



Centre of Perinatal Excellence

Privacy Policy

1 Privacy Policy

The Centre of Perinatal Excellence (ABN 83 165 215 449) (**COPE, we, us or our**) provides users with:

- (a) access to the websites available at <https://www.cope.org.au> and <https://www.icope.org.au> (the **Websites**);
- (b) access to the mobile solution known as the “iCOPE Digital Health Screening and Assessment Application” (the **Platform**);
- (c) access to the COPE Directory; and
- (d) services made available on the Platform and by COPE,

(together, the **Services**).

COPE recognises the importance of protecting the privacy and the rights of individuals in relation to their personal information. We respect your rights to privacy under the *Privacy Act 1988* (Cth) (**Privacy Act or the Act**) and we comply with the Act’s requirements in respect of the collection, management and disclosure of your personal information. COPE has developed this Privacy Policy in line with the Australian Privacy Principles in the Privacy Act.

This Privacy Policy applies to the Services provided by us, or any of our subsidiary companies. It explains how we collect, store, use, maintain and disclose your personal information. It also provides information on how you can obtain access to or seek correction of your personal information.

We will only collect, use or disclose information that personally identifies you in accordance with this Privacy Policy, unless we are required to disclose it by law or, in our opinion, we are required by disclose it to protect the rights or property of us or any third party or to avoid injury to any person.

References to ‘you’ or ‘your’ in this Privacy Policy are references to any person or party that accesses the Websites and Services.

2 Agreement to terms

By accessing the Websites or the Services, or providing us with your personal information, you acknowledge and agree that you have read and understood this Privacy Policy and consent to the use of your personal information as set out in this Privacy Policy.

By accessing and utilising the Websites or the Services on behalf of someone else such as a child, spouse or other person (**Third-Party User or TPU**), you affirm and warrant that you have obtained all necessary consents and authorisations from such TPU:

- (a) to enter and submit the TPU’s personal information to use the Services, and

- (b) for us to collect and use the personal information of the TPU in accordance with this Privacy Policy.

You further affirm that you possess the necessary legal authority to grant this consent and authorisation on behalf of the TPU, thereby binding the TPU to this Privacy Policy. In instances where the TPU is a minor or is otherwise incapable of entering into a contract, you affirm your authority to agree to compliance with Privacy Policy on their behalf.

If you do not agree with this Privacy Policy, please do not continue to use the Websites or Services.

3 Collection of your personal information

3.1 What is your personal information?

When used in this Privacy Policy, the term “personal information” has the meaning given to it in the Act. In general terms, personal information is any information that can be used to personally identify you.

3.2 What personal information do we collect and hold?

In providing the Services, COPE may collect information which you voluntarily give to us and which personally identifies you, such as:

- (a) your full name;
- (b) your contact details including phone numbers, mailing or street addresses, and email addresses;
- (c) your date of birth;
- (d) your gender;
- (e) your age;
- (f) your occupation;
- (g) your profile image;
- (h) your postcode;
- (i) your credit card details;
- (j) details about your education; and
- (k) healthcare provider numbers.

Some information which personally identifies you may be sensitive information (as defined under the Privacy Act), including health information, such as

- (a) your child’s expected and/or actual date of birth;
- (b) information about your health and any medical condition;
- (c) medical/health treatment you are seeking;

- (d) the type of appointment you may request;
- (e) your health insurance fund; and
- (f) your communications with health professionals.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may:

- (a) track a user's use of a Website to learn about that user's preferences so that we can make the Websites better; and
- (b) collect anonymous answers to surveys or aggregated information about how users use the Websites.

3.3 For what purposes do we collect your personal information?

The purpose of collecting your personal information is to:

- (a) provide you with access to protected areas of the Websites and the Services;
- (b) provide the Services to you, including providing timely and relevant information about emotional and mental wellbeing throughout pregnancy and the first twelve months following the birth of a baby;
- (c) obtain de-identifiable data for research purposes, including with third party research organisations such as universities and government, to provide reports on the efficacy of programs for antenatal and postnatal women and their partners;
- (d) assess the performance, improve the operation, and enhance your use of, the Websites and the Platform;
- (e) conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties in accordance with this Privacy Policy;
- (f) update our records and keep your contact details up to date;
- (g) process and respond to any complaint made by you; and
- (h) comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator.

3.4 How do we collect your personal information?

We may collect personal information from you in multiple ways, including via the Platform, Website form, telephone and email, from individuals or representatives that you have authorised and from health professionals.

In most cases, we will collect personal information directly from you. This may take place when you provide us with your personal information through a Website, on the Platform, in person, over the telephone or by completing documents, such as an administrative form.

