



## Privacy Policy

*In very basic terms I totally respect your personal information and will only ask you for what information I really need from you. I will look after it in the same way I would want mine looking after, keeping it secure! I will only share it with others where I need their help to deliver my service to you (such as my professional printing laboratories that may need your name and address to post your purchases) and for legal purposes.*

## Introduction

MARTIN CLARK PHOTOGRAPHY takes your privacy very seriously. This privacy policy has been prepared in line with the EU's General Data Protection Regulation (GDPR), which promotes fairness and transparency for all individuals in respect of their personal data. This privacy policy applies to all data I process, and by using MARTIN CLARK PHOTOGRAPHY you consent to my collection and use of such data.

## Schedule 1 Privacy Notice

### 1. Introduction

This privacy notice aims to give the client (referred as "you", "your" below) information on how the Photographer has collected and will process the following categories of personal data about the client:

the Photograph (as defined in the Model Release Form between the Model and the Photographer to which this privacy notice is attached as Schedule 1); and related contact details including name, phone number and home address (the Related Data).

This privacy notice only relates to how we will process the Photograph and the Related Data. It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you [, for example, if you are using our website] so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### 2. Important information and who we are

#### Controller

Martin Clark is the data controller and responsible for your personal data (collectively referred to as "Photographer", "we", "us" or "our" in this privacy notice).

#### Contact details

Our full details are:

Full name of Photographer: Martin Clark

Email address: martinclarkphotography@outlook.com

Postal address: Suite 18, Ayrshire's Arts Academy, 15 Elmbank Drive, Kilmarnock KA1 3AE

Telephone number: +44 (0) 7825 107001

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.



### 3. Your duty to inform us of changes

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.

### 4. The data we have collected and how it was obtained

We have collected the Photograph and Related Data.

### 5. How we will use your personal data

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

- On the basis of your consent.
- Where we need to comply with a legal or regulatory obligation.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. References to Specified Activities for the Specified Purpose, Photograph and Related Data are as defined in the Model Release Form or this Schedule 1.

Purpose of processing your data	Data	Lawful basis for processing including basis of legitimate interest (if applicable)
Specified Activities for the Specified Purpose	Photograph	Consent
Managing our relationship with you, including: • Notifying you of changes to our privacy policy. • Storing your contact details so that we can contact you. • Keeping a record of your consent.	Photograph, Related Data	<ul style="list-style-type: none"><li>• Necessary for our legitimate interests ([to maintain a record of your contact details in case we need to contact you regarding the Photograph; to keep our records updated]).</li><li>• Necessary to comply with a legal obligation.</li></ul>
Tracking customer & website analytics: • Google Analytics	Browser, Operating System and Device information, Time, Location, and IP Address of Logins: Data is transferred outside of the European Economic Area to United States under the protection of EU/US Privacy Shield.	<ul style="list-style-type: none"><li>• Allows me to tailor services and products including offers directly to customers</li></ul>
Printing Labs for website-based purchases	First Name, Surname, Billing address, Credit Card info: Data is not transferred outside of the European Economic Area	<ul style="list-style-type: none"><li>• Website ordering through 3<sup>rd</sup> party companies to provide printed products direct to clients.</li></ul>
Paperless contractual consent and model release consent	First Name, Last Name, email, telephone number, Address, Signature, Child/Children's names: Data is not transferred outside of the European Economic Area.	<ul style="list-style-type: none"><li>• Consent and contractual agreement</li></ul>
Marketing and communications	First Name, Last Name, email,	<ul style="list-style-type: none"><li>• Allows me to tailor services</li></ul>



	address, telephone number: Data is transferred outside of the European Economic Area to United States under the protection of EU/US Privacy Shield	and products including offers directly to customers
Social media posts and marketing	First Name, Last Name: Data is transferred outside of the European Economic Area to United States under the protection of EU/US Privacy Shield	• Consent

## 6. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 5 above.

- Internal Third Parties as set out in the Glossary.
- External Third Parties as set out in the Glossary.
- 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 notice.

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.

## 7. International transfers

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

## 8. Data security

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.

## 9. Data retention



We will only retain the Photograph and Related Data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## 10. Your legal rights

You have, in connection with your personal data, under certain circumstances, the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Withdraw consent** at any time in relation to our use of the Photograph for the Specified Purpose, in relation to which 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. 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 the photographer in writing.

If we receive notification that you have withdrawn your consent to the use of the Photograph for the Specified Purpose, we will no longer process the Photograph for the Specified Purpose and, subject to our retention policy, we will dispose of the Photograph securely. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

### 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 may 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 may 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.

### **11. Glossary**

#### **LAWFUL BASIS**

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

