

## DATA PROTECTION STATEMENT

This document was updated on: 23<sup>rd</sup> November 2020

This document will be reviewed on or before: 23<sup>rd</sup> May 2021

### Contact Details

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New Media Learning Ltd was formed in 2002 and has many years' experience of developing computer software for schools. New Media Learning Ltd is a company registered in England with company number: 4373179.

New Media Learning Ltd is registered with the Information Commissioners Office with ref no: Z9896584

The EU General Data Protection Regulation (GDPR) is a significant piece of European legislation which came into force in 2018. It builds on existing data protection laws, strengthening the rights that EU individuals have over their personal data, and creating a single data protection approach across Europe.

### How will New Media Learning Ltd comply with the GDPR?

New Media Learning Ltd is reviewing all the internal processes, procedures, data systems and documentation to ensure that we will be compliant with the GDPR.

Our GDPR Principles are:

- Data is processed fairly and lawfully
- Data is processed only for specified and lawful purposes
- Processed data is adequate, relevant and not excessive
- Processed data is accurate and, where necessary, kept up to date
- Data is not kept longer than necessary
- Data is processed in accordance with an individual's consent and rights
- Data is kept secure
- Data is not transferred to countries outside of the European Economic Area ('EEA') without adequate Protection

## Section 1: Collecting Personal Data from Individuals

### What personal information do we collect?

1. New Media Learning Ltd. collects contact information (“Subscription Details”) which schools voluntarily provide to us when they place an order for a licence for our products. This information is limited to:

- Name of institution
- Address of institution
- Contact name
- Job title
- Email address

The purposes of the processing: Order Processing

The lawful basis for the processing: Contract

New Media Learning Ltd holds this information on file for the duration of the licence period plus three years, as is necessary for accounting purposes. After this time, this information is then deleted.

2. A school may also choose to provide a name and email address for a finance contact person, the data manager, and any persons who wish to receive our newsletter.

The purposes of the processing: Order Processing and Marketing

The lawful basis for the processing: Consent

New Media Learning Ltd holds this information on file for the duration of the licence period plus three years, as is necessary for accounting purposes. After this time, this information is then deleted.

3. When users require support for the use of the Software, they may choose to provide contact details and a description of their issue into our support systems, via phone, email, live chat and ticketing. We describe how we use this information in more detail the next section.

The purposes of the processing: To provide support to the user

The lawful basis for the processing: Consent

New Media Learning Ltd holds this information on file for the duration of the licence period, plus 12 months. We may choose to make an anonymised record of the issue described which may be held in our Knowledgebase indefinitely, for the purpose of informing other users about the issue and how to respond to it.

4. Our business as a company is to sell software to schools which allows a school to store sensitive information within the software. However, New Media Learning Ltd, under normal circumstances, does not have access to the information which a school may decide to enter into the Software. The Software and the information which schools might enter into it resides on the school’s network and remains under the control of those persons whom the school nominates as administrators of the system. It will be for schools themselves to ensure that their procedures and policies with respect to this data meet the requirements of the GDPR.

## How do we use personal information?

New Media Learning uses the Subscription Details provided voluntarily to us to contact the named person(s) in the school to inform them when their licence is activated, needs renewing, or when an update has been prepared, or to send a newsletter if the school has opted for this.

No personal or contact information will be passed on to any other person or organization without the permission of that person, or unless we are required by law. An exception to this is that we are sometimes asked by schools to supply the names of other schools in their area which use the Software. It is our policy to provide a list of schools with a similar postcode at our discretion, but not to pass on contact details. We ask potential users to note established courtesies should they wish to make an approach to another school.

Banking information details made available to us during the course of a purchase will be kept confidential by us and not passed on to any other person or organisation. This information is regarded as restricted and it can only be accessed by persons within the Company authorised to process such information.

Your subscription details are kept on file for the duration of the Licence. On termination of the Licence we will continue to store this information for a period of three years for accounting purposes. Once this time has elapsed the contact details will be erased from our systems. We will however keep a record on file for as long as we require of the fact that your Institution had held a licence for the Software. This record will not contain any information other than the name of the Institution and the dates of the Licence Period.

Invoices issued by us to you are kept on file for period of three years from the end of the Licence period to meet accounting requirements. At all times your information will remain confidential.

When users require support for the use of the Software, they may choose to provide contact details and a description of their issue into one of the channels we use for support. We will keep a record of exchanges of information, including contact details, for the duration of the licence period plus 12 months. This information is stored against the Institution's account in our system for administration purposes. After this time we may choose to delete this information, or to make an anonymised record of the issue described which may be held in our Knowledgebase for the purpose of informing other users about the issue and how to respond to it.

Users of the Software may enter information into the Software which falls into the category of 'sensitive' information. Sensitive data may include information about the pupils of an Institution, or information about the employees of the Institution.

The Software maintains the confidentiality of this data by requiring users to log into the Software using identifying information supplied by the school to its employees. The Software runs across a school network and operates within the security provided by the school's policy and practice regarding information held on the school network.

