

## **MGM Wireless Privacy Policy**

### **POLICY STATEMENT**

When you use MGM, you trust us with your information. We are committed to keeping that trust. That starts with helping you understand our privacy practices.

This Privacy Policy describes the information we collect, how it is used and shared, and your choices regarding this information in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the *Australian Privacy Principles* (**APPs**). We recommend that you read this along with our Privacy Statement, which highlights key points about our privacy practices (including what information we collect, when we collect it, and how we use it).

MGM will maintain and regularly review this Privacy Policy and intends to comply with the Australian Privacy Principles as far as is reasonably practical in the circumstances of managing its business. To ensure your personal information remains confidential, we communicate this Privacy Policy to every MGM employee as well as MGM customers, clients and service providers.

### **ABOUT MGM'S SYSTEMS**

School News Channel™, messageyou™, Watchlists™, Outreach™, Rollmarker™, Smartsync™, MGM Parent App™, School Booking™, Pay School Payments Revolution™ and Conferno™ are owned by MGM Wireless Holdings Pty Ltd, ([www.mgmwireless.com](http://www.mgmwireless.com)). AllMyTribe™ App and Spacetalk™ are owned by AllMyTribe Pty Ltd, ([www.allmytribe.com](http://www.allmytribe.com)). These businesses are fully owned subsidiaries of MGM Wireless Ltd, a Public Company listed on the Australian Stock Exchange (ASX company code: MWR) ABN 93 091 351 530.

MGM Wireless Ltd management and corporate governance is strictly regulated by ASIC, ASX and other Australian Federal and State Government Agencies, and the company adheres to best practice corporate governance procedures and policies wherever possible.

### **DEFINITIONS**

*APPs* – Australian Privacy Principles

*MGM* means MGM Wireless Ltd and its Related Entities

*Personal information* - information or an opinion about an identified individual or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

*Related Entities* has the same meaning as defined in the Corporations Act (2001) Cth.

*Sensitive information* – includes information or an opinion about, amongst other things, an individual's racial or ethnic origin; political opinions; or religious beliefs or affiliations; or philosophical beliefs; or sexual orientation or practices; or criminal record; or health information.

## **STUDENT, PARENT, SCHOOL & CHILDCARE CUSTOMER PRIVACY POLICY**

Nothing is more important to us than student, child and parent safety and privacy. We ensure that information in our possession or control is kept secure and not misused. Making our customers aware of the MGM Student, Parent, School & Childcare Customer Privacy Policy is part of our commitment to providing you with the best possible service, so please take a moment to read the following policy and learn how we handle personal information.

### **WHAT PERSONAL INFORMATION WE COLLECT AND HOLD**

MGM will only collect personal information from you if it is reasonably necessary to provide services to you, if you are a prospective shareholder or investor, or if you become a shareholder or investor in MGM or if we undertake ancillary functions for you. MGM will only collect personal information for the purposes for which we advised you we were collecting it for or a related purpose which would reasonably be expected or otherwise with your permission.

Personal information we may collect and hold includes:

#### **1. Details of individuals**

We may collect information including your name, address, telephone number, email address, or any other details required by us in contacting you or in correspondence with you. We may also collect information that is necessary for a purchase or request service, to register to attend a seminar, or participate in an online survey. We may collect information necessary when you ask to be included in an email mailing list.

#### **2. Information of customers**

MGM may collect information relating to its customers. MGM's customers include schools, school staff, childcare centres, childcare centre staff, students, children and their parents or caregivers and shareholders and/ or investors in MGM.

It is a function of all our products that our systems must record student, school and parent/caregiver information. The information is not retained for any purpose other than recording attendances, routing messages, determining the physical location of students and their devices and delivering other communication to the right school, parents and caregivers.

Other than as a communication, financial services or location provider, MGM does not collect or use information relating to schools, school staff, childcare centres, students or their parents or caregivers.

We only use personal information about parents and school staff with their informed consent or as otherwise specified in this Privacy Policy. We use this information to keep them up to date on the latest product announcements, software updates, special offers, and other information. We may occasionally include information from other technology companies about products and services that can add value to MGM customers.

