



Privacy Policy and Notice Ted Murphy Photography

Version Number: 1

Creation Date: 20 February 2019

Notice Owner: Ted Murphy Photography



Contents

Introduction.....	3
Applicable Data Protection and Privacy Laws.....	4
Identity of the Data Controller and Contact Details.....	4
How and Why We Collect Personal Data.....	5
Special Category Data.....	6
Criminal Conviction Data.....	7
Consent.....	7
Existence of Automated Decision-Making.....	7
CCTV in the Workplace.....	7
Marketing.....	8
Technical Information We Collect on Our Website.....	8
How we may use this technical information.....	9
Third Party Data Processors.....	9
Information Received from Third Parties.....	10
International Transfers.....	10
Data Retention.....	10
Security of your Personal Data.....	11
Sale of Business.....	11
Children’s Personal Data.....	11
What are the data protection rules?.....	12
Your Data Protection Rights.....	12
How You Exercise Your Rights.....	13
Your Right to Lodge a Complaint.....	13
Changes to the Privacy Policy and Notice.....	14
Notice Approval.....	14



Introduction

The purpose of this document is to provide you as our data subject with a statement regarding the Data Protection and Privacy practices and obligations of Ted Murphy Photography, [the Organisation] and an explanation of your rights as a data subject. This Notice applies to our business practices, our websites (Websites), which are accessible from <http://www.tedmurphy.ie/> and its sub-domains, as well as any associated mobile applications (Mobile Apps) owned and controlled by the Organisation. The Organisation is established in the Republic of Ireland therefore this document is written in the vein of Irish Data Protection Law. The Organisation falls under the jurisdiction of the Irish Data Protection Commission.

This Privacy Policy and Notice sets out what Personal Data we collect and process about you in connection with the services and functions of the Organisation. We will inform you of the following:

- where we obtain the data from,
- what we do with that data,
- how we comply with the data protection rules,
- who we transfer data to and
- how we deal with individuals' rights in relation to their Personal Data.

All our representatives, which include employees and contractors, are required to comply with our Data Protection Policy and this Privacy Policy and Notice when they process Personal Data on our behalf.

Please note that we may disclose individuals' information to trusted third parties for the purposes set out and explained in this document. We require all third parties to have appropriate technical and operational security measures in place to protect your Personal Data, in line with applicable Data Protection and Privacy Laws. We will not disclose personal information to any third party without your consent or on one of the grounds listed herein, except in incidences where an individual is potentially at risk or where the law requires it. We are not responsible for the content or the privacy notices for any websites that we provide external links to.

We need to demonstrate accountability for our data protection obligations. This means that we must be able to show how we comply with the applicable Data Protection and Privacy Laws, and that we have in fact complied with the laws. We do this, among other ways, by our written policies and procedures, by building data protection and privacy compliance into our systems and business rules, by internally monitoring our data protection and privacy compliance and keeping it under review, and by acting if our representatives, including employees or contractors, fail to follow the rules. We also have certain obligations in relation to keeping records about our data processing.

These practices may be changed, but any changes will be posted, and changes will only apply to activities and information on a going forward, not retroactive basis. You are encouraged to review the Privacy Policy and Notice periodically to make sure that you understand how any personal information you provide will be used.



Applicable Data Protection and Privacy Laws

The Organisation must comply with the data protection and privacy principles set out in the relevant Data Protection and Privacy Law. Data Protection and Privacy Laws provide rights to individuals with regard to the use of their Personal Data by organisations, including ourselves. The applicable Data Protection and Privacy Laws govern all activities we engage in with regard to our collection, storage, handling, disclosure and other uses of Personal Data.

Compliance with the applicable Data Protection and Privacy Laws is a legal obligation. In addition, our compliance with the Data Protection and Privacy Laws helps individuals to have confidence in dealing with us and helps us to maintain a positive reputation in relation to how we handle personal information.

