

Privacy Policy - Australia

Introduction

All services available are provided on behalf of the Company by The Edwin Group, First Floor (South), Cathedral Buildings, Dean Street, Newcastle upon Tyne NE1 1PG, United Kingdom. Our contact details can be found under 'legal and contact information' in this Privacy Policy.

The Company includes our trading activities that are branded Vision for Education/ABC Teachers/Smart Teachers/Edwin Education. Please read the following Privacy Policy which explains how we use and protect your personal data and personal information. This Privacy Policy applies to the use of all our services and websites (and web-based services) on which a link to this policy appears (the "Sites").

For the purpose of the Data Protection Act 2018 and the UK General Data Protection Regulation (the "GDPR") (together, the "Data Protection Legislation"), the Data Controller is the Company of First Floor (South), Cathedral Buildings, Dean Street, Newcastle upon Tyne NE1 1PG and all services are provided by the Company.

This Privacy Policy explains how we collect, hold, use, manage and disclose your personal data in accordance with the Data Protection Legislation and your personal information pursuant to the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (together, **Privacy Legislation**). In this Privacy Policy, "your data" means your "personal data" as defined under the Data Protection Legislation, and your "personal information" as defined in the Privacy Legislation.

We take your privacy seriously and we are committed to keeping your information private. To the extent we are required by law, we have notified the United Kingdom's Information Commissioner's Office that we will process your data in accordance with the Data Protection Legislation (as defined above).

By providing us with any information about yourself (including via our websites and in branch), you understand that we will process your data in accordance with this Privacy Policy and our Cookies Policy.

This Privacy Policy covers:

1. The kinds of/what personal data and personal information we collect and hold about you, and how we collect it.
2. The purposes/our legal basis for which we collect, hold, use and disclose your data.
3. How we will use your data.
4. Accuracy of your data.
5. Personal data and personal information that we share with third parties.
6. Data retention, data security and overseas transfers of your data outside of Australia and outside of the European Economic Area (EEA).
7. Your rights - Accessing, erasing and updating your data.
8. How to complain.
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12. Legal and contact information.

1. Personal data and personal information we collect about you and how we collect it

The Company is a recruitment business which provides work-finding services for our clients and work-seekers. The Company must process your data (including sensitive personal data and sensitive information) so that we can provide these services – in doing so, the Company acts as a Data Controller and will comply with the Privacy Legislation when dealing with your data in Australia.

How we collect your data - information that you provide to us directly

We collect your data whenever you contact us and provide us with information that we are able to identify you by, including when you contact us by phone, email or when you sign up to use any of our services. In particular, we collect information about you when you register and create an account, upload your CV, and every time you email us directly.

During the registration process, we will collect information via our website, during face to face interview and via our registration forms.

The kinds of/what personal data or personal information we collect includes:

- Name
- Date of birth
- Contact details (address, email address, telephone number)
- Bank details
- CV (employment, qualifications and education history)
- Emergency contact details

We will also collect the following sensitive information from you:

- NII number
- Tax file number
- Medical details
- Professional registration membership numbers
- Right to work documentation, and
- Criminal record history.

How we collect your data - information that we automatically collect (including use of “cookies”)

We automatically gather certain limited information about your visits to our Sites. This includes demographic data and browsing patterns. Information automatically received includes your IP address (which identifies the computer or device that you use to access the Sites), the time and date of your visit, browser, operating system, internet connection details, as well as a breakdown of your journey through our Sites and content that you searched for. This is used to build up professional and marketing profiles, to aid strategic development, to potentially fraudulent or other criminal activities and to audit usage of the Sites.

Use of cookies

Our websites use cookies. We use cookies to give you the best possible experience, analyse our traffic, provide social media features and for advertising purposes. By consenting to certain cookies, certain information about your use of our site will be shared with social media, advertising and analytics partners who may combine it with other information that you have provided to them.

Cookies are small text files that can be used by websites to make a user’s experience more efficient.

The law states that we can store cookies on your device if they are strictly necessary for the operation of this site. For all other types of cookies we need your consent.

The Privacy Legislation applies to personal information which is information that can be used to identify you. As a general rule, however, it is not possible to identify you personally from our use of cookies.

