

# Privacy Policy

**Please note** – Our privacy policy was updated in January 2023. Our previous privacy policy, published in September 2020 is stored [here](#) for reference purposes only.

## 1. Introduction

1.1 This privacy policy (“**Privacy Policy**”) is part of the Teacher Tapp Terms and Conditions (“**Conditions**”) for the use of the Teacher Tapp, or any other mobile application (“**App**”) which we, Education Intelligence Limited, trading as Teacher Tapp, (“**we**”, “**us**”, “**our**”) make available to you (“**you**”, “**your**”). Capitalised terms have the meanings in the Conditions, unless they are defined in this policy.

1.2 Unless we say otherwise in this policy, we decide the purposes and means of processing of personal data that is collected about you when you register and use the App. Our details are in Clause 1 of the Conditions. We are committed to protecting and respecting your privacy in relation to the App. We have legal obligations to do this as the '**controller**' of your personal data under the Data Protection Act 2018 (the '**Act**')

1.3 This Privacy Policy and the Conditions explains what types of personal data is collected, the purposes for which it is collected and processed, the legal basis for that and the organisations or types of organisations, if any, to which we may provide your personal data. It is necessary for you to agree to the Conditions, including the Privacy Policy, and for us to collect, process, share and store the personal data as described in order for us to be able to provide the App to you.

1.4 The App may from time to time contain links to and from the websites of partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and we do not accept any responsibility or liability for those policies. Please check those policies and any relevant service terms and conditions before you submit any personal data to those websites. We are not responsible for the content of any other websites or services.

## 2. What personal data do we collect?

2.1 We may collect, store and use the personal data described in the table in [Annex A](#) to this Privacy Policy, and process it for the purposes and on the legal basis specified in that table. Personal data will be stored in accordance with Clause 6 of this Privacy Policy.

2.2 We aim to keep your personal information up-to-date, so you must promptly tell us by emailing [hello@teachertapp.co.uk](mailto:hello@teachertapp.co.uk) if you change your contact details.

## 3. Data collected on behalf of third parties

3.1 We routinely work with third party organisations who commission Questions on the App for the purposes of market research, academic studies or to scope a research project about education.

3.2 Generally, when commissioned, we set the questions on the App based on requirements of the third-party organisation and analyse the responses for that organisation. This may include setting questions based on characteristics (eg we may give people different questions if they are a secondary or primary teacher) or we may assign them to different groups for the purpose of studying comparisons.

3.3 However, in some cases, the third-party organisation has overall control of which questions to ask and determines how the responses will be used, analysed and shared. In this case, the third-party organisation will be acting as the ‘controller’ of any personal data in the responses; and Education Intelligence will be acting as the ‘processor’ on behalf of that organisation.

3.4 We will let you know through the App where a third-party organisation has overall control of questions on the App and will refer you to their privacy policy to explain how they will process, use and share any personal data collected in response to the questions.

3.5 We have listed organisations which currently fall into this category in the table in [Annex B](#) of this Privacy Policy, together with the name of the study (if relevant) and a link to the third party’s privacy policy.

#### **4. When may we disclose your personal data?**

**4.1 We will not disclose your personal data to any third party, except as explained in Clause 3.2 and the table in [Annex A](#) to this Privacy Policy.**

4.2 If some or all of our business is bought by a third party, personal data held by us will be transferred and may be disclosed to the prospective seller or buyer of such business under the same conditions as this Privacy Policy. This is necessary for the purposes of the legitimate interests pursued by us and the third party, and would not be overridden by your interests or fundamental rights and freedoms which require protection of personal data.

#### **5. How we use your personal data**

5.1 We will only collect, process, use, store and share your personal data where the Act allows us to do so. Most commonly we will use your personal data in the following circumstances:

- Where we need to perform an obligation under a contract with you, such as the Conditions, or take steps at your request before agreeing a contract with you
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights that require the protection of personal data do not override those interests
- Where we need to comply with a legal or regulatory obligation
- Where you have consented before the processing

5.2 You can find out more about the types of lawful basis that we will rely on to process your personal data in the table in [Annex A](#) to this Privacy Policy.

