



## **Jim's Group Privacy Policy**

This Privacy Policy sets out the privacy policy of Jim's Group Pty Ltd ACN 101 925 268 and its related entities being Jim's Group (New Zealand) Limited Company Number 5303661, Jim's Franchising Group Canada Limited BC 1154696 and Bizza Pty Ltd ACN 628 991 515 (together **we, us, Jim's Group**) which are in the franchise business and refer independent contractors to customers, through our employees and working with franchisors, franchisees and independent contractors within the Jim's Franchising System. This privacy policy details the way we collect, store, use, disclose and protect information about you.

We are bound by the Privacy Act 1988 (Cth) (**the Act**) and the Australian Privacy Principles (**APPs**) contained in the Act. We understand and appreciate that you are concerned about privacy, particularly in relation to the use and disclosure of Personal Information and we are committed to respecting the privacy of your Personal Information.

For the sake of clarity, this Privacy Policy covers Personal Information collected by Jim's Group including through our website and its subdomains, when you sign up to request marketing communications and when you call our call centre to request a quote or service. It covers Personal Information used by Jim's Group in relation to any of the following:

- franchisees or prospective franchisees;
- franchisors or prospective franchisors;
- customers;
- suppliers or prospective suppliers;
- independent contractors or any person who applies to become an employee or independent contractor; and
- employees, except where the use or disclosure is directly related to the relationship between us as an employer and you as the past or present employee or an employee record about you.

Generally, Jim's Group will collect personal information directly from you through the normal course of business, only to the extent necessary and with your consent.

It is important that you read and understand this Privacy Policy.

### **Your Consent**

You consent to your Personal Information being used in accordance with this Privacy Policy by any one or more of the following:

- by providing us with your Personal Information in relation to requesting a quote or booking a service, entering a competition, participating in a promotional campaign, making a complaint or for any other reason;
- by making enquiries about or submitting an application to become a franchisor, franchisee, an employee, an independent contractor or a supplier of us or any of our franchisors or franchisees;
- by visiting our Website or participating in an online enquiry or subscribing to our electronic mailing list;
- by visiting any Website or social media site established by us, including but not limited to Facebook, Twitter, Instagram (**Social Media Sites**) or downloading and/or using any online application related to Jim's Group; and
- by participating in any activity on a Social Media Site including but not limited to entering competitions, subscribing to our blogs or podcasts, sharing any material on any Social Media Site, following, liking and/or commenting on us or anything on any Social Media Site (**Social Media Activity**).

### **What is Personal Information?**

For the purposes of this Privacy Policy, Personal Information is any information that can be used to personally identify you. If the information we collect personally identifies you, or you are reasonably identifiable from it, whether or not the information is true or whether or not it is recorded in a material form, the information will be considered Personal Information.

An act done or practice engaged in by us as an employer that is directly related to an Employee Record is exempt from the Act. An Employee Record includes health information and personal information relating to the:

- engagement, training or disciplining of an employee;
- resignation or termination of an employee;
- terms and conditions of employment of an employee;
- employee's performance or conduct;
- hours of employment, salary or wages;
- personal and emergency contact details;
- employee's membership of professional or trade associations or trade union membership;
- employee's annual, long service, sick, personal, maternity, paternity and other leave; and
- employee's taxation, banking and superannuation affairs.

We treat the personal and health information of each of our employees as confidential and strict controls are placed on who has access to such information. We will not disclose your Employee Records to any third party other than as permitted by law or this Privacy Policy without your prior consent.

### **What Is Sensitive Information?**

Sensitive information is defined in the Privacy Act and includes 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.

Sensitive information will be used by us only:

- for the primary purpose for which it was obtained;
- for a secondary purpose that is directly related to the primary purpose; or
- with your consent, or where required or authorised by law.

### **What Personal Information Do We Collect From You?**

The type of Personal Information collected by us may differ, depending on whether you are or would like to become a franchisor, franchisee, customer, supplier, employee or independent contractor. Generally, the type of Personal Information collected by us includes your name, address, telephone number and email address.

