



APEX DATA SOLUTIONS

Privacy Policy

Apex Data Solutions Pty Ltd

FOR CUSTOMERS AND ASSESSORS

Document	Privacy Policy
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1. Who we are

Apex Data Solutions Pty Ltd (ABN 71 670 512 857) is an Australian company based in New South Wales. We operate the Apex Platform, a browser-based analytics tool used by school staff to analyse student assessment data, and we deliver Data Strategy Sessions, which are professional learning sessions for school staff.

This policy explains how we handle personal information.

Contact: admin@apexdatasolutions.com.au

2. The privacy laws we comply with

- The **Australian Privacy Principles** under the *Privacy Act 1988* (Cth). We have committed in our customer contracts to comply with the Australian Privacy Principles.
- The **Information Protection Principles** under the *Privacy and Personal Information Protection Act 1998* (NSW) and the **Health Privacy Principles** under the *Health Records and Information Privacy Act 2002* (NSW), when handling information on behalf of a NSW government school.
- The **Notifiable Data Breaches** scheme under Part IIIC of the *Privacy Act 1988* (Cth) and, where we act for a NSW agency, the **Mandatory Notification of Data Breach** scheme under Part 6A of the *Privacy and Personal Information Protection Act 1998* (NSW).

3. Two categories of information

We handle two categories of information, and they are subject to different rules. They are dealt with separately throughout this policy.

3.1 School Data

School Data is the student assessment and enrolment information a school uploads to the Apex Platform so that we can analyse it and produce reports for that school.

School Data is owned by the school. We hold it on the school's behalf and act on the school's instructions.

If you are a student, parent or carer and you want to know what information a school holds about you, or you want it corrected, that request goes to the school. We assist the school to respond.

School Data typically includes: student name, student identifier, year level, class and cohort, and NAPLAN and other assessment results.

What School Data must not include. Our contracts require schools not to upload health information, disability records, counselling or wellbeing notes, child protection records, behaviour or discipline narratives, or family, custody or court information. The Platform is not designed to hold this material.

3.2 Our own records

This is information about the adults we deal with: school staff who use the Platform, people who contact us, and staff at schools we approach about our services.

Information we hold about school staff outside the Platform for our own business purposes — work contact details obtained from publicly available sources or given to us directly, correspondence, and records of our dealings with a school — is our own business record. It is not School Data, and it is not held on a school's behalf. It is still personal information, and we handle it under the Australian Privacy Principles as described in this policy.

3.3 Reports prepared outside the Platform

Apex has previously prepared analysis for schools manually and supplied it as PDF reports rather than through the Platform. Where Apex holds source data for that purpose, it is held in Microsoft OneDrive with Australian data residency, is used only to prepare reports for the school that supplied it, and is subject to the same restrictions set out in section 5 and the same retention position set out in section 10.

4. What we collect and why

Whose details	What we collect	Why	Source
Students	Name, student identifier, year level, class and cohort, assessment results	To produce the analysis and reports the school has asked us for	The school, by upload to the Platform. We do not collect it from students, and students cannot access the Platform.
School staff using the Platform	Name, work email address, school, role, login and activity records, and a mobile phone number provided voluntarily for two-factor authentication	To create and manage accounts, send two-factor authentication codes, provide support, maintain security, and investigate misuse	The school, or the staff member
People who contact us	Name, email, phone, school, and the content of the enquiry	To respond to the enquiry and keep a record of it	The person
School contacts we approach	Name, role, school, work email, work phone, and publicly available school information including enrolment and ICSEA	To inform schools about our services and to record who we have contacted	Publicly available sources, including the NSW Department of Education public schools dataset and school websites, and from people who provide their details
Session participants	Name, school, role, registration details	To organise and deliver a Data Strategy Session	The school or the participant

5. Restrictions on our use of School Data

We do not sell, rent, licence or trade School Data.

We also do not:

- use School Data for advertising or marketing, or to market to students, parents or carers;
- use School Data to train artificial intelligence or machine learning models;
- use School Data to build a profile of an individual student for any purpose other than producing reports for that student's school;
- share School Data with any other school, or use one school's data to produce anything for another school;
- use School Data for benchmarking, research or product development, or to create aggregated or de-identified datasets for our own purposes; or
- transfer School Data outside Australia, or allow it to be accessed from outside Australia.

The Apex Platform does not use artificial intelligence. Its recommendations are produced by rules we have written, and any figure the Platform displays can be traced to the rule that generated it. If this changes, we will notify school customers at least 60 days in advance and they may terminate their subscription.

