



Privacy Policy

Policy Code: ACT114

Effective Starting Date: 10/10/2015

PURPOSE

This Privacy Policy explains what information Activ8 Technologies Pty Ltd ("Activ8") collect about you and why, what we do with that information, how we share it, and how we handle the content you place in our products and services. It also explains the choices available to you regarding our use of your personal information and how you can access and update this information.

SCOPE

This Privacy Policy applies to the information that we obtain through your use of "Activ8 Services" via a "Device" or when you otherwise interact with Activ8.

"**Activ8 Services**" include our:

- Websites
- SaaS Products
- Downloadable Products

but does not include:

- Activ8 products or services for which a separate privacy policy is provided.
- Activ8 products or services for which a separate contract or prescribed policy requirement is agreed to as part of the service delivery. For example on-premise or custom deployments of our products or services that may have their own delivery terms, jurisdictions or hosting locations.
- Third Party Products. These are third party products or services that you may choose to integrate with Activ8 product or services, such as third party Add-Ons. You should always review the policies of third party products and services to make sure you are comfortable with the ways in which they collect and use your information.

A "**Device**" is any computer used to access the Activ8 Services, including without limitation a desktop, laptop, mobile phone, tablet, or other consumer electronic device.

Unless otherwise stated, our SaaS Products and our Downloadable Products are treated the same for the purposes of this document.

By registering for or using Activ8 Services you consent to the collection, transfer, processing, storage, disclosure and other uses described in this Privacy Policy.

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DEFINITIONS

Content:	Any information or data that you upload, submit, post, create, transmit, store or display in an Activ8 Service.
Downloadable Products:	Activ8's downloadable software products that are installed by customers on an infrastructure of their choice.
Information:	All of the different forms of data, content, and information collected by us as described in this Privacy Policy.
Personal Information:	Information that may be used to readily identify or contact you as an individual person, such as: name, address, email address, or phone number. Personal Information does not include information that has been anonymized such that it does not allow for the ready identification of specific individuals.
SaaS Products:	Activ8's hosted solutions including Pathways, Elevate, Evolve, Timepoint and Pathways Connect.
Web Sites:	Activ8's websites, including but not limited to Activ8.com.au, and any related websites, sub-domains and pages.

CHANGES TO OUR PRIVACY POLICY

We may change this Privacy Policy from time to time. If we make any changes, we will notify you by revising the "Effective Starting" date at the top of this Privacy Policy. If we make any material changes, we will provide you with additional notice (such as by adding a notice on the Activ8 web site, login screens, or by sending you an email notification). We encourage you to review our Privacy Policy whenever you use Activ8 Services to stay informed about our information practices and the ways you can help protect your privacy.

If you disagree with any changes to this Privacy Policy, you will need to stop using Activ8 Services and deactivate your account(s), as outlined below.



POLICY STATEMENT

We collect the following information:

Account and Profile Information:

We collect information about you and your organisation as you register for an account, create or modify your profile, use, access, or interact with the Activ8 Services (including but not limited to when you upload, download, collaborate). Information we collect includes

- Contact information such as name, email address, mailing address, and phone numbers
- Profile information such as a username and job title
- Preferences information such as notification and marketing preferences if applicable to the product or service.

You may provide this information directly when you enter it in Activ8 Services or as part of an implementation process.

In some cases another user (such as a system administrator identified as part of your product or service implementation) may create an account on your behalf and may provide your information, including Personal Information (most commonly when your company requests that you use our products). We collect Information under the direction of our customers and often have no direct relationship with the individuals whose personal data we process. If you are an employee of one of our customers and would no longer like us to process your information, please contact your employer. If you are providing information (including Personal Information) about someone else, you must have the authority to act for them and to consent to the collection and use of their Personal Information as described in this Privacy Policy.

Content:

We collect and store Content that you create, input, submit, post, upload, transmit, store or display in the process of using our SaaS Products or Websites. Such Content includes any Personal Information or other sensitive information that you choose to include ("incidentally-collected Personal Information").

Other submissions:

We collect other data that you submit to our Websites or as you participate in any interactive features of the Activ8 Services, participate in a survey, activity or event, apply for a job, request customer support, communicate with us via third party social media sites or otherwise communicate with us. For example, information regarding a problem you are experiencing with an Activ8 product could be submitted to our Support Services.