When we collect Personal Information, we will, where appropriate and where possible, notify you and explain to you why we are collecting the information and how we plan to use it.

From our franchisors and franchisees, we also require national police checks, company details including ABN and/or ACN, financial information including bank account and credit card details, profit and loss statements, balance sheets, weekly takings information, sales data and other business related information which may contain Personal Information.

From our employees and/or prospective employees, we may also collect the following information: commencement dates, employment status, location, gender, bank account statements, emergency contact details, qualifications, previous employment details, car registration numbers, medical and health information, leave summaries, wages and salary information, age or date of birth, superannuation information, tax file numbers, visa and immigration information and where relevant, information relating to performance and conduct.

We will not adopt a government related identifier belonging to you as a means of identifying you (for example, your Medicare number, Passport number or drivers licence number) unless required or authorised by or under an Australian law or a

court/tribunal order. Similarly, we will not use or disclose a government related identifier belonging to you unless an exemption applies under the APPs.

From time to time, photos may be taken and used for marketing and promotional purposes which may include images of franchised businesses, franchisors, franchisees, employees or employees of franchisees and/or customers, from which individuals may be able to be identified. As an employee your photo may be used within Jim's Group to identify you.

Closed circuit television (**CCTV**) may be installed in any of our premises. Images and video from CCTV may be used by us for security purposes and to identify and deal with non-compliance by any individuals or franchisees with law and/or their agreements with us. Where relevant, CCTV may be made available to relevant authorities including the police.

Via Social Media Sites, we may be able to obtain other information about you which may itself constitute Personal Information or which, when combined with other information, is capable of identifying you, including photos, videos and any other information that you include on our Social Media Sites or sites linked to our Social Media Sites (**Other Sites**). The level of information to which we have access may depend on your privacy settings on such Other Sites.

### **How Do We Collect Your Personal Information?**

We collect Personal Information directly from you in a number of ways, including when:

- you make a general or specific telephone or online enquiry we may keep a record of that correspondence;
- you seek a quote online or via the call centre for one or more of our services;
- you engage a franchisee online or via the call centre to provide you with one or more of our services;
- you engage an independent contractor external to Jim's Group through our related entity, Bizza Pty Ltd (with your consent if we do not have a franchisee available to provide you with the requested service/s);
- you participate in a competition, promotional campaign, survey or questionnaire;
- you lodge a complaint;
- you subscribe to our mailing list;
- you participate in Social Media Activity;
- you apply for a position with us as an employee, contractor, franchisee, franchisor or volunteer;
- you provide us with such information via application forms, customer feedback forms, business cards, contracts or any other document provided by you to us;
- we analyse the Social Media Sites conducted by us or by third parties on our behalf;
- contacting or being contacted by third parties such as credit reporting agencies, recruitment agencies, insurers and insurance brokers, health professionals, referees nominated by you, or your representatives;
- collected by publicly available sources of information; and
- collected through our own records.

Through our Website we can obtain Personal Information if you send such information in an email or when you complete an online enquiry or request our services.

When you visit our Website we may make a record of your visit. The following information may be logged for statistical purposes and for the purposes of marketing and advertising to you:

- your IP address;
- the date and time of your visit to our site;
- the pages that you have accessed and the documents downloaded; and
- the type of browser you were using.

This type of statistical information helps us to better understand visitor traffic so we can improve our services. This data is mostly anonymous and does not identify you.

Tracking technologies such as cookies may be used on our Website to recognise a user's browser each time that user visits our site and to track which pages the user visits whilst on our site. Cookies are pieces of information that a Website transfers

to a computer's hard disk for record keeping purposes. Most web browsers are set to accept tracking technologies such as cookies. We do not use cookies to personally identify you, just to improve your experience on our Website. If you do not wish to use any cookies you may set your browser to refuse them. However, your browsing experience and our Website's functionality may be affected.

### **How Do We Store Your Personal Information?**

Your Personal Information is stored in a manner that reasonably protects it from misuse, loss and unauthorised access, modification or disclosure, including:

- in electronic systems and devices;
- in telephone recordings;
- in paper files; and
- document retention services off-site.

