



# Privacy Policy

Effective Date: 1 May 2015

## 1 Our Commitment to Your Privacy

1.1 Klugo Pty Ltd ABN 81 101 215 623 (“We/Us/Our”) respects your privacy. So that you may understand how We deal with your Personal Information, We have set out how and why We collect, hold, use, manage and disclose Personal Information in this Privacy Policy. You may print a copy of this Privacy Policy. We will update this Privacy Policy from time to time at Our discretion, so you should visit Our website regularly to see the latest copy of the Privacy Policy.

1.2 This Privacy Policy also binds Our trading entities, related and affiliated companies. We may use any of Our related and affiliated companies to assist Us perform Our business activities and functions, and this Privacy Policy should be interpreted so that “We/Us/Our” includes any of Our trading entities, related and affiliated companies. These trading entities, related and affiliated companies include: NextService Software ; IndustryMarké; IndustryTech; OutServe; Headland Machinery.

1.3 Our business activities and functions include:

1.3.1 promoting, offering, selling and performing professional services, including consulting and training services;

1.3.2 promoting, offering, licensing and providing support and development for software products and software as a service offerings, including software as a service offering that are integrated with the NetSuite Inc software as a service offerings;



- 1.3.3 any business activities related to any of these activities; software support, marketing support and product development.
- 1.4 This Privacy Policy relates to how We collect, hold, use, manage and disclose Personal Information that We and Our trading entities, related and affiliated companies collect in Our own name.
- 1.5 Where You are using Our software as a service offering that is integrated with the NetSuite Inc software as a service offering, Your Personal Information is stored, processed, managed and handled via an application and database that is owned or controlled by NetSuite Inc, or its Affiliates or their respective contractors, and that Personal Information is subject to the privacy policy of NetSuite Inc or its Affiliates, which may change from time to time. You should review their privacy policy, a copy of which may be on their website. Such policy may be more or less protective of Your Personal Information than this Privacy Policy.
- 1.6 We are providing Our software as a service services to Our clients so that they may store, process, manage and handle Personal Information that they collect, Our software and systems are used by Our clients to hold and process Personal Information that is collected by them. This information is subject to the privacy policies of Our clients (and not Us), and Our clients are responsible for its collection, storage, use, management and disclosure. You should review Our client's privacy policy, a copy of which may be on the client's website. Such policy may be more or less protective of Your Personal Information than this Privacy Policy.
- 1.7 Some of the key phrases that are used in the Privacy Policy include "Personal Information" and "Sensitive Information". Both of these terms are defined in the Privacy Act 1998 (Cth).
- 1.8 "Personal Information" is defined to mean information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
- 1.9 "Sensitive Information" is defined to mean information or an opinion about an individual's:



- 1.9.1 racial or ethnic origin;
- 1.9.2 political opinions;
- 1.9.3 membership of a political association;
- 1.9.4 religious beliefs or affiliations;
- 1.9.5 philosophical beliefs;
- 1.9.6 membership of a professional or trade association;
- 1.9.7 membership of a trade union;
- 1.9.8 sexual preferences or practices;
- 1.9.9 criminal record;
- 1.9.10 health information;
- 1.9.11 genetic information about an individual that is not otherwise health information.

## 1.10 Security of your information

1.10.1 Your security is important to us. Klugo Group takes reasonable steps to protect the personal we hold against loss, unauthorised access, use, modification or disclosure and against other misuse. This includes but is not limited to destroying or deleting your personal information in a secure manner when no longer required.



1.10.2 While we seek to protect your personal information by implementing digital security systems in various parts of our website, Klugo Group cannot accept responsibility for the security of information you send to or receive from us over the Internet or for any unauthorised access or use of that information.

## 2 **What Personal Information do We Collect and Hold?**

2.1 We may collect and hold the following types of Personal Information:

2.1.1 name, job title

2.1.2 address, phone number, fax number, email address and other addresses/contact details/identifiers used in electronic communications or business cards;

2.1.3 voicemail recordings left in Our phone system and images that individuals have made publicly available or provided to Us;

2.1.5 demographic information such as postcode, preferences or interests;

2.1.6 information about the products or services that you purchase or consider purchasing from Us, Our suppliers or business associates;

2.1.7 information about enquiries made to Us, Our suppliers or business associates;

2.1.8 information you provide when you raise a support enquiry or when We are working with you to resolve a technical or administrative query;

2.1.9 information that you provide in response to market research, surveys or competitions that are conducted for Us;



2.1.10 information that is provided in respect of employment, contract work, work experience or similar, whether solicited or unsolicited;

2.1.11 As a rule We do not collect or hold Sensitive Information. The only exceptions to this rule are:

2.1.12 where Sensitive Information is loaded into Our software as a service offering by Our clients;

2.1.13 where the Sensitive Information is directly linked to the individual's employment records and Our collection, holding and use is permitted by the Privacy Act for the purpose managing the individual's employment record;

2.1.14 where Sensitive Information is provided to Us in connection with the individual seeking employment, contract work, work experience or similar, whether solicited or unsolicited.

