

## Student Privacy Policy

### 1. Policy Statement and Purpose

Study Group Australia Pty Limited (“SGA”, “we”, “us”, “our”) is committed to upholding privacy and ensuring the confidentiality and security of information provided. SGA will only collect personal information by fair and lawful means, as necessary for the functions of SGA.

In collecting personal information, SGA will comply with the privacy requirements of the *Higher Education Support Act 2003* and the Australian Privacy Principles (APPs) set out in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* and other laws, regulations, and contractual agreements by which it is bound. If you are in the European Union, we must also comply with the General Data Protection Regulation (GDPR).

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### 2. Scope

This policy applies to the personal information of students and people making enquiries about services. This Privacy Policy aims to give you information on how SGA collects and processes your personal data, including any data you may provide through our website. This privacy policy applies to personal information collected by any method (including hardcopy, electronic or verbal means).

### 3. Definitions and Abbreviations

#### Personal Information

The Privacy Act defines personal information as information or an opinion, whether true or not and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

#### Sensitive Information

Information or opinion about an individual’s: racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; or criminal record that is also personal information.

#### Australian Privacy Principles (APPs)

A set of 13 principles governing the collection, management, use, disclosure and transfer of personal information by organisations such as the SGA.

## 4. Policy Provisions and Procedures

### 4.1 Collection and Use of Personal Information

Information is collected on the enrolment application form and during student enrolment in order for SGA to meet its obligations under the *Higher Education Support Act 2003* (Domestic students), *ESOS Act 2000* and the *National Code 2018* (Overseas students). Furthermore, to ensure student compliance with the conditions of their visas and obligations under Australian immigration laws generally.

The authority to collect this information is contained in the:

- *Education Services for Overseas Students Act 2000*
- *Education Services for Overseas Students Regulations 2001*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018*

At the time information is collected, students will be advised if they are required by a specific law to supply the information requested.

### 4.2 How SGA Collects Personal Information

We may process your data in order to enter into and perform a contract with you, or based on our legitimate interest of fraud prevention, safety and security; error detection and rectification; marketing our services; or analytics in terms of visitors' website use and their experience in order to improve the service. Sometimes we may seek your consent or get in touch based on the contact email you left on our website, of which you can always opt-out by clicking a link in our correspondence or emailing us to [GDPR@studygroup.com](mailto:GDPR@studygroup.com).

Our staff will have access to your personal information only where they have a genuine need to do so.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

#### **Information you give us**

You may give us information about you by filling in forms on our site or by corresponding with us by phone, e-mail or otherwise. This includes information when applying for enrolment, at orientation sessions, during periods of study and information that you provide when you register to use our site, subscribe to our service, search for a product, and when you report a problem with our site. The information you give us may include your name, address, telephone number(s), email addresses(s), date of birth, gender, country of birth, nationality, citizenship country, passport details, academic and English language attainments, disabilities, health information, including illnesses, allergies and dietary Information. SGA may also collect information regarding payment of fees.

### **Information we collect about you**

With regard to each of your visits to our site we may automatically collect the following information:

- technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- information about your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time);
- products you viewed or searched for;
- page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs); and
- methods used to browse away from the page and any phone number used to call our customer service number.

### **Information we receive from other sources**

We may receive information about you if you use any of the other websites we operate or the other services we provide. We are also working closely with third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers, credit reference agencies) and may receive information about you from them in relation to your expressed interest in our services and information required to enter into a contract with you such as creditworthiness.

We may also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

#### **4.3 Disclosure of Personal Information**

Information collected about individuals on the enrolment application form and during enrolment can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, SGA's domestic student tuition assurance scheme or the Tuition Protection Service. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach of a student visa condition.

SGA will not disclose an individual's personal information to another person or organisation unless:

- i) the individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation;

- ii) the individual concerned has given written consent to the disclosure;
- iii) SGA believes on reasonable grounds 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;
- iv) the disclosure is required or authorised by or under law; or
- v) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

In such circumstances, SGA will include in the records containing that information a note of the disclosure.

Any person or organisation to whom personal information is disclosed as described in this procedure must not use or disclose the information for a purpose other than the purpose for which the information was supplied to them.

#### 4.4 Cross-border disclosures

Before SGA discloses personal information to an overseas recipient, it will take reasonable steps to ensure that the overseas recipient does not breach the APPs (other than APP 1) in relation to that information.

#### 4.5 Disclosure of personal information to University Partners

SGA delivers courses and provides services on behalf of certain universities. In each case, all data collected on behalf of a university is provided by SGA to the university. Students will be informed when this is the case.

