Data protection and privacy policy

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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.

If you are a pupil, our pupil privacy notice explains how we use your information in simpler words. Parents and carers can read the parent and carer letter that schools share before tutoring starts.

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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 act as an independent data controller, rather than a processor, for pupil data used in tutoring. This is because we decide how the tutoring service uses that data, including how Skye responds to each pupil and when safeguarding concerns are acted on. Schools remain controllers of their decision to use Skye and of which pupils take part. More detail is on our trust and compliance page.

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 to schools for the benefit of the teachers and children at the schools concerned.

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 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); 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 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, including messages, emails and telephone calls with our support team (see If you contact our support team below).

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 contact our support team

When you contact our support team by message, email or telephone, we keep a record of the conversation. Telephone calls may be recorded and transcribed. These records are mainly about you and your query: your name, contact details and school, and what you tell us. We do not need or ask for pupils' names to help with support queries. If you do mention a pupil, for example when reporting a problem they had in a session, that detail will form part of the record, so we encourage you to avoid using pupil names where possible.

We use these records to resolve your query and to improve our service, for example by spotting common issues and how often they arise. To help with this, we may use AI tools to analyse support communications. When we do:

- the analysis looks at the issues raised, not at individual pupils, although a pupil's name may be included if it was mentioned in the conversation;
- we only use AI providers who are contractually prohibited from using our data to train their AI models;
- the analysis is used to improve our service, not to make decisions about individual teachers or pupils; and

- our staff review the results before acting on them.

Some of the providers we use to record, transcribe and analyse support communications process data in the United States. See Where we process your personal data below.

If we provide services to a child under your care

If the school attended by a child under your care offers pupils access to our services from home, then we may collect and process information relating to you included in any communications (directly or indirectly) between us, the school and you in relation to the provision of our services to the child under your care.

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, school, academic school year and working-at level in maths (whether they are working above, at, below or significantly below the expected level, or a GCSE grade from 1 to 9). 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.

A teacher or other member of school staff may also mention a child when contacting our support team, for example to report a problem the child had during a session. See If you contact our support team above for how we handle this.

We limit the amount of information we collect about a child 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 the AI tutor, Skye). The recordings are used by us to monitor and track the pupil's progress and to provide feedback on progression and academic performance, the quality of the teaching provided to the child, to provide troubleshooting support, to monitor and improve the quality of our AI tutor, and other factors relevant to education. We also store the recordings for safeguarding purposes. If a pupil makes a disclosure during a session, our safeguarding team reviews the recording, which only designated safeguarding-trained staff can access, and contacts the school's designated safeguarding lead directly. Where there is an immediate risk to a child, we may contact the relevant authorities, and we will tell the school what action we have taken. See our safeguarding policy for more detail.

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

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 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 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

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 (Google Forms, 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. Our tutoring platform is hosted by Amazon Web Services (AWS) in the European Economic Area (EEA, which includes all EU countries), and our customer relationship management system is hosted in the EEA.

Our 1-to-1 maths lessons are provided by a proprietary AI tutor called Skye on our learning platform. For the avoidance of doubt, pupil data is not used to train any AI model, whether our own or a third party's. Both the AI tutor and the learning platform are hosted on AWS, which holds many data protection certifications. Platform data is processed and stored in the UK or EEA, except as described below.

Pupil data leaves the UK and EEA in two limited circumstances only:

- During a tutoring session, the AI models that power Skye receive only the pupil's first name and year group, one request at a time. Some of these providers process data outside the UK and EEA, including in the United States. They do not keep this information or use it to train their models.
- Support communications with our team (for example, messages and telephone calls from teachers) are recorded, transcribed and analysed by providers who may process data in the United States. These communications may include a pupil's name where school staff choose to mention it.

Some of the business tools we use for teacher and school contacts (such as email, communication and accounting software) also process data in the United States.

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.

The UK has made “adequacy regulations” for all EEA countries and for the countries and territories that the EU has found to provide adequate protection. This means the UK has determined that they offer a similar level of protection for personal data as the UK, so personal data can be transferred to them without additional safeguards.

