



# Privacy Policy

## Introduction

This Privacy Policy outlines our practices relating to the collection, use, storage and disclosure of your personal information. This Privacy Policy also explains the categories of personal data that we may collect about you, and explains the purpose of processing your data and how we keep it safe.

For the purposes of this Privacy Policy, the words “Australian College”, “we”, “our”, and “us” refer to Australian College Pty Ltd (Registered Training Organisation: 91110, ABN: 79 111 194 015).

“Website” refers to contents, materials and services delivered on or through our website (including its associated blogs and applications) located at the domain name <https://www.australiancollege.edu.au/>.

“You”, “your” refers to website visitors, enquirers, students or prospective students engaging with Australian College’s services or using the contents, materials and services as provided on the website and its associated applications.

This Privacy Policy is available on the Australian College website at <https://www.australiancollege.edu.au/privacy-policy/>.

## Your privacy is very important to us

At all times we try to only collect the information we need for the particular function or activity we are carrying out, so we can provide the particular service to you. We will explain to you clearly the reason for the collection and how it may be used.

We take our obligations under the Privacy Act seriously, and we will take all reasonable steps in order to comply with the Act and protect the privacy or personal information that we hold.

This Privacy Policy supports our commitment to the protection and non-disclosure of your privacy and personal information that we collect. Personal and sensitive information is generally information about an individual that makes the identity of an individual reasonably clear.

The Privacy Act 1988 is an Act that regulates the transparent handling of your personal information. This includes the collection, use, storage and disclosure of personal information to other individuals, Government entities or other organisations either as required by law or for other purposes. The Privacy Act includes 13 Australian Privacy Principles that apply to the handling and use of personal and sensitive information.

## The types of information we collect

We collect a range of personal information, including (but not limited to), personal and sensitive information about:

- Students, and/or their guardians or authorised contact person(s) before, during and after the course of a student’s enrolment at Australian College;
- Job applicants, staff members, contractors who assist us with the provision of learning, providing educational services, and other activities;
- Individuals who are involved with activities associated with Australian College (such as past staff, past students, sponsors, marketing partners); and
- Other information about people who come into contact (including contacting us through our website) with Australian College in order to provide the relevant services.

Information that we collect is compliant with the requirements of the Standards for Registered Training Organisations 2015, the National Vocational Education and Training Regulator Act 2011, National Vocational



Education and Training Regulator (Data Provision Requirements) Instrument 2020 and other Government requirements.

The type of personal information that we collect from you may include, but not limited to:

- your name
- gender
- date of birth
- residential address
- postal address
- email
- phone number
- credit card details
- employment
- academic history
- reasons for study
- health information
- language, literacy and numeracy
- birth country
- photo identification

We generally collect this information directly from you. Though there is no obligation for you to provide information, if we are not provided with all required details, we may not be able to provide you with the services as intended and agreed.

## How we collect your personal information

The main way we collect personal information about you is when you provide it to us upon request.

Generally, we collect your personal information:

- on forms associated with enquiries and enrolments on our website;
- by receiving emails and phone calls;
- in face-to-face or virtual meetings and interviews;
- through financial transactions
- through marketing activities, such as email open tracking click tracking of our marketing email campaigns;
- through the use of cookies on our website, to record usage statistics;
- through your interaction with us on social networking services (such as Facebook, Twitter, LinkedIn, Instagram)

We may also collect personal information from other people or an independent source (such as from Government departments or online), however we will only do this when it is not practical to collect the information from you directly.

When you visit or access our website via any internet browser, our website servers automatically record certain information. As our website uses cookies, we may also collect information about your interaction with our service(s), browser type, browser language, the date and time, your general location and more. You have the option to disable cookies in your browser.

Unless you give us explicit consent otherwise, we will act in accordance with this Privacy Policy with regard to our collection and use of your personal information. Please make note that any information you share on a public forum or social media platform is treated as public information. Their collection of information is bound by the public forum's or social media platform's own information collection policies and practices. If you want to know more, please refer to their website's privacy policy.

Your personal and sensitive information may also be collected to assess your entitlement to our Government funded programs. We will disclose this information to the relevant Government departments in relation to providing you the funded programs. These Departments may disclose your information to the Australian Taxation Office in the carrying out of their respective functions.

## How Australian College uses the personal information you provide

Australian College uses your personal information in a variety of ways to meet our legal obligations and to provide you with our educational services. These include:

- to personalise your experience;
- to provide our services to you, to communicate with you about your use of our services;
- to enrol students and provide them with the appropriate educational services;
- day-to-day administration (such as for student services purposes);
- to process transactions to receive income and meet our financial obligations;
- to market our educational services and other related services;
- to provide information that you have agreed to receive from us in response to your opt-in request;
- to send periodic emails;
- looking after students' educational, social, emotional and medical well-being;
- recording of history;
- to improve our website and educational services;
- to be able to assess potential employees and contractors and then engage and administer their employment;
- to satisfy our legal obligations, for example, in relation to child protection legislation;
- providing appropriate data to government agencies to satisfy our reporting obligations;
- in the event of a judicial proceeding, court order, legal process or at the request of any law enforcement agency, we may need to disclose your personal and sensitive information as required, should your identity be involved in a breach or suspected breach of any Australian law.

