

## Privacy and cookies policy

### 1. Introduction

- 1.1 We are committed to safeguarding the privacy of our ILD website visitors and service users; in this policy we explain how we will handle your personal data.
- 1.2 We will ask you to consent to our use of cookies in accordance with the terms of this policy when you first visit our website. OR By using our website and agreeing to this policy, you consent to our use of cookies in accordance with the terms of this policy.
- 1.3 Our website incorporates privacy controls which affect how we will process your personal data. By using the privacy controls, you can specify whether you would like to receive direct communications and limit the publication of your information.

### 2. How we use your personal data

- 2.1 In this Section 2 we have set out:
  - (a) the general categories of personal data that we may process;
  - (b) in the case of personal data that we did not obtain directly from you, the source and specific categories of that data;
  - (c) the purposes for which we may process personal data; and
  - (d) the legal bases of the processing.
- 2.2 We may process data about your use of our website and services ("**usage data**"). The usage data **will not** include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use.
- 2.3 We may process your account data. The account data may include your name and email address. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent by you to trial or purchase our services once you complete the trial request form.
- 2.4 We may process your information included in your personal profile on our website ("**profile data**"). The profile data may include your name, school/nursery/childminding or personal address, telephone number and email address. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent by you and our legitimate interests, namely the proper administration of our website and services.
- 2.5 We may process your personal data that are provided in the course of the use of our services ("**service data**"). The service data may include your name, school/nursery/childminding or personal address, telephone number and email address. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent by you and our legitimate interests, namely the proper administration of our website and services.
- 2.6 We may process information contained in any enquiry you submit to us regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering service support, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent by you through initial enquiry details.
- 2.7 We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website ("**transaction data**"). The transaction data may include your name and contact details. The transaction data may be processed for the purpose of supplying the purchased goods and

services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract in the form of terms and conditions between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of our website and business.

- 2.8 We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters] ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent and the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.9 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 2.10 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- 2.11 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 2.12 In addition to the specific purposes for which we may process your personal data set out in this Section 2, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 2.13 Please do not supply any other person's personal data to us.

### **3. Providing your personal data to others**

- 3.1 We will NEVER disclose your personal data to any member of our group of companies.
- 3.2 We will NEVER disclose your personal data to any third party with the exception of for the purposes of the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 3.3 We **do not** accept financial transactions through our website.
- 3.4 In addition to the specific disclosures of personal data set out in this Section 3, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

### **4. International transfers of your personal data**

- 4.1 The hosting facilities for our website and personal data storage are situated in the United Kingdom. The ILD **DO NOT** transfer or store your personal Data outside the UK.

### **5. Retaining and deleting personal data**

- 5.1 This Section 5 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 5.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

5.3 We will retain your personal data as follows:

<b>Data Ref.</b>	<b>Type of Data</b>	<b>Purpose of Data</b>	<b>Review Period</b>	<b>Retention Period or Criteria</b>
CRM001	CRM Contact information	Contact details of users subscribed with the ILD or INM products	6 months	At the point of client non-renewal, keep details on file for a period of no longer than 12 months before deleting
CRM002	CRM Enquiry data	Contact details of enquiries logged by telephone or ILD Web site trial form	monthly	If enquiry does not lead to a trial or subscription, then delete
CRM003	Activity Log	General notes stored during a trial or subscription	6 months	At the point of client non-renewal, keep details on file for a period of no longer than 12 months before deleting
DB001	Client Specific Database	Used to store ILD or INM observation and assessment data	6 months	At the point of client non-renewal, keep details on file for a period of no longer than 3 months before deleting
MED001	Photos, Documents, Audio Clips and Video Clips	Media files related to observations stored within specific client databases (DB001)	6 months	At the point of client non-renewal, keep details on file for a period of no longer than 3 months before deleting

5.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:

- (a) Client renewal terms and data cleansing within the clients own database.

5.5 Notwithstanding the other provisions of this Section 5, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

## 6. Security of personal data

6.1 We will take appropriate technical and organisational precautions to secure your personal data and to prevent the loss, misuse or alteration of your personal data.

6.2 We will store all of your personal data on secure servers, office computers with secure access systems.

6.3 The following personal data will be stored by us in encrypted form: your name, contact information, password(s)

6.4 All Data transfers will be protected using encryption technology.

6.5 You acknowledge that the transmission of unencrypted (or inadequately encrypted) data over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.

6.6 You should ensure that your password is not susceptible to being guessed, whether by a person or a computer program. You are responsible for keeping the password you use for accessing our system confidential and we will not ask you for your password (except when you log in to our system).

## 7. Amendments

7.1 We may update this policy from time to time by publishing a new version on our website.

7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

7.3 We may notify you of changes to this policy by email or through the private messaging system on our portal.

## 8. Your rights

8.1 You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:

- (a) No fee charge

- (b) the supply of appropriate evidence of your identity for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address.

8.2 We may withhold personal information that you request to the extent permitted by law.

8.3 You may instruct us at any time not to process your personal information for marketing purposes.

8.4 In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes.

## 9. Your rights

9.1 In this Section 9, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

9.2 Your principal rights under data protection law are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

9.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

9.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

9.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.

