



Privacy Policy

With the following privacy policy, we would like to inform you about the types of your personal data (hereinafter also referred to as "data") that we process, for what purposes and to what extent. This privacy policy applies to all processing of personal data carried out by us, both as part of the provision of our services and in particular on our website.

Responsible Person (Data Controller)

The controller within the meaning of the UK's Data Protection Act (DPA) and the General Data Protection Regulation (GDPR) (both collectively the "GDPR") is:

BrainySpinach Math Ltd, trading as BrainySpinach Math
2, Oban Drive, Blackburn,
England, BB1 2HY

E-mail: hello@brainyspinach.com

Web: www.brainyspinach.com

Facebook: <https://www.facebook.com/groups/brainyspinachmath>

Twitter: <https://twitter.com/BrainySpinach>

Pinterest: https://www.pinterest.co.uk/?show_error=true

TikTok: <https://www.tiktok.com/@brainyspinachmath>

YouTube: <https://www.youtube.com/c/BrainySpinachMath/about>

Instagram: <https://www.instagram.com/brainyspinachmath/>

(hereinafter, "we", "us", "our" and "BrainySpinach Math")

Types of data processed

- Inventory data
- Payment data
- Contact data
- Content data
- Contract data
- Usage data
- Meta/communication data

Categories of data subjects

- Customers
- Employees
- Interested parties
- Communication partners
- Users
- Business and contractual partners

Purposes of processing

- Provision of contractual services and customer services
- Contact requests and communication
- Security measures
- Direct marketing
- Reach measurement
- Office and organisational procedures
- Remarketing
- Conversion measurement
- Targeting



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- Managing and responding to enquiries
- Feedback
- Marketing
- Profiles with user-related information
- Audience targeting
- Provision of our online offer and user-friendliness

Relevant legal basis

Below you will find an overview of the legal basis on the basis of which we process personal data. Should more specific legal bases be relevant in individual cases, we will inform you of these in the privacy policy.

- *Consent* (Art. 6 para. 1 p. 1 lit. a. GDPR) - The data subject has given his/her consent to the processing of personal data relating to him/her for a specific purpose or purposes.
- Performance of a contract and pre-contractual enquiries (Art. 6 para. 1 p. 1 lit. b. GDPR) - Processing is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual measures carried out at the data subject's request.
- Legal obligation (Art. 6 para. 1 p. 1 lit. c. GDPR) - Processing is necessary for compliance with a legal obligation to which the controller is subject.
- Legitimate interests (Art. 6 para. 1 p. 1 lit. f. GDPR) - Processing is necessary for the purposes of the legitimate interests of the controller or a third party, unless such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require the protection of personal data.

Security measures

We take appropriate technical and organisational measures in accordance with the legal requirements, taking into account the state of the art, the implementation costs and the nature, scope, circumstances and purposes of the processing as well as the different probabilities of occurrence and the extent of the threat to the rights and freedoms of natural persons, in order to ensure a level of protection appropriate to the risk.

The measures include, in particular, ensuring the confidentiality, integrity and availability of data by controlling physical and electronic access to the data as well as access to, input of, disclosure of, assurance of availability of and segregation of the data. We also have procedures in place to ensure the exercise of data subjects' rights, the deletion of data and responses to data compromise. Furthermore, we already take the protection of personal data into account in the development or selection of hardware, software and procedures in accordance with the principle of data protection, through technology design and through data protection-friendly default settings.

SSL encryption (https): In order to protect your data transmitted via our online offer, we use SSL encryption. You can recognise such encrypted connections by the prefix https:// in the address line of your browser.

Transmission of personal data

In the course of our processing of personal data, it may happen that the data is transmitted to other bodies, companies, legally independent organisational units or persons or that it is disclosed to them. The recipients of this data may include, for example, service providers commissioned with IT tasks or providers of services and content that are integrated into a web site. In such cases, we comply with the legal requirements and, in particular, conclude appropriate contracts or agreements that serve to protect your data with the recipients of your data.



