



PRIVACY POLICY—NEW WAVE ENGAGE

Last Updated: 1st September 2021

Introduction

We, New Wave Engage (we, us, our) take privacy, and the security of Personal Information, very seriously, and we are committed to ensuring that we safeguard the privacy and Personal Information of our website visitors and those with whom we communicate through that website, whether by email or electronically, always and in the best way possible.

This privacy policy contains important information for you. It explains:

- who we are;
- our website;
- what personal information we collect about you;
- how, when and why we collect, store, use and share your Personal Information;
- how we keep your Personal Information secure;
- for how long we keep your Personal Information;
- your rights in relation to your Personal Information;
- issues relating to marketing; and
- how to contact us should you have a complaint.

The website, <https://www.nwengage.com.au/> to which this policy relates is operated by us. We, New Wave Engage are a mentoring program that provides face-to-face and online mentoring services to young people and their families. Our principal contact for data protection purposes is James Te Huna, who may be contacted james@nwengage.com.au. When we collect, use and process Personal Information we are subject to the provisions of the Privacy Act 1988.

By using the Services, users consent to the collection and use of their Personal Data by us. You also represent to us that you have any and all authorizations necessary to use these Services including using them to process Personal Data. We collect and use the information you provide to us, including information obtained from your use of the Services. Also, we may use the information that we collect for our internal purposes to develop, tune, enhance, and improve our Services, and for advertising and marketing consistent with this Privacy Policy.



This privacy policy has been compiled to better serve those who are concerned with how their 'Personal Information' is being used online. Personal Information means data which relate to a living individual who can be identified – (a) from those data, or (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Please read our privacy policy carefully to get a clear understanding of how our website collects, uses, protects or otherwise handles users' Personal Data.

This Privacy Policy is intended to inform users about how our website treats Personal Data that it processes about users. If users do not agree to any part of this Privacy Policy, then we cannot provide its Services to users and users should stop accessing our services.

By using the Services, You acknowledge, consent and agree that we may collect, process, and use the information that you provide to us and that such information shall only be used by us or third parties acting under our direction, pursuant to confidentiality agreements, to develop, tune, enhance, and improve the Services. Although we may attempt to notify you when changes are made to this Privacy Policy, you are responsible for periodically reviewing any changes which may be made to the Policy. We may, in our sole discretion, modify or revise the Policy at any time, and you agree to be bound by the same.

This policy relates to your use of our website and electronic communications. Please note that our website may link to other third-party websites that may also gather information about you. Third-party websites will operate in accordance with their own separate privacy policies, and we have no control over any Personal Information that they may acquire, store and use. For privacy information relating to these other third-party websites, you should consult their privacy policies as appropriate.

Collection of Personal Information of the Children

Our Services are offered to young people between the ages of 8 to 18 years (hereinafter referred to as "Users")

We collect personal information from these young people. It shall be mandatory for the parent or the guardian of the user to give consent or authorization for the collection of such information.

We are committed to preserving the privacy of your Personal Information so that we can:

- deliver services of a high quality to young people aged 8 to 18 years;



- at all times comply with the law and the various regulations that we are subject to;
- meet the expectations of these young people and third parties; and
- protect our reputation.

In this policy, please note the use of the following terms:

- a. **Personal Information:** has the meaning given to it by the Privacy Act 1988 and means any information relating to an identified or identifiable individual (known as a data subject);
- b. **Processing:** means any operation or actions performed on Personal Information; for example, collection, recording, structuring, storing, altering, deleting or otherwise using Personal Information.
- c. **we, us and our:** refers to the Company, New Wave Engage and its representatives;
- d. **User, you and your:** refers to the person who is accessing our website and whose data is processed
- e. **Platform** shall mean the website on which the users are availing the services.

Your Personal Information that we collect

Personal Information is collected about you whenever you access our website, register with us, contact us, send us feedback, purchase our services via electronic funds transfer method, complete our referral forms, or take part in our sessions.