This may include storage on our behalf by third party service providers.

### **How Do We Use Your Personal Information?**

We will use your Personal Information for purposes that relate to the operation of our business and the provision of our services to you. These purposes generally include:

- supplying our services to you and carrying out our obligations arising from any contracts entered into between us and you;
- identifying particular services which may be of interest to you and delivering to you a more personalised experience and service offering;
- providing quality assurance for our services;
- seeking feedback regarding our business and services through customer feedback surveys integral to the transaction;
- responding to your enquiries and feedback by improving the quality of the services we offer, including your experience with our Website(s);
- monitoring the performance of our Websites, our business and our franchisees;
- marketing material and educative activities including keeping you up to date with our franchise divisions, the services offered by each, information about franchising, events and promotions we think would be of particular interest to you;
- planning, service development or research purposes;
- internal administrative purposes and management of our database;
- enforcing the terms and conditions of our engagement with you; and
- ensuring compliance with the statutory obligations of both parties.

In relation to the Personal Information of franchisors and franchisees, the purposes include those mentioned above and the following:

- conducting appropriate credit checks;
- verifying information required under the franchise agreement, including by accessing and assessing information received from suppliers, trade referees, insurers, banks, local municipal council or any other entity;
- to confirm and enforce compliance with the franchise agreement;
- providing franchisor and franchisee support;
- to comply with disclosure requirements under the Franchising Code of Conduct; and
- all things of or incidental to carrying out our role as National Franchisor.

In relation to the Personal Information of customers, the purposes include the general purposes mentioned above and also include verifying, notifying and/or responding to you in relation to any enquiries, complaints, or if you win a competition.

We use information we hold about you as an employee, of or incidental to our role as your employer and in accordance with applicable laws.

### **How Is Your Personal Information Disclosed By Jim's Group?**

Your Personal Information will be disclosed to us as National Franchisor, our related entities and third parties providers as necessary to facilitate any of the abovementioned purpose, including in the following circumstances:

- if we do not have franchisees available, and with your consent, to independent contractors outside of our franchise system who can provide you with the required service/s;
- our third-party service providers (for example, our IT infrastructure providers);
- our marketing providers; or
- our professional services advisors.

We do not and will not rent, sell or otherwise disclose your Personal Information to any other company or organisation, without your prior consent, where that consent is required by law.

You do, however, consent to our use and disclosure of your Personal Information in the following ways:

- to third party consultants who may from time to time manage all or part of our database or computer systems or internet sites;
- to third party professional service advisors;
- to a third party where we outsource any of our functions, including but not limited to processing online payments, information technology and cloud storage service providers and processors, SMS and email marketing services providers, for the development, production and/or printing of advertising and marketing material and campaigns, including where such material contains photos or video of individuals; mystery shopping and customer satisfaction surveys;
- franchisees' details will be provided to some suppliers, to enable them to contact franchisees for purposes related to their function as supplier;
- franchisees' details will be provided to our Legal department and Documents and Compliance department, for the production of legal franchising documentation and in relation to any matter requiring us to seek legal advice or assistance;
- of or incidental to a sale of all or part of our business, to prospective purchasers and their legal and accounting representatives;
- to the general public, for example, via internet when notifying of competition results or via media when photographs or video are used in advertising material or campaigns; and
- as required by law.

We use and disclose information we hold about you as an employee, of or incidental to our role as your employer and in accordance with applicable laws.

#### **Disclosure Of Your Personal Information Via Social Media Sites**

By engaging in any Social Media Activity on our Social Media Sites, you agree to and are subject to the terms and conditions of such Social Media Sites. Any Personal Information shared by you on Social Media Sites can be disclosed in accordance with the terms and conditions and privacy policies of such Social Media Sites.

Generally, photos and other material shared to Social Media Sites will be able to be viewed by the general public. Such photos and other material may be further shared by others indefinitely and will be visible by anyone visiting the locations to which the photos or other material have been shared. You may be able to remove the photos or other material that you have shared from the location at which you shared it. However, any material that has been further shared will be out of our control and neither you nor we will be able to remove it from any such location. We are not responsible for any material that has been shared.