This site uses different types of cookies. Some cookies are placed by third party services that appear on our pages.

You can at any time change or withdraw your consent from the Cookie Declaration on our website.

It is possible to stop your browser from accepting cookies altogether by changing your browser’s cookie settings.

You can usually find these settings in the “Options” or “Preferences” menu of your browser. The following links may be helpful, or you can use the “Help” option in your browser.

For further information please see our Cookies Policy at www.visionforeducation.co.uk/cookies-policy / www.abc-teachers.co.uk/cookies-policy / www.smartteachers.co.uk/cookies-policy and for more independent information about cookies, visit www.aboutcookies.org.

For more information about managing cookies, see the guidance from the Office of the Australian Information Commissioner (www.oaic.gov.au).

How we collect your data - information that we collect from third parties

Certain third-party partners of the Company may provide us with information relating to you. It is that third party's responsibility to ensure that it has obtained your consent to do this. However, where possible, we will request from our partners that they have the right to pass on this information. These third parties include:

- Jobs boards
- Referees
- DBS certificates via eSafeguarding, and
- Pre-employment checks including, TRA and Update Service.

2. The purposes for which we collect, hold, use and disclose/our legal basis for collecting and using your data

Data Protection Legislation mandates that any personal data can only be used where there is a lawful basis to do so. Privacy Legislation mandates that any personal information can only be used for the particular purpose for which it was collected, such as providing you with our recruitment services, and not another purpose, unless we have obtained your consent to do so. At the Company, we rely on one or more of the following grounds to legally collect and use your data:

- Your data is necessary for the performance of the contract which we have with you (i.e. to provide our services to you);
- We are using your data where it is in our legitimate interests to do so;
- We have a legal obligation to process data; and
- You have consented to the use of your data by us.

Where we rely on your consent to process any of your data, you may revoke your consent at any time. Any such revocation will not affect the lawfulness of any prior use of that data.

3. How we use your data

We will use your data to enable us to provide our services to you and enable you to use the Sites, including, for the following purposes:

Performance of a contract

Your data is required by law and/or is a contractual requirement (e.g. our client may require this personal data and personal information). You are obliged to provide your data, and if you do not provide us with your information, the consequences of failure to provide your data are:

- The Company will be unable to find you work as our clients require this information in order to comply with their safer recruitment practices.

The Company will collect your data (which may include sensitive personal data and sensitive information) and will process your data for the purposes of providing you with work-finding services. The legal bases we rely upon to offer these services to you are:

- Processing is necessary for carrying out the Data Controller's/Company's obligations under employment, social security or social protection law, or a collective agreement, providing for appropriate safeguards for the fundamental rights and interests of the individual. This is on the understanding that you may be entering into a contract with us to provide work-finding services to you.

Legal obligation

We will use your data where we are legally obliged to do so, this includes:

- Establishing right to work.
- Compliance with taxation laws.
- Compliance with all regulatory pre-employment checks for the education sector.
- To maintain records as required under the Conduct of Employment Agencies and Employment Businesses Regulations 2003, Fair Work Act 2009 (Cth), Fair Work Regulations 2009, or any other Australian workplace laws.
- For financial reporting and auditing purposes.

- Employment placement history.
- For anti-money laundering or fraud prevention, detection and reporting.
- To maintain records of actions taken on your account.

To comply with the above, we collect the following special category data and sensitive information:

- Personal data revealing racial or ethnic origin via right to work documentation.
- Biometric data (where used for identification purposes).
- Data concerning health.

We will only collect sensitive information that is reasonably necessary for, or directly related to the Company's functions and activities and to be able to provide you with the services. By providing us with sensitive information, you consent to our collection of such information.

We always ensure that our processing is generally lawful, fair and transparent and complies with all the other principles and requirements of the GDPR/Privacy Legislation.

All special category data is obtained for the purposes of employment, social security and social protection (if authorised by law) and reasons of substantial public interest (with a basis

in law) as per Article 9 of the GDPR, specifically relating to the safeguarding of children and of individuals at risk in accordance with Data Protection Act Schedule I.