From time to time, we may also use personal information to contact customers to invite other parents and caregivers to join or promote the MGM systems or services, participate in a market research survey, so that we can gauge customer satisfaction and develop better products.

We do not use personal information for any other purpose.

### **3. Financial information of individuals and customers**

MGM may ask for financial information (including details of assets and liabilities). We may also ask you for your bank account details. We will do this by asking you to complete an application form. We may also ask you for this or similar information personally.

### **4. Location Data**

With some of our products, such as Spacetalk™, we collect the geographical location of a smartphone or smartwatch. This data can be used to locate the carrier or wearer of the device. Location Data is collected solely for the purposes of assisting parents and caregivers to determine the location of the wearer or carrier of the device, under the explicit or implicit consent of that person. The Spacetalk and AllMyTribe services deal with location, so in order to work, the services need to know your location. Whenever you open and use/interact with our services on a mobile device, watch or go to one of our sites, we use the location information from your mobile or watch or other tracking device to tailor the services experience to your current location (we'll show your location). The services may also use your mobile device's background location to provide the services. If you have background location turned on, the services will, from time to time, inform us about your device's location even if you are not directly interacting with the services. How we collect this data is detailed below. Where we collect user data in a service we will comply with the relevant Apple App Store and Google Play Store requirements.

### **5. Web Server Data**

We may collect a variety of information from your interaction with the Website and our online services including your IP Address; the date, time and duration of your visit; the number of pages you have downloaded; and the type of browser you use.

MGM will generally not be required to collect sensitive information about you. MGM will only do so if it is considered reasonably necessary for us to collect such information for us to perform our functions or activities and you consent, or collection is required by law or another exception under the Privacy Act applies.

## **HOW WE COLLECT YOUR PERSONAL INFORMATION**

We will generally collect your personal information from you directly. We collect personal information from you in various ways such as when you communicate with us, when you fill in an application or form or survey, if you apply for a job with us, if you provide a product or service to us, or when you participate in any of our activities. When MGM is collecting personal information about you, we will make it clear to you, either at or before the time, or as soon as practicable afterwards, of the relevant APP 5 notification requirements contained in this Privacy Policy. We only collect personal information about an individual from the individual except where it is unreasonable or impracticable to do so.

Information we collect is also collected by using our online services and other services:

### **1. Web Servers**

When you access our website and online services the Web Server Data listed above is collected. MGM advises Google Analytics Demographic and Interest reporting may be used to develop specific offers or advertising from time to time.

## **2. Location Data**

We may collect this data in a variety of ways, including:

- Global Positioning System (GPS);
- Nearby Wi-Fi networks;
- Mobile cell tower triangulation;
- Near Field Communication;
- RFID.

MGM sends the location of a person's device to our servers when you pair the device with an AllMyTribe user account and grant the device access to location services. We take user location privacy seriously. We do not store or transmit actual location data away from the device itself on our servers, for a maximum of 2 years from the time the location was reported. The degree of accuracy that the location data is stored is the same as what is accessible to the parent through the AllMyTribe app, apart from sensor data that is highly inaccurate, which is stored on our server but is not available through the AllMyTribe app.

### **THE PURPOSES FOR WHICH WE COLLECT, HOLD, USE AND DISCLOSE PERSONAL INFORMATION**

MGM collects personal information which is reasonably necessary for one or more of MGM's functions as noted above in this Privacy Policy and includes to:

- maintain your account and contact details;
- send marketing communication to you;
- conduct our business, generate content and provide customer support and payment options;
- communicate with you;
- provide you with access to protected areas of the site;
- conduct surveys to determine use and satisfaction;
- detect, investigate and prevent potentially unlawful acts or omissions or acts or omissions with the potential to breach our Privacy Policy or any other policy;
- verify information for accuracy or completeness;
- comply with our legal obligations;
- combine or aggregate your personal information with information we collect from third parties and use it for the purposes set out in this Privacy Policy;
- protect a person's rights, property or safety;
- process transactions to which you are a party;
- credit reporting purposes;

- advertise, promote and provide you with products or services distributed by MGM;
- improve our website and web services; and
- any other purpose made known in this Privacy Policy or other policy.