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Data processing in third countries

If we process data in a third country (i.e., outside the United Kingdom (UK), the European Economic Area (EEA)) or the processing takes place in the context of the use of third-party services or the disclosure or transfer of data to other persons, bodies or companies, this will only be done in accordance with the legal requirements.

Subject to express consent or contractually or legally required transfer, we only process or have data processed in third countries with a recognised level of data protection, contractual obligation through so-called standard protection clauses of the EU Commission, in the presence of certifications or binding internal data protection regulations (Art. 44 to 49 GDPR).

Deletion of data

The data processed by us will be deleted in accordance with the legal requirements as soon as their consents permitted for processing are revoked or other permissions cease to apply (e.g., if the purpose of processing this data has ceased to apply or it is not necessary for the purpose).

If the data are not deleted because they are required for other and legally permissible purposes, their processing is limited to these purposes. I.e., the data is blocked and not processed for other purposes. This applies, for example, to data that must be retained for reasons of commercial or tax law or whose storage is necessary for the assertion, exercise, or defence of legal claims or for the protection of the rights of another natural or legal person.

As part of our privacy policy, we may provide users with further information on the deletion as well as the retention of data specific to the processing operation in question.

Use of cookies

Cookies are small text files or other storage devices that store information on end devices and read information from the end devices. For example, to store the login status in a user account, the contents of a shopping basket in an e-shop, the contents called up or the functions used in an online offer. Cookies can further be used for various purposes, e.g., for purposes of functionality, security, and comfort of online offers as well as the creation of analyses of visitor flows.

The legal basis on which we process users' personal data using cookies depends on whether we ask users for consent. If users' consent, the legal basis for processing their data is their consent. Otherwise, the data processed using cookies is processed on the basis of our legitimate interests (e.g. in the business operation of our online offer and improvement of its usability).

The purposes for which the cookies are processed by us are explained in our Cookie Policy which forms an integrated part of this Privacy Policy.

Business services

We process data of our contractual and business partners, e.g., customers and interested parties in the context of contractual and comparable legal relationships as well as related measures and in the context of communication with contractual partners (or pre-contractual), e.g., to answer enquiries.

We process this data

- to fulfil our contractual obligations
- to safeguard our rights and for the purpose of the administrative
- on the basis of our legitimate interests in proper and business management
- to protect our contractual partners and our business operations from misuse, endangerment of their data, secrets, information and rights



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Within the framework of applicable law, we only disclose the data of contractual partners to third parties to the extent that this is necessary for the aforementioned purposes or to fulfil legal obligations.

We delete the data after the expiry of statutory retention obligations, i.e., generally after 6 years, unless the data is stored in a customer account, e.g., as long as it must be kept for archiving reasons.

If we use third-party providers or platforms to provide our services, the terms and conditions and privacy policies of the respective third-party providers or platforms apply in the relationship between the users and the providers.

Collection of general data and information

The website of BrainySpinach Math collects a series of general data and information every time a data subject or automated system calls up the website. This general data and information is stored in the log files of the server. The following data may be collected:

- the browser types and versions used
- the operating system used by the accessing system
- the website from which an accessing system accesses our website (so-called referrer)
- the sub-websites that are accessed via an accessing system on our website
- the date and time of an access to the website
- an Internet protocol address (IP address)
- the Internet service provider of the accessing system and
- other similar data and information that serve to avert danger in the event of attacks on our information technology systems.

When using these general data and information, BrainySpinach Math does not draw any conclusions about the data subject. Rather, this information is needed

- to deliver the contents of our website correctly,
- to optimise the contents of our website and the advertising for these,
- to ensure the long-term functionality of our information technology systems and the technology of our website, and
- to provide law enforcement authorities with the information necessary for prosecution in the event of a cyberattack.

