

Hybrid Software Privacy Policy

Updated 09 August 2018

While this Privacy Policy (together with any other documents incorporated by reference) is directed at our customers ('you' or 'your') as users of Cutting Edge Software, we understand that it may also be helpful for Health Practitioners who work with you to understand how we deal with the data supplied to us. Accordingly, our Privacy Policy explains what information we collect about our customers as well as about Health Practitioners and their Patients, how we use the information we collect, how we share the information we collect, who we share the information with and how you can access and control your information. Please read the following carefully to understand our views and practices regarding Personal Information and how we will treat it.

Definitions

In this Privacy Policy, the following definitions apply:

- **CESOFT** means the web-based medical billing application operated by us;
- any reference to '**CESOFT**', '**us**', '**we**' or '**our**' means Hybrid Software Pty Ltd ABN 22 114 591 310 trading as Cutting Edge Software;
- **GDPR** means the General Data Protection Regulation;
- **Health Practitioner** means a health practitioner who uses our software;
- **Patient** means a patient of a Health Practitioner;
- **Personal Information** means any information relating to an identified or identifiable natural person and includes information about you, your customers and their patients.

What Personal Information do we collect?

We collect the following types of information about you and your customers:

Information that you provide to us directly

(A) Visiting our website

When you visit our website, we collect the following information (which includes Personal Information) from you:

- where you sign up to our newsletter or send us an enquiry, we collect your name and email address, as well as any other information you choose to supply.

(B) Subscribing up to our software

When you subscribe to CESOFT, we collect the following information (which includes Personal Information) from you:

- your name and email address;
- to the extent reasonably necessary for us to provide you with our products and services, the name, address, date of birth, phone number, email address, bank account details, Medicare details and private health fund details of Patients; and
- the healthcare identifier number, name, address, phone number, practice name and email address of Health Practitioners.

Device information

When you use our software or visit our website, we automatically collect certain information through our use of device identifiers and other technologies. The information that we collect includes:

- your IP address;
- your operating system; and
- software performance data.

Our website uses cookies and other technologies to function effectively. These technologies record information about your use of our website, including:

- **Browser and device data**, such as IP address, device type, operating system and Internet browser type, screen resolution, operating system name and version, device manufacturer and model;
- **Usage data**, such as time spent on the website, pages visited, links clicked, language preferences and the pages that led or referred you to our website.

You can control or reset your cookies through your web browser and, if you choose to, you can refuse all cookies. However, some of the features of our website may not function properly if you disable the ability to accept cookies.

How do we use your Personal Information?

We use the information we collect about you for the following purposes:

- **Providing our products and services:** We use the information that you provide to us to facilitate electronic claims from Health Practitioners to Medicare Australia, the Department of Veterans' Affairs and Australian Registered Health Benefits Organisations. We also use the information to allow you to access CESOFT and to bill you for such use of our software.
- **Communicating with you:** We use your contact information to send communications to you about important changes or updates to our products and services. When in line with the preferences you have shared with us, we also provide you with information or advertising relating to our products and services.
- **Performing data analytics:** We use the information about you to help us improve our products and services, including by generating analytics about how our customers browse and interact with the Site and to assess the success of our marketing and advertising campaigns.
- **Customising our products and services for you:** We use information about you to make sure that our products and services are customised to your needs.
- **Keeping our software secure:** We use information about you to screen for potential risk and fraud, and to identify violations of this Privacy Policy or our Terms of Use.
- **Where required by law:** We will use or disclose your information where we reasonably believe that such action is necessary to: (a) comply with the law and the reasonable requests of law enforcement or a government authority; (b) to enforce our Terms of Use or to protect the security and integrity of our software; and/or (c) to exercise or protect the rights, property or personal safety of Hybrid Software Pty Ltd, our customers or others.
- **Where you have given your consent:** We may seek your consent to use your information for a particular purpose. Where you give your consent for us to do this, we will use your information in accordance with that purpose. You can withdraw your consent to these uses at any time.

We rely on the following legal bases to process this information:

- where you have given your consent for us to use your information or your customer has given you their consent for you to supply us with the information;

- where the processing is necessary to perform a contract that we have with you, for example when you access our software;
- our legitimate business interests, such as improving and developing our products and services and marketing new features or products (but only where our legitimate interest is not overridden by your interest in protecting your Personal Information); and
- where it is necessary for compliance with our legal obligations.

