

PRIVACY NOTICE

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Information about Sparx

Sparx Limited (company number 07907042) (**Sparx**) is the entity responsible for the collection and use of personal information by Sparx Learning, Sparx Maths, HegartyMaths, Numerise, Sparx MathsFit and Sparx Reader. Sparx is registered as a data controller at the Information Commissioner's Office (**ICO**) with registration number ZA006725.

Information about this Notice

This Privacy Notice applies to individuals who provide personal information directly to Sparx, including any personal information provided through our websites (www.sparx.co.uk, www.sparxlearning.co.uk, www.hegartymaths.com, www.numerise.com and www.sparxreader.com) or social media channels, or whose personal information Sparx obtains other than through the provision of our educational services. It does not apply to any personal information collected and used by Sparx in connection with the educational services that we provide to schools and individual users. Privacy information in respect of our educational services can be found as follows:

- Sparx Maths: by following the link [here](#)
- HegartyMaths: by following the link [here](#)
- Numerise: by following the link [here](#)
- Sparx MathsFit: by following the link [here](#)
- Sparx Reader: by following the link [here](#)

Sparx is committed to protecting and respecting your privacy and ensuring compliance with data protection laws. Our Privacy Notice gives you information about how Sparx collects, uses and protects any personal information that you provide to us, including any personal information provided through our websites or social media channels. **It is important that you read our Privacy Notice.**

Any changes we may make to our Privacy Notice in the future will be posted on this page, so you will always know what personal information we collect about you, the purposes we might use it for and to whom we might disclose it.

This version of our Privacy Notice was published in May 2021 and applies to the collection and use of personal information by Sparx from May 2021. It aligns with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation as enacted in the United Kingdom (GDPR). Earlier versions of our Privacy Notice can be obtained by contacting Sparx's Data Protection Officer (whose contact details are set out in the [How to contact us](#) section of our Privacy Notice).

Why does Sparx use personal information?

Personal information is any information about an individual which can identify that person. It does not include any information where the individual's identity has been removed (this is known as anonymous data), which we may collect, use and share for any purpose.

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

- 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.
- Where we need to comply with a legal or regulatory obligation.
- Where we need to perform the contract we are about to enter into or have entered into with you.

Generally we do not rely on consent as a legal basis to use your personal information, other than where you have agreed that your personal information may be:

- Shared with, and used by, other companies within the Oxygen House Group for recruitment purposes only;
- Used by us or any third party to send you marketing information; or
- Used by us for another purpose.

You have the right to withdraw your consent to such uses at any time.

Set out below is a description of all the ways we plan to use your personal information. We will only use your personal information for the purposes for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and will explain the legal basis which allows us to do so.

Please note that we may use your personal information without your knowledge or consent where this is required or permitted by law.

Personal information you give to us or that we collect about you

We may use personal information in the following ways:

- to allow you to access our websites;
- to provide you with information, products and services that you may request from us;
- to provide you with other information that is similar to that which you have already enquired about or that we feel may interest you;
- to improve our products and services;
- to improve our websites and ensure that content from our websites is presented in the most effective manner for you and for your computer;
- to monitor and administer our websites and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- to allow you to participate in any interactive features of our service, when you choose to do so;
- to deal with any enquiries or information provided by you in connection with your use of educational services provided by Sparx to your school. Where you contact us, we may share the comments and feedback you supply to us with your school;
- to deal with any enquiries, applications or CVs submitted by you in connection with any vacancies advertised by Sparx (see [How does Sparx share your personal information?](#) for further details);

- as part of our efforts to keep our websites safe and secure; and
- for internal record keeping.

Personal information we receive from other sources

- We may combine personal information we receive from other sources with the personal information you give to us or that we collect about you.
- We may use personal information we receive from other sources and/or combined personal information for the purposes set out in paragraph 2 of this section of our Privacy Notice (depending on the types of personal information we receive).

Marketing information

We only use your personal information for marketing purposes with your consent unless another lawful basis applies. You will be given the opportunity to opt out of receiving any future marketing information by checking certain boxes on the forms we use to collect your personal information or unsubscribing from marketing emails via the hyperlink provided in such emails. You may also opt out of receiving any future marketing information at any other time by contacting the Data Protection Officer using the contact information set out in the [How to contact us](#) section of our Privacy Notice.

How does Sparx get personal information?

