

# Terms and Conditions

## **Personexus Pty Ltd and TheWorks Profiler™ Terms and Conditions Policy**

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If we collect your personal information, we do so subject to the terms of our Privacy Policy.

We may use cookies to gather data in relation to this website and you consent to us doing so (although you may be able to disable cookies on your web browser).

These conditions are governed by laws of the State of Western Australia, Australia. You submit to the non-exclusive jurisdiction of the courts of that State.

By having accessed this website and purchased a product you agree to be bound by the conditions outlined below as presented in the small print.

## **The small print**

**Context:** The report may be based on the candidate's profile without the context gained from discussion. Whilst the interpretation is likely to be an accurate representation of the person's behaviour, there exists the possibility that the candidate's current work or personal situations may impact and temporarily alter their general approach to work and hence reduce the accuracy of the information contained in the report. The premium package provides an opportunity to gain an understanding of any context that may be impacting on the candidate at the time.

**Use the report with other sources of information:** The report provides valuable information derived from the assessment of an individual that is not available through other processes. We recommend it be used in conjunction with other sources of information such as qualifications, work experience, referee reports, interview performance and performance management notes.

**Security:** The report should be stored in a secure location and is subject to the Australian National Privacy Policy. Successful candidate reports should be stored in a secure location and accessible only to the company's relevant personnel, including the hiring manager, business owner and human resources department. Selection reports for unsuccessful candidate should not be stored by the company in line with the Privacy Act.

**Report accuracy:** The reports are accurate as of the date on the first page. However, the accuracy of reports will diminish over time and individuals should be re-assessed for selection purposes after a six-month period. The interpretations in the report should be viewed as the person's 'most likely' way of behaving and in the majority of occasions, we will see them behave in the manner described by the report.

**Will they always behave in this way?** No, they may act differently according to the situation and context in which they find themselves. **Can they change their behaviour?** Yes, if a person makes a concerted effort to modify their approach, then over time we will see them behave differently. Think of our behaviour as a set of habits - some good, some less so! Habits take time to develop, so if a person is trying to change a habit expect it will take some time and effort. **Are there other factors that may impact on how they behave?** Yes, significant life events, such as retiring from the workforce, parenthood or moving to another country can impact on how a person behaves over time.

### **Use of the report:**

**Selection reports:** Selection reports have been specifically written for use in determining the suitability of a candidates for the role they have applied for and should not be used for any other purpose without reference and written authority from Personexus.

**Development:** Development reports have been specifically written for use in aiding a person's development in the workplace. They should not be used for the purposes of selection or deselection and are not to be used for any other purposes without consultation and written authority from Personexus.

# Privacy Policy

## **Personexus Pty Ltd and TheWorks Profiler™ Privacy Policy**

Personexus Pty Ltd is committed to protecting your privacy and personal information when you deal with us. The purpose of this Privacy Policy is to provide you with a clear explanation of when, why and how we collect and use your personal information, as well as an explanation of your statutory rights. This Privacy Policy is not intended to override the terms of any contract you have with us, nor any rights you might have under applicable data privacy laws. It covers all our dealings with clients whether guest shoppers or account purchases.

### **The type of information we collect**

We will only collect personal information from you with your prior knowledge and consent. You can access our websites ([www.Personexus.com.au](http://www.Personexus.com.au) and [www.TheWorksProfiler.com](http://www.TheWorksProfiler.com)) and browse the site without disclosing personal information. If you have signed up on our website, you have access to your account and may edit to ensure the accuracy of the details we have recorded.

We receive, collect and store any information you enter on our website or provide us in any other way. In addition, we collect the Internet protocol (IP) address used to connect your computer to the Internet; login; e-mail address; password; computer and connection information and purchase history. We may use software tools to measure and collect session information, including page response times, length of visits to certain pages, page interaction information, and methods used to browse away from the page. We also collect personally identifiable information (including name, email, password, communications); payment details (including credit card information), comments, feedback, product reviews, recommendations, and personal profile.

### **How we collect the information**

When you conduct a transaction on our website, as part of the process, we collect personal information you give us such as your name, company, position, phone, email and address.

We will only use personal information provided by you for the purposes for which it was collected and we will not disclose your personal information to a third party, except when it is required to facilitate a service you have requested.

### **Why we collect such personal information**

We collect such non-personal and personal Information for the following purposes:

- To provide and operate the services;
- To provide our users with ongoing customer assistance and technical support;
- To be able to contact our visitors and users with general or personalized service-related notices and promotional messages;
- To create aggregated statistical data and other aggregated and/or inferred non-personal Information, which we or our business partners may use to provide and improve our respective services;
- To comply with any applicable laws and regulations.

## **How we store, use, share and disclose your personal information**

Our company is hosted on the Wix.com platform. Wix.com provides us with the online platform that allows us to sell our products and services to you. Your data may be stored through Wix.com's data storage, databases and the general Wix.com applications. They store your data on secure servers behind a firewall. Wix has implemented security measures designed to protect the Personal Information you share with us, including physical, electronic and procedural measures. Among other things, they offer HTTPS secure access to most areas on our Services.

