

Toustone Privacy Notice

At Toustone, respecting your data privacy rights is a top priority. This notice explains why and how we collect personal data about you, how we may process such data, and what rights you have regarding your personal data.

Toustone, as an Australian based company, is not subject to the requirements of the General Data Protection Regulation (GDPR) however we recognise the GDPR as best practise and adhere to its principles in all instances where it does not violate the Australian Privacy Act (1988).

We collect and process your data based on the type of data subject that you are. This notice is laid out such that the general provisions are at the top of this notice. Information specific to the different data subject types are listed in the headings below.

Please read the General Information and then click on the most relevant category(ies) of data subject for your situation.

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General Information

The information in this section is relevant to all categories of data subject.

Who controls your personal data?

Toustone is responsible for your personal data.

You can contact a representative by sending an email to the following address:
privacy@toustone.com.

Your Rights

Individuals under the GDPR have rights. We adhere to conducting our business so that these rights are not violated, and we support your right to make a request to exercise these rights at any point. There are rules and exceptions in relation to these rights. They may not be exercisable in all situations. The GDPR rights are:

1. The right to be informed.

- You have the right to be informed about how Toustone processes your personal data. Typically, Toustone communicates this information through privacy notices such as this one.
2. The right of data access
 - You have a right to obtain a copy of the personal data we hold about you.
 3. The right of data rectification
 - You have a right to ask for the correction of inaccurate or incomplete personal data which we hold about you.
 4. The right of data erasure
 - You have the right to request that personal data be erased when it is no longer needed, where applicable law obliges us to delete the data, or where the processing of it is unlawful. You may also ask us to erase personal data where you have withdrawn your consent or objected to the data processing.
 5. The right to restrict data processing
 - You have the right to restrict the processing of your personal data. Where that is the case, we may still store your information, but not use it further.
 6. The right to data portability
 - You have the right to receive your personal data in a structured, machine-readable format for your own purposes, or to request us to share it with a third party.
 7. The right to object to data processing
 - You have the right to object to our processing of your personal data based on the legitimate interests, where your data privacy rights outweigh our reasoning for legitimate interests. You may also object to our marketing activities or activities related to research.
 8. Rights in relation to automated decision making and profiling.
 - You have the right not to be subjected to a decision based solely on automated processing, including profiling, which produces legal or similarly significant effects. Currently, Toustone does not perform any automated decision making or profiling.

You may make a request based upon these data privacy rights by emailing privacy@toustone.com.

In certain circumstances, we may need to restrict the above rights to safeguard the public interest (e.g., the prevention or detection of crime) or our business interests (e.g., the maintenance of legal privilege).

Consent as a legal basis for processing

For some data processing, Toustone uses consent as a legal basis. If you have consented to processing by Toustone, please be aware that you have the right to withdraw this consent at any point. If you would like to withdraw consent for a particular type of data processing that Toustone performs, please email the following address: privacy@toustone.com.

Complaints to a Supervisory Authority

You have the right to lodge a complaint with a supervisory authority with regards to the way that Toustone processes your personal data.

How we share your data?

We will not share your information with any third parties for the purposes of direct marketing.

We use data processors who are third parties who provide elements of services for us. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us unless it has been authorised by Toustone. They will hold it securely and retain it for the period we instruct.

In some circumstances we are legally obliged to share information, for example under a court order. In any scenario, we will satisfy ourselves that we have a lawful basis on which to share the information and document our decision-making to satisfy ourselves we have a legal basis on which to share the information.

Where personal data is shared with an organisation who is based in a “Third Country” (a country not governed by the GDPR), Toustone will implement appropriate safeguards to ensure the ongoing protection of personal data, e.g. Standard Contractual Clauses, or International Data Transfer Agreements.

How we protect your information?

We implement appropriate technical and organisational measures to protect any personal data that we hold from unauthorised disclosure, use, alteration, or destruction. Where appropriate, we use encryption and other technologies that assist in securing the data you provide. We also require our service providers to comply with strict data privacy requirements when they process your personal data.

How long do we keep your personal data?

We only keep your personal data for as long as necessary for the purposes described in this privacy notice, or until you notify us that you no longer wish us to process your data. After this time, we will securely delete your personal data, unless we are required to keep it to meet legal or regulatory obligations, or to resolve potential legal disputes.

Contact and Further Information

If you have any questions about how we use your personal data, or wish to make a complaint about how we handle it, you may contact Toustone at: privacy@toustone.com.

