Privacy Policy

**INTRODUCTION**

Conexus Group respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we collect and look after your personal data when you have an account set up for our portal (Tutor Cruncher)

Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

**1.**  **IMPORTANT INFORMATION AND WHO WE ARE**

**PURPOSE OF THIS PRIVACY POLICY**

This privacy policy aims to give you information on how the Conexus Group collects and processes your personal data through your use of the Tutor Cruncher portal.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you or your children so that you are fully aware of how and why we are using this data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

**DATA CONTROLLER**

Conexus Group is made up of different legal entities, Conexus Tuition Ltd, Conexus Tuition (Lymm) Ltd and Conexus Franchising Ltd. This privacy policy is issued on behalf of the Conexus Group so when we mention Conexus “we”, “us” or “our” in this privacy policy, we are referring to the relevant company in the Conexus Group responsible for processing your data. Whilst you may be receiving your tutoring services through one of the Conexus franchise partners, the Conexus Group is responsible for your personal data within the portal and is data controller.

We have an appointed internal data privacy manager who is responsible for overseeing questions in relation to this privacy policy.

We have also appointed a qualified Data Protection Officer who is responsible for handling any requests from individuals wishing to exercise their rights and who will also provide us with advice and support.

**CONTACT DETAILS**

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: This policy applies to Conexus Tuition Group companies: -Conexus Tuition Ltd, Conexus Tuition Lymm Ltd or Conexus Tuition Franchising Ltd

Email address: [sharon@conexustuition.co.uk](mailto:sharon@conexustuition.co.uk)

Postal address: **Rutherford House, First Floor ~ East 4, Warrington Road, Birchwood, Cheshire. WA3 6ZH**

If you wish to make a Data Subject Access Request, please contact our DPO:

E Mail Address: [ConexusTuitionDPO@amicisdata.com](mailto:ConexusTuitionDPO@amicisdata.com)

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues ([*www.ico.org.uk*](http://www.ico.org.uk/)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

**CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES**

We keep our privacy policy under regular review.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

**2.**  **HOW IS YOUR PERSONAL DATA COLLECTED?**

We use different methods to collect data from and about you including through:

1. **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you
2. apply for our services;
3. create an account on our website / portal;
4. subscribe to our service or publications;

**3.**  **THE DATA WE COLLECT ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different types of personal data about you which we have grouped together as follows:

1. **Identity**Data includes first name, last name, username or similar identifier, title, date of birth and gender. (Including those of your Children requiring tuition)
2. **Contact**Data includes billing address, delivery address, email address and telephone numbers.
3. **Financial**Data includes bank account and payment card details, payments to and from you.
4. **Transaction**Data includes details of products and services you have purchased from us, attendance for tutoring and feedback.
5. **Technical**Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website and/or portal.
6. **Profile**Dataincludes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses. Also includes educational and relevant medical information about your children)
7. **Marketing and Communications**Dataincludes your preferences in receiving marketing from us and our third parties and your communication preferences.

**4.**  **HOW WE USE YOUR PERSONAL DATA**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

1. Where we need to perform the contract, we are about to enter into or have entered into with you.
2. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
3. Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

**PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA**

We have set out below, in a table format, a description of all the ways we plan to use your personal data and which of the legal bases we rely on to do so.

Note that we may process your personal data on the grounds of more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific lawful basis, we are relying on to process your personal data where more than one basis has been set out in the table below.

|  |  |  |
| --- | --- | --- |
| **Purpose/Activity** | **Type of data** | **Lawful basis for processing** |
| To register / enrol you as a new customer | (a) Identity  (b) Contact  (d) Transaction | Performance of a contract with you |
| To manage, process and deliver our tuition services | (a) Identity  (b) Contact  (d) Transaction  (f) Profile | Performance of a contract with you  OR  Necessary to comply with a legal obligation |
| To manage Financial obligations  (a) payments, fees and charges  (b) collect and recover money owed to us  (c) pay taxes | (a) Identity  (b) Contact  (c) Financial  (d) Transaction | Performance of a contract with you  OR  Necessary to comply with a legal obligation  OR  Necessary for our legitimate interests |
| To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policies  (b) Asking you to leave a review or take a survey | (a) Identity  (b) Contact  (c) Financial  (d) Transaction | Performance of a contract with you  OR  Necessary to comply with a legal obligation  OR  Necessary for our legitimate interests |
| To use data analytics to improve our website, products/services, marketing, customer relationships and experiences | (e) Technical | Necessary for our legitimate interests |
| To send you marketing about new products or services | (a) Identity  (b) Contact  (d) Transaction  (g) Marketing & Communications | We have your Consent |

**IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our tuition services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

**MARKETING**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising, where we will seek your consent.

**CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

**5.**  **DISCLOSURES OF YOUR PERSONAL DATA**

We may share your personal data with the parties set out below for the purposes set out in the table for the purpose of conducting our services, accounts, payments and website or portal hosting/design.

1. Internal Third Parties as set out in the *Glossary* below.
2. External Third Parties as set out in the *Glossary* below.
3. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

**6.**  **INTERNATIONAL TRANSFERS**

We share some data with third parties who are based outside of the UK and EEA when providing our services. This is related to the portal which has aspects of its functionality (E mail & Card Payments) linked to third parties based in the USA. The laws governing data protection within the USA do not provide the same levels of protection for your rights as those governing the UK. We will ensure that these third parties are contractually required to maintain the security of your data.

**7.**  **DATA SECURITY**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know.

They will only process your personal data on our instructions, also implement appropriate security measures and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

**8.**  **DATA RETENTION**

**HOW LONG WILL YOU USE MY PERSONAL DATA FOR?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including

Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see *your legal rights* below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

**9.**  **YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please see clause 11 for details.

**NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

**WHAT WE MAY NEED FROM YOU**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

**TIME LIMIT TO RESPOND**

We will respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**10.**  **GLOSSARY**

**LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

**THIRD PARTIES**

**INTERNAL THIRD PARTIES**

Other companies in the Conexus Group acting as joint controllers or processors and who are based in the United Kingdom, including Franchise partners who may be delivering your tutoring.

**EXTERNAL THIRD PARTIES**

1. Service providers acting as processors who provide IT and system administration services.
2. Professional advisers acting as processors including lawyers, bankers, auditors, DPO and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
3. HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
4. Service providers for card payments or direct debits, Accounting software and hosting & maintenance of the online portal.

If you require specific details of the third parties in use, we will provide these on request from you.

**YOUR LEGAL RIGHTS**

You have the right to:

**Request access**to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction**of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure**of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing**of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing**of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

1. If you want us to establish the data’s accuracy.
2. Where our use of the data is unlawful, but you do not want us to erase it.
3. Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
4. You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer**of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time**where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.