



DATE: 19/08/2019

PRIVACY POLICY

This privacy policy applies between you, the User of this Website and The Recordsmiths Limited, the owner and provider of this Website. The Recordsmiths Limited takes the privacy of your information very seriously. This privacy policy applies to our use of any and all Data collected by us or provided by you in relation to your use of the Website.

Questions, comments and requests regarding this privacy policy are welcome and you can contact our Data Protection Officer, Geoffrey Hewitt by email at GDPR@TheRecordsmiths.co.uk.

This privacy policy should be read alongside, and in addition to, our Website Terms and Conditions, which can be found [here](#) and our Terms and Conditions of Sale, which can be found [here](#).

PLEASE READ THIS PRIVACY POLICY CAREFULLY.

DEFINITIONS AND INTERPRETATION

1. In this privacy policy, the following definitions are used:

Data	Collectively all information that you submit to The Recordsmiths Limited via the Website. This definition incorporates, where applicable, the definitions provided in the Data Protection Laws;
Cookies	A small text file placed on your computer by this Website when you visit certain parts of the Website and/or when you use certain features of the Website. Details of the cookies used by this Website are set out in the clause below (Cookies);
Data Protection Laws	Any applicable law relating to the processing of personal Data, including but not limited to the Directive 96/46/EC (Data Protection Directive) or the GDPR, and any national implementing laws, regulations and secondary legislation, for as long as the GDPR is effective in the UK;
GDPR	The General Data Protection Regulation (EU) 2016/679;
The Recordsmiths Ltd., or us	The Recordsmiths Limited, a company incorporated in England and Wales. Company No: 10787308. Registered Office: 2 Bracken Close, Branton, DONCASTER, South Yorkshire, DN3 3UL;

UK and EU Cookie Law	The Privacy and Electronic Communications (EC Directive) Regulations 2003 as amended by the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011;
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User or you	Any third party that accesses the Website and is not either (i) employed by The Recordsmiths Limited and acting in the course of their employment or (ii) engaged as a consultant or otherwise providing services to The Recordsmiths Limited and accessing the Website in connection with the provision of such services; and
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Website	The website that you are currently using, www.GeoffreyHewitt.com, and any sub-domains of this site unless expressly excluded by their own terms and conditions.
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2. In this privacy policy, unless the context requires a different interpretation:

- a. The singular includes the plural and vice versa;
- b. References to sub-clauses, clauses, schedules or appendices are to sub-clauses, clauses and appendices of this privacy policy;
- c. A reference to a person includes firms, companies, government entities, trusts and partnerships;
- d. "Including" is understood to mean "including without limitation";
- e. Reference to any statutory provision includes any modification or amendment of it;
- f. The headings and sub-headings do not form part of this privacy policy

AGE RESTRICTION

3. YOU MUST BE 18 YEARS OF AGE OR OLDER TO REGISTER WITH ANY ASPECT OF OUR SITE, NOT LIMITED TO, BUT INCLUDING ARTIST MAILING LISTS. PLEASE DO NOT REGISTER IF YOU ARE UNDER 18 YEARS OF AGE. WHILE WE DO NOT KNOWINGLY ALLOW REGISTRATION BY THOSE UNDER THE AGE OF 18, PARENTS SHOULD SUPERVISE THEIR CHILDREN'S ONLINE ACTIVITIES AND CONSIDER USING PARENTAL CONTROL TOOLS AVAILABLE FROM ONLINE SERVICES AND SOFTWARE MANUFACTURERS THAT HELP PROVIDE A CHILD-FRIENDLY ONLINE ENVIRONMENT. THESE TOOLS CAN ALSO PREVENT CHILDREN FROM DISCLOSING ONLINE THEIR NAME, ADDRESS, AND OTHER PERSONAL INFORMATION WITHOUT PARENTAL PERMISSION.

SCOPE OF THIS POLICY

4. This privacy policy applies only to the actions of The Recordsmiths Limited and Users with respect to this Website. It does not extend to any websites that can be accessed from this Website including, but not limited to, any links we may provide to social media websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies.

5. Likewise, our page may contain third-party embeds, which may in some cases collect and store personal data. The use of personal data by embedded content providers is not covered by this statement, but by the Privacy Policy of those sites or services.

6. For purposes of the applicable Data Protection Laws, The Recordsmiths Limited is the "data controller". This means that The Recordsmiths Limited determines the purposes for which, and the manner in which, your Data is processed.

DATA WE COLLECT

6. We may collect the following Data, which includes personal Data, from you:

- a. Name;
- b. Contact Information such as email addresses and telephone numbers;
- c. IP Address (automatically collected)
- d. Web browser type and version (automatically collected);
- e. Operating system (automatically collected);
- f. In each case, in accordance with this privacy policy.

HOW WE COLLECT DATA

7. We collect Data in the following ways:

- a. Data is given to us by you; and
- b. Data is collected automatically.

