

PRIVACY POLICY

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1.0		3 February 2017	3 February 2017
1.1	Updated to align with obligations under the Privacy Amendment Act 2017	Governing Board - 22 June 2018	30 June 2018

1. Purpose

Asia Pacific International College (the College) is committed to protecting the privacy of personal information provided to us, or otherwise collected by us, offline or online, including through our website (**Site**). In this Privacy Policy the College means the Asia Pacific International College Pty Ltd. ABN 48 061 101 488. When we collect, store and use your personal information, we do so in accordance with the rules set down in the Australian *Privacy Act 1988* (Cth) and by the European Union General Data Protection Regulation (EU) 2016/679 (the **GDPR**).

2. Scope

This policy applies to all personal information provided to or collected by the College.

3. Definitions

Personal information: The types of personal information or personal data we may collect about you include:

- your name;
- images of you;
- your contact details, including email address, mailing address, street address and/or telephone number;
- your age and/or date of birth;
- your demographic information, such as postcode;
- your preferences and/or opinions;

- the information you provide to us through customer surveys;
- details of products and services we have provided to you and/or that you have enquired about, and our response to you;
- your browser session and geo-location data, device and network information, statistics on page views and sessions, acquisition sources, search queries and/or browsing behaviour;
- information about your access and use of our Site, including using Internet cookies, your communications with our Site, the type of browser you are using, the type of operating system you are using and the domain name of your Internet service provider;
- additional personal information that you provide to us, directly or indirectly, through your use of our Site, associated applications, associated social media platforms and/or accounts from which you permit us to collect information; and
- any other personal information requested by us and/or provided by you or a third party.

We may collect these types of personal information directly from you or from third parties.

4. Principles

Collection and use of personal information

We may collect, hold, use and disclose personal information for the following purposes:

- to enable you to access and use our Site, associated applications and associated social media platforms;
- to contact and communicate with you;
- for internal record keeping and administrative purposes;
- for analytics, market research and business development, including to operate and improve our Site, associated applications and associated social media platforms;
- to run competitions and/or offer additional benefits to you;
- for advertising and marketing, including to send you promotional information about our products and services and information about third parties that we consider may be of interest to you;
- to comply with our legal obligations and resolve any disputes that we may have; and
- if you apply for employment with us.

Legal bases for processing (for European Economic Area users):

If you are an individual in the European Economic Area (EEA), we collect and process information about you only where we have legal bases for doing so under applicable European Union laws. The legal bases depend on the services you use and how you use them. This means we collect and use your information only where:

- it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract;

- it satisfies a legitimate interest (which is not overridden by your data protection interests), such as for research and development, to market and promote our services and to protect our legal rights and interests;
- you give us consent to do so for a specific purpose (for example we might ask for consent to provide you with our services, provide customer support and personalised features); or
- we need to process your data to comply with a legal obligation.

If you have consented to our use of information about you for a specific purpose, you have the right to change your mind at any time, but this will not affect any processing that has already taken place. Where we are using your information because we or a third party (e.g. your employer) have a legitimate interest to do so, you have the right to object to that use though, in some cases, this may mean no longer using our services.

Disclosure of personal information to third parties

We may disclose personal information to:

- third party service providers for the purpose of enabling them to provide their services, including (without limitation) IT service providers, data storage, web-hosting and server providers, debt collectors, marketing or advertising providers, professional advisors and payment systems operators;
- our employees, contractors and/or related entities;
- our existing or potential agents or business partners;
- sponsors or promoters of any competition we run;
- anyone to whom our business or assets (or any part of them) are, or may (in good faith) be, transferred;
- credit reporting agencies, courts, tribunals and regulatory authorities, in the event you fail to pay for goods or services we have provided to you;
- courts, tribunals, regulatory authorities and law enforcement officers, as required by law, in connection with any actual or prospective legal proceedings, or to establish, exercise or defend our legal rights;
- third parties, including agents or sub-contractors, who assist us in providing information, products, services or direct marketing to you. This may include parties located, or that store data, outside of Australia; and
- third parties to collect and process data, such as Google Analytics or other relevant businesses. This may include parties that store data outside of Australia.

