



**PHILIPPA
NETSCHER
PHOTOGRAPHY**

Pips Photos

GDPR/ Data Protection Policy

Philippa Netscher Photography – Pips Photos takes your privacy and the handling of your data seriously. In order to comply with the General Data Protection Regulation there may be times when you will be asked to specifically opt in to receiving communication from us and to sharing your data.

Any data collected, including, but not limited to, your names, email addresses and mailing address are used solely in the provision of photographic services, are stored securely on a purpose-built database and may be shared with any third parties in order to provide you with artistic productions and store purchases through my website.

In the case of an initial enquiry we will ask for details including your name(s), email addresses, photoshoot date and venue(s) in order to provide a quote and an indication of availability. This will be stored for an initial period of 6 months in order to respond to enquiries promptly and to best serve potential clients.

In the case of a confirmed booking, as part of the contract between both parties, we will request certain information, including your mailing address and your signature in addition to the above.

In order to create and deliver photographic services and to deliver the comprehensive coverage seen in my portfolio, it is also necessary that we store images of your likeness, both of yourselves as signatories and, in the case of a photoshoot of individual or events, of your families and guests, and boats with sail numbers as both jpg and RAW files on secure storage. These are stored separately from your full names and other data, and the two are never associated.

Your right to access

You are able to request, on demand, all data that Philippa Netscher Photography – Pips Photos, as a business, holds on you. This will be provided as an electronic report.

Your right to be forgotten

You have the right to withdraw your consent to have your data stored at any time. If you choose to do this, please email philippa.netscher@pipsphotos.com stating so.

Our GDPR Privacy Policy in full:

1. Introduction

1.1 We are committed to safeguarding the privacy of Philippa Netscher Photography – Pips Photos website visitors and customers

1.2 This policy applies where we are acting as a data controller with respect to the personal data of Philippa Netscher Photography – Pips Photos website visitors and customers

1.3 In this policy, “we”, “us” and “our” refer to Philippa Netscher Photography – Pips Photos

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) 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 may 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. The source of the usage data is WIX.COM. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

Our company is hosted on the Wix.com platform. Wix.com provides us with the online platform that allows us to sell our products and services to you. Your data may be stored through Wix.com’s data storage, databases and the general Wix.com applications. They store your data on secure servers behind a firewall.

2.3 We may process your personal data that is provided as part of an enquiry about our services (“enquiry data”). The enquiry data may include your name, contact telephone number and email address. for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent, namely taking steps, at your request, to provide information about our availability and services.

2.4 We may process your personal data that is provided in the course of the use of our services (“service data”). The service data may include your name, contact telephone number and email address. The service data may be processed for the purposes of providing our services, maintaining back-ups of our databases and communicating with you. 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.

2.5 We may process information that you provide for publication on our website or social media (“publication data”). The publication data may be processed for the purposes of enabling such publication and marketing our website and services. The legal basis for this processing is consent.

2.6 We may process information relating to our customer relationships, including customer contact information (“customer relationship data”). The customer relationship data may include your name, your contact details, and information contained in communications between us and you. The customer relationship data may be processed for the purposes of managing our relationships with customers, communicating with customers, keeping records of those

communications and promoting our products and services to customers. The legal basis for this processing is consent.

2.7 We may process information relating to transactions, including purchases of goods and services, that you enter into with us. ("transaction data"). The transaction data may include your contact details and the transaction 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 between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely the proper administration of our website and business.

2.8 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.

2.9 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.

2.10 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.

2.11 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.

2.12 Please do not supply any other person's personal data to us, unless we prompt you to do so.

3. Providing your personal data to others

3.1 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.

3.2 We may disclose your contact details to our suppliers or subcontractors insofar as reasonably necessary to deliver sub-contracted services or product orders. The legal basis for this processing is consent.

3.3 Financial transactions relating to product orders are handled by our services provider WIX.COM. All direct payment gateways offered by Wix.com and used by our company adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, MasterCard, American Express and Discover. PCI-DSS requirements help ensure the secure handling of credit card information by our store and its service providers

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. Transfers of your personal data

4.1 In this Section 4, we provide information about the circumstances in which your personal data may be transferred, including to countries outside the European Economic Area (EEA).

4.2 The hosting facilities for our website may be stored in data centres located in the United States of America, Ireland, Japan and Israel. We may use other jurisdictions as necessary for the proper delivery of our Services and/or as may be required by law.

Wix.com Ltd. is based in Israel, which is considered by the European Commission to be offering an adequate level of protection for the Personal Information of EU Member State residents.

