

PRIVACY POLICY



ABN 91 695 875 711

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1. Introduction and Commitment

This is the Privacy Policy of Learning & Co (referred to in this Policy as 'we', 'us', 'our' or the 'Organisation').

We are an education and enhanced learning business providing educational programs including, but not limited to tutoring, workshops, classes, and other educational services and associated learning resources to students, parents/guardians. We are committed to protecting the privacy of every individual whose personal information we collect and handle.

This Policy sets out how we collect, use, disclose, store, protect and provide access to personal information in accordance with our obligations under Australian law. We treat privacy compliance not merely as a legal obligation but as a fundamental element of the trust our clients place in us.

Applicable Law

This Policy is designed to comply with the following current legislation and anticipated reforms:

- Privacy Act 1988 (Cth) (the Privacy Act)
- Australian Privacy Principles (APPs), Schedule 1 of the Privacy Act
- Notifiable Data Breaches (NDB) scheme, Part III C of the Privacy Act
- Privacy and Other Legislation Amendment Act 2024 (Cth), in effect from 10 December 2024, including: the statutory tort for serious invasions of privacy (commenced 10 June 2025); enhanced OAIC enforcement powers and tiered civil penalty regime; automated decision-making transparency requirements (grace period to 10 December 2026); and clarified security obligations requiring 'technical and organisational measures'
- Online Safety Act 2021 (Cth), where relevant to our services
- Spam Act 2003 (Cth), governing electronic marketing
- Upcoming Children's Online Privacy Code (to be registered by 10 December 2026), which may impose additional obligations on our digital services accessible by children; we are monitoring this development and will update this Policy accordingly
- Any applicable State or Territory legislation governing educational services or child safety

We are committed to complying with the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs) in the handling of personal information. To the extent that the Privacy Act applies to our operations, including where we handle sensitive information such as health information, we will comply with all applicable obligations as an APP entity.

2. About This Policy

This Policy applies to all personal information we collect, use, disclose, store or otherwise handle in connection with our business activities, including through, but not limited to:

- Our website and any online portals or learning management systems
- Enrolment, registration or enquiry forms (online or paper-based)
- In-person and online educational programs, tutoring sessions and workshops
- Sale and supply of educational resources, materials and digital content
- Email, phone, video conferencing and other communications
- Social media platforms and pages we operate
- Payment and billing processes

This Policy also applies to personal information collected and processed by third-party service providers engaged by us to support our operations, including payment processors, website hosting providers and communication platforms, to the extent required under applicable privacy laws.

This Policy does not apply to the privacy practices of third-party websites, platforms or services that are not controlled by us, even where they are linked to or accessible through our services. Those providers operate under their own privacy policies, and we encourage you to review them.

3. What is Personal Information?

'Personal information' has the meaning given in the Privacy Act: *information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.*

'Sensitive information' is a subset of personal information that attracts a higher level of protection under the APPs. This includes but is not limited to health information, racial or ethnic origin, religious beliefs, among other categories.

Given that our services are directed to children and young people, we recognise our heightened obligations in handling their personal information.

4. Personal Information We Collect

We collect only the personal information that is reasonably necessary for our functions and activities. Depending on the nature of your engagement with us, this may include, but is not limited to:

A. Identity and Contact Information

- Full name
- Date of birth or age range
- Parent, guardian or emergency contact name and relationship
- Email address
- Phone number
- Residential or postal address
- School name and year level

B. Student and Participant Information

- Educational background and current year level
- Learning goals and areas of focus
- Academic progress records, assessment results and feedback
- Attendance records
- Notes from tutoring or coaching sessions
- Behavioural observations (where relevant to educational support)
- Portfolio work, assignments or assessments

C. Sensitive Information

Under the Privacy Act, we only collect sensitive information where it is reasonably necessary for our activities and we have obtained consent (or another applicable ground under the APPs applies). In an educational context, sensitive information we may collect includes:

- Health information relevant to participation in our programs (e.g. allergies, medical conditions, accessibility needs)
- Information about a learning difficulty, disability or neurodivergence (e.g. dyslexia, ADHD, autism spectrum)
- Racial or ethnic background (where relevant to culturally responsive or inclusive educational support)

Where a student is a minor, we will generally obtain consent from a parent or guardian before collecting sensitive information about that student.