Primary purpose of collection / Legitimate interest

Where the Company has relied on a legitimate interest or primary purpose to process your data, our legitimate interests/primary purpose is/are as follows:

- The Company is an employment business, which means we have a commercial interest in finding work for our workseekers in educational establishments. We will contact you regarding employment opportunities in line with your requirements.
- The Company will contact you about free training opportunities that you may be interested in attending. We have a legitimate interest to enhance the skills of our current workforce, to support your professional development and help you stay at the forefront of developments in the industry. Your data will not be shared with any third-party training provider without your prior consent.
- The Company will contact you to invite you to our free social events for staff. These events give you the opportunity to network with schools and other teaching and support staff and widen your professional contacts. The Company has a legitimate interest to create a more engaged community of supply staff who are loyal to the Company.

Collection for the National Tutoring Programme (NTP)

Pupils

The Company will collect data via the school for all pupils engaged in tutoring sessions via the NTP. The Company will collect specific data as instructed by the NTP. This data will be kept securely within our portal and will only be used for NTP purposes. This data will be transferred securely to the Evaluator via their secure portal for reporting purposes.

All pupil data, alongside any associated tutoring session information, will be deleted as soon as practicable after the Company is informed by NTP that it has ceased to be appropriate to retain the NTP data (unless we are required by law to retain it). All NTP data will be erased from any computers, storage devices and storage media. The Company will take further action as may be necessary or desirable to ensure our compliance with Data Protection Legislation or applicable Privacy Legislation. For further information please see NTP Privacy Notice for Parents and Carers of Pupils and NTP Privacy Notice for KS4 Pupils.

Schools

The Company will collect data for all schools engaged in tutoring sessions via the NTP. The Company will collect specific data as instructed by the NTP. This data will be kept securely within our portal and will only be used for NTP purposes. This data will be transferred securely to the Evaluator via their secure portal for reporting purposes.

All pupil data, alongside any associated tutoring session information, will be deleted as soon as practicable after the Company is informed by NTP that it has ceased to be appropriate to retain the NTP data (unless we are required by law to retain it). All NTP data will be erased from any computers, storage devices and storage media. The Company will take further action as may be necessary or desirable to ensure our compliance with

Data Protection Legislation or applicable Privacy Legislation. For further information please see NTP Privacy Notice for Schools.

Tutors

In addition to the data the Company collects as part of the candidate registration process, the Company will also collect further information for all tutors engaged in tutoring sessions via the NTP. The Company will collect specific data as instructed by the NTP. This data will be kept securely within our portal and will only be used for NTP purposes. This data will be transferred securely to the Evaluator via their secure portal for reporting purposes.

All pupil data, alongside any associated tutoring session information, will be deleted as soon as practicable after the Company is informed by NTP that it has ceased to be appropriate to retain the NTP data (unless we are required by law to retain it). All NTP data will be erased from any computers, storage devices and storage media. The Company will take further action as may be necessary or desirable to ensure our compliance with Data Protection Legislation or applicable Privacy Legislation. For further information please see NTP Privacy Notice for Tutors.

Direct marketing consent

We will use your data for marketing purposes where we have your consent to do so to, including:

- Sending specific marketing to schools or introduce you to a school
- Conducting status checks on your DBS through the Update Service, and
- Registering you for Team Teach training services.

We will not use any sensitive information for direct marketing purposes unless we have obtained your consent to do so.

If you no longer wish to receive marketing communications from us, please notify us by emailing our Privacy Officer at dpo@visionforeducation.co.uk, dpo@abc-teachers.co.uk, dpo@smartteachers.co.uk.

We will not sell or share your information with third parties not specified in this privacy policy without your prior consent, unless we are required by any Australian law to do so.

4. Accuracy of your data

It is your responsibility to ensure that any information submitted as part of the registration process is accurate and up to date. You can request to update or correct your information at any time.

If you believe that any data we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at dpo@visionforeducation.co.uk, dpo@abc-teachers.co.uk, dpo@smartteachers.co.uk or dpo@edwineeducation.com.au. We will not charge you for making the request or for correcting the information.

