



From mountain to sea

Privacy Notice - Seesaw

The Data Controller of the information being collected is Aberdeenshire Council.
The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.
Email: dataprotection@aberdeenshire.gov.uk

Seesaw is an external, online company which provides a means to create digital, pupil portfolios that can be added to by teachers, and pupils as a record of their learning. Information is stored electronically rather than manually. Seesaw will be used to strengthen connections between school and home enabling teachers to share information with parents/carers about pupils' progress on their learning journey.

Your information is being collected to use for the following purposes:

- To enable teachers to digitally share information with parents/carers about pupils' progress and learning journey.
- To enable teachers to digitally create, share or set activities for pupils to complete at home (eg for home learning, homework).

Your information is:

Being collected by Aberdeenshire Council

The Legal Basis for collecting the information is:

Personal Data	
Consent	X

Your information will be shared with the following recipients or categories of recipient:

Seesaw and their Subprocessors - Amazon Web Services, Ada, Amplitude, Autopilot, Boomerang, Coconut, Google, Mailchimp, Mailgun, Rockset, Scalyr, Sentry, Slack, Survey Monkey, Twilio, Typeform, Zendesk

DocuSign (school administrator only), Form Assembly (school administrator only), Gong (school administrator only), High Touch (teacher and school administrator only), Outreach (school administrator only), Quickbooks (school administrator only), SaaSOptics (school administrator only), Salesforce (school administrator only), Taskray (school administrator only), Thinkific (teacher and school administrator)

Your information will be transferred to or stored in the following countries and the following safeguards are in place:



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Seesaw have stated that they use the EU-US Privacy Shield for the basis of its data protection standards however the EU Court ruled the EU-US Privacy Shield invalid thus there is in fact currently no adequacy to allow for use of Seesaw. By default, Seesaw hosts data in the United States. All Aberdeenshire schools that purchase 'Seesaw for Schools' must opt to have Seesaw store data in the UK/EU.

The data is hosted by Amazon Web Services which holds compliance with ISO/IEC 271001:2013, 27017:2015 and 27018:2019. This provides a significant level of protection. SeeSaw holds Cyber Essentials certification.

There is significant concern with the number of sub-processors used by Seesaw to also process personal data. SeeSaw, while having stated that they have signed Data Processing Agreements with all their subcontractors, have failed to provide evidence that shows that they have any control over their sub-contractors' security and compliance standards. Most of these sub-processors are based in the United States and none of these sub-processors have had any due diligence undertaken, by the Council or by Seesaw, to provide assurance as to their safe processing of personal data. There is no adequacy for these sub-processors and the Council does not know what if any certifications any of these sub-processors hold.

A Data Protection Impact Assessment (DPIA) has been carried out to assess the risk associated with use of Seesaw. This DPIA has been rejected by the Council's Data Protection Officer (DPO) owing to significant concerns raised by the Council's Information Security Team, Information Governance Team and Legal Commercial Team primarily concerning processing in the United States by Seesaw and their numerous sub-processors. On that basis the DPO strongly advises against the use of this system.

The Council's Legal Commercial Team have further advised against the use of the system on the basis that the terms and conditions of the contract with Seesaw are not fully compliant with the UK General Data Protection Regulation.

The Legal Basis allowing for lawful processing is consent. By consenting to use Seesaw you are accepting the risks outlined above regarding the security of your/your child's personal data.

The retention period for the data is:



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Personal data will be held in the system for as long as the pupil is engaging with the service. Once an account is deleted or deemed inactive (not accessed for a period of more than a year), the personal data associated will be deleted by the provider within 60 days. Schools will delete pupil records when they leave the school.

Seesaw will comply with a school request to delete its data; Seesaw will ensure that this is complied with, within 60 days.

The following automated decision-making, including profiling, will be undertaken:

"Not applicable".

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



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Where the Legal Basis for processing is Consent, please confirm that you have been provided:

- why your information is being collected;
- the purposes for your information being collected;
- full information about the intended processing;
- details of any sharing of your information;
- details of the security for transferring your information to any country outside the EEA;
- the applicable retention period;
- details of any automated decision-making or profiling applied to your information; and
- details of your rights.

I understand that I have the right to withdraw this consent at any time by contacting

arnage.sch@aberdeenshire.gov.uk

Name

Date

Signature