Privacy Policy of Pass and Beyond

* Pass and Beyond is referred to as “we” have created this privacy statement (“Statement”) in order to demonstrate our firm commitment to the privacy of the details that you provide to us when using this website, as the data controller for the purposes of the GDPR (General Data Protection Regulations EU 2016/679) and related UK legislation.
* In this Statement, references to “you” and “your” are references to the user of i.e. pass-and-beyond.co.uk (the “site”).
* It applies to information we collect about users of our Site and amongst other things, this Statement describes what personally identifiable information “Personal Information” we collect from you, how and when it is used, how we protect it and who has access to it.

### Data protection and privacy

#### 1.1 In respect of any Personal Data (as defined in the Data Protection Legislation) processed by MTW and the Tutor pursuant to these Client Terms, both parties warrant

#### that they shall comply and will continue to comply with the Data Protection Legislation.

#### 1.2 You acknowledge that You have read and understand MTW’s Privacy Policy and Cookie Policy.

#### 1.3 You hereby agree that by releasing any Personal Data as submitted by you on the Site, you acknowledge that you are wilfully providing your personal data for the purpose of receiving the Services.

### 2.1 What information is collected?

#### a. Personal information you give us that is necessary for the use of the Pass and Beyond Site

Pass and Beyond processes personal data as a necessary part of entering into and performing our contract with you, which is governed by our Terms and Conditions.

As part of the process of using the Site and the Services, we require you to give us certain Personal Information which we need to provide our Service.

Without this information we may not be able to fulfil our contract with you.

This information includes:

* **Booking information:** to enable us to book lessons and free meetings using Microsoft Teams. When you book as a client, the information can include your full name, email, telephone number, postal address, your child’s year group, your child’s full name and subject required.
* **Communication history:** to enable communication with other users of the website and with the Pass and Beyond team, we store details about your communication history including user messages, requests you have made, free meeting and lessons booked.
* **Booking history:** to facilitate tutorials including information on booking requests, status of bookings, booking subjects and levels, and recordings of your bookings (bookings include tutor interviews, free meetings, lessons and written sessions.)

#### b. Information we automatically collect from your use of the Pass and Beyond site

We collect some information from all users of the Pass and Beyond site, to fulfil our contract with users and to enable our legitimate interests in providing the Pass and Beyond site and services.

* **Automatically tracked information includes:** Cookie information, your IP address, details of the device you use to access the Site, the pages you visit and the actions taken, the times and dates of actions you take on our website, your interactions with our email, the source of your visit and/or previous webpage before visiting our Site, your page response times and information collected at the Contact Us page.

#### c. Information we collect from third parties

* **Your reviews from other Pass and Beyond users:** can rate after lessons,
* **Other sources:** we reserve the right, where permitted by law, to collect and use information on you from third party providers.

#### d. Financial information

* We may require you to provide us with Financial Information to authorise or process payment and bill you or pay you for the Services.
* These details include for customers your payment history and bank account details.
* We may also require your debit/credit card details.
* When you book Tutoring Services via the site, we will pass your Financial or Personal Information to those third parties necessary to process your transactions with us, such as credit card companies and banks.
* The legal basis under GDPR by which we are permitted to process this information in this way is that it is necessary for the performance of a contract to which you are a party, or to take steps prior to entering into a contract with you or where we need to comply with a legal obligation.
* This includes exchanging information with other companies and organisations for fraud protection and credit risk reduction.
* Except as provided above, we will not share Financial Information with third parties without your prior consent.
* This Policy explains our processing of your personal data and your rights according to EU General Data Protection Regulation and UK data protection legislation.
* We reserve the right to modify this Statement at any time without notice by posting the changes on this page.

3.How the information is used?

* The Site asks you to provide various types of personal Information to enhance the quality of the Services we can provide to you and the more accurate the information you provide, the better we are able to respond to your requirements.
* Any Personal Information that is held with Pass and Beyond shall be retained in accordance with the GDPR.
* Pass and Beyond is the data controller in respect of all of the Personal Information which Pass and Beynd collects and receives about you when you use the services.

#### 3.1. Data processing to provide and improve the Pass and Beyond Site and Services

We use your information primarily to fulfil our contract to provide you with the Services that you request, and related services (this includes providing this Site, website administration and security).