If you would like to be provided with information about a specific personal data processing activity, you can submit a request for this at privacy@toustone.com.

We collect only the personal data from you that we need for the purposes described above. Certain personal data collected from you relates to your next of kin and emergency contacts. In these cases, you are requested to inform such persons about this Notice.

In the case that you are working at a third-party site (for example Toustone customer location or facility), such third-party may need to process your personal data for their purposes acting as a data controller. In these cases, you will receive or may request a separate privacy notice from the relevant data controller.

What happens if you do not provide us with the information we have requested?

Where it concerns processing operations related to your employment (as described above), Toustone will not be able to adequately employ you without certain personal data and you may not be able to exercise your employee rights if you do not provide the personal data requested.

Although we cannot mandate you to share your personal data with us, please note that this then may have consequences which could affect your employment in a negative manner, such as not being able to exercise your statutory rights or even to continue your employment. Whenever you are asked to provide us with any personal data related to you, we will indicate which personal data is required, and which personal data may be provided voluntarily.

- You may obtain a copy of our assessment regarding our legitimate interest to process your personal data by submitting a request to privacy@toustone.com
- In some cases, we process your personal data on the basis of statutory requirements, for example, on the basis of employment law, allowances, tax or reporting obligations, cooperation obligations with authorities or statutory retention periods, in order to carry out our contractual responsibilities as an employer;
- In exceptional circumstances we may ask your consent at the time of collecting the personal data, for example photos, communications materials, and events. If we ask you for consent to use your personal data for a particular purpose, we will remind you that you are free to withdraw your consent at any time and we will tell you how you can do this.

Regarding special categories of personal data, we will only process such data in accordance with applicable law and:

- with your explicit consent for specific activities in accordance with applicable law;
- when necessary for exercising rights based on employment, or social protection law or as authorised by collective agreement, or for preventive and occupational medicine or and evaluation of working abilities; or
- where necessary for establishment, exercise, and defence of legal claims.

Regarding personal data concerning criminal convictions and offences, we will only process such data where such processing is permitted by applicable (local) law.

Employees

The information in this section applies to current, past, or potential employees. Depending on your specific circumstances, your data may be used in all, some of, or none of the below listed processes:

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Payroll	Collection of data to process employee payroll fortnightly.	Contract	Not Applicable
Data Breach Management	Responding to data breaches involving personal data.	Legal obligation	Not Applicable
Employee User Account Management (Internal)	The management of employee user accounts within business systems and tools. This includes the provisioning and deprovisioning of accounts, access requests, and licensing.	Legitimate interest	To provide employees with access to our business systems in a secure manner.
Staff CVs	Standard CVs on staff employed at Toustone for use with client proposals and tenders.	Contract	Not Applicable
Support Desk Request	Processing and investigating requests for support	Legitimate Interest	Require assistance from support desk
Employee Recruitment	Recruitment of new staff. This process includes defining a job role, interviews,	Contract	Not Applicable

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
	employment offers, and acceptance by candidate.		
Talent Management Performance	Psychometric and performance assessment of staff and potential employees.	Legitimate interest	To perform psychometric and performance assessment of staff and potential employees.
Background Check	A pre-employment criminal background checks for potential employees	Contract	Not Applicable
Right to work	Allows Toustone to confirm the eligibility of employees right to work in a particular country.	Legal obligation	Not Applicable
Employee Onboarding	After candidate job acceptance, this process involves fully onboarded employee with IT accounts set up, on payroll, Superannuation etc.	Contract	Not Applicable
Employee Offboarding	The management of voluntary or involuntary leavers.	Contract	Not Applicable
Remuneration & Benchmarking Data	Management of remuneration and pay decisions using benchmarking data from third parties.	Legitimate interest	To enable Toustone to evaluate jobs against market pay data to ensure we are appropriately paying individuals for their role and level.
Employee Share Options	Issuing and management of employee share options	Contract	Not Applicable
Employee Training & Learning	All employee training, from that of individuals for specific purposes to mass training such as GDPR or Health and safety.	Contract	Not Applicable
Employee Appraisal and Management	Annual performance appraisal and development plan and management on employee performance.	Legitimate interest	Necessary to provide the opportunity for two-way appraisal feedback, and to create and review annual development plans for employees.
Employee Disciplinary	From initiation of a complaint to completion of disciplinary process.	Contract	Not Applicable
Employee Redundancy	Management of employee redundancy packages. Includes consultation to employee release or a move to a new role.	Contract	Not Applicable
Employee expenses	Processing Staff Expenses	Contract	Not Applicable
Employee Sales Commission Calculations	Calculation of employee sales commissions.	Contract	Not Applicable
Equipment Purchasing	The process of purchasing equipment for employees.	Legitimate interest	To provide staff with company-issued work devices. This allows segregation of work and social life and improves security.