6. Where information is stored

6.1 School Data and staff account information

Student data is stored in Australia. All student assessment and enrolment data uploaded to the Apex Platform is held on Microsoft Azure in Australian data centres. It is not transferred outside Australia and is not accessible from outside Australia, including by our own personnel.

Staff account information is also stored in Australia. From 1 October 2026, and before any school's staff sign in for the first time, authentication is provided by Microsoft Entra External ID with Australian data residency and two-factor codes are delivered through Azure Communication Services. We will not give any school access to the Platform until both are in place.

Our business email and file storage run on Microsoft 365 and Microsoft OneDrive with Australian data residency. Source data used to prepare reports outside the Platform is held there.

6.2 Our own business records

Our customer relationship management system (HubSpot) holds work contact details for school staff — name, role, school, work email and work phone — together with correspondence and records of our dealings with a school. It holds **no student data, no School Data and no Platform account or credential data.**

Our HubSpot account is hosted in HubSpot's Australian data centre in Sydney, so these records are stored in Australia and are replicated for backup only within the Australian hosting region.

HubSpot, Inc. is nonetheless a United States company, and its published terms state that in limited circumstances its personnel, affiliates or sub-processors outside Australia may access or process account data — for customer support, to investigate a security incident, for product development, and for usage analytics, which HubSpot transfers to the United States. We tell you this rather than claim more than the arrangement delivers. It is limited to the work contact details and correspondence described above. Our commitment that data never leaves Australia applies to School Data and to Platform account information, neither of which is held in this system, and that commitment is unaffected.

7. Who we disclose information to

We disclose School Data to no one, other than:

- the school it belongs to;
- the service providers listed below, which store or process it on our behalf under contracts requiring equivalent protections; and
- where required by law, a court or a regulator, in which case we will notify the school first unless legally prohibited from doing so.

7.1 Service providers that handle School Data or Platform account information

Provider	Purpose	Location	Information held
Microsoft (Azure)	Hosting, database, storage and backup for the Apex Platform	Australia	School Data
Microsoft (365 and OneDrive)	Business email and file storage	Australia	Correspondence with school staff; source data used to prepare reports outside the Platform
Microsoft (Entra External ID) — in place from 1 October 2026	Authentication and staff account records	Australia	Staff name, email address, mobile phone number, credential and sign-in metadata. No student data.
Microsoft (Azure Communication Services) — in place from 1 October 2026	Delivery of two-factor authentication codes	Australia	Staff mobile phone number and the verification code. No student data.

We will notify our school customers at least 30 days before adding or changing any provider that would have access to School Data, and they may object.

7.2 Providers that handle our own business records only

Provider	Purpose	Location	Information held
HubSpot	Customer relationship management and marketing	Australia — Sydney, with limited offshore access (see 6.2)	Names, roles, schools and work contact details of school staff, and correspondence. No student data, no School Data and no Platform account or credential data.

This provider is not a Sub-processor of School Data and does not appear in Annexure A of our Terms of Service.

8. Security

The Apex Platform is being prepared for service commencement in Term 4, 2026. We distinguish below between what is in place now and what we have committed to have in place before any school begins using the Platform.

In place now

- All student data stored and processed in Australia, on Microsoft Azure in the Australia Southeast region
- Encryption in transit — TLS 1.3 and 1.2 only, with older protocols disabled, and HTTP Strict Transport Security enabled. The Platform holds a Qualys SSL Labs rating of A+
- Encryption at rest for the database, file storage and backups
- Mandatory two-factor authentication at every sign-in, by one-time code sent to a nominated mobile number
- Role-based access control, with production access restricted to named individuals, reviewed at least every six months and on any change of role or departure
- Logical separation between each school's data, verified by automated tests that confirm one school cannot access another's data
- Separate development, test and production environments, with synthetic data only outside production — no real school data is ever used in development or testing
- Logging of sign-in events
- Daily automated encrypted backups
- Critical security patches applied within 14 days
- A documented Data Breach Response Plan, approved 19 August 2026 and reviewed at least annually, covering privacy, security and online safety incidents, with every incident recorded in an incident register
- A documented Business Continuity and Disaster Recovery Plan, approved 24 August 2026 and reviewed at least annually

Committed by 1 October 2026, before any school begins using the Platform

- Secrets and credentials managed through Azure Key Vault
- Logging of access to, and export of, student data
- A documented test of restoration from backup, repeated at least annually thereafter, with the date and outcome of the most recent test available to schools on request
- Automated scanning for vulnerable code libraries and for credentials committed to source control
- Automated alerting on unusual activity, including repeated failed sign-ins and bulk data export
- Cyber liability insurance
- Authentication moved to Microsoft Entra External ID, with staff account records held in Australia
- Two-factor code delivery moved to Azure Communication Services, processed in Australia

Committed by 1 July 2027

- Independent penetration testing of the Platform, with a summary report available to schools on request

We are undertaking a Safer Technologies for Schools (ST4S) assessment, the schools sector assessment administered by Education Services Australia.

