

Jamie Primrose Privacy Notice 25th May 2018

We are committed to protecting and respecting your privacy and the security of your personal information. The way we conduct our business and your data complies with the new *GDPR* (General Data Protection Regulation) from 25th May 2018 onwards – new European laws on privacy, data protection, security and our actions are always fair, honest and transparent in accordance with these as you would expect. This includes *PECR* (The EC's Privacy and Electronic Communications Regulations) for email.

This Privacy Notice sets out the basis on which any personal data we collect from you, or that you provide us will be processed by us as you would reasonably expect. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. If you have any questions, please get in touch – our full contact details are at the end of this Privacy Notice.

By actively giving us your data for specific purposes or visiting either our main 'original' paintings website www.jamieprimrose.com or our limited edition prints online gallery shop.comjamieprimrose.com/shop you are accepting and consenting to the practices described in this notice.

For the purpose of the Data Protection 'Act' 1998 (the Act), the data controller is: **Jamie Primrose, 58 Arden Street Edinburgh, EH9 1BN (Partnership: Jamie & Mari Primrose).**

Introduction:

The GDPR sets out legal basis, which we or other companies can rely on to process your data in different circumstances:

Consent:

- In certain situations, you give us your consent e.g. when you personally, knowingly, freely and specifically by affirmative action write your details (name, address and or email address) in our Mailing List Book at one of our Jamie Primrose exhibitions or make verbally request: to receive future Jamie Primrose exhibition invitations by a certain method (by post, email, or both, depending on the specific information you choose to give us). This 'consent' is always is dated/fully recorded.

Example: We use 'consent' as the lawful basis for our email communications with you.

Contract:

- When you give us your details for us to fulfil an order or job i.e. you give us an address for us to arrange delivery of an 'original' painting or print in Edinburgh, UK-wide, or further afield.

Legitimate Interest:

- In certain situations we may use the data you give us for our business interests (commercial) via direct marketing (to send you our Jamie Primrose exhibition invitations), after you have expressed an interest in attending our exhibitions/viewing and/or purchasing our artworks. We may send you these exhibition details, which you would reasonable expect, with minimal privacy impact or impact on your rights, freedoms or interests. e.g. We may send exhibition invitations to you by post, based on your past exhibition attendance, requests you have made to view artworks in person or enquiries made about our artwork prices (originals or limited edition prints).

The data you may give us:

- You may choose to give us your data and we then retain only your **name, home (or business) address and postcode** and/or **email** address for the purpose of receiving future details of our Jamie Primrose exhibitions (i.e. invitations), or for us to respond to a specific artwork enquiry for prices and images etc. and internal administrative purposes. (If you give us your **telephone number**, this is used only for contractual basis only e.g. artwork deliveries).
- No further data is held by us i.e. no sensitive data or transactional (payment) data.

How you give us your data directly:

- By visiting a Jamie Primrose exhibition (usually The Dundas St. Gallery, Edinburgh, although other venues may apply in Edinburgh/London from time to time) you may freely fill out your details in our Mailing List Book (to receive exhibition invitations in future*) or on our Exhibition Sheets (with a specific artwork enquiry). This written consent is often strengthened through additional verbal confirmation between you and us, as we check you know what channels/communications you are consenting to. You write your specific details down pertaining to the way you wish to be contacted for a certain purpose.
- By filling out your details with an artwork enquiry on one of our two websites (mentioned above) in the form of a contact form request.
- By sending a direct email to us showing interest and requesting information, prices, images etc. on specific Jamie Primrose artworks ('Client' activity) or for requesting exhibition invitations having seen wider advertising/publicity about an exhibition.
- By verbally giving your details over the telephone requesting artwork information for 'Client activity' or a home/studio viewing with the artist or to be sent information.
- By sending details in an email or by telephone to arrange a home paintings viewing visit by Jamie Primrose or arranging a visit to his Stockbridge studio to view/purchase artworks.
- By filling out your details online when purchasing a print on our limited editions prints online shop website (mentioned above).
- By actively filling out a Sales Receipt on purchasing 'original' paintings or limited edition prints either: at one of our Jamie Primrose exhibitions, in the artist's Stockbridge studio or in your own home.

*You would only actively do this if you wish this specific information and by the details you give us, you are requesting details through a specific channel of communication (email or post or both) as signage within the Mailing List Book itself and nearby, states this clearly.

