

## Data Policy

### **About Us**

**Innovating Minds CIC** (company number 09998435) ("**EduPod**" / "**we**" / "**our**" / "**us**") takes your privacy very seriously and is committed to protecting and respecting your privacy. This Policy (together with our Terms of Use) sets out the basis on which any personal data we collect about you, including through the EduPod Website and/or the EduPod Platform (each as defined below), will be processed by us.

Where we refer to the "EduPod Website" in this Policy, we mean the website which can be accessed at [www.myedupod.com](http://www.myedupod.com) and where we refer to the "EduPod Platform" we mean the parts of the EduPod Website which you can only access if you have an account with us (including any updates or supplements to them).

### **Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.**

Innovating Minds CIC is the data controller and is registered with the UK Information Commissioner's Office. Its registered office is 48 Victoria Road 10 Wrens Court, Sutton Coldfield, England, B72 1SY. The Data Protection Officer is Dr Asha Patel who can be contacted at [info@innovatingmindscic.com](mailto:info@innovatingmindscic.com).

### **Definitions:**

**Data** is information which is stored electronically, on a computer, or in paper-based filing systems.

**Data subjects** for the purpose of this Policy include Visitor(s) and User(s)- as defined below.

**Personal data** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (for example, a name, address or date of birth) or it can be an opinion about that person, their actions and behaviour.

**Data controllers** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with data protection law. Innovating Minds CIC is the data controller of all personal data used within in it for its operational and business purposes.

**Data users** are those Innovating Minds employees whose work involves processing personal data. Data users must protect the data they handle in accordance with this Policy and any applicable data security procedures at all times.

**Data processors** include any person or organisation that processes personal data on Innovating Minds behalf and on its instructions.

**Privacy notices** are used by Innovating Minds, as required by law, to provide data subjects with certain information about its data processing activities and must be concise, transparent, intelligible, easily accessible and expressed in clear and straightforward language. Innovating Minds can provide privacy notices in writing, electronically if appropriate and orally in some cases.

**Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

**Sensitive personal data** includes information about a person’s racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. It can also include genetic and biometric data. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.

### **Who Does This Policy Apply To?**

This Policy applies to:

- **“Visitor(s)”** to the EduPod Website, i.e. someone who visits and/or uses the EduPod Website but who does not access the EduPod Platform;
- **“Users”** using the EduPod Platform, i.e. someone who uses the EduPod Platform to help create the whole school approach to mental health.

### **Purpose of this Policy:**

The purpose of this Policy is to ensure the correct and lawful treatment of personal data held by Innovating Minds in accordance with data protection law and particularly the General Data Protection Regulation (EU) 2016/679 (GDPR).

### **DATA PROTECTION PRINCIPLES**

By law, EduPod must comply with the six principles when processing Personal Data:

#### **Lawfulness, fairness, and transparency.**

**Purpose limitation**, which means that Innovating Minds and EduPod should only collect personal data for specified, explicit, and legitimate purposes and should not process the personal data in a manner that is incompatible with those purposes, except under limited circumstances.

**Data minimisation**, which means that personal data should be adequate; relevant; and limited to what is necessary for the purpose of processing.

**Accuracy**, which means that personal data must be accurate and kept up-to-date; and corrected or deleted without delay when inaccurate.

**Storage limitation**, which requires that EduPod keep personal data in identifiable form only for as long as necessary to fulfil the purposes the EduPod collected it for, subject to limited exceptions. Please refer to the RETAINING AND DELETING PERSONAL DATA clause below for further information on the retention period.

**Integrity and confidentiality**, which requires that EduPod secure personal data by appropriate technical and organisational measures against unauthorised or unlawful processing, and against accidental loss, destruction, or damage. Please see the 'Security' clause below for more information.

### **ORGANISER AGREEMENT**

If you are a 'User', Innovating Minds will have entered into an agreement with your school, college, or organisation for the use of the EduPod Platform.

### **WHICH PROVISIONS OF THIS POLICY APPLY TO YOU?**

Unless we say otherwise, the provisions of this Policy apply to all Visitors and Users.

### **PERSONAL DATA WE COLLECT FROM AND ABOUT YOU**

We will collect the following data:

#### **Personal Data you give us.**

You may give us personal data about you:

- when you complete a registration to use the EduPod Platform (or request a demonstration of the EduPod Platform);
- when you use the EduPod Platform, for example, if you upload any data files or information that contains personal data (see further detail below);
- if you complete a survey or questionnaire at our request (including any survey or questionnaire we commission from a third party provider e.g. SurveyMonkey);
- if you provide feedback on the EduPod Website or EduPod Platform;
- when you report a problem with the EduPod Website or EduPod Platform; and
- if you contact or correspond with us (for example, by phone, e-mail or otherwise) for any other reason.

We will clearly set out which information you must provide us with in order to sign up and use the EduPod Platform. If you do not provide us with this information, you will not be able to use the EduPod Platform. All other information is optional.

