

## Privacy Notice

This privacy notice describes the processing of personal data we undertake as a business, including the data processed by our cloud based maths and SPaG test platforms located at [maths.co.uk](https://maths.co.uk) and [spag.com](https://spag.com).

The following are our reasons for collecting your personal data, what we do with it and what your rights are.

## Who are we?

We are Orchard Digital Limited, a company registered in England, registration number: [10007586](https://company-information.gov.uk/company/10007586), registered office address Filborough Cottage, Camden Road, Bexley, Kent, England, DA5 3NP.

You can contact us using the contact forms on our sites, or via the following email addresses:

- [support@maths.co.uk](mailto:support@maths.co.uk)
- [support@spag.com](mailto:support@spag.com)

We are registered as a Data Controller with the Information Commissioner's Office (ICO – the UK's regulator for data protection), registration number [ZA706770](https://ico.org.uk/registration/number/ZA706770).

Where we are processing personal data of teachers and pupils on behalf of a school or a tutor we do so as a data processor. This Privacy Notice describes our processing activities as a data controller, however please see the Teachers & Pupils section below for information on our processor activities.

## Purpose of Processing

We process your personal data for a variety of purposes as set out in the table below, which also shows our lawful bases under UK data protection legislation (UK GDPR) for doing so.

Purpose	Lawful Basis under UK GDPR
Managing your commercial and support enquiries	Our legitimate interests in responding to and managing your enquiry.
Managing our commercial relationship with you if you are a member of school staff (or a tutor employed by a company)	Our legitimate interests in managing our commercial relationships and any associated contracts between us and your organisation
Managing our commercial relationship with	Processing is necessary to perform the

you if you are an independent tutor (a sole trader) or a parent who has subscribed to our packages	contract we have with you
Managing our commercial relationship with you as a contact employed by one of our suppliers	Our legitimate interests in managing our commercial relationships and any associated contracts between our respective organisations  If you are a sole trader or partner in a partnership then our lawful basis will be that processing is necessary to manage the contract we have with you
Direct marketing	Our legitimate interests in ensuring we appropriately manage, deliver or suppress direct marketing activity
Recruitment Enquiries	Taking the steps necessary to enter into a contract with you. We will provide further privacy information to you as the recruitment process progresses.
Deployment of non-essential cookies	Your consent

Where we are relying on our legitimate interests you are free to object to that at any time. In the case of direct marketing activities we will ensure that we cease to market our services to you should you object to our legitimate interests.

Where we are relying on your consent you are free to change your mind and withdraw your consent at any time.

## Data we collect

The table below gives information on the categories of personal data we process for each of the purposes shown above.

Purpose	Categories of Data Processed
Managing your commercial and support enquiries	Name, role, contact details, message content and contact history
Managing our commercial relationship with you if you are a member of school staff (or a tutor employed by a company)	Name, role, contact details, and contact history
Managing our commercial relationship with you if you are an independent tutor (a sole trader) or a parent who has subscribed to our	Name, contact details, financial details including payments

packages	
Managing our commercial relationship with you as a contact employed by one of our suppliers	Name, role, contact details, and contact history
Direct marketing	Name, contact details, marketing preferences
Recruitment Enquiries	Name, contact details, role applied for
Deployment of non-essential cookies	Consent preferences

## Special category data

There are additional rules we must follow if we collect certain types of more sensitive data, known as Special Category Data. These include details of your ethnicity, beliefs, health and sexuality and in each case we must let you know what our additional lawful basis is for processing such data.

We do not routinely process any such special category data, however should we do so we will provide additional privacy information at that time.

## How long do we keep your data for?

Where we are relying on our legitimate interests to process your data then we will keep your personal data until you object to our legitimate interests and we agree with your objection, or until the following default periods have elapsed after our last contact with you.

We will retain your personal data by default for the following periods:

Purpose	Maximum Retention Period
Managing your commercial and support enquiries	7 years
Managing our commercial relationship with you if you are a member of school staff (or a tutor employed by a company)	7 years
Managing our commercial relationship with you if you are an independent tutor (a sole trader) or a parent who has subscribed to our packages	7 years
Managing our commercial relationship with you as a contact employed by one of our suppliers	7 years
Direct marketing	7 years
Recruitment Enquiries	6 months if application does not proceed
Deployment of non-essential cookies	<b>TBA – depending on tool used (6 months?)</b>

## Do we ever share personal data?

We will share your data if we receive a legitimate request from a law enforcement agency.

When you submit your personal data online your data is shared with our partners who manage and host our websites.

If we are communicating with you via email or social media channels, we will be sharing your personal data with those email and social media providers.

We also utilise external suppliers to provide several business supports services. We always ensure that we have appropriate contracts in place to protect your rights when personal data are processed on our behalf by these third parties. There is further information regarding these suppliers in the “Where Do We Process Data?” section.