We run the following processes to fulfil our contract with you:

* Enabling you to access the Site and create an account
* Enabling you to communicate with other users, and receive updates from Pass and Beyond about your account
* Enabling bookings between customers and tutors
* Providing recordings
* Enabling payments
* Providing support for customers
* Providing photos and videos to create trust and enable better connections between users

We also use your information to support our legitimate interests in developing the Site and the Services. These processes include:

* To aid the technical administration of the Site
* To ensure quality of service
* To better understand how the Site is functioning for Users to inform our product development
* To draw conclusions upon demographic information
* Preventing fraud, spam and abusive or inappropriate behaviour
* Fulfilling our safeguarding and legal obligations
* You acknowledge that your Personal Information may be used by Pass and Beyond to contact you by phone, text messages or by electronic mail when necessary, in connection with the Services requested by you on the Site.

#### 3.2. Data processing to provide, tailor and improve our marketing activities

We also use your information to support our legitimate interests in marketing our Site and the Services. These processes include:

* Marketing activities to promote our services to registered users. These communications may be personalised to you and your interactions with the Site and can be delivered by email, social media advertising and other digital marketing channels
* Notifying you about upcoming promotions, Referral Discount Codes, services or customer surveys
* Undertaking impact reporting to understand the efficacy of our Services
* Undertaking research to better understand our customers interests
* Analysing your interactions to improve the efficiency of our marketing activities

#### 3.3 Direct marketing

* From time to time, Pass and Beyond may contact you by post, by telephone (which may be recorded for quality assurance purposes) or by electronic mail, with information or offers relating directly to the site and the services.
* When you register on the Site, you accept that your contact information may be used by MTW for direct marketing purposes relating directly to the Site and the Services.
* Upon registration, you will immediately receive a welcome email which you cannot opt out of receiving, however, once this initial email has been received, you will be given an opportunity to unsubscribe i.e. opt-out, in every marketing e-mail that we send you thereafter.
* Depending on your decision not to opt-out of receiving marketing communications from Pass and Beyond,
* Pass and Beyond may contact you by telephone (which may be recorded for quality assurance purposes) or by electronic mail with information or offers regarding products (and services) such as discounts, exclusive offers or information.
* **Opting out:** If you do not wish to be contacted by Pass and Beyond in respect of future marketing communications, in the case of our own promotional communications please contact Pass and Beyond by sending an email to with “UNSUBSCRIBE REQUEST” or similar statement in the subject line.

#### 3.4. Third party direct marketing

* If you have given your consent when submitting your information on the Site for your Personal Information to be provided to specific categories of third parties (other than Pass and Beyond)
* Or for Pass and Beyond to send you marketing communications relating to products and services from third parties, then we/they may contact you by post, telephone (which may be recorded for quality assurance purposes) or email with information or offers regarding their products and services.

**Opting out:** If you decide to withdraw your consent to receive communications from or regarding third party goods and services, please send an email to:

**pass.and.beyond2023@gmail.com** with the subject line “THIRD PARTY UNSUBSCRIBE REQUEST” or similar.

* Please note that our systems may take a little time to fully register your opt-out, so if you continue to receive emails in the forty-eight (48) hours after making changes, please accept our apologies and ignore them.

#### 3.5. The legal grounds under GDPR for processing your personal data described above are as follows

* It is necessary for the performance of a contract to which you are a party, or to take steps prior to entering into a contract with you, for us to provide you with our products and services.
* Where we require information from you for these purposes, we have set out above which information it is necessary for us to process, without which we will be unable to provide you with our services.
* It is necessary for the purposes of our legitimate interests, such as fraud prevention, child protection, maintaining quality of service, error detection and cybersecurity, except where our interests are overridden by the interests, rights or freedoms of affected individuals (such as you).
* To determine this, we shall consider a number of factors, such as what you were told at the time you provided your data, what your expectations are about the processing of the data, the nature of the data, and the impact of the processing on you.
* In order to protect children from harassment and abuse, we video record and store tutoring sessions.
* You have given us explicit opt-in consent to the processing of your personal data for one or more specific purposes, namely where you have given us consent to receive electronic Direct Marketing by us and/or by third parties as described in this notice.
* Where we need to comply with a legal obligation; or in rare circumstances:
* Where we need to protect your interests (or someone else’s interests); and/or
* Where it is needed in the public interest or for official purposes.

4.Who else has access to this information?