If you are a **visitor**, you:

- may provide us with your name, job title, school/college details and email address if you want to access resources or sign up to our newsletters;

- may provide information about yourself when you complete a survey or questionnaire at our request; and
- may agree to participate in a video “case study” and/or provide written feedback on the EduPod Platform for our promotional purposes, to be used on the EduPod website and social media channels.

If you are a **Users**, you:

- must provide us with your name, job title and email address;
- tell us which school/college you are from;
- may provide information about yourself when you complete a survey or questionnaire at our request; and
- may agree to participate in a video “case study” and/or provide written feedback on the EduPod Platform for our promotional purposes, to be used on the EduPod website and social media channels.

#### **Data we collect about you.**

If you are a **User(s)**:

- When you use the EduPod Platform, details of your usage (including the date, time, location or duration of the usage);
- If you visit the EduPod Website or use the EduPod Platform, we will automatically collect certain technical information, for example, the type of device (and its unique device identifier) you use to access the EduPod Website or the EduPod Platform, the Internet protocol (IP) address used to connect your device to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system, mobile network information and platform.
- We will automatically collect information about your visit to the EduPod Website including the full Uniform Resource Locators (URL), clickstream to, through and from the EduPod Website (including date and time), pages you viewed, 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 the page.

#### **Data provided by your School.**

If you are a **User**:

- we will obtain information about you from your School to access and use the EduPod Platform and to allow your School to identify you use the EduPod Platform;

#### **USES MADE OF THE DATA**

We will use the above personal data held about you:

- to enable you to use the EduPod Platform;
- if you are a **user**, to carry out our obligations under the School Agreement and to provide you with information and services that you request from us;

- if you are a **user**, to help us identify you and any accounts you hold with us (including verifying your eligibility to access and use the EduPod Platform);
- if you are a **user**, to carry out research and statistical analysis, for example, so that we can provide your School with an analysis of Students' use of the EduPod Platform;
- if you are a **User**, to make suggestions and recommendations to you about to implement the whole school approach to mental health and offer consultation on the challenges you are facing. For example, we may use our databases to analyse the progress you are making so we can identify what resources you might find helpful to assist you. We will only contact you by e-mail with such information if you have specifically consented to this. More information about this is set out below under the headings "Marketing" and "Legal basis for processing";
- if you provide personal data when you complete a survey or questionnaire at our request, to obtain your views and opinions on education;
- to deal with any enquiries, correspondence, concerns or complaints you have raised;
- for our internal operations, including data analysis, testing, research, statistical purposes and troubleshooting;
- to ensure that content on the EduPod Website and EduPod Platform is presented in the most effective manner for you and for your device;
- as part of our efforts to keep the EduPod Platform secure; and
- to notify you about changes to any element of the EduPod Website or EduPod Platform.

## **MARKETING**

If you are a **User or Visitor**, as mentioned above we would like to send you information by email and/or notifications on the EduPod Platform about services and opportunities from relevant third parties such which may be of interest to you.

We will ask whether you would like us to send you these emails and/or notifications when you complete your registration on the EduPod Platform for the first time.

You can also manage your preferences by changing the privacy settings of your EduPod Platform account.

We will **not** provide your personal data to any other third party businesses for marketing purposes.

## **DISCLOSURE OF YOUR PERSONAL DATA**

If you are a User, we may share your personal data as set out below.

The information we share with your School may also be used by your School and by us for analytical purposes and to administer and facilitate your School's use of the EduPod Platform, for example to give your School an impression of how it is supporting the implementation of the whole school approach to mental health.

Please see the section headed “Your rights” below for details on your right to access any personal data which we hold about you.

If you are a **user or visitor** and you complete a survey or questionnaire, our survey provider, may collect certain technical information, including data about your device or browser (such as your geographic location based on your device IP address) and data about pages you’ve visited and files you’ve viewed on their website or app to analyse your usage patterns, and for troubleshooting and bug fixing, for example.

Our survey provider, e.g. SurveyMonkey may also collect personal data contained in (or connected with) your survey or questionnaire responses, but this data will be aggregated and anonymised before being processed any further so that it cannot be linked to you.

Whether you are a **Visitor/User**, you agree that we may share your personal data with the following categories of selected third parties in accordance with this Policy:

- analytics and search engine providers that assist us in the improvement and optimisation of the EduPod Website and the EduPod Platform; and
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our Website Terms of Use or the School Agreement; or to protect the rights, property or safety of EduPod, its users, and others.

#### **LEGAL BASIS FOR PROCESSING**

- For some of the uses of your personal data (as described above) there is a legal basis under applicable data protection laws for us to use such personal data without your consent. This includes, for example, where it is necessary for us to use the information in order to provide the EduPod Platform to you or where we have a legitimate interest to use it (a) to understand how the EduPod Platform is used and by whom; (b) to improve the EduPod Platform and ensure it is secure; (c) for statistical and analytical purposes; (d) for testing and troubleshooting or (e) to carry out surveys and research. Where this is the case, this Policy fulfils our duty to process personal data fairly and lawfully and in a manner that you would expect given the nature of our relationship with you or your School, by giving you appropriate notice and explanation of the way in which your personal data will be used.
- Where consent is required for our use of your personal data, by ticking the appropriate consent box or otherwise communicating your consent (for example, by email), you consent to our use of that personal data as set out in this Policy. For example, we will only process your personal data for marketing purposes if we have your consent to do so.
- You can always change your mind about our processing of your personal data. If you change your mind you can update your account settings within the EduPod Platform, or contact us by

email at [info@innovatingmindscic.com](mailto:info@innovatingmindscic.com), or in respect of marketing messages you can unsubscribe by using the unsubscribe link at the bottom of those marketing messages.