#### **6. Where and for how long we store your personal data**

6.1 All information you provide to us is stored on our secure servers, located in the EU.

6.2 We use all reasonable endeavours to ensure that appropriate technical and organisational measures are in place to protect your personal data from unauthorised or unlawful processing and against accidental loss, destruction or damage in the App.

6.3 Your personal data will be stored for as long as you use the App and for such time afterwards as required by law or six years from when you stop using the App (which is the legal limitation period).

6.4 If you withdraw your consent to our processing 'sensitive personal data' about you, we will delete sensitive personal data we hold about you, unless we can demonstrate that another legal basis applies. Sensitive personal data is data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or data concerning a natural person's sex life or sexual orientation.

6.5 Please note that using the internet or mobile networks is not completely secure, so we cannot guarantee the security of your data transmitted between your device(s) and the App. Any such transmission is at your own risk.

## **7. Your rights**

7.1 Under the Act, you have a number of rights. The first right is to receive confirmation as to whether or not any of your personal data is being processed and certain other information, as we have set out in this Privacy Policy.

7.2 The table in [Annex C](#) at the end of this Privacy Policy explains the following rights which the Act gives you in relation to your personal data, and any exceptions to those rights:

- (a) Right of access
- (b) Right to rectification
- (c) Right to erasure
- (d) Right to request the restriction of processing concerning you
- (e) Right to data portability
- (f) Right to object to processing
- (g) Right to ask us not to process your personal data for direct marketing purposes
- (h) Right not to be subject to automated individual decision-making, including profiling.

**7.3 Please note that you may exercise these rights (subject to any applicable exceptions) by emailing us at [hello@teachertapp.co.uk](mailto:hello@teachertapp.co.uk).**

## **8. Marketing and advertising**

8.1 We use personal data you have provided to us, and responses to our survey questions, for our loyalty programme and to work out if certain advertising and marketing will be of interest to you. We may use an automated process to create a profile for you.

## 9. Changes to our privacy policy

9.1 We may amend this Privacy Policy. Any changes we may make to our Privacy Policy in the future will be posted on this page and, where appropriate, notified to you via the App.

## 10. Regulatory and Contact details

10.1 Our full company and registration details are set out in Clause 1 of the Conditions.

10.2 Questions, comments and requests regarding this Privacy Policy are welcomed and should be sent to [hello@teachertapp.co.uk](mailto:hello@teachertapp.co.uk).

10.3 If you are in the European Union, you may address privacy-related inquiries to our EU representative pursuant to Article 27 GDPR:

EU-REP.Global GmbH, Attn: Teacher Tapp

Hopfenstr. 1d, 24114 Kiel, Germany

[teachertapp@eu-rep.global](mailto:teachertapp@eu-rep.global)

[www.eu-rep.global](http://www.eu-rep.global)

For more information about data protection and the protection of personal data, please visit the Information Commissioner's website at [www.ico.org.uk](http://www.ico.org.uk).

## 11. Complaints

You can complain to the Information Commissioner's Office if you consider there has been a breach of the Act in connection with your personal data.

## 12. General

This Privacy Policy is governed by English law and either of us can bring legal proceedings in the courts of England and Wales in relation to any dispute arising out of or in connection with these Conditions, except that you may bring proceedings in Northern Ireland or Scotland if you are resident there.