MGM agrees to not use or disclose this information for a secondary purpose unless you consent to us doing so, or under the circumstances involved we believe you would reasonably expect MGM to use or disclose the information for a secondary purpose and that that secondary purpose is related to the primary purpose.

In the unlikely event that we hold sensitive information about you, we will only disclose or use that information with your consent or if the use or disclosure is directly related to the primary purpose.

MGM will also use or disclose your personal information or sensitive information if we are required to do so by law or a court / tribunal order; or if MGM reasonably believes that the use or disclosure of the information is reasonably necessary for an enforcement related activity or on behalf of an enforcement body, in which case we will make a written note of the use or disclosure or another exception applies under the Privacy Act.

#### **COOKIE POLICY**

Like many websites, MGM product websites uses "cookie" technology. When a visitor first connects to our site, the cookie identifies the browser with a unique, random number. The cookies we use do not reveal any personal information, except perhaps the visitor's first name so we can welcome them on their next visit. Cookies help us understand which parts of our websites are the most popular, where our visitors are going, and how long they spend there.

In some of our email to our customers, we use a "click-through URL." When a visitor clicks one of these URLs, they will pass through our web server or a third-party contractor's web server before arriving at the website that is their destination. We track click-throughs to help us determine interest in particular topics and measure the effectiveness of our customer communications.

#### **ANONYMITY AND PSEUDONYMITY**

MGM will allow its customers to transact with it anonymously or by using a pseudonym, wherever that is reasonable and practicable.

However, this will not be possible if MGM is required or authorised by law or other instrument to deal with customers who have been appropriately identified; or where it is impracticable for us to deal with individuals who have not identified themselves or who would prefer to use a pseudonym.

#### **WHO DO WE DISCLOSE YOUR INFORMATION TO?**

Because MGM is a global company, information may be shared with other MGM business units around the world. Information will be treated confidentially and only disclosed on a need to know basis.

We may disclose your Location Data to a parent or guardian for the purposes as disclosed in this Privacy Policy, or to a parent or guardian to whom you consent to.

Information will be protected in accordance with this Privacy Policy.

MGM may occasionally share contact information about its school or childcare clients (not personal information of students or their parents or caregivers) with carefully selected technology companies to keep customers informed about related products and services.

MGM works with other companies that help us provide MGM systems and services to our customers, and we may provide information to these companies. For example, we give Telecommunications Carrier contact information, so they can diagnose any service issues in order to SMS messages. The information they receive is for technical fault resolution purposes only, and we require that the companies safeguard personal information in accordance with MGM policies.

To enable us to assess an application for credit or provide you with information about our products and services we may disclose your personal information to credit reporting agencies and other third parties. The information we may disclose for credit reporting purposes includes, amongst other things:

- the fact that you have applied for credit and the amount;
- the fact that MGM is a credit provider to you; and
- payments which become overdue and for which debt collection action has started.

We may also use your personal information to:

- obtain from a credit reporting agency a credit report containing personal information about you in relation to commercial credit provided by MGM;
- obtain a report containing information about your commercial activities or commercial creditworthiness from a business which provides information about the commercial creditworthiness of a person; and
- obtain a report from a credit reporting agency and other information in relation to your commercial credit activities.

MGM will not disclose any information about students or parents/caregivers unless:

- We believe or have 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; or
- The disclosure is required or authorised by or under law; or
- The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; or
- Another exception applies under the Privacy Act.

We may also disclose your personal information to third parties to whom you expressly ask us to send the personal information to or to third parties you consent to us sharing your personal information with.

#### **DEALING WITH UNSOLICITED PERSONAL INFORMATION**

If MGM happens to receive personal information about you from a source other than you, or it is information provided by you which we did not request, MGM undertakes to determine, within a reasonable period, if we could have requested such personal information under APP3. If this is the case we may then use, and treat, that information in the same manner as if we had collected it under APP 3.

If MGM determines that we could not have collected the information under APP 3, we will undertake to destroy or de-identify that information, within a reasonable period.

## **DIRECT MARKETING**

MGM will only use any personal information we hold on you for the purpose of direct marketing if:

- We collected the information involved;
- We believe you would reasonably expect us to use or disclose the information for direct marketing; and
- We provide an option for you to request that we do not use the information for direct marketing – and you have not utilised this offer.