Personal information about students studying with us may be shared with the Commonwealth and State Government agencies and designated authorities (The Australian Skills Quality Authority, The National Centre for Vocational Education Research and the Department of Education Training and Employment).

Upon your agreement, you may receive emails that may include Australian College news, updates, related products or services information that you may be interested in. If at any time you would like to unsubscribe from receiving future marketing emails, you may do so via the clear unsubscribe link on the email you received from us, or you may contact us and we will remove your email from our marketing campaign lists. After you opt out of all communications, we will retain your information in accordance with this Privacy Policy, however, we will no longer use it to contact you.

## How your data is stored and how we protect the security of your information

We take all reasonable steps to protect the security of the personal and sensitive information that we hold. This includes reasonable measures to protect electronic materials and materials generated and stored. All Australian College staff members are bound to act in accordance with the Australian Privacy Principles and this Privacy Policy.

Your information is not shared, sold, traded or otherwise transferred to outside parties other than those listed within this Privacy Policy. We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours or others rights, property, or safety. However, we may provide non-personally identifiable visitor information to other parties for marketing, advertising, or other uses. We may transfer some or all of your personal information in connection with any merger, acquisition, dissolution, or transaction or proceeding involving the sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. If another company acquires all or a portion of our business, or assets, that company will possess all or some of your personal information collected by us.

While we take all due care in ensuring the privacy and security of your personal and sensitive information, the possibility exists that this information could be unlawfully intercepted while in transit over the internet or while stored on our systems or on our website. We disclaim all liability to you to the greatest extent pursuant to law should this occur.

## Access and Amendments

To ensure we have the correct information at all times, it is your responsibility to contact us to inform us of any changes to your personal and sensitive information. Upon request, any personal and sensitive information that we have will be made available to you and any changes can be made. There are no fees associated with accessing or changing this information.

To access your personal and sensitive information or to make a change, please contact us at <https://australiancollege.edu.au/contact-us> or call us on 1300 783 283.

## Disclosure of your Personal Information

Your personal information may be disclosed to the Australian Skills Quality Authority, the National Centre for Vocational Education Research, and the Department of Education Training and Employment in the carrying out its regulatory and statistical functions in the VET sector.

In accordance with Australian Privacy Principles, Australian College will not disclose your personal and sensitive information to another person or organisation unless:

- you have given written consent to the disclosure
- you believe that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- the disclosure is required or authorised by or under law; or
- the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penal, or of the protection of the public revenue.

## Changes to this Privacy Policy

We may change this Privacy Policy from time to time, so be sure to check back periodically. If we make any changes to this Privacy Policy that considerably affects our practices with regard to the personal and sensitive information we have previously collected from you, we will endeavour to notify you in advance of such change, by highlighting the change on our website.

## Contact and Complaints

Should you have any questions, concerns or comments in regards to this Privacy Policy, or if you would like to update your information, please contact us at <https://australiancollege.edu.au/contact-us> or call us on 1300 783 283.

If you have any concerns regarding the privacy of your personal information, then you may lodge a complaint by providing a formal written complaint by email or letter addressed to the CEO in accordance with this Privacy Policy. We undertake to respond within a reasonable timeframe and we may seek further information from you to provide a full and complete response.

## More Information About Data Protection

Data protection is of a particularly high priority for the management of the Australian College. The use of the Internet pages of the Australian College is possible without any indication of personal data; however, if a data subject wants to use special enterprise services via our website, processing of personal data could become necessary. If the processing of personal data is necessary and there is no statutory basis for such processing, we generally obtain consent from the data subject.

The processing of personal data, such as the name, address, e-mail address, or telephone number of a data subject shall always be in line with the General Data Protection Regulation (GDPR), and in accordance with the country-specific data protection regulations applicable to the Australian College. By means of this data protection declaration, Australian College would like to inform the general public of the nature, scope, and purpose of the personal data we collect, use and process. Furthermore, data subjects are informed, by means of this data protection declaration, of the rights to which they are entitled.

Australian College has implemented numerous technical and organisational measures to ensure the most complete protection of personal data processed through this website. However, Internet-based data transmissions may in principle have security gaps, so absolute protection may not be guaranteed. For this reason, every data subject is free to transfer personal data to us via alternative means, e.g. by telephone.

## Definitions

The data protection declaration of the Australian College is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our customers and business partners. To ensure this, we would like to first explain the terminology used.

**Personal data** - Personal data means any information relating to an identified or identifiable natural person ("data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Data subject** - Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

**Processing** - Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Restriction of processing** - Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.