Personal Information is collected either directly (for example when you register with us, contact us, purchase sessions related to youth empowerment from us, or complete referral forms) or indirectly (for example where you are browsing our website using 'cookies').

The Personal Information we receive, and process is dependent upon how you access our website, what you do whilst you are accessing it, and what you perceive the result of accessing our website will be.

In general, the sorts of personal information that we can acquire, depending upon the circumstances, include:

- your name, address, email, telephone number and other contact details;
- your date of birth;
- health or medication;
- education;



- any behavioural or risk concerns;
- information about the services we provide to you;

This information assists in assessing the risk of the young person to any New Wave Engage staff and to determine a suitable mentor.

This information is collected in a referral form. This referral form is sent to our intake inbox (email) for review and allocated to a New Wave Engage staff. Upon allocation, the referred is determined as confidential and stored in the child/young person's folder on a third-party cloud service provider such as Apple iCloud.

In general terms, we may use this Personal Information to:

- create and manage your file with us;
- verify your identity;
- provide services to you;
- customize our website and its content to your particular preferences;
- notify you of any changes to our website or to our services that may affect you; and
- improve our services.

Please note that it is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your personal details change during your relationship with us.

The Information that is collected by us automatically:

- Usage Information:** If you choose to post messages on our message boards, online/offline chats or other message areas or leave feedback for other users, we retain this information as necessary to resolve disputes, provide customer support and troubleshoot problems as permitted by law. If you send us personal correspondence, such as emails or letters, or if other users or third parties send us correspondence about your activities on the Website, we may collect such information into a file specific to you.
- Log Information:** We log information about your use of our website, including your browser type and language, access times, pages viewed, your IP address and the Website you viewed before navigating to our website.
- Device Information:** We may collect information about the device you use to access our Services, including the hardware model, operating system and version, unique device identifier, phone number, International Mobile Equipment Identity ("IMEI") and mobile network information.
- Location Information:** With your consent, we may collect information about the location of your device to facilitate your use of certain features of our Services, determine the speed at which your device is traveling, add location-based filters (such as local weather), and for any other purposes.



e. Information Collected by Cookies and Other Tracking Technologies: We use various technologies to collect information, and this may include sending cookies to you. A "cookie" is a small data file transferred to your computer's hard drive that allows a website to respond to you as an individual, gathering and remembering information about your preferences in order to tailor its operation to your needs, likes and dislikes. Overall, cookies are safe, as they only identify your computer to customize your Web experience. Accepting a cookie does not provide us access to your computer or any Personally Identifiable Information about you, other than the information you choose to share. Other servers cannot read them, nor can they be used to deliver a virus. Most browsers automatically accept cookies, but you can usually adjust yours (Microsoft Internet Explorer, Firefox or Google Chrome) to notify you of cookie placement requests, refuse certain cookies, or decline cookies completely. If you turn off cookies completely, there may be some Website features that will not be available to you, and some Web pages may not display properly. To support the personalized features of our website (such as your country and language codes and browsing functions) we must send a cookie to your computer's hard drive and/or use cookie-based authentication to identify you as a registered Website user. We do not, however, use so-called "surveillance" cookies that track your activity elsewhere on the Web. We may also collect information using web beacons (also known as "tracking pixels").

f. "Web beacons" or clear .gifs are small pieces of code placed on a Web page to monitor behaviour and collect data about the visitors viewing a Web page. For example, Web beacons or similar technology can be used to count the users who visit a website or to deliver a cookie to the browser of a visitor viewing that page. We may use Web beacons or similar technology on our Services from time to time for this and other purposes.

Ensuring Your Information is Accurate and Up-to-date

We take reasonable precautions to ensure that the Personal Information we Collect, Use and Disclose is complete, relevant and up-to-date. However, the accuracy of that information depends to a large extent on the information you provide. That's why we recommend that you:

- a. Let us know if there are any errors in your Personal Information; and
- b. Keep us up-to-date with changes to your Personal Information such as your name or address.

