

VERSION 1.1

JANUARY 1, 2018

ORCHARD DIGITAL LTD - DATA PROTECTION POLICY

GDPR COMPLIANT

OBJECTIVE

Orchard Digital Ltd ('us, 'we, or 'our) is an e-learning resource company that operates Spag.com (the 'Site').

This page explains our privacy and security commitments in plain language.

This Policy sets out the obligations of Orchard Digital Ltd regarding data protection and the rights of students, teachers, school administrators and parents (collectively, Registrants) in respect of their personal data under the General Data Protection Regulation ('the Regulation').

Orchard Digital Ltd is committed to protecting the safety and security of our registered users and we are sensitive to our Registrant's concerns about the safety of the personal information provided to us.

Orchard Digital Ltd is committed to complying with privacy and data protection laws including:

1. the General Data Protection Regulation ('the GDPR') and any related legislation which applies in the UK, including, without limitation, any legislation derived from the Data Protection Bill 2017;
2. the Privacy and Electronic Communications Regulations (2003) and any successor or related legislation, including without limitation, E-Privacy Regulation 2017/0003; and
3. all other applicable laws and regulations relating to the processing of personal data and privacy, including statutory instruments and, where applicable, the guidance and codes of practice issued by the Information Commissioner's Office ("ICO") or any other supervisory authority.

(together "the Legislation")

Please read this Privacy Policy carefully in order to understand how any personal information collected by us is used.

THE DATA PROTECTION PRINCIPLES

This Policy aims to ensure compliance with the Regulation. The Regulation sets out the following principles with which any party handling personal data must comply. All personal data must be:

1. processed lawfully, fairly, and in a transparent manner in relation to the data subject;
2. collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, is erased or rectified without delay;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the Regulation in order to safeguard the rights and freedoms of the data subject;
6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction

WHAT PERSONAL INFORMATION WE COLLECT

We collect the following categories of personal information:

- As a customer, prospective customer, or user of our Site, we may collect information such as your name, contact information including phone number and email address and school name.
- Collect details of other interactions that you have with us, together with any other information that you choose to provide us with, for example, through your interactions with our customer and technical support teams.
- We do not however collect any unnecessary personal information from Registrants (for instance, information about religious beliefs).
- It is impractical in most circumstances for you to remain anonymous, and we may not be able to interact with you, provide access to the Site, or answer your enquiry if we are not able to identify you or collect your personal information.
- In the case of school customers (School Customer), we seek consent from the School Customer to be provided with Registrant information for and on behalf of that student or teacher.
- In the case of individual / home subscriptions (Home Customers) we seek consent from the Home Customer at the time of purchasing and registering the product to use the information collected.
- Registrants who do not give this consent (or do not have this consent provided on their behalf) cannot provide us with their personal information and cannot use the Site.

WHAT WE WILL DO WITH YOUR INFORMATION

The information collected from Registrants may be used for the following purposes:

- to provide access to our products and services, or to provide quotes or offers for, and updates about, our products and services;
- to send a confirmation notice to the Registrant of the registration;
- to administer and manage accounts, including password resetting, responding to questions raised by Registrants, to contact the Registrant about any problems their account;
- to send out a Orchard Digital Ltd newsletter or emails about the Site including information about current events, changes, improvements, upgrades, and rules of the Site;
- for administrative, planning, product or service development, quality control and research purposes relating to our products and services.

Communication or interaction between students is limited by:

- Registrants' personal information cannot be seen publicly on SPAG.com
- When logged in, students cannot see details of any other children on the site
- The Site does not provide students with any means to communicate directly with each other.
- There are no chat rooms connected with the learning resources.

WHAT WE WILL NOT DO WITH YOUR PERSONAL INFORMATION

Orchard Digital Ltd will keep your personal information confidential and not sell or knowingly divulge your information to advertisers or any external third parties, unless:

- we believe, in good faith, that we are required to share your information with a third party in order to comply with law, regulation, legal process, court order or subpoena;
- to enforce our Terms & Conditions;
- to protect the safety and security of our Registrants and our Site.

HOW WE COLLECT AND PROCESS YOUR INFORMATION

We may collect your personal information in a number of ways, including:

- directly from you (unless it is unreasonable or impracticable to do so);
- from teachers that purchase access to our Site for their students and teachers.

Parents registering on behalf of their child(ren), must give their consent at the time of registration to provide us with information about them and their child(ren).

Teachers or administrators registering for their class or school must give their consent at the time of registration to provide us with their own name, school name and their email address.

We also ask for Registrants' consent to use any personal information collected in accordance with this Privacy Policy at the time of login to our Site. If a Registrant does not wish to provide us with their consent, they cannot agree to the Site Terms and Conditions and must not use the Site.

HOW LONG WE HOLD YOUR INFORMATION

We retain the personal information that we collect from and about our Registrants for as long as it is needed to provide access to the Site or to manage that Registrant's account. We take reasonable steps to delete the personal information we collect if your registration to use our Site lapses and you opt out of receiving further communications from us, or if you ask us to delete your information. We may however retain and use personal information as necessary to comply with our legal and regulatory obligations, to resolve disputes and to enforce our agreements.

UPDATING AND ACCESSING YOUR PERSONAL INFORMATION

Registrants have a right to request a copy of the personal information we hold about them, and Registrants can also update their personal information at any time, in each case by contacting Orchard Digital Ltd.

If you wish to receive a copy of this information or to update or correct information held about you, please address your request to the Privacy and Data Protection Officer (contact details below). We will endeavor to deal with your request promptly.

KEEPING YOUR PERSONAL INFORMATION SECURE

Orchard Digital Ltd is committed to information security. We will use all reasonable endeavours to keep the personal information we collect and use in a secure environment, and we have implemented technical, administrative and physical security measures that are designed to protect personal information from unauthorised access, disclosure, use and modification. As part of our privacy compliance processes we review these security procedures regularly.

As part of a major project to evolve and future-proof our infrastructure, in August 2016 we moved to a dedicated server provided by Fasthosts. These benefits included:

- Dedicated server ensures we aren't sharing space with a malicious website or spammer.
- Superfast SSDs combined with 9TB RAID 5 protected storage
- Round the clock UK support and fofsite backup
- Hosted in secure, wholly-owned UK data centres

We also expect all our employees and contractors to comply with this Privacy Policy, and we will take appropriate actions to address breaches by employees and contractors of the obligations imposed by this Privacy Policy.

REVISION OF PRIVACY POLICY

Orchard Digital Ltd reserves the right to change, modify, or revise this Privacy Policy in order to comply with any applicable laws, to reflect changes in our processes or for any other reason at any time. Therefore our Registrants are required to check the Privacy Policy periodically to read about any changes, modifications, or revisions. Registrants may wish to check it each time they submit personal information. You will be deemed to have consented to such variation by your continued use of the Site following any changes being made.

CONTACT US

All requests to access, update and delete personal information as well as questions and concerns about your personal information and this Privacy Policy should be directed to the Orchard Digital Ltd Data Protection and Privacy Officer at support@spag.com