

PRIVACY POLICY

New Day Pictures Limited ("**Company**", "**we**", "**us**", "**our**") are committed to protecting and respecting your privacy. This Privacy Policy explains how we collect, process and look after any personal information that we collect about you during our ongoing business with you, including any data that you may provide when registering an account or hiring/purchasing products or using our website www.newdaypictures.com ("**Site**").

It is important that you read this Privacy Policy 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 so that you are fully aware of how and why we are using your data.

This Privacy Policy is provided in a layered format, so you can click through to the specific areas set out below.

By continuing to use the Site, you acknowledge our collection, storage and use of your personal information as described below.

The Site is not intended for children, and we do not knowingly collect any data relating to children.

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1. Important information and who we are

Controller

Company is the controller and responsible for your personal data. We have appointed a data privacy manager to oversee any queries about this Privacy Policy. If you have any such queries, including any requests to exercise your legal rights in relation to your personal data, please contact our data privacy manager using the following details:

Email address: manager@newdaypictures.com

Postal address: Data Privacy Manager, Unit 5, Princeton Mews, 167-169 London Rd, Kingston-Upon-Thames, Surrey, Greater London KT2 6PT

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). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

Informing 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 change during your relationship with us.

Third-party links

The Site may contain links to other online or mobile sites. We are not responsible and accept no liability for the privacy practices or content of such sites.

2. The data we collect about you

The term “personal data”, or “personal information”, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (i.e. anonymous data).

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

- **Identity Data** include your first name, last name, user name or similar identifier, title, date of birth, gender and/or (if applicable) company name.
- **Contact Data** include your billing address, delivery address, country of origin, email address and telephone number(s).
- **Transaction Data** include details about payments to and from you and other details of products that you have bought from us.
- **Profile Data** include purchases or orders made by you, and your interests, preferences, feedback and survey responses.
- **Marketing and Communications Data** include your preferences in receiving marketing from us and (if relevant) third parties and your communication preferences.

We do not collect any **Special Categories of Personal Data** about you (this would include details 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). Nor do we collect any information about criminal convictions and offences.

Where we need to collect personal data by law, or under the terms of a contract that we have with you and you fail to provide that data when requested, we may not be able to perform the contract that we have or are trying to enter into with you (for example, to provide you with products). If so, we shall notify you if this is the case at the time.

3. 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 Transaction Data by filling in forms or by corresponding with us by post, email, phone or otherwise. This includes personal data that you provide when you:

- submit an account application form via the Site, by email, or by post;
- send us any correspondence by post;
- send an email to any of our contact email addresses displayed on the Site;
- phone us through our switchboard;
- order any of our products;
- create a new account;
- subscribe to receive our email newsletters;
- request marketing to be sent to you;
- enter a competition, promotion or survey; and/or
- give us some feedback.

• **Third-party sources:** We may receive Contact and Transaction Data from third-party providers of technical, payment, fulfilment and delivery services.

4. How we use your personal data

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

- where we need to perform any contract that we are about to enter into or have entered into with you (such as a contract for the hire or sale of products);
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights and freedoms do not override our (or such third party's) interests; and/or
- where we need to comply with a legal or regulatory obligation.

Please refer to the [Glossary](#) to find out more about the types of lawful basis that we shall rely on to process your personal data.

We do not generally rely on consent as a legal basis for processing your personal data other than, if you agree to receive such communications, in relation to the sending of third-party direct marketing communications to you via email or text message. You have the right to withdraw consent to such marketing at any time by [contacting us](#).

Purposes for using your personal data

We have set out below, in a table format, a description of all the ways that we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Please 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 that we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose	Type of data	Lawful basis for processing (including basis of legitimate interest)
To create an account and to register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) managing payments, fees and charges; and (b) collecting and recovering money owed to us	(a) Identity (b) Contact (c) Transaction (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you, including: (a) notifying you about changes to the Conditions of Hire, or this Privacy Policy; and (b) asking you to leave a review or to take part in a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products)
To enable you to take part in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products, to develop them and to expand our business)

To deliver relevant newsletters and/or advertisements to you and to measure or understand the effectiveness of any such newsletters and/or advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	Necessary for our legitimate interests (to study how customers use our products, to develop them, to expand our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Profile	Necessary for our legitimate interests (to develop our products to expand our business)

Marketing

We strive to provide you with choices regarding certain uses of personal data, particularly around marketing and advertising, where relevant.

