

PRIVACY POLICY

1. INTRODUCTION

- (a) This Privacy Policy sets out how Evan Hill (ABN: 94392711386), trading as EVANHILLTRAINS (**we, us, or our**) collects, holds, uses, and discloses your personal information.
- (b) We are committed to protecting your privacy and handling your personal information in an open and transparent manner, in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**).
- (c) This Privacy Policy applies to all personal information we collect through our website, coaching services, digital product sales, booking platforms, payment processing, and any other interactions you have with us.
- (d) By using our Website, engaging our coaching services, purchasing our Digital Products, or otherwise providing us with your personal information, you acknowledge that you have read and understood this Privacy Policy and consent to the collection, use, and disclosure of your personal information as described in it.
- (e) If you have any questions about this Privacy Policy or wish to exercise your rights, please contact us at: evanhilltrains@gmail.com.

2. TYPES OF PERSONAL INFORMATION WE COLLECT

The types of personal information we may collect depend on the nature of your interaction with us and include:

- (a) Identity information: name, date of birth, gender, and photographic images.
- (b) Contact information: email address, phone number, postal address, and social media handles.
- (c) Payment and billing information: payment card type, last four digits, billing address, and transaction history (note: full payment card details are processed and stored by Stripe – we do not have access to or store your full card number, CVV, or expiry date).
- (d) Fitness and training information: fitness goals, training history, training preferences, current activity levels, and program progress data.
- (e) Booking and scheduling information: consultation bookings, session times, and scheduling preferences (collected via Calendly).
- (f) Communication records: emails, platform messages, Google Meet call notes, and feedback or complaints.
- (g) Website usage data: IP address, browser type and version, device type, operating system, pages visited, time spent on pages, referral source, and click data.
- (h) Marketing preferences: subscription status, communication preferences, and opt-in/opt-out records.

3. HEALTH INFORMATION (SENSITIVE INFORMATION)

- (a) Under the Privacy Act, **health information** is classified as **sensitive information** and is subject to additional protections, including a general requirement for explicit consent before collection.
- (b) In order to provide our coaching services safely and effectively, we collect certain health information from you. The types of health information we may collect include:

- (i) responses to the Adult Pre-Exercise Screening System (APSS) questionnaire or equivalent health screening tool;
 - (ii) injury history, including current injuries, past injuries, and surgical history;
 - (iii) pre-existing medical conditions, including cardiovascular, metabolic, respiratory, musculoskeletal, neurological, and mental health conditions;
 - (iv) medications, supplements, and allergies (including exercise-induced allergies or anaphylaxis);
 - (v) physical measurements, including body weight, body composition, circumference measurements, and fitness assessment results;
 - (vi) progress data, training results, and performance outcomes over time; and
 - (vii) any other health-related information voluntarily disclosed by you during the course of the coaching relationship.
- (c) We will only collect your health information with your explicit consent
- (i) You will be asked to provide consent during the onboarding process before your coaching services commence. Consent will be obtained in writing (including electronically).
- (d) You may choose not to provide health information. However, if you do not provide the health information we reasonably require, we may not be able to provide you with our coaching services, as this information is necessary for us to design a safe and appropriate training program and to comply with our duty of care.

4. HOW WE COLLECT YOUR INFORMATION

- (a) We collect personal information **directly from you** when you:
- (i) visit or interact with our Website;
 - (ii) submit an enquiry, expression of interest, or contact form;
 - (iii) book a consultation or coaching session via Calendly;
 - (iv) complete the onboarding process, including pre-exercise screening questionnaires and intake forms;
 - (v) subscribe to our coaching services or purchase a Digital Product;
 - (vi) communicate with us by email, phone, platform messaging, or Google Meet;
 - (vii) provide a testimonial, review, feedback, or media consent;
 - (viii) subscribe to our marketing communications or newsletter; or
 - (ix) participate in surveys, competitions, or promotional activities.
- (b) We may collect information **from third-party platforms** integrated with our Website and services, including:
- (i) Stripe – payment status, transaction confirmations, and billing data (Stripe processes and stores full payment card details on our behalf);
 - (ii) Calendly – booking data, scheduling information, and contact details provided during the booking process;
 - (iii) Google Workspace (including Google Sheets and Google Meet) – program delivery data, communication records, and session notes; and
 - (iv) Google Analytics (or equivalent analytics tool) – aggregated and anonymised website usage data.

- (c) We do not collect personal information about you from third parties without your knowledge, unless required or authorised by law.
- (d) We do not collect personal information by unlawful or unfair means.