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. Data 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”, or to a recipient that is not covered by the 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 including undertaking a Transfer Risk Assessment (“TRA”) and relying on recognised legal adequacy mechanisms such as entering into approved standard contractual clauses relevant to transfers of personal information (e.g. UK Addendum to standard contractual clauses), imposing contractual obligations on the recipients of that data to protect your personal data to the standard

required in the UK (e.g. an International Data Transfer Agreement ("IDTA")) and putting in place measures to supplement transfer tools ensuring 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;
    - Third-party service providers who provide website and application development, hosting, backup, communication platforms, call recording and transcription, AI models, 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;
  - We may display personal testimonials or review of satisfied adult users on our Services in addition to other endorsements. With your consent, we may post your testimonial or review along with your name and job role. If you wish to update or delete your testimonial, you can contact us;
  - We may share your school or MAT name with prospective schools or MATs for the purpose of helping them to speak to local schools using Third Space Learning to hear of their experience. We will not share your name or contact details without first contacting you to ask if you are happy to speak with the school.
- 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 service 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:

- We will process your personal data where the processing is necessary:
    - 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);
    - 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 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)).
- 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).

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 through education and other societal benefits accordingly.

Recording, transcribing and analysing support communications (including with AI tools, as described in If you contact our support team) is also carried out on the basis of legitimate interests: our interest, and that of the schools we serve, in resolving issues quickly and improving the service. We have assessed that this does not override the interests of teachers or pupils, taking into account that pupils are mentioned only occasionally and only where school staff choose to do so, the contractual restrictions on our AI providers, and the fact that the analysis is not used to make decisions about individuals.

Tutoring sessions provided to pupils are recorded, and these recordings may capture audio and on-screen interactions between participants in such sessions as well as other personal information concerning such participants ("Recorded Sessions"), however no video element of a pupil's face or likeness is captured as the pupil works through a shared whiteboard and an audio connection with their AI tutor. We do not undertake work on the voice element of Recorded Sessions to identify voice patterns or analyse speech. The Recorded Sessions and related personal information and data such as transcriptions of such Recorded Sessions:

(a) are used to provide and improve the tutoring service - in particular, live transcription is vital for the AI tutor to be able to communicate in real-time with any pupil;

(b) are used to ensure security and compliance - sessions where a pupil may have made a disclosure are automatically flagged for review, and can also be reported by a teacher or session facilitator who observed the session live. Recordings and transcripts allow our safeguarding-trained staff to review any disclosure and alert the school's designated safeguarding lead, as described in our safeguarding policy and DfE AI product safety standards statement; and

(c) may be shared with researchers for purposes of performing educational studies (e.g. to help study the impact of Third Space Learning on pupils so we can continue to improve the service).

In circumstances where Third Space Learning has determined that consent is the legal basis for the processing of children's personal data (for example, in relation to special category data or marketing), it is the responsibility of the school to obtain consent from parents or guardians on behalf of Third Space Learning and to confirm that consent has been obtained for the processing of that data.

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, archived or irreversibly anonymised 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 personal data is deleted or irreversibly anonymised once the pupil has been inactive for 2 years, or earlier if the school or staff member asks. Session recordings and transcripts are kept for 3 years from the date of each session, after which transcripts are irreversibly anonymised. Where a safeguarding concern or allegation has been recorded, the relevant records are kept for longer, as set out in our data retention schedule.

Our data retention schedule, published on our trust and compliance page, sets out how long we keep each category of personal data.

Support communications (including call recordings and transcripts) are kept for 12 months and then deleted. Analysis produced from them is used to identify and fix issues with our service.

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://ico.org.uk

Contacting us

Our contact details are:

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

Contact: Bryan Tookey - 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 our website with a clear link to our privacy policy in our footer. If we make any material changes, we may notify you by email (sent to the email addresses we hold on your account, if we hold an email address for you) prior to the change becoming effective. Please check back frequently to see if there have been any updates or changes to our privacy policy.

Update October 2026

We have explained why we act as an independent data controller for pupil data, and added links to our pupil privacy notice and parent and carer letter. We have added a section headed If you contact our support team, explaining how we record and analyse support communications, including with AI tools. In the section headed Where we process your personal data we have described more precisely where personal data is processed, including the limited circumstances in which pupil data is processed outside the UK and EEA, and confirmed that pupil data is not used to train any AI model. We have removed age and gender from the information we collect about children, as we do not collect them, and described working-at levels. We have explained how safeguarding disclosures are identified and passed to the school's designated safeguarding lead. In the section headed The legal basis for our processing of personal data we now set out legitimate interests first, as the basis for most of our processing, and have removed the statement that information provided by a teacher is treated as consent. We have updated retention periods to match our published data retention schedule, including longer retention of safeguarding records, made related updates to the section on who we share personal data with, and corrected minor errors.

Update January 2026

In the section headed 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 have removed reference to “educational needs and capabilities” and “information about any relevant learning needs or other special needs that we may need to take account of in providing the lessons to the child” as we do not collect educational or learning needs. In the section headed The legal basis for our processing of personal data we have updated the wording of the final paragraph to be clearer about when consent is the legal basis of processing and the mechanism by which consent would be obtained.