DataLlama Pty Limited Privacy Policy

Last updated 26/09/2019

This Privacy Policy describes how DataLlama Pty Limited manages personal information of our end user customers. In this Privacy Policy, "*we*", "*our*" and "*us*" are all references to DataLlama Pty Limited ABN 48 634 622 405.

Our legal obligations

We are committed to respecting your privacy and complying with our privacy obligations in accordance with the Australian Privacy Principles contained in Schedule 1 to the *Privacy Act 1988* (Cth) (the "*Privacy Act*").

About this Privacy Policy

This Privacy Policy sets out our policy on the collection, use and disclosure of personal information processed by our embedded analytics software platform known as *DataLlama Cloud* ("*DataLlama Cloud*"). *DataLlama Cloud* add additional information to raw data, append new data fields, add formulas or statistical data points to create new fields and correct and/or remove incorrect or poor-quality data. It also addresses our collection, use and disclosure of personal information by us independently of *DataLlama Cloud.*

This Privacy Policy also describes:

- The period for which we store personal information;
- Your rights to access and rectify or to request erasure of personal information;
- The right to lodge a complaint with the Office of the Australian Information Commissioner;
- Why we collect and process personal information, the categories of personal information that we process, and who we disclose it to;
- Details of the security measures that we take to help protect personal information;
- Other information about how we collect, use, disclose and process personal information.

Summary of Key Points	
Our identity and contact details	*DataLlama Cloud* is owned and operated by DataLlama Pty Limited ABN 48 634 622 405. Our contact details are set out at the end of this Privacy Policy.
Personal information that we process	- Data entered into and/or uploaded into *DataLlama Cloud* by our Customers when using *DataLlama Cloud* - Data entered into and/or uploaded into *DataLlama Cloud* by us on our Customers' behalfs - Data relating to communications between us and our Customers
The purposes for the processing	We process personal information in order to provide and the functionality facilitated by *DataLlama Cloud* and for other reasons set out in this Privacy Policy. We only process personal information in accordance with our legitimate interests and otherwise in accordance with applicable data protection laws.
Who we disclose personal information to	We only disclose personal information to third parties who perform services on our behalf to the extent necessary for them to perform those services. We do not sell personal information to third parties for their own marketing purposes and we only disclose the minimum amount of personal information required. We may disclose personal information that we collect to third parties for all or any of the purposes set out in this Privacy Policy.
Security	We take our privacy obligations very seriously. Accordingly, we strive to only process personal information in a manner that ensures appropriate security of the personal information, by

	using reputable hosting providers and implementing security protocols that are designed to protect personal information against unauthorised or unlawful processing and against accidental loss, destruction or damage Our Privacy Policy provides detailed information about the security measures that we take to protect personal information.
Transfer of data to other countries	We may transfer your personal information to our contractors and service providers who assist us with providing our products and services to you, where we consider it necessary for them to provide that assistance.
Cookies	We do not use cookies on *DataLlama Cloud*
Your rights	If we collect personal information about you, you have rights under the *Privacy Act 1988* (Cth) that we must respect in relation to your personal information. These rights are described in this Privacy Policy and the Privacy Act.
How long we store personal information for	We only store raw data provided to us by our customers while they have a valid subscription to *DataLlama Cloud*. We store curated data for as long as it is reasonably necessary to do so for our legitimate business purposes. Where required by law, we de-identify or destroy personal information.

If we decide to change this Privacy Policy, we will post the updated version on this webpage so that you will always know what personal information we gather, how we might use that information, and whether we will disclose it to anyone.

Personal information

In this Privacy Policy, "personal information" has the meaning given to the term "personal information" in the Privacy Act.

The Privacy Act defines "personal information" as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

(a) whether the information or opinion is true or not; and
(b) whether the information or opinion is recorded in a material form or not.

Note: Section 187LA of the Telecommunications (Interception and Access) Act 1979 extends the meaning of personal information to cover information kept under Part 5 -1A of that Act.