We will only collect your sensitive information when you voluntarily give it to us (for example, if you establish an account).

Cookies: when you access a Website or use the Services, we may use common technologies such as cookies and web beacons to keep track of users' interactions with the Websites to improve the quality of the Services. When you access the Websites or Services, we may send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit a Website without bothering you with a request to register. It also enables us to keep track of products or services you view so that, if you consent, we can send you news about those products or services. We also use cookies to measure traffic patterns, to determine which areas of the Websites have been visited and to measure transaction patterns in the aggregate. We use this to research our users' habits so that we can improve our online products and services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

Log Information: when you access the Websites or use the Services, our servers automatically record certain information. These server logs may include information such as your web request, your interaction with a Service, Internet Protocol address, browser type, browser language, the date and time of your request, and one or more cookies that may uniquely identify your browser. We may use this information to analyse trends, administer the Websites, track users movements, and gather broad demographic information.

4 Storage and security of your personal information

From time to time, we may hold personal information in any combination of data storage facilities, cloud computing facilities or paper-based files which may be operated or held by us or by third-party service providers under a contractual arrangement.

We will use all reasonable endeavours to maintain the security of your personal information against unauthorised access, modification, disclosure or destruction. However, we cannot ensure or warrant that your personal information will always be secure during transmission or protected from unauthorised access during storage. Therefore, you provide your personal information to us at your own risk. Please contact us immediately if you become aware or have reason to believe there has been any unauthorised use of your personal information by COPE.

5 Use and disclosure of your personal information

Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy. If we use this information in a manner different than the purpose for which it was collected, then we will ask for your consent prior to such use. Where practicable, we will endeavour to collect, hold, use and disclose personal information for the purposes described above on a de-identified basis.

5.1 To whom may we disclose your personal information?

COPE will use and disclose your personal and health information in order to provide you with the Services requested, for you to use the Websites and the Platform, and for COPE to provide Services that are available on the Websites and the Platform.

You hereby consent to COPE:

- (a) using the personal information we collect in order to provide our Services to you, confirm your identity, manage our relationship with you and contact you;
- (b) contacting you to ask you to provide feedback about the Services and the Platform, including through an anonymous email survey;
- (c) collecting, moderating and sharing comments and feedback provided by you and making them publicly available by publishing/displaying them on the Websites;
- (d) using the personal information we collect to contact you for advertising, promotional and direct marketing purposes in order to inform you about our activities and to improve the Websites and Services;
- (e) using the personal information we collect to promote the services of third parties which we deem may be of interest to you;
- (f) using the personal information we collect to perform administrative functions and activities in relation to our Services;
- (g) using the personal information we collect to enforce COPE's Website Terms of Use, and protect the rights or property of COPE or its users;
- (h) using the personal information we collect to detect, prevent, or otherwise address fraud, security or technical issues in relation to the Websites and the Services;
- (i) using the personal information we collect to improve our Services to develop new products or services, which may involve performing statistical analysis and reporting on information that we collect automatically;
- (j) collecting your financial details and information where you voluntarily provide it in payment for a good or service provided by COPE or a third party through the Websites or the Platform;
- (k) disclosing the personal information we collect to our employees, related bodies corporate, contractors or service providers for the purposes of operation of the Platform or our business, fulfilling requests by you, and to otherwise provide products and services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, insurers and professional advisors such as accountants, solicitors, business advisors and consultants;
- (l) disclosing the personal information we collect to third parties we engage to perform functions or provide products and services on our behalf, such as processing credit card information, mail outs, debt collection, event management, marketing, research and advertising;
- (m) disclosing the personal information we collect to third parties such as clinics, practices, physicians, doctors and health professionals that offer medical and health related services in Australia, as part of, and to the extent necessary for, us providing the Services to you;

- (n) disclosing the personal information we collect to suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes;
- (o) disclosing the personal information we collect to any organisation for any authorised purpose with your express consent;
- (p) disclosing the personal information we collect on a de-identified basis to provide research data to Government and/or private sector organisations, including but not limited to:
 - (i) the number of antenatal and/or postnatal women and/or men who have sought our Services;
 - (ii) the number of women and/or men who have sought our Services who sought professional help and/or were diagnosed with a mental health condition; and
 - (iii) the effectiveness of our Services and other analysis, research and quality assurance purposes;
- (q) using the personal information we collect to train our staff, contractors, and other personnel to ensure high standards of service;
- (r) using the personal information we collect to respond to enquiries or resolve complaints you make regarding the Websites or Services;
- (s) retaining email or other communications you send us in order to process your inquiries, respond to your requests and improve our Services;
- (t) using your personal information to provide you with online training where applicable;
- (u) using your personal information to assess or process an application for employment, contracting related work or volunteering with us; and
- (v) using your personal information to comply with any applicable law, legal requirement or order, subpoenas, police investigation, other regulatory obligations or request from a Government authority.

