

InfoTrack Privacy Policy

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1. General

In this Privacy Policy, **InfoTrack, we, our** or **us** means InfoTrack Pty Limited (ABN 36 092 724 251) and its Australian subsidiaries. A list of our subsidiaries can be found [here](#).

This Privacy Policy sets out how InfoTrack treats the personal information that we collect, use and disclose and our procedures regarding the handling of personal and sensitive information, including the collection, use, disclosure and storage of information, as well as the right of individuals to access and correct that information.

From time to time, we may revise or update this Privacy Policy or our information handling practices. If we do so, the revised Privacy Policy will be published on our websites, www.infotrack.com.au and www.infotrackgo.com (our **Websites**).

InfoTrack may collect personal information in order to conduct our business, to provide and market our services and to meet our legal obligations. By using our Websites or our services, or by providing any personal information to us, you consent to the collection, use and disclosure of your personal information as set out in this Privacy Policy.

InfoTrack is bound by the *Privacy Act 1988* (Cth) (as amended), including the Australian Privacy Principles (**Privacy Act**).

The performance of our functions and activities, including our collection, use, storage, retention, security and disclosure of your personal information is in accordance with all relevant privacy laws including the Privacy Act and the *Australian Crime Commission Act 2002* (**ACC Act**).

2. The types of personal information we collect and hold

The types of personal information that we collect and hold may include:

- **contact details** including your name, address, contact telephone number, email address and other contact details
- **payment information** such as credit card or bank details
- **business related information:** personal information about the employees of our clients, suppliers, business associates and prospective business associates including contact details, roles and responsibilities
- **service request information:** personal information collected directly from you or from our clients that is required to provide our services to them or you, for example:
 - certain information to complete, lodge or file property transactions and dealings and court matters
 - information required to fulfil a request for our products and services including but not limited to: property searches and certificates, Australian Securities and Investment Commission (**ASIC**) company searches, Personal Property Securities Register (**PPSR**) searches and Australian Financial Security Authority (**AFSA**) bankruptcy searches
 - details required to obtain National Coordinated Criminal History Checks (**Police Checks**) supplied by the Australian Criminal Intelligence Commission (**ACIC**) and the National Police Checking Service (**NPCS**), such as all names the Applicant has previously been known by, date of birth, residential history, biometric information, demographic information, information relating to an Applicant's check purpose and information or opinion relating to an Applicant's current or previous application process; and
 - details required to obtain a Verification of Identity check supplied by the Commonwealth Government Document Verification Scheme (**DVS**), such as all names the Applicant has previously been known by, date of birth, and identity documents such as driver licence,

passport, Medicare card; and

- **Product and Services data:** information from third party suppliers in connection with the services we provide you or our clients including information such as:
 - property ownership and other property related information
 - company shareholdings and directorships
 - results of PPSR and ASFA Bankruptcy searches
 - information contained in Police Checks supplied by ACIC and NPCS; and
 - document verification information supplied by DVS in connection with our Verification of Identity Services

See our Websites for a more comprehensive list of all products and services.

- **meta data:** information about your usage of our products and services that may include IP addresses and contact details from automatic logging services.

You are not obliged to provide personal information to InfoTrack. However, in many cases, if you do not provide your personal information to us, we may not be able to supply the relevant product or service that you have requested from us.

In some circumstances, you may provide to us, and we may collect from you, personal information about a third party. Where you provide the personal information of a third party, you must ensure that the third party is aware of this Privacy Policy, understands it and agrees to accept it.

If it is necessary to provide specific services to you, we may collect sensitive information about you. Under the Privacy Act, “sensitive information” includes but is not limited to information or an opinion about an individual’s racial or ethnic origin, religious belief, or criminal record and also includes health information about an individual. However, we will only collect sensitive information from you if you agree to provide it to us, you authorise us to obtain it from a third party or where the collection of the information is required or authorised by or under an Australian law or a Court/Tribunal order or otherwise where the collection is not prohibited under the Privacy Act. We will only use sensitive information in accordance with the Privacy Act and for the purpose for which it is provided.

3. Adoption, use and disclosure of government related identifiers

InfoTrack, or its related body corporates in the ATI Group, may collect some personal information that is a government related identifier.

Personal information from identity documents may be provided to the document issuer or official record holder via third party systems for the purpose of confirming your identity, for example, DVS. Where InfoTrack does collect government related identifiers, they are maintained on a separate database for audit and compliance purposes.