5. Personal data and personal information that we share with third parties

In order to provide the services offered, we sometimes need to share your data with third parties. However, we will continue to be responsible for the usage and security of your data when this happens.

The Company will process your data, sensitive personal data and sensitive information with the following third-party recipients:

- Educational establishments for the process of providing work-finding services.
- The Police and any child protection professionals in the event of an investigation into your conduct.
- Other companies, governing bodies or government agencies in order to carry out checks, for investigative purposes or provide services for the fulfilment of work-finding services as required.
- A CCS Accreditation Body, e.g. Apsco/Recruitment and Employment Confederation, or other bodies that we engage with for audit purposes

Your data may be disclosed to any company within the group, for the purpose of processing that personal data and personal information, using appropriately secure methods, for services being provided.

As part of the registration process, you may be required to register with our Candidate Registration Portal. If this is the case, the following information will be provided to Llama ID:

- Name, and
- Email address.

Llama ID may also share your details with the following third parties:

- Credas – for the purposes of ID verification
- First Advantage – for the purposes of processing a DBS certificate.

You will be required to agree to the above third parties' Terms and Conditions in order to register.

As part of the registration process, we may need to apply for a new DBS certificate for you. If this is the case, the following information will be provided to eSafeguarding to process the DBS application:

- Name, and
- Email address.

In order to verify your qualifications, we may be required to provide limited personal data and personal information to regulatory or awarding bodies.

In order to offer additional services to you, the Company will, with your consent, share minimal personal data and personal information with the following third party recipient:

- TeamTeach.

Should you wish to work as an online tutor, you will be required to register with our online tutor platform, Tutor Office, and you will be asked to provide the following information:

- Name
- Address
- Email address
- Date of birth, and
- Mobile number.

This platform is completely separate from our own systems and database and you will be required to agree to Tutor Office Terms and Conditions in order to register.

In order to complete relevant safeguarding and child protection courses required for our registration process, minimal personal data and personal information (name and email address) will be shared with our safeguarding training provider.

Other circumstances where we share or use your data

In certain circumstances, we may be required by law to disclose your data to third parties such as government bodies, law enforcement agencies and data protection or privacy regulators.

6. Data retention, data security and transfers of your data outside of the UK and Australia

The Company is only permitted to, and will retain your data only for as long as is necessary. Different laws require us to keep different data for different periods of time. Specific details of our retention can be found here or on our website.

We take all reasonable steps to ensure that your data that we hold is protected against misuse, loss, unauthorised access, modification or disclosure.

We will comply with any/all Privacy Legislation, employment and taxation laws in relation to maintaining and holding your work-seekers records.

The Conduct of Employment Agencies and Employment Businesses Regulations 2003 require us to keep work-seeker's records for at least one year from:

- a. The date of their creation, or
- b. The date on which we last provide you with work-finding services.

We must also keep your payroll records, holiday pay, sick pay and pension's auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

We only retain your data for as long as we reasonably require it for legal or business purposes. The Company and group offer work-finding services including permanent placements for senior leadership positions where the length of service is significantly longer, so our data retention period is/ may be greater. With this in mind, your information will not be kept for longer than 7 years after your last day of work, or from the date you were cleared to work, whichever is longer (under UK laws). In the case of information retained in Australia, your information will not be kept for a longer period than required by any laws, including where applicable, workplace

laws Please note that we may be required, in certain circumstances, to retain your information indefinitely (for example under child protection legislation).

We will take all necessary steps to ensure that the privacy of information is maintained for the period of retention.

Overseas transfer – UK

We take steps to protect your data from unauthorised access and against unlawful processing, accidental loss, destruction and damage. We will only keep your data for as long as we reasonably require and for the activities we have detailed above. This means we will retain your data for the duration of any contract we have with you, in line with any legal obligation for data retention (such as that for HMRC) or, primarily, until erasure is requested by you, or in the case of Privacy Legislation, until we no longer require that personal information for the purpose it was collected or we are required by law to destroy such information.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will take steps to protect your data, we cannot guarantee the security of your data transmitted via email and/or our website - any transmission is at your own risk.

