

INTRODUCTION TO OUR DATA PROTECTION & PRIVACY POLICY

This is our data protection and privacy policy that explains who we are, how we process personal data 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.

WHO WE ARE

We are **Virtual Class Ltd** (trading as **Third Space Learning**). Our **contact and other details** are set out at the end of this policy. We are the data controller in relation to the personal data processed in accordance with this policy (except where this policy explains otherwise).

We provide personalised 1-to-1 maths lessons to children via our secure online classroom, together with access to high quality primary maths teaching resources and up-to-date continuing professional development modules for teachers through our online learning hub. We also, from time to time, 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 for the benefit of their children

THE PURPOSES FOR WHICH WE COLLECT AND PROCESS PERSONAL DATA

We collect and process, in accordance with data protection legislation, personal data as follows:

If you are a teacher (or other member of staff) at a school to which we provide services or if you register on our online learning hub to access the resources available on it

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 PPA 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 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 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 pupil or teacher (or other member of staff) at a school to which we provide services participating in a programme 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 programme 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 personal information to us that is not required by us to deliver our services to you. 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 programme or trial including any

independent assessment experts appointed. Where we are processing personal information that is not required by us to deliver our services to you, we are acting as a data processor in respect of that data which will be processed in accordance with the instructions of the data controllers for that data who have determined the legal basis for processing it.

If we provide services to you as an individual in relation to the children under your care

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 (for example, helping you cancel or change a time for 1-to-1 tuition, etc.) and other personal information relating to you to in the course of provision of the services concerned.

We will not process any bank account, credit card or other financial details relating to you, as we transfer you to secure third party service providers to process any relevant payments and do not process the payments ourselves.

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 maths lessons (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)

We may collect information about the child necessary to enable us to deliver the lessons to the child, including name, age, gender, academic school year, educational needs and capabilities, information about any relevant medical or learning needs or other special needs that we may need to take account of in providing the lessons to the child. 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 (in addition to the information provided by the child's school or parent) to no more than is necessary to deliver the service.

All online lessons that we provide are recorded (on-screen interaction and live conversations between the child and tutor) and the recordings are used by us to monitor and track the child's progress and to provide feedback on progression and performance, the quality of the teaching provided, compliance by tutors with our guidelines, and other factors relevant to the teaching. We also store the recordings for safeguarding and archival purposes. The recordings also provide us with a tool for on-going continual professional development for our tutors and enable us to improve the services provided and enhance educational outcomes through conducting analysis and research into sessions and outcomes.

When we conduct analysis and research we aggregate and anonymise data. We analyse and track standards and performance development across different age groups, geographies, and other categories of student and no student will be identifiable directly or indirectly from the aggregated data.

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

We may collect 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.

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 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 with in the course of 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 right to work in the UK, 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 organised 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 any of our online learning hubs, websites, or social media platforms

We may collect information on your visits to our online learning hub websites 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 hub, 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

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.

WHERE WE PROCESS YOUR PERSONAL DATA

We are established in the UK and the systems which we use to process your personal data are hosted here or elsewhere in the EU.

Our 1-to-1 maths lessons are provided by tutors in India and Sri Lanka, who are employed by another company in the same group as us. In order to provide the lessons, the tutors use our learning platform which is hosted by Amazon Web Services (AWS) in the UK or the EU and all relevant data is processed and stored on that platform.

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-anonymised or anonymised form.

All EEA member states and countries or territories with an “adequacy decision” by the EU have assessed and given an “adequacy regulation” by the Information Commissioner’s Office (ICO) meaning the UK has determined that they offer a similar level of protection for personal data as in the UK allowing personal data to be transferred or made accessible without additional requirements or safeguards being needed to protect the data transferred.

The UK has approved the UK-U.S. Data Bridge (“data bridge”) facilitating flows of personal data to U.S. entities that have self-certified to the EU-U.S. Privacy Framework (DPF), provided that those entities extend their certification to cover UK data. This UK-U.S. Data Bridge means that DPF participants in the U.S. who have extended their certification to cover UK data are treated as providing adequate protection to personal data that is subject to the UK GDPR.

