we will provide access to the personal information we hold about you except in certain prescribed circumstances. These include, where:

- a. We believe giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- b. giving you access would be unlawful;
- c. granting access would have an unreasonable impact on the privacy of other individuals;
- d. the request for access is frivolous or vexatious; or
- e. there are anticipated legal proceedings.

2.4 DATA INTEGRITY

We take reasonable steps to ensure the personal information we collect, use and disclose is accurate, complete and up to date. You have a right to correct incorrect information at any time and may do so by contacting Us using the details provided below.

If you become aware your information is no longer accurate, complete or up to date please contact us so that we can update the relevant information.

2.5 SHARING INFORMATION

We may disclose personal information to:

- a. employees, a related entity and our professional advisors, such as our lawyers and accountants;
- b. law enforcement agencies to assist in the investigation and prevention of criminal activities; and
- c. Our third-party contractors or service providers with whom we have a business association, including:
 - I. marketing service providers;
 - II. accounting service providers; and
 - III. information technology service providers including cloud application providers.

Finally, we may also share your personal information to comply with applicable laws and regulations, to respond to a subpoena, search warrant or other lawful request for information we receive, or to otherwise protect our rights.

We will not disclose your personal information other than in accordance with this privacy policy without your consent.

2.6 OFFSHORE TRANSFERS

The personal information we collect may be transferred out of Australia and the EU to countries including the United States where it is processed by third party providers, of cloud-based services, who assist us to manage promotional material, email, office administration and accounting services.

While we do not otherwise actively disclose your personal information to other overseas entities, the service providers We engage may use international data centres and disaster recovery sites. Consequently, these providers may have access to your information.

Regardless of where you reside your right to privacy is protected in Australia pursuant to the *Privacy Act 1988* (Cth) which is administered by the Office of the Australian Information Commissioner (OAIC). The OAIC is contactable via their website at <https://www.oaic.gov.au/>.

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2.7 ANONYMITY AND USE OF PSEUDONYMS

We may interact with you anonymously or through the use of pseudonyms if you have questions general in nature. However, you are required to provide true and accurate details when requesting the supply of products or provision of services. You agree to provide accurate information if so required.

2.8 SECURITY

We take reasonable steps to protect the personal information we hold from misuse, loss and unauthorised access, modification or disclosure. We do this by:

- a. maintaining and keeping our systems up to date;
- b. using secure servers protected from unauthorised access, modification or disclosure;
- c. using secure sockets layer (SSL) encryption to transfer data across public networks, such as the internet;
- d. relying on reputable service providers; and
- e. limiting the collection of Your personal information to that which we reasonably require.

2.9 DATA RETENTION

If we hold personal information about you, and we do not need that information for any purpose, Linden will take reasonable steps to destroy or de-identify that information, in accordance with the APPs, unless we are prevented from doing so by law.

Under Australian law, financial records, such as those relating to financial transactions, must be retained for 7 years after the transactions associated with those records are completed.

We envisage your personal information will be deleted or de-identified within ten (10) years, if it is no longer reasonably required.

You may make a request to Us in writing to remove Your personal information and, where permitted, we will do so in accordance with the APPs.

3. COMPLAINTS PROCEDURE

Linden New Art is a visitor-oriented organisation. Therefore, if you have a complaint about our collection or use of personal information pertaining to you, then we would ask you to contact us via:

E: director@lindenarts.org.

If after investigating your complaint and reporting to you our findings, you are still not satisfied then we ask you to consult:

The Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001
T: 1300 363 992
E: enquiries@oaic.gov.au

CONTACTING US

For more information about our privacy practices, if you have questions, or if you would like to make a complaint, please contact us using the details provided below. Address enquiries to:

Gallery Director
Linden New Art
26 Acland St
St Kilda VIC 3182
T: 03 9534 0099
E: director@lindenarts.org

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AMENDMENTS

We are obligated to regularly review and update this privacy policy. As such we may update this privacy policy from time to time in order to reflect changes to our practices or for other operational, legal or regulatory reasons.