

THIRD SPACE LEARNING

DATA PROTECTION & PRIVACY POLICY

Policy for Users in the United States

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This is our Data Protection and Privacy Policy (“Privacy Policy”) that explains who we are, how we process personal data collected through our website (<https://thirdspacelearning.com/us/>) or any other Services that link to this policy (each, a “Service” and collectively, the “Services”), and, if you are the subject of any of the personal data concerned, **what rights you have and how to get in touch with us if you need to. PLEASE READ THE ENTIRE PRIVACY POLICY VERY CAREFULLY. BY USING ANY SERVICE, YOU AGREE TO BE BOUND BY THIS PRIVACY POLICY IN ITS ENTIRETY.**

This policy is specific to users in the United States. If you are located outside the United States, please visit our [UK privacy policy](#) for more information about our privacy practices for users outside the United States.

Note about Children: As required by applicable law and our [Terms of Service](#), children under the age of 13 in the U.S. may only use our Services with the express prior consent of a parent or legal guardian. **If you are a teacher or other school/district official, you must obtain all necessary parental consents before allowing students to use the Services.**

WHO WE ARE

We are **Virtual Class Ltd** (d.b.a. **Third Space Learning**). Our contact and other details are set out at the end of this policy.

We provide personalized 1-to-1 math sessions to children via our secure online classroom, together with access to high-quality math teaching resources and up-to-date continuing professional development modules for teachers through our online learning hub. We also provide free access to resources, blog posts and articles to teachers and parents via our website and social media platforms. We provide our Services primarily to schools for the benefit of the teachers and children at the schools concerned, but we may also provide them to individual parents/guardians for the benefit of their children.

WHAT PERSONAL DATA WE COLLECT AND PROCESS

We collect and process personal data as follows:

If you are a teacher (or other members of staff) at a school to which we provide Services

We may collect: your individual contact information, including your name, school name and address, your e-mail address, your role/job title at the school, a contact telephone number (which may be your personal mobile number should you choose to give it to us); your timetable availability and the user ID we assign you; in order to enable us to communicate with you in relation to the provision of our Services to you or the school that you work for (for example, in relation to the management and administration of the provision of the relevant Services).

We may also collect other personal information relating to you to in the course of the provision of the Services concerned, which may include, for example, information relating to the school year/age groups you teach, your experience, material that you access via our learning hub and other information relating to you that is included in any communications between us and you or the school where you work in the course of the provision of our Services.

We may also collect publicly available information about you or information about you we may acquire from service providers or educational information providers.

If you are a teacher or a parent/guardian who accesses free resources

We may collect: your email address, your job title, and your age in order to provide you access to the free resources. Free resources are not intended for children under 13. If we become aware that a child under 13 has attempted to access free resources, we will remove their information.

If you are a student or teacher (or other members of staff) at a school to which we provide Services participating in a program or evaluation trial funded, for example, by the government or an education charity

In the event that our service is being provided to you as you are participating in a program or evaluation trial (commissioned and funded, either in full or in part for example by the government or an education charity), you may be required to provide additional personal information to us in accordance with the requirements of that program or trial. You will be provided with information about the additional personal information that will be collected, the purpose of any additional processing and the data that will be shared with the parties involved in the program or trial including any independent assessment experts appointed.

If we provide Services to you as an individual in relation to the children under your care (a parent/guardian)

We may collect your individual contact information (including your name, the user ID we assign to you, your address and other similar details) to enable us to communicate with you in relation to the provision of Services to you and other personal information relating to you to in the course of the provision of the Services concerned.

We will not process any bank account, credit card or other financial details relating to you, as the Services are currently free for end users.

We may also process any other information relating to you that is included in any communications between us and you in the course of provision of the Services.

If you are a child to whom we provide our one-to-one online math sessions (or a teacher or a parent of such a child who wishes to know what information we process relating to children to whom we provide tutoring)

Protecting the privacy of young children is especially important to Third Space Learning. For that reason, we created certain features designed to help protect personal information relating to children who are less than 13 years of age or older if required by applicable law (“Child Users”). For example, we will not use data from Child Users for any advertising purposes.