5.2 Related bodies corporate

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

If we become involved in a merger, acquisition, or any form of sale of some or all of our assets, we will use our best endeavours to:

- (a) ensure the confidentiality of any personal information involved in such transactions; and
- (b) provide notice before your personal information is transferred and becomes subject to a different privacy policy.

5.3 Overseas recipients

COPE currently does not disclose personal information to overseas recipients. However, in the future, it may become necessary or desirable for us to disclose personal information to overseas third parties, including but not limited to offshore cloud storage providers and information technology specialists or members of our staff who are working remotely from overseas. Such disclosures would be made to assist in troubleshooting or enhancing COPE's infrastructure environment or for other purposes related to the provision of our Services. In the event that COPE decides to disclose personal information to overseas parties, we will take reasonable steps to ensure that any such recipients are bound by confidentiality and privacy obligations consistent with the Australian Privacy Principles and this Privacy Policy.

5.4 Direct marketing

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). You consent to us sending you those direct marketing communications by any of those methods. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

We do not provide your personal information to other organisations for the purposes of direct marketing.

5.5 Automated decision-making

We do not employ automated decision-making systems or computer programs to make or substantially contribute to decisions that could reasonably be expected to impact an individual's rights or interests. All decisions regarding the collection, use, or disclosure of personal information are conducted by our authorised personnel, ensuring that human judgment and oversight remain integral to our processes.

By refraining from the use of automated tools for such determinations, we aim to maintain a transparent and accountable approach to handling personal information. Should we adopt automated decision-making in the future, we will update this Privacy Policy to ensure compliance with relevant legislative requirements and to maintain clarity for individuals regarding our information-handling practices.

6 Access, amendment and deletion of your personal information

We will use all reasonable endeavours to keep your personal information accurate, complete, up-to-date, relevant and not misleading. Please contact us to examine your personal information, if required, and we will provide a complete list of your personal information within a reasonable period of receipt of your request. You may contact us to amend any of your personal information that is inaccurate, incomplete or out-of-date or request that your personal information be deleted. We will amend or delete your records as requested within a reasonable period of receipt of notice. If applicable, any legal requirement on us to maintain certain records of your personal information shall prevail over any of your requests. COPE may require identification to be provided before releasing copies of personal information.

7 Anonymous Use of Services

COPE acknowledges the importance of privacy and the discretion of our users. Where it is lawful and practicable, we will provide individuals with the opportunity to interact with us anonymously. While the nature of the Services we provide generally necessitates the collection of personal information to ensure the efficacy and safety of those Services, we recognise that there may be circumstances where users prefer to engage in general correspondence or enquiries without disclosing their identity. In such instances, and where it does not impede the functionality, quality, or legal obligations related to the provision of our Services, COPE will endeavour to support anonymous engagement. Users should be aware, however, that the scope for anonymity is limited by the practicalities of delivering the Services and may not extend to interactions requiring personalised advice or appointments.

8 Opting out

When providing your personal information to us, some information may be identified as mandatory or voluntary. However, individuals do not have to supply COPE with their personal or health information, and you may opt not to have us collect your personal information. Because of the nature of the Services and our Platform, this may mean that we can't provide you with some or all of our Services.

If you decide that you do not wish to receive information from us, please contact us with your request to be removed from our mailing list. We will remove your name within a reasonable period of receipt of notice.

9 Feedback

We may contact you, by email or phone number if provided by you, to obtain your feedback on your experience using the Websites or the Services. If you wish to make any comments about the Services, we encourage you to provide us feedback by contacting us by email at info@cope.org.au.

Any feedback, comments, ideas, improvements, or suggestions (collectively, **Feedback**) provided by you to us with respect to the Services becomes the sole and exclusive property of COPE. By submitting Feedback, you irrevocably assign to COPE all of your right, title, and interest in and to your Feedback, including any intellectual property rights therein. COPE shall be entitled to the unrestricted use and dissemination of this Feedback for any lawful purpose, commercial or otherwise, without acknowledgment or compensation to you. You hereby waive any moral rights you may have in such Feedback and agree that you have no recourse against us for any alleged or actual infringement or misappropriation of any proprietary rights in your Feedback.

