

## **Monkey Puzzle Day Nurseries Privacy Notice**

Monkey Puzzle Day Nurseries understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our customers, employees, franchisees and suppliers 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.

### **Information About Us**

Monkey Puzzle Day Nurseries Ltd, registered in England and Wales under company number 05192967. Our registered address is 4 Churchgates, Berkhamsted, Hertfordshire HP4 2UB. We are a data controller, our ICO registration number is ZA118600.

### **What Does This Notice Cover?**

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

### **What Is Personal Data?**

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) and the Data Protection Act 2018 (collectively, “the Data Protection Legislation”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers. The personal data that we use is set out below.

### **What Are My Rights?**

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details at the end of this privacy policy.
- b) The right to access the personal data we hold about you. The ‘*How Can I Access My Personal Data?*’ section will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details at the end of this privacy policy.
- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we hold. Please contact us using the details at the end of this privacy policy.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to withdraw consent. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time.

- h) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- i) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact using the details at the end of this privacy policy.

It is important that your personal data is kept accurate and up-to-date. If any of the personal data we hold about you changes, please keep us informed as long as we have that data.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office. We would welcome the opportunity to resolve your concerns ourselves, however, so please contact us first, using the details at the end of this privacy policy.

#### **What Personal Data Do You Collect and How Long Will You Keep My Personal Data?**

Depending upon your use of Our Site, we may collect and hold some or all of the personal and non-personal data set out in the table below, using the methods also set out in the table.

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

| <b>Data Collected</b>                                                                                                                                                                                                                                                                                               | <b>How We Collect the Data</b>                                                  | <b>How Long We Keep It</b>                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Job Applicant Information:</b> Certificates, short-listing details, interview notes, references and other information included in a CV or cover letter or as part of the application process.                                                                                                                    | When you apply for a vacancy or send a speculative CV to us.                    | Minimum 6-months after recruitment campaign.<br>Maximum 12-months, unless consent given to retain on file.                                                 |
| <b>Employee Information:</b> Job title, work history, working hours, copy of passport, driver's licence, contract of employment, annual leave days, sick leave, exit interview notes, grievances & disciplinary, DBS checks ( <i>if applicable</i> ), car registration, emergency contact details and bank details. | As part of the application process and then throughout your employment with us. | Employee file: 6 years after end of employee contract/termination date.<br><br>Right to work: 3 years from employment ceasing<br><br>PAYE records: 6 years |
| <b>Franchisee Enquiries:</b> contact details, including email address and telephone number.                                                                                                                                                                                                                         | When you enquire about Monkey Puzzle Day Nurseries franchising opportunities.   | 24-month after completing enquiry form.                                                                                                                    |

|                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                |                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Franchisee Information:</b> contact details, franchisee agreement, financial details, bank details                                                                                                                                                          | <p>When you become a Monkey Puzzle Day Nurseries franchisee.</p> <p>When you correspond with us by phone, email or other electronic means, or in writing, or when you provide information directly to us, including in conversation with a member of our head office team.</p> | <p>Financial records: 7 years after then end of the financial year.</p> <p>Franchisee file: duration of franchisee agreement, then 7 years.</p> |
| <b>Parent Enquiry information:</b> name, telephone number, email address, child's date of birth and/or age, child's name, gender, expected start date, number of days per week required                                                                        | <p>When you enquire with us by phone, email or website enquiry form regarding a childcare place at a new or existing setting.</p>                                                                                                                                              | <p>12 months after your enquiry, or the end of your childcare place, whichever is longer</p>                                                    |
| <b>Supplier Information:</b> contact information (incl. business email address), bank details and purchase orders.                                                                                                                                             | <p>When you or your company offer to provide, or provides, services to us.</p>                                                                                                                                                                                                 | <p>2 years after last purchase order.</p> <p>Financial records: 6 years after the end of the financial year.</p>                                |
| <b>Technical information including:</b> Includes GA Client ID, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website. | <p>When you or your company access and use our website.</p>                                                                                                                                                                                                                    | <p>Please refer to our Cookie Policy.</p>                                                                                                       |