Third Space Learning does not knowingly permit Child Users to use our Services without prior, express consent from a parent or legal guardian, except through agreements with schools or districts or as otherwise permitted under the Children’s Online Privacy Protection Rule (“COPPA”) and the Family Educational Rights and Privacy Act (“FERPA”). If we learn that data of a Child User has been collected on our Services without prior parental consent, then we will take appropriate steps to delete this information. If you are a parent or guardian (“Parent”) and discover that your child under the age of 13 (or a higher age if required by applicable law) has a registered account with our Services without your consent, please contact your child’s school and contact Third Space Learning to request that we delete that child’s Personal Information from our systems.

How does a child use the Services?

Child Users cannot access or use the tutoring Services without first being added by their school or school district. Students

access the Services through either a learning management system that the school already uses or, if the student's school does not use such a system, through our website or through a unique url on our third-party tutoring platform, Littera. Third Space Learning obligates school officials (or other authorized individuals) to first obtain any necessary parental consents before permitting children to access or use the Services.

For our free resources, if we are aware that a Child User has provided data in an attempt to access the resources, we will restrict that user's access to the resources and delete any personal data provided.

What data do we collect about Child Users?

We may collect information about the Child Users necessary to enable us to deliver the sessions to the Child User, including name, age, gender, academic school year, educational needs and capabilities, information about any relevant learning needs or other special needs that we may need to take account of in providing the sessions to the Child User. The information about the child will normally be provided by the child's school or parent, except to the extent that the child itself provides any information during the tutoring session.

We limit the amount of information we collect about a Child User (in addition to the information provided by the Child User's school or parent) to no more than is necessary to deliver the Services.

What children's information is visible to others?

School officials and tutors may access information about their students on the tutoring service platform. No student's profile is made available or visible to the public through Third Space Learning. Students cannot view each other's individual student profiles.

We may conduct analysis and research using student data, but we aggregate and anonymize data before using it for such

purposes. We analyze and track standards and performance development across different age groups, geographies and other categories of students and no student will be identified directly or indirectly from the aggregated data.

A Note about FERPA:

Certain records for Child Users that are collected or maintained by Third Space Learning are subject to FERPA, meaning we only use student data for legitimate educational interests, which include providing the Services. FERPA provides parents (or students if over the age of 18) with certain rights with regard to those records.

If you request information about, or a demonstration or free trial of, our Services

We may collect your individual contact details, including your name, school name and address, your email address, your role/job title at the school, a contact telephone number (which may be your personal mobile number should you choose to give it to us) in order to arrange a demonstration or free trial. We may also combine this with other information we obtain about the things you are interested in and that are relevant to the Services provided by us (for example, when you use our Services or browse our website and view particular content) in order to help us ensure that any relevant marketing material that we send you is relevant to what you are interested in.

If we wish to send you advertising, marketing or promotional material

When you engage with our Services in any manner identified above, including when you enter your data for free resources, we may collect and use your individual contact details in order to send you direct marketing material in order to advertise, market or promote our Services. We may combine this with other information we obtain about the things you are interested in and that are relevant to the Services provided by us (for example,

when you use our Services or browse our website and view particular content) in order to help us ensure that any marketing material that we send you is relevant to what you are interested in.

You can opt out of marketing communications by clicking the unsubscribe link in our emails.

We will not use data of students and users under 18 for marketing purposes and will not send any marketing materials to students and users under 18.

If you provide goods or Services (or you work for someone who supplies goods or Services) to us.

We may collect your individual contact information to enable us, our group companies or other suppliers of ours or our group companies to communicate with you in relation to the provision of goods or Services by you or the person that you work for (for example, in relation to the management and administration of the provision of the relevant goods or Services) and other personal information relating to you to in the course of the provision of the goods or Services concerned. This may include, for example, bank account or other financial details, personal description and photograph, and other information relating to you that is included in any communications between us and you or anyone you work within the course of the provision of the goods or Services.