**Profiling** - Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance.

**Controller or controller responsible for the processing** - Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

**Processor** - Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

**Recipient** - Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

**Third party** - Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

**Consent** - Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## Name and Address of the Controller

Controller for the purposes of the General Data Protection Regulation (GDPR), other data protection laws applicable in Member states of the European Union and other provisions related to data protection is:

### **Australian College**

Address: Unit 7, 70 Croydon Street, Cronulla, New South Wales 2230, Australia

Phone: 02 9386 2500

General Enquiry Email: [admin@australiancollege.edu.au](mailto:admin@australiancollege.edu.au)

Student Services: [admin@australiancollege.edu.au](mailto:admin@australiancollege.edu.au)

Website: <https://australiancollege.edu.au>

Privacy Policy: <https://www.australiancollege.edu.au/privacy-policy/>

## Cookies

The Internet pages of the Australian College use cookies. Cookies are text files that are stored in a computer system via an Internet browser.

Many Internet sites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognised and identified using the unique cookie ID.

Through the use of cookies, the Australian College can provide the users of this website with more user-friendly services that would not be possible without the cookie setting.

By means of a cookie, the information and offers on our website can be optimised with the user in mind. Cookies allow us, as previously mentioned, to recognise our website users.

The purpose of this recognition is to make it easier for users to utilise our website. The website user that uses cookies, e.g. does not have to enter access data each time the website is accessed, because this is taken over by the website, and the cookie is thus stored on the user's computer system. Another example is the cookie of a shopping cart in an online shop. The online store remembers the articles that a customer has placed in the virtual shopping cart via a cookie.

The data subject may, at any time, prevent the setting of cookies through our website by means of a corresponding setting of the Internet browser used, and may thus permanently deny the setting of cookies. Furthermore, already set cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, not all functions of our website may be entirely usable.

## Collection of General Data and Information

The website of the Australian College collects a series of general data and information when a data subject or automated system calls up the website. This general data and information are stored in the server log files.

Collected may be:

- the browser types and versions used;
- the operating system used by the accessing system;
- the website from which an accessing system reaches our website (so-called referrers);
- the sub-websites;
- the date and time of access to the Internet site;
- an Internet protocol address (IP address);
- the Internet service provider of the accessing system; and
- any other similar data and information that may be used in the event of attacks on our information technology systems.

When using these general data and information, the Australian College does not draw any conclusions about the data subject. Rather, this information is needed to:

- deliver the content of our website correctly;
- optimise the content of our website as well as its advertisement;
- ensure the long-term viability of our information technology systems and website technology; and
- provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack.

Therefore, the Australian College analyses anonymously collected data and information statistically, with the aim of increasing the data protection and data security of our enterprise, and to ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from all personal data provided by a data subject.

## Registration on our Website

The data subject has the possibility to register on the website of the controller with the indication of personal data. Which personal data are transmitted to the controller is determined by the respective input mask used for the registration.

The personal data entered by the data subject are collected and stored exclusively for internal use by the controller, and for his own purposes.

The controller may request transfer to one or more processors (e.g. a parcel service) that also uses personal data for an internal purpose which is attributable to the controller.

By registering on the website of the controller, the IP address—assigned by the Internet service provider (ISP) and used by the data subject—date, and time of the registration are also stored. The storage of this data takes place against the background that this is the only way to prevent the misuse of our services, and, if necessary, to make it possible to investigate committed offences. Insofar, the storage of this data is necessary to secure the controller. This data is not passed on to third parties unless there is a statutory obligation to pass on the data, or if the transfer serves the aim of criminal prosecution.

The registration of the data subject, with the voluntary indication of personal data, is intended to enable the controller to offer the data subject contents or services that may only be offered to registered users due to the nature of the matter in question. Registered persons are free to change the personal data specified during the registration at any time, or to have them completely deleted from the data stock of the controller.

The data controller shall, at any time, provide information upon request to each data subject as to what personal data are stored about the data subject. In addition, the data controller shall correct or erase personal data at the request or indication of the data subject, insofar as there are no statutory storage obligations. The entirety of the controller's employees are available to the data subject in this respect as contact persons.

## Subscription to our Newsletters

On the website of the Australian College, users are given the opportunity to subscribe to our enterprise's newsletter. The input mask used for this purpose determines what personal data are transmitted, as well as when the newsletter is ordered from the controller.

The Australian College informs its customers and business partners regularly by means of a newsletter about enterprise offers. The enterprise's newsletter may only be received by the data subject if:

- the data subject has a valid e-mail address; and
- the data subject registers for the newsletter shipping.

A confirmation e-mail will be sent to the e-mail address registered by a data subject for the first time for newsletter shipping, for legal reasons, in the double opt-in procedure. This confirmation e-mail is used to prove whether the owner of the e-mail address as the data subject is authorised to receive the newsletter.

During the registration for the newsletter, we also store the IP address of the computer system assigned by the Internet service provider (ISP) and used by the data subject at the time of the registration, as well as the date and time of the registration. The collection of this data is necessary in order to understand the (possible) misuse of the e-mail address of a data subject at a later date, and it, therefore, serves the aim of the legal protection of the controller.