Principles relating to the collection of personal information

Our policy is to minimise the amount of personal information we collect. Accordingly, we only collect personal information that is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

We collect personal information that you give us, whether by email, telephone, in person, via application forms or otherwise. We may also obtain personal information directly from third parties including from our Customers. In addition, we may obtain personal information from public sources, where available. However, if it is reasonable and practicable to do so, we will collect personal information about an individual only from that individual.

We will not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of our entity's functions or activities and we will not collect sensitive information unless you consent to the collection and the sensitive information is reasonably necessary for one or more of our functions or activities, or we collect it pursuant to subclause 3.4 of the Australian Privacy Principles. Please notify us if you are not of old enough or not otherwise able to provide us with consent, and if so do not provide us with any consent for the purposes of applicable privacy law.

Personal information that we collect and how we use it

Our policy is to minimise the amount of personal information we collect. Accordingly, we only collect personal information that is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

The personal information that we collect and how we use it is as follows:

(a) ***Subscription/registration, payment, transaction and profile data****:* If you are a Customer who subscribe to *DataLlama Cloud*, we will collect and otherwise process the following categories of your personal information: names, telephone numbers, mobile numbers, email addresses, records of your subscription, details of your authorised end users, usage records, postal addresses and business addresses. We will process this personal information in order to administer our Customer subscriptions and accounts on *DataLlama Cloud*, for the purposes of providing Customers with access to and use of *DataLlama Cloud*, to enforce our rights and Customers' obligations to us and to otherwise enforce compliance by our Customers with our SaaS Trial Agreement and/or Master Services Agreement and the contractual obligations that they owe to us. We will also process this personal information in order to provide our Customers with information and assistance about *DataLlama Cloud*, and to communicate with our Customers in connection with any maintenance notices (that we may issue when *DataLlama Cloud* are unavailable), renewal notices and service status updates for the purposes of keeping our Customers informed and up to date about the status of our *DataLlama Cloud*.

(b) ***Data entered into and/or uploaded into DataLlama Cloud by our Customers****:* We collect and process any personal information that Customers upload or enter into *DataLlama Cloud* (or that we upload on their behalf). We will process this personal information on behalf of our Customers in order to provide our Customers with *DataLlama Cloud* and the functionality provided by *DataLlama Cloud*. We will also process this personal information to monitor compliance with the terms and conditions of our SaaS Trial Agreement and/or Master Services Agreement, to maintain backups of our databases and to detect unauthorised use and faults with *DataLlama Cloud* (such as, by examining log files and error messages). The personal information will also be used to provide our Customers with professional services (including technical support and consulting services) if and where required pursuant to our SaaS Trial Agreement and/or Master Services Agreement or where otherwise agreed.

(c) ***Data relating to communications between us and our Customers****:* When our end Customers contact us, we will collect and process personal information including the name of the Customer, the IP address of the Customer and any other personal information that Customers provide to us during those communications. For example, our Customers may contact us to ask questions about our *DataLlama Cloud*, seek technical support or advice and to express their interest in subscribing to *DataLlama Cloud* or for the purposes of upgrading or modifying their accounts on our platform. We will process this personal information in order to provide our Customers with information and assistance about *DataLlama Cloud*, and to communicate with them in connection with any breach, expiry, termination or suspension of *DataLlama Cloud*.

(d) ***Analytics data****:* We collect and process personal information known as analytics data for statistical and analytical purposes, designed to measure and monitor how our *DataLlama Cloud* is being used and to highlight any areas for improvement, optimisation and enhancement of *DataLlama Cloud*, including user location, IP addresses, information about devices accessing *DataLlama Cloud* (IP address, the type of device used to access *DataLlama Cloud* and the operating system), the amount of time a user spent on our cloud platform and in which parts of the platform, and the path they navigated through the platform. We will process this personal information in order to monitor and detect unauthorised use of *DataLlama Cloud* and to establish how *DataLlama Cloud* is used and to highlight areas for potential improvement of *DataLlama Cloud*. We often aggregate this data with other data. However, where the data is classified as personal information we treat it in accordance with this Privacy Policy.