Wix affiliates and Third-Party Service Providers that store or process your Personal Information on Wix's behalf are 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 jurisdiction.

Transfer of EU Personal data : If you are located in Europe, when we will transfer your Personal Information to the United States or anywhere outside Europe, we will make sure that (i) there is a level of protection deemed adequate by the European Commission or (ii) that the relevant Model Standard Contractual Clauses are in place.

4.4 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.

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:

(a) Invoices, contact and contract details will be retained for a maximum period of 6 years (statute of limitations) following final delivery of services

(b) Planning information, photo shoot details and customer notes will be kept for a minimum of one year and a maximum of two years

5.4 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. Amendments

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

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

7. Your rights

7.1 In this Section 7, 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.

7.2 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.

7.3 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. You can request your personal data by contacting us.

7.4 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.

7.5 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.

7.6 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.

7.7 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.

7.8 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.

7.9 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.

7.10 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.

7.11 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.

7.12 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.

7.13 You may exercise any of your rights in relation to your personal data by written notice to us.

8. About cookies

8.1 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.

8.2 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.

8.3 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.

9. Cookies that we use

9.1 We use cookies for the following purposes:

(a) analysis – we use cookies to help us to analyse the use and performance of our website and services

10. Cookies used by our service providers

10.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.

10.2 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/>.

11. Managing cookies

11.1 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.

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

12. Our details

12.1.

12.2 Our office is at 27 Tiffany Close, Bletchley, Milton Keynes MK2 3LZ

12.3 You can contact us:

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

(b) using our website contact form;

(c) by email, using the email address published on our website.

13. Data protection officer

13.1 Our data protection officer's contact name is: Philippa Netscher

CLIENTS AND GUESTS CAPTURED IN PHOTOS

Under GDPR legislation, a photograph may in some instances constitute a form of personal data where they can be processed to allow "the unique identification or authentication of a natural person". Philippa Netscher Photography – Pips Photos will never photograph an individual as a means of unique identification or authentication unless consensually contracted to do so. Guests at photoshoots appear in photos taken by Philippa Netscher Photography – Pips Photos as a part of the visual recording of the event in photos. Guests captured in portraits or in group photos do so as part of the event and their rights are protected by Philippa Netscher Photography – Pips Photos as detailed in this privacy policy.

In terms of explicit GDPR compliance, photo shoot clients and guests are photographed within the parameters of GDPR legislation on the basis of 'legitimate interests'. The taking of photographs of photoshoot/event guests when viewed as a form of processing personal data is necessary for the legitimate interests of Philippa Netscher Photography – Pips Photos as a photography business unless there is a good reason to protect a given individual's personal data which overrides those legitimate interests.

Operating within the parameters of legitimate interests as laid out in GDPR legislation, the disproportionate effort involved in providing privacy policy information to all photoshoot/events guests at the event and the degree to which it would distract us from performing our job renders it infeasible to do. Photoshoot clients are therefore requested to direct their guests to read this privacy policy in advance of the event and to advise them to contact us in advance with any concerns around the processing of their personal data, namely being photographed.

SOCIAL MEDIA POLICY & USAGE

We adopt a safe and responsible Social Media Policy. While we may have official profiles on social media platforms users are advised to verify the authenticity of such profiles before engaging with, or sharing information with such profiles. We will never ask for personal details on social media platforms. Users are advised to conduct themselves appropriately when engaging with us on social media.

DISPLAY OF IMAGES

We may display photographs to promote Philippa Netscher Photography – Pips Photos on Pipsphotos.com and blog, on social media, on photography blogs, on photography related websites, in exhibitions, in advertising, brochures, magazine articles and other such material, providing that the images used are used lawfully and without damage Philippa Netscher Photography – Pips Photo's client(s). The rights of the people captured in these photographs are protected by Philippa Netscher Photography – Pips Photos as detailed in this privacy policy.

Potential clients will be asked to give permission for this as part of the contractual agreement before any work is undertaken.

WITHDRAWAL OF CONSENT

Anyone photographed by Philippa Netscher Photography – Pips Photos, whether a client or a guest, and whether past or current may withdraw consent for a photograph in which they appear to be displayed. The process for this is to email Philippa Netscher Photography – Pips Photos at philippa.netscher@pipsphotos.com specifying the photo in question. Pursuant to the request, Philippa Netscher Photography – Pips Photos will then remove the photo from online and printed display wheresoever it appears at the earliest opportunity.