The Purposes for which Your Information is Used

The Privacy Act 1988 requires that we only use your Personal Information for the purposes for which it was acquired, or where we have a proper reason for using it. Those reasons may include the following:

- a. Where you have given consent to the use of your Personal Information for one or more specific purposes.
- b. Where the use is necessary for the performance of a contract to which you are party, or to take steps at your request prior to entering a contract.



- c. Where the use is necessary for compliance with a legal obligation that we are subject to.
- d. Where the use is necessary to protect your vital interests or those of another person.
- e. Where the use is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us.
- f. Where the use is necessary for the purposes of our legitimate interests or those of a third party, except where those interests are overridden by your interests or fundamental rights and freedoms which require protection of Personal Information, where you or the relevant person is a minor.

The reasons set out above represent the general position as to the purposes for which data may be used. The specific position in relation to your Personal Information, however, is that we may use it for the following purposes:

- a. To provide youth empowerment services to you. This processing relies upon the performance of a contract between us, and the steps needed to deliver these services which include the work program.
- b. To prevent or detect fraud, either against you or against any other person involved in any matter in which you are involved. This will help to prevent any damage either to you, a third party, or to us. This processing relies upon factors related to our legitimate interests in processing the data.
- c. To preserve the confidentiality of commercially sensitive information, and for our legitimate interests or those of a third party in relation to the protection of our, or another's, intellectual property, and other commercially valuable information. This processing relies upon your consent where this has been given, or upon factors related to our legitimate interests in processing the data (in that we are seeking to monitor and improve our website and/or the services we provide).
- d. To analyse the use made of our website. Here we may make use of your IP address, where you are based, the type and version of the browser you use, details of your operating system, how you came to our website (for example whether you were referred from another website or from a search engine), how long you remained on our site, the number of pages on our site that you viewed, how you moved around our site, the links that you followed, and whether any of those links were used to leave our site. This processing relies upon your consent where this has been given, or upon factors related to our legitimate interests in processing the data (in that we are seeking to monitor and improve our website and/or the services we provide).
- e. To improve the operation of our website and provide those services which you have requested us to provide. This may include taking such security measures as are appropriate, backing up the data we hold, and contacting you. This processing relies upon your consent where this has been given, or upon factors related to our legitimate interests in processing the data (in that we are seeking to provide services as part of our business).



- f. For dealing with an enquiry submitted by you to us in connection with our services, or in relation to email notifications or general updates. This processing relies upon your consent where this has been given, or upon factors related to our legitimate interests in processing the data (in that we are seeking to provide services as part of our business).
- g. Where it is necessary for us to do so to establish, exercise or defend a legal claim, whether in court proceedings or in an administrative or out-of-court procedure. This processing relies upon factors related to our legitimate interests in processing the data.
- h. In connection with the compliance by us with a legal obligation that we are subject to, or to protect your, or our, vital interests, or the vital interests of another natural person.

The purposes set out above will not apply to what is termed 'special category personal information'. This includes personal information revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, or trade union membership, genetic and biometric data, and data concerning health, sex life or sexual orientation. We will only ever process information of that nature with your explicit consent.

Contacting you

- a. In addition to the general matters dealt with in 'The Purpose for which Your Information is Used', we may also need to send you updates concerning our services, and about relevant developments in relation to you or be of interest to you. This may be by post, telephone, email, or text, and may include information about the services we offer and information relating to changes in those services.
- b. We regard ourselves as having a legitimate interest in processing your Personal Information for these purposes, and we take the view that we do not require your consent to do so. From time to time we undertake what are known as 'legitimate interest assessments' to balance our interests in contacting you with your interests in relation to your data. Where we believe that consent is required, we will contact you specifically for this, and will do so in a clear and transparent manner.
- c. Where you have agreed to us doing so, we may also send you information about third party services in which you have expressed an interest, or which are relevant to any services that we have supplied.
- d. Be assured that we treat your Personal Information with the utmost respect and will never share it with others for marketing or promotional purposes. You have, always, the right to request that we do not contact you for any purpose other than for the work program. We may, however, require that you confirm your marketing preferences from time to time so that we can be sure that your views remain the same, especially in relation to issues such as legal and regulatory updates.