Currently, the following laws apply to the Organisation:

State and/or Country of Incorporation	Applicable Law
Ireland	<ul style="list-style-type: none">• General Data Protection Regulation (EU Regulation 679/2016)• Data Protection Act 2018• Regulations flowing from DPA 2018• Data Protection Acts 1988 as amended in 2003, sections not repealed• ePrivacy Regulations 2011 implementing EU Privacy and Electronic Communications Directive 2002/58/EC on Privacy and Electronic Communications, otherwise known as ePrivacy Directive (ePD)

Identity of the Data Controller and Contact Details

“Data Controllers” are the people who or organisations which determine the purposes for which, and the manner in which, any Personal Data is processed, who/which make independent decisions in relation to the Personal Data and/or who/which otherwise control that Personal Data. Within the Organisation as defined above this role is fulfilled by Ted Murphy himself.

Our Data Protection Co-Ordinator can be contacted as follows to answer queries relating to this structure:

Telephone: 086 859 0357

Email: ted@tedmurphy.ie

Post: Ted Murphy Photography, The Framemaker Studios, Carrigaline Industrial Park, Carrigaline, Co Cork



How and Why We Collect Personal Data

The data we collect from you will be used in accordance with the purposes outlined in this Privacy Policy and Notice.

Categories of Data	Purpose/Activity	Possible Lawful Basis for Processing
Name and Contact Details	To manage our relationship with you as our potential customer, customer, supplier or contractor.	Performance of a contract with you
Name and Contact Details, Username and password	Electronic account creation and/or management (access to albums online)	(a) Performance of a contract with you (b) Necessary to comply with our legal obligation
Name and Contact Details	To send you marketing material	(a) Necessary for our legitimate interests (ensure sales continue) (b) Consent
Name and Contact Details	Use the Personal Data that you provide on our web forms and questionnaires	Necessary steps to prior to entering into a contract with you
Name and Contact Details	Notifying you about changes to our terms or this policy	Necessary to comply with our legal obligation
Name and Contact Details	Asking you to leave a review or take a survey	Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
Name and Contact Details; IP Address	To administer and protect our business and website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a



		legal obligation
IP Address	To use data analytics to improve our website, products/services, marketing, customer and investor relationships and experiences	Necessary for our legitimate interest (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
Name and Contact Details	To respond to your enquiry, feedback or complaint	(a) Necessary to comply with a legal obligation (b) Performance of a contract with you
Name and Contact Details; Invoices	To comply with our tax obligations.	Necessary to comply with a legal obligation.
Photographs and Video Footage	To fulfil contracts to clients who hire us to perform this data processing.	Performance of a contract with our clients.

Special Category Data

At times we may be required to process special category data. You will be notified of this at the data collection point. We will only process special category data on one of the following grounds:

- Explicit Consent – The individual has given their clear and unambiguous explicit consent.
- Legal obligation related to employment – The processing is necessary for the purposes of carrying out a legal obligation and exercising specific rights of the organisation or of the individual in the field of employment, social security law or for a collective agreement.
- Vital interests – The processing is necessary to protect the vital interests of the individual or of another person where the Data Subject is physically or legally incapable of giving consent.
- Not-for-Profit bodies – The processing is carried out in the course of the legitimate activities, with appropriate safeguards by the Not-for-Profit body and on condition that the processing only relates to members or related persons, or to former members of the body, or to persons who have regular contact with it in connection with its purposes and the Personal Data is not disclosed outside that body without consent.
- Public Information – the processing relates to Personal Data which is manifestly made public by the individual.
- Legal Claims – The processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- Substantial public interest - The processing is necessary for reasons of substantial public interest.



- Healthcare – The processing is necessary for the purposes of preventive or occupational medicine, (i.e., healthcare purposes), for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of EU or Irish law, or pursuant to contract with a health professional and is subject to suitable safeguards.
- Public Health- The processing is necessary for reasons of public interest purposes and is subject to suitable safeguards.
- Archiving – The processing is necessary for archiving scientific or historical research purposes or statistical purposes and based on EU or Irish law.