INFORMATION WE COLLECT FROM YOUR USE OF ACTIV8 SERVICES

Web Logs:

As is true with most websites and services delivered over the Internet, we gather certain information and store it in log files when you interact with our Websites and SaaS Products. This information includes internet protocol (IP) addresses as well as browser type, internet service provider, URLs of referring/exit pages, operating system, date/time stamp, information you search for, locale and language preferences, In the case of our SaaS Products, the URLs you accessed (and therefore included in our log files) include some limited elements of Content (such as the key/numbers of some record types forming the URL and page names) as necessary for the SaaS Product to perform the requested operations.

Analytics Information from Website and SaaS Products:

We collect analytics information when you use our Websites and SaaS Products to help us improve our products and services. In the SaaS Products, this analytics information consists of the feature and function of the Activ8 Service being used, the domain name, the username and IP address of the individual who is using the feature or function (which will include Personal Information if the Personal Information was incorporated into the username), the sizes and filenames of attachments, and additional information required to detail the operation of the function and which parts of the Activ8 Services are being affected.

As of the date this policy went into effect, we use Google Analytics as an analytics provider. To learn more about the privacy policy of Google Analytics, refer to [Google's Policies and Principles](#). Use the [Google Analytics Opt-out Browser Add-on](#) to prevent analytics information from being sent to Google Analytics.

Analytics Information Derived from Content.

We perform no direct analytics on the content of our customers unless it is within the scope of a specific and endorsed project for a customer. For example a customer may ask us to analyse, as a reporting exercise, the usage of a particular feature in one of our services for their own customer data.

Cookies and Other Tracking Technologies:

Activ8 may in some solutions use various technologies to collect information, such as cookies. Cookies are small data files stored on your hard drive or in device memory. Where implemented, we use cookies to optionally allow you to access and use the Websites or SaaS Products without re-entering your username or password. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from websites you visit.

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General Uses:

We use the Information we collect about you (including Personal Information to the extent applicable) for a variety of purposes, including to:

- Provide, operate, maintain, improve, and promote Activ8 Services;
- Enable you to access and use Activ8 Services, including uploading, downloading, collaborating on and sharing Content;
- Process and complete transactions, and send you related information, including purchase confirmations and invoices;
- Send transactional messages, including responding to your comments, questions, and requests; providing customer service and support; and sending you technical notices, updates, security alerts, and support and administrative messages;
- Send promotional communications, such as providing you with information about services, features, surveys, newsletters, events and providing other news or information about us.
- Monitor and analyze trends, usage, and activities in connection with Activ8 Services
- Investigate and prevent fraudulent transactions, unauthorized access to Activ8 Services, and other illegal activities;
- Enable you to communicate, collaborate, and share Content with users you designate; and

For other purposes about which we obtain your consent.

Notwithstanding the foregoing, we will not use Personal Information appearing in our Analytics Logs or Web Logs for any purpose. The use of Information collected through our Activ8 Services shall be limited to the purposes disclosed in this policy.

Compiling aggregate analytics information:

Because our SaaS Products and Downloadable Products are some of the most configurable in the market, we make extensive use of analytics information (including log and configuration data) to understand how our products are being configured and used, how they can be improved for the benefit of all of our users, and to develop new products and services. As such we generate Usage Data (as defined above) from the web logs and analytics logs described above, including the Content elements captured in such logs, as well as from the Content stored in the Websites and SaaS Products.



INFORMATION SHARING AND DISCLOSURE

We will not share or disclose any of your Personal Information or Content with third parties except as described in this policy. We do not sell your Personal Information or Content.

Your Use:

When you use Activ8 Services, Content you provide will be displayed back to you. Certain features of Activ8 Services allow you or your administrator to make some of your Content public, in which case it will become readily accessible to anyone. We urge you to consider the sensitivity of any data you input into Activ8 Services.

Collaboration:

As a natural result of using Activ8 Services, you may create Content and grant permission to other Activ8 users to access it for the purposes of collaboration. Some of the collaboration features of Activ8 Services display your profile information, including Personal Information included in your profile, to users with whom you have shared your Content. Where this information is sensitive, we urge you to use the various security and privacy features of the Activ8 Services to limit those who can access such information. Your sharing settings may make any Information, including some Personal Information, that you submit to the Activ8 Services visible to the public, unless submitted to a restricted area.