D. Payment and Transaction Information

- Billing name and address
- Invoice and payment history
- Transaction records

We do not store full payment card details. All card payments are processed by PCI DSS-compliant third-party payment processors e.g Paypal or Stripe, and we handle only the transactional data necessary to confirm payment and maintain records

E. Website, Device and Usage Information

When you interact with our website or digital services, we may collect certain information, including:

- IP address and general geographic location
- browser type and version
- device type and operating system
- pages visited and content accessed
- referral source and session duration
- cookie identifiers and session data

This information is collected for purposes including website functionality, analytics, performance monitoring and security. Further information about our use of cookies is set out in Section 16.

F. Communications Data

- Records of enquiries, feedback and complaints
- Email and message correspondence
- Survey responses

5. How We Collect Personal Information

We collect personal information in the following ways:

- Directly from you or your parent/guardian, when you enrol in a program, make an enquiry, purchase a resource, communicate with us or complete a form
- Through our website, including via contact forms, registration pages and cookies
- During the course of delivering educational services (for example, session notes or progress assessments)
- From third-party platforms or service providers connected to our operations (for example, payment processors or learning management systems), subject to their privacy policies
- From schools or partner organisations where they refer or enrol students with us (in which case we rely on that organisation having collected the information appropriately)

Where practicable, we collect personal information directly from the individual concerned. Where we collect information about a child, we generally do so from their parent or guardian. We will only collect personal information by lawful and fair means and, where required, with notice of the collection.

6. Purposes for Which We Collect and Use Personal Information

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

Delivering Educational Services

- Assessing enquiries and enrolment suitability
- Delivering educational programs, tutoring, coaching and workshops
- Monitoring student progress and personalising learning support
- Providing progress feedback and reports to parents or guardians
- Issuing certificates, results or other learning outcomes
- Developing and improving our educational resources and products

Meeting Legal and Safety Obligations

- Fulfilling our duty of care to students and participants
- Responding to emergencies, incidents or safeguarding concerns
- Complying with applicable child safety, mandatory reporting or working with children obligations
- Complying with tax, financial reporting and other regulatory obligations
- Responding to legal processes or lawful requests from authorities

Business Operations

- Processing payments and managing accounts
- Providing customer support and resolving complaints
- Managing bookings, scheduling and communications
- Maintaining business records
- Undertaking insurance, risk management and quality assurance activities

Marketing and Communications

- Sending information about our programs, services and resources, where permitted
- Providing newsletters and educational updates (with opt-out options)
- Conducting satisfaction surveys or gathering feedback

Secondary Purposes

Where we use personal information for a purpose other than the primary purpose of collection, we will do so only where: the individual has consented; it is directly related to the primary purpose; or it is permitted or required by law.

We do not sell personal information to third parties. We may disclose personal information to trusted service providers who assist us in operating our business, in accordance with this Policy.

7. Automated Decision-Making

The Privacy and Other Legislation Amendment Act 2024 introduced transparency requirements for automated decision-making affecting individuals. These provisions have a grace period and will take full effect by 10 December 2026.

We are committed to transparency in any use of automated tools or systems that make or substantially contribute to decisions about individuals. Where we use technology that automates decisions (for example, in assessing learning progress or generating personalised recommendations), we will:

- Disclose this in our collection notices or updated Privacy Policy
- Provide individuals with sufficient information to understand how the automated decision-making works
- Ensure meaningful human oversight of significant automated decisions

We will update this Policy as our technology practices develop and as regulatory guidance on automated decision-making is published.

8. Disclosure of Personal Information

We may disclose personal information to the following categories of third parties, to the extent necessary and proportionate to our purposes:

- Technology and IT service providers (including cloud hosting providers, website platforms, learning management systems and analytics providers)
- Payment processors and financial service providers
- Professional advisers (including legal, accounting and insurance advisers), subject to applicable professional obligations of confidentiality
- Schools, educational institutions or partner organisations where relevant to delivering a program

- Contractors and casual educators engaged to deliver our services, subject to confidentiality obligations
- Regulators, government agencies and law enforcement, where required or authorised by law
- Emergency services and medical providers, where required for the safety of a student or participant

Some of the third-party service providers we engage may be located outside Australia or may store data in overseas jurisdictions. As a result, personal information may be disclosed to recipients in countries such as the United States, the European Union or other locations where our service providers operate.