If we collected the information (that is not sensitive information) involved from you and you would not reasonably expect us to use or disclose the information for the purpose of direct marketing, or we collected the information from someone other than you, we will only use or disclose the information with your consent or where it is impracticable to obtain your consent. Either way, we will provide you with a simple means by which you may request not to receive direct marketing communications from MGM.

MGM undertakes that when we do use or disclose any personal information we hold on you for direct marketing purposes, those direct marketing materials will provide you with an option to declare you do not wish to receive such material in the future. If requested, we will provide you with the source of any information we use or disclose for direct marketing purposes, whether that direct marketing be by us or another organisation; and we will provide you with the opportunity to request that we, or the other organisation, do not send direct marketing information to you. We will also not charge for that request and we will action it in a reasonable time frame. You may also request that we not use or disclose information to facilitate direct marketing by other organisations.

## **CROSS-BORDER DISCLOSURE OF PERSONAL INFORMATION**

MGM will not transfer personal information about an individual to anyone who is in a foreign country. MGM advises that all information is stored domestically within Australia. MGM only uses direct message routing to Australian communication providers. All our suppliers are required to commit to adherence with the Australian Privacy Principles.

### ***Policy on use of international communication carriers***

We use mobile phone carriers based in the country in which the school is located for our SMS communications. Where possible, we will do not deal with carriers that allow their services to be provided by off shore 'lowest cost' aggregators or carriers using unspecified routing. Using off-shore carriers can present a very high risk of misuse of confidential student, parent/caregiver and school data and a potential breach of Privacy laws. Such services are also known to be unreliable and unsuitable for use when a student's safety is at risk.

## **IF WE CAN'T COLLECT YOUR PERSONAL INFORMATION**

If you do not provide us with the personal information we have requested, we may not be able to provide you with an appropriate product or fulfil one of our primary functions and activities.

## **ADOPTION, USE OR DISCLOSURE OF GOVERNMENT RELATED IDENTIFIERS**

As a general practice, MGM does not use government related identifiers. MGM will not use or disclose a government related identifier unless the use or disclosure of the identifier is: reasonably necessary for us to be able to verify your identity; reasonably necessary for us to fulfil any obligations we may have to a government agency or the State or Territory; required or authorised by or under an Australian law or a court or tribunal. We may use or disclose such an identifier if it is reasonably necessary for an enforcement related activity by or on behalf of an enforcement body. We may also use or disclose a government related identifier related to you if we are allowed or required by law or regulation to do so.

### **QUALITY OF PERSONAL INFORMATION**

MGM will take all steps reasonable in the circumstances to ensure that the personal information we collect from you is accurate, up to date and complete. Where we collect information from you directly, we rely on you to supply accurate information and we may not consider that further steps are required. MGM will also ensure that all steps reasonable under the circumstances to ensure that the personal information we use or disclose is, when considered in relation to the purpose for which we are using or disclosing the information, accurate, up to date, complete and relevant.

### **SECURITY OF PERSONAL INFORMATION**

MGM will take all steps reasonable under the circumstances to protect your personal information from misuse, interference, loss; and unauthorised access, modification or disclosure. If we no longer require to hold such personal information, we will take all reasonable steps under the circumstances to destroy or de-identify the information. However, we may retain documents that contain personal information in accordance with document retention practices.

#### ***How we protect personal information***

MGM safeguards the security of the data sent to us with physical, electronic, and managerial procedures. Some of these are set out above. MGM's systems have been designed to comply with all Australian Privacy and Child Safety legislation. Our data security procedures and policies meet security standard ISO27001.

However, we urge customers to take every precaution to protect their personal data when they are on the internet by changing passwords often, using a combination of letters and numbers, and make sure a secure browser is used.

As MGM uses industry-standard Secure Sockets Layer (SSL) encryption on all web pages where personal information is required, to access these web pages, SSL-enabled browsers such as Firefox, Google Chrome, and Internet Explorer Netscape must be used. This protects the confidentiality of personal and credit card information while it is transmitted over the internet.

We also use SSL when transmitting or receiving message requests, replies or other service or product related data over the internet.

#### ***Student, Parent, School and Childcare Personal Information***

We completely understand the importance of child and student safety and the responsibility of keeping this sensitive information private, and completely confidential.