Associates, employees and contractors of New Media Learning Ltd do not have access to the sensitive data which resides inside the Software when it is in use within an Institution. Under most circumstances there will be no occasion or need for our associates or employees to view a school's data. There are possible exceptions to this. A school may request our technical staff to view a school's computer screen in order to find a solution to a technical problem; or an associate might incidentally view a school's data when providing training for an Institution. In exceptional circumstances when we cannot resolve a technical issue via remote support an Institution may provide us with a copy of their database to test. The database will be received by us in an encrypted

form. The database will only be used for the testing period and then erased from our system. Our policy in such situations is:

a. when a school sends data to us for testing we will request that all references to personal information are first anonymised, and;

b. if we need to investigate a fault requiring a complete database we will ensure that it is sent to us encrypted. It is our policy not to view the data in investigating a fault in a database beyond that which is necessary to find and repair the fault, and;

c. to erase all data which is the property of an institution once a fault has been found and repaired, and;

d. to disregard all data that we may view on screen in the course of training or in the course of providing support or while investigating faults.

Users of the Software may disclose information to us during the course of our work which may fall into the category of 'sensitive' information. Sensitive data may include information about the pupils of an Institution, or information about the employees of the Institution. Information deemed as 'sensitive' will be disregarded and no record will be made of it.

We provide technical support to users of the Software by responding to information about technical issues which users notify us about. Information about the technical issue which is the subject of each enquiry may be anonymised, summarised and added to our Knowledgebase so that other users of the Software can read and benefit from this information.

### **Where do we store your personal data?**

The Subscription Details that we collect are stored in our secure company database under password control. It is only accessible to authorised personnel to fulfil our obligations under the licence. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with our data protection policy.

### **Personal data and your rights**

You have a number of rights surrounding your information that we hold. These rights include access to your data, having inaccuracies corrected, and having information erased. If you wish to exercise any of these rights as an authorised representative of your school, please contact us using this email address: [info@4matrix.com](mailto:info@4matrix.com)

## Section 2: Collecting Personal Data from Another Source

### Which other sources do we collect data from?

New Media Learning Ltd. may occasionally collect information from other sources, including:

- Other software suppliers in the education sector (such as MIS)
- The Department for Education (DfE)
- Schools
- Multi-Academy Trusts (MATs)

### What personal information do we collect?

This will vary depending on the source.

1. **In the case of other software suppliers**, we will occasionally seek to obtain a list of Institution names ONLY. No personal information is collected. The aims of this exercise are to collect and pin-point shared Institutions, to understand product preference and discuss co-promotion opportunities with the supplier.

The purposes of the processing: Administration

The lawful basis for the processing: Legitimate Interests

This data is kept on file in accordance with our Personal Data policy in Section 1, as it is stored against an Institution's account with us.

2. **In the case of the DfE;**

2a) We will occasionally seek to obtain an up-to-date list of official Institution names and addresses. This information is publicly accessible. This is for accounting purposes to assist us in updating and completing the Institution details we hold on file.

The purposes of the processing: Administration

The lawful basis for the processing: Contract

2b) We will occasionally seek to access specific, anonymised datasets in the National Pupil Database. This information is available on application only and may contain information which is deemed sensitive. Access to this data may be granted to a nominated member of our team (the Data Researcher) under controlled supervision. We require access to this data to generate a set of anonymised, holistic, national performance averages for use in The Software, which also matches the pupil characteristic comparisons published by the DfE each year.

The data that we request access to may contain the following fields which are deemed sensitive, per pupil:

KS4\_GENDER

KS4\_FSM6CLA1A (determines Disadvantaged status)

KS4\_FSM (determines FSM status)

KS4\_FSM6\_P (determines FSM Ever6 status)

KS4\_SENF (determines SEN status)

KS4\_FLANG (determines EAL status)

The purposes of the processing: Data research; comparative data for Users

The lawful basis for the processing: Legitimate Interests

3. **In the case of Schools**, we will occasionally seek to obtain anonymised exam results data through our own data collaboration exercise; Share and Compare.

This is an opt-in service. The aim of this exercise is to collect anonymised data from schools to generate a set of anonymised, holistic, national performance averages for use in The Software for comparative purposes. The data is anonymised at the point of upload from the Institution's network to our own database. A record is kept per pupil, but no unique identifying information remains.

The fields which are collected as part of this exercise include:

Institution Name

Institution Point of Contact Name

Institution Point of Contact Email Address

Pupil Gender

Pupil FSM Status

Pupil Pupil Premium Status

Pupil Subject Outcomes

Pupil KS2 Average Point Score

The purposes of the processing: Data research; comparative data for Users

The lawful basis for the processing: Legitimate Interests

The raw data (as it is provided from schools) is kept on file for 1 year from submission and then deleted. The processed average data is kept on file indefinitely and is made available in The Software for the mutual benefit of Users.

4. **In the case of MATs**, we may occasionally seek to obtain direct contact details for one or more of the Institutions which form part of the MAT. This will generally be required for the purpose of providing user support.

The purposes of the processing: User Support and Administration

The lawful basis for the processing: Legitimate Interests

This data is kept on file in accordance with our Personal Data policy in Section 1, as it is stored against an Institution's account with us.

### **The right to lodge a complaint with a supervisory authority**

Individuals have the right to raise a complaint with the supervisory authority in the Member State where they live, where they work, or where the infringement took place.

You can complain to the ICO directly at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113

Fax: 01625 524510