The personal data collected as part of a registration for the newsletter will only be used to send our newsletter. In addition, subscribers to the newsletter may be informed by e-mail, as long as this is necessary for the operation of the newsletter service or a registration in question, as this could be the case in the event of modifications to the newsletter offer, or in the event of a change in technical circumstances. There will be no transfer of personal data collected by the newsletter service to third parties.

The subscription to our newsletter may be terminated by the data subject at any time. The consent to the storage of personal data, which the data subject has given for shipping the newsletter, may be revoked at any time. For the purpose of revocation of consent, a corresponding link is found in each newsletter. It is also possible to unsubscribe from the newsletter at any time directly on the website of the controller, or to communicate this to the controller in a different way.

## Newsletter-Tracking

The newsletter of the Australian College contains so-called tracking pixels. A tracking pixel is a miniature graphic embedded in such e-mails, which are sent in HTML format to enable log file recording and analysis. This allows a statistical analysis of the success or failure of online marketing campaigns. Based on the embedded tracking pixel, the Australian College may see if and when an e-mail was opened by a data subject, and which links in the e-mail were called up by data subjects.

Such personal data collected in the tracking pixels contained in the newsletters are stored and analysed by the controller in order to optimise the shipping of the newsletter, as well as to adapt the content of future newsletters even better to the interests of the data subject. These personal data will not be passed on to third parties. Data subjects are at any time entitled to revoke the respective separate declaration of consent issued by means of the double-opt-in procedure. After a revocation, these personal data will be deleted by the controller. The Australian College automatically regards a withdrawal from the receipt of the newsletter as a revocation.

## Contact Possibility via the Website

The website of the Australian College contains information that enables a quick electronic contact to our enterprise, as well as direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the controller by e-mail or via a contact form, the personal data transmitted by the data subject are automatically stored. Such personal data transmitted on a voluntary basis by a data subject to the data controller are stored for the purpose of processing or contacting the data subject. There is no transfer of this personal data to third parties.

## Comments Function in the Blog on the Website

The Australian College offers users the possibility to leave individual comments on individual blog contributions on a blog, which is on the website of the controller.

If a data subject leaves a comment on the blog published on this website, the comments made by the data subject are also stored and published, as well as information on the date of the commentary and on the user's (pseudonym) chosen by the data subject. In addition, the IP address assigned by the Internet service provider (ISP) to the data subject is also logged.

This storage of the IP address takes place for security reasons, and in case the data subject violates the rights of third parties, or posts illegal content through a given comment. The storage of these personal data is, therefore, in the own interest of the data controller, so that he can exculpate in the event of an infringement. This collected personal data will not be passed to third parties, unless such a transfer is required by law or serves the aim of the defence of the data controller.

## Routine Erasure and Blocking of Personal Data

The data controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators in laws or regulations to which the controller is subject to.

If the storage purpose is not applicable, or if a storage period prescribed by the European legislator or another competent legislator expires, the personal data are routinely blocked or erased in accordance with legal requirements.

## Rights of the Data Subject

### a) Right of confirmation

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact any employee of the controller.

### b) Right of access

Each data subject shall have the right granted by the European legislator to obtain from the controller free





information about his or her personal data stored at any time and a copy of this information. Furthermore, the European directives and regulations grant the data subject access to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or, to object to such processing;
- the existence of the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from the data subject, any available information as to their source;
- the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

Furthermore, the data subject shall have a right to obtain information as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact any employee of the controller.

**c) Right to rectification**

Each data subject shall have the right granted by the European legislator to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact any employee of the controller.

**d) Right to erasure (Right to be forgotten)**

Each data subject shall have the right granted by the European legislator to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- The data subject withdraws consent to which the processing is based according to point (a) of Article 6 (1) of the GDPR, or point (a) of Article 9 (2) of the GDPR, and where there is no other legal ground for the processing.
- The data subject objects to the processing pursuant to Article 21 (1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21 (2) of the GDPR.
- The personal data have been unlawfully processed.
- The personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.
- The personal data have been collected in relation to the offer of information society services referred to in Article 8 (1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by the Australian College, he or she may, at any time, contact any employee of the controller. An employee of Australian College shall promptly ensure that the erasure request is complied with immediately.



Where the controller has made personal data public and is obliged pursuant to Article 17(1) to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required. An employees of the Australian College will arrange the necessary measures in individual cases.

**e) Right of restriction of processing**

Each data subject shall have the right granted by the European legislator to obtain from the controller restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims.
- The data subject has objected to processing pursuant to Article 21 (1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by the Australian College, he or she may at any time contact any employee of the controller. The employee of the Australian College will arrange the restriction of the processing.

**f) Right to data portability**

Each data subject shall have the right granted by the European legislator, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format.

He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact any employee of the Australian College.

**g) Right to object**

Each data subject shall have the right granted by the European legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

The Australian College shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If the Australian College processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to the Australian College to the processing for direct marketing purposes, the Australian College will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by the Australian College for scientific or historical



research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, the data subject may contact any employee of the Australian College. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use his or her right to object by automated means using technical specifications.