Thus, BrainySpinach Math analyses anonymously collected data and information on one hand for statistical purposes and on the other hand for the purpose of increasing the data protection and data security of our enterprise, and ultimately to ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from any personal data provided by a data subject.

Contact possibilities via the website

BrainySpinach Math offers various means of electronic contact via Contact, e-mail, or phone. If you contact us, the personal data transmitted by the data subject will be stored automatically. Such personal data is transmitted on a voluntary basis by you to us and will be stored for the purposes of processing or contacting you. This personal data is not passed on to third parties. The legal basis for this data processing is your consent pursuant to Art. 6 para. 1 lit. a GDPR.

Live Chat

On this website, anonymised data is collected and stored using technologies provided by [tawk.to, inc.](#), for the purpose of web analytics and to operate the live chat system used to respond to live support requests. Usage profiles can be created from this anonymised data under a pseudonym. Insofar as the information collected in this way has a personal reference, the processing is carried out in accordance



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with our legitimate interest in effective customer service and the statistical analysis of user behaviour for optimisation purposes. The legal basis for this data processing is your consent pursuant to Art. 6 para. 1 lit. a GDPR.

Google reCAPTCHA

We use "Google reCAPTCHA" on our website. The provider is [Google Inc.](#) The purpose of reCAPTCHA is to check whether the data input on our websites is made by a human being or by an automated programme, and reCAPTCHA also protects our users from SPAM when using the message function. For this purpose, reCAPTCHA analyses the behaviour of the website visitor on the basis of various characteristics. This analysis begins automatically as soon as the website visitor enters the website. For the analysis, reCAPTCHA evaluates various information (e.g., IP address, time spent by the website visitor on the website or mouse movements made by the user). The data collected during the analysis is forwarded to Google.

The reCAPTCHA analyses run entirely in the background. Website visitors are not informed that an analysis is taking place. We have a legitimate interest in protecting our offers from abusive automated spying and our users from SPAM.

Camps (Math Camps and Roblox Camps)

In order to book your slot in our Camps you must first create an account and your email and password. Alternatively, you may use Third-party Connect features such as [Facebook Connect](#) and [Google](#). When registering via connect functions of third-party providers, you agree to the respective terms and conditions of these third-party providers and also consent to certain data from your respective profile of being transferred to us.

To book a lesson we use the booking and scheduling feature of [TutorCruncher](#). In the context of participation in a Camp, the TutorCruncher process the personal data of the participants. The scope of the processing depends on the one hand on which data is requested in the context of a specific booking (e.g. provision of access data or student names) and on the other hand on which optional information is provided by the participants. In addition to processing for the purpose of conducting the Camp, participants' data may also be processed by TutorCruncher for security purposes or service optimisation.

We or TutorCruncher may send electronic notifications only with the consent of the recipients or a legal obligation (Contract). If the contents of the notifications are specifically described in the context of a registration, they are decisive for the consent of the users. Apart from that, our notifications may contain information about our services and us. The notifications are sent on the basis of the recipients' consent or, if consent is not required, on the basis of our legitimate interests in direct marketing, if and to the extent that this is permitted by law, e.g., in the case of advertising to existing customers or our contractual obligation.

The legal bases for processing your data when participating in our Camps is consent (Art. 6 para. 1 p. 1 lit. a. GDPR); contract performance and pre-contractual enquiries (Art. 6 para. 1 p. 1 lit. b. GDPR); legitimate interests (Art. 6 para. 1 p. 1 lit. f GDPR).

Promotional communication via e-mail

We process personal data for the purposes of promotional communication, which may take place via e-mail. Recipients have the right to revoke consent given at any time or to object to promotional communication at any time.

After revocation or objection, we may store the data required to prove consent for up to three years based on our legitimate interests before deleting it. The processing of this data is limited to the purpose of a possible defence against claims. An individual deletion request is possible at any time, provided that the former existence of consent is confirmed at the same time.