5. LEGAL BASIS AND PURPOSES OF COLLECTION

- (a) We collect, hold, use, and disclose your personal information only where we have a lawful basis to do so. Under the APPs, we may collect personal information that is reasonably necessary for one or more of our functions or activities. For sensitive information (including health information), we generally require your explicit consent.
- (b) We use your personal information for the following purposes:

Purpose	Types of data	Legal basis
Providing coaching services	Identity, contact, health, fitness, communication	Consent (health info); necessary for service delivery
Processing payments	Contact, payment/billing	Necessary for contract performance
Booking and scheduling	Contact, booking	Necessary for service delivery
Designing safe training programs	Health, fitness, screening	Explicit consent
Marketing communications	Contact, marketing preferences	Consent; legitimate interest (existing clients)
Improving our Website and services	Website usage, analytics	Legitimate interest
Responding to enquiries and support	Contact, communication	Necessary for service delivery
Legal compliance and dispute resolution	All categories as relevant	Legal obligation; legitimate interest
Testimonials and marketing (Schedule 4)	Identity, images, health (if applicable)	Explicit consent

6. DISCLOSURE OF YOUR INFORMATION

- (a) We may disclose your personal information to the following categories of recipients:
 - (i) Stripe Inc. (USA) – for the purpose of processing payments, managing subscriptions, and preventing fraud. Stripe’s privacy policy is available at stripe.com/privacy.
 - (ii) Calendly LLC (USA) – for the purpose of scheduling and managing bookings. Calendly’s privacy policy is available at calendly.com/privacy.
 - (iii) Google LLC (USA) – for the purpose of delivering coaching services (Google Sheets, Google Meet), communicating with you (Gmail), and analysing website usage (Google Analytics). Google’s privacy policy is available at policies.google.com/privacy.
 - (iv) Professional advisors – our lawyers, accountants, and insurers, where reasonably necessary for the operation of our business.

- (v) Law enforcement and regulators – any person or body where required or authorised by Australian law, a court order, or a request from a regulatory authority.
- (b) We will not sell, rent, trade, or otherwise commercially share your personal information with any third party for their own marketing purposes.
- (c) Where we disclose health information to a third party, we will only do so:
 - (i) with your explicit consent;
 - (ii) where required or authorised by law; or
 - (iii) where necessary to prevent a serious threat to life, health, or safety.

7. CROSS-BORDER DISCLOSURE

- (a) Some of the third-party service providers we use store data on servers located outside Australia, including in the United States. Specifically:
 - (i) Stripe – data may be processed and stored in the United States and other jurisdictions where Stripe operates;
 - (ii) Calendly – data is processed and stored in the United States;
 - (iii) Google (Workspace and Analytics) – data may be processed and stored in the United States and other data centre locations globally.
- (b) Before disclosing personal information to an overseas recipient, we take reasonable steps to ensure that the recipient does not breach the APPs in relation to that information, as required by APP 8. This includes reviewing the recipient's privacy and security practices and relying on contractual obligations where appropriate.
- (c) By providing us with your personal information, you consent to the disclosure of your personal information to overseas recipients as described in this clause, in accordance with APP 8.

8. DATA STORAGE, SECURITY, AND RETENTION

- (a) We take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification, and disclosure, as required by APP 11.
- (b) Security measures we employ include:
 - (i) use of secure, reputable third-party platforms (Stripe, Calendly, Google Workspace) that maintain their own security certifications and practices;
 - (ii) access controls to limit who can view your personal and health information;
 - (iii) encryption of data in transit (HTTPS/TLS); and
 - (iv) regular review of our data handling practices.
- (c) No method of electronic storage or transmission is completely secure. While we take commercially reasonable measures to protect your personal information, we cannot guarantee absolute security.
- (d) We retain your personal information for as long as it is reasonably necessary for the purposes for which it was collected, or as required by law. Our general retention periods are:

Data type	Retention period
Client identity and contact information	Duration of coaching relationship + 7 years
Health and screening information	Duration of coaching relationship + 7 years

Payment and billing records	7 years from date of transaction (tax obligations)
Communication records	Duration of coaching relationship + 3 years
Website analytics data	26 months (Google Analytics default)
Marketing consent records	Duration of consent + 3 years after withdrawal
Testimonial and media consent	Duration of consent + 3 years after withdrawal

- (e) When personal information is no longer needed for the purposes for which it was collected and we are not required by law to retain it, we will take reasonable steps to destroy or de-identify the information.