#### **h) Automated individual decision-making, including profiling**

Each data subject shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) is not authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, the Australian College shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

If the data subject wishes to exercise the rights concerning automated individual decision-making, he or she may, at any time, contact any employee of the Australian College.

#### **i) Right to withdraw data protection consent**

Each data subject shall have the right granted by the European legislator to withdraw his or her consent to processing of his or her personal data at any time.

If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact any employee of the Australian College.

### **Data protection provisions about the application and use of Facebook**

On this website, the controller has integrated components of the enterprise Facebook. Facebook is a social network.

A social network is a place for social meetings on the Internet, an online community, which usually allows users to communicate with each other and interact in a virtual space. A social network may serve as a platform for the exchange of opinions and experiences, or enable the Internet community to provide personal or business-related information. Facebook allows social network users to include the creation of private profiles, upload photos, and network through friend requests.

The operating company of Facebook is Facebook, Inc., 1 Hacker Way, Menlo Park, CA 94025, United States. If a person lives outside of the United States or Canada, the controller is the Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland.

With each call-up to one of the individual pages of this Internet website, which is operated by the controller and into which a Facebook component (Facebook plug-ins) was integrated, the web browser on the information technology system of the data subject is automatically prompted to download display of the corresponding Facebook component from Facebook through the Facebook component.

An overview of all the Facebook Plug-ins may be accessed under <https://developers.facebook.com/docs/plugins/>. During the course of this technical procedure, Facebook is made aware of what specific sub-site of our website was visited by the data subject.

If the data subject is logged in at the same time on Facebook, Facebook detects with every call-up to our website by the data subject—and for the entire duration of their stay on our Internet site—which specific sub-site of our Internet page was visited by the data subject. This information is collected through the Facebook component and

associated with the respective Facebook account of the data subject. If the data subject clicks on one of the Facebook buttons integrated into our website, e.g. the “Like” button, or if the data subject submits a comment, then Facebook matches this information with the personal Facebook user account of the data subject and stores the personal data.

Facebook always receives, through the Facebook component, information about a visit to our website by the data subject, whenever the data subject is logged in at the same time on Facebook during the time of the call-up to our website. This occurs regardless of whether the data subject clicks on the Facebook component or not. If such a transmission of information to Facebook is not desirable for the data subject, then he or she may prevent this by logging off from their Facebook account before a call-up to our website is made.

The data protection guideline published by Facebook, which is available at <https://facebook.com/about/privacy/>, provides information about the collection, processing and use of personal data by Facebook. In addition, it is explained there what setting options Facebook offers to protect the privacy of the data subject. In addition, different configuration options are made available to allow the elimination of data transmission to Facebook.

These applications may be used by the data subject to eliminate a data transmission to Facebook.

### **Data protection provisions about the application and use of Google Analytics (with anonymisation function)**

On this website, the controller has integrated the component of Google Analytics (with the anonymiser function). Google Analytics is a web analytics service. Web analytics is the collection, gathering, and analysis of data about the behaviour of visitors to websites. A web analysis service collects, inter alia, data about the website from which a person has come (the so-called referrer), which sub-pages were visited, or how often and for what duration a sub-page was viewed. Web analytics are mainly used for the optimisation of a website and in order to carry out a cost-benefit analysis of Internet advertising.

The operator of the Google Analytics component is Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, United States.

For the web analytics through Google Analytics the controller uses the application “\_gat.\_anonymizep”. By means of this application the IP address of the Internet connection of the data subject is abridged by Google and anonymised when accessing our websites from a Member State of the European Union or another Contracting State to the Agreement on the European Economic Area.

The purpose of the Google Analytics component is to analyse the traffic on our website. Google uses the collected data and information, inter alia, to evaluate the use of our website and to provide online reports, which show the activities on our websites, and to provide other services concerning the use of our Internet site for us. Google Analytics places a cookie on the information technology system of the data subject. The definition of cookies is explained above. With the setting of the cookie, Google is enabled to analyse the use of our website. With each call-up to one of the individual pages of this Internet site, which is operated by the controller and into which a Google Analytics component was integrated, the Internet browser on the information technology system of the data subject will automatically submit data through the Google Analytics component for the purpose of online advertising and the settlement of commissions to Google. During the course of this technical procedure, the enterprise Google gains knowledge of personal information, such as the IP address of the data subject, which serves Google, inter alia, to understand the origin of visitors and clicks, and subsequently create commission settlements.

The cookie is used to store personal information, such as the access time, the location from which the access was made, and the frequency of visits of our website by the data subject. With each visit to our Internet site, such personal data, including the IP address of the Internet access used by the data subject, will be transmitted to Google in the United States of America. These personal data are stored by Google in the United States of America. Google may pass these personal data collected through the technical procedure to third parties.

The data subject may, as stated above, prevent the setting of cookies through our website at any time by means of a corresponding adjustment of the web browser used and thus permanently deny the setting of cookies. Such an

adjustment to the Internet browser used would also prevent Google Analytics from setting a cookie on the information technology system of the data subject. In addition, cookies already in use by Google Analytics may be deleted at any time via a web browser or other software programs.