We reserve the right to remove any photos, comments or other material that is in any way inappropriate or offensive (in our opinion) from our Social Media Sites.

#### **Unsolicited Disclosure To Jim's By 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.

### **Cross Border Disclosure**

Some programs, software, online tools or Social Media Sites used by us, are based in and/or housed overseas, including New Zealand, Canada and the United States of America. Whilst we do not actively disclose your Personal Information to such third party organisations, the use of such programs by us may inadvertently involve disclosure of your Personal Information to such organisations overseas.

We will take reasonable steps to ensure the security of your Personal Information when we disclose to third parties overseas. We will only disclose to overseas third parties if:

- you have provided us with your consent to do so;
- the disclosure is compliant with applicable Australian data protection and privacy laws; and
- the disclosure is required or authorised by an Australian law or court/tribunal order.

It is important to note that the use and disclosure of your Personal Information by such overseas organisations is in accordance with the terms and conditions and privacy policies of each individual organisation. We are not required to take steps to ensure that such organisations do not breach the APPs in relation to the disclosed information. Having been informed of the possibility that such disclosure may occur, by undertaking or continuing to undertake the type of activities you are indicating your consent.

### **How Do We Protect Your Personal Information?**

We are committed to protecting your Personal Information and we will take all reasonable steps to ensure that the Personal Information we hold about you is kept confidential and secure, including by:

- ensuring the robust physical security of our premises and databases/records;
- taking measures to restrict access to only personnel who need that information to effectively provide our services to you;
- securely destroying or “de-identifying” Personal Information if we no longer require it subject to our legal obligations to keep some information for certain prescribed periods; and
- implementing technological measures, such as computer passwords, data back-up, anti-virus software and firewalls.

We will regularly review the appropriateness of the abovementioned measures to keep the data we hold secure.

Please note that our Website does not provide systems for secure transmission of Personal Information across the internet, except where otherwise indicated. When emailing or providing Personal Information to us via our Website, please be aware that there are risks involved in transmitting Personal Information via the internet. Our Website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices employed by third party providers and for Personal Information provided by you via unsecured websites. The third party providers and websites you interact with are responsible for informing you about their own privacy practices and we encourage you to read their privacy policies.

We cannot provide a guarantee with respect to the security of your Personal Information and we will not be liable for any breach of security or unintended loss or disclosure of information due to the Website being linked to the internet. You submit information over the internet at your own risk.

Once your Personal Information is no longer required for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of the Personal Information is or will be stored by us for a minimum period of time in compliance with relevant company, legal, tax and accounting laws.

### **Accessing, Correcting and Maintaining The Quality Of Your Personal Information**

In dealing with your Personal Information we will take reasonable steps to ensure your Personal Information is accurate, complete and up to date.

You may request access to the Personal Information we have about you in our possession at any time by contacting our Documents Team. Generally you will receive a response within 30 days. It is important to note that access is subject to certain exceptions, such as if it would be reasonable to assume your request may:

- compromise the privacy of another person;

- pose a serious threat to the life or health of any individual;
- disclose commercially sensitive information of ours;
- be considered unlawful;
- be considered frivolous or vexatious; and
- interfere with existing or anticipated legal proceedings.

If we are unable to satisfy your request due to undisclosed content, we may provide a redacted version or consider whether the use of an intermediary is appropriate and would allow sufficient access to meet the needs of both parties.

In order to protect your Personal Information we may require identification from you before releasing the requested information. You will not be charged a fee for your access, but we may charge an administrative fee for providing a copy of your Personal Information.

Under the Act, you also have a right to request that we correct information that you believe to be inaccurate, out of date, incomplete, irrelevant or misleading. Please advise us by contacting our Documents Team and we will take all reasonable steps to correct the information. We shall provide you with written notice if your Personal Information is corrected or updated.

If there is a denial of access to your Personal Information or a dispute as to the correctness of any Personal Information held, we will provide you with reasons for the denial or our refusal to correct the Personal Information. If you disagree with our decision for the denial or refusal to correct the Personal Information, you may request that we review the decision via our complaints handling procedures which are outlined below.