We take reasonable steps to ensure that any overseas recipients handle personal information in a manner consistent with the Australian Privacy Principles.

9. Overseas Disclosure of Personal Information

Under the Privacy Act, we may be required to take reasonable steps to ensure that overseas recipients do not breach the Australian Privacy Principles. Where applicable, we remain accountable for the handling of personal information disclosed overseas.

Before disclosing personal information to an overseas recipient, we take reasonable steps to ensure the recipient does not breach the Australian Privacy Principles in relation to that information. This may include:

- reviewing the recipient's privacy and security practices
- incorporating contractual obligations requiring appropriate data protection standards
- assessing whether the recipient's jurisdiction provides comparable privacy protections

By providing us with your personal information, you acknowledge that it may be disclosed to overseas recipients as described in this Policy.

Where required under the Privacy Act, we remain accountable for personal information disclosed to overseas recipients.

10. Security of Personal Information

We are required under APP 11 and the Privacy and Other Legislation Amendment Act 2024 to take reasonable steps, including technical and organisational measures, to protect personal information from misuse, interference, loss, unauthorised access, modification or disclosure.

Our security measures include, as appropriate:

- Password-protected systems, which might include multi-factor authentication
- Role-based access controls limiting access to personal information to those who need it
- Secure, reputable cloud platforms with appropriate encryption
- Encrypted data transmission (for example, HTTPS/TLS on our website)
- Regular software updates and security patching
- Staff training and confidentiality obligations
- Physical security measures for any paper-based records
- Periodic review of our data security practices

No method of data transmission or storage is completely secure. While we strive to use commercially acceptable means to protect personal information, we cannot guarantee absolute security. In the event of a suspected security issue, we will act promptly to contain and assess the matter.

11. Notifiable Data Breaches

We are subject to the Notifiable Data Breaches (NDB) scheme under Part IIIC of the Privacy Act. In the event of an eligible data breach, that is, a data breach that is likely to result in serious harm to one or more individuals, we will:

- Contain the breach and assess the likely risk of harm
- Notify the Office of the Australian Information Commissioner (OAIC) as soon as practicable
- Notify affected individuals (or, in the case of child students, their parents or guardians)
- Take remedial action to prevent or reduce harm

For further information on the NDB scheme, visit: www.oaic.gov.au/privacy/notifiable-data-breaches

The Privacy and Other Legislation Amendment Act 2024 has also given the Minister the power to issue emergency data sharing declarations in certain circumstances. We will comply with any such declarations where applicable.

12. Retention and Destruction of Personal Information

We retain personal information only for as long as it is reasonably necessary to fulfil the purposes for which it was collected, or as required by law. Retention periods will depend on the nature of the information and the applicable legal or regulatory requirements, which may include:

- Student education records: retained for a minimum period consistent with applicable education or record-keeping obligations, or as required by child safety laws
- Financial and transaction records: generally 7 years in accordance with Australian tax law
- Staff and contractor records: retained for the period of engagement and as required by employment law
- Marketing opt-out records: retained indefinitely to ensure compliance with opt-out requests

When personal information is no longer required, we will take reasonable steps to destroy or de-identify it securely.

13. Privacy of Children

Our services are primarily directed at children, young people and their families. We recognise that children's personal information requires heightened protection.

Consent and Parental Authority

Where a student is under 18 years of age, we will generally:

- Seek enrolment consent from a parent or legal guardian
- Direct privacy notices and collection notices to parents or guardians
- Obtain parental or guardian consent before collecting sensitive information
- Only share a student's personal information with persons who have authority to receive it (including the student's parent or guardian, or the student themselves if of sufficient maturity)

Upcoming Children's Online Privacy Code

The OAIC is currently developing a Children's Online Privacy Code, mandated by the Privacy and Other Legislation Amendment Act 2024, which must be registered by 10 December 2026. This Code is expected to impose additional obligations on operators of online services likely to be accessed by children, potentially including education technology providers.

Given our services are directed at children, we are actively monitoring the development of the Code and will update our practices and this Policy as required when the Code is finalised.