### 3 **How do We Collect and Hold Personal Information?**

3.1 We collect Personal Information in a number of ways, including:

3.1.1 through Our website; newsletter sign-up forms or contact us forms

3.1.2 through communications with you, including letters, emails, telephone calls, facsimiles, surveys, competitions, via social media applications and at business trade shows and exhibitions;

3.1.3 through communications with others;

3.1.4 in the course of providing Our products and services to you, including through our software as a service offerings and through providing support through Our support service;



3.1.5 in the course of Our business functions and activities.

3.2 We hold Personal Information:

3.2.1 in Our hard copy files;

3.2.2 in other systems that We use in connection with Our business, some of which may be owned and operated by Our suppliers;

3.2.3 in the application and database associated with our software as a service offerings;

3.2.4 in the database associated with Our website.

3.2.5 Providing it is lawful and practical, We will give you the option of not identifying yourself, using a pseudonym, or not providing Personal Information when you enter into a transaction or deal with Us.

3.2.6 If you elect not to provide Us with Personal Information then We may not be able to provide you with the information, products, services or support that you may want.

3.2.7 We may receive other unsolicited Personal Information in the course of Our business. We will deal with this unsolicited Personal Information in accordance with the Privacy Act 1988 (Cth).

#### 4 **The Purposes for which We use Personal Information**

4.1 We collect, hold, use and disclose Personal Information for the following purposes:

4.1.1 pursuing Our business activities and functions;

4.1.2 providing Our software as a service offerings;

4.1.3 allowing the technical support personnel to provide assistance to you (or your employer), if needed;



4.1.4 facilitating transactions between you (or other people who you are acting for) and Us or between you (or other people who you are acting for) and other people and organisations who are accessible via Our website or other electronic means;

4.1.5 performing any of the features on Our website, e.g. conducting surveys, market research, mail outs, competitions, using social media or providing information online;

4.1.6 conducting surveys, market research, mail and competitions off-line;

4.1.7 direct marketing;

4.1.7 improving the quality of Our website and Our products and services;

4.1.10 developing or adding additional products and services from Us or existing or new people and organisations that are accessible via Our website;

4.1.11 training and quality assurance purposes;

4.1.12 administrative purposes;

4.1.13 allowing the technical support personnel to manage Our infrastructure, systems, databases other applications or tools;

4.1.14 statistical analysis of the usage of Our website or applications or tools that are accessed via the website;

4.1.15 complying with the law, including privacy legislation.

4.2 We do not provide Personal Information to third parties except as in accordance with this Privacy Policy, any agreement We have with you or as required by law.

4.3 If you have given Us your consent[L7] to provide you with direct marketing communications We may collect, hold, use and disclose Personal Information in accordance



with that consent to enable Us to provide you (or other people who you are acting for) information about, and offer you (or other people who you are acting for), products and services.

4.4 If you give Us consent to provide you with direct marketing communications We will provide a simple means where you can request not to receive direct marketing communications. You may also request that We do not provide your Personal Information to any of Our suppliers or business associates in order for them to provide you with direct marketing communications. If We use a third party source to obtain Personal Information about you for the purpose of direct marketing to you, you may request that We disclose the source of that information. We will respond to any request made under this clause within a reasonable period and at no cost to you.

4.5 You consent to Us using any Personal Information that We collect for any one of the purposes in this Privacy Policy for any of the other purpose stated in this Privacy Policy other than direct marketing. We will seek specific consent to use Personal Information for direct marketing purposes.

## 5 **Disclosure of the Personal Information Overseas**

5.1 We may send Personal Information overseas in the following circumstances:

5.1.1 where We have a trading entity, related or affiliated company assisting Us with Our business activities and functions;

5.1.2 where We have a supplier assisting Us with providing assistance with Our business activities and functions. We have no control over where these suppliers hold or process their data and it is impractical for Us to be able to advise you of the countries where the Personal Information may be held or processed;

5.1.3 where you are using Our software as a service offering that is integrated with the NetSuite Inc software as a service offering, Personal Information is stored, processed, managed and handled via an application and database that is owned or controlled by NetSuite Inc, or its Affiliates or their respective contractors. We have no control over where they host their





application or database and/or the back-up/disaster recovery sites and it is impractical for Us to be able to advise you of the countries where the Personal Information may be held or processed;

5.1.4 where Our website, or any hosting service We use to support Our managed services, software or software as a service, is hosted by Us or a third party, and the hosting facilities and/or the back-up/disaster recovery sites are located overseas. We have no control over where these third party providers host the website and it is impractical for Us to be able to advise you of the countries where the Personal Information may be held or processed.