If you are a **Visitor** under the age of 13, we will need consent from your parent (or someone with parental responsibility for you) ("**your Parent**") to our use of your personal data as set out in this Policy. You will be unable to use the EduPod Website without the consent of your Parent. If your Parent changes their mind about our processing of your personal data, your Parent should inform us at [info@innovatingmindscic.com](mailto:info@innovatingmindscic.com).

#### **WHERE WE STORE YOUR PERSONAL DATA**

If your School is based outside the European Economic Area ("EEA"), we will process and store the information that we collect from you on our systems in the EEA, and we will also transfer personal data back to you (or your Students or Teachers) in your own country, in order to provide the EduPod Platform to you and/or to fulfil our obligations in the Agreement. We will take all reasonable steps to ensure that your personal data is treated securely and in accordance with this Policy.

If your School is based in the EEA, we will only process and store your personal data in the EEA.

#### **SECURITY**

All information you provide to us is stored on secure servers. We will use technical and organisational measures to safeguard your personal data.

Where we have given you (or where you have chosen) a password which enables you to access the EduPod Platform, you are responsible for keeping that password confidential. We ask you not to share your password with anyone else.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted via the EduPod Platform; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

#### **RETAINING AND DELETING PERSONAL DATA**

We will retain the personal data we receive or collect about you for the period reasonably required for us to use it in accordance with this Policy or in accordance with our legal rights and obligations. We may need to retain some of your personal data for 6 years after you stop using the EduPod Platform, for legal reasons, for example, in case you or your School, College, Organisation make a complaint.

We may store your non-personal information indefinitely.

If you are a **User**, unless we inform you otherwise (or you request that we erase your personal data), we will retain your personal data on record for as long as you continue to use the EduPod Platform. If you do not use the EduPod Platform for 4 years then we will delete your information. We hold onto your information for this 4 year period so that you can continue to access useful information.

If the School Agreement terminates, we may delete some or all of your information from the EduPod Platform. We will tell your School, College, Organisation before we do so, so that you can download your information if you wish.

## **YOUR RIGHTS**

You have the following rights with regard to your personal data:

- **Access.** You have the right to obtain confirmation as to whether or not your personal data is being processed, and, if it is, request access to that personal data. We will need you to prove your identity before we release any personal data to you.
- **Rectification or erasure.** You have the right to request that we rectify or delete any personal data that we hold about you (unless we have the legal right to retain it).
- **Restriction.** You also have the right to restrict us from processing your personal data if the data is inaccurate, the processing is unlawful or we no longer need your personal information for the purposes of the processing.
- **Change of preferences.** You can change your data processing preferences at any time. For example, if you have given your consent to us to making suggestions and recommendations, but have changed your mind, you can contact us using the details provided below or clicking the relevant link in any communication you receive.
- **Complaints.** If for any reason you are not happy with the way that we have handled your personal data, please contact us. If you are still not happy, you have the right to make a complaint to the UK's Information Commissioner's Office.
- **Data portability.** In some circumstances, you have the right to request a copy of the personal data we hold about you, in a structured, electronic format, and to transmit such data to another organisation.
- **The right not to be subject to a decision based solely on automated data processing.** This includes profiling, where the decision has a legal or other significant effect, subject to certain limited exceptions, including where the data subject explicitly consents, where the automated data processing and decision-making is necessary for the performance of a contract with the data subject or where an applicable law that also requires measures to protect data subjects' rights authorises the automated data processing and decision making.



The law requires that consent be:

- freely given, specific, and informed;
- unambiguous and take the form of an affirmative action or statement;
- explicit for certain types of data processing, including, but not limited to, sensitive personal data processing and cross-border data transfers;
- presented in a manner clearly distinguishable from other matters, in an intelligible and easily accessible form; and
- provided in clear and plain language

## **DATA BREACHES**

The law requires Innovating Minds to notify the Information Commissioner's Office without undue delay and no later than 72 hours after any breach of personal data that poses a risk of harm has been discovered. Innovating Minds must also document any personal data breaches.

Please note that if you ask us to stop processing your personal data in a certain way or erase your personal data, and this type of processing or data is needed for you to use the EduPod Platform you may not be able to use the EduPod Platform as you did before. This does not include your right to object to direct marketing, which can be exercised at any time without restriction.

If you would like to exercise any of the rights mentioned above, please contact us by emailing us at [info@innovatingmindscic.com](mailto:info@innovatingmindscic.com)