All direct payment gateways offered by Wix.com and used by our company adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, MasterCard, American Express and Discover. PCI-DSS requirements help ensure the secure handling of credit card information by our store and its service providers. Wix regularly maintain a PCI DSS (Payment Card Industry Data Security Standards) certification. They also regularly monitor their systems for possible vulnerabilities and attacks, and regularly seek new ways and third party services for further enhancing the security of our services and protection of our visitors' and users' privacy.

We will only use personal information on candidates that has been provided by you for the purposes for which it was collected and we will not disclose candidates' personal information to a third party. We ensure that your personal information will not be disclosed unless law requires it or to prevent or investigate suspected unlawful activity.

We have security technology and measures to reasonably protect the personal information under our control against: unauthorised access, improper use, alteration, unlawful or accidental destruction and accidental loss.

Regardless of the measures and efforts taken by Wix or ourselves, we cannot and do not guarantee the absolute protection and security of your personal Information or any other user content you upload, publish or otherwise share with us or anyone else. We therefore encourage you to set strong passwords for your user account and our website, and avoid providing us or anyone with any sensitive information of which you believe its disclosure could cause you substantial or irreparable harm.

## **How we communicate with you**

We may contact you to notify you regarding your account, to troubleshoot problems with your account, to resolve a dispute, to collect fees or monies owed, to poll your opinions through surveys or questionnaires, to send updates about our company, or as otherwise necessary to contact you to enforce our user agreement, applicable national laws, and any agreement we may have with you. For these purposes we may contact you via email, telephone, text messages, and postal mail.

## **How we use cookies and other tracking tools**

Personexus Pty Ltd through TheWorks Profiler™ website, together with its marketing, analytics and technology partners, uses certain monitoring and tracking technologies (such as cookies, beacons, pixels, tags and scripts). These technologies are used in order to maintain, provide and improve our services on an ongoing basis, and in order to provide our visitors and our users with a better experience. Please note that third party services placing cookies or

utilizing other tracking technologies through our services may have their own policies regarding how they collect and store information. Such practices are not covered by our privacy policy and we do not have any control over them.

*Cookies:* In order for some of these technologies to work properly, a small data file ("cookie") must be downloaded and stored on your device. By default, we use several persistent cookies for purposes of session and user authentication, security, keeping the user's preferences (e.g., regarding default language and settings), connection stability (e.g., for uploading media, using e-Commerce features, etc.), monitoring performance of our services and marketing campaigns, and generally providing and improving our Services.

If you want to delete or block any cookies, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. Information on deleting or controlling cookies is also available at [www.aboutcookie.org](http://www.aboutcookie.org) (note that this website is not provided by Personexus, and we therefore cannot ensure its accuracy, completeness or availability). Please note that deleting cookies or disabling future cookies or tracking technologies may prevent you from accessing certain areas or features of our services, or may otherwise adversely affect your user experience.

*Clear gifs:* We and certain third party services may employ a software technology called "clear gifs" (a.k.a. Web Beacons/Web Bugs), which enables them and us to improve our services by measuring their effectiveness and performance. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, however are not stored on your device, but instead embedded within our Services.

### **How you can withdraw your consent**

If you don't want us to process your data anymore we will remove personal information from our systems at your request. Please contact us at [IanGeddes@Personexus.com.au](mailto:IanGeddes@Personexus.com.au)

### **Privacy policy updates**

We reserve the right to modify this privacy policy at any time, so please review it frequently. Changes and clarifications will take effect immediately upon posting on the website. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

### **Questions and your contact information**

If you would like to: access, correct, amend or delete any personal information we have about you, you are invited to contact us at [IanGeddes@Personexus.com.au](mailto:IanGeddes@Personexus.com.au)

# Returns Policy

## **Personexus Pty Ltd and TheWorks Profiler™ Returns Policy**

Personexus Pty Ltd is committed to ensuring you have the best experience when you deal with us.

### **Refund**

We can provide a refund

- The assessments are unused (candidates have not commenced the online questionnaire associated with the report you have ordered)
- You have proof of purchase

We do not give a refund if you change your mind about a purchase (mistakenly ordered the wrong assessment) and the candidates have commenced the online questionnaire associated with the report you ordered.

If you have mistakenly ordered the wrong assessment we will accommodate a change to the correct assessment if candidates have not commenced the online questionnaire. In this circumstance you are required to contact the candidates and explain new links will be sent via email prior to us sending an update to the candidates. If the price of the new assessments is more than originally ordered you will be asked to make up the difference. If the price of the new assessments is less than originally ordered we will refund the difference. We retain the right to charge an administration fee to cover time to rectify your error and will discuss this with you if we proceed with an administration charge.

### **Original tender**

All refunds will be provided back in the original tender. Cheques and debit cards will be refunded as cash as a direct deposit and credit card refunds must be processed back onto a credit card.

### **Faulty Report**

We will rectify an assessment report if there are errors within the report. For example a misspelt name. We will endeavour to do this as soon as practical after receipt of your concern.