Access by your system administrator:

You should be aware that the nominated customer appointed administrator of your instance of Activ8 Services may be able to:

- access information in and about your Activ8 Services account;
- access communications history, including file attachments, for your Activ8 Services account;
- disclose, restrict, or access information that you have provided or that is made available to you when using your Activ8 Services account, including your Content; and
- control how your Activ8 Services account may be accessed or deleted.

Service Providers, Business Partners and Others:

We work with third party service providers to provide hosting, maintenance, back-up, storage, virtual infrastructure, payment processing, analysis and other services for us. These service providers may have access to or process your Information for the purpose of providing those services for us.



Links to Third Party Sites:

The Activ8 Services may include links to other websites whose privacy practices may differ from ours. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.

COMPLIANCE WITH LAWS AND LAW ENFORCEMENT REQUESTS

Protection of Our Rights:

We may disclose your Information (including your Personal Information) to a third party if (a) we believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process or governmental request, (b) to enforce our agreements, policies and terms of service, (c) to protect the security or integrity of Activ8's products and services, (d) to protect Activ8, our customers or the public from harm or illegal activities, or (e) to respond to an emergency which we believe in the good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person.

Business Transfers:

We may share or transfer your Information (including your Personal Information) in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company. You will be notified via email and/or a prominent notice on the Activ8 Services of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

Aggregated or Anonymized Data:

We may also share aggregated or anonymized information that does not directly identify you with the third parties described above.

With Your Consent.

We will share your Personal Information with third parties when we have your consent to do so.

INFORMATION WE DO NOT SHARE

We do not share Personal Information about you with third parties.



DATA STORAGE, TRANSFER AND SECURITY

Activ8 hosts data with hosting service providers in Australia. The servers on which Personal Information is stored are kept in a controlled environment. While we take reasonable efforts to guard your Personal Information and see security as the top priority in all aspects of our development, hosting and business processes.

We cannot guarantee that any incidentally-collected Personal Information you choose to store in our SaaS Products are maintained at levels of protection to meet specific needs or obligations you may have relating to that information unless explicitly specified in a contract between you and Activ8 as part of service delivery.

Where data is transferred over the Internet as part of a Website or SaaS Product, the data is encrypted using industry standard SSL (HTTPS).

Where Downloadable Products are used, responsibility of securing access to the data you store in the Downloadable Products rests with you and not Activ8. We strongly recommend that administrators of Downloadable Products configure SSL to prevent interception of data transmitted over networks and to restrict access to the databases and other storage used to hold data.

YOUR CHOICES

You may opt out of receiving promotional communications from Activ8 by using the unsubscribe link within each email or emailing us to have your contact information removed from our promotional email list or registration database. Although opt-out requests are usually processed immediately, please allow ten (10) business days for a removal request to be processed. Even after you opt out from receiving promotional messages from us, you will continue to receive transactional messages from us regarding Activ8's Services. You can opt-out of some notification messages in your account settings.

ACCESSING AND UPDATING YOUR INFORMATION

You may often correct, update, amend, or remove your Personal Information in your account settings or by directing your query to your account administrator. You may also contact Support Services, or contact us by postal mail using the address listed below. We will respond to your request for access within 30 days.

You can often remove Content using editing tools associated with that Content. In some cases, you may need to contact your administrator to request they remove the Content. You can contact us to request removal of Personal Information from Activ8 Community services.

You or your administrator may be able to deactivate your Activ8 Services account. If you can deactivate your own account, you can most often do so in your account settings. Otherwise, please contact your administrator. To deactivate an organization account, please contact Support Services. To deactivate an account made for you without authorization, please contact us at the contact information below.

We will retain your account information for as long as your account is active, or as reasonably useful for commercial purposes or as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. If your account is managed by an administrator, that

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account administrator may have control with regards to how your account information is retained and deleted.

RESPONSIBILITY

The Managing Director or their delegate is responsible for the review and implementation of this policy and the maintenance of all associated documents.

IMPLEMENTATION

This Privacy Policy is to be implemented throughout Activ8 in the form of notices via and publishing including but not limited to:

- An announcement on Activ8's Intranet;
- Inclusion in staff and contractor inductions with mandatory agreements;
- Inclusion in the company policy library accessible on Activ8's Intranet.