



## **Impero's Data Protection Statement**

Your data privacy is important to us. A reference to “Impero,” “we,” “us” or the “Company” is a reference to Impero Solutions Limited, or Impero Solutions Inc. and its relevant affiliate involved in the collection, use, sharing, or other processing of personal data. We respect and value the privacy of all of our customers and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

The following is intended to provide information to Impero’s customers and other interested parties regarding Impero's practices, procedures and legal obligations when handling customer personal data in relation to the provision of its services, including Impero’s cloud-based services (Impero back:drop) and when hosting Impero’s Education Pro software for its customers.

### **Who is responsible for the personal data which Impero processes?**

Impero must comply with applicable local laws in relation to handling customer personal data.

We are not responsible for the privacy or data security practices of our customers, which may differ from those explained in this privacy statement. Customers are responsible for providing appropriate privacy notices to individuals whose data they provide to Impero, explaining how their personal data will be processed and their rights in relation to it. Customers who provide Impero with sensitive categories of personal data need to comply with additional requirements under the GDPR.

Impero has to act on its customers’ instructions in relation to the processing of their personal data and relies on them to ensure that such instructions are lawful. Impero therefore seeks assurances from its customers that they have complied with all their legal obligations when providing any personal data to Impero for processing.

Impero will comply with obligations under the GDPR, CCPA and other relevant data protection laws, which are applicable directly to processors, including implementing appropriate technical and organisational measures to ensure the security of the personal data.

### **What personal data do we collect?**

#### **Personal data about individuals processed on behalf of our customers:**

Impero's systems provide schools and other organisations (such as sports clubs and extra-curricular providers) with a secure and user-friendly way to store, review, flag

and analyse concerns pertaining to internet or device usage, to better support children in their care.

Organisations add data to Impero's systems manually or may authorise the linking of another system (such as a Management Information System (MIS), Student Information System (SIS) or other registration systems) to feed data into Impero's systems automatically.

Personal data is information that relates to an identified or easily identifiable individual. Impero processes the following personal data about individuals on behalf of its customers:

- Name
- Date of birth
- Gender
- Sex
- Contact details (postal addresses, email addresses, telephone numbers)
- Photographs

Of the special category data defined by the GDPR (sensitive data), Impero's customers commonly require Impero to process:

- Personal data revealing racial or ethnic origin
- Data concerning health
- Data concerning a person's sex life
- Data concerning a person's sexual orientation

As organisations using Impero's software can upload any information they choose, Impero may also process the following categories of special category personal data:

- Personal data revealing political opinions
- Personal data showing religious or philosophical beliefs

Organisations use this additional demographic data to better support children and young people, but there is no requirement for it to be provided. Impero's systems can also be utilised with a minimum of personal data, including name, date of birth, gender of children and young people, and names and email addresses of staff members. It is up to Impero's customers to decide what personal data it requires Impero to process. Impero does not control what data is uploaded onto its systems by its customers.

**Personal data we collect directly from you:**

Most of the data which Impero collects is processed on behalf of our customers. However, if you are a customer contact, or contact our support desk we may collect some or all of the following personal data, which will vary according to your relationship with us:

- Name and job title
- Business name, email address and telephone number

### **Who at Impero has access to personal data, and why?**

Only a selected number of Impero's staff have access to view information about individuals held on the platforms. These are members of our support, engineering and project management teams, and access is granted on a need-to-know basis solely as necessary in relation to providing services for the relevant Impero customer. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data or because it is in our legitimate business interests to use it, or any other legitimate purposes for processing depending on the purpose(s). This access may be through:

- Direct access to servers
- Analysis of log files
- Viewing a system "acting as" a particular school or user

In every case, this access is logged on each attempt.

Your personal data may be used for one of the following purposes:

- Providing and managing your account
- Supplying our products and services to you.
- Personalising and tailoring our products and/or services for you
- Communicating with you.
- With your permission and/or where permitted by law.

### **How long does Impero keep customer personal data for?**

We keep personal data for as long as is necessary in light of the reason(s) it was first collected. The customer is responsible for determining how long data should be retained by Impero, which must not be for longer than the purposes it was collected for. As in most cases, Impero is only processing customer personal data in relation to the performance of services for the customer, by default, all customer data is retained as a maximum until termination or expiry of the customer's contract with Impero.

Should a customer decide to leave Impero, they will be provided with an export of any data held and processed on Impero's servers.

### **Where does Impero host customer data?**

Impero always complies with local data residency laws in countries where they exist. This means that in some countries, information about citizens is hosted in-country. Data concerning US citizens is held in the USA. Although there is currently no legal requirement to do so, Impero holds all data concerning UK citizens on UK-based servers.