## How Do You Use My Personal Data?

Under the Data Protection Legislation, we must always have a lawful basis for using personal data. The following table describes how we will use your personal data, and our lawful bases for doing so:

| What Data We Use                                                                                                                                                                                    | How We Will Use Your Data                                                                                                                                                                                              | Our Lawful Basis                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>Job Applicant Information:</b><br>Certificates, short-listing details, interview notes, references and other information included in a CV or cover letter or as part of the application process. | <ul style="list-style-type: none"><li>• Deciding about appointing you.</li><li>• Checking you are legally entitled to work in the UK.</li><li>• Retaining CV and contact details for unsuccessful candidates</li></ul> | As required by MPDN to conduct our business and pursue our legitimate interests.<br><br>Legal Obligations<br><br>Consent |

|                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Employee Information:</b> Job title, work history, working hours, copy of passport, driver's licence, contract of employment, annual leave days, sick leave, exit interview notes, grievances & disciplinary, DBS checks ( <i>if applicable</i> ), car registration, emergency contact details and bank details. | <ul style="list-style-type: none"> <li>Determining the terms on which an employee will work for the company.</li> <li>Administering the contract, the business has entered into with an employee.</li> <li>assessing qualifications for a particular job or task, including decisions about promotions.</li> <li>gathering evidence for possible grievance or disciplinary hearings</li> <li>dealing with legal disputes involving employee, including accidents at work.</li> <li>Managing sickness absence.</li> <li>Paying employees and deducting tax and National Insurance contributions.</li> </ul> | <p>Fulfilment of employment contract</p> <p>Legal obligation</p> <p>Legitimate Interest (emergency contact details)</p>                                                  |
| <b>Franchisee Enquiries:</b> contact details, including email address and telephone number.                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>when you respond to a marketing campaign (e.g. online via Franchise UK)</li> <li>when you make an enquiry through the Monkey Puzzles website (contact form/email)</li> <li>you make an enquiry via phone or through social media channels.</li> </ul>                                                                                                                                                                                                                                                                                                               | <p>As required by MPDN to conduct our business and pursue our legitimate interests.</p>                                                                                  |
| <b>Franchisee Information:</b> contact details, franchisee agreement, financial details, bank details                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>processing licencing fee payments;</li> <li>processing monthly revenue summary and deducting managed service fee.</li> <li>maintaining accounting records, compliance checks.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                            | <p>To fulfil the franchise agreement, or take steps linked to a franchise agreement;</p> <p>As required to conduct our business and pursue our legitimate interests.</p> |
| <b>Parent Enquiry information:</b> name, telephone number, email address, child's date of birth and/or age, child's name, gender, expected start date, number of days per week required                                                                                                                             | <ul style="list-style-type: none"> <li>contacting you regarding open days and/or promotional offers at a new setting</li> <li>passing your information to the relevant nursery setting for them to discuss/arrange your place</li> <li>contacting you regarding your experience with the relevant nursery setting</li> </ul>                                                                                                                                                                                                                                                                               | <p>As required by MPDN to conduct our business and pursue our legitimate interests.</p>                                                                                  |
| <b>Supplier Information:</b> contact information (incl. business email address), bank details and purchase orders.                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>processing invoice payments;</li> <li>ordering/purchasing products and services from supplier as agreed by supplier or individual within supplier organisation;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                          | <p>Contractual obligation</p> <p>Legitimate Interest (negotiating group discount)</p>                                                                                    |

|                                                                                                                                                                                                                                                                |                                                                                                                                   |         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------|
|                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>negotiate group discount with equipment supplier on behalf of franchisees.</li> </ul>      |         |
| <b>Technical information including:</b> Includes GA Client ID, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website. | <ul style="list-style-type: none"> <li>To analyse your use of our website;</li> <li>To monitor performance of website;</li> </ul> | Consent |

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email and telephone with information, news, and offers on our services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the Data Protection Legislation and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out. We will always obtain your express opt-in consent before sharing your personal data with third parties for marketing purposes and you will be able to opt-out at any time.