## How do we keep your data secure?

We take sensible steps to keep your data secure and ensure we can uphold your rights and meet our obligations under UK GDPR:

- All data sent between your browser and our website are encrypted in transit,
- Access to personal data is role based: only those members of staff with a legitimate need will have access,
- Systems are password protected and multi-factor authentication is enabled where available,
- We ensure that appropriate contracts are in place with our suppliers who process your personal data to protect your rights, to ensure that they take appropriate security measures to safeguard your data, and that any international transfers are done correctly under UK GDPR,
- Our employees are all subject to an obligation of confidentiality, and receive training on data protection matters,
- We utilise appropriate technical and organisational measures to optimise the security of your personal data.

## Your Rights

You have a number of rights relating to the processing of your data, if you would like to use them or have any questions then please contact us.

- We won't charge you for doing any of the following, however we may make a charge in the case of frequent repeat or unfounded requests,
- Awareness: You have the right to be fully informed about why and how we process your information. This privacy notice is intended to meet that requirement, but please do contact us if you have any questions. If we obtain your personal data from a third party (e.g. a social media platform or recruitment platform) then we will tell you where we have obtained your information from,
- Access: You have the right to a copy of the data we hold about you,
- Rectification: If you think some of the data we hold is wrong then you have the right to ask us to correct it,
- Erasure: You have the right to ask us to delete the data we hold about you. Where we are holding the data to fulfil a contract with you or your organisation then we will need to retain the data in accordance with the data retention requirements shown above,
- Restriction: You have the right to ask us to restrict the processing of personal data whilst we check its accuracy, if you think the processing is unlawful, if you believe we no longer need to process the data but you need us to store it due to pending legal claims, or when you object to our processing based upon our legitimate interests and we are assessing the validity of that,
- Object: Where we are processing your personal data based upon our legitimate interests you have the right to object to that. If your objection is valid (for instance in the case of any direct marketing activity) then we will stop processing your personal data for that purpose,
- Data portability: You can request a copy of your data in a digital format which you can then supply to another provider when we are processing your personal data under the lawful basis of performing a contract with you or because we have your consent,
- Automated decisions and profiling: You have the right, in certain circumstances, not to be subject to decisions based on automated processing (including profiling) if it has a significant or legal impact on you. This doesn't apply if the processing is necessary to fulfil a contract with you, or if you have given us your consent to do so. We do not currently use any technology to make automated decisions about you.

## Cookies – How do we use cookies on our website

We utilise cookies on our website. Some are required for our site to work, these are known as essential cookies, and we also use others for analytics and marketing purposes.

We will ask for your consent to use any cookies which aren't essential, and we won't deploy any non-essential cookies without your consent. You should be aware that whilst we use

non-essential cookies to help us understand how our website is performing, the author of the cookies (e.g. Google) uses the data obtained for their own purposes.

These are the non-essential cookies we use:

Name	Type	Provider
Google Analytics	Analytics	Google
Googleadservices	Marketing	Google
DoubleClick	Marketing	Google

## What happens when I follow links to other sites?

If you follow a link from our site to another site then you should read the privacy notice on the other site prior to providing your data to them. We are not responsible for the cookies installed upon your device by other websites.

## Where do we process data?

We primarily process data in the UK however we use partners to help us deliver our services, some of these services will mean that your personal data are transferred outside of the UK.

Partner	Where are they located?	What additional protections are in place to safeguard your rights if processing is transferred overseas
Fasthosts Internet Ltd (website hosts)	UK	N/A
Zoho Corporation Ltd (email provider)	UK	N/A
Xero (UK) Ltd	UK	N/A

We may share your personal data with professional advisors from time to time, such as our accountants or legal advisors. We will always ensure that appropriate protections to your rights and freedoms are in place.

## Teachers & Pupils

This section describes the data processed within our packages where we are acting as a Data Processor on behalf of another organisation such as a school or tutoring business.

We apply default retention periods in some packages, however the Data Controller can manually delete any of these data at any time or contact us and ask us to do this for them.

Package	Data Processed	Default Retention Periods
Spag.com	Pupil name, class name, pupil username and password, tests set, test results	60 days after subscription expiry.
Maths.co.uk	Teacher name, tests set, associated classes and pupils,  Pupil name, class name, pupil username and password, tests set, test results	Upon subscription expiry.  In addition at the end of each academic year Y6 pupil data are erased and associated classes for each teacher are removed (with each year group moved into the higher year)

Important note for parents buying their own subscription: If you are buying our packages for your own family use then we will be acting as the Data Controller for the above data categories and our lawful basis for doing so is that it is necessary to perform the contract we have with you.

## Making a complaint

Please contact us at the above address. You can also contact the Information Commissioner's Office (ICO) on their helpline 0303 123 1113 or online at [www.ico.org.uk](http://www.ico.org.uk). If you should contact the ICO they will normally ask you to contact us first.