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**Our reference**

28375404

**Enclosures**

Advice Dutch DPA and SIVON on  
Google G Suite for Education

Letter from the Dutch DPA to  
the Minister of Education,  
Culture and Science

Letter from the Dutch DPA to  
the Minister for Primary and  
Secondary Education and Media

Date 8 June 2021

Re: Advice from the Dutch Data Protection Authority on Google G Suite for  
Education

By means of this letter we are informing the House of the advice of the Dutch Data Protection Authority (Dutch DPA) to SURF and SIVON concerning Google G Suite for Education (currently: Google Workspace for Education) and the letters of the Dutch DPA to the Minister of Education, Culture and Science and the Minister for Primary and Secondary Education and Media. On 1 March 2021, the government informed the House of Representatives of the results of the Data Protection Impact Assessments (DPIAs) in respect of Google G Suite Enterprise and G Suite for Education that were carried out on the instructions of the Ministry of Justice & Security, Amsterdam University of Applied Sciences, and the University of Groningen.<sup>1</sup> These DPIAs show that privacy risks are involved in using these Google products in schools. As a result of the DPIAs, SURF and SIVON asked the independent supervisor Dutch DPA for advice on behalf of the individual school boards.

Recently, the Dutch DPA submitted its advice on the DPIA in respect of Google G Suite for Education to SURF and SIVON. The Dutch DPA states that the established risks relate to fundamental principles that apply to any processing of personal data that is covered by the GDPR. This processing cannot take place in a lawful manner because of the lack of clarity that exists in respect of the processing of personal data by Google. We do not find this acceptable.

In a response, Google stated that it will commit itself to the GDPR. They state that they will cooperate in a timely fashion in resolving the shortcomings, and that they will exercise the necessary transparency in order to comply with the GDPR, so that Dutch schools can continue using Google Workspace for Education. We are assuming that Google has resolved the established shortcomings before the start of the school year 2021/2022. Together with Strategisch Leveranciersmanagement Rijk (Strategic Supplier Management for the Central Government), SURF and SIVON are engaged in talks with Google. They are also exploring what the consequences are if Google does not resolve the shortcomings in good time.

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<sup>1</sup> Parliamentary Papers II 2020/2021, 32034 no. 39

We will also follow up on the points of the advice of the Dutch DPA to us both. We will pay particular attention to two aspects. First of all the advice of the Dutch DPA to also draw attention in a European context to the position of major suppliers of digital learning aids in order to put the right safeguards in place for the privacy of students. Secondly, the advice of the Dutch DPA on what they refer to as the system representative also requires further consideration. After all, the individual school boards are currently fully responsible for privacy when using digital aids.

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We will inform the House again when progress gives any rise to this.

The Minister of Education, Culture and Science,

Ingrid van Engelshoven

The Minister for Primary and Secondary Education and Media,

Arie Slob