Transfers of Personal Data to Third Parties

Toustone may transfer your personal data to third parties. Toustone may transfer your personal data to the following third parties:

- Xero
- Australian Tax Department
- Your nominated superannuation fund.
- Westpac
- Google Drive
- Amazon Web Services

Contractors & Temporary Workers

The information in this section applies to current past and potential contractors, or workers working under a service contract. Depending on your specific circumstances, your data may be used in all, some, or none of the below listed processes:

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Management of Channel Partners	Management of channel partners including contracting and payment of commission.	Contract	Not Applicable
Data Breach Management	Responding to data breaches involving personal data.	Legal obligation	Not Applicable
Contractor/Temporary Workers User Account Management (Internal)	The management of contractor/temporary workers user accounts within business systems and tools. This includes the provisioning and deprovisioning of accounts, access requests, and licensing.	Legitimate interest	To provide contractor/temporary workers with access to our business systems in a secure manner.
Staff CVs	Standard CVs on staff employed at Toustone for use with client proposals and tenders.	Contract	
Support Desk Request	Processing and investigating requests for support	Legitimate Interest	Require Assistance from support desk
Contractor/Temporary Worker Recruitment	Recruitment of new staff. This process includes: defining a job role, interviews, employment offers, and acceptance by candidate.	Contract	Not Applicable
Background Check	A pre-employment criminal background check for potential contractor/temporary workers	Contract	Not Applicable
Right To Work	Allows Toustone to confirm the eligibility of contractor/temporary workers right to work in a particular country.	Legal obligation	Not Applicable
Contractor/Temporary Workers Onboarding	After candidate job acceptance, this process involves fully onboarded contractor/temporary workers with IT accounts set up, etc.	Contract	Not Applicable
Contractor/Temporary Workers Offboarding	The management of voluntary or involuntary leavers.	Contract	Not Applicable
Contractor/Temporary Workers Training & Learning	All contractor/temporary workers, from that of individuals for specific purposes to mass training such as GDPR or Health and safety.	Contract	Not Applicable
Contractor/Temporary Workers Disciplinary	From initiation of a complaint to completion of disciplinary process.	Contract	Not Applicable
Contractor/Temporary Workers Expenses	Processing Expenses	Contract	Not Applicable

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Equipment Purchasing	The process of purchasing equipment for contractor/temporary workers.	Legitimate interest	To provide staff, with company-issued work devices. This allows segregation of work and social life and improves security.

Transfers of Personal Data to Third Parties

Toustone may transfer your personal data to third parties. Toustone may transfer your personal data to the following third parties:

- Xero
- Australian Tax Department
- Your nominated superannuation fund.
- Westpac
- Google Drive
- Amazon Web Services

Suppliers

This section applies to past, current, and potential third-party suppliers. Depending on your specific circumstances, your data may be used in all, some of, or none of the below listed processes:

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Accounts Payables	The processing of personal data in order to pay invoices.	Contract	Not Applicable
Contracts Management	The processing of personal data in contract management	Contract	Not Applicable

Transfers of Personal Data to Third Parties

Toustone may transfer your personal data to third parties. Toustone may transfer your personal data to the following third parties:

- Xero
- Westpac
- Google Drive

Clients

This section applies to past, current, and potential clients. Depending on your specific circumstances, your data may be used in all, some of, or none of the below listed processes:

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Customer Relationship Management Platform	The collection of personal data using website forms and uploading of this data to customer relationship management systems.	Legitimate interest	Future/potential Toustone clients