You may provide your personal information to us by filling in forms or submitting a job application via our websites or linked third party websites (including social media channels), or by corresponding with us by phone, e-mail or otherwise.

What personal information does Sparx collect?

We may collect the following personal information about you:

- **Personal information you give us:** The personal information you give us may include your name, address, e-mail address, social media handles and phone number, financial information, personal description and photograph and other information regarding your work, education and employment history, activities and personal circumstances.
- **Personal information we collect about you:** With regard to each of your visits to our websites, we may automatically collect the following personal information:

- Technical information, including the internet protocol (IP) address used to connect your computer to the internet, your browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and
- Information about your visit, including the full uniform resource locators (URL) clickstream to, through and from our websites (including date and time), page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from our websites.

Our websites use cookies that we put on your computer, to help with site functionality. We will seek your consent to place cookies if they are not essential to core functionality such as security, network management, and accessibility of the site. Please see the table below for more information about the cookies used by our websites.

Cookie source	Website	Function	Necessary or Optional?
Sparx	HegartyMaths.com SparxMaths.co.uk Numerise.com	Website stability and security	Necessary
Cloudflare	HegartyMaths.com SparxMaths.co.uk	Detection of malicious visits	Necessary
Hubspot	HegartyMaths.com SparxMaths.co.uk	Session tracking	Optional
Google Analytics	HegartyMaths.com SparxMaths.co.uk SparxLearning.co.uk	Website analytics	Optional
	Numerise.com		Necessary

‘Necessary’ cookies enable core platform functionality and features such as security, network management and accessibility and do not require user consent to be set. Cookies that enable functionality that is not strictly necessary for core platform functions and features are classed as ‘Optional’ and therefore consent is sought via a cookie banner. For further information about cookies generally, visit www.aboutcookies.org.

- **Personal information we receive from other sources:** We may receive personal information about you if you use any of the other websites operated, or other services provided, by the Oxygen House Group. We may also receive personal information about you from:
 - commercial data providers;
 - research partners and project collaborators (including prospective research partners and project collaborators); and
 - publicly available sources.

In the event that we buy any business or assets or enter into any joint venture arrangements, we may receive personal information about you from the seller of such business or assets or our joint venture partners.

Third party websites

Our websites may, from time to time, include links to third party websites (including social media platforms), plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share personal information about you. We do not control these third party websites, plug-ins or applications and are not responsible, and do not accept any liability, for their compliance with data protection laws.

When you leave our websites, we encourage you to read the privacy notices of every website you visit or plug-in or application you download, in particular before submitting any personal information to those websites, plug-ins or applications.

How does Sparx share your personal information?

With the Oxygen House Group Recruitment Team

Sparx's recruitment is managed centrally by the Oxygen House Group Recruitment Team. We will transfer the personal information you have provided to us in any enquiries, applications or CVs submitted by you in connection with any vacancies advertised by Sparx (whether via our websites or otherwise) to the Recruitment Team, who will store your personal information in our applicant tracking system, Recruitee, and only use your personal information for the purposes of our recruitment process. Your personal information will be retained by the Recruitment Team for 18 months following the relevant vacancy being filled. Once this period has elapsed, your personal information will be permanently deleted.

Your personal information may also be disclosed to any of our directors, employees or professional advisers who are involved in our recruitment process.

In the event that you are unsuccessful for the role in respect of which you have submitted an application, where you have provided consent to do so via the recruitment process, the Recruitment Team may consider you for other appropriate opportunities within the Oxygen House Group and, in the event that such opportunities are identified, your personal information may be shared with, and used by, other companies within the Oxygen House Group for recruitment purposes only. You may withdraw your consent to this information sharing at any time by contacting the Data Protection Officer using the contact information set out in the [How to contact us](#) section of our Privacy Notice.

With other members of the Oxygen House Group generally

We may share your personal information with any companies within our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the Companies Act 2006, and any associated companies which have common ownership.

This does not apply to information provided by you with us in connection with Sparx's recruitment process, which is covered by paragraph 1 of this section of our Privacy Notice.

With third parties

We may share your personal information with selected third parties, including:

- business partners and service providers in connection with the performance of any contract we enter into with them or you;
- third parties who provide email delivery, customer relationship management and helpdesk services, or any other services which we choose to outsource;
- IT hosting services;
- research partners and project collaborators (including prospective research partners and project collaborators); and
- analytics and search engine providers that assist us in the improvement and optimisation of our websites.

