



PRIVACY POLICY

Effective starting: 29th June 2022

This Privacy Policy informs you of our policies and procedures regarding the collection, use and disclosure of personal information we receive from visitors and registered users of Birch Learning Platform (this "Site"). This Privacy Policy applies only to information that you provide to us through this Site and explains in plain language what we do with that information, how we share it, and how we handle the content you place. It also explains your rights and the choices available to you regarding our use of your personal information and how you can access and update this information.

Our Privacy Policy may be updated from time to time, and we will notify you of any material changes by posting the new Privacy Policy on the Site at Privacy policy and revising the "Effective starting" date at the top of this policy.

This Privacy Policy applies to the information that we obtain through your use of "Site" via a "Device" or when you otherwise interact with the Birch Learning Platform. A "Device" is any computer used to access the "Site", including without limitation a desktop, laptop, mobile phone, tablet, or other consumer electronic device. "Site" includes the Birch Learning Platform web site and SaaS service but does not include any other own- or third-party products or services for which a separate privacy policy is provided. These are third party products or services that you may choose to integrate with "Birch Learning Platform" services. 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.

By accessing and using this Site, you confirm that you have read and fully understood this Privacy Policy, that you agree to the collection and the usage of your own and others' personal information in accordance with the Privacy Policy. By registering for or using the "Birch Learning Platform" and accepting the Terms of Service you consent to the collection, transfer, processing, storage, disclosure and other uses described in this Privacy Policy.

1. Who We Are

B Online Learning provide accessible and innovative eLearning services such as the Birch Learning Platform to any single company or organisation worldwide. B Online Learning is located in Australia (Suite 205, 56 Bowman Street, Pyrmont NSW 2009) to promote and provide eLearning services. This includes the creation of eLearning content for clients, professional development workshops in eLearning and for Articulate eLearning applications and responsible for the management, maintenance and operation of the Birch Learning Platform.

We have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). B Online Learning will not knowingly do anything or permit anything to be done which might lead to a breach of the Privacy Act 1988 (Cth) (the Privacy Act).

The Birch Learning platform is a cloud subscription-based platform serviced by a “Contract” signed by both the Client and B Online Learning. By accessing Birch Learning Platform via the “Contract”, our clients can train their personnel or any other group of people they wish or provide eLearning and event services. Clients access the Birch Learning Platform service by means of a unique combination of a user identifier and secure password, or via Single Sign on. By gaining access to the service through this combination, the Clients are allocated a specific domain that is owned and managed exclusively by the client. The Client specifies, customises and provides access to the service to the authorised users (“Users”) of this domain, consisting of System Administrators, Trainers, Managers and Learners. The System Administrators and Training Administrators specify and manage the content of the elements/courses, which may include text documents, video and audio files, images, presentations, SCORM content, and assessment forms. System administrators create Goals, assigning element/s and specifying any renewal, or due date requirements, for the specified group of Learners. Learners complete online content, attend the elements/courses and are subject to assessments, for which they are graded; Learners have access to their own dashboard through the service. Each Learner can view their status of goals, due dates, and view their overall compliance. They can view and register into Goals from the Goals Catalogue. They can view any reports that have been assigned to them and conduct assessments, if they have been assigned to do so. Each Trainer can extract reports for the activity of Goals and elements. The Client owns their domain data and can extract reports for the total activity of their domain, including all its Users.

2. Collection: The Personally Identifiable Information We Collect

Users: In the course of using this Site, you may provide us with personally identifiable information. This refers to information about you that can be used to contact or identify you, and information on your use of and activities at our Site that may be connected with you (“Personal Information”). Personal Information that we collect may include, but is not limited to, your name and email address. When you visit the Site, our servers automatically record information that your browser sends whenever you visit a website. This information may include, but is not limited to, your Internet Protocol address, browser type, the web page you were visiting before you came to our Site and information you search for on our Site. Like many websites, we may also use “cookies” to collect information. A cookie is a small data file stored by your browser at your Device's hard disk for record-keeping purposes. We use “session ID cookies” in order to support login and main service functionality.

In some cases, another User (such as an administrator) 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 service). We collect Information under the direction of our Clients and often have no direct relationship with the individuals whose Personal Information we process. If you are an employee of one of our Clients and would no longer like us to process your information, please contact your employer.

Clients: In addition to the data, we collect about all Users, we also collect data that are required for your contract with us, such as your company affiliation, number of users that prove that the service is used in accordance to your “Contract” terms. We may also acquire additional data through our Client's' support requests to the extent this is required for us to resolve a technical issue or respond to a request or complaint.