9. Data breaches

If a data breach affects a school's information, we will:

- notify the school within 24 hours of becoming aware of it;
- provide details of what occurred, what information was involved, and the steps we are taking;
- provide the information the school requires to meet its own reporting obligations, including under the NSW Mandatory Notification of Data Breach scheme; and
- not notify individuals, the public or a regulator about a school's data without first consulting the school, unless required by law.

Every privacy, security or online safety incident is investigated, remediated and recorded in our incident register, whether or not it meets the threshold for notification.

10. How long we keep information

Where a period below runs from the end of a subscription, it is measured from the **Deletion Start Date** — the date of the written notice or written confirmation of termination, or the date of expiry, whichever applies.

Information	Retention period
School Data	For the duration of the school's subscription. From the Deletion Start Date, available for export for 30 days, deleted from production systems within 60 days, and cleared from backups in accordance with our backup rotation cycle, being no longer than 90 days. Deletion confirmed in writing on request.
Platform account records, including mobile phone number held for two-factor authentication	For the life of the account, then 12 months. A staff member may remove or change their nominated number at any time.
Correspondence	Indefinitely
Contact records for schools we have approached	Indefinitely, or until the contact asks us to remove them
Financial and tax records	7 years, as required by law

11. Access, correction and marketing

Students, parents and carers. Requests to access or correct information a school holds should be made to the school, which has its own process. We assist schools to respond at no charge.

Everyone else. If we hold your information directly, you can ask us to tell you what we hold, provide a copy, correct it, or delete it where we are not required to retain it.

Email admin@apexdatasolutions.com.au. We will confirm your identity and respond within 30 days. There is no charge.

Marketing. To stop receiving marketing from us, use the unsubscribe link in any email or reply and tell us.

12. Complaints

If you believe we have mishandled your information, contact us at admin@apexdatasolutions.com.au. We will acknowledge within 5 business days and respond within 30 days.

If you are not satisfied with our response, you can escalate it to:

- the Information and Privacy Commission NSW — ipc.nsw.gov.au, 1800 472 679 — for matters concerning information we handle for a NSW government school; or
- the Office of the Australian Information Commissioner — oaic.gov.au, 1300 363 992.

You may contact either regulator directly without first raising the matter with us.

13. Our website and the Platform in your browser

No analytics, tracking or advertising. The Apex Platform runs no web analytics, no tag manager, no advertising or remarketing tag, no social media pixel and no third-party chat widget. We do not profile you, we do not track you across other websites, and we do not sell or share information about your visit with anyone for marketing. There is nothing on the Platform whose purpose is to observe you.

Cookies and browser storage. We do not set cookies for analytics or advertising. To keep you signed in, the Platform stores a session token in your browser's own local storage. It is readable only by the Platform, it holds no assessment data, and signing out clears it. Because we set no analytics or advertising cookies, there is no consent banner to click through — there is nothing to consent to.

Fonts and code libraries. Like most web applications, the Platform currently loads some typefaces and standard code libraries from third-party content delivery networks. Your browser requests those files directly, which means the network delivering them can see your IP address, your browser and device type and the time of the request, as a technical consequence of delivering a file. No account details, no school information and no student data are sent, and none of these providers is given anything that identifies you to us. Some of these networks operate outside Australia. We regard this as an avoidable dependency rather than an acceptable one, so by 1 October 2026, before any school begins service, these files are served from Apex's own Australian infrastructure and the external requests stop.

Student data is not affected by any of this. Nothing in this section applies to School Data. Assessment data is stored solely in Australia as described in section 6, is never sent to an analytics provider or a content delivery network, and never leaves the Platform through your browser.

Our marketing website. Our public website at www.apexdatasolutions.com.au is a separate marketing site hosted on a third-party website platform. It carries no advertising or remarketing tags. That platform may set cookies that are necessary to serve the pages and may record basic visit statistics on our behalf, which we use only to understand how visitors find us. You can block or delete cookies through your browser settings, and doing so will not prevent you using the site.

Forms. If you complete a form on our website, the details you provide are used to respond to you and are handled as described in section 4.

14. Changes to this policy

We may update this policy. Updates will carry a new version number and effective date and will be published at www.apexdatasolutions.com.au/privacy. If a change materially affects how we handle School Data, we will notify school customers directly at least 30 days beforehand.

15. Contact

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