In addition, the data subject has the possibility of objecting to a collection of data that are generated by Google

Analytics, which is related to the use of this website, as well as the processing of this data by Google and the chance to preclude any such. For this purpose, the data subject must download a browser add-on under the link <https://tools.google.com/dlpage/gaoptout> and install it. This browser add-on tells Google Analytics through a JavaScript, that any data and information about the visits of Internet pages may not be transmitted to Google Analytics.

The installation of the browser add-ons is considered an objection by Google. If the information technology system of the data subject is later deleted, formatted, or newly installed, then the data subject must reinstall the browser add-ons to disable Google Analytics. If the browser add-on was uninstalled by the data subject or any other person who is attributable to their sphere of competence, or is disabled, it is possible to execute the reinstallation or reactivation of the browser add-ons.

Further information and the applicable data protection provisions of Google may be retrieved under <https://www.google.com/intl/en/policies/privacy/> and under <http://www.google.com/analytics/terms/us.html> . Google Analytics is further explained under the following Link <https://www.google.com/analytics/> .

### **Data protection provisions about the application and use of Google Remarketing**

On this website, the controller has integrated Google Remarketing services. Google Remarketing is a feature of Google AdWords, which allows an enterprise to display advertising to Internet users who have previously resided on the enterprise's Internet site. The integration of Google Remarketing therefore allows an enterprise to create user-based advertising and thus shows relevant advertisements to interested Internet users.

The operating company of the Google Remarketing services is the Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, United States.

The purpose of Google Remarketing is the insertion of interest-relevant advertising. Google Remarketing allows us to display ads on the Google network or on other websites, which are based on individual needs and matched to the interests of Internet users.

Google Remarketing sets a cookie on the information technology system of the data subject. The definition of cookies is explained above. With the setting of the cookie, Google enables a recognition of the visitor of our website if he calls up consecutive web pages, which are also a member of the Google advertising network. With each call-up to an Internet site on which the service has been integrated by Google Remarketing, the web browser of the data subject identifies automatically with Google. During the course of this technical procedure, Google receives personal information, such as the IP address or the surfing behaviour of the user, which Google uses, inter alia, for the insertion of interest relevant advertising.

The cookie is used to store personal information, e.g. the Internet pages visited by the data subject. Each time we visit our Internet pages, personal data, including the IP address of the Internet access used by the data subject, is transmitted to Google in the United States of America. These personal data are stored by Google in the United States of America. Google may pass these personal data collected through the technical procedure to third parties.

The data subject may, as stated above, prevent the setting of cookies through our website at any time by means of a corresponding adjustment of the web browser used and thus permanently deny the setting of cookies. Such an adjustment to the Internet browser used would also prevent Google from setting a cookie on the information technology system of the data subject. In addition, cookies already in use by Google may be deleted at any time via a web browser or other software programs.

In addition, the data subject has the possibility of objecting to the interest-based advertising by Google. For this purpose, the data subject must call up the link to [www.google.de/settings/ads](http://www.google.de/settings/ads) and make the desired settings on each Internet browser used by the data subject.

Further information and the actual data protection provisions of Google may be retrieved under <https://www.google.com/intl/en/policies/privacy/>.

### **Data protection provisions about the application and use of Google-AdWords**

On this website, the controller has integrated Google AdWords. Google AdWords is a service for Internet advertising that allows the advertiser to place ads in Google search engine results and the Google advertising network. Google AdWords allows an advertiser to pre-define specific keywords with the help of which an ad on Google's search results only then displayed, when the user utilises the search engine to retrieve a keyword-relevant search result. In the Google Advertising Network, the ads are distributed on relevant web pages using an automatic algorithm, taking into account the previously defined keywords.

The operating company of Google AdWords is Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, UNITED STATES.

The purpose of Google AdWords is the promotion of our website by the inclusion of relevant advertising on the websites of third parties and in the search engine results of the search engine Google and an insertion of third-party advertising on our website.

If a data subject reaches our website via a Google ad, a conversion cookie is filed on the information technology system of the data subject through Google. The definition of cookies is explained above. A conversion cookie loses its validity after 30 days and is not used to identify the data subject. If the cookie has not expired, the conversion cookie is used to check whether certain sub-pages, e.g. the shopping cart from an online shop system, were called up on our website.

Through the conversion cookie, both Google and the controller can understand whether a person who reached an AdWords ad on our website generated sales, that is, executed or cancelled a sale of goods.

The data and information collected through the use of the conversion cookie is used by Google to create visit statistics for our website. These visit statistics are used in order to determine the total number of users who have been served through AdWords ads to ascertain the success or failure of each AdWords ad and to optimise our AdWords ads in the future. Neither our company nor other Google AdWords advertisers receive information from Google that could identify the data subject.

The conversion cookie stores personal information, e.g. the Internet pages visited by the data subject. Each time we visit our Internet pages, personal data, including the IP address of the Internet access used by the data subject, is transmitted to Google in the United States of America. These personal data are stored by Google in the United States of America. Google may pass these personal data collected through the technical procedure to third parties.