You may at any time refuse to provide the Personal Information that we request. However, this may limit or prohibit our ability to provide our products and services to you. You may withdraw your consent for us to process Personal Information at any time by contacting us in accordance with our 'Contact us' section below.

Who do we disclose Personal Information to?

Outside of authorised personnel employed by us, we only share your Personal Information with third parties that meet the data privacy conditions described in this Privacy Policy. These third parties help us use your Personal Information in the ways described above, and include:

- **Medicare Australia, the Department of Veterans' Affairs and Australian Registered Health Benefits Organisations.** We rely on the authority given to us under our Notice of Integration with the Australian Government Department of Human Services in order to share Personal Information with these entities;
- **Services providers.** We share Personal Information with a limited number of our service providers. These service providers provide services on our behalf, including payment processing and data analysis;
- **Corporate transactions.** In the event that we enter into, or intend to enter into, a transaction that alters the structure of our business, such as a reorganisation, merger, sale, joint venture, assignment, transfer, change of control, or other disposition of all or any portion of our business, assets or shares, we may share Personal Information with third parties for the purpose of facilitating and completing the transaction.
- **Compliance and harm prevention.** We share Personal Information if we believe it is necessary: (i) to comply with applicable law; (ii) to enforce our contractual rights; (iii) to protect the rights, privacy, safety and property of Hybrid Software Pty Ltd, you or others; and (iv) to respond to requests from courts, law enforcement agencies, regulatory agencies and other public and government authorities.

We do not disclose or transfer any Personal Information outside of Australia.

Changing or deleting your Personal Information

Our customers, Health Practitioners and Patients may also access, review, update, rectify or delete Personal Information by contacting us. We will respond to all requests within 30 days and may request that you verify your identity before we make any changes to the Personal Information we hold. Please note that deleting your Personal Information may limit our ability to provide our services to you.

You can also stop receiving promotional email communications from us at any time by clicking on the "unsubscribe link" in the relevant communication.

We may limit or reject your request in certain cases, including without limitation where the burden or expense of providing access would be disproportionate to the risks to your privacy in the case in question, where the rights of other persons would be violated, as required by law or for governance purposes, or if we do not agree that the Personal Information requires correction. If we refuse a deletion or correction request, we will provide you with a written notice stating our reasons for the refusal. We may also seek to recover from you reasonable costs incurred for providing you with access to any of the Personal Information held by us.

If you need further assistance regarding your access and control of your Personal Information, please contact us.

Security

We follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it (including encryption and password protection). Each of our employees is aware of our security policies, and your information is only available to those employees who need it to perform their jobs.

However, no method of transmission over the Internet using industry standard technology is 100% secure. Therefore, we cannot guarantee the absolute security of your information.

Data Retention

When you submit Personal Information to us, we will maintain this information for our records because we need this information to operate the accounts you have with us, to deliver our products and services to you and for the other purposes set out in the 'What Personal Information do we collect?' section. We will retain this information until we no longer need the information for the purposes for which it was provided or as otherwise permitted by law or until you ask us to delete this information in accordance with our 'Changing or deleting your Personal Information' section above. If and when we are no longer required to retain this Personal Information in accordance with our Privacy Policy, we will either delete or anonymise the Personal Information within 30 days.

Changes to our Privacy Policy

We reserve the right to modify this Privacy Policy at any time in order to reflect, for example, changes to our practices or for other operational, legal or regulatory reasons. If we make material changes to this Privacy Policy you will be notified via email (if we have your contact information) or otherwise in some manner through our services that we deem reasonably likely to reach you.

Any modifications to this Privacy Policy will be effective upon our publication of the new terms and/or upon implementation of the new changes to our services (or as otherwise indicated at the time of publication). In all cases, your continued use of our services or software after the publication of any modified Privacy Policy indicates your acceptance of the terms of the modified Privacy Policy.

Contact us

Thank you for taking the time to read this. Please don't hesitate to get in touch if you have any queries about the use of your private information – call us on 1300 237 638, email us at support@cesoft.com.au or write to us at PO BOX 901 Mount Eliza, Victoria, 3930

If you believe we have breached the Australian Privacy Principles, you must first complain directly to us and we will respond to your complaint within 30 days. If our response is not satisfactory, you are entitled to complain to the OAIC in writing using the form hosted by the Australian Government on the business.gov.au portal.