

## Personal Data Protection & Privacy Policy

To allow **Users** to access the **Service** (i.e. the platform and all associated features), the **Customer** (i.e. the party having purchased the Service) or **School** has to process certain personal data on them. In this Privacy Policy, the terms “**we/us/our**” relate to the Customer or School, as Data Controller, and the terms “**you/your**” relate to you, as a User of the Service.

The **Customer**, or else the School, is the **Data Controller** in respect of all personal data collected via the platform.

ODE is the **Data Processor** in connection with the Service. It processes data for the Data Controller.

To offer you the best possible user experience on the Service, ODE may also act as data controller in some cases, in accordance with the terms set out below.

This Privacy Policy explains how and why we collect and process personal data on Users.

### 1. Collection of personal data

We receive data from the School or other organizations that keep data on teachers, students and their families (such as the Ministry of Education, a local authority, a private education group, etc.) so that we can set up User accounts and keep all User and profile information up-to-date.

Users themselves may also provide us with certain personal data when using the platform and associated services. We may process the personal data provided by Users (title, surname, given name(s), date and place of birth, country of birth, photo, schoolwork, etc.) for the purposes set out below.

### 2. Types of personal data processed – Purposes of processing – Lawful basis

The types of personal data we process and the purpose of the processing will depend on your User profile:

Data subjects	Type of personal data	Purpose of processing	Retention period
<ul style="list-style-type: none"> <li>Teaching and non-teaching staff</li> <li>Students</li> <li>Parents/Guardians</li> <li>Guests</li> <li>Local authority or school network staff (where applicable)</li> </ul>	<p><input checked="" type="checkbox"/> Marital status, identity, identification data, images:</p> <ul style="list-style-type: none"> <li>Students: national student number (in countries where this applies) or other identification number, title, surname, given name, date of birth and (if provided) postal address, telephone number, email address</li> <li>Parents/Guardians: title, surname, given name, date of birth, identification number and (if provided) postal address, telephone number, email address</li> <li>Teaching and non-teaching staff: title, surname, given name, date of birth, identification number and (if provided) postal address, telephone number, email address</li> <li>Local authority/School network staff: title, surname, given name, identification number and (if provided) date of birth, postal address, telephone number, email address</li> <li>Guests: title, surname, given name, identification number and (if provided) date of</li> </ul>	<ul style="list-style-type: none"> <li>Populating the platform with school, class and account information</li> <li>Pre-deleting accounts</li> <li>Deleting accounts and destroying all account data</li> </ul>	<ul style="list-style-type: none"> <li>Data are updated at the beginning of each school year</li> <li>Data are deleted within three months when the data subject is no longer entitled to an account</li> <li>Messages posted in public spaces and files saved in publication/private spaces are kept (unless the User in question objects to this when closing their account) purely for information, educational or scientific purposes, in</li> </ul>

	<p>birth, postal address, telephone number, email address</p> <p><input checked="" type="checkbox"/> Personal information:</p> <ul style="list-style-type: none"> <li>• Students: identity of parents/guardians</li> <li>• Parents/Guardians: identity of students in their care</li> </ul> <p><input checked="" type="checkbox"/> School information:</p> <ul style="list-style-type: none"> <li>• Teaching and non-teaching staff: school of employment, subject and year group(s)/class(es) taught, duties</li> <li>• Students: school attended, current year group, day student or boarder, lunch arrangements (at school/at home), subjects studied</li> </ul>		<p>accordance with the EU's General Data Protection Regulation (GDPR)</p>
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Data subjects	Type of personal data	Purpose of processing	Retention period
<ul style="list-style-type: none"> <li>• Teaching and non-teaching staff</li> <li>• Students</li> <li>• Parents/Guardians</li> <li>• Guests</li> <li>• Local authority or school network staff (where applicable)</li> </ul>	<p><input checked="" type="checkbox"/> Marital status, identity, identification data, images:</p> <ul style="list-style-type: none"> <li>• Students: title, surname, given name, date of birth, identification number</li> <li>• Parents/Guardians: title, surname, given name, date of birth, identification number</li> <li>• Teaching and non-teaching staff: title, surname, given name, date of birth, identification number</li> <li>• Local authority staff: title, surname, given name, identification number and (if provided) date of birth</li> <li>• Guests: title, surname, given name, identification number and (if provided) date of birth</li> </ul> <p><input checked="" type="checkbox"/> Personal information:</p> <ul style="list-style-type: none"> <li>• Students: identity of parents/guardians</li> <li>• Parents/Guardians: identity of students in their care</li> </ul> <p><input checked="" type="checkbox"/> School information:</p> <ul style="list-style-type: none"> <li>• Teaching and non-teaching staff: school of employment, subject and year group(s)/class(es) taught, duties</li> <li>• Students: school attended, current year group, subjects studied</li> </ul> <p><input checked="" type="checkbox"/> Connection data:</p> <ul style="list-style-type: none"> <li>• Connection data: IP address, username, activity (traceability)</li> </ul> <p><input checked="" type="checkbox"/> Internet data:</p> <ul style="list-style-type: none"> <li>• Authentication cookies, platform use indicators and browsing patterns</li> </ul>	<ul style="list-style-type: none"> <li>• Authenticating accounts</li> <li>• Providing the school community with a range of educational and development content, administrative information, information on the school's general running and day-to-day matters, class information and online documentation, with access configured according to each User's individual rights</li> <li>• Providing statistics to monitor use of the various services offered</li> <li>• Granting access to the Library (for teachers) and allowing Users to upload/download shared content</li> <li>• Sending out information, satisfaction/needs assessment surveys, newsletters and service notifications</li> </ul>	<ul style="list-style-type: none"> <li>• Data are updated at the beginning of each school year</li> <li>• Data are deleted within three months when the data subject is no longer entitled to an account</li> <li>• Messages posted in public spaces and files saved in publication/private spaces are kept (unless the User in question objects to this when closing their account) purely for information, educational or scientific purposes, in accordance with the EU's General Data Protection Regulation (GDPR)</li> </ul>