As our main operations are conducted in the UK, we will use our UK based systems and servers when processing your data. This means that data that we collect from you will, where possible, be stored and processed within the UK. In certain circumstances, employees and third parties that are based outside of the UK and Australia may process, host or store your data. For example, some of our data is stored in Ireland.

In the event/when your data is transferred, stored or processed outside of Australia and the UK, we will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy, the Privacy Legislation and the Data Protection Legislation. This may include (a) ensuring the country to which your data is transferred have data protection laws which protect your data in a way which is at least similar to the Privacy Legislation, and there will be mechanisms available to you to enforce protection of your data under that overseas laws/has been confirmed by the UK to provide adequate protection to your data; or (b) ensuring that there are appropriate standard contractual clauses in place in respect of the transfer or (c) ensuring an exemption applies.

7. Your rights - Accessing, erasing and updating your data

Should you have any queries or complaints in relation to how we use your information, please contact us via the details set out in section 12 below.

You have the right to access your data that we hold about you and to ask us to:

- make any changes to ensure that any personal data and personal information we hold about you is accurate and up to date
- erase or destroy or stop processing any personal data and personal information we hold about you where there is no longer a primary purpose or legal ground for us to hold it, or
- transfer any information we hold about you to a specified third party.

You can ask for access or correction by contacting us and we must respond within 30 days. If you ask, we must give you access to your data, and take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.

We will not impose a fee upon you for making a request for access to your information. However, we may impose a charge upon you to recover any reasonable cost we incur in preparing, releasing and giving access to the requested personal information.

8. Complaints

If you believe that we have not complied with our obligations under the Privacy Legislation, you have the right to make a complaint to us directly by emailing us at dpo@visionforeducation.co.uk, dpo@abc-teachers.co.uk, dpo@smartteachers.co.uk or dpo@edwineeducation.com.au

After investigating your complaint, within 30 days, or such other period as agreed in writing, we will make a decision about your complaint and respond to you in writing.

Should you wish to take any complaints or queries further in relation to our handling procedures in the UK, you have the right to contact the Information Commissioner's Office regarding such issues. Further information about how to make a complaint can be obtained at www.ico.org.uk or by telephoning 0303 123 1113.

Should you wish to take any complaints or queries further, in relation to our handling procedures in Australia, you have the right to contact the Office of the Australian Information Commissioner regarding such issues. Further information about how to make a complaint can be obtained at enquiries@oaic.gov.au or by telephoning 1300 363 992.

9. Data breaches

If we suspect that a data breach has occurred, we will undertake an assessment of the circumstances of the suspected breach within 30 days after the suspected breach has occurred. Where it is ascertained that a breach has actually occurred and where required by law, we will notify the Australian Privacy Commissioner and affected customers as soon as practicable after becoming aware that a data breach has occurred.

10. How to unsubscribe from any email alerts you receive

If you have elected to receive information about our products or services or the products or services offered jointly with or on behalf of other organisations and/or "alerts" from us via email (for example, by creating an email alert for a job) and would like at any time to unsubscribe from this service, please email us at dpo@visionforeducation.co.uk, dpo@abc-teachers.co.uk, dpo@smartteachers.co.uk, dpo@edwineducaiton.com.au or click on the "unsubscribe" link at the bottom of an email.

11. Changes to our Privacy Policy

The Company may amend this Privacy Policy at any time and where we make material changes to it, we will provide notice on our website. By continuing to use our services and/or our Sites, you agree to the updated Privacy Policy. If you do not agree to any changes that we make, you should not use or access (or continue to use or access) our services and/or our Sites.

12. Legal and contact information

The registered office of the Company is:
The Edwin Group,
First Floor (South), Cathedral Buildings,
Dean Street, Newcastle upon Tyne
NE1 1PG

We will use all reasonable efforts to answer any questions or resolve any concerns regarding your privacy promptly.

All comments, queries and requests relating to our use of your data are welcomed (including in relation to transfers of your data outside Australia and the EEA). If you would like to contact us, queries should be addressed to The Data Protection Team at the above address; or by email at dpo@visionforeducation.co.uk, dpo@abc-teachers.co.uk, dpo@smartteachers.co.uk, dpo@edwineducaiton.com.au