9.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

9.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for

the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

- 9.8 You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 9.9 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 9.10 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
  - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,

and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

- 9.11 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 9.12 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 9.13 You may exercise any of your rights in relation to your personal data by written notice to us.

## **10. Third party websites**

- 10.1 Our website does not include hyperlinks to, and details of, third party websites.
- 10.2 We have no control over, and are not responsible for, the privacy policies and practices of third parties.

## **11. Personal data of children**

- 11.1 Our website and services are targeted at persons over the age of 18.
- 11.2 If we have reason to believe that we hold personal data of a person under that age in our databases, we will delete that personal data.

## **12. Updating information**

- 12.1 Please let us know if the personal information that we hold about you needs to be corrected or updated.

## **13. Acting as a data processor**

- 13.1 In respect of children's data, we do not act as a data controller; instead, we act as a data processor.
- 13.2 Insofar as we act as a data processor rather than a data controller, this policy shall not apply. Our legal obligations as a data processor are instead set out in the terms and conditions contract between us and the relevant data controller.

## **14. About cookies**

- 14.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 14.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 14.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

## 15. Cookies that we use

15.1 We use cookies for the following purposes:

- (a) **Forms authentication ticket** cookies are used on the ILD Web Portal (<https://portal.interactivelearningdiary.co.uk>) to identify you during your session on the web site. The contents of the cookie are encrypted to prevent unauthorized access. The cookies stored are:

Cookie Name	Purpose	Expiry
.ASPXAUTH	The forms-authentication ticket supplies forms-authentication information to the next request made by the browser.	Expires after user closes browser

- (b) **ASP.Net session-state** cookies are used on the ILD Web Portal (<https://portal.interactivelearningdiary.co.uk>) to preserve the state of a user's session across page requests. The cookies stored are:

Cookie Name	Purpose	Expiry
ASP.NET_SessionId	Preserves the visitor's session state across page requests.	Expires after user closes browser

## 16. Cookies used by our service providers

16.1 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>. The relevant cookies are:

Cookie Name	Purpose	Expiry
_ga	Registers a unique ID that is used to generate statistical data on how the visitor uses the website.	2 Years
_gat	Used by Google Analytics to throttle request rate	Expires after user closes browser
_gid	Registers a unique ID that is used to generate statistical data on how the visitor uses the website.	Expires after user closes browser
collect	Used to send data to Google Analytics about the visitor's device and behaviour. Tracks the visitor across devices and marketing channels.	Expires after user closes browser

16.2 We use YouTube to embed promotional videos into our website. The cookies collected by YouTube are as follows:

Cookie Name	Purpose	Expiry
Pref	Registers a unique ID that is used by Google to keep statistics of how the visitor uses YouTube videos across different websites.	8 Months
Visitor_info1_live	Tries to estimate the users' bandwidth on pages with integrated YouTube videos.	179 Days
Ysc	Registers a unique ID to keep statistics of what videos from YouTube the user has seen.	Expires after user closes browser

Youtube's privacy policy is available at: [https://www.youtube.com/static?template=privacy\\_guidelines&gl=GB](https://www.youtube.com/static?template=privacy_guidelines&gl=GB)

16.3 The ILD Web Portal uses OLARK Online chat which captures the following cookies:

Cookie Name	Purpose	Expiry
hblid	a visitor identifier that we use only on your site to remember this visitor between visits	
wcsid	a session identifier that we use only on your site to keep track of a single chat session	
olfsk	storage identifier that we use to maintain chat state across pages (e.g. message history)	
_okbk	extra state information (e.g. chat box being open/closed)	
_ok	most recent Olark site ID (security measure)	
_oklv	the Olark loader version (for improved caching)	
_okla	used for caching purposes (loaded from CDN vs. loaded from our infrastructure)	
_okgid	group id the visitor is locked to	
_okac	used for caching by setting a hash for assets to determine if they have changed and if they need to be refreshed	
_okck	used to test whether the visitor's browser allows cookies to be stored	

Olark's privacy policy is available at: <https://www.olark.com/privacy-policy/>

## 17. Managing cookies

17.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

17.2 Blocking all cookies will have a negative impact upon the usability of many websites.

17.3 If you block cookies, you will not be able to use all the features on our website.

## 18. Our details

18.1 This website is owned and operated by Interactive Learning Diary Ltd.

18.2 We are registered in Scotland under registration number SC414002, and our registered office is at 7, Blair of Tarradale, Muir of Ord, Ross-shire, IV6 7PY

18.3 Our principal place of business is also at 7, Blair of Tarradale, Muir of Ord, Ross-shire, IV6 7PY

18.4 You can contact us:

- (a) by post, to the postal address given above;

- (b) using our website contact form;
- (c) by telephone, on the contact number published on our website
- (d) by email, using the email address published on our website

## **19. Data protection registration**

- 19.1 We are registered as a data controller with the UK Information Commissioner's Office.
- 19.2 Our data protection registration number is Z3511247.

## **20. Representative within the European Union**

- 20.1 Our representative within the European Union with respect to our obligations under data protection law is Justin Evans and you can contact our representative by email at [justin.evans@interactivelearningdiary.co.uk](mailto:justin.evans@interactivelearningdiary.co.uk).

## **21. Data protection officer**

- 21.1 Our data protection officer's contact details are: As Above.