We have balanced our legitimate interest in processing your personal data against the associated privacy risk and do not deem the processing to be excessive or overly intrusive. Together with the Data Processor, we have taken steps to protect your rights, in particular defining appropriate retention periods and integrating security measures.

### **3. If you do not want us to process your personal data**

Certain data are required, such as your surname, given name and date of birth. The corresponding fields are marked as mandatory in the data collection forms. If you do not provide these data, you will not be able to use the Service.

All other data (such as your telephone number, for example) are optional. If you do not provide the optional data, you will still be able to use the Service, but may be denied access to certain features.

### **4. Who has access to your personal data**

We share the personal data you provide with the parties listed below.

We share personal data on Users with ODE – the Service’s hosting provider – for the purposes of the Service’s operation. ODE processes your personal data solely as instructed by us and as strictly necessary in order to provide the Service.

All personal data collected and processed in connection with the Service are hosted by OVH in data centres located in France (Roubaux and Strasbourg). OVH’s security measures ensure that your data are kept safe at all times.

Your personal data may also be shared with the following parties:

- Student Users: personal and school-related information;
- Student representatives: information on School matters;
- Parents/Guardians: school-related information relevant to the students in their care;
- Parent governors: information on School matters;
- Teaching staff: academic information on their students;
- Non-teaching staff (e.g. Admins – teachers or members of the Customer’s staff with extended user rights, responsible for configuring User accounts/rights): data required for them to perform their duties;
- Outside personnel: information relating to the academic or extracurricular activities in which they are involved, as arranged with the person in charge at the School;
- Public or private authorities: in connection with the pre-enrolment process or municipal activities;
- Parent-teacher associations and members of the School’s board(s): as relevant to their duties;
- The Education Minister: only information necessary to the ‘resource access manager’ data processing.

Your User profile determines the data to which you have access: Users can only access data intended for them and necessary for them to fulfil their role at the School.

Other than as set out above, we will not in any circumstances share, sell or lease your personal data to any third party without first informing you and/or obtaining your consent, unless we are required to do so by law or in response to a legitimate request from the courts or a competent administrative authority.

If your School is located within the European Union, the personal data collected on you in connection with the Service will remain within the European Economic Area.

## 5. Retention period

We update all personal data on Users at the beginning of each school year.

When we close your User account (whether at your request or due to you having completed your primary or secondary education, moving to a new School or having withdrawn your agreement to the Terms of Use), we will delete all personal data we have on you within 90 days.

For information, educational or scientific purposes, we may keep messages/files posted in community areas or saved in personal storage/publication areas, in accordance with Article 36 of the French Act of 6 January 1978 as amended (i.e. the French Data Protection Act). If you do not wish us to keep any such messages or files, you must indicate this when we close your account (whether at your request or in any of the other situations indicated above).

## 6. Your rights in relation to the processing of your personal data

You have certain rights in connection with the processing and use of your personal data. These rights – detailed below – are not absolute: they are each subject to certain conditions under the GDPR and the applicable domestic law.