DATA THAT IS GIVEN TO US BY YOU

8. The Recordsmiths Limited will collect your Data in a number of ways, for example:

- a. When you contact us through the Website, by Telephone, Post, E-mail or through any other means;
- b. When you make payments to us, through this Website or otherwise;
- c. When you elect to receive marketing communications from us;

In each case, in accordance with this privacy policy.

DATA THAT IS COLLECTED AUTOMATICALLY

9. To the extent that you access the Website, we will collect your Data automatically, for example:

- a. We automatically collect some information about your visit to the Website. This information helps us to make improvements to Website content and navigation, and includes your IP address, the date, times and frequency with which you access the Website and the way you use and interact with its content.
- b. We will collect your Data automatically via cookies, in line with the cookie settings on your browser. For more information about cookies, and how we use them on the Website, see the section below, headed "Cookies".

OUR USE OF DATA

Purpose	Basis For Processing
Transmission by Email of Marketing Materials, including, but not limited to; Artist News, Events and Offers.	<p>1. For the delivery of direct marketing to you via e-mail, the legal basis we rely on for processing your personal data is your consent under article 6(1)(a) of the GDPR, whether via an opt-in or soft-opt-in:</p> <ul style="list-style-type: none">a. Soft opt-in consent is a specific type of consent which applies when you have previously engaged with us (for example, you contact us to ask us for more details about a particular product/service, and we are marketing similar products/services). Under "soft opt-in" consent, we will take your consent as given unless you opt-out.b. For other types of e-marketing, we are required to obtain your explicit consent; that is, you need to take positive and affirmative action when consenting by, for example, checking a tick box that we'll provide.c. If you are not satisfied about our approach to marketing, you have the right to withdraw consent at any time. To find out how to withdraw your consent, see the section headed "Your rights" below.
Personalised Advertisements and Improvement of Our Products/Services with Cookies	<ul style="list-style-type: none">a. For personalised advertisements and improvement of our products/services with cookies, we rely on your consent under article 6(1)(a) of the GDPR, via an opt-in button.b. If you wish to withdraw your consent from this activity, you can turn off the relevant cookies in your browser. Please refer to the section headed "Cookies" below.

<p>Remarketing/ Behavioural Retargeting Using Facebook Custom Audiences</p>	<p>For Remarketing/Behavioural Retargeting Advertisements we rely on the basis of Legitimate Interest under article 6(1)(f). It is in our Legitimate Interest as a business to market our products to existing customers and subscribers to increase our sales and to tailor offers, content and advertisements to you as an individual.</p> <p>We may participate in facebook.com's Custom Audience program which enables us to display personalised ads to persons on our email lists when they visit facebook.com. We provide Personal Information such as your email address to Facebook to enable Facebook to determine if you are a registered account holder with Facebook. You may opt-out of participation in our Facebook Custom Audience by sending an email, from the email address you are opting out of, to the email address of our DPO (GDPR@TheRecordsmiths.co.uk)</p> <p>For your opt-out to be effective, you must: (i) place the following text in the subject line of the email - "Opting Out of facebook.com Website Custom Audience Ads", and (ii) in the body of the email, include your name and email address. We will forward your name and email address to facebook.com with a request to delete you from all of our Facebook Custom Audience Ads.</p> <p>Likewise, If you do not wish to see Personalised Adverts on Facebook at all you can also adjust your personal settings on the site using this guide https://www.facebook.com/help/568137493302217</p>
<p>Fulfilment of Delivery of Purchased Goods</p>	<p>For the fulfilment of goods purchased through the website we rely on the basis of a Contract 6(1)(b). It is necessary for us to process your personal information if you are a customer to ensure orders and purchases you make are contractually fulfilled and any goods are delivered to you.</p>

<p>Transmission by Post of Marketing Materials, including but not limited to Referral Campaigns and Personalised Offers</p>	<p>For Postal Marketing we rely on the basis of Legitimate Interest under article 6(1)(f). It is in our Legitimate Interest as a business to market our products to existing customers and subscribers to increase our sales and to tailor offers, content and advertisements to you as an individual.</p> <p>You may opt-out of participation in our Postal Marketing by sending an email, from the email address you are opting out of, to the email address of our DPO (GDPR@TheRecordsmiths.co.uk)</p>
<p>Referral Campaign Verification</p>	<p>In the event that you refer a third party to an Artist Mailing List, we will require them to tell us who has referred them in order to verify the referral. We will only request data that you have already provided us with in order to do this (e.g. Your Email Address).</p> <p>For verification the legal basis we rely on the basis of Legitimate Interest under article 6(1)(f). It is in your legitimate interest to allow us to process your data in order to verify the referral process for you to receive any incentives we offer as a result of a successful referral.</p> <p>If you do not wish to have your data processed in this way, you are free to opt out of this by not participating in one of our referral campaigns.</p>
<p>Publishing Testimonials and Reviews</p>	<p>For Testimonials and Reviews we rely on the basis of Consent under article 6(1)(a) of the GDPR. If you purchase a product from us we may ask for your consent to publish any feedback you give us in order to improve our products and/or services and market them to new people. We are required to obtain your explicit consent; that is, you need to take positive and affirmative action when consenting by, for example, replying to an email request with your express permission to use your data in this way.</p> <p>After consenting to our use of your review or testimonial, you have the right to withdraw consent at any time. To find out how to withdraw your consent, see the section headed "Your rights" below or contact our GPO at GDPR@TheRecordsmiths.co.uk</p>