The data subject may, at any time, prevent the setting of cookies by our website, as stated above, by means of a corresponding setting of the Internet browser used and thus permanently deny the setting of cookies. Such a setting of the Internet browser used would also prevent Google from placing a conversion cookie on the information technology system of the data subject. In addition, a cookie set by Google AdWords may be deleted at any time via the Internet browser or other software programs.

The data subject has a possibility of objecting to the interest-based advertisement of Google. Therefore, the data subject must access from each of the browsers in use the link [www.google.de/settings/ads](http://www.google.de/settings/ads) and set the desired settings.

Further information and the applicable data protection provisions of Google may be retrieved under <https://www.google.com/intl/en/policies/privacy/>.

### **Data protection provisions about the application and use of Instagram**

On this website, the controller has integrated components of the service Instagram. Instagram is a service that may be qualified as an audio-visual platform, which allows users to share photos and videos, as well as disseminate such data in other social networks.

The operating company of the services offered by Instagram is Instagram LLC, 1 Hacker Way, Building 14 First Floor, Menlo Park, CA, UNITED STATES.

With each call-up to one of the individual pages of this Internet site, which is operated by the controller and on which an Instagram component (Insta button) was integrated, the Internet browser on the information technology system of the data subject is automatically prompted to the download of a display of the corresponding Instagram component of Instagram.

During the course of this technical procedure, Instagram becomes aware of what specific sub-page of our website was visited by the data subject.

If the data subject is logged in at the same time on Instagram, Instagram detects with every call-up to our website by the data subject—and for the entire duration of their stay on our Internet site—which specific sub-page of our Internet page was visited by the data subject.

This information is collected through the Instagram component and is associated with the respective Instagram account of the data subject. If the data subject clicks on one of the Instagram buttons integrated on our website, then Instagram matches this information with the personal Instagram user account of the data subject and stores the personal data.

Instagram receives information via the Instagram component that the data subject has visited our website provided that the data subject is logged in at Instagram at the time of the call to our website. This occurs regardless of whether the person clicks on the Instagram button or not. If such a transmission of information to Instagram is not desirable for the data subject, then he or she can prevent this by logging off from their Instagram account before a call-up to our website is made.

Further information and the applicable data protection provisions of Instagram may be retrieved under <https://help.instagram.com/155833707900388> and <https://www.instagram.com/about/legal/privacy/>.

### **Data protection provisions about the application and use of LinkedIn**

The controller has integrated components of the LinkedIn Corporation on this website. LinkedIn is a web-based social network that enables users with existing business contacts to connect and to make new business contacts. Over 400 million registered people in more than 200 countries use LinkedIn. Thus, LinkedIn is currently the largest platform for business contacts and one of the most visited websites in the world.

The operating company of LinkedIn is LinkedIn Corporation, 2029 Stierlin Court Mountain View, CA 94043, UNITED STATES. For privacy matters outside of the UNITED STATES LinkedIn Ireland, Privacy Policy Issues, Wilton Plaza, Wilton Place, Dublin 2, Ireland, is responsible.

With each call-up to one of the individual pages of this Internet site, which is operated by the controller and on which a LinkedIn component (LinkedIn plug-in) was integrated, the Internet browser on the information technology system of the data subject is automatically prompted to the download of a display of the corresponding LinkedIn component of LinkedIn.

Further information about the LinkedIn plug-in may be accessed under <https://developer.linkedin.com/plugins>.

During the course of this technical procedure, LinkedIn gains knowledge of what specific sub-page of our website was visited by the data subject.

If the data subject is logged in at the same time on LinkedIn, LinkedIn detects with every call-up to our website by the data subject—and for the entire duration of their stay on our Internet site—which specific sub-page of our Internet page was visited by the data subject.

This information is collected through the LinkedIn component and associated with the respective LinkedIn account of the data subject. If the data subject clicks on one of the LinkedIn buttons integrated on our website, then LinkedIn assigns this information to the personal LinkedIn user account of the data subject and stores the personal data.



LinkedIn receives information via the LinkedIn component that the data subject has visited our website, provided that the data subject is logged in at LinkedIn at the time of the call-up to our website. This occurs regardless of whether the person clicks on the LinkedIn button or not. If such a transmission of information to LinkedIn is not desirable for the data subject, then he or she may prevent this by logging off from their LinkedIn account before a call-up to our website is made.

LinkedIn provides under <https://www.linkedin.com/psettings/guest-controls> the possibility to unsubscribe from e-mail messages, SMS messages and targeted ads, as well as the ability to manage ad settings. LinkedIn also uses affiliates such as Eire, Google Analytics, BlueKai, DoubleClick, Nielsen, Comscore, Eloqua, and Lotame. The setting of such cookies may be denied under <https://www.linkedin.com/legal/cookie-policy>. The applicable privacy policy for LinkedIn is available under <https://www.linkedin.com/legal/privacy-policy>. The LinkedIn Cookie Policy is available under <https://www.linkedin.com/legal/cookie-policy>.

