

PRIVACY NOTICE – LGfL StaffMail

OVERVIEW

Our Intent. We are committed to safeguarding the privacy of users of our services.

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, including users of this service. This Privacy Notice seeks to outline these rights and also the way personal data is processed by StaffMail, 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 London Grid for Learning (LGfL) StaffMail Service.

The Data Controllers. Schools (including nurseries and colleges), act as the Data Controllers for StaffMail. They are the organisations that decide the purpose and means of processing. The Data Controllers are responsible for, and own all of the data that resides within the individual StaffMail mailboxes for their school.

The Data Processor. LGfL and their sub-processor Atomwide provides StaffMail for LGfL client schools as their Data Processor. This Privacy Notice is intended to provide an overview of how LGfL, supported by Atomwide, manages personal data used in StaffMail. LGfL’s contact details are:

- Email: dataprotectionenquiries@LGfL.net
- Mail: 9th Floor, 10 Exchange Square, Primrose Street, London, EC2A 2BR.

Data Protection Officer (DPO). Your school will have a DPO who should be your first point of contact for data related queries as they are the Data Controller. LGfL have also appointed a DPO who can be reached at dataprotectionenquiries@LGfL.net. The LGfL DPO fulfils a number of roles, one of which is to be the primary and independent point of contact for Data Subjects, namely you. The preferred mechanism for Data Subjects to raise concerns regarding the processing of their personal data by LGfL is to contact your school as they are the Data Controller. If you wish to contact LGfL, please email or send a letter to our contact details above, at which point the enquiry will be forwarded to the DPO of the respective Data Controller.

Purpose of Processing Personal Data When Using StaffMail. The policies for all content produced and used within StaffMail is the responsibility of individual Data Controllers (schools) and their users.

Lawful Basis of Processing Personal Data When Using LGfL Services. The lawful basis of processing your personal data when using StaffMail is *“processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.”*

Categories of Personal Data Processed by LGfL. The information within StaffMail should be within the policy of individual Data Controllers and is the responsibility of their users. However, StaffMail will as a matter of routine process the following personal data:

- Username;
- Password; and
- Any personal data of any individual contained within relevant email, calendar event, or contact.

Category of Recipients of Personal Data. LGfL acts as a Data Processor under the instruction of the Data Controllers, i.e. individual schools, to enable them to deliver educational services. Data is shared with them in accordance with their requirements.

Transfer of Personal Data Outside the EEA (European Economic Area). StaffMail is only processed using UK based servers.

Sensitive Personal Data. We will never collect sensitive personal data about you without your explicit consent or under the relevant lawful purpose. However, individual users may include sensitive personal data in emails, or in calendar events for medical appointments, etc. However, individual Data Controllers, may collect sensitive personal data in the content of their StaffMail emails as part of their internal processes and will be responsible for managing this process.

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

Retention of Personal Data within StaffMail. Individual Data Controllers should set their own retention policies for StaffMail. The Deleted Items folder will store items for 22 days so that they can be easily recovered after they have been deleted from the mailbox. There is also a MailArchive, managed by Atomwide, that will retain emails for the current academic year plus the previous academic year which serves two purposes:

1. To enable users to retrieve emails, without IT support, that have been deleted by mistake and are no longer in the Deleted Items folder; and
2. For schools (Data Controllers) to evidence that an email has been sent from a StaffMail mailbox.

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. Equally, other people mentioned in individual messages, also known as 'mixed mail' i.e. parents, pupils or colleagues, in StaffMail can request access to the emails,

calendar events, etc within StaffMail. This is best achieved through submitting a Subject Access Request (SAR) to the Data Controller, which is your school. LGfL and Atomwide will support the relevant Data Controller. If a Data Controller of an LGfL system requires any assistance, please log this via the LGfL Support Site at support.LGfL.net. In summary, Data Subject's (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.

Fees and Timings. This information will be provided to you without charge; without delay and within one month. If an extension is required you will be informed of this by the Data Controller. If requests are considered manifestly unfounded or excessive, in particular because they are repetitive, Data Controllers 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, the Data Controller, or LGfL and Atomwide on their instruction, 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, the Data Controller (your school), supported by LGfL and Atomwide, will respond within one month of your request. In the unlikely event the respective Data Controller does not act on the request for rectification, they should 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. However, you should note LGfL provide educational services to Data Controllers which may not be considered information society services, i.e. social media.
- **Right to Restrict Processing.** When processing is restricted, LGfL and its sub processor Atomwide, upon instruction from the respective Data Controller, 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 the Data Controller.
- **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 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, supported by their sub processor Atomwide, under the instruction of the Data Controller, will provide a copy of your data to the Data Controller 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 the Data Controller.

- **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 and its sub processor Atomwide, do not employ any automated decision-making or conduct profiling of Data Subjects.

Cookies. This section outlines the type of cookies we apply to StaffMail when access your mailbox from Outlook Web Access (OWA). By using OWA, you agree your personal information will be handled as described in this Privacy Notice. The cookies we may use on OWA 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 OWA more personal. For instance, knowing if you have been to OWA before so that messages for new visitors are not displayed to you.
- **First Party Cookies.** These are cookies that are set by OWA and only we can read them.
- **Session Cookies.** These are stored while you use OWA 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 OWA.
- **Performance Cookies.** These help us to track how people are using OWA. They help us to know what pages people are using most and how users navigate around OWA, we use this information to make informed decision about how we can improve the user experience of our site. The information we get using these cookies is completely anonymous and we will make no attempt to identify you or influence your experience of OWA while you are on it.

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 Account;
- To communicate with you about your use of StaffMail, your Account and/or Services we offer or make available through StaffMail;
- To respond to any enquiries that you submit to us;
- To operate and improve StaffMail; and
- To better understand how users access, use our StaffMail and their Accounts, both on an aggregated and individualised basis, for the purposes of improving StaffMail.