#### 4.1 Other users on the Pass and Beyond site

* Your Personal Information may also be viewed by the tutor (where you are a client) for the sole purposes of enabling the tutor to deliver their tutoring services direct to you and to provide you with information about their tutoring services and access to the tutoring services themselves.
* If you as a client make a request for tutoring Services with a tutor via the site, your personal Information will be shared with the tutor to enable the Tutor to deliver the Tutoring Services or to follow up on any enquiry.
* Such details may include: your and your child’s full name, child’s year group, email address, phone number and your home address, the contents of your message, and the subject and level you requested.
* If you as a user send a message to another user on the Site, you acknowledge that Pass and Beyond may monitor the content of your message to fulfil our safeguarding obligations and to protect our legitimate interests.

#### 4.2. Third party companies and service providers

* We use a variety of third-party companies to provide the services and we may need to pass some personal Information to these third parties.
* If we pass Personal Information to third parties, we minimise as far as possible what Personal Information is shared. The categories of third party providers we share personal data with include:
* Analytics providers
* Sponsors of tutorials
* Payment providers
* Communications platforms for email, text and in-app communications
* Marketing platforms
* Business operations tools
* Identity verification tools
* Surveys and research providers
* Accounting and finance platforms
* Customer support platforms

#### 4.3. Disclosure of your personal information and financial information in compliance with laws

* You should be aware that we may release your Personal Information or Financial Information when we believe it is necessary to comply with laws or regulations, to assist law enforcement, to enforce the terms under which you transacted with Pass and Beyond, or to protect the rights, property or safety of Pass and Beyond, site users or others.
* We may also share your data with the Department for Education and other governing bodies, or contractual parties for audit purposes, on request.

#### 4.4. Transfer of your personal information and financial information outside of the EEA

* We may transfer personal data to entities outside of the EEA including in the United States, which countries may not have data protection laws as strict as those in the EEA.
* Where we transfer your information outside the EEA we will either undertake an assessment of the level of protection in light of the circumstances surrounding the transfer or:
* Only transfer it to a non-EEA country with privacy laws that give the same protection as the EEA; or
* Ensure we have an agreement in place with the recipient under which they are under a duty to protect your data to the same standards as those in place in the EEA; or
* We will make sure that any transfers are not repetitive and only limited to the minimum amount of information possible. In certain circumstances we may need to seek your consent unless there is an overriding legal need to transfer the information; and
* In all cases where your information is transferred outside the EEA, you have a right to contact us for information on the measures we have put in place.

#### 4.5. Other sites/third party vendors and their privacy policies and cookie policies

* This Site may contain links to other websites.
* Pass and Beyond is not responsible for the privacy practices or the content of such websites or for the privacy policies, cookie policies and practices of other third parties, and so you should be careful to read and understand those website policies independently.

### 5. How do we protect your information?

* The privacy and protection of your Personal Information is important to us.
* You acknowledge that email messages sent over the internet are not encrypted and are not secure.
* Despite efforts to protect your Personal Information, we cannot ensure or warrant the security of any information you transmit to us, or to or from our online Services.
* You accept that Pass and Beyond cannot be held liable for any breaches of confidentiality that may occur as a result of the use of email.
* If there is any sensitive or confidential information which you do not wish to communicate by email, please contact Pass and Beyond by email to arrange an alternative method of communication.
* You transmit all such information at your own risk.
* However, once we receive your transmission, we use our best efforts to ensure its security on our systems.
* The Site has security measures in place to protect the loss, misuse and alteration of the information under our control.
* We use 128-bit industry standard Secure Server Software (SSL) for your transactions with us.
* It encrypts all your Personal Information, including credit card number, name, and address, so that it cannot be read as the information travels over the Internet.

### 5. Cookies

For information about cookies and how they are used on this website, visit our Cookie Policy.

### 6. Complaints or queries

* Pass and Beyond tries to meet the highest standards when collecting and using Personal Information.
* For this reason, we take any complaints we receive about this very seriously.
* We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.
* This Statement does not provide exhaustive detail of all aspects of Pass and Beyond’s collection and use of Personal Information.
* However, we are happy to provide any additional information or explanation needed.
* Any requests for this should be sent to the address below.
* If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the UK data protection regulator, the Information Commissioner’s Office.
* Further details can be found at [ico.org.uk](https://ico.org.uk/) or 0303 123 1113.