InfoTrack may use or disclose a government related identifier where:

- it is reasonably necessary for InfoTrack to verify the identity of the individual for the purposes of our business activities or functions; or
- as required or authorised by law or in accordance with the order of a Court or Tribunal, or where it is otherwise permitted to do so under the Privacy Act.

4. How personal information is collected and held by us

We collect personal information about You from the following sources:

- Directly from you
- From our clients
- From our third party suppliers and partners
- Automatically

4.1 Directly

We collect personal information directly from you in the following ways:

- when you submit personal information through our Websites (such as when you send us a message or fill out a form);
- in person, for example, when you engage with our HelpDesk and Property Services teams; and
- in the course of providing our services to you.

4.2 From our clients

We may also collect information about you from our clients (such as your law firm or bank) to provide them with our services, which may be in connection with their personal or business needs such as conveyancing transactions they are conducting or due diligence searches they require.

4.3 From third party suppliers and partners

We may also collect information about you from our third parties in the following ways:

- when you connect to a third party or connect to our services via a third party, for example, an integration partner
- third party suppliers and government database services in connection with the information brokerage services we provide to our clients

4.4 Automatically

Information that may identify you as a user may be automatically gathered during your access with our Websites or our services:

- Information about your usage of our Services that may include IP addresses and contact details from automatic logging services.
- Information submitted or stored within the services or transferred to the services by an integration partner such as matter information and files that may incidentally include sensitive data including copies of identification documents.
- Device data when you use one of our applications.

For more information about our use of cookies and tracking technologies, please see our [Cookie Notice](#).

5. The purposes for which we collect, hold, use and disclose personal information

5.1 Business purposes

We collect, hold, use and disclose personal information for a variety of business purposes including:

- to provide the products or services you have requested from us;
- to process payments;
- to improve our business, products and services;
- to promote our business to you;
- to market other InfoTrack services or products to you;
- to handle and respond to your enquiries, complaints or concerns; and
- to provide personal information to third parties as set out in this Privacy Policy.

5.2 Direct marketing

We also collect, hold, use and disclose your personal information to:

- notify you about the details of new services and products offered by us;
- notify you of the details of meetings, events and seminars that may be of interest to InfoTrack customers and clients;
- send you our newsletters and other marketing publications;
- administer our databases for client service, marketing and financial accounting purposes; and
- to comply with our legal requirements regarding the collection and retention of information concerning the products and services that we provide.

If you do not wish to disclose your personal information for the purpose of direct marketing or you would like to opt-out of receiving direct marketing communications, you can do so by contacting the InfoTrack Privacy Officer using the contact details set out below, or by following the instructions to unsubscribe which are contained in a communication that you receive from us.

6. Who do we disclose personal information to?

We disclose your personal information to the following categories of recipients:

- ATI Group & related companies
- Third Party Service Providers
- Third Party Partners
- Third Party Suppliers

6.1 The ATI Group and Related Companies

InfoTrack may disclose your personal information to members of the ATI Group, which includes our parent company ATI Global Pty Ltd and its subsidiaries, including:

- Legal Software Pty Ltd and its subsidiaries a full list of which can be found [here](#).
- Legal Search Pty Ltd and its subsidiaries, a full list of which can be found [here](#).

Different companies within the ATI Group provide different services. At times, we may need to provide personal information to other ATI Group members to help them run their businesses or for reporting purposes.

InfoTrack's clients are often a mutual client of both InfoTrack and one of our ATI Group members. InfoTrack may share information with other ATI Group members to provide and ensure the smooth running of the services which we, and they, both provide to our mutual clients.

6.2 Third Party Vendors

The third party vendors to whom we may disclose your personal information are:

- Our Contractors and Subcontractors
- Our Third Party Suppliers

Contractors and Subcontractors

We may disclose your personal information to third parties who work with us in our business to promote, market or improve the services that we provide, including:

- providers of customer relations management database services and marketing database services;
- marketing consultants, promotion companies and website hosts; and
- consultants and professional advisers.

We may also combine your personal information with information available from other sources, including the entities mentioned above, to help us provide better services to you.

Third Party Suppliers

In order to provide InfoTrack's products and services to our clients, we must often submit a request to our third party suppliers, which may include personal identifiers where required. The third parties to whom we may disclose your personal information for these purposes include suppliers such as:

- ACIC and NPCS for Police Checks
- DVS as part of our Verification of Identity services
- State and Territory Land Registry Offices
- ASIC for company searches
- ASFA for bankruptcy & PPSR searches
- See our Websites for more information about the products and services InfoTrack supplies.

6.3 Third Party Partners

The third party partners to whom we may disclose your personal information are:

- Our Reseller Partners
- Our Integration Partners

Where we do share information with third parties, we require that there are contracts in place that only allow use and disclosure of personal information to provide the service and that protect your personal information in accordance with the Privacy Act.

Otherwise, we will disclose personal information to others if you've given us permission, or if the disclosure relates to the main purpose for which we collected the information and you would reasonably expect us to do so.

Reseller Partners

InfoTrack sometimes appoints resellers of its products and services. InfoTrack and the ATI Group may share information with our reseller partners to support their supply of those products and services.

These reseller partners include:

- Sydney Legal Agents,
- AusSearch,
- AIC NSW, and
- other reseller partners as mentioned on our Websites and updated from time to time.

Integration Partners

InfoTrack's clients are also often a mutual client of both InfoTrack and one of our integration partners. InfoTrack and the ATI Group may share information with our integration partners to provide and ensure the smooth running of the services which we, and they, both provide to our mutual clients. These integration partners include:

- Sympli Pty Ltd,
- Practice Evolve Group Pty Ltd and its subsidiaries,
- Legal Software Developments Pty Ltd and its subsidiaries, and
- other integration partners as mentioned on our Websites and updated from time to time.

6.4 Third Party Suppliers

In order to provide InfoTrack's products and services to our clients, we must often submit a request to our third party suppliers, which may include personal identifiers where required. The third parties to whom we may disclose your personal information for these purposes include suppliers such as:

- ACIC and NPCS for Police Checks
- DVS as part of our Verification of Identity services
- State and Territory Land Registry Offices
- ASIC for company searches
- ASFA for bankruptcy & PPSR searches
- See our Websites for more information about the products and services InfoTrack supplies.

ACIC, NPCS and Police Checks

A specific third party supplier who we may disclose personal information to is ACIC and NPCS, for the purposes of obtaining Police Checks. Should ACIC and NPCS conduct audits upon us from time to time, we may also collect and provide data to them for the purposes of compliance with such audits.

ACIC and NPCS use this personal information to disclose to us police information relating to you, including Police Checks, to update records held about you and for law enforcement, including purposes set out in the ACC Act.

Our relationship with ACIC and NPCS as a third party service provider is governed by a contractual arrangement, such contract being the *Agreement for controlled access by duly Accredited Bodies to Nationally Coordinated Criminal History Checks*.

Data collected for the purposes of obtaining Police Checks from ACIC and NPCS is held by us for no less than 12 months, but no more than 15 months, following collection.

The Privacy Act and ACC Act authorise and apply to us in relation to the collection, use, storage, security and disclosure of your personal information for the purpose of this service.

National Police Checking Service (NPCS)
GPO Box 1936, Canberra City ACT 2601
NPCS@acic.gov.au
(02) 6268 7000

7. Disclosure of personal information to overseas recipients

We do not presently disclose personal information to any organisations located overseas; however, we do disclose information in Australia, for the purposes described above, to some multinational organisations that are located both in Australia and overseas, including the United Kingdom, the United States and New Zealand.

With respect to Police Checks provided by ACIC and NPCS, no data collected for the purposes of this service will ever be transferred or stored outside of Australia, unless InfoTrack applies for, and is granted, a Permitted Offshore Transfer arrangement with the ACIC.

With respect to InfoTrackID and verification of identity services provided by InfoTrack, no data collected for the purposes of this service will ever be transferred or stored outside of Australia.

8. How personal information is protected by us

We are committed to protecting your personal information and take steps to protect your personal information against loss, unauthorised access, use modification or disclosure, including, for example:

- firewalls implemented across all office networks and sites;
- anti-virus software deployed on all workstations;
- cyber security training for all employees at point of onboarding and throughout the year;
- imposing restrictions on physical access to paper files;
- requiring any third parties engaged by InfoTrack to provide appropriate assurances to handle your personal information in a manner consistent with the Privacy Act; and
- taking reasonable steps to destroy or de-identify personal information after we no longer need it for our business or to comply with the law.

InfoTrack operates an Information Security Management System (**ISMS**) with full consideration of the ISO27001:2013 standard and with the support of our senior management. ISMS contains various policies which outline the security management measures we have applied to protect your personal information and safeguard against unauthorised access and unnecessary retention of your personal information in our systems. All employees and any contractors of InfoTrack must comply with our ISMS.

