

# PRIVACY POLICY – LGfL Adobe Creative Cloud Offering

## OVERVIEW

**Our Intent.** The purpose of the service offered through LGfL is provide schools with access to the full suite of Adobe Creative Cloud software and access to Adobe Spark to support learning (**Service**) and we will only use the information we collect about your school lawfully to allow schools to access and administer the Service.

**Changes to Data Protection Legislation.** The European Union’s General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 (DPA 2018), has introduced significant and enhanced rights for Data Subjects. This Privacy Notice seeks to outline these rights and also the way personal data is processed so that Data Subjects (you) have transparency.

**Data Subject’s Privacy Notice.** This Privacy Notice should be read by Data Subjects, i.e. “you,” or any identifiable person using the Adobe Creative Cloud and Adobe Spark Service.

**The Data Controller.** LGfL and Adobe provide Adobe for LGfL client schools as their Data Processor. This Privacy Notice is intended to provide an overview of how LGfL manages personal data to set up and administer the Service. Our contact details are:

- Email: [dataprotectionenquiries@lgfl.net](mailto:dataprotectionenquiries@lgfl.net)
- Mail: 9th Floor, 10 Exchange Square, Primrose Street, London, EC2A 2BR.

Information on Adobe’s privacy policy is available at <https://www.adobe.com/privacy/policy.html>

**Data Protection Officer (DPO).** LGfL’s DPO can be reached at [dataprotectionenquiries@lgfl.net](mailto:dataprotectionenquiries@lgfl.net). The LGfL DPO fulfils a number of roles, one of which is to be your primary and independent point of contact for privacy enquiries. If you wish to contact the LGfL DPO, please email or send a letter to the DPO at contact details above.

**Purpose of Processing Personal Data.** The user administration for the Services is the responsibility of individual Data Controllers (schools) and their users. LGfL will support schools with access to the Services and, by doing so, may process user data on behalf of the school.

**Lawful Basis of Processing Personal Data When Visiting This Website.** The lawful basis for processing of the personal data for this Service is that processing is necessary for performance of a contract for which you are the beneficiary and that processing is necessary for compliance with a legal obligation set out in the agreement between LGfL and the school.

**Categories of Personal Data Processed by LGfL.** In order to enable access to the service, LGfL will collect and process the following data:

- Email address
- First Name (optional)

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- Last Name (optional)
- Name of School

The school unique identifier (DfE, LAESTAB, SEED or IRN code) is only collected to ensure there are no duplicate entries and to know what region your school is located in.

**Data Processing.** LGfL will use the data provided by you or your school to set up access to the Adobe Administration console, including the uploading of all school users to enable the allocation of licenses.

**Transfer of Personal Data Outside the EEA (European Economic Area).** LGfL are using the Google for Education Suite forms platform to allow schools to request access to the Adobe offering. LGfL and Schools will use the Adobe administration console to administer their users and the allocation of licenses. All personal data will be collected and managed within the EEA and transferred to the USA under the EU/US Privacy Shield agreement. All statistical analysis will be conducted on downloaded files on specific UK based computers and servers.

**Sensitive Personal Data.** Sensitive Personal Data, First and Last name of staff and pupils, is only processed by LGfL if the schools include it the user details to be uploaded to Adobe Administration console, it is not required to provide access to the service.

**Sale or Passing of Personal Data to Third Parties.** We will not sell or pass your personal data to any company, other than those described above. However, to support Safeguarding or Law Enforcement investigation, LGfL may be required to pass personal data outside of normal processes, for very specific and limited purposes.

**Retention of Personal Data.** Adobe service request data will be retained while the school is an active LGfL customer consuming the service, data will be deleted upon termination of Adobe service. LGfL will retain user data for 6 months after the user details have been processed and then securely dispose of it.

**Data Subject's Rights.** Under data protection legislation you have a number of Rights which we have outlined below:

- **Right of Access.** You are entitled to access your personal data so that you are aware of and can verify the lawfulness of the processing. This is best achieved by submitting a Subject Access Request (SAR). In summary, you have the right to obtain:
  - Confirmation that your data is being processed;
  - Access to your personal data (a copy); and
  - Other supplementary information, which corresponds to the information in this Privacy Notice.