#### **How To Unsubscribe From Our Direct Marketing**

We may send you direct marketing communications and information about our services, opportunities, or events that we consider may be of interest to you if you have requested or consented to receive such communications. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). You consent to us sending you those direct marketing communications by any of those methods. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

In each communication that you receive from us we will seek to attach simple instructions on how you can immediately unsubscribe from our mailing list. In any event, you can opt out from receiving promotional material at any time by emailing our Documents Team and asking to be removed from the mailing list.

#### **Dealing With Us Anonymously Or Using An Alias**

We will generally need to know who you are in order to provide you with our services. Despite this, in some circumstances you are entitled to interact with us anonymously or by using a pseudonym/alias, such as when making general telephone enquiries about the services we offer.

However, you may receive a better service or response if we know who you are as we can keep you up to date and better understand the circumstances of any complaint you might have. In most circumstances it would be impracticable to do so as we require certain information for identification purposes. As such, it would be unlikely that we would be able to carry out the services requested by you.

You must tell us if you are using a pseudonym when applying for our services. If we need to identify you, we will tell you whether or not your real name is required to access those services.

#### **Changes To Our Privacy Policy**

This statement sets out our current Privacy Policy. It replaces all of our other Privacy Policies which have been issued before the date of this Privacy Policy.

From time to time we may decide to amend or update this Privacy Policy. When this occurs, we will post the new version of the Privacy Policy on our website at [www.jims.net](http://www.jims.net). We encourage you to periodically review this Privacy Policy so that you remain informed as to how we are protecting your Personal Information.

### **Complaints**

If you believe that we have not complied with our obligations pursuant to the Act, or have a complaint about the use or disclosure of your Personal Information by us, please contact our Documents Team.

Complaints can be received in several different ways:

- in person;
- by phone;
- in writing;
- via email; and
- via our website.

You will receive an acknowledgement of receipt of the complaint from us within five business days. We will endeavour to resolve your complaint as soon as possible and within 30 days. However, the length of time will depend on the nature and complexity of the issues you have raised.

If we decide that your complaint is justified, we will then decide what action we should take in response. We will always try to match our response to the nature of your complaint and your desired outcome, but this may not always be possible.

### **Some of the things that we may decide to do include:**

- take action as necessary to rectify the problem or concern you have raised;
- provide you with written information or advice so that you can understand the outcome and how we have dealt with it; and/or
- take steps to change our policies or procedures if your complaint identifies a problem in the way we are doing things.

**Uniform Policy Across All Divisions:** We aim to establish a uniform privacy policy across all Jim's Group divisions. This ensures consistency in privacy principles for all clients who contact the Jim's Group Call Centre, fostering a standardized and transparent approach to privacy practices.

**Enhanced Customer Information Handling:** The revised policy reflects our dedication to responsible and transparent handling of personal and sensitive customer information. It establishes a unified standard to uphold the highest levels of privacy protection.

**Efficient and Accessible Complaints Handling Process:** In accordance with the APPs, the updated policy includes an enhanced and efficient complaints handling process, ensuring a clear and accessible channel for clients to raise concerns or inquiries. The point of contact for these complaints is [privacy@jims.net](mailto:privacy@jims.net)

If you are not satisfied that the matter has been resolved, we can forward the complaint to our internal legal team. The internal legal team will review the complaint and take further actions in an attempt to resolve it.

It will not always be possible to resolve a complaint to everyone's satisfaction. In that case, you might want to escalate the matter to the Privacy Commissioner via an online privacy complaint form which can be found at: <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>.

We welcome your questions and comments regarding this Privacy Policy. If you have a suggestion as to how we may improve our Privacy Policy, please contact our Documents Team.

### **Contacting Us**



If you have any further questions or concerns about the way we manage your Personal Information, including if you think we have breached the Australian Privacy Principles, please contact:

**Email**

privacy@jims.net

**Phone**

13 15 46

**Post**

Attention: Jim's Group – Documents Team  
48 Edinburgh Road, Mooroolbark VIC 3138

This policy was last updated on 21 February 24