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Client Testimonials	Use information gathered and loaded into the CRM for marketing and selling of Toustone products and services.	Legitimate interest	Future/potential Toustone clients
Direct Sales	Use information gathered and loaded into the CRM for marketing and selling of Toustone products and services.	Legitimate interest	Future/potential Toustone clients
Support Desk Request	Processing and investigating requests for support	Legitimate Interest	Require Assistance from support desk
Client Contract Management	Management of client contracts	Contract	Not applicable
Client Invoicing	Draw up and send out client invoices	Contract	Not applicable
Accounts Payable	Pay accounts and expenses	Legitimate Interest	To receive payment for goods and services
Project Costing	Management of project costing tool and costing of projects for quotes	Legitimate interest	Potential client requesting a quote
Website Form Submissions	Collecting personal data through form submissions on the website. This process is to collect data from gated content and to set appointments and demonstrations with our sales teams.	Legitimate interest	To receive the contact information as provided by the user so that we can follow up with them.
Online Events	Management of personal data relating to online events hosted by both Toustone and third parties. Including the distribution of invitations, registration, and broadcasting of webinars to customers and prospects.	Legitimate interest	Allows Toustone to host an online event and engage with prospects, partners & customers. It also enables Toustone to add new contacts to our database and update existing contacts to market efficiently.
In-Person Events	Management of personal data relating to trade shows, dinners, other trade events, hospitality events and conferences.	Legitimate interest	Allows Toustone to host an event, to assess event performance and effectively follow up with interested contacts.
External Sales Partner	Working with external third parties to share information about attendees and registrants to joint marketing events.	Legitimate interest	To build a marketing list data base. To run a marketing campaign for events. And to share data with Toustone ERP partners so that attendees and registrants to an event do not receive multiple invites to the same event from both Toustone and the ERP partner.
Email Marketing	Using third party platform to manage the delivery of marketing emails to prospective and current customers.	Legitimate interest	To deliver resources and materials to a customer who has requested them. To provide updates on the software. To invite

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
			customers to training sessions. To invite customers to webinars & events. To provide resources to customers (e.g. white papers). To open sales discussions with prospects.
Case studies	Case study data is used to demonstrate the effectiveness of Toustone products or services. By collecting data from customers who have used Toustone, we can showcase the benefits of our offerings and build trust with potential customers. Data may be used to improve Toustone services.	Consent	Not applicable
Customer Satisfaction	Sending emails to existing customers to collect feedback about Toustone products and services.	Legitimate interest	To be able to send a customer satisfaction emails to our active customer base.
Customer Management	The management of customer data after an initial purchase has been made. This process includes additional purchases after an initial contract has been signed.	Legitimate interest	To be able to manage customer accounts and support customers to maximise the benefits to their business of the use of our products and offer additional products and services to them.
Client Caching	The use of browser caching to improve customer user experience.	Legitimate interest	To improve the performance of Toustone website for users.
Toustone User Cookie Management	The use of client-side cookies and the recording of information relating to these cookies.	Consent	Not applicable
Session Information	Retaining session information for Toustone user.	Legitimate interest	Necessary to login to the Toustone website.
User Error Logs	The management of application and security logs as part of the Toustone product and Toustone Cloud.	Legitimate interest	Necessary for debugging stability issues.

Transfers of Personal Data to Third Parties

Toustone may transfer your personal data to third parties. Toustone may transfer your personal data to the following third parties:

- Hubspot
- LinkedIn
- Freshdesk
- Google Drive
- Xero

Other Data Subject Types

This section applies to other data subject types who may not have been captured in the above listed categories. Depending on your specific circumstances, your data may be used in all, some or none of the below listed processes:

Purpose of Processing	Description of Processing	Lawful Basis for Processing	Legitimate Interest
Session Cookies	Auto create session cookie to enable access to session in Toustone Environment	Legitimate Interest	Necessary for functioning of environment
Third-Party Website Cookies	Auto create third party cookie/s to enable tracking of website use	Legitimate Interest	Website user
Application and Network Logs	Automatically generate user agents' strings for the functioning of application and network logs	Legitimate Interest	Necessary for functioning of environment
Data Subject Request Management	Management of GDPR data subject requests.	Legitimate Interest	Requested for information

Transfers of Personal Data to Third Parties

Toustone may transfer your personal data to third parties. Toustone may transfer your personal data to the following third parties:

- Amazon Web Services
- Google Drive
- Hubspot
- Google Analytics
- Yellowfin

Unsolicited Personal Information

If you send Toustone unsolicited personal information, for example a CV, Toustone reserves the right to immediately delete that information without informing you, or to decide which category of data subject that you appear to be, and also to manage your personal data within the remit of that category as described elsewhere in this Privacy Notice.

Retention Schedule

Toustone uses the following retention schedule. The following minimum retention periods shall apply:

Data Type	Retention Trigger	Retention Period	Action
Employee Data	End of employment	7 years	Delete
Client Data	End of relationship	1 month	Delete
Contractor Data	End of relationship	7 years	Delete
Supplier Data	End of relationship	7 years	Delete

Where it is not practical to segregate and manage specific data types uniquely, then a blanket 7-year policy will be applied to all data with a prescribed retention period of 6 years or less.