



## **British International Remote School (BIRS) Privacy Policy**

### **Effective Date:**

### **1. Introduction & Who We Are**

- 1.1. Welcome to the British International Remote School (BIRS) (“BIRS”, “we”, “us”, or “our”), a trading name of eLearnSmart Ltd (Company number 14941467).
- 1.2. We are committed to protecting the privacy and security of the personal data we collect from parents/guardians (“Parents”, “You”) and the students (“Students”, “Your Child”) they enrol in our online educational programmes and services.
- 1.3. This Privacy Policy outlines how eLearnSmart Ltd, T/A British International Remote School (BIRS), collects, uses, maintains, stores, and discloses personal data in compliance with UK data protection laws, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.
- 1.4. Our contact details for data protection purposes are:
  - a) eLearnSmart Ltd, T/A British International Remote School (BIRS)  
Company number: 14941467 7 Bell Yard, London WC2A 2JR, United Kingdom
  - b) Email: [contact@thebirs.co.uk](mailto:contact@thebirs.co.uk)
  - c) Website: <https://thebirs.co.uk/>

### **2. What Information We Collect**

We may collect and process the following categories of personal data

- 2.1. Information Provided by Parents/Guardians during enrolment interest or application:

- a) Parent/Guardian Full Name
- b) Parent/Guardian Email Address
- c) Parent/Guardian Phone Number
- d) Parent/Guardian Country of Residence and Full Address
- e) Relationship to the Student
- f) Password for your BIRS account (this will be stored in a hashed, secure format by our system)
- g) Payment information for tuition fees (processed securely by our third-party payment processor, Stripe; we do not store full card details)

2.2. Information about the Student (provided by the Parent/Guardian):

- a) Student's Full Name
- b) Student's Date of Birth
- c) Student's Gender (*Note: BIRS considers this necessary for its service provision; internal justification should be documented.*)
- d) Student's Primary Language Spoken
- e) Student's Current or Intended School Year Group/Key Stage
- f) Curriculum package selections and chosen subjects
- g) Intended start date
- h) Information about specific learning needs or relevant medical conditions, only where you explicitly provide this with clear consent for us to support your child's learning.

2.3. Information related to Student's participation and progress:

- a) Attendance records for live online lessons.
- b) Progress notes, assignment completion, and teacher observations.
- c) Communications between Parents/Students and BIRS staff.

2.4. Automatically Collected Information (when you visit our website or use our platform):

- a) Technical information, such as your Internet Protocol (IP) address, browser type and version, time zone setting, operating system, and platform.
- b) Information about your visit, including the full Uniform Resource Locators (URL), clickstream to and from our site (including date and time), services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs).
- c) Cookies and similar technologies (Please see our separate **Cookie Policy** for more details).

2.5. Information from Third Parties:

- a) We may receive information about you or Your Child if You use **other distinct websites or services operated by eLearnSmart Ltd.** If this is the case, we will have informed You when we collected that data if we intend to share that data internally and

combine it with data collected on this site. We will also have told You for what purpose we will share and combine your data.

- b) We also work with third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers) and may receive information about You from them, which we will process in accordance with this Privacy Policy.

### 3. **How We Collect Your Information**

We collect personal data:

- a) Directly from you: When you fill in forms on our website (e.g., preliminary interest form, official enrolment application form), create an account, communicate with us by phone, email, or otherwise, or make payments.
- b) Automatically: As you navigate through our website or learning platform, information may be collected automatically using cookies and other tracking technologies.
- c) Through Student Participation: When Students attend lessons and interact with our educational services.

### 4. **Lawful Basis for Processing Personal Data (under UK GDPR)**

We will only process personal data where we have a lawful basis to do so. The lawful bases we rely on include:

- a) **Contract:** Processing your personal data is necessary for us to fulfil our contractual obligations to provide educational services to you and your Child (e.g., managing enrolment, delivering lessons, tracking progress, processing payments).
- b) **Consent:** We will rely on your explicit consent to:
  - Process any sensitive personal data you provide about your Child (e.g., specific learning needs, medical conditions).
  - Use your Child's photo or video in educational or promotional materials (where this consent is specifically sought and given optionally).
  - Send you marketing communications about BIRS news, offers, or new programmes. You can withdraw your consent at any time.
- c) **Legitimate Interests:** We may process personal data for our legitimate interests, such as improving our services, website administration, security, and for general operational and analytical purposes, provided that our interests are not overridden by your rights and interests or those of your Child.

