

## ARTMAKERS' PRIVACY POLICY

### IMPORTANT INFORMATION AND WHO WE ARE

**ArtMakers** is the trading name of **BCre8ive Art Makers CIC**, a Community Interest Company limited by guarantee with company number 13269909. Artmakers is the data controller and is responsible for your personal data (referred to as "ArtMakers", "we", "us" or "our" in this privacy policy).

Our website address is: <https://www.artmakers.uk>.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### WHAT PERSONAL DATA WE COLLECT AND WHY WE COLLECT IT

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together and identified as follows:

- **Identity data** includes [first name, last name, username or similar identifier, marital status, title, date of birth and gender];

- **Contact data** includes [billing address, delivery address, email address and telephone numbers].
- **Financial data** includes [bank account and payment card details];
- **Transaction data** includes [details about payments to and from you and other details of products and services you have purchased from us and includes buyers wishlists and buyer product/artist likes];
- **Technical data** includes [internet protocol (IP) address, your login data, browser type and version, browser user agent string, 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 website];
- **Profile data** includes [your username and password, purchases or orders made by you, your images, your profile picture (shown against any comments you publish), your interests, preferences, feedback, comments and survey responses];
- **Usage data** includes [information about how you use our website, products and services]; and
- **Marketing and communications data** includes [your preferences in receiving marketing from us and our third parties and your communication preferences].

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

- **Performance.** Where we need to perform the contract we are about to enter into or have entered into with you.
- **Legitimate interests.** Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- **Legal.** Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct

marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data.

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We apply the following personal data control mechanisms:

- **Promotional offers from us.** We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you. You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.
- **Third-party marketing.** We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.
- **Opting out.** You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase.
- **Cookies.** You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see [Cookie Policy](#). In particular:
  - If you leave a comment on our site you may opt in to saving your name, email address and website in cookies. These are for your convenience so

that you do not have to fill in your details again when you leave another comment. These cookies will last for one year.

- If you visit our login page, we will set a temporary cookie to determine if your browser accepts cookies. This cookie contains no personal data and is discarded when you close your browser.
- When you log in, we will also set up several cookies to save your login information and your screen display choices. Login cookies last for two days, and screen options cookies last for a year. If you select “Remember Me”, your login will persist for two weeks. If you log out of your account, the login cookies will be removed.
- If you edit or publish an article, an additional cookie will be saved in your browser. This cookie includes no personal data and simply indicates the post ID of the article you just edited. It expires after 1 day.
- Articles on our site may include embedded content (e.g. videos, images, articles, etc.). Embedded content from other websites behaves in the exact same way as if the visitor has visited the other website.
- These websites may collect data about you, use cookies, embed additional third-party tracking, and monitor your interaction with that embedded content, including tracking your interaction with the embedded content if you have an account and are logged in to that website.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## HOW WE COLLECT YOUR PERSONAL DATA

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your [Identity, Contact and Financial Data] by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - purchase products or services;
  - create an account on our website;
  - register for membership;
  - subscribe to our service or publications;
  - request marketing to be sent to you;
  - enter a competition, promotion or survey;
  - give us feedback, contact us, or use the chat room; or
  - use the Peer-to-Peer chat service
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [Cookie Policy](#) for further details.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
  - Technical Data from the following parties:
    - analytics providers;
    - advertising networks; and
    - search information providers.
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services.
  - Identity and Contact Data from data brokers or aggregators.

- Identity and Contact Data from publicly available sources [such as Companies House and the Electoral Register based inside the UK.

### **DISCLOSURES OF YOUR PERSONAL DATA**

We may share your personal data with the parties set out below for the purposes described above:

- Internal third parties.
- External third parties including IT and system administration service providers, and professional advisers.
- Specific third parties including but not exclusively legal advisors, accountants and other parties required by law.
- 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 policy.

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.

Please note that visitors to the website can download and extract any location data from images on the website, if you upload images to the website, you should therefore avoid uploading images with embedded location data (EXIF GPS) included.

### **INTERNATIONAL TRANSFERS**

Excepting for use of the virtual gallery ArtPlacer app, we do not transfer your personal data outside the UK.

**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.

**DATA RETENTION**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

If you leave a comment, the comment and its metadata are retained indefinitely. This is so we can recognise and approve any follow-up comments automatically instead of holding them in a moderation queue.

## YOUR RIGHTS

Registered users of our website can see, edit, or delete their personal information at any time (except they cannot change their username). Website administrators can also see and edit that information.

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- **Request access to your personal data** (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it and will be provided to you as an exported file.
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing of your personal data** 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may



demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - If you want us to establish the data's accuracy.
  - Where our use of the data is unlawful but you do not want us to erase it.
  - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
  - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data to you or to a third party.** We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time where 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. If you withdraw your consent, we may not be able to provide certain products or services to you. 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 us.

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 could refuse to comply with your request in these circumstances. 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.

We try to respond to all legitimate requests within one month. Occasionally it could 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.

## **IN CONCLUSION**

If you have any questions about this privacy policy or our privacy practices, please contact us in any of the following ways:

- Email address: [hilary@artmakers.uk](mailto:hilary@artmakers.uk)
- Postal address: BCre8ive Art Makers CIC, Yonder Hill, New Road, Instow, Devon EX39 4LN

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator 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.

We review our privacy policy periodically.