9. DATA BREACH NOTIFICATION

We will comply with the Notifiable Data Breaches scheme under Part III C of the Privacy Act. If we become aware of a data breach that is likely to result in serious harm to any individual whose personal information is involved, we will:

- (a) take reasonable steps to contain the breach and mitigate any resulting harm;
- (b) assess the breach to determine whether it is likely to result in serious harm;
- (c) notify the Office of the Australian Information Commissioner (OAIC) as soon as practicable; and
- (d) notify affected individuals as soon as practicable, including information about the breach, the type of information involved, and recommended steps to mitigate potential harm.

10. YOUR RIGHTS

- (a) Under the APPs, you have the right to:
 - (i) Access: request access to the personal information we hold about you (APP 12);
 - (ii) Correction: request correction of any personal information that is inaccurate, out of date, incomplete, irrelevant, or misleading (APP 13);
 - (iii) Erasure: request deletion of your personal information (subject to our legal obligations to retain certain records);
 - (iv) Withdraw consent: withdraw your consent to the collection, use, or disclosure of your health information or other sensitive information at any time (noting that withdrawal may affect our ability to provide coaching services to you); and
 - (v) Opt out of marketing: opt out of receiving direct marketing communications at any time.
- (b) To exercise any of these rights, please contact us at evanhilltrains@gmail.com. We will respond to your request within 30 days.
- (c) We will not charge you for making an access or correction request, unless the request is manifestly unfounded, excessive, or repetitive, in which case we may charge a reasonable fee to cover administrative costs.
- (d) If we refuse a request for access or correction, we will provide you with written reasons for the refusal and information about how you may make a complaint.

11. COOKIES AND WEBSITE ANALYTICS

- (a) Our Website may use cookies and similar tracking technologies (such as pixels, web beacons, and local storage) to collect information about how you use the Website.
- (b) A cookie is a small text file stored on your device when you visit a website. Cookies serve various purposes, including:
 - (i) Essential cookies: necessary for the Website to function (e.g., session management, security).
 - (ii) Analytics cookies: help us understand how visitors interact with the Website (e.g., Google Analytics).
 - (iii) Functional cookies: remember your preferences and settings.
 - (iv) Marketing cookies: used to track visitors across websites for advertising purposes (if applicable).
- (c) You can manage your cookie preferences through your browser settings. Most browsers allow you to refuse cookies, delete existing cookies, or be alerted when a cookie is being set. Disabling cookies may affect the functionality of certain parts of the Website.
- (d) We may use Google Analytics (or an equivalent analytics service) to collect aggregated and anonymised information about website traffic, usage patterns, and user behaviour. Google Analytics uses cookies to collect this data. You can opt out of Google Analytics by installing the Google Analytics opt-out browser add-on.

12. DIRECT MARKETING

- (a) We may send you direct marketing communications about our services, products, and promotions where you have consented to receive them or where permitted under the *Spam Act 2003* (Cth).
- (b) Every electronic marketing communication will include a functional unsubscribe mechanism. If you unsubscribe, we will stop sending you marketing communications within 5 Business Days.
- (c) We will continue to send you transactional and service-related communications (such as booking confirmations, payment receipts, program updates, and service notices) even if you opt out of marketing communications.

13. AUTOMATED DECISION-MAKING

- (a) We do not currently use your personal information for automated decision-making or profiling that produces legal effects or similarly significant effects concerning you.
- (b) If this changes in the future, we will update this Privacy Policy and (where required) seek your consent before implementing any automated decision-making processes.

14. CHILDREN

- (a) Our services are not directed to individuals under the age of 18. We do not knowingly collect personal information from children under 18 without parental or guardian consent.
- (b) If we become aware that we have collected personal information from a child under 18 without appropriate consent, we will take reasonable steps to delete that information as soon as practicable.

15. COMPLAINTS

- (a) If you believe we have breached the APPs or mishandled your personal information, you may lodge a complaint by contacting us at evanhilltrains@gmail.com.

- (b) We will:
 - (i) acknowledge your complaint within 7 days;
 - (ii) investigate your complaint promptly and in good faith; and
 - (iii) provide you with a written response within 30 days, setting out the outcome of our investigation and any steps we propose to take.
- (c) If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC):
 - (i) Website: www.oaic.gov.au
 - (ii) Phone: 1300 363 992
 - (iii) Email: enquiries@oaic.gov.au
 - (iv) Post: GPO Box 5218, Sydney NSW 2001

16. CHANGES TO THIS PRIVACY POLICY

- (a) We may update this Privacy Policy from time to time to reflect changes in our practices, legal requirements, technology, or business operations.
- (b) The most current version of this Privacy Policy will always be available on our Website.
- (c) Where we make material changes, we will take reasonable steps to notify you, including by email (where we have your email address) or by a prominent notice on the Website.
- (d) This Privacy Policy was last updated on 05/06/2026.