Criminal Conviction Data

We do not process criminal conviction data.

Consent

By consenting, where this is the appropriate grounds, to our processing your Personal Data in line with this Privacy Policy and Notice you are giving us permission to process your Personal Data specifically for the purposes identified.

You may withdraw consent at any time by providing an unambiguous indication of your wishes by which you, by a statement or by a clear affirmative action, signify withdrawal of consent to the processing of Personal Data relating to you. If you have any queries relating to withdrawing your consent, please contact our Data Protection Co-Ordinator using the contact details set out below.

Withdrawal of consent shall be without effect to the lawfulness of processing based on consent before its withdrawal.

Existence of Automated Decision-Making

Automated Decision-Making refers to a decision which is taken solely on the basis of automated processing of your Personal Data. This means processing using, for example, software code or an algorithm, which does not require human intervention. As profiling uses automated processing, it is sometimes connected with automated decision-making. Not all profiling results in automated decision-making, but it can do. As a responsible company, we do not use automatic decision-making or profiling.

CCTV in the Workplace

We do not own or operate CCTV cameras and we do not process CCTV footage.



Marketing

We may use your Personal 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. We call this marketing.

We strive to provide you with choices regarding certain Personal Data uses, particularly around marketing and advertising. At the point at which you provide us with your Personal Data you will be asked whether you wish to receive any marketing communications from us. You may withdraw this consent at any time.

We will not share your Personal Data with any third party for marketing purposes unless we have your explicit consent to do so.

You may object to direct marketing by using the contact details herein or links present in communications to opt-out of direct marketing.

Technical Information We Collect on Our Website

“Non-Personal Data”. Like most websites, we gather statistical and other analytical information collected on an aggregate basis of all visitors to our website. This non-Personal Data comprises information that cannot be used to identify or contact you. We will collect this from you when you visit our website and accept cookies. This information includes standard information from you (such as browser type and browser language), your Internet Protocol (“IP”) address, and the actions you take on our website (such as the web pages viewed, and links clicked). Our use of cookies to process information is explained within this Notice.

This site uses cookies to enable us to improve our service to you and to provide certain features that you may find useful.

Cookies are small text files that are transferred to your computer’s hard drive through your web browser to enable us to recognise your browser and help us to track visitors to our site. A cookie contains your contact information and information to allow us to identify your computer when you travel around our site. Most web browsers automatically accept cookies, but, if you wish, you can set your browser to prevent it from accepting cookies. The “help” portion of the toolbar on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. The cookies we use do not detect any information stored on your computers.

We use cookies to monitor customer traffic patterns and site usage to help us develop the design and layout of the websites. This software does not enable us to capture any personal information.

Certain information in relation to web usage is revealed via our internet service provider who records some of the following data. Whilst this data is recorded, we do not necessarily request or have access to this data. The information we receive depends upon what you do when visiting our site:

- The logical address of the server you are using.



- The date and time you access our site.
- The pages you have accessed and the documents downloaded.
- The previous Internet address from which you linked directly to our site.
- Some of the search criteria you are using

How we may use this technical information

Aggregate cookie and tracking information may be shared with third parties.

The technical information is used to allow us to improve the information we are supplying to our users, to find out how many people are visiting our sites and for statistical purposes.

Some of the above information is used to create summary statistics which allow us to assess the number of visitors to the different sections of our site, discover what information is most and least used, inform us on future design and layout specifications, and help us make our site more user friendly.

We will make no attempt to identify individual visitors, or to associate the technical details listed above with any individual. We will only use the technical information for statistical and other administrative purposes. You should note that technical details, which we cannot associate with any identifiable individual, are not “Personal Data” within the meaning of the GDPR.