The third party will only process your personal information in accordance with written instructions from us and we require that the third party either complies with the privacy shield principles set out in the GDPR or another mechanism set out by applicable EU & Swiss data protection laws for the transfer and processing of personal information. When we refer to 'processing' in this clause and this Privacy Policy in general, we mean any operation or set of operations which is performed on personal information, whether or not by automated means, such as collecting, recording, organising, structuring, storage, adaptation or alteration, retrieval,

consultation, use, disclosure by transmission, dissemination or otherwise making available personal information.

Please note that we use the following third parties to process your personal information:

- Google Analytics (Google Analytics is a freemium web analytics service offered by Google that tracks and reports website traffic)
- HubSpot (HubSpot is a developer and marketer of software products for inbound marketing and sales)
- Global Site Tag
- Google Tag Manager (Google Tag Manager is a tag management system created by Google to manage JavaScript and HTML tags used for tracking and analytics on websites)
- Google AdSense (Implementing) (Google AdSense is a program run by Google that allows publishers in the Google Network of content sites to serve automatic text, image, video, or interactive media advertisements, that are targeted to site content and audience)
- Zendesk (a customer service platform. It's designed for companies that want to create customer relationships that are more meaningful, personal, and productive)
- Mailchimp (MailChimp is a marketing automation platform and an email marketing service)
- RTO Manager (the comprehensive and customisable enterprise management solutions for domestic and international registered training organisations (RTOs) and Colleges)
- Facebook
- LinkedIn
- YouTube
- Twitter

By providing us with personal information, you consent to the disclosure of your personal information to third parties who reside outside Australia and, if you are an individual located in the EEA, to third parties that reside outside the EEA.

Where the disclosure of your personal information is solely subject to Australian privacy laws (and not subject to the GDPR), you acknowledge that some third parties may not be regulated by the Privacy Act and the Australian Privacy Principles in the Privacy Act and if any such third party engages in any act or practice that contravenes the Australian Privacy Principles, it would not be accountable under the Privacy Act and you will not be able to seek redress under the Privacy Act.

Where the disclosure of your personal information is subject to GDPR, you acknowledge that there are risks if the third party outside the EEA engages in any act or practice that would contravene the GDPR and where there is no adequacy decision in place with the country outside the EEA or appropriate safeguards in place with the third party.

How we treat personal information that is also sensitive information

Sensitive information is a sub-set of personal information that is given a higher level of protection under the Australian Privacy Principles. **Sensitive information** means information relating to your racial or ethnic origin, political opinions, religion, trade union or other professional associations or memberships, philosophical beliefs, sexual orientation, sexual practices or sex life, criminal records, health information or biometric information.

Provided that you have given consent, your sensitive information may only be used and disclosed for purposes relating to the primary purpose for which the sensitive information was collected.

Sensitive information may also be used or disclosed if required or authorised by law.

Our responsibilities as a 'controller' under the GDPR

Controllers are defined by the GDPR as natural or legal persons, a public authority, agency or other body to which personal information or personal data has been disclosed, whether via a third party or not, and who determines the purposes and means of processing personal information. We are a controller under the GDPR as we collect, use and store your personal information to enable us to provide you with our goods and/or services.

As a controller, we have certain obligations under the GDPR when collecting, storing and using the personal information of individuals based in the EEA. If you are an individual located in the EEA, your personal data will:

- be processed lawfully, fairly and in a transparent manner by us;
- only be collected for the specific purposes we have identified in the 'collection and use of personal information' clause above and personal information will not be further processed in a manner that is incompatible with the purposes we have identified;
- be collected in a way that is adequate, relevant and limited to what is necessary in relation to the purpose for which the personal information is processed;
- be kept up to date, where it is possible and within our control to do so (please let us know if you would like us to correct any of your personal information);
- be kept in a form which permits us to identify you, but only for so long as necessary for the purposes for which the personal data was collected;
- be processed securely and in a way that protects against unauthorised or unlawful processing and against accidental loss, destruction or damage.