Impero utilises a third party, currently Microsoft Azure, as its standard hosting provider. If Microsoft Azure is not available due to local data residency laws, hosting providers will be engaged on a project-specific basis. Some of Impero's backup services, and Netop cloud platforms, currently make use of Amazon Web Services.

### **Data transfers**

As a global company, we and our service providers operate, and our site, products, and services may be accessed from, all over the world. When a customer gives us personal data, that data may be used, processed, or stored anywhere in the world, including in countries that have data protection laws that are different to the country in which a customer resides.

However, we have taken appropriate safeguards to require that customer personal data will remain protected in accordance with Impero's privacy policy. For example, these include implementing the European Commission's Standard Contractual Clauses (SCCs) for transfers of personal data between our group companies, which require all group companies to protect personal data they process from the European Economic Area in accordance with European Union data protection law.

Impero offers a Data Processing Agreement for customers which includes the SCCs. We have implemented similar appropriate safeguards with our third party service providers and partners, and further details can be provided upon request by contacting us.

### **Brexit**

To assist customers in complying with the requirement to adopt adequate safeguards for the transfer of personal data from the EU to the UK, Impero offers the EU Standard Contractual Clauses ("SCCs"). The SCCs are considered a valid transfer mechanism under the GDPR and allow Data Controllers in the EU to safely transfer personal data to Impero in the UK.

Impero includes the SCCs in its standard Data Processing Agreement available to Customers upon request.

## **Security measures which Impero takes in relation to personal data**

While Impero strive to protect all customer personal data, no data transmission or storage can be guaranteed as 100% secure. We endeavour to protect all personal data using reasonable and appropriate physical, administrative, technical, and organisational measures, and in accordance with our internal security procedures and applicable law. These safeguards vary based on the sensitivity of the information that we collect, process, and store, and the current state of technology.

If you have been given or have created login details to provide you with access to certain parts of our site, or any of our products, you are responsible for keeping those details confidential in order to prevent unauthorised access to your accounts.

## **Cookies**

Our website may use cookies. Cookies allow the website to recognise your device and store some information about your preferences or past actions. This helps us to provide you with a good user experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookies Policy.

## **Your rights**

In certain circumstances, where we are controller, you may have certain rights relating to your personal data, subject to local data protection laws. We may direct you to the controller of your personal data where we are not the data controller. Depending on the applicable laws these rights may include the right to:

- Access your personal data held by us
- Know more about how we processed your personal data
- Rectify inaccurate personal data and, taking into account the purpose of processing the personal data, ensure it is complete
- Erase or delete your personal data (also referred to as the right to be forgotten), to the extent permitted by applicable data protection laws
- Restrict our processing of your personal data, to the extent permitted by law
- Transfer your personal data to another controller, to the extent possible (right to data portability);
- Object to any processing of your personal data. Where we process your personal data for direct marketing purposes or share it with third parties for their own direct marketing purposes, you can exercise your right to object at any time to such processing without having to provide any specific reason for such objection
- Opt out of certain disclosures of your personal data to third parties
- If you're under the age of 16, opt-in to certain disclosures of your personal data to third parties
- Not be discriminated against for exercising your rights described above

- Not be subject to a decision based solely on automated processing, including profiling, which produces legal effects ("Automated Decision-Making"). Automated Decision-Making currently does not take place on our websites or in our services and
- Withdraw your consent at any time (to the extent we base processing on consent), without affecting the lawfulness of the processing based on such consent before its withdrawal.

If your data has been submitted to us by or on behalf of an Impero customer and you wish to exercise any rights you may have under applicable data protection laws, please inquire with them directly. Because we may only access a customer's data upon their instructions, if you wish to make your request directly to us, please provide us the name of the Impero customer who submitted your data to us. We will refer your request to that customer, and will support them as needed in responding to your request within a reasonable timeframe.

### **How to contact us**

Impero has appointed a Data Protection Officer. You can send any questions or requests regarding Impero's use of your personal data to [dpo@imperosoftware.com](mailto:dpo@imperosoftware.com).

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Notification of changes**

We reserve the right to amend or vary this document from time to time to reflect evolving legal, regulatory, or business practices. When we update our privacy policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make (which, for minor changes, may include posting the revised statement to our site with immediate effect). Please check this page periodically for changes. We will obtain the appropriate consent to any material changes if and where this is required by applicable data protection laws.

**Last revision:** 29<sup>th</sup> March 2021

**Responsible:** James Inman, Data Protection Officer