



# Privacy Policy

**Comment [A1]:**

**Comment:** This policy has been updated to:

- reference Pond
- accommodate filtering on our "safe and secure" internet service
- include the use of cookies on our websites

| LAST UPDATED: ~~4 May 2015~~ ~~23 June 2015~~ ~~13 January 2014~~

| VERSION ~~4.02.01.6~~

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This policy applies to all personal information that The Network for Learning Limited (referred to in this policy as “we”, “us” or “our”) holds about users of our services (including all school students, teachers and administrative staff, and all individuals working for our service providers) however that information was obtained (including via our website, [network services](#) or [portalPond](#)).

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## 1 Introduction

We created this privacy policy to demonstrate, to you our users, our firm commitment to privacy. This policy has been prepared in accordance with our obligations and your rights under the Privacy Act 1993, including the information privacy principles recorded in section 6 of the Privacy Act.

We may amend this policy from time to time by posting a new version in the “Legal and Policies” section of our website.

When you click on links on our website and or [portalPond](#), you may leave our sites. We are not responsible for the privacy practices and policies of other sites and we encourage you to read their privacy statements.

## 2 Collection of your personal information

We obtain information about you from the following sources.

### 2.1 Information you provide on our website

~~You can access and browse our website without having to disclose your personal information. If we specifically ask you for personal information, you may volunteer it.~~ We use cookies on our website to enhance the information that is delivered to you, personalise your website experience and improve the performance of our site. If you don't want this to happen, please adjust the settings in your web browser accordingly.

### 2.2 Information we collect about your internet browsing

Our optional “web filtering” service provides a safer online environment for students and staff, by allowing schools to limit the websites their users may access. If your school uses this service, we and your school administrator(s) may know about:

- what websites you tried to visit;
- what time you tried to visit them; and
- whether your viewing of the website was allowed or blocked by our filtering service.



### **2.22.3 Information you provide [on our portalPond](#)**

#### ***Profile information***

When you sign up to use [our portalPond](#), you provide us with your name, email, organisation or school and other information as part of your profile. We may also give you the opportunity to provide additional information, such as a picture of yourself. In some cases we may ask for additional information for security reasons or to provide specific services to you.

#### ***Your Content***

One of the primary reasons people use [our portalPond](#) is to share content with others. Examples include when you update your blog, post to your profile, create or share a link, make a comment, provide feedback or a rating on a product of service, or upload a photo or piece of work.

#### ***Your Metadata***

If you do not want us to store metadata associated with content you share [on our portalPond](#) (such as photos), please remove the metadata from the file(s) before uploading the content.

### **2.32.4 Information we collect when you interact with [our portalPond](#)**

#### ***Site activity information***

We keep track of actions you take [on our portalPond](#), for example rating or sharing content, uploading content, commenting, viewing items and clicking through to the underlying web addresses. We track this information to help us improve our services and to help with troubleshooting if things go wrong.

#### ***Resource usage information***

We may from time to time provide tools that allow us to record and provide your school (via your account administrator) with information on the products and services you have looked at or attempted to access (for example when you add an item to a wish-list). By using [our portalPond](#), you are granting permission for the release of this information to your school.

#### ***Access device and browser information***

When you access [our portalPond](#) from a computer, mobile phone or other device, we may collect information from that device about your browser type, location, and IP address, as well as the pages you visit.

#### ***Local storage (cookies)***

We use local storage (“cookies” and local data caches) in the form of small pieces of data we store for an extended period of time on your computer, mobile phone or other device. This makes [our portalPond](#) easier to use and improves the experience you receive. For example, we use cookies to make it easier to login when you come back to [our portalPond](#) and also to assist you to interact with our applications, websites and share buttons. You can remove or block local storage using the settings in your browser, but in some cases this may impact your ability to use [our portalPond](#).

### **2.42.5 Downloadable software**

Certain downloadable software applications and tools, such as photo uploaders or file selection control (to upload an attachment), transmit your personal information to us. We may not disclose this to you if we believe our collection of and use of the information is obvious in the context of the application. If we believe it is not obvious, we will let you know the first time you provide the information to us so that you can decide whether you want to use that feature.



### 3 Information you share with others

[In Pond](#) it is up to you to control what you share and don't share with others. We provide sharing settings [in Pond](#) to help simplify this process, however we cannot guarantee what users will do with the information you share with them. You should take into account the following when sharing your information in [our portalPond](#):

- You can update your default sharing settings at any time, this includes the default licensing which applies to content you upload (for example creative commons).
- Some information, for example your name, profile photo, services you follow, and groups you belong to are considered publicly available.
- Some of the content you share and the actions you take will appear on other pages. For example, if you comment or provide feedback on a provider's service, this information will appear on the services page.
- Even after you remove information from your account, copies of that information may remain visible elsewhere to the extent that was copied or stored by other users.
- Information can be re-shared or copied by other users.

### 4 How we store your information

We store information electronically (including by using "cloud" providers, some of whom may be located overseas) and in paper form. Please contact us if you wish to know more about how your information is stored.