MGM does not knowingly solicit personal information from children, their parents or caregivers or send them requests for personal information.

### ***Data Security***

MGM's systems are designed to work with the data security policies and protocols of each school environment. As far as possible, all existing school and Departmental policies are preserved. In many cases, individual State Education Departments have audited our systems for security and compliance with Australian Child Safety and Privacy Legislation. Please contact your local Education Department or MGM for audit results and approvals.

The following Security protocols are in use or in the process of implementation by MGM for the protection of personal information:

- MGM's systems are operated from within Australia at locations which are confidential;
- It is Australia's most modern, high security Data Centre, built at a cost of \$80 Million (2011);
- The facility which will pass the most stringent security audits;
- It is certified by SAI Global to International Security standard 27001 (Previously known as AS/BS 7799 or ISO 17799); and
- It is secured by a full-time security team on duty 24 x 7.

### ***Physical Security Feature***

The Internet Data Centre is a windowless building. Entrances and floor area are protected by physical and electronic means. Security personnel screen all visitors. Access is through biometric-controlled security portals and is limited to specific areas of the centre.

The main Physical Security features are:

- 24 by 7 Security Staff on site
- Bulletproof doors and glass for entry foyers
- 160 Surveillance cameras covering every part of the building
- Building Management System
- Biometric portals and scanners for access
- ISO 27001 Certified and ASIO T4 Certified

### ***Network Security***

The purpose-built, integrated firewall and virtual private network (VPN) security appliances and systems used by MGM have achieved Common Criteria Evaluation Assurance Level 4 (EAL4) certification. Common Criteria is an important worldwide evaluation standard for security products, recognised in 16 countries and mandated by many government agencies for their critical systems and network purchases.

The network security Intrusion Detection and Prevention (IDP) system, which is a fundamental part of the security approach, was developed to accurately detect attacks, stop attack impact and deliver simplified security management. The innovative technology of IDP provides the next layer of security, complementing conventional firewalls and VPNs to protect against attacks in network traffic. The Multi-Method Detection mechanism integrates Stateful Signature, Protocol Anomaly, Backdoor, Traffic Anomaly, IP Spoofing, Layer 2 and Denial of Service Detection to provide the broadest and most efficient attack detection.

### ***Security Intrusion Support***

MGM Wireless Privacy Policy

© 2018 MGM Wireless Holdings Pty. Ltd.

MGM's security team has access to a CISSP security specialist who is available 24 x 7 to meet any ongoing security threat. CISSP certification is also known as ISO/IEC 17024. In addition, MGM Wireless maintains a relationship with two specialist security consultants who can be called in during or after a planned and methodical intrusion.

### ***Police Background Checks***

A condition of engagement of all MGM employees, consultants, contractors and sub- contractors, communication service providers and advisors is that they successfully pass Police Background Checks for any prior child safety and/or sexual offences. Any child safety or related offence results in the immediate termination of MGM's relationship with that individual or organisation.

### **NOTIFIABLE DATA BREACH**

In the event that there is a data breach and we are required to comply with the notification of eligible data breaches provisions in Part IIIC of the Privacy Act or any other subsequent sections or legislation which supersede this Part IIIC, we will take all reasonable steps to contain the suspected or known breach where possible and follow the following process set out in this clause.

We will take immediate steps to limit any further access or distribution where possible. If we have reasonable grounds to suspect that the data breach is likely to result in serious harm to any individuals involved, then we will take all reasonable steps to ensure an assessment is completed within 30 days of the breach or sooner if possible. We will follow the guide published by the Office of the Australian Information Commissioner (if any) in making this assessment.

If we reasonably determine that the data breach is not likely to result in serious harm to any individuals involved or any remedial action we take is successful in making serious harm no longer likely, then no notification or statement will be made.

Where, following an assessment and undertaking remedial action (if any), we still have reasonable grounds to believe serious harm is likely, as soon as practicable, we will provide a statement to each of the individuals whose data was breached or who are at risk. The statement will contain details of the breach and recommendations of the steps each individual should take. We will also provide a copy of the statement to the Office of the Australian Information Commissioner.