Where personal data is transferred in relation to providing our services to a state, country or territory without a UK “adequacy regulation” or “data bridge”, we will take all steps reasonably necessary to ensure that a similar degree of protection is afforded to it by ensuring it is subject to appropriate safeguards, such as relying on a recognised legal adequacy mechanism which may include entering into approved standard contractual clauses relevant to transfers of personal

information, imposing contractual obligations on the recipients of that data to protect your personal data to the standard required in the UK and putting in place measures to supplement transfer tools and that it is treated securely and in accordance with this privacy policy.

SECURITY OF YOUR PERSONAL DATA

All personal data processed by us is stored securely (the level of security being appropriate to the nature of the data concerned and the other relevant circumstances). We use a range of organisational and technical security measures to protect your information to ensure it is not accidentally lost or used or accessed in an unauthorised 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 authorised 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 and online learning hub. We cannot be responsible for unauthorised access caused by failure of a school to remove a teacher's access.

Unfortunately, the 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 appropriate procedures and security features to try to prevent unauthorised access.

WHO WE SHARE YOUR PERSONAL DATA WITH

We will only share your personal information with other organisations after careful consideration and only when we have a legitimate reason and in compliance with data protection legislation.

We may where appropriate share your personal data with:

- Any member of our group, which means our subsidiaries, our holding company, and its subsidiaries.
- Appropriate third parties including:
 - Our business partners, customers, suppliers, and sub-contractors for the performance of any contract we enter into or other dealings we have in the normal course of business with you or the person that you work for;
 - Third-party service providers who provide website and application development, hosting, backup, communication platforms, storage, virtual infrastructure, payment processing, analysis, and other services for us, which may require them to access or use information about you. If a service provider needs to access information about you to perform services on our behalf, they do so under instruction from us, including abiding by policies and procedures designed to protect your information;
 - Our auditors, legal advisors and other professional advisors or service providers;

- Credit or other similar reference agencies for the purpose of assessing your suitability or ability where this is in the context of us entering (or proposing to enter) into a contract with you or the person that you work for.
- In relation to information obtained via our website:
 - Our advertisers and advertising networks that require the data to select and serve relevant adverts to you and others. We do not disclose information about identifiable individuals to our advertisers, but we will provide them with aggregate information about our users. We may also use such aggregate information to help advertisers reach the kind of audience they want to target. We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience and subject to our cookies policy;
 - Analytics and search engine providers that assist us in the improvement and optimisation of our site and subject to our cookies policy.

OTHER DISCLOSURES WE MAY MAKE

We may disclose your personal data to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets subject to the terms of this privacy policy.
- If we or substantially all of our assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of supply terms and other agreements with you or the person that you work for; or to protect the rights, property, or safety of our business, our group companies, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection, or credit risk reduction.

THE LEGAL BASIS FOR OUR PROCESSING OF PERSONAL DATA

The legal basis on which we process your personal data is as follows:

- Where it is necessary to obtain your prior consent to the processing concerned in order for us to be allowed to do it (for example, in relation to marketing), we will obtain and rely on your consent in relation to the processing concerned (in relation to any processing we are carrying out with your consent, see below for how to withdraw your consent). If you are a child, we take the provision by a teacher at your school or your parent, of personal information about you as confirmation of consent (**Article 6(1)(a) UK GDPR**).
- Otherwise, we will process your personal data where the processing is necessary:

- 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 (**Article 6(1)(b) UK GDPR**)
- For compliance with a legal obligation to which we are subject (**Article 6(1)(c) UK GDPR**); or
- 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) (**Article 6(1)(f) UK GDPR**); or
- For the purposes of scientific and statistical research purposes to enhance educational outcomes (when we conduct analysis and research, we use a combination of anonymisation and pseudo-anonymisation so that no pupil will be identifiable directly or indirectly from the aggregated data and the outcome of analysis and research is not used to make decisions directly affecting individuals) (**Article 9 (2)(j)**).