- d) **Legal Obligation:** We may process personal data where necessary to comply with a legal or regulatory obligation to which we are subject (e.g., safeguarding obligations, financial record keeping).

## 5. **How We Use Your Personal Data**

We use the personal data we collect for the following purposes:

- a) To register you as a Parent and enrol your Child in BIRS.
- b) To create and manage your Parent account and your Child's student profile.
- c) To provide, administer, and deliver our online educational programmes and services.
- d) To manage attendance and track Student progress.
- e) To process tuition fee payments via our secure third-party payment processor (Stripe).
- f) To communicate with you regarding your Child's enrolment, progress, important school news, updates, and to provide support.
- g) To send you marketing communications about BIRS, where you have consented to receive them.
- h) To operate, maintain, and improve our website, learning platform, and services.
- i) To ensure the security of our systems and data.
- j) To comply with our legal and regulatory obligations, including safeguarding children.
- k) To respond to your enquiries and feedback.

## 6. **Data Sharing and Disclosure**

BIRS does not sell, trade, or rent personal data to third parties. We may share your personal data with trusted third parties only in the following circumstances and for the purposes described.

- 6.1. **Service Providers:** We may share personal data with third-party service providers who perform services on our behalf, such as:
- a) Payment processing (e.g., Stripe).
  - b) Learning Management System (LMS) platform providers (e.g., [Name Specific LMS if used, otherwise remove or state "our self-hosted platform components"]).
  - c) Email delivery services.
  - d) Website hosting and IT support providers.
  - e) Providers of specific educational tools or platforms integrated into our service (e.g., IXL).

These providers are contractually bound to protect your data and use it only for the purposes for which we disclose it to them.

- 6.2. **Legal and Regulatory Requirements:** We may disclose personal data if required to do so by law, court order, or in response to valid requests by public authorities (e.g., to meet safeguarding obligations, law enforcement).

6.3. **Business Transfers:** In the event of a merger, acquisition, or sale of all or a portion of our assets, personal data may be transferred as part of that transaction. We will notify you of any such change in ownership or control of your personal data.

6.4. **With Your Consent:** We may share your information with other third parties when we have your explicit consent to do so.

## 7. **International Data Transfers**

7.1. Your personal data is primarily stored and processed on servers located within the United Kingdom, including our website hosting with Hostinger. However, in providing our Services to you, we utilize certain third-party service providers and may have staff or contractors who access data from, or transfer data to, countries outside of the United Kingdom (UK) and the European Economic Area (EEA). These countries may not have data protection laws equivalent to those in the UK.

7.2. Specifically, we may transfer personal data to:

a) Service Providers in the United States of America (USA) or other non-UK/EEA countries for services such as:

- Email marketing and communication services.
- Cloud storage services.
- Video conferencing services.
- Website analytics services.
- Educational platform providers (e.g., IXL – *BIRS will verify specific data processing locations and safeguards for UK data with such providers*).

b) Our staff or contractors located outside the UK/EEA: For the purpose of providing teaching, support, or administrative services. Where we transfer personal data outside the UK to a country not deemed to provide an adequate level of data protection by the UK government, we will ensure that appropriate safeguards are in place to protect your personal data in accordance with UK GDPR requirements. These safeguards typically include:

- Relying on an Adequacy Decision by the UK Secretary of State where applicable.
- Implementing the UK's International Data Transfer Agreement (IDTA) or the UK Addendum to the EU Standard Contractual Clauses (SCCs) with the data importer.
- Where appropriate, we may also implement supplementary measures alongside these contractual clauses.

7.3. By using our Services and providing us with your personal data, you acknowledge that such transfers may occur.

7.4. We are committed to ensuring that all international data transfers are conducted securely and in compliance with applicable data protection laws.

- 7.5. If you would like further information about the specific safeguards used when transferring your personal data outside the UK, please contact us at [contact@thebirs.co.uk](mailto:contact@thebirs.co.uk).

