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Creator	Praema Stelling 43 The Bury, Pavenham, Bedfordshire, MK43 7PY 07500862722 Hello@tutortrain.co.uk
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Contents

1. Overview
2. Data protection law
3. What information do we collect about you?
4. How do we collect this information?
5. On what basis do we use your information?
6. International Transfers
7. Where we store your personal data?
8. Disclosure of your information
9. Our retention of your information
10. Your rights as a data subject
11. Lodging a complaint with the Information Commissioner’s Office
12. Social media and other websites
13. Cookie Policy

1. Overview

1.1. Your privacy is important to us. This privacy policy explains how we maintain the privacy of your personal data and explains your legal rights and our legal obligations in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2018 (collectively, the “GDPR Regulations”).

2. Data protection law

2.1. The Data Protection Act 1998 describes how organisations, including the Tutor Train, must collect, handle and store personal information.

2.2. These rules apply regardless of whether data is stored electronically, on paper or on other materials.

2.3. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

2.4. The Data Protection Act is underpinned by eight important principles. These say that personal data must:

2.5. Be processed fairly and lawfully

2.6. Be obtained only for specific, lawful purposes

2.7. Be adequate, relevant and not excessive

2.8. Be accurate and kept up to date

2.9. Not be held for any longer than necessary

2.10. Processed in accordance with the rights of data subjects

2.11. Be protected in appropriate ways

2.12. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

3. What information do we collect about you?

3.1. We collect personal data about students, clients and tutors that are relevant in order to provide the tuition service. Examples of this information may include:

Information Type	Client	Student	Tutor
Relevant personal data (address, email address)	Yes	Yes	Yes

Contact Details	Yes		Yes
Bank account information	Yes (handled in Tutorcruncher/Stripe)		Yes
Date of Birth		(Current Year Group)	Yes
School information (subjects, level, test scores, assessment results, etc)		Yes	Yes
Interests		Yes	Yes
Special requirements		Yes	Yes
Lesson reports		Yes	Yes
CVs, interview notes, cover letters			Yes
References and academic certificates			Yes
Safer recruitment checks (DBS and prohibition check)			Yes
Training			Yes

3.2. In the event that you apply for a job with us or to represent us as a tutor, we will require detailed information about you in order to make sure that you are suitable for the role and to comply with our Safeguarding and Child Protection Policy – information will be gathered by way of a face-to-face interview, provided by you, and, with your permission, provided by third parties.

3.3. We do not collect any Sensitive Data about you. Sensitive data refers to data that includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We do not collect any information about criminal convictions and offences.

3.4. Data related to your marketing preferences and communication choices, including information about how you wish to receive marketing materials from us and our third-party partners. We utilise this data to facilitate your participation in promotions such as contests, giveaways, and

prize draws, deliver pertinent website content and ads, and assess the efficacy of our advertising efforts. The legal basis for processing this information is our legitimate interest, specifically to analyse customer usage of our products/services, enhance them, expand our business, and determine our marketing approach.

3.5. Technical information, referred to as Technical Data, encompasses details about your interaction with our website and online services. This includes your IP address, login data, browser specifics, duration of visits to website pages, page views, navigation paths, usage frequency, time zone settings, and technological aspects of the devices used to access our website. This data originates from our analytics tracking system. We process this information to analyse your website and online service utilisation, manage and safeguard our business and website, provide pertinent website content and ads, and assess the effectiveness of our advertising efforts. The legal basis for processing this data is our legitimate interest, specifically to effectively administer our website and business, foster business growth, and formulate our marketing strategy.

3.6. Communication Data encompasses any messages you send to us, whether through our website's contact form, email, text, social media messaging, posting, or any other communication method. We process this information to facilitate communication with you, maintain records, and for the establishment, pursuit, or defence of legal claims. The legal basis for processing this data is our legitimate interest, specifically to respond to incoming communications, maintain accurate records, and address legal matters as necessary.

4. How do we collect this information?

4.1. Data about you can be gathered in two ways: directly, when you provide information by filling out forms on our site or sending us emails, and automatically, as you navigate our website, through the use of cookies and similar technologies. For more details on this, refer to our cookie policy.

4.2. Safeguarding concerns/logs will be kept until the child turns 18, whereby it will then be deleted.

4.3. Should you apply to become a Tutor, or any other role within Tutor Train Ltd, we will require detailed information about you in order to make sure that you are suitable for the role and to comply with our Safeguarding and Child Protection Policy – information will be gathered by way of an interview or via third parties e.g. RefNow, UCheck (DBS) or the Department of Education.