10 Links

This Privacy Policy governs only the Websites and the Services we directly provide, and it does not extend to any external websites or resources that may be linked from or displayed on the Websites, Platform, or Services. We do not control or endorse the content or privacy practices of external websites or resources, which may use their own cookies, gather additional data, or request personal information from you. If you choose to follow a link to any external site, you do so at your sole discretion and risk. We encourage you to familiarise yourself with the relevant privacy policies and terms of use provided by these external websites before sharing any personal or sensitive information.

11 Mandatory Data Breach Notification

If we become aware of or reasonably suspect that your personal or sensitive information has been compromised in a manner likely to result in a real risk of serious harm, we will promptly investigate and, where required, notify both you and the Office of the Australian Information Commissioner. This notification will include details of the suspected or actual breach, the information affected (to the extent known), and recommended steps you may take to protect your interests.

12 Disclaimer

You acknowledge and agree that COPE disclaims all and any guarantees, undertakings and warranties, expressed or implied, in the provision of the Services and is not liable for any loss or damage whatsoever (including personal injury or property damage, negligence or otherwise, incidental or consequential loss or damage) arising out of, or in connection with the Services, to the fullest extent permitted by law.

Where we cannot exclude such liability under the *Competition and Consumer Act 2010* (Cth), our liability to you will be limited to:

- (1) if the breach relates to goods, the replacement or repair of the goods; or
- (2) if the breach relates to services, the supply of those services or the payment of the cost of those services supplied again.

13 Release

You hereby release, discharge and hold harmless COPE from all actions, proceedings, claims or liabilities brought against or made upon COPE by you arising directly or indirectly from the provision of the Services, whether in contract, tort (including negligence), breach of statutory duty or otherwise, irrespective of any negligence on the part of COPE. For the avoidance of doubt, this release extends to all directors, officers, employees, contractors, volunteers, agents, representatives, licensees or permitted assigns of COPE.

14 Complaints and Resolution Process

COPE takes your privacy concerns seriously and is committed to transparent and fair resolution of complaints regarding your privacy and our collection or use of your personal information. Should you have any concerns about your privacy or how your personal information is being handled, we encourage you to contact us directly. The following outlines the process we will undertake to resolve your complaint:

- **Submission of Complaint:** please submit your privacy complaint in writing to info@cope.org.au or Centre of Perinatal Excellence, Level 2, 696 Bourke Street, Melbourne 3000. Ensure that you provide us with detailed information about your concern or complaint, along with any supporting documents.
- **Acknowledgment of Receipt:** upon receiving your complaint, we will acknowledge receipt within ten (10) business days. We will provide you with the details of the person who will be handling your complaint.
- **Investigation:** your complaint will be investigated promptly. We may need to contact you to understand more about your concerns and to gather further information.

- **Resolution:** we aim to resolve complaints within thirty (30) days of receiving them. Should your complaint require more time to resolve, we will notify you of the need for an extension and keep you updated on the progress.
- **Response:** upon completion of our investigation, we will provide you with a written response outlining the outcome of your complaint, any actions we have taken, and the reasons for our decision.
- **Further action:** if you are not satisfied with our response to your complaint, you may lodge a complaint with the Office of the Australian Information Commissioner (**OAIC**) by writing to the OAIC at GPO Box 5218, Sydney, NSW 2001. For further information about the OAIC, please visit www.oaic.gov.au.

15 Applicable law

The Websites are controlled from our offices in Australia. This Privacy Policy will be governed by and construed in accordance with the laws of Victoria, Australia. You irrevocably and unconditionally submit to the exclusive jurisdiction of the courts of Victoria, Australia. If any provision of this Privacy Policy is found to be invalid or unenforceable by a court of law, such invalidity or unenforceability will not affect the remainder of this Privacy Policy, which will continue in full force and effect.

16 Changes to this Privacy Policy

We may amend and vary this Privacy Policy from time to time by publishing the amended Privacy Policy on the Websites. The Privacy Policy that applies to your use of the Websites and Services is the Privacy Policy in effect at the time of your use of the Websites and/or Services. You should review this Privacy Policy periodically so that you are updated on any changes. By accessing or using a Website or the Services after we have posted any such changes, you accept the amended Privacy Policy. If you do not agree to the updated terms of use, you must cease using the Websites and the Services.

17 Contact us

If you have any questions about this Privacy Policy or would like further information, please contact us by any of the following means during business hours from Monday to Friday:

Mail:
Attn: Privacy Officer
Centre of Perinatal Excellence
Level 2, 696 Bourke Street
Melbourne Victoria 3000
Australia

Tel: 1300 740 398

Email: info@cope.org.au

We will treat your enquiries, requests or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your message. We will aim to ensure that your enquiry, request or complaint is resolved in timely and appropriate manner.



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