### 7.How long do we keep your information for?

* We will retain your personal data for different periods depending on the service you have chosen to use us for, which may be a longer period than that for which we need to hold your data to provide those services, i.e., where we are under regulatory or statutory duties to hold your data for a longer period.
* Data will be held by us for the period necessary to meet the purposes for which we initially collected the information.
* By default, we retain personal data for six years after you have last been active on the Site.
* This is to allow you to continue to use your Pass and Beyond account for the duration of the average lifecycle of an Pass and Beyond user.
* After that period has passed, or after you request us to delete your data (whichever is earlier) we will delete your personal data except where we have specific reason which means we need to keep it for longer.
* Records that you have shared publicly or have shared with another user, for example reviews you leave, messages you send and bookings you make, may remain on the Site after your personal information has been deleted but will no longer have identifying information which links them to you associated with them.
* We may retain records where necessary to fulfil our regulatory or statutory duties.

### 8. Access to and rectification of personal information

* Pass and Beyond tries to be as open as it can be in terms of giving people access to their Personal Information.
* Individuals can find out if we hold any Personal Information by making a “subject access request”, normally free of charge, under the data protection legislation.
* If we do hold information about you, we will let you have a copy of that information unless a legal exception applies, in which case we will inform you of this at the time.
* You also have the right to request that information we hold about you which may be incorrect, incomplete, or which has been changed since you first told us, is updated or removed.
* To make a request to exercise either of these rights, please either put the request in writing addressing it to the address provided below or email us your request to **pass.and.beyond2023@gmail.com** with the subject line “Subject Access Request”.

### 9. Moving your personal information

* In the event that we process your data by automated means where you have either provided us with consent for us to use your information.
* Where we used the information to perform a contract with you, you have the right to request that we send to you or to another organisation, an electronic copy of the personal data we hold about you in a structured, commonly used and machine-readable format, for example when you are dealing with a different service provider.
* If you would like us to provide you, move, copy, or transfer your information in this manner, please let us know by email to **pass.and.beyond2023@gmail.**com
* We will respond to you within one month after assessing whether or not this is possible, taking into account the technical compatibility with the other organisation in question.

### 10. Deletion of your personal information

* You can 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 you have withdrawn consent for us to process it (as explained 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.

To request that we delete your personal data please send an email with the subject line “Personal data deletion” to [**pass.and.beyond2023@gmail.com**](mailto:pass.and.beyond2023@gmail.com)

### 11. How can you withdraw consent to our processing your personal information

* You have the right at any time to withdraw any explicit consent you have given us to process your personal data.
* Please note if you withdraw your consent, it will not affect the lawfulness of any processing of your personal data we have carried out before you withdrew your consent.
* Should you wish to do so you can change your consent preferences at any time.
* To withdraw your consent for us to send your Third-Party Promotions change your preferences on your account settings and/or by contacting us at [**pass.and.beyond2023@gmail.com**](mailto:pass.and.beyond2023@gmail.com)

### 12. How can you restrict or object to our processing your personal information

* You can ask us to suspend the way in which we are using your information in certain scenarios, or object to our processing your data where we are relying on a legitimate interest ground (or those of a third party) and you feel it impacts on your fundamental rights and freedoms, or where we are processing your personal data for direct marketing purposes.
* In some cases where you object, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
* Please note that if you want us to restrict or stop processing your data this may impact on our ability to provide our services.
* Depending on the extent of your request we may be unable to continue providing you with our service.
* Any queries or concerns about the way in which your data is being used can be sent to[**pass.and.beyond2023@gmail.com**](mailto:pass.and.beyond2023@gmail.com)

### 13.0 Automated decision making and profiling

To provide you with our services, it is necessary for us to conduct profiling and automated decision making on your data consisting of:

* Screening user messages sent on the Site to ensure contact details are kept private
* Compiling metrics for clients on their activity on the Site, and availability to determine which requests you receive

Should you wish to discuss or contest this decision or request that a person is involved in this automated decision, which you have a legal right to do, please email [**pass.and.beyond2023@gmail.com**](mailto:pass.and.beyond2023@gmail.com)**.**

### 14.0 How to contact us and request information

Requests for information about our Statement can be emailed to [**pass.and.beyond2023@gmail.com**](mailto:pass.and.beyond2023@gmail.com)

We keep our Statement under regular review.

This Statement was last updated on November 2023.