We will then review the incident and take action to prevent future breaches.

### **ACCESS TO, AND CORRECTION OF, PERSONAL INFORMATION**

#### ***Access to personal information***

MGM will allow you access to any personal information we may hold on you unless there are lawful reasons to refuse you access.

For example, we may refuse access if we reasonably believe under the circumstances that doing so would: pose serious threat to the life, health and safety to any individual, or to public health and safety; have an unreasonable impact on the privacy of others; or that we consider the request as frivolous or vexatious. We will also not release the information if it relates: to existing or anticipated legal proceedings between MGM and you, and would be protected by legal professional privilege; any potential negotiations between MGM and you would be prejudiced or; it is illegal to release the information, or denying access is ordered by a court or tribunal.

If MGM reasonably suspects that you are participating in an unlawful activity or serious misconduct in relation to our functions or activities and giving you access to the information would be likely to prejudice our position, MGM will not release the information to you. We will also not release such information to you if doing so would reveal information that is commercially sensitive to us; or releasing the information would be likely to prejudice any enforcement related activity we may be conducting on behalf of an enforcement body.

If MGM is refusing to grant access to personal information for any of the above reasons or refusing access in the manner that you have requested, we will consider if there is any way in which we can release the information including the releasing of the information via a mutually agreed third party. If MGM still considers that we cannot release the information we will provide you with reasons as to why we consider we cannot release the information involved.

If MGM is in a position to release the personal information we will do so within a reasonable time after receiving your request and in the manner requested by you, if it is reasonable and practicable for us to do so. We may charge a reasonable fee for giving access to the information.

### ***Correction of personal information***

If MGM determines that personal information we hold on you, having regard to the purpose for which it is held, is inaccurate, out of date, incomplete, irrelevant or misleading, or you request us to correct the information, we will take all such steps as are reasonable in the circumstances to correct the information we hold, after considering the reason why we hold the information, and to make sure it is accurate, up to date, complete, relevant and not misleading. If we had disclosed the original information to a third party and you request us to advise that other party we will take all reasonable steps to update that other party unless it is impracticable or unlawful to do so.

If we refuse to update or correct the information held, we will provide you with the reasons why, how you can complain about our refusal and any other matter we may be required to advise you about in the circumstances. If we have refused to update personal information held, you may request we associate a statement from you, with the information held, that you believe that the information held is inaccurate, out of date, incomplete, irrelevant or misleading. We will then take all reasonable steps under the circumstances to associate any such statement.

If MGM receives a request from you to update personal information held by us we will respond to that request within a reasonable period of time after receiving the request. MGM will not charge for your request, the correction of information, or associating a statement.

### **PRIVACY – ENQUIRIES, REQUESTS, COMPLAINTS, BREACHES**

Enquiries regarding this Privacy Policy or the personal information MGM may hold on you, should be addressed with the Privacy Officer, whose contact details are below.

If you think your personal information, held by MGM, may have been compromised in any way or you have any other Privacy related complaints or issues, you should also raise the matter with the Privacy Officer.

MGM will ensure your claims are investigated and a formal response will be provided to you, within a reasonable time, considering the circumstances of your claims. If any corrective action is determined to

be required, as a result of that investigation, MGM will take all reasonable steps to rectify the situation and advise you of such, again within a reasonable time considering the circumstances.

If we do not resolve your enquiry, concern or complaint to your satisfaction or you require further information in relation to any privacy matters, please contact the Office of the Australian information Commission, whose contact details are below.

**Office of the Australian information Commission**

Telephone	1300 363 992
Email	enquiries@oaic.gov.au
Office Address	Level 3, 175 Pitt Street, Sydney NSW 2000
Postal Address	GPO Box 5218, Sydney NSW 2001
Website	<a href="http://www.oaic.gov.au">www.oaic.gov.au</a>

**Contacting us**

Entity	MGM Wireless Holdings Pty Ltd
Telephone	1800 300 346
Email	<a href="mailto:info@mgmwireless.com">info@mgmwireless.com</a>
Office Address	154 Fullarton Road, Rose Park SA Australia 5067
Postal Address	As above
Website	<a href="http://www.mgmwireless.com">www.mgmwireless.com</a>
Fax	08 8431 2400