Sharing your Personal Information with others

- a. Notwithstanding the fact that we will not share your Personal Information for marketing purposes, it may be necessary for us to share your Personal Information with



others to perform our services for you, to comply with our contractual obligations to you, to comply with our legal or regulatory obligations to you, or to comply with any contractual, legal, or regulatory obligations that we are subject to.

- b. When sharing your Personal Information, we will always ensure that those with whom it is shared process it in an appropriate manner and take all necessary measures to protect it. [We will only ever allow others to handle your Personal Information if we are satisfied that the measures which they take to protect that Personal Information are satisfactory.
- c. Please be aware that, from time to time, we may be required to disclose your Personal Information to, and exchange information about you or relating to you with, government, law enforcement and regulatory bodies and agencies to comply with our own legal and regulatory obligations.
- d. From time to time it may be necessary for us to share data for statistical purposes. We will always take steps to try to ensure that information shared is anonymised but, where this is not possible, we will require that the recipient of the information always keeps it confidential.
- e. Other than as set out above, we will not share your Personal Information with any other third party.

Information shared during Transaction

- I. You agree that you will enter into transactions with third parties through our website and will share your Personal Information with them for easy completion of the transaction. You hereby expressly agree that we shall not be involved or held liable for any breach of the privacy or security of that data. The said breach, if any, shall be a matter of dispute between you and the third party and we shall not be held liable or be issued a notice for the same.
- II. We **STRONGLY** recommend that you should be careful and vigilant while disclosing your Personal Information with your transaction partner. Please do not disclose your bank and account details to anyone through our website or to any individual whom you have met through our website.
- III. We do not take credit card/debit card or other bank details on our website. For payment you will be directed to sign in through the respective payment gateways integrated on our website and the transaction would be completed therein. It is to be noted that we will not be storing any Bank related information on our records and none of our staffs will hold or be exposed to this information.

How your Personal Information is kept

- a. Your Personal Information will be always kept secure.
- b. We operate various security measures to prevent loss of, or unauthorised access to, your Personal Information. To ensure this, we restrict access to your Personal Information to those with a genuine business need to access it, and we have procedures in place to deal



with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

c. Personal Information that is processed by us will not be retained for any longer than is necessary for that processing, or for purposes relating to or arising from that processing.

d. Where your Personal Information is retained after we have finished providing our services to you, or where the contract with you has ended in any other way, this will generally be for one of the following reasons:

i. so that we can respond to any questions, complaints or claims made by you or on your behalf;

ii. so that we are able to demonstrate that your matter was dealt with adequately and that you were treated fairly; or

iii. to comply with legal and regulatory requirements.

e. In general, we will retain your data for only so long as is necessary for the various objectives and purposes contained in this policy. Please note, however, that different periods for keeping your Personal Information will apply depending upon the type of data being retained and the purpose of its retention.

f. We will delete and/or anonymise any Personal Information which it is no longer necessary for us to retain.

About cookies

We use cookies and similar tracking technologies to track the activity on our Services and we hold certain information.

Cookies are files with a small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Other tracking technologies are also used such as beacons, tags, and scripts to collect and track information and to improve and analyse our Services.

You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Services.

Keeping your data secure

The security of your data is important to us but remember that no method of transmission over the Internet or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security. [Links to Other Sites](#)

Our Services may contain links to other sites that are not operated by us. If you click a third-party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit.



We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services.