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The legal bases for processing your data for promotional communication is our legitimate interests (Art. 6 para. 1 p. 1 lit. f GDPR).

Web analysis, monitoring, and optimisation

Web analytics (also referred to as "reach measurement") is used to evaluate the flow of visitors to our website and may include behaviour, interests or demographic information about visitors, such as age or gender, as pseudonymous values. With the help of the reach analysis, we can, for example, recognise at what time our website or its functions or content are most frequently used or invite re-use. Likewise, we can understand which areas need optimisation.

In addition to web analysis, we may also use test procedures, e.g., to test and optimise different versions of our online offer or its components.

Unless otherwise stated below, profiles, i.e., data summarised for a usage process, may be created for these purposes and information may be stored in a browser or in a terminal device and read from it. The information collected includes, in particular, web sites visited, and elements used there as well as technical information such as the browser used, the computer system used and information on usage times. If users have agreed to the collection of their location data from us or from the providers of the services we use, location data may also be processed.

The IP addresses of the users are also stored. However, we use an IP masking procedure (i.e. pseudonymisation by shortening the IP address) to protect users. In general, no clear user data (such as e-mail addresses or names) is stored in the context of web analysis, and optimisation, but pseudonyms. This means that we as well as the providers of the software used do not know the actual identity of the users, but only the information stored in their profiles for the purpose of the respective procedures.

If we ask users for their consent to use the third-party providers, the legal basis for processing data is consent. Otherwise, users' data is processed on the basis of our legitimate interests (i.e. interest in efficient, economic and recipient-friendly services). In this context, we would also like to refer you to the information on the use of cookies in our Cookie Policy.

We use Google Analytics, a service provided by [Google](#) Inc. This means that the data collected can in principle be transmitted to a Google server in the USA, whereby the IP addresses are anonymised by means of IP anonymisation so that an allocation is not possible. The IP address transmitted by your browser as part of Google Analytics will not be merged with other Google data. You can object to the collection and processing of this data by Google Analytics by setting an opt-out cookie that prevents the future collection of your data when you visit this website: <http://tools.google.com/dlpage/gaoptout?hl=en>.

The legal bases for processing your data for web analysis, monitoring, and optimisation is our legitimate interests (Art. 6 para. 1 p. 1 lit. f GDPR) and your consent to the specific cookie (Art. 6 para. 1 p. 1 lit. a GDPR).

Online marketing

We process personal data for online marketing purposes, which may include, in particular, marketing advertising space or displaying promotional and other content (collectively, "content") based on users' potential interests and measuring its effectiveness.

For these purposes, so-called user profiles are created and stored in a file (so-called "cookie") or similar procedures are used, by means of which the information about the user relevant to the presentation of the aforementioned content is stored. This information may include, for example, content viewed, web sites visited, online networks used, but also communication partners and



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technical information such as the browser used, the computer system used and information on usage times and functions used. If users have consented to the collection of their location data, this may also be processed.

The IP addresses of users are also stored. However, we use available IP masking procedures (i.e., pseudonymisation by shortening the IP address) to protect users. In general, no clear user data (such as e-mail addresses or names) is stored within the scope of the online marketing process, but pseudonyms. This means that we as well as the providers of the online marketing procedures do not know the actual identity of the users, but only the information stored in their profiles.

The information in the profiles is usually stored in the cookies or by means of similar procedures. These cookies can generally also be read later on other web sites that use the same online marketing procedure and analysed for the purpose of displaying content as well as supplemented with further data and stored on the server of the online marketing procedure provider.

Exceptionally, clear data can be assigned to the profiles. This is the case if, for example, the users are members of a social network whose online marketing procedure we use, and the network links the users' profiles with the aforementioned data. We ask you to note that users may enter into additional agreements with the providers, e.g., by giving their consent as part of the registration process.