If we are assessing your suitability or ability to provide goods or Services to us or to any of our group companies

We may collect relevant personal information relating to you to the extent necessary to enable that assessment to take place – for example, if we need to assess or confirm your age, your skills and previous experience, your qualifications or whether there is anything (for example, relating to your past history, your health or your conduct or reputation) that would adversely affect your suitability or ability to provide the goods or Services concerned. This will be explained to you in more detail at the time we collect

the personal data and, where appropriate, will be subject to your prior consent.

If you are invited to, or attend, an event organized or managed by us

We may collect your individual contact and related information (as well as that of anyone who is attending the event with you) as necessary to enable you and any other relevant individuals to be invited to, and to attend, the event and to facilitate your attendance (for example, dietary or special access requirements).

If you register to use or browse our website or social media platforms

We may collect information on your visits to our website or social media platforms, including the resources that you access and use and how you move around different sections of our hub or website for analytics purposes to understand how people use our hub or website so that we can make it more intuitive. We may keep a record of the content on our website or social media platform that you have accessed, clicked on and used in order to understand what is relevant to your interests based on content that you have looked at. This may involve the use of cookies, which is explained in our cookies policy.

If you apply for a position with us (including as a tutor)

We may collect personal information in relation to you in connection with any application by you for a position with us. In that case, we will explain in more detail at the time how and for what purposes we intend to process the relevant personal information.

If you respond to or complete a survey we have sent you or published on our website or provided other feedback

In responding to surveys carried out on our behalf (or to relevant survey invitations), you may disclose information that could make

you personally identifiable to the third-party entities carrying out the survey on our behalf or to us. You will, in advance of completing the survey, be told what identifiable information (if any) will be disclosed to us. We may use feedback you have given us from customer experience surveys (Survicate for example) to help resolve issues or problems that you may be having to improve the service we deliver to you and to improve the service generally. For more detailed information concerning the protection of privacy when responding to surveys or survey invitations, you should contact the entity conducting the survey.

If you provide feedback in surveys or otherwise provide feedback about the Services, we may, with your consent, publish quotes from your feedback along with your name. This information will be publicly available. We will never post personal information about users under 18. If you wish to update or delete your feedback, you can contact us.

DATA WE COLLECT AUTOMATICALLY

Like other websites and online services, we and our analytics providers, vendors and other third-party service providers may automatically collect certain "Usage Information" whenever you access and use the Services. For example, we may collect information regarding how often a user accesses certain features.

Usage Information may include the browser and operating system you are using, the URL that referred you to our Services (if applicable), the search terms you entered into a search engine that led you to our Services (if applicable), all of the areas within our Services that you visit, and the time of day you used the Services, among other information. We may use Usage Information for a variety of purposes, including to select appropriate content to display to you and to enhance or otherwise improve the Services and our products.

In addition, we automatically collect your IP address or other unique identifier ("Device Identifier") for any computer, mobile phone or other

device (any, a "Device") you may use to access the Services. A Device Identifier is a number that is automatically assigned to your Device used to access a Service, and our servers identify your Device by its Device Identifier. Some mobile service providers may also provide us or our third-party service providers with information regarding the physical location of the Device used to access a Service, internet service provider (ISP), date and time of your visit, browser language, browser type, referring and exit pages and URLs, amount of time spent on particular pages, which parts of our Services you use, which links you click, search terms, operating system, traffic and related statistics, keywords, and/or other general browsing or usage data.

Usage Information is collected via tracking technologies. For more information about the tracking technologies we use, please review our [cookies policy](#).

Cookies

Like many other websites and apps, we use “cookies” (a small file sent to your computer by a website or device to allow the website or app to store information which uniquely identifies you) or other similar software to collect data in order to assist our users and provide them with a more personal experience. For example, cookies help our systems recognize you if you return to our Services shortly after exiting them. You can disable cookies at your browser or device’s settings, but please note that if you do so, some (or all) of the features and functionality of our Services may not be available to you. For more information on opting out of cookies, see our cookie policy.