Provision of our tutoring service to pupils (including the processing of personal data that takes place in the course of providing the tutoring service) is carried out on the basis of legitimate interests, including our legitimate interest in providing the service concerned and conducting our business accordingly, and of the interest of the relevant school population as a whole in enabling us to provide an effective maths tutoring service that may benefit them accordingly. To the extent that any special categories of personal data relating to a given pupil need to be shared with us in order to assist us in providing the service, this will be done only with the prior consent of the parents of the pupils concerned.

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.

Pupil data is deleted at the end of the second academic year following the pupil ceasing to be active (the pupil has not been assigned to a session scheduled to take place in either the academic year just ended or the academic year previous to that).

The data deletion method used is appropriate for the use case and value of the data. Data destruction methods used include deletion/reformatting, wiping, overwriting and irreversible anonymisation of data.

YOUR RIGHTS

Under data protection law, you have rights including:

- Right of access - You have the right to ask us for copies of your personal information.

- Right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- Right to erasure - You have the right to ask us to erase your personal information in certain circumstances (normally where it is no longer necessary for us to continue to process it).
- Right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- Right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.
- Right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

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 and this may include where we are processing personal data relating to children to whom we provide tutoring services.

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 exercise any of your rights (including withdrawing relevant consents or obtaining access to your personal data), you should contact us as set out in CONTACTING US below. If you have concerns or a complaint about any processing of your personal data by us, you can contact us or lodge a formal complaint with the Information Commissioner – see CONCERNS OR COMPLAINTS.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

CONCERNS OR COMPLAINTS

If you have any concerns or complaints about our use of your personal information, you can contact us – the details are below in CONTACTING US.

The Information Commissioner is the supervisory authority in the UK and can provide further information about your rights and our obligations in relation to your personal data, as well as deal with any complaints that you have if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org>

CONTACTING US

Our contact details are:

Virtual Class Ltd (or Third Space Learning) 68 Hanbury Street, London E1 5JL

Contact: Company Secretary (our Data Protection Officer (DPO))

Email: secretary@thirdspacelearning.com Phone: 020 3794 2736.

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.

DATE OF THIS POLICY

This policy was last updated on 27 September 2023.

Changes 27 September 2023:

Section on WHERE WE PROCESS YOUR DATA to remove reference to our 1-to-1 maths lessons being provided by tutors who are employed by a supplier to us as all 1-to-1 maths lessons are now provided another company in the same group as us.

Section on WHERE WE PROCESS YOUR DATA to add reference to the approval of the UK-U.S. Data Bridge ("data bridge") facilitating flows of personal data to U.S. entities that have self-certified to the EU-U.S. Privacy Framework (DPF).

Section on THE LEGAL BASIS FOR PROCESSING PERSONAL DATA to make clearer the basis on which we process personal data in relation to the provision of tutoring services.

Section on HOW LONG WE KEEP YOUR PERSONAL DATA updated to specify how long we retain pupil data before deleting and to add paragraph on data destruction methods used to delete personal data.

Section on YOUR RIGHTS wording updated to be in line with wording per ICO; make it clear how you can exercise your rights by including reference to section on CONCERNS AND COMPLAINTS; and make it clear that no charge is payable for exercising rights.

Section on CONTACTING THE REGULATOR re-titled CONCERNS OR COMPLAINTS and address and telephone number of ICO added rather than just giving link to ICO website.

Section on CONTACTING US to update our address to Hanbury Street from Leman Street.

Changes 20 July 2021:

Section on THE PURPOSES FOR WHICH WE COLLECT AND PROCESS PERSONAL DATA to include services provided to schools participating in a programme or evaluation trial funded, for example, by the government or an education charity.

Section on WHERE WE PROCESS YOUR PERSONAL DATA to delete reference that during delivery of lessons, the data may be held on AWS's servers in India until the end of the lesson,

when it is automatically uploaded on AWS in the UK or the EU and deleted from the server in India as we have not done so for a number of years and will not do so going forward.

Section on WHERE WE PROCESS YOUR PERSONAL DATA to delete reference to certain support functions being provided by our support teams employed by Third Space Global (Pvt) Ltd our wholly owned subsidiary in Sri Lanka as, with effect from the end of 2020/21 academic year, these support functions have been brought back to the UK and access to the subset of personal data through the third-party software removed. Elsewhere we have made minor wording changes or provided additional information to improve clarity.