- **Access:** you are entitled to confirmation from us as to whether or not we are processing personal data on you. You can also request further information on how we process your personal data (similar to the information given in this Privacy Policy). Your right of access to your personal data includes the right to request a copy of all personal data we keep on you. We can, however, deny any such request if providing you with a copy of your personal data would require us to disclose personal data on another person or otherwise adversely affect another person's rights.
- **Rectification:** you can ask us to correct any inaccurate or incomplete personal data we have on you (for example, if there is a mistake in your name or address).
- **Erasure ('right to be forgotten'):** you can ask us to erase or delete your personal data when, for example, we no longer have any overriding reason to keep them or when it would be unlawful for us to process them. There are, however, some exceptions to this right – for example if we need your personal data in order to defend a legal claim or comply with a legal obligation.
- **Restriction:** if you have asked us to correct any personal data we have on you, you can request that we restrict or cease further use of your personal data pending our verification of their accuracy. You can also request restriction of processing as an alternative to erasure. If your request for restriction is justified, we will still be able to keep your personal data, but will no longer be able to use them in any other way.
- **Portability:** you are entitled to receive the personal data that we have processed on you, to reuse them for your own purposes and to transfer them to any other data controllers. This right only applies to the personal data you yourself have provided us with and that we process by automated means with your consent or for the purposes of performing our contract. If you exercise this right, we will provide you with a copy of your data in a structured, commonly used and machine-readable format or (where technically feasible) transfer your data directly to another data controller if requested.
- **Objection:** you can object to any processing we carry out for our own legitimate interests on grounds relating to your personal situation at any time. We may, however, continue to process your personal data if such processing is justified on compelling legitimate grounds that override your own interests, rights and freedoms or if the data concerned are essential to the School or to the exercise or defence of any legal claims.

- **Withdrawal of consent:** when we process personal data on you based on your consent, you can withdraw your consent at any time. This will not, however, affect the lawfulness of any processing carried out prior to your decision to withdraw consent.
- **Instructions on use of your personal data after your death:** if you wish, you can provide us with instructions on how we should handle your data after your death (e.g. retention, erasure or disclosure). You can amend or revoke these instructions at any time.

If you would like more information about your rights, or wish to exercise a right or lodge a complaint, please contact us.

We will review all requests and complaints and respond appropriately within the timeframes stipulated by law. Please note, however, that we may not be able to grant certain requests, in particular if the processing of your personal data is essential to our own legitimate interests or for us to comply with a legal obligation.

Access to your personal data (as well as the exercise of your other rights) is free of charge, unless your request is manifestly unfounded or excessive, in which case we may charge a reasonable fee. We can also deny any manifestly unfounded or excessive request.

We may ask you for further information in order to confirm your identity and protect your right to access your personal data (or exercise any other right). These security measures are designed to ensure that we do not release your personal data to anyone other than you.

If you are dissatisfied with our response to a request or if you feel that our processing of your personal data is in breach of the applicable data protection laws, you can lodge a complaint with the competent data protection authority (in France, this is the *Commission Nationale de l'Informatique et des Libertés* (CNIL)).

## 7. Security of your personal data

We undertake to protect all personal data collected through the Service against loss, misuse, disclosure, alteration, unavailability, destruction and unauthorized access, and take all reasonable precautions to keep all such personal data confidential, including appropriate organizational and technical measures.

In particular, we warrant that the Data Processor has implemented adequate technical and organizational measures to keep all personal data collected via the Service and hosted by the Data Processor safe and to prevent any unauthorized access to or use of such data.

Although we make every effort to protect the personal data provided in connection with the Service, sending information over the internet always entails a certain level of risk. You acknowledge and accept that sending personal data over the internet can never be 100% secure, and that you are responsible for taking all necessary precautions to protect your personal data when doing so. We particularly draw parents' attention to use of the Service by students in their care. We recommend explaining to students the risks involved in using the internet and the steps they should take to protect their privacy online.

You must keep your password for the Service confidential. Passwords are strictly personal and must not be disclosed.

We and the Data Processor have put in place a number of measures and procedures designed to detect and deal with any suspected data breaches, with a view to containing the repercussions as far as possible. If we suspect a data breach, and when required to do so by law, we shall promptly inform you and notify the competent supervisory authorities.

## **8. Third-party services**

The Service includes access to certain services provided and operated by third parties. This Privacy Policy applies solely to the personal data that we collect ourselves (or ask third parties to collect on our behalf). We perform reasonable checks on the third-party services available via the Service, but cannot be held liable for the way in which the third parties offering these services process the personal data they collect and keep on you. All third-party services have their own terms of use and privacy policies. We recommend that you review all such terms and policies to make sure that you are happy with them. Parents and teachers should ensure that any third-party providers of services used by their students undertake to respect their students' rights and privacy.

## **9. Data Protection Officer**

We have appointed a Data Protection Officer to monitor compliance with this Privacy Policy.

## **10. Changes to this Privacy Policy**

We reserve the right to update this Privacy Policy at any time. We recommend that you review it on a regular basis to keep abreast of the latest updates. In addition, we may from time to time inform you, by any means, of certain changes to the way in which we process your personal data.