We do not use cookies or any other tracking technologies, including web beacons (as discussed below), to direct advertisements to students.

Web Beacons

We may also use web beacons on the Services, in our emails, and in our advertisements on other websites. Web beacons are tiny graphic images that are used to collect information about your visit to the

Services, such as the pages you view and the features you use, as well as information about whether you open and/or act upon one of our emails or advertisements. We may also collect the URL of the website you visited immediately before coming to the Services. Web beacons help us analyze our site visitors' behavior and measure the effectiveness of the Services and our advertising. We may work with service providers that help us track, collect and analyze this information.

How We Respond To Do Not Track Signals:

Please note that your browser setting may allow you to automatically transmit a "Do Not Track" (DNT) signal to websites and online service you visit. DNT is a privacy preference that users can set in certain web browsers to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. However, we do not recognize or respond to browser-initiated DNT signals, as the internet industry is still working to determine what DNT means, how to comply with DNT, and how to create a common approach to responding to DNT. To find out more about "Do Not Track", please visit <http://www.allaboutdnt.com>.

WHAT HAPPENS IF YOU ACCESS THE SERVICES ON A MOBILE DEVICE

If you use the Services through a mobile device, you agree that Third Space Learning may store and use that information for security purposes (for example, for user verification or authentication and to ensure that our APIs are being used appropriately).

WHERE WE PROCESS YOUR PERSONAL DATA

Consent to transfer:

Be aware that aspects of the Services are operated outside of the United States in a jurisdiction in which the privacy laws may differ from where you reside and/or are a citizen, and any information we collect will be transferred to and processed in the United Kingdom, European Economic Area member states and countries or territories with an “adequacy resolution” by the United Kingdom Information Commissioner’s Office (ICO) meaning the United Kingdom has determined that they offer a similar level of protection for personal data as in the United Kingdom. By using the Services, or providing us with any information, you fully understand and unambiguously consent to the transfer, processing and storage of your information in the United Kingdom, European Economic Area and countries or territories with an “adequacy resolution” by the ICO.

Where data is processed:

We are established in the UK and the systems which we use, except as set out below, to process your personal data are hosted in the United Kingdom, European Economic Area member states and countries or territories with an “adequacy resolution” by the United Kingdom Information Commissioner’s Office (ICO).

In order to provide the tutoring Services, we use a third-party learning platform, Littera, that is based on the United States, all relevant data are processed and stored on that platform in the United States. Our 1-to-1 math sessions are provided by tutors in India and Sri Lanka, who are employed either by another company in the same group as us or by a supplier to us.

Data collected for marketing purposes are stored on servers in the United States, but accessed by our employees located in the United Kingdom.

Sales data collected about schools and school districts are stored in Ireland, a country in the European Economic Area.

HOW WE SHARE YOUR PERSONAL DATA AND WORK WITH THIRD PARTIES

Where necessary in order to manage our business, we may share relevant personal data with our group companies, service providers (i.e data monitoring or analytic tools) or suppliers, but only to the extent necessary in order to provide the Services concerned. We will only share the minimum amount of personal data necessary for the purpose of processing and, where possible, we will share the personal data in a pseudo-anonymized or anonymized form.

We also may share your Personal Information with third parties with your consent (if permissible under applicable law), as disclosed at the time you provide us with information, and as described below or otherwise in this Privacy Policy:

1. Schools/District Customers

We will share student, teacher, and school employee data with the relevant school/district customer with whom the user is associated. Any such sharing is subject to Third Space Learning's contracts with the relevant school or district. We do not control, and are not responsible for, our customers' handling of your data. If you have questions with respect to data that we process in the context of an agreement or relationship with a school or district, you should direct them to the relevant school or district.