Who we share personal information with

We only disclose personal information to third parties who perform services on our behalf to the extent necessary for them to perform those services. We do not sell personal information to third parties for their own marketing purposes and we only disclose the minimum amount of personal information required. We may disclose personal information that we collect to third parties for all or any of the following purposes:

- ***To provide you with DataLlama Cloud*** – in which case we disclose your personal information to our upstream hosting suppliers who host *DataLlama Cloud* and the personal information that you enter into and/or

upload in to *DataLlama Cloud*. Our hosting suppliers host that personal information on their computer servers;
- *So that we can obtain assistance* with the provision of *DataLlama Cloud* – in which case we may disclose your personal information to members of our corporate group who we may subcontract the provision of all or part of *DataLlama Cloud* to;
- *Handling claims and complaints* – in which case we may disclose your personal information to our lawyers and insurers;
- *In order to identify our Customers* - when we are contacted with questions or concerns regarding the products and services we provide;
- *In order to configure a new service* for our Customers;
- *In order to interface with third party platforms* – where you configure your account on *DataLlama Cloud* or use *DataLlama Cloud* to do so – in which case we will disclose personal information that you upload or enter into *DataLlama Cloud* as necessary for that interfacing to occur;
- *For professional advice* - when providing information to our legal, accounting or financial advisors/representatives or debt collectors for debt collection purposes or when we need to obtain their advice, or where we require their representation in relation to a legal dispute;
- *If we sell the whole or part of our business of DataLlama Cloud or merge* with another entity – in which case we will provide to the purchaser or other entity the personal information that is the subject of the sale or merger;
- *Where required by law*.

We may also provide your personal information to our lawyers, insurers and professional advisors and any court or administrative body, for one or more of the following purposes:

- For the purposes of obtaining professional advice;
- To obtain or maintain insurance;
- The prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
- To protect or enforce our rights or defend claims;
- Enforcement of our claims against you or third parties;
- The enforcement of laws relating to the confiscation of the proceeds of crime;
- The protection of the public revenue;
- The prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
- The preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of the court or tribunal.
- Where disclosure is required to protect the safety or vital interests of employees, end users or property.

Third party platforms

DataLlama Cloud may include links to, or interface with third party websites and platforms. Our linking to those websites and platforms does not mean that we endorse or recommend them. Where a Customer uses *DataLlama Cloud* or *DataLlama Cloud* to provide personal information to a third party website or platform, the Customer does so at its own risk. We do not warrant or represent that any third party website or platform operator complies with applicable data protection laws. You should consider the privacy policies of any relevant third party websites and platforms prior to sending your personal information to them.

Security

We take our privacy obligations very seriously. Accordingly, we only process personal information in a manner that ensures appropriate security of the personal information, including by protecting the personal information against unauthorised or unlawful processing and against accidental loss, destruction or damage using appropriate technical or organisational measures.

The technical and organisational measures that we have implemented are as follows:
- We maintain physical security measures in our buildings and offices such as door and window locks and visitor access management, cabinet locks, surveillance systems and alarms.
- We carry out security audits of our systems which seek to find and eliminate any potential security risks in our electronic and physical infrastructure as soon as possible.
- We have a Data Breach Response Plan in place

- We have data backup, archiving and disaster recovery processes in place
- We have processes in place to ensure integrity and resilience of systems, servers and personal information
- We implement the following Microsoft Azure security policies:

