

Privacy Notice

This is the privacy notice of Market Hill Photography ("we", "our", or "us").

We are an unincorporated business owned by Joe and Nathalie Fairs. Our address is 28 Market Hill, Sudbury, Suffolk, CO10 1RB.

Introduction

This privacy notice aims to inform you about how we collect and process any information that we collect from you, or that you provide to us. It covers information that could identify you ("personal information") and information that could not. In the context of the law and this notice, "process" means collect, store, transfer, use or otherwise act on information. It tells you about your privacy rights and how the law protects you.

We are committed to protecting your privacy and the confidentiality of your personal information. Our policy is not just an exercise in complying with the law, but a continuation of our respect for you and your personal information.

We undertake to preserve the confidentiality of all information you provide to us, and hope that you reciprocate.

Our policy complies with the Data Protection Act 2018 (Act) accordingly incorporating the EU General Data Protection Regulation (GDPR).

The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now, by requesting that you read the information provided at <http://www.knowyourprivacyrights.org>

Except as set out below, we do not share, or sell, or disclose to a third party, any information collected through our website.

1. Data we process

We collect, use, store and transfer different kinds of personal data about you. We have collated these into groups as follows:

Your identity includes information such as first name, last name, title, date of birth, and other identifiers that you may have provided at some time.

Your contact information includes information such as billing address, delivery address, email address, telephone numbers and any other information you have given to us for the purpose of communication or meeting.

Your payment information includes information such as your credit or debit card information.

Transaction information includes details about payments or communications to and from you and information about products and services you have purchased from us.

Technical information includes your Internet protocol (IP) address, 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.

Profile information includes information about the event that you would like us to photograph, circumstances that inform us about what makes the event special for you, your interests, and your preferences.

Marketing information includes your preferences in receiving marketing from us; communication preferences; responses and actions in relation to your use of our services.

We may aggregate anonymous data such as statistical or demographic data for any purpose. Anonymous data is data that does not identify you as an individual. Aggregated data may be derived from your personal data but is not considered personal information in law because it does not reveal your identity.

For example, we may aggregate profile data to assess interest in a product or service.

However, if we combine or connect aggregated data with your personal information so that it can identify you in any way, we treat the combined data as personal information and it will be used in accordance with this privacy notice.

2. Special personal information

Special personal information is data 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.

We may process special personal information about you. For example, if you ask us to photograph you, by the nature of our work our photographs are likely to capture special personal information.

We are aware of the confidence you hold in us to keep your special personal information private and we process such information so as to protect it to as great an extent as possible.

3. If you do not provide personal information we need

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you fail to provide that information when requested, we may not be able to perform that contract or continue providing our services to you. If so, we will notify you of this at the time.

The bases on which we process information about you

The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

If the basis changes then if required by law we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

4. Information we process because we have a contractual obligation with you

When you hire us to photograph you, when you buy a product or service from us, or otherwise agree to our terms and conditions, a contract is formed between you and us.

In order to carry out our obligations under that contract we must process the information you give us. Some of this information may be personal information.

We process this information on the basis there is a contract between us, or that you have requested we use the information before we enter into a legal contract.

We shall continue to process this information until the contract between us ends or is terminated by either party under the terms of the contract.

5. Information we process with your consent

Through certain actions when otherwise there is no contractual relationship between us you provide your consent to us to process information that may be personal information.

We aim to obtain your explicit consent to process this information. However, that may not always be possible.

We continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

You may withdraw your consent at any time by telling us in person, or by writing to us at the address above. However, if you do so, you may not be able to use our services further.

We may rely on our client to obtain your explicit consent or to tell us that you do not give your consent. Until our client informs us that you do not consent, we may reasonably assume that you provide it.

For example, if you attend an event that we have been asked to photograph, our client has a contractual obligation with us to notify you in advance that we may photograph you and to tell us if you do not consent to this. We therefore rely on our client to tell us if you do not consent.

While telling our client that you do not consent should be sufficient, there may be circumstances where our client does not pass that information on to us. It is best to tell us directly, as soon as possible if you do not consent, or if you withdraw your consent.

6. Information we process for the purposes of legitimate interests

We may process information on the basis there is a legitimate interest, either to you or to us, of doing so.

Where we process your information on this basis, we do after having given careful consideration to:

- whether the same objective could be achieved through other means

- whether processing (or not processing) might cause you harm
- whether you would expect us to process your data, and whether you would, in the round, consider it reasonable to do so

For example, we may process your data on this basis for the purposes of:

- record-keeping for the proper and necessary administration of our business
- responding to unsolicited communication from you to which we believe you would expect a response
- protecting and asserting the legal rights of any party
- protecting your interests where we believe we have a duty to do so

Where we use a photograph of you (for example, to promote our services), we may do so on the basis that there is a legitimate interest. We will, of course, take into consideration whether you would prefer us not to use your image in assessing whether doing so would cause you harm, but your preference alone may not be sufficient for us to conclude whether or not a legitimate interest exists.

7. Information we process because we have a legal obligation

Sometimes, we must process your information in order to comply with a statutory obligation.

