

## Privacy policy

As the operators of A W Photography its website ([www.a-w-photography.co.uk](http://www.a-w-photography.co.uk)), gallery management site and studio management system, Wilkinson Consultancy Solutions Limited (the registered trading company), with company number 7428975, is committed to protecting and respecting your privacy.

This Privacy Policy sets out the basis on which the personal data collected from you, or that you provide to us will be processed. Please read the following carefully to understand the practices regarding your personal data and how we will treat it.

### 1. What information is being collected?

We collect a variety of information initially via the contact portal on our website as well as during discussions and communications. These include;

- **Identity Data** includes title, first name, last name, username or similar identifier and an encrypted version of your login/password. If you interact with us through social media, this may include your social media user name. The legal basis for this processing is the performance of a contract 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.
- **Contact Data** includes delivery address, email address and telephone numbers.
- No **Financial and Transaction Data** is collected by us as any transactions and fulfilments are completed through our third party websites who have their own compliance/privacy policies which we can provide links to by request.
- **Profile Data** includes preferences, feedback and survey responses, as well as any profile data which we have added (for example, using analytics and profiling).
- **Technical Data** includes internet protocol (IP) address, your 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 our websites.
- **Usage Data** includes information about how you use our website, products and services.
- **Tracking Data** includes information we or others collect about you from cookies and similar tracking technologies, such as web beacons, pixels, and mobile identifiers.
- **Marketing and Communications Data** includes your preferences in receiving direct marketing from us and our third parties and your communication preferences. The legal basis for this processing is Legitimate interest.
- 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.
- 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.
- In addition to the specific purposes for which we may process your personal data set out in this Section, we may also process any of your personal data where such processing is necessary for compli-

ance 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.

If you correspond with us via email or social media, these messages are stored within our email system or social media accounts. Where the information contained is integral to our ability to deliver our service we may replicate these details in our third party studio management system for reference. These messages are stored for as long as practicable to allow us to provide you with better future services.

## **2. Who is collecting the data?**

For the purposes of this privacy policy the data controller is Andrew Wilkinson of A W Photography (trading as Wilkinson Consultancy Solutions Limited). We are a registered data controller with the ICO (Information Commissioners Office – Registration reference ZA332110).

Data collected about you is stored using a proprietary studio management software which is password protected and complies fully with the latest data protection regulations.

## **3. Why is it being collected and how will we use it?**

The information that we collect and store relating to you is used for the following purposes:

- To perform the work in which we have entered into a contract to deliver i.e. wedding, family/portrait, event photography etc.
- To provide you with information requested from us, relating to our products or services. To provide information on other products which we feel may be of interest to you, where you have consented to receive such information.
- To meet our contractual commitments to you.
- To notify you about any changes to our website, such as improvements or service/product changes, that may affect our service.
- We may internally analyse data for business and forecast purposes.
- We also have a legitimate interest in using images taken in relation to your booking and may use these images in the following ways (note, clients are free at anytime to refuse the use of these images):
  - On social media for promotion & advertising purposes
  - On our website for promotion & advertising purposes
  - For marketing materials (business stationary, flyers, business cards etc)
  - For publications/print

## **4. Who will it be shared with?**

We take your privacy very seriously. We do not sell your data to third party organisations. There are a few scenarios where some of your data may be shared with third parties to allow us to provide our services to you. These include:

- We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- We may disclose such personal data such as name, address and telephone number to our suppliers or subcontractors insofar as reasonably necessary for the provision of such services such as product order fulfilment, additional shooter, image manipulation etc. The legal basis for this is to provide services in line with the contract..
- Financial transactions relating to our website and services are handled by third party payment services providers, PayPal. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies and practices at <https://www.paypal.com/uk/webapps/mpp/ua/privacy-full>.
- We may disclose your enquiry data to one or more of those selected third party suppliers of goods and services identified on our website for the purpose of enabling them to contact you so that they can offer, market and sell to you relevant goods and/or services. Each such third party will act as a data controller in relation to the enquiry data that we supply to it; and upon contacting you, each such third party will supply to you a copy of its own privacy policy, which will govern that third party's use of your personal data.
- In addition to the specific disclosures of personal data set out in this section, 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.

## 5. International transfers of your personal data

In this section, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).

The hosting facilities for our website are situated in The United States of America (plans to transfer to servers in the UK are in the pipeline). Transfers to each of these countries will be protected by appropriate safeguards, namely each hosting site is used on the basis of full compliance with the requirements of the latest privacy laws and as such have their own far reaching privacy safeguards. Links to these can be provided on request.

Services such as image retouching are situated in The UK and abroad. Transfers to each of these countries will be protected by appropriate safeguards, namely each subcontractor will act as a data controller in relation to the information we provide to them and can provide their own privacy policy which governs that third party's use of your personal data .

You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

## 6. How long is the data stored?

This section 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.

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.

We will retain your personal data as follows:

- Name, address, date of birth, telephone number, email address and other such data used in the preparation and execution of any contract will be retained for a minimum period of 12 months following the fulfilment of said contract, and for a maximum period of 5 years following this date.

Notwithstanding the other provisions of this section, 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. By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they stop being customers for tax purposes.

## 7. Access to stored data.

If you have any questions about data we hold about you, please feel free to contact us.

You may request a copy of any data we store about you – and we will comply with any requests as per the guidance of the Information Commissioner's Office.

## 8. Your rights

In this section, 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.

Your principal rights under data protection law are:

- The right to be informed – that's an obligation on us to inform you how we use your personal data (and that's what we're doing that in this privacy policy);
- The right of access – that's a right to make what's known as a 'data subject access request' for copy of the personal data we hold about you;
- The right to rectification – that's a right to make us correct personal data about you that may be incomplete or inaccurate;
- The right to erasure – that's also known as the 'right to be forgotten' where in certain circumstances you can ask us to delete the personal data we have about you (unless there's an overriding legal reason we need to keep it);
- The right to restrict processing – that's a right for you in certain circumstances to ask us to suspend processing personal data;

- The right to data portability – that's a right for you to ask us for a copy of your personal data in a common format (for example, a .csv file);
- The right to object – that's a right for you to object to us processing your personal data (for example, if you object to us processing your data for direct marketing); and
- Rights in relation to automated decision making and profiling – that's a right you have for us to be transparent about any profiling we do, or any automated decision making.

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.

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.

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.

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.

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.

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.

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.

To the extent that the legal basis for our processing of your personal data is:

- consent; or
- 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.

If you consider that our processing of your personal information infringes data protection laws, 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.

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.

You may exercise any of your rights in relation to your personal data by written notice to us, in addition to the other methods specified in this section.

## 9. About cookies

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.

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.

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.

We use Squarespace to Provide our website management. This service uses cookies for a number of functions such as remembering what you access while navigating the website. You can view the privacy policy of this service provider at <https://www.squarespace.com/cookie-policy/>.

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:

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

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

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

## **10. Amendments**

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

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

## **11. More information.**

If you would like any clarification on how we collect, store or process your data – please contact us directly.

If you would like further information on the legal guidelines we operate within, or have any concerns about how we use your data, please check the ICO's website at <https://ico.org.uk>