2. Service Providers & Partners

We will share your data with third parties to provide services to us or you in connection with the Services, but subject to confidentiality obligations. For example, we may provide your data to companies that provide services to help us with our business activities or data security, including (without limitation) to providers offering payment processing, hosting, information technology, customer support, and consumer research services. We also work with service providers to provide us with information regarding traffic on the Services, including the features used when visiting the Services and to provide us with information regarding the use of the Services. We may also work with

third party platforms to allow students and school/district officials to access the Services.

3. Administrative, Legal Reasons & Academic Integrity Investigations

We may also disclose your data, in response to a subpoena, court order, or when otherwise required by law; in response to bankruptcy proceedings; to defend our rights; in response to a request from law enforcement; to provide information to a claimed owner of intellectual property who claims that content you have provided to us infringes on their rights; upon request of or as otherwise authorized by an academic institution connected to an investigation into academic integrity; to protect and/or defend any applicable Terms of Service or other policies applicable to the Services; or to protect the personal safety, rights, property or security of any organization or individual.

We may also use Device Identifiers, including IP addresses, to identify users, and may do so in cooperation with copyright owners, Internet service providers, wireless service providers or law enforcement agencies in our discretion.

These disclosures may be carried out without your consent or without notice to you.

4. Business Transitions

Third Space Learning may share data with its parent, subsidiaries and affiliates, and investors primarily for business and operational purposes. In the event that Third Space Learning goes through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of its assets, bankruptcy, or other corporate change, including, without limitation, during the course of any due diligence process, your data, will likely be among the assets shared and/or transferred.

You will be notified via email and/or a prominent notice on Services of any completed change in ownership or uses of your data, as well as any choices you may have regarding your data.

5. Testimonials

We may display personal testimonials of satisfied adult users on our Services in addition to other endorsements. With your consent, we may post your testimonial along with your name. If you wish to update or delete your testimonial, you can contact us.

No Third-Party Advertising

Third Space Learning will never share any data with third parties to allow those third parties to advertise or market to users. We will not mine student data for any purposes other than those agreed to by Third Space Learning's relevant school or district customer. Data mining or scanning of user content for the purpose of advertising or marketing to students or their parents is prohibited. Further, we will not provide targeted advertising to any students through the platform.

Third-Party Content, Links to Other Sites, and Third Space Learning Content Found Outside of the Services

Certain content provided through the Services may be hosted and served by third parties, such as the platform for tutoring services, Littera. In addition, the Services may link to third-party websites or content over which Third Space Learning has no control and which are governed by the privacy policies and business practices of those third parties. Littera's terms of service and privacy policy are available here: <https://www.litteraeducation.com/terms-of-service/> and <https://www.litteraeducation.com/privacy-policy/>.

Please also note that Third Space Learning content may be included on web pages and websites that are not associated with us and over which we have no control. These third parties may independently collect data. **Third Space Learning is not responsible or liable for the privacy practices or business practices of any third party.**

SECURITY OF YOUR PERSONAL DATA

All personal data processed by us is stored securely (the level of security being commercially reasonable based on the nature of the data concerned and the other relevant circumstances). We use a range of organizational and technical security measures to protect your information to ensure it is not accidentally lost, or used or accessed in an unauthorized way.

Where we have given you (or where you have chosen) a password, you are responsible for keeping this password confidential. We ask you not to share a password with anyone and to use a password that is appropriate (i.e. a mixture of upper and lower case letters, and characters, which isn't used on other sites and isn't easily guessed).

Schools are responsible for setting up staff members and granting them access to the platform and online learning hub. It is the responsibility of the school to ensure that only authorized persons have access to personal data. Once a teacher leaves the school or ceases to be involved in the Service, the school should remove access to the Service. We cannot be responsible for unauthorized access caused by the failure of a school to remove a teacher's access.

Unfortunately, no method of transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website and any transmission is at your own risk. Once we have received your information, we will use commercially reasonable procedures and security features to try to prevent unauthorized access.