We also apply these principles to the way we collect, store and use the personal information of our Australian customers or clients.

Specifically, we have the following measures in place, in accordance with the GDPR:

- **Data protection policies:** We have internal policies in place which set out where and how we collect personal information, how it is stored and where it goes after we get it, in order to protect your personal information.
- **Right to ask us to erase your personal information:** You may ask us to erase personal information we hold about you.

- **Right to ask us to restrict data processing:** You may ask us to limit the processing of your personal information where you believe that the personal information we hold about you is wrong (to give us enough time to verify if the information needs to be changed), or where processing data is unlawful and you request us to restrict the processing of personal information rather than it being erased.
- **Notification of data breaches:** We will comply with the GDPR in respect of any data breach.

Your rights and controlling your personal information

Choice and consent: Please read this Privacy Policy carefully. By providing personal information to us, you consent to us collecting, holding, using and disclosing your personal information in accordance with this Privacy Policy. If you are under 16 years of age, you must have; and warrant to the extent permitted by law to us that you have, your parent or legal guardian's permission to access and use the Site and they (your parents or guardian) have consented to you providing us with your personal information. You do not have to provide personal information to us, however, if you do not, it may affect your use of this Site or the products and/or services offered on or through it.

Information from third parties: If we receive personal information about you from a third party, we will protect it as set out in this Privacy Policy. If you are a third party providing personal information about somebody else, you represent and warrant that you have such person's consent to provide the personal information to us.

Restrict: You may choose to restrict the collection or use of your personal information. If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us using the details below. If you ask us to restrict how we process your personal information, we will let you know how the restriction affects your use of our Site or products and services.

Access and data portability: You may request details of the personal information that we hold about you. You may request a copy of the personal information we hold about you. Where possible, we will provide this information in CSV format or another easily readable machine format. You may request that we erase the personal information we hold about you at any time. You may also request that we transfer this personal information to another third party (data portability).

Correction: If you believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us using the details below. We will take reasonable steps to correct any information found to be inaccurate, incomplete, misleading or out of date.

Complaints: If you believe that we have breached the Australian Privacy Principles or an article of the GDPR and wished to make a complaint, please contact us using the details below and provide us with full details of the alleged breach. We will promptly investigate your complaint and respond to you, in writing, setting out the outcome of our investigation and the steps we will take to deal with your complaint. You also have the right to contact the Office of the Australian Information Commissioner if you wish to make a complaint.

Unsubscribe: To unsubscribe from our e-mail database or opt-out of communications (including marketing communications), please contact us using the details below or opt-out using the opt-out facilities provided in the communication.

Storage and security

We are committed to ensuring that the personal information we collect is secure. To prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures such as the pseudonymisation and encryption of personal information, to safeguard and secure personal information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

We cannot guarantee the security of any information that is transmitted to or by us over the Internet. The transmission and exchange of information is carried out at your own risk. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that the personal information we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

Cookies and web beacons

We may use cookies on our Site from time to time. Cookies are text files placed in your computer's browser to store your preferences. Cookies, by themselves, do not tell us your email address or other personally identifiable information. However, they do allow third parties, such as Google and Facebook, to cause our advertisements to appear on your social media and online media feeds as part of our retargeting campaigns. When you choose to provide our Site with personal information, this information may be linked to the data stored in the cookie.

We may use web beacons on our Site from time to time. Web beacons (also known as Clear GIFs) are small pieces of code placed on a web page to monitor the visitor's behaviour and collect data about the visitor's viewing of a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.

We may use Google Analytics to collect and process data. To find out how Google uses data when you use third party websites or applications, please see www.google.com/policies/privacy/partners/ or any other URL Google may use from time to time.

Links to other websites

Our Site may contain links to other websites. We do not have any control over those websites and we are not responsible for the protection and privacy of any personal information which you provide whilst visiting those websites. Those websites are not governed by this Privacy Policy.

For any questions or notices, please contact our Privacy Officer at:

Education Centre of Australia Pty Ltd/Asia Pacific International College Pty Ltd

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