5.1.5 where a third party application is being used in connection with Our interactions with you, e.g. when We use email or Skype, the third party providers of the relevant application have their applications hosted overseas. We have no control over where these third party providers host their applications and it is impractical for Us to be able to advise you of the countries where the Personal Information may be held or processed.

5.2 The countries to which We know the Personal Information may be sent include:

5.2.1 the United States;

5.2.2 New Zealand

## 6 **Use of Social Media**

Our website uses social media includes blogs, Twitter feeds, and links to other social media, including Facebook, Linked In, Twitter, Pinterest etc. The nature of social media is that these applications actively enable exchange and disclosure of any information, whether personal or otherwise, that is included within those applications. All information, including Personal Information that you enter in those applications may be used, stored, handled and disclosed in any way that is consistent with the privacy policies of the relevant applications, if any. All information that is posted in a blog, twitter feed or other social media in connection with the website should be considered as public information that may be used, copied and adapted by any person for any means and should not be



posted unless you are prepared to specifically state what restrictions on use there may be with that information or are prepared to accept that it may be used, copied, adapted, stored, handled and disclosed to any other person in any way.

## 7 **Cookies, Metadata and Site Data Activity**

7.1 A cookie is a small piece of computer code which remains on your computer and contains information which helps Us identify your browser.

7.2 When you visit Our website and applications and tools on it, the cookie records the authentication to allow your user id to login. We use the information gathered by cookies to identify your web browser so that when you log in on the next occasion your use of the website and other applications and tools on it is easier and faster because the website has remembered your details.

7.3 If you do not want Us to use cookies then you can easily stop them, or be notified when they are being used, by adopting the appropriate settings on your browser. If you do not allow cookies to be used some or all of the website or other applications or tools on it might not be accessible to you.

7.4 Sometimes information that you upload is provided with associated metadata. If you do not want Us to use the metadata you must remove it before uploading it onto the website and other applications and tools.

7.5 We may collect data that is associated with your visit, including the pages your visit, the activities you do, the preferences you make, the applications and tools you use and the purchases you make and the competitions you enter etc. We may also collect information relating to the computer, mobile phone or other device including the device type, the browser, location, IP address and search words used. We may collect, use, disclose and store this information in any of the ways set out in this Privacy Policy.

## 8 **Links to other Websites and Applications**

Our website includes links to other websites, applications and tools that are not owned or operated by Us. We not responsible for the content of those websites, applications or tools, nor for any products, services or information contained in them or offered through



them. You should review the privacy policies and terms and conditions of use of those websites, applications and tools when you visit them. We do not endorse, recommend, condone or represent the companies or any content on any third party linked website and may terminate the link or linking program at any time.

## 9 **How to Access and Seek Correction of Your Personal Information or Complain**

9.1 If you want to find out what Personal Information We hold on you or you believe any of your Personal Information that is held by Us is inaccurate, out of date, incomplete, irrelevant or misleading or it is not necessary for Us to continue to hold it, you can contact Us, and We will either provide you with access to the Personal Information (in so far as We are required to do so by law,) or We will correct it, as applicable, within a reasonable period. We may make a reasonable charge for giving you access to your Personal Information, but We will not charge for you making the request, correcting Personal Information or making a statement as to why We are not correcting your Personal Information. You can contact Us by:

9.1.1 email at the following email address [info@klugogroup.com](mailto:info@klugogroup.com); or

9.1.2 using the contact Us webform on Our websites; [www.klugogroup.com](http://www.klugogroup.com); [www.nextservicesoftware.com](http://www.nextservicesoftware.com); [www.headland.com.au](http://www.headland.com.au).

9.2 If you wish to complain about a breach of any Australian Privacy Principle that binds Us, a registered privacy code that binds Us or this Privacy Policy you should contact Us by:

9.2.1 email at the following email address [info@klugogroup.com](mailto:info@klugogroup.com); or

9.2.2 using the contact Us webform on Our website.

9.3 We will use Our best efforts to respond to any complaint within 5 business days of the date of receipt. We will attempt to resolve your complaint to your satisfaction. If you are not



satisfied with how We deal with your complaint you may contact the Australian Information Commissioner, whose contact details can be found at <http://www.oaic.gov.au/>.

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Software and marketing solutions  
for better business results.