THE PURPOSES FOR WHICH WE PROCESS PERSONAL DATA

The purposes for which we process your personal data are as follows:

- to provide you with the Services, including both free resources and tutoring;

- for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into such a contract;
- for compliance with a legal obligation to which we are subject;
- for the purposes of the legitimate interests pursued by us or another person, provided that this will only be in circumstances in which those legitimate interests are not overridden by your interests or fundamental rights and freedoms which require protection of personal data (most circumstances in which we process personal data in the course of providing our Services, including where we process the personal data of children to whom we provide tutoring Services, will fall into this category); or
- for any other reason with your consent, or, for students, the consent of the student's parent/guardian either directly or through the student's school.

HOW LONG WE KEEP YOUR PERSONAL DATA

We process personal data only for so long as is necessary for the purpose(s) for which it was originally collected, after which it will be deleted or archived except to the extent that it is necessary for us to continue to process it for the purpose of compliance with legal obligations to which we are subject or for another legitimate and lawful purpose. These time periods are different depending upon the category of personal information and the nature of the processing activity.

Upon termination of your account or upon termination of an agreement with a school/school district, you may request we delete any personal information from our live databases. Third Space Learning will take commercially reasonable steps to delete any personal information from our live databases in a reasonable amount of time not to exceed

ninety (90) days. You understand and agree that Third Space Learning may continue to have Personal Information in archive files or similar databases. You further agree that Third Space Learning has no obligation to delete aggregated or de-identified information. Third Space Learning may retain and use aggregated and de-identified information for any purpose consistent with laws and regulations.

Even if your account is closed, information may remain in backup or archive records and we may retain certain data relevant to preventing fraud or future abuse or for legitimate business purposes, such as analysis of aggregated or de-identified data, account recovery or if required by law. All retained data will continue to be subject to the applicable privacy policy for the Service.

Schools are responsible for ensuring data of teachers, employees, and students are deleted when the user is no longer associated with the school. If the contract with a school is terminated and the school or end user requests deletion of data, user accounts associated with that school will be terminated and data will be deleted from our live databases.

HOW YOU CAN ACCESS AND MANAGE YOUR PERSONAL DATA

You may access and manage your personal data as follows:

- You may request access to the personal data we hold about you.
- You may request that inaccurate personal data that we are processing be corrected. You may be required to contact your school to correct certain information provided by the school.
- In certain circumstances (normally where it is no longer necessary for us to continue to process it), you may be entitled to request that we erase the personal data concerned. You may be required to contact your school to ensure your personal data is no longer associated with their account.

- Where we are processing your personal data for marketing purposes or otherwise based on our legitimate interests, you may in certain circumstances have a right to object to that processing. This may include where we are processing personal data relating to children to whom we provide tutoring Services.
- You have the right to opt out of marketing communications using the unsubscribe button at the bottom of email communications.
- In certain circumstances, you may have a right to request us to restrict our use of your personal information.
- Where we are processing personal data relating to you on the basis of your prior consent to that processing, you may withdraw your consent, after which we shall stop the processing concerned.

To access and manage your data as set forth above you may be able to make changes on your profile when you login. Otherwise, you should **contact us** as set out below.

We will, where we process your personal data in the UK, afford you the same rights and protections as provided to individuals based in the UK under the UK GDPR and Data Protection Act 2018.

If you have a complaint about any processing of your personal data being conducted by us, you can **contact us**.

CONTACTING US

Our contact details are:

Virtual Class Ltd (or Third Space Learning)
Frazer House
32-38 Leman Street
London
E1 8EW

Contact: Company Secretary

Email: secretary@thirdspacelearning.com

Phone: 929-298-4593

UPDATES TO THIS POLICY

We may update our privacy policy from time to time and any changes we make to our privacy policy in the future will be posted on this page. If we make any material changes we will notify you by email (sent to the email addresses we hold on your account) prior to the change becoming effective. Please check back frequently to see if there have been any updates or changes to our Privacy Policy. Your continued use of the Services following an update to this Privacy Policy will constitute your acceptance of the updated Privacy Policy.

DATE OF THIS POLICY

This policy was last updated on October 13, 2022