#### 4.6 Government-related identifiers

Personal information may be collected to assess an individual's entitlement to Commonwealth assistance under the *Higher Education Support Act 2003* and to allocate a Commonwealth Higher Education Student Support Number (CHESSN). SGA will disclose this information to the Department of Education and Training (DET) for these purposes.

The DET will store the information securely and may disclose information to the Australian Taxation Office. Personal information gathered for these purposes will not otherwise be disclosed without the individual's consent unless required or authorised by law.

#### 4.7 Security of Personal Information

SGA will take all reasonable steps to ensure any personal information collected is relevant to the purpose for which it was collected, is accurate, up-to-date, complete and not misleading.

SGA will store securely all records containing personal information. SGA will take all reasonable security measures to protect personal information collected from unauthorised access, misuse or disclosure.

#### 4.8 Right to Access and Correct Records

Individuals have the right to access or obtain a copy of the personal information that SGA holds about them.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended.

Where a record is found to be inaccurate, a correction will be made. Where a student requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record.

#### 4.9 Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive. A cookie message will appear on our site before we store any cookie on your device.

#### 4.10 Advertising and Remarketing Cookies

SGA uses 3rd party vendor re-marketing tracking cookies including the Google Adwords tracking cookie. These tell us when a user arrives on our site by clicking on one of our paid adverts. We also use Google Adwords Remarketing to advertise SGA across the internet. Remarketing will display relevant ads tailored to you based your prior use of our website, through cookies placed on your machine.

These cookies do not in any way identify you or give access to your computer or mobile device. These cookies allow us to tailor our marketing to better suit your needs and only display messages relevant to you.

You can opt out of Google's use of cookies via Google's Ads Settings:

<http://www.google.com/settings/ads>.

Requests to access or obtain a copy of personal information must be made in writing and should be sent by email to [legal@studygroup.com](mailto:legal@studygroup.com) or by post to:

Legal Department

Study Group Australia

Level 24 201 Elizabeth Street, Sydney, NSW 2000, Australia

Students may be required to verify their identity when requesting access to information. SGA may charge a fee to cover the cost of verifying the request and locating, retrieving, reviewing and copying any material requested. SGA will advise the likely cost in advance.

#### 4.11 Retention of personal information

We retain your personal information for as long as is necessary for our Purposes and Legitimate Interests and for us to comply with our legal obligations and perform our contracts with you.

We are required under Australian law to retain information in accordance with the Public Records Act 2005. If you are in the European Union, please note that in some situations, this may conflict with your rights under the GDPR.

#### 4.12 Publication

The Privacy Policy will be made available to students and prospective students by publication on SGA's websites. In order to ensure students have given informed consent for their personal information to be disclosed to certain third parties as outlined in this policy, SGA will advise students on enrolment about this policy and where it is located.

#### 4.13 Data breaches

The Privacy Act 1988 requires SGA to notify any Data Breach to the Privacy Commissioner and, in certain instances, the affected individuals.

We have put in place procedures to deal with any suspected Data Breach and will notify any affected individuals or any applicable regulator where we are legally required to do so.

If you know or suspect that a Data Breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the person or team designated as the key point of contact for Data Breaches which is the Data Protection Officer. You should preserve all evidence relating to the potential Data Breach.

#### 4.14 Complaints and Appeals

If a student has a complaint or an appeal regarding privacy and personal information, the SGA Student Complaints and Appeals Policy and Procedure will apply.

#### 4.15 Breaches of this policy

Failure to comply with this policy may constitute misconduct, and may result in disciplinary action being taken by SGA.

## 5. Supporting Documents

- *Commonwealth Privacy Act 1988*
- *Privacy Amendment (Private Sector) Act 2000*
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012.*

- *Education Services for Overseas Students Act 2000*
- *Education Services for Overseas Students Regulations 2001*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018*
- *Higher Education Support Act 2003*
- *SGA Student Complaints and Appeals Policy and Procedures*

## 6. Changes to this policy

We reserve the right to review, and if necessary, change this privacy policy. We will post material changes to this privacy policy in the document history box below. Please check back frequently to see any updates or changes to our privacy policy.

### Document Approval

<b>Document ID</b>	SGA Student Privacy Policy		
<b>Policy Owner(s)</b>	Senior Legal Counsel ANZ		
<b>Approved by</b>	SGA Board of Directors	<b>Date Approved</b>	6 September 2018
		<b>Date Commencing</b>	15 September 2018

### Document History

<b>Commencing Date</b>	<b>Summary of Changes</b>	<b>Next Review Date</b>
30 January 2017	v2.1 Minor amendments approved	April 2020
15 September 2018	v3.0 Review and amendment to maintain business and regulatory currency	September 2023
	v3.1 Administrative amendments to maintain business and regulatory currency effective from 1 December 2018	