A list of the third parties with whom we share your personal information is available [here](#). This list will be updated regularly. We may also share your personal information with other third parties:

- in the event that we sell any business or assets or enter into any joint venture arrangements, in which case we may disclose or transfer your personal information to the buyer of such business or assets or our joint venture partners;
- if we are under a duty to disclose or share your personal information with any regulatory or law enforcement authorities and are required to do so;
- in order to exercise or defend our legal rights or in connection with any legal proceedings or anticipated legal proceedings; and
- in order to comply with any other legal obligation or enforce or apply our [Terms of Use](#) and any other agreements.

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

How long is personal information stored for and what happens to it?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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

As set out in paragraph 1 of the [How does Sparx share your personal information?](#) section of our Privacy Notice, your personal information provided to us in connection with a job application will be retained by the Oxygen House Group Recruitment Team for 18 months following the relevant vacancy being filled.

International transfers

The majority of the personal information we collect will be stored and used in the UK at our offices and in our secure data centres. We will only transfer your personal information outside of the European Economic Area (**EEA**) where it is necessary for us to do so because there are no reasonable and commercially appropriate alternatives based in the EEA. Where any of our sub-processors store personal information we send to them for processing on our behalf outside of the EEA, we ensure protection is afforded to it by implementing at least one of the following safeguards:

- We will only transfer your personal information to service providers located in countries that have been deemed to provide an adequate level of protection for personal information by the European Commission.
- Where we use certain service providers (including those based in the US), we will use specific contracts approved by the European Commission which give personal information the same protection it has in Europe.
- We will undertake a detailed adequacy assessment of the service provider to validate that it has good privacy safeguards and security features in place to prevent unauthorised access of personal information we send it.

Following Brexit, the EU-UK Trade & Co-operation Agreement allows personal information to continue to flow from the EU to the UK. Sparx will continue to follow guidance issued by the ICO so that personal information flows between EU member states and the UK are not disrupted.

A list of the support companies with whom we share personal information can be found [here](#). This list will be updated regularly.

Security of personal information

We have put in place appropriate physical, electronic and managerial security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We conduct regular penetration testing and reviews of our security standing.

In addition, we limit access to your personal information to those directors, employees and other third parties who have a business need to know. They will only use your personal information for specified purposes and are required to keep your personal information confidential.

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

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our websites; any transmission is at your own risk.

Your rights

In certain circumstances, you have legal rights under GDPR in relation to your personal information which are known as data subject rights. Those rights are:

1. The right to be informed of processing.
2. The right to access personal information by making a subject access request.
3. The right to rectification where personal information is inaccurate or incomplete.
4. The right to erasure, sometimes called 'the right to be forgotten'.
5. The right to restrict processing.
6. The right to data portability.
7. The right to object to processing.
8. The right not to be subject to a decision based solely on automatic processing.

Where you seek to exercise any of your data subject rights, we may need to request specific information from you to help us confirm your identity and establish your right to exercise such rights. This is a security measure to ensure that your personal information 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 exercise your data subject rights to speed up our response. Your legal rights do not apply in all instances. We will inform you if, in the context of your request, we do not consider that your legal rights apply.

If you wish to exercise any of your data subject rights set out above, please contact the Data Protection Officer using the contact information set out in the [How to contact us](#) section of our Privacy Notice.

You will not have to pay a fee to access your personal information (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 may refuse to comply with your request in these circumstances.

You have the right to make a complaint at any time to the ICO regarding the collection and use of personal information by Sparx. However, we would appreciate being given the chance to help you with your concerns before you approach the ICO, so please contact us using the details below in the first instance.

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

How to contact us

Sparx has appointed a Data Protection Officer who can answer questions in relation to our Privacy Notice. If you have any questions or would like more information about the collection and use of personal information by Sparx, you can contact our Data Protection Officer by sending an email to privacy@sparx.co.uk or by writing to us at Sparx Limited, Oxygen House, Grenadier Road, Exeter, Devon EX1 3LH.

For individuals who are based in the EU, we have appointed IT Governance Europe Limited to act as our EU representative. If you have any queries concerning your rights or general privacy matters relating to Sparx, our preference would be for you to contact us directly, however you can alternatively email our EU representative at eurep@itgovernance.eu. Please ensure to include our company name (Sparx Limited) in any correspondence you send to our EU representative.