

## **Welcome to the Fennies Fresh privacy policy**

Fennies Day Nurseries Ltd respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our App and tells you about your privacy rights and how the law protects you.

### **Purpose of this privacy policy**

This privacy policy aims to give you information on how Fennies Day Nurseries Ltd collects and processes your personal data through your use of this App, including any data you may provide through this App when you open an account and use our Fennies Fresh service.

This App is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### **Owner and Data Controller**

Fennies Day Nurseries Ltd, 1a Hook Road, Epsom, Surrey KT19 8TH is the controller and responsible for your personal data (collectively referred to as "Fennies", "we", "us" or "our" in this privacy policy). If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us at [fresh@fennies.com](mailto:fresh@fennies.com)

If you have any questions about this privacy policy or our privacy practices, please contact us in the following ways:

Full name of legal entity: Fennies Day Nurseries Limited

Email address: [fresh@fennies.com](mailto:fresh@fennies.com)

Postal address: 1a Hook Road, Epsom, Surrey, KT19 8TH

Telephone number: 020 8770 3222

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.

### **Changes to the privacy policy and your duty to inform us of changes**

We keep our privacy policy under regular review.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third-party links**

This App may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## **Types of Data collected**

Personal data, or personal information, means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, title, username and the first and last name of your child at our nursery.
- **Contact Data** includes billing address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, 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 App.
- **Profile Data** includes your username and password, and purchases or orders made by you.
- **Usage Data** includes information about how you use our App, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

## **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## **How is your personal data collected?**

We use different methods to collect data from and about you including through:

- Direct interactions. You may give us your Identity, Contact and Financial Data by filling in payment fields on our App or by corresponding with us by post, phone, email or otherwise.
- This includes personal data you provide when you:

- purchase our products or services;
- create an account on our App;
- subscribe to our service or publications;
- request marketing to be sent to you; or
- give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our App, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookie policy for further details.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:

Technical Data from the following parties:

- (a) analytics providers such as Google based outside the EU;
- (b) search information providers such as Google Search based outside the EU;
- (c) Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Worldpay based outside the EU.

### **Mode and place of processing the Data**

#### **Methods of processing**

We take appropriate security measures to prevent unauthorized access, disclosure, modification, or unauthorized destruction of the personal data.

The personal data processing is carried out using computers and/or IT enabled tools, following organizational procedures and modes strictly related to the purposes indicated. In some cases, the personal data may be accessible to certain types of persons in charge, involved with the operation of this Application (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors of us. A list of these parties may be requested from us at any time.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

#### **How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- You have given your consent for one or more specific purposes;
- provision of personal data is necessary for the performance of an agreement with your and/or for any pre-contractual obligations;
- processing is necessary for compliance with a legal obligation
- to which we are subject;
- processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us;
- processing is necessary for the purposes of the legitimate interests pursued by us or by a third party.

In any case, we will gladly help to clarify the specific legal basis that applies to the processing, and whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

## **Place**

The personal data is processed at our operating offices and in any other places where the parties involved in the processing are located. We do not transfer your personal data outside the European Economic Area (EEA).

## **Disclosures of your personal data**

We may share your personal data with the parties set out below for the purpose of processing your order.

- Service providers acting as processors based in the UK who provide IT, payment processing and system administration services.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.
- We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **Marketing**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

## **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by logging into the App and checking or unchecking relevant boxes to adjust your marketing preferences; or by following the opt-out links on any marketing message sent to you; or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase.

## **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when Apps set or access cookies. If you disable or refuse cookies, please note that some parts of this App may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookie Policy.

## **Retention time**

Personal data shall be processed and stored for as long as required by the purpose they have been collected for.

Therefore:

- Personal data collected for purposes related to the performance of a contract between us and you shall be retained until such contract has been fully performed.
- Personal data collected for the purposes of our legitimate interests shall be retained if needed to fulfil such purposes. You may find specific information regarding the legitimate interests pursued by us within the relevant sections of this document or by us.

We may be allowed to retain personal data for a longer period whenever you have given consent to such processing, if such consent is not withdrawn. Furthermore, we may be obliged to retain personal data for a longer period whenever required to do so for the performance of a legal obligation or upon order of an authority.

Once the retention period expires, personal data shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after expiration of the retention period.

## Your Legal Rights

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful, but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain

products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at [fennies@fresh.com](mailto:fennies@fresh.com).

#### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

#### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

#### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.