Third Party Data Processors

We may use trusted third parties as data processors. We require all third parties to have appropriate technical and operational security measures in place to protect your Personal Data, in line with applicable Data Protection and Privacy Laws. Any such organisation or individual will have access to personal information needed to perform these functions but may not use it for any other purpose.

Specifically, we need to have written agreements in place with all our data processors and, before we sign each agreement, we need to have vetted and be satisfied with the processor’s data security. The agreements also need to contain specific clauses that deal with data protection.

We use the following categories of data processors in the course of our business:

- Web and Email Hosting Service Provider.
- Large File Transfer Services.
- Album Printing Services.
- Social Media Platforms.
- Professional Service Providers such as Lawyers, Solicitors and Accountants.
- Financial Transaction Providers.

These categories may be updated from time to time and for an updated list of categories of data processors you should check this Privacy Policy and Notice periodically.



We may pass on your details if we are under a duty to disclose or share a Data Subject's Personal Data in order to comply with any legal obligation, or in order to enforce or apply any contract with the Data Subject or other agreements; or to protect our rights, property, or safety of our employees, customers, or others. This includes reporting information about incidents (as appropriate) to the law enforcement authorities and responding to any requirements from law enforcement authorities to provide information and/or Personal Data to them for the purposes of them detecting, investigating and/or prosecuting offences or in connection with crime sentencing.

Other than the above, we will not disclose personal information to any third party without your consent except in incidences where an individual is potentially at risk or where the law requires it.

Information Received from Third Parties

Generally speaking, we do not receive information from Third Parties. We are not responsible for obtaining your permission or consent to process your data when we act as the Data Processor for other Organisations.

International Transfers

When we transfer your Personal Data out of the EEA, we ensure an adequate degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your Personal Data to countries that have been deemed to provide an adequate level of protection for Personal Data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give Personal Data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to Personal Data shared between the Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your Personal Data out of the EEA.

Data Retention

We will only retain your Personal Data for as long as necessary to fulfil the purposes we collected it for and generally for up to seven (7) years afterwards or otherwise permitted by applicable laws. We may also retain your information during the period needed to complete our legitimate business operations, including for the purposes of satisfying any legal, accounting, or reporting requirements. The nature of our business is such that we process data that might be lifetime memories for data subjects. As such, we might retain data for longer than would be considered usual business practice in order to be able to fulfil requests in years to come for access to this data.

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 requirements.

Security of your Personal Data

We take appropriate security measures against unlawful or unauthorised processing of Personal Data, and against the accidental loss of, or damage to, Personal Data.

We have put in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction. Personal data will only be transferred to a data processor if they agree to comply with those procedures and policies, or if they put in place adequate measures himself. In addition, we have appropriate written agreements in place with all our data processors.

We maintain data security by protecting the confidentiality, integrity and availability of the Personal Data, defined as follows:

- Confidentiality means that only people who are authorised to use the data can access it.
- Integrity means that Personal Data should be accurate and suitable for the purpose for which it is processed.
- Availability means that authorised users should be able to access the data if they need it for authorised purposes.

We follow strict security procedures in the storage and disclosure of your Personal Data, and to protect it against accidental loss, destruction or damage. We use third party vendors and hosting partners to provide the necessary hardware, software networking, storage, and related technology required to run. The data you provide to us is protected using modern encryption, intrusion prevention, and account access techniques.

Sale of Business

Situations may arise where it is necessary to transfer information (including your Personal Data) to a third party in the event of a sale, merger, liquidation, receivership or transfer of all or substantially all of the assets of our organisation provided that the third party agrees to adhere to the terms of the Privacy Policy and Notice and provided that the third party only uses your Personal Data for the purposes that you provided it to us. The Personal Data transferred will be limited to that which is absolutely necessary. You will be notified in the event of any such transfer and you will be afforded an opportunity to opt-out.

Children's Personal Data

From time to time we are required to process the personal data of children and we take the highest level of care over data when doing such processing. Where consent is required to process your Personal Data as a child, we will obtain that consent from the adult who is authorised to give the consent on your behalf.