Security Policies: Microsoft Azure	Azure B2C - will provide key to Customer to access function app	https://docs.microsoft.com/en-us/azure/active-directory-b2c/index
	Azure Function App uses Microsoft graph to get users	https://www.microsoft.com/en-au/security/partnerships/graph-security-api
	Azure key vault to hold the keys	https://azure.microsoft.com/en-au/services/key-vault/
	Azure Identity Manager	https://docs.microsoft.com/en-us/azure/security/fundamentals/identity-management-best-practices
	Azure SQL – Authentication using AD	https://docs.microsoft.com/en-us/azure/security/fundamentals/database-best-practices
	Azure SAML – Tableau authentication -	https://docs.microsoft.com/en-us/azure/active-directory/develop/single-sign-on-saml-protocol
	Azure VM - through Identity manager + Azure key vault -	https://docs.microsoft.com/en-us/azure/security/fundamentals/virtual-machines-overview

If you refuse to provide us with personal information

You can only browse limited pages of *DataLlama Cloud* without registering as a subscriber of *DataLlama Cloud*, such as the pages that generally describe the services that we make available through *DataLlama Cloud*, and our Contact Us page. However, when you subscribe to *DataLlama Cloud*, we need to collect personal information from you in order to identify you and setup an account, web app or instance for you on *DataLlama Cloud*. We will also collect personal information from you when you use *DataLlama Cloud* when you enter the personal information into *DataLlama Cloud*, when you contact us for technical support and assistance with your account, when gathering analytics data about your use of *DataLlama Cloud* and for the other purposes set out above in the Privacy Policy. You have the option of not identifying yourself or using a pseudonym when contacting us to enquire about our *DataLlama Cloud*, but not if you wish to actually access our *DataLlama Cloud* or use any of our other services. It is not practical for us to provide you with *DataLlama Cloud* if you refuse to provide us with personal information.

Spam email

We do not send "junk" or unsolicited e-mail in contravention of the *Spam Act 2003* (Cth). We will, however, use e-mail in some cases to respond to inquiries, confirm purchases, or contact Customers and end users. These e-mails may be automatically generated. Anytime a Customer or end users or visitor receives e-mail it does not want from us they can request that we not send further e-mail by contacting us via email at: privacy@datallama.com. Upon receipt of any such request, we will remove the person from our database to ensure that they cease to receive automated emails from us.

Overseas transfers of personal information

We will not transfer personal information overseas.

Retention and de-identification of personal information

We only store raw data provided to us by our customers while they have a valid subscription to *DataLlama Cloud*. We store curated data and other personal information that we collect for as long as it is reasonably necessary to do so for our legitimate business purposes. Where required by law, we de-identify or destroy personal information.

How to access and correct personal information held by us

Please contact us if you wish to access your personal information that we hold about you, using the details set out at the end of this Privacy Policy. We will handle your request for access to your personal information in accordance with our statutory obligations. To ensure that we only obtain, collect, use and disclose accurate, complete and up to date personal information, we invite you to contact us and inform us if any of your personal details we hold change or if any of the personal information held by us is otherwise incorrect or erroneous. In exchange for your payment to us of a reasonable fee, we will provide you with a copy of the personal information they we hold about you.

Data Breach Response Plan

Since 22 February 2018, data breaches that are likely to result in serious harm must be reported to affected individuals and the Office of the Australian Information Commissioner, except where limited exceptions apply. We have prepared a response plan for addressing data breaches that may occur and have allocated responsibility for managing breaches to a relevant individual or team. We will notify you of any data breach that may affect you where we are required to do so in accordance with our legal obligations.

Our contact details

DataLlama Cloud is owned and operated by DataLlama Pty Limited ABN 48 634 622 405 of 20 Judson Rd Thornleigh, NSW, 2120. If you wish to contact us for any reason regarding our privacy practices or the personal information that we hold about you, please contact us at the following address:

Privacy Representative
Privacy Officer
Leon Chew
privacy@datallama.com

We will use our best endeavours to resolve any privacy complaint promptly following receipt of your complaint. This may include working with you on a collaborative basis to resolve the complaint or us proposing options for resolution.

If you are not satisfied with the outcome of a complaint you make refer the complaint to the Office of the Australian Information Commissioner (OAIC) who can be contacted using the following details:

Call: 1300 363 992
Email: enquiries@oaic.gov.au
Address: GPO Box 5218, Sydney NSW 2001