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**Fees and Timings.** This information will be provided to you without charge, without delay and within one month of your request (or the date we have confirmed your right to receive the information if necessary). If an extension is required you will be informed of this. If requests are considered manifestly unfounded or excessive, in particular because they are repetitive, LGfL may choose to:

- Charge a reasonable fee taking into account the administrative costs of providing the information; or
- Refuse to respond.

The reasons for this will be formally notified to you and your rights to appeal to the appropriate Supervisory Authority, i.e. UK Information Commissioner's Office (ICO) <https://ico.org.uk> will be highlighted.

**Identify Verification.** To protect your personal data, LGfL will seek to verify your identity before releasing any information, which will normally be in electronic format.

- **Right of Rectification.** You are entitled to have personal data rectified if it is inaccurate or incomplete. If any data held about you is inaccurate or incomplete, LGfL will respond within one month of your request. In the unlikely event LGfL does not act on the request for rectification, LGfL will inform you of your rights to complain or seek judicial remedy.
- **Right of Erasure.** You may request the deletion or removal of personal data where there is no compelling reason for its continued processing. The Right to Erasure does not provide an absolute '*right to be forgotten*.' However, you do have a right to have personal data erased and to prevent processing in specific circumstances:
  - Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed;
  - When you withdraw consent (and this is the basis of processing);
  - When you object to the processing and there is no overriding legitimate interest for continuing the processing;
  - The personal data was unlawfully processed;
  - The personal data has to be erased in order to comply with a legal obligation; and
  - The personal data is processed in relation to the offer of information society services to a child.
- **Right to Restrict Processing.** When processing is restricted, LGfL are permitted to store the personal data, but not further process it. In this event exactly what is held and why will be explained to you by LGfL.
- **Right to Data Portability.** You may request to obtain and reuse your personal data for your own purposes across different services. This allows you to move, copy or transfer personal data easily from one IT environment to

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another in a safe and secure way, without hindrance to usability. The Right to Data Portability only applies:

- To personal data you have provided to LGfL;
- Where the processing is based on your consent or for the performance of a contract; and
- When processing is carried out by automated means.

In these circumstances LGfL will provide a copy of your data to you in CSV format free of charge, without undue delay and within one month. If there is a delay to this, you will be informed by LGfL.

- **Right to Object.** You have the Right to Object to:
  - Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
  - Direct marketing (including profiling); and
  - Processing for purposes of scientific/historical research and statistics.
- **Automated Decision Making and Profiling.** LGfL do not employ any automated decision-making or conduct profiling of Data Subjects.

**Cookies.** The cookies we use on our website are described as below:

- **Strictly Necessary Cookies.** These are cookies that allow you to use different parts of our website. Without them different features that you have requested cannot be provided. These are usually set in response to an action performed by the user like clicking on a link or failing to enter the correct password to your account.
- **Functional Cookies.** These help us to make your experience within our website more personal. For instance, knowing if you have been on the website before so that messages for new visitors are not displayed to you.
- **First Party Cookies.** These are cookies that are set by our website. And only we can read them.
- **Session Cookies.** These are stored while you browse our website and then deleted once you leave.
- **Persistent Cookies.** These are saved on your computer and won't be deleted when you close the web page. We use these to provide functionality like keeping you logged in when you come back to our website.
- **Performance Cookies.** These help us to track how people are using our website. They help us to know what pages people are using most and how users navigate around the website, we use this information to make informed decision about how we can improve the user experience of our website. The information we get using these cookies is completely anonymous and we will

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make no attempt to identify you or influence your experience of our website while you are on it.

To find out more about the type of cookies Google forms use, please visit this link - <https://policies.google.com/technologies/types?hl=en>

**How Do We Use Your Data?** We use the data that we collect about you for the following purposes:

- To provide services related to your Adobe account
- To communicate with you about the use of your Adobe account
- To respond to any enquiries that you submit to us
- To set up and administer the Adobe Creative Cloud and Spark service for schools