Staff accessing our system must pass appropriate security clearance requirements and access to systems are centrally restricted and monitored, including the use of suitable password protection measures.

All personal information we collect from you is stored in a secured location in Australia on infrastructure managed by InfoTrack. Data is encrypted during transit using current TLS protocol and stored encrypted at rest using AES-256 encryption.

9. How we handle requests to access your personal information

You have a right to request access to your personal information which we hold about you. You can make such a request by contacting the InfoTrack Privacy Officer using the contact details set out in this policy.

We will respond to any such request for access as soon as reasonably practicable. Where access is to be given, we will provide you with a copy or details of your personal information in the manner requested by you where it is reasonable and practicable to do so.

We will not charge you a fee for making a request to access your personal information. However, we may charge you a reasonable fee for giving you access to your personal information.

In some cases, we may refuse to give you access to the information you have requested or only give you access to certain information. If we do this, we will provide you with a written statement setting out our reasons for refusal, except where it would be unreasonable to do so.

10. How we handle requests to correct your personal information

We will take such steps (if any) as are reasonable in the circumstances to make sure that the personal information we collect, use or disclose is accurate, complete, up to date and relevant.

If you believe the personal information we hold about you is inaccurate, irrelevant, out of date or incomplete, you can ask us to update or correct it. To do so, please contact us using the contact details listed below. Our HelpDesk or Sales staff can generally assist with updating your personal information immediately over the phone, however if you are unhappy with the handling of your request to update or correct your personal information, you may request that the matter be escalated to our Privacy Officer for further review.

If we refuse your request to correct your personal information, we will let you know why. You also have the right to request that a statement be associated with your personal information that says you believe it is inaccurate, incomplete, irrelevant, misleading or out of date.

11. European Union & UK residents

If you are a resident of the European Union or the UK, then you may have rights under data protection laws in relation to the personal information we hold about you, depending on which laws are applicable (such as the European General Data Protection Regulation (**GDPR**) or the UK Data Protection Act 2018 (**DPA**)).

If you are a resident of the European Union or the UK then, for the purposes of the GDPR and DPA, in addition to what is set out above, the following applies to you:

InfoTrack is a data controller and processor for the purposes of the GDPR and DPA and by consenting to this Privacy Policy, InfoTrack is able to process your Personal Information in accordance with this Privacy Policy.

For personal information that we process on behalf of our clients, we do so on the instructions of the client as a controller. If we process your information on behalf of a client and you wish to exercise any of your data protection rights under applicable law, please contact the relevant client directly.

In providing services to you, InfoTrack may make use of a number of automated processes using your Personal Information and your activity on our site as tracked by us, in order to provide more tailored and relevant services to you.

In addition to your rights set out above, you may update or rectify any of your Personal Information that we hold about you, in the manner described in the "How you can access your personal information" paragraph above.

12. How to contact us or make a complaint

If you have any questions about this Privacy Policy, if you wish to correct or update information we hold about you or if you wish to request access to your personal information or make a complaint about a breach by InfoTrack of the Australian Privacy Principles (including the way we have collected, disclosed or used your personal information), please contact our Privacy Officer by post, email or phone via the below details:

InfoTrack Privacy Officer
 GPO Box 4029 Sydney NSW 2001
Privacy@infotrack.com.au
 1800 738 524

When you make the complaint please identify yourself, including your contact details, provide a brief description of the matter and why you think InfoTrack has mishandled your information, and how you would like us to resolve the matter.

We will then acknowledge, investigate and respond to any complaint as soon as practicable, but within a period of no more than 30 days. You can call us at any time during this period to check on the status of your complaint. We will take reasonable steps to remedy any failure to comply with our privacy obligations, however if you are unhappy with the handling of your complaint by our Privacy Officer, you may let us know that you would like the matter to be escalated for further internal review.

If you are still unhappy with our handling of the complaint, you may contact the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/>

13. Police Check Disputes

If you believe there is an error or problem dispute regarding a Police Check result, as supplied by ACIC and NPCS, please contact us via the above details to raise a dispute and provide us with any additional information and supporting evidence.

We will action and escalate all raised disputes by completing a Dispute form on your behalf and providing this form, together with any additional supporting documentation provided by you, to NPCS. The relevant police agency and NPCS will then review the dispute and provide a dispute outcome (and where possible, reasoning for the outcome) which we will share with you.

The period of time to resolve a dispute process can vary depending on the complexity of the matter.