We will only use your personal data for the purpose(s) for which it was originally collected unless we reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use your personal data for that purpose. If we do use your personal data in this way and you wish us to explain how the new purpose is compatible with the original, please contact us using the details at the end of the privacy notice.

If we need to use your personal data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, we will inform you and explain the legal basis which allows us to do so.

In some circumstances, where permitted or required by law, we may process your personal data without your knowledge or consent. This will only be done within the bounds of the Data Protection Legislation and your legal rights.

### How and Where Do You Store or Transfer My Personal Data?

We may store or transfer some or all of your personal data in countries that are not part of the European Economic Area (the "EEA" consists of all EU member states, plus Norway, Iceland, and Liechtenstein). These are known as "third countries" and may not have data protection laws that are as strong as those in the UK and/or the EEA. This means that we will take additional steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the Data Protection Legislation as follows:

- We may share your data within the franchise network of which we are a responsible. Where this involves the transfer of personal data within the EEA, we ensure that personal data is protected by requiring all franchisees within the network to follow the same rules with respect to personal data usage.
- We share your data with external third parties, as detailed in the table below, that are based outside of the EEA. The following safeguards are applied to such transfers:

- We will only transfer your personal data to third countries whose levels of data protection are deemed 'adequate' by the European Commission. More information is available from the [European Commission](#).
- We use specific contracts with external third parties that are approved by the European Commission for the transfer of personal data to third countries. These contracts require the same levels of personal data protection that would apply under the Data Protection Legislation. More information is available from the [European Commission](#).
- Where we transfer your data to a third party based in the US, the data may be protected if they are part of the EU-US Privacy Shield. This requires that third party to provide data protection to standards similar to those in Europe. More information is available from the [European Commission](#).

Please contact using the details below for further information about the particular data protection mechanisms used by when transferring your personal data to a third country.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- limiting access to your personal data to those employees, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality;
- procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, your personal data) including notifying you and/or the Information Commissioner's Office where we are legally required to do so;
- adhering data protection policies, procedure and processes including, physical security, access control, data classification and password.

### Do You Share My Personal Data?

We may sometimes contract with the following third parties to supply certain products and services.

| Recipient                                        | Activity Carried Out                | Sector                            | Location |
|--------------------------------------------------|-------------------------------------|-----------------------------------|----------|
| Accountants<br>( <i>data controller</i> )        | Annual financial accounts           | Financial                         | UK       |
| Accounting Software<br>( <i>data processor</i> ) | Provision of accounting software    | Information Technology (software) | USA      |
| Lawyers<br>( <i>data controller</i> )            | Provision of legal services         | Legal                             | UK       |
| Website Design & Hosting                         | Website hosting, design and support | Information Technology            | EEA      |

If any of your personal data is shared with a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law, as described above.

If any personal data is transferred outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the Data Protection Legislation, as explained above.

If we sell, transfer, or merge parts of our business or assets, your personal data may be transferred to

a third party. Any new owner of our business may continue to use your personal data in the same way(s) that we have used it, as specified in this Privacy Policy.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

### **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests can be made in writing either via email or postal addresses shown in below, or verbally, either in person or on the phone.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

### **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details for the attention of GDPR Lead:

**Email address:** [info@monkeypuzzledaynurseries.com](mailto:info@monkeypuzzledaynurseries.com)

**Postal address:** Monkey Puzzle Day Nurseries Ltd, Ground Floor, 4 Churchgates,  
Berkhamsted, Herts, HP4 2UB

**Phone:** 01442 878887

### **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available via email. This Privacy Notice was last updated on 12<sup>th</sup> November 2020.

### **Hotjar**

"We use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), and the preferred language used to display our website. Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf.