

Privacy Policy

Last Updated: 02 November 2022

1. Introduction

This Privacy Policy (**Privacy Policy** or **Policy**) outlines how your information is collected, used and disclosed when you access or use our Services as defined in our **Terms**. If applicable, this information is collected, used and disclosed in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**).

This Privacy Policy is incorporated by reference into our Terms. Any capitalised terms not defined in this Policy are defined in the Terms. You agree to comply with all Terms when accessing or using our Services, including this Privacy Policy.

2. What information do we collect and how is it collected?

We collect Personal Information, as defined in the Privacy Act (including Sensitive Information as defined in the Privacy Act), when you access or use our Services.

2.1. Personal Information provided by you

We collect information that you provide to us via use of our Services as well as through any other means used to contact us.

The kinds of information (including Personal Information and Sensitive Information) we collect include your contact information such as your name, age, date of birth, schooling details, email address, medical history, medical diagnosis records, organisation, address and phone or mobile number. We may also collect student details, including name, age, subject area, confidential learning plans, and diagnosis for learning needs and lesson details, including days of tutoring, online or face-to-face, allergies and COVID-19 training certificates.

We reserve the right to maintain, store and use any information or data where we reasonably believe that such action is required to comply with any legal or regulatory obligations, to prevent criminal or other unlawful activity whether immediate or in the future, or where we have a legitimate business reason to do so, including collection of amounts owed, resolving disputes, enforcing our **Terms** or for record keeping integrity.

2.2. Automatically collected Personal Information

We automatically record information from your device and its software when you access our Services, including your IP address, browser and device type, internet service provider, mobile phone carrier, platform type, the website from which you came and the website to which you are going when you leave our Services, date and time stamp and cookies that may uniquely identify your browser or account.

When accessing our Services using a mobile device, we may also receive and collect identification numbers associated with your device, mobile carrier, device type and manufacturer, and, if enabled, geographical location data (including GPS). Please note that some of the information we collect, for example an IP address, can sometimes be used to approximate a device's location.

2.3. Personal Information collected via cookies

Our Services may use small pieces of data called cookies to identify a user who engages with our Services and to compile records of a user's history of engaging with our Services. Cookies are stored

by a users' browser while the user browses a website. Cookies do not usually contain information that personally identifies a person, but each time the user visits the website, the browser sends the cookie data back to the server to notify the system of the user's previous activity. If you wish to disable cookies, you may do so through your browser settings, however please be aware that if you choose to do this, some functionality of our Website will not be available to you.

2.4. Personal Information collected via Google Analytics

We use Google Analytics, which allows us to anonymously track the use of our Services by recording the number of users who have visited, the number of pages viewed, navigation patterns, what systems users have and the date and time of visits through cookies. This information is collected for statistical purposes only and cannot be used to identify you.

We may use a range of services and functions offered by Google Analytics. We also use Google Analytics to partner with third parties and advertise online. Our third-party partner may use technologies such as cookies and third party Tracking Technologies to gather information about your activities on our website and other sites in order to provide you advertising based on your browsing activities and interests.

Please see this [link](#) for how your data is collected and this [link](#) for instructions on how to opt-out of any Google Analytics data tracking.

2.5. Third Party Payment Processor

We use third party payment processors and gateways to process payments made to us in the provision of our Services. All Personal Information, including any financial information such as credit card numbers, is collected and used directly by our third party payment processors (such as Stripe and Paypal) and gateways as set out on our website, whose use of your personal information is governed by their own terms and conditions and privacy policy. We do not store or retain any sensitive financial/billing information (being credit card numbers, bank account details, etc.), obtained in connection with processing such payments.

2.6. Anonymity and the use of pseudonyms

When we collect your Personal Information, as far as reasonably practicable, you are permitted to interact and/or contact us anonymously or by using a pseudonym except where:

- (a) we are required or authorised by a law or a court or tribunal order to deal with identified individuals; or
- (b) it is impracticable for us to deal with individuals who have not identified themselves.

3. For what purposes do we collect and use Personal Information?

We collect your Personal Information as outlined in this Privacy Policy for the purposes described below:

- (c) for provision of the Services;
- (d) for communication with you and to provide messaging and/or communications to you in association with the functions and features of the Services;
- (e) for communicating to you any announcements and updates, updated terms, conditions and policies, security alerts, technical notices, support and administrative messages;

- (f) for analysis, monitoring, development and improvement of our Services, including other products or services;
- (g) for security purposes, including to protect the Services and our property from abuse, fraud, malicious, unauthorised access or potentially illegal activities, and to protect our rights, safety and property and that of our other users;
- (h) for sending marketing communications to you, including notifying you of promotional or advertising offers, contests and rewards, upcoming events and other news about products and services offered by us and use of our Services;
- (i) to comply with relevant laws and regulations where applicable; and
- (j) for the performance of other functions described at the time of collection or as consented to in relation to our Services.

4. How do we store and protect your information?

4.1. Storage of Personal Information

We take reasonable steps to protect your Personal Information in accordance with this Privacy Policy. The Personal Information we collect from you is transferred and stored electronically via a secured SSL connection, in secured, password-protected servers located in Australia. You agree and consent to us storing your Personal Information on such servers.

4.2. Who can access your Personal Information?

Your Personal Information is accessible to our employees, contractors and our third-party service providers such as our website host and technical support providers. We may also store your Personal Information in password-protected email databases for the purpose of sending out communications and marketing emails in accordance with this Privacy Policy.

Please note that no method of electronic transmission or storage is 100% secure and we cannot guarantee the absolute security of your Personal Information. Transmission of Personal Information over the Internet is at your own risk and you should only enter, or instruct the entering of, Personal Information to the Services within a secure environment. It is your responsibility to ensure that you keep your Personal Information safe, including keeping your software up to date to prevent security breaches.

We reserve the right to maintain and store any information or data where, we reasonably believe, in our sole discretion, that such action is required to comply with any legal or regulatory obligations, to prevent criminal or other unlawful activity whether immediate or in the future, or where we have a legitimate business reason to do so, including collection of amounts owed, resolving disputes, enforcing our **Terms** or for record keeping integrity.

We destroy or de-identify your Personal Information after 2 years where it is no longer needed for the purposes outlined in this Policy. However, we may also be required to keep some of your personal information for specified periods of time, for example under certain laws relating to corporations, money laundering, and financial reporting legislation.

5. To whom your Personal Information is disclosed?

Your Personal Information may be disclosed to individuals and companies, for the purposes described in this Policy, as outlined below:

5.1. Affordable Tutoring Tasmania and Related Bodies Corporate

Your Personal Information may be accessed by us, including our directors, employees, officers and contractors. You consent to us providing your Personal Information, including Sensitive Information to our Related Bodies Corporate (as defined in the *Corporations Act 2001* (Cth)).

5.2. Parties required by law

Your Personal Information may be disclosed by us to any party to whom we are required by law to provide your Personal Information and to any party to whom disclosure is permitted under the Australian Privacy Principles, or where we reasonably believe that disclosure is required to comply with any court orders, subpoenas, or other legal process or investigation including by tax authorities, if such disclosure is required by law. Where possible and appropriate, we will notify you if we are required by law to disclose your Personal Information.

5.3. Direct marketing

You agree and expressly and indefinitely consent to us using or disclosing Personal Information (other than Sensitive Information) to keep you informed about our products and services and other products and services that we consider may be of interest to you. For this purpose, disclosure may be made to our third-party service providers. We may communicate with you via phone, email, social media, SMS, or regular mail. If you have indicated a preference for a method of communication, we will endeavour to use that method wherever practical to do so.

You can opt-out of direct marketing communication activities undertaken by us at any time by clicking the “unsubscribe” or “opt-out” link on email communications from us, replying ‘Stop’ to a promotional SMS or by contacting us by phone or email.

5.4. Other third parties

We may share your Personal Information with third parties if it is reasonably related to the provision of our Services. The third parties that we may share your Personal Information with includes consultants, contractors, credit agencies, debt collection agencies and other service providers to us that perform services on our behalf such as Stripe, Google drive, YoCoach and WIX. Such services we procure may include identifying and disseminating advertisements, enforcement of our **Terms**, providing fraud detection and prevention services, processing payments or providing analytics services. We may also share your Personal Information with our business partners who offer goods or services to you jointly with us (for example, contests or promotions).

We may share your Personal Information where we have reason to believe that doing so is necessary to identify, contact or bring legal action against anyone damaging, injuring, or interfering (intentionally or unintentionally) with our rights or property, users, or anyone else who could be harmed by such activities.

We may also share your Personal Information with third parties with your consent in a separate agreement, in connection with any company transaction (such as a merger, sale of assets or shares, reorganisation, financing, change of control or acquisition of all or a portion of our business by another company or third party) or in the event of bankruptcy, dissolution, divestiture or any related or similar proceedings.

Note that we reserve the right to share your Personal Information with other third parties where, in our sole discretion, it is required to:

- (a) investigate and defend ourselves against any third party claims or allegations;
- (b) protect against harm to the rights, property or safety of us, our users or the public as required or permitted by law; and

- (c) detect, prevent or otherwise address criminal (including fraud or stalking), security or technical issues.

5.5. Overseas disclosure

Please note that some of the parties listed above to whom your Personal Information may be disclosed, may be located overseas.

We use reasonable steps to ensure that these parties are either governed by substantially similar, accessible and enforceable laws to the Australian Privacy Principles or adhere to the Australian Privacy Principles, however to the maximum extent permitted by law, we are not liable for the privacy practices of such parties.

Please note that the transfer of your Personal Information to such overseas parties may pose risks to the security of your Personal Information as these countries may not have been issued with an adequacy decision as set out in the GDPR (if applicable) or have appropriate safeguards in place, however by providing your Personal Information to us, you acknowledge and consent to disclosure of Personal Information to such overseas recipients.

6. Third party websites and social media

Our Services may, from time to time, contain links to and from websites which are owned or operated by other parties. You acknowledge and agree that we have no control over, and shall not be liable for, the privacy practices or content of these third party websites and we do not make any representation about the privacy practices of, any third-party websites, whether or not linked from or transferred from our Services. You are responsible for checking the privacy policy of any such websites and applications so that you can be informed of how they will handle Personal Information.

We run pages on a number of social media platforms, including Facebook, Instagram, Pinterest and Google Plus (**Social Media Platforms**). By accessing, interacting with and using our social media pages, you agree to the terms and privacy policy of those Social Media Platforms. You acknowledge and agree that these Social Media Platforms may collect your information and that the privacy practices of those Social Media Platforms are not controlled by us and that we hold no responsibility for such privacy practices.

Social Media Platforms also allow public access to your public social media profile, which may include your username, age range, country/language, list of friends or other information that you make publicly available and you understand that such information may therefore be accessible by us if you interact with its social media pages.

We may from time to time, have access to statistics regarding the number of views, navigation patterns, posts that you like, comment on or share and any user interactions with our social media pages and may use such information for the purpose of its marketing and promotion strategies.

7. How can you access or update your Personal Information?

At any time, you may request access to Personal Information we hold about you. We may refuse to provide access if the law allows us to do so, in which case we will provide reasons for our decision as required by law.

We take reasonable steps to keep your Personal Information accurate, complete and up-to-date. If, at any time, you discover that information held about you is incorrect, you may contact us to have the information deleted or corrected.

You may request access to the information we hold about you, or request that we delete, update or correct any Personal Information we hold about you, by setting out your request in writing and sending it to us in accordance with paragraph 10.

We will process your request as soon as reasonably practicable, provided we are not otherwise prevented from doing so on legal grounds. If we are unable to meet your request, we will let you know why.

8. How can you make a complaint about our privacy practices?

You may submit a written complaint about how we handle your Personal Information to our Privacy Officer via the details below. If you are not satisfied with our handling of your complaint or we have not replied to you within a reasonable period of time, then you are entitled to make a complaint to the Office of the Australian Information Commissioner or, if you are in the EU, a data protection authority or supervisory authority.

9. Amendments

We reserve the right to amend this Privacy Policy from time to time as we see fit. While we endeavour to notify you as soon as reasonably possible of any changes to our Policies by email or by a notice on our Services, it is your responsibility to keep up to date with any changes or amendments by checking this page prior to using our Services. This page contains our most accurate and up to date version of our Privacy Policy.

10. Contact us

All requests for access or corrections to your Personal Information and complaints should be directed to our Privacy Officer. If submitting a complaint, please provide our Privacy Officer with full details of your complaint and any supporting documentation:

- (a) by contact form at <https://affordabletutoringtasmania.com.au/contact-us/>;
- (b) by e-mail at contact@affordabletutoringtasmania.com, or
- (c) by letter to The Privacy Officer, 64 Lipscombe Avenue, Sandy Bay, TAS, 7005.

If you are not satisfied with our handling of your complaint or we have not replied to you within a reasonable period of time, then you are entitled to make a complaint to the Office of the Australian Information Commissioner.