### 5 How we protect your information

We take very seriously our responsibility to protect your information. The steps we take to do that include the following:

- We keep your account information on a secured environment behind a firewall.
- We encrypt all communications between your browser and our environment using secure socket layer technology (SSL).
- [Your password is never stored in plain text in our environment.](#)
- [Records of your internet browsing are kept behind a firewall.](#)

Although we allow you to set privacy options that limit access to your information, please be aware that no security measures are perfect or impenetrable and we cannot control the actions of other users with whom you share your information. We are not responsible for any third party that circumvents any sharing settings or security measure [on our portal in Pond](#). You can reduce these risks by using common sense security practices such as choosing a strong password, using different passwords for different services, and only accessing [our portalPond](#) from devices with up to date antivirus software.

### 6 How we use your information

We may always use your personal information for the purpose for which it was provided, including any specific purpose we notify you at the time of collecting your information. We may also use your information as follows:

#### 6.1 To manage our services

We use your information to:

- [process your account application\(s\);](#)
- [provide our services and features to you, your school or the organisation you work for, and, to](#)

#### Comment [A2]:

**Comment:** Recognises that some of our services (eg our managed network) are provided to schools or service providers, rather than their individual users.



- ~~measure and improve those services and features, and to~~
- ~~provide you with support.~~

**Comment [A3]:**  
**Comment:** Covered in second bullet point.

## 6.2 To contact you

We may contact you with service-related announcements from time to time. You may opt out of all electronic communications from us, except for essential updates, on your profile.

We may also use your information to reply to any queries, complaints or requests you may have in relation to our [services, including our website, portal](#) or [servicesPond](#).

## 6.3 To make suggestions

We may use your profile information to provide suggestions to you in Pond. For example, we may suggest content and services that other users with similar interests and/or activity have viewed.

## 6.4 Investigations

We may use your information to investigate any complaints regarding your use of our services (including for the purposes of implementing our Takedown Policy) or any breach of any agreement we have in place with you.

## 6.5 For legal enforcement

We may use your information to enable us to:

- comply with any applicable legal requirements; ~~and to help~~
- [help](#) prevent any potentially illegal activities in any jurisdiction or any imminent bodily harm;
- [investigate](#) any potential breach of our contracts (including of our acceptable use policies); or
- enforce our legal rights.

**Comment [A4]:**  
**Comment:** To clarify that we can investigate potential contract breaches.

# 7 How we share your information

In addition to using your information ourselves, we may share your information ~~with third parties~~ when we believe the sharing is permitted by you or is reasonably necessary to carry out one of the purposes for which we use your information (as outlined above), or when legally required to do so. We may ~~also~~ share your information:

## 7.1 To provide ~~you with~~ our services

We may provide your information to service providers that help us bring you the services we offer. For example, we may use third parties to help host our website, [provide our "web filtering" service](#), send out email updates about [our portalPond](#), remove repetitive information from our user lists, process payments, or provide search results or links (including sponsored links). These service providers may have access to your personal information for use for a limited time, but when this occurs we implement reasonable contractual and technical protections to limit their use of that information to helping us provide the service.

**Comment [A5]:**  
**Comment:** This service is subcontracted.

## 7.2 To offer joint services

We may from time to time provide services jointly with other companies, which may or may not be provided through [our portalPond](#). If you use these services, we may share your information with that provider to the extent permitted under clause 7.1 above. If the partner requires any additional use of your information, we will identify the partner and make their privacy policy available to you before you use that service.



### **7.3 With your organisation**

We may provide your information to your school or other organisation that employs or contracts you. In particular, your organisation's administrators may have direct access to your information via the services we provide to them.

**Comment [A6]:**  
**Comment:** Added for completeness.

### **7.37.4 To respond to legal requests and to prevent harm**

We may disclose your information:

- in accordance with our Network Acceptable Use Policy;
- if it has been requested by the police or other law enforcement agency in New Zealand; or
- if we believe in good faith that its disclosure is reasonably required in order to:
  - prevent any illegal activity in any jurisdiction or any imminent bodily harm; or
  - enforce our legal rights, or the legal rights of our customers or users, in any jurisdiction.

**Comment [A7]:**  
**Comment:** Added for completeness, as this policy permits disclosure in some situations.

This may include sharing information with other companies, lawyers, courts or other government entities.

### **7.47.5 Transfer in the event of sale**

If we sell all or substantially all of our business, we may transfer your information to the new owner so that the service can continue to operate.

### **7.57.6 As aggregated data**

We may provide aggregate usage statistics to third parties. No individuals will be identifiable in this process.

Except as provided above, we will not share your personal information with any other third parties, and will not sell, license or rent your personal information to third parties.

## **8 How long we hold your information**

We keep personal information for only as long as is necessary reasonably required to achieve the purpose(s) for which we may use it (as outlined above), unless we are required by law to hold the information for a longer period.

**Comment [A8]:**  
**Comment:** A reasonable time may be slightly longer than is strictly necessary (eg to coincide with data retention practices).

## **9 How you can view, change and remove your information**

### **9.1 Your Profile Information**

You can amend your profile at any time to add or remove personal information about yourself.

### **9.2 Other Information**

You can request access to all other personal information we hold about you, and we will correct it if it is wrong. To request copies of that information, please contact us in writing at the email or postal addresses below and detail the particular information you require:

privacyofficer@n4l.co.nz

Privacy Officer  
The Network for Learning Ltd  
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