What we use your data for:

- To fulfil a request from you and to provide you with details on artworks (prices, send images), exhibitions or other services you may ask for from us e.g. arranging painting viewings in the artist's studio, in your own home.
- To provide you with information on similar artworks, exhibitions or services that you have already purchased or enquired about when these become available/as appropriate.
- Internal administrative purposes to carry out our business activities when you are purchasing artwork/s i.e. sales receipts, address sheets for shipping artwork, hardcopy Client files and in our secure database.
- To fulfil obligations arising from any contracts entered into between you and us to fulfil an artwork/s purchase – e.g. communicating about delivery/shipping dates and times.
- Direct marketing campaigns (postal) – we use your name, address and postcode for the purpose of communicating through postal mailing campaigns about our Jamie Primrose exhibitions, with opt outs available:
 - Clients, Enquirers, Past exhibition attendees & enquirers, plus other individuals recommended
- Direct marketing campaigns (email) – we use your name and email address for email campaigns through MailChimp – to send communications inviting you to our Jamie Primrose exhibitions:

Consent (with notes accordingly to highlight 'consent' acquired in line with GDPR/PECR*)

- Clients – having purchased Jamie Primrose artworks in the past (*soft 'opt in'**)
- Enquirers – having enquired about our Jamie Primrose artworks/prices – with a view to purchasing (*soft 'opt-in'**)
- Past exhibition attendees (*active 'consent' freely given e.g. Mailing List Book sign up for email communication*, opt out available*)
- Past exhibition enquirers (*request for details on exhibitions given through a variety of channels*, then 'consent' sought for future exhibitions, with opt out available*)

N.B. Clear opt outs given at time of data-capture accordingly as appropriate and on communications, through both channels (postal and email) thereafter.

The length of time we may keep your data:

- We will keep your data for as long as reasonably necessary, based on the context, circumstances and your expectations – from your initial artwork or exhibition enquiry, or your exhibition attendance. This may be the context of when/where your consent was given for the processing of your data by a specific channel, or based on your expressed wishes you have communicated to us (in an informal situation e.g. one of our Jamie Primrose exhibitions), or your expectations about our artworks/exhibitions in the future and e.g. any wishes to be invited to exhibitions indefinitely going forward (which forms the basis of our data processing/direct marketing). Due to the long lead times between our exhibitions, our lengthy artwork creation and purchase sales cycles and past Client/Attendee experience, going forward we may refresh and ask for re-consent by email if no engagement at all every 36 months, although slightly longer depending on original engagement as we think appropriate. Otherwise we will continue to process your data if there is engagement – ie. opening emails, clicking on links, communicating with us, attending our exhibitions, enquiring and purchasing as you would reasonably expect.

Disclosure / sharing data:

Please be rest assured that we never share, rent or sell your data directly to third parties.

However, we may disclose your personal details to our own trusted third-party **suppliers**, who provide services on our behalf and as part of a transaction that you have agreed to, in the contractual running of our business i.e. purchasing artworks. Please note:

- We only use trusted artwork couriers for UK or overseas artwork shipments and we may give our courier companies your address and a telephone number at destination, for you/your recipient (with consent given) to receive a print / artwork delivery accordingly, following a purchase.
- When you place an order on our limited editions online gallery shop, your credit card details are collected by our third-party payment processor – ‘Sage Pay’, who have secure online processing methods and are PCI compliant to help protect you against fraud. We do not store/retain any credit card data ourselves.
- We use MailChimp for email campaigns – fully GDPR compliant and with their own Privacy Policy.
- If you click from our website/s or social media sites (in the future) onto links from other companies, (which they may contain in the future from time to time), and you follow the link to other websites, then we have no control over their data policy and then they may collect and share your data (as this would fall under their Private Notices/Policies). We therefore do not accept any responsibility or liability for these policies/notices or the actions of these companies. Please check each individual privacy policy/notice before you submit any personal data to these websites.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, to protect the rights, property or safety of Jamie Primrose, our Clients or others, we may disclose your details. This includes exchanging with other companies and organisations for the purpose of fraud prevention.

Security & Protection:

- We take precautions to keep your data private and secure. Your data is held securely with password protected files. It is not transferred or stored outwith Jamie Primrose (Fine Art), nor processed by anyone else other than by Mari Primrose. We take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Notice.
- All your information is stored by us on our secure server. Payments on our limited edition prints online shop are carried out by ‘Sage Pay’ (as mentioned above). As the transmission of information via the internet is not completely secure, although we do our best to protect your personal data, we therefore cannot guarantee the security of your data transmitted on our website/s, any transmission is at your own risk.
- We always strive to keep personal details accurate and up-to-date and welcome updates from you, which relies on you giving us your new details when you may move house or your personal details change. You have the right to rectify any mistakes in the data we hold and the right to access any data we hold on you at any time. If you are a Client and a postal mailing invitation is returned through Royal Mail as ‘goneaway’ this will be deleted off our postal mailing list in accordance with data protection regulations. We will continue to email you (if you have already consented and given us your email address accordingly).