In anticipation of the Code, we commit to the following baseline practices for children's information:

- Collect only what is necessary. We apply strict data minimisation to children's information
- No targeting or profiling for commercial advertising purposes, we do not use children's information to deliver targeted third-party advertising
- No selling or disclosure of children's personal information to third parties for their own marketing or commercial purposes
- Age-appropriate communication, we present privacy information in clear, accessible language
- Parental access and control, parents and guardians may request access to, correction of, or deletion of their child's information (see Section 14)

Online Safety

Where our services involve online platforms, we take additional steps to safeguard children's digital privacy and safety, including appropriate access controls, moderation practices and alignment with the Online Safety Act 2021 (Cth).

14. Your Rights: Access and Correction

Under the Privacy Act and Australian Privacy Principles, you have the right to:

- Request access to personal information we hold about you (or about your child, if you are a parent or guardian with authority)
- Request correction of personal information that is inaccurate, out of date, incomplete, irrelevant or misleading

How to Make a Request

To exercise these rights, please contact our Privacy Officer using the details in Section 18. We may need to verify your identity (and, where relevant, your authority to request information about a child) before processing a request.

We will respond to access and correction requests within 30 days of receipt. If we require additional time or information, we will advise you.

Grounds for Refusal

In limited circumstances, we may refuse an access or correction request. If we do so, we will provide you with written reasons for the refusal and advise you of any mechanisms to complain about the decision.

No Charge for Correction Requests

We do not charge for making a correction request. We may charge a reasonable fee for providing access to information in certain circumstances, such as where significant time is required to locate and compile the information. We will advise you of any applicable fee in advance.

15. Direct Marketing

We do not use personal information for direct marketing purposes.

We do not send marketing or promotional communications.

If this position changes in the future, we will only send such communications in accordance with applicable laws, including the Spam Act 2003 (Cth) and the Privacy Act 1988 (Cth), and you will have the opportunity to opt out at any time.

We do not use children's personal information for marketing purposes, and we do not disclose children's personal information to third parties for marketing.

16. Cookies and Website Analytics

Our website may use cookies and similar tracking technologies. Cookies are small data files stored on your device that help us recognise you and improve your website experience.

We may use the following types of cookies:

- Essential cookies: necessary for the website to function correctly
- Functional cookies: to remember your preferences and settings
- Analytics cookies: to understand how visitors interact with our website (for example, using tools such as Google Analytics)
- Marketing cookies: to identify visitors who have expressed interest in our services (used only where consent is obtained)

You can control or disable cookies through your browser settings. Please note that disabling certain cookies may affect the functionality of our website.

We do not knowingly deploy advertising or tracking cookies in areas of our website or digital services primarily used by children. Where children access our online services, we apply stricter controls on tracking and data collection.

17. Privacy Complaints

If you believe we have interfered with your privacy or not complied with our obligations under the Privacy Act or Australian Privacy Principles, we encourage you to raise your concern with us first.

Internal Complaints Process

Please submit your complaint in writing to our Privacy Officer (see Section 18). Your complaint should include:

- Your name and contact details
- A description of the privacy concern
- The outcome you are seeking

We will:

- Acknowledge receipt of your complaint within 5 business days
- Investigate your complaint fairly and thoroughly
- Respond with our findings and proposed resolution within 30 days
- If we require more time, advise you accordingly

External Complaints

If you are not satisfied with our response, or if you wish to lodge a complaint directly with the regulator, you may contact:

Office of the Australian Information Commissioner (OAIC)

Website: www.oaic.gov.au

Phone: 1300 363 992

Mail: GPO Box 5218, Sydney NSW 2001

Note: Under the Privacy and Other Legislation Amendment Act 2024, individuals also have a new statutory right to bring a civil action in tort for serious invasions of privacy, independent of the OAIC complaints process.

18. Contact Our Privacy Officer

We have appointed a Privacy Officer responsible for overseeing our compliance with this Policy and Australian privacy law. You may contact our Privacy Officer by emailing hello@learningandco.com.au.

Please mark all privacy-related enquiries and correspondence to the attention of the Privacy Officer.

19. Updates to This Policy

We review and update this Privacy Policy periodically to reflect changes in our practices, technology, legal obligations and regulatory guidance. This is particularly relevant given Australia's ongoing privacy reform program.

The current version of this Policy will always be available on our website. We will notify existing clients of material changes by email or through our website. The date of the last update is stated at the top of this document.

We encourage you to review this Policy regularly. Your continued use of our services after a change to this Policy constitutes your acceptance of the updated Policy, to the extent permitted by law.

20. Version History

Version	Description	Effective Date
0.0	Original	28-Apr-2026