In principle, we only receive access to summarised information about the success of our advertisements. However, within the framework of so-called conversion measurements, we can check which of our online marketing procedures have led to a so-called conversion, i.e., for example, to a conclusion of a contract with us. The conversion measurement is used solely to analyse the success of our marketing measures.

Within our website, so-called "Facebook pixels" of the social network Facebook, which is operated by Meta Platforms Inc., 1 Hacker Way, Menlo Park, CA 94025, USA, or if you are a resident of the EU, Meta Platforms Ireland Ltd, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland ("Facebook")

The legal bases for processing your data for online marketing is our legitimate interests (Art. 6 para. 1 p. 1 lit. f GDPR) and your consent to the specific cookie (Art. 6 para. 1 p. 1 lit. a GDPR).

Presence in social networks (social media)

We maintain online presences within social networks and process user data in this context in order to communicate with users active there or to offer information about us.

We would like to point out that user data may be processed outside the European Union. This may result in risks for the users because, for example, it could make it more difficult to enforce the rights of the users.

Furthermore, user data is usually processed within social networks for market research and advertising purposes. For example, usage profiles can be created based on the usage behaviour and resulting interests of the users. The usage profiles can in turn be used, for example, to place advertisements within and outside the networks that presumably correspond to the interests of the users. For these purposes, cookies are usually stored on the users' computers, in which the usage behaviour and the interests of the users are stored. Furthermore, data independent of the devices used by the users may also be stored in the usage profiles (especially if the users are members of the respective platforms and are logged in to them).

For a detailed presentation of the respective forms of processing and the options to object (opt-out), we refer to the privacy policies and information provided by the operators of the respective networks.



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In the case of requests for information and the assertion of data subject rights, we would also like to point out that these can be asserted most effectively with the providers. Only the providers have access to the users' data and can take appropriate measures and provide information directly. If you still need help, you can contact us.

Rights of data subjects

As a data subject, you have various rights under the GDPR, in particular under Articles 15 to 21 of the GDPR:

Right to object: you have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Art. 6(1)(e) or (f) GDPR; this also applies to profiling based on these provisions. If the personal data concerning you is processed for the purpose of direct marketing, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this also applies to profiling insofar as it is related to such direct marketing.

Right to withdraw consent: You have the right to revoke any consent given at any time.

Right to information: You have the right to request confirmation as to whether data in question is being processed and to information about this data as well as further information and a copy of the data in accordance with the legal requirements.

Right to rectification: You have the right, in accordance with the law, to request that data concerning you be completed or that inaccurate data concerning you be rectified.

Right to erasure and restriction of processing: You have the right, in accordance with the law, to request that data concerning you be erased without delay or, alternatively, to request restriction of the processing of the data in accordance with the law.

Right to data portability: You have the right to receive data relating to you that you have provided to us in a structured, common and machine-readable format, or to request that it be transferred to another controller, in accordance with the law.

Complaint to supervisory authority: In accordance with the GDPR and the DPA and without prejudice to any other administrative or judicial remedy, you also have the right to lodge a complaint with a data protection supervisory authority, if you consider that the processing of personal data relating to you is in breach of the GDPR and the DPA.

Children Under 13

In accordance with the Children Act (2004) and our goal is to minimise the information gathered from and disseminated about children under 18 while permitting them active participation with the trustworthy information and educational services that we provide.

We have strict limitations about what personal information can be collected and viewed about children under 18 and how and when they can be contacted. Please see our Safeguarding Policy for additional information pertaining to our policies relating to the use of the services by children under the age of 18.

Changing and updating the privacy policy

We encourage you to periodically review the content of our privacy policy. We adapt the privacy policy as soon as changes in the data processing carried out by us make this necessary. We will inform you as soon as the changes require an act of cooperation on your part (e.g., consent) or other individual notification.



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Where we provide addresses and contact details of companies and organisations in this privacy policy, please note that the addresses may change over time and please check the details before contacting us.

Contact Us

If you have questions or concerns regarding your privacy or this Privacy Policy please contact us.