### **Data protection provisions about the application and use of Twitter**

On this website, the controller has integrated components of Twitter.

Twitter is a multilingual, publicly-accessible microblogging service on which users may publish and spread so-called 'tweets,' e.g. short messages, which are limited to 280 characters.

These short messages are available for everyone, including those who are not logged on to Twitter. The tweets are also displayed to so-called followers of the respective user. Followers are other Twitter users who follow a user's tweets.

Furthermore, Twitter allows you to address a wide audience via hashtags, links or retweets.

The operating company of Twitter is Twitter, Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, UNITED STATES.

With each call-up to one of the individual pages of this Internet site, which is operated by the controller and on which a Twitter component (Twitter button) was integrated, the Internet browser on the information technology system of the data subject is automatically prompted to download a display of the corresponding Twitter component of Twitter.

Further information about the Twitter buttons is available under <https://about.twitter.com/de/resources/buttons>.

During the course of this technical procedure, Twitter gains knowledge of what specific sub-page of our website was visited by the data subject. The purpose of the integration of the Twitter component is a retransmission of the contents of this website to allow our users to introduce this web page to the digital world and increase our visitor numbers.

If the data subject is logged in at the same time on Twitter, Twitter detects with every call-up to our website by the data subject and for the entire duration of their stay on our Internet site which specific sub-page of our Internet page was visited by the data subject. This information is collected through the Twitter component and associated with the respective Twitter account of the data subject. If the data subject clicks on one of the Twitter buttons integrated on our website, then Twitter assigns this information to the personal Twitter user account of the data subject and stores the personal data.

Twitter receives information via the Twitter component that the data subject has visited our website, provided that the data subject is logged in on Twitter at the time of the call-up to our website. This occurs regardless of whether the person clicks on the Twitter component or not. If such a transmission of information to Twitter is not desirable for the data subject, then he or she may prevent this by logging off from their Twitter account before a call-up to our website is made.

The applicable data protection provisions of Twitter may be accessed under <https://twitter.com/privacy?lang=en>.

### **Legal basis for the processing**

Article 6(1) lit. a GDPR serves as the legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to



which the data subject is party, as is the case, for example, when processing operations are necessary for the supply of goods or to provide any other service, the processing is based on Article 6(1) lit. b GDPR.

The same applies to such processing operations which are necessary for carrying out pre-contractual measures, for example in the case of inquiries concerning our products or services. Is our company subject to a legal obligation by which processing of personal data is required, such as for the fulfilment of tax obligations, the processing is based on Art. 6(1) lit. c GDPR.

In rare cases, the processing of personal data may be necessary to protect the vital interests of the data subject or of another natural person. This would be the case, for example, if a visitor were injured in our company and his name, age, health insurance data or other vital information would have to be passed on to a doctor, hospital or other third party.

Then the processing would be based on Art. 6(1) lit. d GDPR. Finally, processing operations could be based on Article 6(1) lit. f GDPR.

This legal basis is used for processing operations which are not covered by any of the above mentioned legal grounds, if processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

Such processing operations are particularly permissible because they have been specifically mentioned by the European legislator. He considered that a legitimate interest could be assumed if the data subject is a client of the controller (Recital 47 Sentence 2 GDPR).

### **The legitimate interests pursued by the controller or by a third party**

Where the processing of personal data is based on Article 6(1) lit. f GDPR our legitimate interest is to carry out our business in favour of the well-being of all our employees and the shareholders.

### **Period for which the personal data will be stored**

The criteria used to determine the period of storage of personal data is the respective statutory retention period. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfilment of the contract or the initiation of a contract.

### **Provision of personal data as statutory or contractual requirement**

- Requirement necessary to enter into a contract;
- Obligation of the data subject to provide the personal data;
- Possible consequences of failure to provide such data

We clarify that the provision of personal data is partly required by law (e.g. tax regulations) or can also result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary to conclude a contract that the data subject provides us with personal data, which must subsequently be processed by us. The data subject is, for example, obliged to provide us with personal data when our company signs a contract with him or her. The non-provision of the personal data would have the consequence that the contract with the data subject could not be concluded. Before personal data is provided by the data subject, the data subject must contact any employee. The employee clarifies to the data subject whether the provision of the personal data is required by law or contract or is necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and the consequences of non-provision of the personal data.

### **Existence of automated decision-making**

As a responsible company, we do not use automatic decision-making or profiling.



## Review

This policy and procedure will be reviewed or amended following continuous improvement strategies implemented by the Australian College or as legislation changes.

## Version Control and Responsible Officers

<b>Responsible Officer:</b>		Quality and Compliance Manager
<b>Approved by:</b>		Chief Executive Officer
<b>Next review scheduled:</b>		February 2024
<b>Approved and commenced:</b>		February 2023
<b>Version</b>	<b>Authored/Reviewed by</b>	<b>Brief Description of Changes</b>
V1.0	Quality and Compliance Manager	New policy. Updated and published on the website on 17.03.2021.
V2.0	Quality and Compliance Manager	Policy edited, updated with new logo. 24.02.2023.