Your Rights in relation to your Personal Information

The Privacy Act 1988 gives you, the data subject, various rights in relation to your Personal Information that we hold and process. These rights are exercisable without charge, and we are subject to specific time limits in terms of how quickly we must respond to you. They are as follows:

- The right to access – You have the right to request copies of your personal data.
- The right to rectification – You have the right to request that we correct any information you believe is inaccurate. You also have the right to request that we complete the information you believe is incomplete.
- The right to erasure – You have the right to request that we erase your personal data.
- The right to restrict processing – You have the right to request that we restrict the processing of your personal data.
- The right to object to processing – You have the right to object to our processing of your personal data.
- The right to data portability – You have the right to request that we transfer the data that we have collected to another organization, or directly to you.
- The right to complain to a supervisory authority - You can complain about our processing of your personal data; and
- The right to withdraw consent - To the extent that the legal basis of our processing of your personal data is consent, you can withdraw that consent.

Opting Out of Information Sharing

- I. We understand and respect that not all users may want to allow us to share their information with other select users or companies.
- II. However, under the following circumstances, we may still be required to share your personal information:
 - a. If we respond to court orders or legal process, or if we need to establish or exercise our legal rights or defend against legal claims.
 - b. If we believe it is necessary to share information in order to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our Terms of Use or as otherwise required by law.



c. If we believe it is necessary to restrict or inhibit any user from using any of our website, including, without limitation, by means of "hacking" or defacing any portion thereof.

Notification Procedures

It is our policy to provide notifications, whether such notifications are required by law or are for marketing or other business-related purposes, to you via e-mail notice, written or hard copy notice, or through conspicuous posting of such notice on the Website, as determined by us in our sole discretion. We reserve the right to determine the form and means of providing notifications to you, provided that you may opt out of certain means of notification as described in this Privacy Policy.

User Submissions

You understand that when using the Platform, you will be exposed to Content from a variety of sources, and that we are not responsible for the accuracy, usefulness, safety, or intellectual property rights of or relating to such Content and you agree and assume all liability for your use. You further understand and acknowledge that you may be exposed to Content that is inaccurate, offensive, indecent, or objectionable, defamatory or libellous and you agree to waive, and hereby do waive, any legal or equitable rights or remedies you have or may have against us with respect thereto. If you find any content to be libellous, objectionable, defamatory, and indecent or infringing your Intellectual Property Rights, you may contact us directly through "Contact Us" page and we shall take appropriate action to remove such content from the Website.

Phishing and False Emails

If you receive an unsolicited email that appears to be from us or one of our members that requests personal information (such as your credit card, login, or password), or that asks you to verify or confirm your personal information by clicking on a link, that email was likely to have been sent by someone trying to unlawfully obtain your information, sometimes referred to as a "phisher" or "spoofer." We do not ask for this type of information in an email. Do not provide the information or click on the link. Please contact us at james@nwengage.com.au if you get an email like this.

Changes to This Privacy Policy

We may update our Privacy Policy from time to time. We will notify you of any changes by posting the new Privacy Policy on this page.

We will let you know via email and/or a prominent notice on our Services, prior to the change becoming effective and update the "effective date" at the top of this Privacy Policy.

You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.



Breach of Privacy Policy

We reserve the right to terminate or suspend your usage of this Website immediately if you are found to be in violation of our privacy policy. We sincerely request you to respect privacy and secrecy concerns of others. The jurisdiction of any breach or dispute shall be the one as mentioned in the terms of use of the website.

No Reservation

We do not accept any reservation or any type of limited acceptance of our privacy policy. You expressly agree to each and every term and condition as stipulated in this policy without any exception whatsoever.

No Conflict

The policy constitutes a part of the user terms. We have taken utmost care to avoid any inconsistency or conflict of this policy with any other terms, agreements or guidelines available on our website. In case there is a conflict, we request you to kindly contact us for the final provision and interpretation.

Contact Us

If you have any questions or concerns about this Privacy Policy, please let us know at james@nwengage.com.au.