5. On what basis do we use your information?

- 5.1. Our lawful basis for processing your data is contractual. We use the information we collect from you to help provide a tuition service only. We also process personal information to maintain our accounts and records and to support and manage our tutors representing us as independent self-employed tutors under a Contract for Services.
- 5.2. We may also use your information to notify you about news, events and other updates we consider may be of interest to you where you have opted in to receive such communications (and have not notified us of your intention to withdraw your consent).

6. International Transfers

- 6.1. Your information is securely stored on UK or EU servers wherever possible; however, as a small business, we do not develop bespoke business software and therefore, some data may be transferred outside the UK or EEA. We do ensure this is done following standards set out in GDPR regulations.

7. Where we store your personal data?

- 7.1. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.
- 7.2. Your financial information (with respect to clients), is stored using our secure management information system, TutorCruncher which connects with Stripe. TutorCruncher's systems are hosted with Heroku on Amazon AWS, which is used globally by companies of all sizes. The data centre operations have been accredited under:
 - 7.2.1. ISO 27001
 - 7.2.2. SOC 1 and SOC 2/SSAE 16/ISAE 3402 (Previously SAS 70 Type II)
 - 7.2.3. PCI Level 1
 - 7.2.4. FISMA Moderate
 - 7.2.5. Sarbanes-Oxley (SOX)
 - 7.2.6. More information on Heroku and AWS can be found at <https://www.heroku.com/policy/security> and <https://aws.amazon.com/security/>.
- 7.3. We do not have access to passwords Clients and Tutors set for TutorCruncher. If you have any questions about TutorCruncher's security, please email them using support@tutorcruncher.com or, alternatively, let us know, and we will follow up directly on your behalf.

- 7.4. All personal data not stored in the TutorCruncher management information system is stored using Microsoft Office 365's or Google's secure cloud-based server, with two-step verification required.
- 7.5. Our website uses a SSL (Secure Sockets Layer) Certificate provided by Starlight Technologies LLC to help protect your data. This SSL uses SHA-2 256-bit encryption and a 2048-bit signing algorithm to encrypt the personal information that is submitted using our website.

These rules describe how and where data should be safely stored.

- 7.6. When data is **stored on paper**, it should be kept in a secure place where unauthorised people cannot see it. When not required, the paper or files should be kept **in a locked drawer or filing cabinet. Data printouts should be shredded** and disposed of securely when no longer required.
- 7.7. When data is **stored electronically**, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:
- 7.8. Data should be **protected by strong passwords** that are changed regularly and never shared.
- 7.9. If data is **stored on removable media** (like a CD or DVD), these should be kept locked away securely when not being used.
- 7.10. Data should only be stored on **designated drives and servers** and should only be uploaded to **approved cloud computing services**.
- 7.11. Data should be **backed up frequently**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- 7.12. All servers and computers containing data should be protected by **approved security software and a firewall**.

8. Disclosure of your information

- 8.1. We disclose specific personal data of the student, along with the client's contact details, to tutors whom we deem suitable for the assignment. In cases where the information is considered sensitive, such as details derived from a student's Education, Health, and Care Plan (EHCP), we will explicitly seek your permission before sharing it with a tutor. For all other situations, we share information that we believe is pertinent to assisting the tutor in delivering tuition services unless you indicate otherwise. Every tutor enters into a Contract for Services with us, committing to maintaining the confidentiality and security of any information shared about the client and/or student, as well as any information acquired during the provision of tuition. Tutors agree not to disclose such information to a third party except as required by law, a court order, any governmental or regulatory authority, or in accordance with our Safeguarding and Child Protection Policy.

- 8.2. We also provide information about tutors to clients to help them determine whether they would like to proceed with a particular tutor for tuition. Clients are required to maintain the confidentiality of this information in accordance with the terms and conditions that they agree to in using our services and not disclose the information to any third party other than as required by law, court order or any governmental or regulatory authority, or in terms of our Safeguarding and Child Protection Policy.
- 8.3. We will never sell, trade, or disclose any personal information to any third party (other than to any of our service providers, and only to the extent necessary to provide such service and in cases where we are satisfied with their privacy policies and procedures), other than as required by law, court order or any governmental or regulatory authority, or in terms of our Safeguarding and Child Protection Policy.
- 8.4. Third-party service providers also have in place their own privacy policies, which prevent them from selling, trading or renting your personal information to others. These can be read at:
- 8.5. <https://secure.tutorcruncher.com/terms/>
- 8.6. <https://www.thelessonspace.com/legal/privacy-policy>
- 8.7. <https://stripe.com/gb/privacy>
- 8.8. <https://www.xero.com/uk/legal/privacy/>
- 8.9. <https://www.teamdash.com/privacy-policy/>
- 8.10. <https://refnow.com/privacy#:~:text=We%20will%20keep%20your%20personal,which%20it%20was%20initially%20collected.>
- 8.11. When working with schools or local authorities, tutors' and staff personal data may be shared for the purposes of auditing compliance with safer recruitment and data relating to safeguarding allegations and incidents, including personal data (including special category data) relating to students, tutors and other personnel engaged by us for safeguarding requirements and quality assurance purposes.