Promotional offers from us

We may use your Identity and Contact 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, and offers may be relevant for you (which we refer to as “marketing”).

You will receive marketing communications from us if you have requested information from us or bought products from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Third-party marketing

We will never share your personal data with any third party outside the Company for marketing purposes, unless you have given your express prior opt-in consent to do so.

Opting out

If, at any time, you would like us to stop using your personal information or to correct any factual inaccuracies, just [contact us](#) by email or post. Be sure to state "Opt-out" in the subject line, and to include your full name, registered user ID (if any) and email address in the message.

Change of purpose

We shall only use your personal data for the purposes for which we collected the data, unless we reasonably consider that we need to use such data for another reason and that reason is compatible with the original purpose. If you would like to get an explanation of 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 shall notify you and explain the legal basis on which we intend to rely.

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

5. 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 section 4 above.

- External Third Parties as set out in the [Glossary](#) at section 9 below.

- 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.

6. Data security

Our servers are securely located in the United Kingdom and are maintained by a limited number of users.

More generally, 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 we shall notify you and any applicable regulator of a breach where we are legally required to do so.

7. Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected such data, including for the purposes of satisfying any legal, accounting or reporting requirements.

By law we have to keep basic information about our customers (including Contact, Identity and Transaction Data) for six years after they cease being customers for tax purposes.

Customers' invoices are stored for a minimum of six years after the end of the current tax year in which the invoice was raised.

In some circumstances you can ask us to delete your personal data: please see [Request erasure](#) below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

8. Your legal rights

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

- right of access to your personal data;
- right to rectification of your personal data;
- right to erasure of your personal data;
- right to restriction of processing of your personal data;
- right to portability of your personal data;
- right to object to processing of your personal data;
- right not to be subject to automated decision-making (including profiling); and
- right to withdraw consent to processing of your personal data.

To find out more about these rights, please see [section 9](#) below and the ICO's website (www.ico.org.uk).

If you wish to exercise any of those rights, please [contact us](#).

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). We may, however, charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in those circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and to 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 are not disclosed to any person that has no right to receive such data. 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 shall notify you and keep you updated.

9. 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/content and the best and most secure experience. We make sure that 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 do so 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](#).

Performance of a Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

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

THIRD PARTIES

External Third Parties means:

- Professional advisers (acting as processors or joint controllers), including lawyers, bankers, accountants and insurers, who are based in the UK and provide their respective professional services to us.
- HM Revenue & Customs, regulators and other authorities (acting as processors or joint controllers), which are based in the UK and may require reporting of processing activities in certain circumstances.

YOUR LEGAL RIGHTS

In certain circumstances, you have the following legal rights in relation to your personal data:

Right of access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data that we hold about you and to check that we are lawfully processing such data.

Right of rectification of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, although we may need to verify the accuracy of the new data that you provide to us.

Right to erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for our continuing to process such data. 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. Please 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.

Right to 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: (a) if you would like us to establish the accuracy of such data; (b) where our use of the data is unlawful, but you do not want us to erase it; (c) 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; or (d) you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

Right to portability of your personal data to you or to a third party. If you so request, we shall provide you, or a third party that you have chosen, with a copy of your personal data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information that you initially provided consent for us to use or where we used the information to perform a contract with you.

Right to 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 that makes you want to object to processing on this ground as you believe that 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 that override your rights and freedoms.

Right not to be subject to automated decision-making (including profiling) where that would have a significant effect on you. We do not in fact engage in such activities, so this right will not, in practice, be relevant in the context of your use of the Site.

Right to withdraw consent at any time where we are relying on consent to process your personal data. This will not, however, 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, content or services to you. We shall inform you if that is the case at the time when you withdraw your consent.

10. Changes to this Privacy Policy

We may at any time update or otherwise modify this Privacy Policy. We will notify you of any changes to our Privacy Policy by posting the modified Privacy Policy on the Site.

This version was last modified on the date noted below, and historic versions can be obtained by contacting us.

Last modified: 24 May 2018