## 8. **Data Security**

We have implemented appropriate technical and organisational security measures designed to protect your personal data from accidental loss and from unauthorized access, use, alteration, or disclosure. These measures include, but are not limited to:

- a) Secure Sockets Layer (SSL) technology for encrypting data transmitted online.
  - b) Password protection and hashing for user accounts.
  - c) Restricted access to personal data for our staff on a need-to-know basis.
  - d) Regular review of our information collection, storage, and processing practices.
- However, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your personal data, we cannot guarantee its absolute security.

## 9. **Data Retention**

- 9.1. We will only retain your personal data for as long as is necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements, and to manage our ongoing relationship with you.
- 9.2. Student academic and safeguarding records will generally be retained in line with UK statutory guidance for schools (e.g., typically for a period extending until the student reaches the age of 25 for safeguarding records, and often at least 7 years post-leaving for academic records, subject to specific record types).
- 9.3. Financial records will be kept for a minimum of 6 years after the end of the last company financial year they relate to, in accordance with UK tax regulations.
- 9.4. Data collected for marketing purposes will be retained until you withdraw your consent or request deletion.

## 10. **Your Data Protection Rights**

- 10.1. Under UK GDPR, you (and where applicable, Your Child through you) have several rights regarding your personal data. These include the right to:
  - a) **Access:** Request access to the personal data we hold about you and your Child.
  - b) **Rectification:** Request correction of inaccurate or incomplete personal data.
  - c) **Erasur**e (**‘Right to be Forgotten’**): Request deletion of personal data in certain circumstances.

- d) **Restrict Processing:** Request that we restrict the processing of personal data in certain circumstances.
- e) **Data Portability:** Request to receive your personal data in a structured, commonly used, and machine-readable format, and to have it transmitted to another controller.
- f) **Object to Processing:** Object to our processing of personal data where we are relying on legitimate interests as our lawful basis, or for direct marketing purposes.
- g) **Withdraw Consent:** Where we rely on your consent as the lawful basis for processing, you have the right to withdraw your consent at any time. This will not affect the lawfulness of processing based on consent before its withdrawal.

10.2. To exercise any of these rights, please contact us at [contact@thebirs.co.uk](mailto:contact@thebirs.co.uk). We may need to request specific information from you to help us confirm your identity.

10.3. You also have the right to lodge a complaint with the Information Commissioner's Office (ICO), the UK's supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)), if you believe that our processing of your personal data infringes applicable data protection laws.

## 11. Children's Privacy

11.1. Our services are directed at Students aged 7-16. Registration for our services must be completed by a Parent or legal guardian.

11.2. We collect personal information about Students as necessary to provide our educational Services, primarily under the lawful basis of fulfilling our contract with the Parent/Guardian, and to meet our legitimate interests as an educational provider and our legal obligations (such as safeguarding).

11.3. For any sensitive personal data (e.g., health information provided by you to support learning needs) or for specific uses such as identifiable photography/videography in promotional materials, we will obtain explicit parental consent prior to collection or use.

11.4. Parents/guardians have the right to review their Child's personal information held by BIRS, request its correction or deletion (subject to our legal obligations and data retention policies), and refuse to allow certain further collection or use of their Child's information by contacting us.

## 12. Cookies

Our website, <https://thebirs.co.uk/>, uses cookies. For detailed information on the cookies we use and the purposes for which we use them, please see our **Cookie Policy**.

### **13. Changes to This Privacy Policy**

- 13.1. We may update this Privacy Policy from time to time to reflect changes in our practices or for other operational, legal, or regulatory reasons.
- 13.2. Any changes will be posted on this page with an updated “Effective Date”.
- 13.3. We encourage you to review this Privacy Policy periodically to stay informed about how we are protecting your information.
- 13.4. For material changes, we may also notify you through other means, such as email.

### **14. Contacting Us**

If you have any questions about this Privacy Policy, our data protection practices, or your dealings with BIRS, please contact us at:

- a) eLearnSmart Ltd, T/A British International Remote School (BIRS)
- b) Email: [contact@thebirs.co.uk](mailto:contact@thebirs.co.uk)
- c) Address: 7 Bell Yard, London WC2A 2JR, United Kingdom