You must be at least 18 years old to create an account and engage in activities and transactions on our digital and social media. By creating an account or engaging in activities or transactions on our digital and social media, you affirm that you are at least 18 years old and are fully able to understand this Privacy Policy and Notice. If we are notified or learn that a child has submitted Personal Data to us through our digital or social media, we will delete such Personal Data.

What are the data protection rules?

This Notice aims to ensure compliance with the rules as found in relevant Data Protection and Privacy Laws. We aim to comply with the following in the EU:

- Lawfulness, fairness and transparency – Personal data must be processed lawfully, fairly and in a transparent manner.
- Purpose Limitation. Personal data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Data minimisation – Personal Data must be adequate, relevant and limited to what is necessary in relation to purposes for which they are processed.
- Accuracy – Personal data must be accurate and, where necessary, kept up to date. Inaccurate Personal Data should be corrected or deleted.
- Retention – Personal data should be kept in an identifiable format for no longer than is necessary.
- Integrity and confidentiality – Personal data should be kept secure.
- Accountability – An important change for Data Controllers. Under the GDPR, we must not only comply with the above six general principles, but we must be able to demonstrate that we comply by documenting and keeping records of all decisions.

Your Data Protection Rights

Under certain circumstances, by law you have the right to:

- Request information about whether we hold personal information about you, and, if so, what that information is and why we are holding/using it.
- Request access to your personal information (commonly known as a “Data Subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to



object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- Object to automated decision-making including profiling, that is not to be subject of any automated decision-making by us using your personal information or profiling of you.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request transfer of your personal information in an electronic and structured form to you or to another party (commonly known as a right to “data portability”). This enables you to take your data from us in an electronically useable format and to be able to transfer your data to another party in an electronically useable format.

How You Exercise Your Rights

We have appointed a Data Protection Co-Ordinator to monitor compliance with our data protection obligations and with this Notice and our related policies. If you have any questions about this Notice or about our data protection compliance, please contact the Data Protection Co-Ordinator.

Data subjects must make a formal request for Personal Data we hold about them or otherwise to exercise their data protections rights whether to make an access request or otherwise by contacting our Data Protection Co-Ordinator who will respond to the request within 30 days.

We are obliged to comply with exceptions to your requests where laid out in law. Such exceptions relate to health data, disclosures that would be likely to cause serious harm to your physical or mental health or emotional condition and opinions given in confidence.

Our Data Protection Co-Ordinator can be contacted as follows:

Telephone: 086 859 0357

Email: ted@tedmurphy.ie

Post: Ted Murphy Photography, The Framemaker Studios, Carrigaline Industrial Estate, Carrigaline, Co Cork

Your Right to Lodge a Complaint

You as the Data Subject have the right to complain at any time to a data protection supervisory authority in relation to any issues related to our processing of your Personal Data. We are regulated for data protection purposes by the Irish Data Protection Commission.

You can contact the Data Protection Commission as follows:

Use their website www.dataprotection.ie

Phone: +353 57 8684800 or +353 (0)761 104 800

Email: info@dataprotection.ie



Address: Data Protection Office – Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23. Or
21 Fitzwilliam Square Dublin 2. D02 RD28 Ireland.

Changes to the Privacy Policy and Notice

Any changes to this Privacy Policy and Notice will be posted on this website and served to you in an appropriate way before your Personal Data is processed so you are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If at any time we decide to use Personal Data in a manner significantly different from that stated in this Privacy Policy and Notice, or otherwise disclosed to you at the time it was collected, we will notify you by email, and you will have a choice as to whether we use your information in the new manner.

Notice Approval

This Notice has been approved and authorised by:

NAME: Ted Murphy

POSITION: Director

DATE: 5th March 2019

NOTICE IMPLEMENTATION DATE: 5th March 2019