<b>Personal Data Collected</b>	<b>Purpose</b>	<b>Lawful Basis for Processing</b> (we explain what each basis means below this table)
If you decide to register as a user of the App, you will be	to manage and administer the App; to enable you to use the	performance of a contract compliance

asked to provide your email address

App;to deal with enquiries, complaints and feedback from you;to send you contractual notices;to keep you informed about your activity relating to the App; To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority;To enforce this Privacy Policy or the Conditions;to agents and subcontractors, acting for us, to use for the purpose of operating the App;

with a legal obligation legitimate interests

Information about your device, mobile device or other item of hardware through which you access the App and your visits to and use of the App (including your, operating system, length of visit, page views)

to analyse and improve the features offered on the App.To ensure that content on the App is presented in the most effective manner for you and for your device; To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority;To enforce this Privacy Policy or the Conditions;

performance of a contract legitimate interests

Information relating to time taken to respond to questions, links you have clicked; and length of time you have spent on the App

to deal with enquiries, complaints and feedback from you;to analyse and improve the features offered on the App.To administer and improve our loyalty programme To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit

performance of a contract compliance with a legal obligation legitimate interests

purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions; To measure and analyse the effectiveness of the advertising we serve you

The email address is used to identify you The school name and postcode are used to assign broad demographic categories to the responses given by the account holder. Responses to certain defined questions are used to assign broad demographic categories to the other responses

Email address, School name and postcode. Responses to Questions and other information that you provide by filling in forms on the App. This includes information provided at the time of registering to use the App, posting material or requesting further services. We may also ask you for information when you report a problem with the App. Clause 3 of the Privacy Policy explains the situation where a third party has overall control of which questions to ask and how the responses to the questions are used, analysed and shared.

given by the account holder. to deal with enquiries, complaints and feedback from you; to deliver content and advertisements to you To make recommendations to you about goods or services which may interest you To disclose to third parties for: Email addresses for account holders on the Netherlands and Flanders survey panels are shared with the Netherlands and Flanders Teacher Tapp Teams respectively for purposes of responding to user feedback. To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions; To measure and analyse the effectiveness of the advertising we serve you

performance of a contract compliance with a legal obligation legitimate interests

If you access the App through a social networking profile, we may collect, store and use the details of your e-mail from that social networking profile or feed.

to populate any forms you might wish to complete on the App To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App,

performance of a contract compliance with a legal obligation legitimate interests

Correspondence between you and us

any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions;

to manage and administer the App; to enable you to use the App; to deal with enquiries, complaints and feedback from you; To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions;

performance of a contract compliance with a legal obligation legitimate interests

Details of your answers to Questions via the App

to conduct surveys to manage and administer the App; to enable you to use the App; to provide regulators, customers, academic institutions, and third parties with statistical anonymised information about the results of the surveys; for academic research; for statistical analysis; to develop and improve the App; To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions; to agents and subcontractors, acting for us, to use for the purpose of operating the App;

performance of a contract compliance with a legal obligation legitimate interests

Records of any telephone, email or other communication with you	to improve the quality of our customer service. To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority;To enforce this Privacy Policy or the Conditions;	performance of a contract compliance with a legal obligation legitimate interests
Responses to Questions that contain personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or data concerning a natural person's sex life or sexual orientation.	To conduct surveys to manage and administer the App; to enable you to use the App; to provide regulators, customers, academic institutions and third parties with statistical anonymised information about the results of the surveys; For statistical analysis; For academic research; To develop and improve the App; To disclose to third parties for: To comply with a current judicial proceeding, a court order or legal process served on us or our App, any request by any regulator who may have jurisdiction over us or for audit purposes and to meet obligations to any relevant regulatory authority or taxing authority; To enforce this Privacy Policy or the Conditions; to agents and subcontractors, acting for us, to use for the purpose of operating the App;	Consent
Email addresses	Direct marketing (e.g. mailing lists for newsletters; using Mailchimp); stored in Google GSuite and with Hubspot for sales and marketing purposes. to Docusign for signing contracts with clients.	Consent

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**[Annex A – Your Personal Data](#)**

**Lawful basis for processing**



**Consent** means processing your personal data where you have signified your agreement by a statement or clear opt-in to processing for a specific purpose. Consent will only be valid if it is a freely given, specific, informed and unambiguous indication of what you want. You can withdraw your consent at any time by contacting us at [hello@teachertapp.co.uk](mailto:hello@teachertapp.co.uk).

**Legitimate Interest** means processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. 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 a 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

### [Annex B – Third Parties](#)

<b>Name of Organisation</b>	<b>Study</b>	<b>Link to Privacy Policy</b>
Oberon B.V. on behalf of the Netherlands	Expeditie	
Initiative for Education Research / Nationaal Regieorgaan	Lerarenagenda 2019-2022, project number 2421	<a href="https://www.oberon.eu/privacybeleid/">https://www.oberon.eu/privacybeleid/</a>
Onderwijsonderzoek (NRO)		
Artevelde University of Applied Sciences	–	<a href="https://www.arteveldehogeschool.be/privacybeleid">https://www.arteveldehogeschool.be/privacybeleid</a>

### [Annex C – Your Rights](#)

<b>Rights</b>	<b>Exception</b>
Right of Access: To obtain from us confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and the following information: (a) the purposes of the processing; (b) the categories of personal data concerned; (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; (e) the existence of the right to request from the controller rectification or	

erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; (f) the right to lodge a complaint with a supervisory authority; (g) where the personal data are not collected from the data subject, any available information as to their source; (h) the existence of automated decision-making, including profiling and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Right to rectification: to obtain from us without undue delay the rectification of inaccurate personal data concerning you. We must communicate to each recipient to whom the rectified personal data have been disclosed, unless this proves impossible or involves disproportionate effort. We shall inform you about those recipients if you request that information.

Right to erasure: to obtain from us the erasure of personal data concerning you without undue delay where: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (c) you object to the processing based on legitimate interest where there are no overriding legitimate grounds for the processing; (d) the personal data have been unlawfully processed; (e) the personal data have to be erased for compliance with a legal obligation to which we are subject. We must communication to each recipient to whom the erased personal data have been disclosed, unless this proves impossible or involves disproportionate effort. We shall inform you about those recipients if you request that information.

Right to request the restriction of processing concerning you: to obtain from us restriction of processing where: (a) the accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the personal data; (b) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead; (c) we no longer need the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defence of legal claims; (d) you object to the processing based on legitimate interest pending the verification whether our legitimate grounds override yours. We

Processing is necessary for (b) compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us; or (e) the establishment, exercise or defence of legal claims.

Where processing has been restricted under this right, such personal data shall, with the exception of storage, only be processed: with your consent; or for the establishment, exercise or defence of legal claims; or for the protection of the rights of another natural or legal person; or for reasons of important public interest of the Union or of a Member State.

must communication to each recipient to whom the restricted personal data have been disclosed, unless this proves impossible or involves disproportionate effort. We shall inform you about those recipients if you request that information.

The right to data portability: to receive the personal data concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from us, where: (a) the processing is based on consent or is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract; and (b) the processing is carried out by automated means. You have the right to have the personal data transmitted directly from us to another controller, where technically feasible. The exercise of this right shall be without prejudice to the right to erasure.

The right to object to processing: to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on processing necessary for the purposes of the legitimate interests pursued by us or a third party (except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data), including profiling.

The right to ask us not to process your personal data for direct marketing purposes: to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. You can exercise your right to prevent such processing by contacting us at [hello@teachertapp.co.uk](mailto:hello@teachertapp.co.uk).

The right not to be subject to automated individual decision-making, including profiling: to not be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

Where: we demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject; or for the establishment, exercise or defence of legal claims.

If the decision: (a) is necessary for entering into, or performance of, a contract between you and us; (b) is authorised by Union or Member State law to which we are subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or (c) is based on the data subject's explicit consent. In the cases referred to in points (a) and (c) we shall implement suitable measures to safeguard the data subject's rights and freedoms and

legitimate interests, at least the right to obtain human intervention on our part, to express his or her point of view and to contest the decision.

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