9. Our retention of your information

- 9.1. For tax purposes the law requires us to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they stop being customers.
- 9.2. In some circumstances, we may anonymise your personal data for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.
- 9.3. The bullet points below outline what data we keep and how long for.
- 9.4. Student records – 6 years after they finish tutoring with us
- 9.5. Online lesson recordings – 6 year

- 9.6. Tutor reports – 6 years after a student finishes tutoring with us
- 9.7. Financial and accounting Records – 6 years after the financial year-end
- 9.8. Files relating to employees or potential employees (such as personnel files, tutor observations and training records) – 6 years after the financial year-end
- 9.9. School Agreements – 6 years after the financial year-end
- 9.10. Reviews/recommendations you provide – Permanently
- 9.11. Legal Company documentation – Permanently

10. Your rights as a data subject

- 10.1. The GDPR Regulations provide data subjects certain rights relating to the processing of their personal data. Given the nature of personal data processed by us and the lawful basis we have identified for doing so, you have the following rights:
- 10.2. You may request from us access to the personal data we process concerning you by making a subject access request (note that we already provide access to personal data stored in our TutorCruncher management information system by providing a secure login to clients and tutors).
- 10.3. You may request rectification of the personal data we process concerning you where it is incomplete or inaccurate.
- 10.4. You may request, subject to certain criteria, the erasure of the personal data we process concerning you (note that this may impact the services we provide, and where you have provided any tuition as a tutor on our behalf, we may not be able to remove certain information we hold about you as evidence of our verification of your suitability to be a tutor, other than in accordance with the Contract for Services you signed with us).
- 10.5. You may request that we restrict the processing of personal data concerning you. Restriction means that we will only store the personal data and not further process it.
- 10.6. Further information about your data rights is provided at <https://ico.org.uk/your-data-matters/>.

11. Lodging a complaint with the Information Commissioner's Office

- 11.1. If you feel that your personal data has been, or is being, processed in an inappropriate manner or you feel that your rights as described above have been infringed, you may lodge a complaint with the Information Commissioner's Office (ICO).

11.2. The ICO is the UK's supervisory authority regarding data protection matters and has a responsibility to act on complaints made to it. You may lodge a complaint by visiting their website <https://ico.org.uk/concerns/> or by calling the ICO's helpline on 0303 123 1113.

12. Social media and other websites

12.1. Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We encourage you to read the privacy notices on the other websites you visit.

13. Cookie Policy

What are cookies?

13.1. Cookies are small text files that are used to store small pieces of information. The cookies are stored on your device when the website is loaded on your browser. These cookies help us make the website function properly, make the website more secure, provide a better user experience, understand how the website performs, and analyse what works and where it needs improvement.

How do we use cookies?

13.2. As with most online services, our website uses cookies first-party and third-party cookies for a number of purposes. The first-party cookies are mostly necessary for the website to function the right way, and they do not collect any of your personally identifiable data.

13.3. The third-party cookies used on our websites are used mainly for understanding how the website performs, how you interact with our website, keeping our services secure, providing advertisements that are relevant to

13.4. You, and all in all, provide you with a better and improved user experience and help speed up your future interactions with our website.

What types of cookies do we use?

13.5. **Essential:** Some cookies are essential for you to be able to experience the full functionality of our site. They allow us to maintain user sessions and prevent any security threats. They do not

collect or store any personal information. For example, these cookies allow you to log in to your account, add products to your basket and checkout securely.

13.6. **Statistics:** These cookies store information like the number of visitors to the website, the number of unique visitors, which pages of the website have been visited, the source of the visit, etc. These data help us understand and analyse how well the website performs and where it needs improvement.

13.7. **Functional:** These are the cookies that help certain non-essential functionalities on our website. These functionalities include embedding content like videos or sharing content on the website on social media platforms.

How can I control the cookie preferences?

13.8. Should you decide to change your preferences later through your browsing session, you can click on the “Privacy & Cookie Policy” tab on your screen. This will display the consent notice again, enabling you to change your preferences or withdraw your consent entirely.

13.9. In addition to this, different browsers provide different methods to block and delete cookies used by websites. You can change the settings of your browser to block/delete the cookies.