Third-party integrations to the Birch Learning Platform may also enable access to functionalities, such as videoconferencing (Microsoft Teams, Zoom) Use of these third-party services is optional, and you may have access to them by linking your account in Birch Learning Platform with an account on the third-party service, which you have created subject to the third party's Terms of Use.

By using one of the above third-party integrations (offering content or functionality), you agree that such third parties may process Personal Information you provide them by using their services. To the fullest extent permitted by law, we are not responsible for any third-party service's use of Client's exported information.

Content: We collect and store Content that you create, input, submit, post, upload, transmit, store or display in the process of using our "Site". Such Content includes any Personal Information or other sensitive information that you choose to include ("incidentally-collected Personal Information"). Although B Online Learning owns the code, databases, and all rights to the Birch Learning Platform service, Clients retain ownership, control and all rights to their records and data which are their property.

3. How We Use, Process and Retain Personal Information

Personal Information is or may be used for the following purposes:

- to administer your use of our Site,
- to enable you to enjoy and easily navigate the Site,
- to better understand any questions or issues you may encounter,
- to fulfil requests you may make,
- to provide software updates and product announcements

We use information we obtain by technical means (such as the logging performed by our servers or through the use of cookies) for the above purposes and in order to monitor and analyse use of the Site and our services, for the Site's technical administration, to increase our Site's functionality and user-friendliness, to better tailor it to your needs, to generate and derive useful data and information concerning the interests, characteristics and website use behaviour, and to verify that visitors to the Site meet the criteria required to process their requests.

We collect and process personal data in a transparent manner, to the extent necessary for specified, explicit and legitimate purposes, and do not process it further in a manner incompatible with those purposes. We take care that the data we collect are accurate and, when necessary, updated. We take all reasonable steps to immediately rectify personal data, if inaccurate. We process data in a way that guarantees their security, including their protection against unauthorised or unlawful processing and accidental loss, destruction or degradation, using appropriate technical or organisational measures. We are ready to prove at any moment how we adhere to the above principles and we are also ISO/IEC 27001 — Information security management and therefore we take the appropriate technical and organisational measures for the security, confidentiality, integrity and availability of the data. We expressly declare that these measures ensure that, by definition, personal data are not made accessible without the intervention of the natural person to an indeterminate number of natural persons.

Each domain's data are retained for as long as the Client's "Contract" to the service lasts. If the Client elects not to renew a contract, specified procedures contained within the Client's contract will be enacted.

4. Information Sharing and Disclosure

Users: We will display your Personal Information in your profile page and elsewhere on the Site according to the preferences your system administrator sets in your account. We recommend that you guard your anonymity and sensitive information. You can review and revise your profile information at

any time, dependant on what your system administrator has permitted for you to update. You should be aware that the administrator, as well as specially designated support personnel in order to provide support for technical issues you may face, may be able to: access information in and about your account; access communications history, including file attachments, for your account; disclose, restrict, or access information that you have provided or that is made available to you when using your account, including your Content; and control how your account may be accessed or deleted.

Third Parties: We do not sell your Personal Information or Content and will not share or disclose any of your Personal Information or Content with third parties except as described in this policy. We do not share Personal Information about you with third parties for their marketing purposes (including direct marketing purposes).

Service Providers, Business Partners and Others: For security, service operation and management purposes, B Online Learning also uses third-party services that provide the same level of protection as B Online Learning. Third-party vendors and providers supply the necessary hardware, software, networking and storage to run the Birch Learning Platform. These third parties have access to your Personal Information only for purposes of performing these tasks on our behalf.

5. Your Rights

B Online Learning respects your rights as a data subject. When B Online Learning processes personal data on behalf of and as instructed by its Clients, our Clients are responsible towards the data subjects and you should contact the respective Client to which the content of your service belongs for exercising your rights. In this case, B Online Learning does not respond directly to your requests for the exercise of your rights that come to our knowledge, but we inform the Client without delay and provide all reasonable assistance to satisfy your requests in accordance with instructions of the Client. The service has all the necessary features to enable our Clients to protect the rights of the data subjects on their behalf.

6. Security

B Online Learning is very concerned with safeguarding your information. Within the Birch Learning Platform, we employ reasonable measures designed to protect your information from unauthorised access.

7. Data Ownership

Although B Online Learning owns the code, databases, and all rights to the Birch Learning Platform, Clients retain ownership, control and all rights to their records and data which are their property.

9. Cooperation with Supervisory Authority

B Online Learning have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The NPPs govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

10. Contacting Us

If you have any queries or complaints about our Privacy Policy please contact us at:

mail@bonlinelearning.com.au