For example, we may be required to give information to legal authorities if they so request or if they have the proper authorisation such as a search warrant or court order.

This may include your personal information.

Specific uses of information you provide to us

8. Information relating to your method of payment

Payment information is not taken by us or transferred to us.

At the point of payment, you are transferred to a secure page on the website of our payment service provider. That page is branded to look like a page on our website, but it is not controlled by us.

9. Cookies

Our website uses cookies for security purposes and to track which pages you visit.

Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit any website. They allow information gathered on one web page to be stored until it is needed for use on another, allowing a website to provide you with a personalised experience and the website owner with statistics about how you use the website so that it can be improved.

Cookies are placed by software that operates on our servers, and by software operated by third parties whose services we use. For example, our website hosting provider, Wix.com, uses cookies to collect technical information for security purposes.

Some cookies may last for a defined period of time, such as one visit (known as a session), one day or until you close your browser. Others last indefinitely.

Your web browser should allow you to delete any you choose. It also should allow you to prevent or limit their use.

10. Personal identifiers from your browsing activity

Requests by your web browser to our servers for web pages and other content on our website are recorded.

This technical information is recorded for security purposes. Theoretically, if combined with other information we know about you from previous visits, the data possibly could be used to identify you personally. However, we do not process it in such a way.

Other matters

11. Exemption from the Data Protection Act

An exemption from the Data Protection Act 2018 exists if your personal information is processed for special purposes. Special purposes include use for journalism, academia, art or literature.

The exemption removes the requirement for there to be any legal basis for processing, all of the principles except security and accountability, and all rights except those related to automated decision making.

However, the exemption only applies if compliance with the Act is otherwise incompatible, that the aim of processing is publication in the public interest with consideration of the freedom of expression and harm to individuals.

Our photographs may be used for special purposes.

12. Data may be processed outside the European Union

Our business is based in the UK.

Our website hosting provider, Wix, is based in Israel. Israel is considered by the European Commission to offer an adequate level of protection for the personal information of EU Member State residents.

Your personal information, including photographs, may be stored through Wix's data storage, databases and the general Wix applications. Data is stored on secure servers behind a firewall.

Your data may be maintained, processed and stored by Wix and their authorised affiliates and service providers in the United States of America, in Europe (including in Lithuania, Germany and Ukraine), in Israel, and in other jurisdictions as necessary for the proper delivery of their services and/or as may be required by law.

Wix affiliates and service providers that store or process your data on Wix's behalf are each contractually committed to keep it protected and secured, in accordance with industry standards and regardless of any lesser legal requirements which may apply in their legal jurisdiction.

Wix's full privacy policy can be viewed at: <https://www.wix.com/about/privacy>

13. Control over your own information

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

At any time you may contact us to request that we provide you with the personal information we hold about you.

When we receive any request to access, edit or delete personal identifiable information we shall first take reasonable steps to verify your identity before granting you access or otherwise taking any action. This is important to safeguard your information.

14. Use of our website by children

If you are under 18, you may use our website only with consent from a parent or guardian.

We collect data about all users of and visitors regardless of age, and we anticipate that some of those users and visitors will be children.

We do not sell products or provide services for purchase by children, nor do we market to children.

15. Communicating with us

When you contact us, whether by telephone, through our website or by e-mail, we collect the data you have given to us in order to reply with the information you need.

We keep identity and contact information so as to be able to track our communications with you.

16. Complaining

If you are not happy with our privacy policy or if you have any complaint then you should tell us.

When we receive a complaint, we record all the information you have given to us. We use that information to resolve your complaint.

If the complaint relates to content we have posted on our website or a social media account, then if we feel it is justified or if we believe the law requires us to do so, we shall remove the content while we investigate.

If we think your complaint is vexatious or without any basis, we shall not correspond with you about it.

If your complaint reasonably requires us to contact some other person, we may decide to give to that other person some of the information contained in your complaint. We do this as infrequently as possible, but it is a matter for our sole discretion as to whether we do give information, and if we do, what that information is.

If a dispute is not settled then we hope you will agree to attempt to resolve it by engaging in good faith with us in a process of mediation or arbitration.

If you are in any way dissatisfied about how we process your personal information, you have a right to lodge a complaint with the Information Commissioner's Office (ICO). This can be done at <https://ico.org.uk/make-a-complaint/>. We would, however, appreciate the opportunity to talk to you about your concern before you approach the ICO.

17. Retention period for personal data

Except as otherwise mentioned in this privacy notice, we keep your personal information only for as long as required by us:

- to provide you with the services you have requested
- to comply with other law, including for the period demanded by our tax authorities
- to support a claim or defence in court

18. Compliance with the law

Our privacy policy has been compiled so as to comply with the law of every country or legal jurisdiction in which we aim to do business. If you think it fails to satisfy the law of your jurisdiction, we should like to hear from you.

19. Review of this privacy policy

We may update this privacy notice from time to time as necessary. Our policy that applies to you is that which is posted here on our website on the day you visit our website. We advise you to print a copy for your records.

If you have any question regarding our privacy policy, please contact us.