Information we may collect about you:

On visiting our websites or when we process your data for email campaigns through MailChimp.

With regard to each of your visits to our website/s (once they are updated in due course) and when we currently use the email marketing platform 'MailChimp' for our exhibition email campaigns, we may automatically collect the following information:

- Technical information, including the Internet Protocol (IP) address used to connect your computer to the Internet, your browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, device, location services.
- Information about your site visit or engagement during an email campaign, including the URL clickstream, through and from our websites, your email opens, views, web-clickthroughs (including date and time), artworks viewed and searched for; web page response times, download errors, lengths of visits to certain pages, pages interaction information (such as scrolling, clicks and mouse overs and methods used to browse away from the page).

We may use this information

From the Web (in the future):

- To administer our site/s and for internal operations, data analysis, testing, statistical and survey purposes
- To improve our site/s to ensure that content is presented in the most effective manner
- To allow you to participate in any interactive features of our services when you choose to do so in future
- To keep our site/s safe and secure
- To measure the effectiveness of direct marketing/advertising we serve to you and to deliver relevant advertising to you
- To make suggestions and recommendations to you and other users of our site/s about artworks which may interest them

From your Email (currently):

- To improve our email campaigns to you for a better experience i.e. timings, inclusions, artwork preferences
- To provide you with relevant, tailored future communications accordingly

Information we may receive from other sources:

- In the future, we may receive information about you from analytics providers or search information providers (we will update this Privacy Notice accordingly at the appropriate time) in order to make our exhibition offering, artworks on our websites (originals and prints) more tailored to your needs.

Cookies:

- Currently we do not actively track your data through analytics programmes on our two websites, but once these are updated we will. Usually websites use cookies to distinguish you from other users of websites. This will help to provide you with a good experience when you browse our websites and will allow improvements of our site/s in future. More details and information on Cookies and how we will use them in the future will be available when we update our websites accordingly. We will track cookies only by consent, which we will request when you enter our sites in the future.

How to withdraw consent / stop exhibition communications:

- You have the right to withdraw your consent at any time and without penalty – we make it easy for you to opt-out of receiving communications from us with 'unsubscribe' link on every email, with full contact details (contact name, telephone number, mobile email) address on other communications as appropriate e.g. exhibition invitations, letters to you.
- If you make a request for your details to be taken off our postal mailing list and it is not clear if you wish communications to continue by email, we may contact you to find out accordingly. We will make it easy for you to amend your preferences i.e. if you wish email communications rather than postal, or vice versa (or both) at appropriate times in our postal mailings and/or email communications accordingly.
- If you advise you wish no more communications at all, we will duly delete your details from our postal and email mailing lists.
- Any deletions take place immediately and always before any further communications to you.

N.B. Please be aware that if we send you an email with details on a new exhibition along a particular theme, location or medium (e.g. cityscape sunsets, London waterscapes, monochrome inks) and you 'unsubscribe' from an email, you will be unsubscribing to 'all' exhibition communications thereafter and we will no longer be able to contact you by email about our Jamie Primrose exhibitions again in the future.

Your rights:

- You have the right to ask us not to process your personal data for marketing purposes at any time (to communicate via direct marketing about our exhibitions/artworks) in the future. We usually inform you that we intend to use your data for such purposes, which is in line with your original enquiry/request for exhibition details and why you choose to give us your data in the first instance i.e. with an interest to attend our Jamie Primrose exhibitions to view artworks.
- You can also exercise the right not to continue to receive postal or email communications (one or the other, or neither) at any time by contacting us (see contact details given below). If you chose not to be contacted we will not be able to communicate about future Jamie Primrose exhibitions/artworks which you may have enquired about in the past, although you are very welcome to still attend our exhibitions and enquire about specific artworks at exhibitions or on our website/s, or to get in touch with us again directly at any time again in the future.

Access to your information:

- You have the right to access information we hold about you in accordance with the 'Act'. Your right to access can be exercised in accordance with the 'Act'. Any requests will be processed on an individual basis and a reasonable fee may be chargeable for administrative purchases to meet our costs in providing you the details we hold about you.

Changes to this Privacy Notice:

- We may update this Privacy Notice from time to time in the future to amend it as appropriate and to reflect changes to our business practices/policies accordingly and this will be posted on our main website: www.jamieprimrose.com
- And the appropriate section on our limited editions online gallery shop.jamieprimrose.com/shop
- If appropriate we will notify you of any major changes.

Queries or comments, please contact:

Mari Primrose

e: mari@jamieprimrose.com t: 0131 446 9510

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