WHO WE SHARE DATA WITH

10. We may share your Data with the following groups of people for the following reasons:

- a. Our employees, agents and/or professional advisors - to allow our employees/agents to perform the operations listed above and/or to obtain advice from professional advisers;
- b. Third party service providers who provide services to us which require the processing of personal data - to help third party service providers in receipt of any shared data to perform functions on our behalf to help ensure the website runs smoothly; for the purposes of order fulfilment with postal couriers/providers; for the purpose of processing payments with processors with whom you already have a relationship, such as PayPal; for personalised adverts based on your interest in a particular artist as mentioned above;

In each case, in accordance with this privacy policy and/or the privacy policy of the third party.

KEEPING DATA SECURE

11. We will use technical and organisational measures to safeguard your Data, for example:

- a. access to your account is controlled by a password and a user name that is unique to you.
- b. we store your Data on secure servers.

12. Technical and organisational measures include measures to deal with any suspected data breach. If you suspect any misuse or loss or unauthorised access to your Data, please let us know immediately by contacting us via this e-mail address: GDPR@TheRecordsmiths.co.uk.

13. If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

DATA RETENTION

14. Unless a longer retention period is required or permitted by law, we will only hold your Data on our systems for the period necessary to fulfil the purposes outlined in this privacy policy or until you request that the Data be deleted.

15. Even if we delete your Data, it may persist on backup or archival media for legal, tax or regulatory purposes.

YOUR RIGHTS

16. You have the following rights in relation to your Data:

- a. **Right to access** - the right to request (i) copies of the information we hold about you at any time, or (ii) that we modify, update or delete such information. If we provide you with access to the information we hold about you, we will not charge you for this, unless your request is "manifestly unfounded or excessive." Where we are legally permitted to do so, we may refuse your request. If we refuse your request, we will tell you the reasons why.
- b. **Right to correct** - the right to have your Data rectified if it is inaccurate or incomplete.
- c. **Right to erase** - the right to request that we delete or remove your Data from our systems.
- d. **Right to restrict our use of your Data** - the right to "block" us from using your Data or limit the way in which we can use it.
- e. **Right to data portability** - the right to request that we move, copy or transfer your Data.
- f. **Right to object** - the right to object to our use of your Data including where we use it for our legitimate interests.

17. To make enquiries, exercise any of your rights set out above, or withdraw your consent to the processing of your Data (where consent is our legal basis for processing your Data), please contact us via this e-mail address:
GDPR@TheRecordsmiths.co.uk.

18. If you are not satisfied with the way a complaint you make in relation to your Data is handled by us, you may be able to refer your complaint to the relevant data protection authority. For the UK, this is the Information Commissioner's Office (ICO). The ICO's contact details can be found on their website at <https://ico.org.uk/>.

19. It is important that the Data we hold about you is accurate and current. Please keep us informed if your Data changes during the period for which we hold it.

TRANSFERS OUTSIDE THE EUROPEAN ECONOMIC AREA

20. Data which we collect from you may be stored and processed in and transferred to countries outside of the European Economic Area (EEA). For example, this currently occurs with our Email Marketing Service, MailChimp. Their servers are located in the United States of America - outside the EEA. For more information on MailChimp's Privacy Policy, click [here](#).

21. We will only transfer Data outside the EEA where it is compliant with data protection legislation and the means of transfer provides adequate safeguards in relation to your data, eg by way of data transfer agreement, incorporating the current standard contractual clauses adopted by the European Commission, or by signing up to the EU-US Privacy Shield Framework, in the event that the organisation in receipt of the Data is based in the United States of America.

22. To ensure that your Data receives an adequate level of protection, we have put in place appropriate safeguards and procedures with the third parties we share your Data with. This ensures your Data is treated by those third parties in a way that is consistent with the Data Protection Laws.

LINKS TO OTHER WEBSITES

23. This Website may, from time to time, provide links to other websites. We have no control over such websites and are not responsible for the content of these websites. This privacy policy does not extend to your use of such websites. You are advised to read the privacy policy or statement of other websites prior to using them.

CHANGES OF BUSINESS OWNERSHIP AND CONTROL

24. The Recordsmiths Limited may, from time to time, expand or reduce our business and this may involve the sale and/or the transfer of control of all or part of The Recordsmiths Ltd.. Data provided by Users will, where it is relevant to any part of our business so transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this privacy policy, be permitted to use the Data for the purposes for which it was originally supplied to us.

25. We may also disclose Data to a prospective purchaser of our business or any part of it.

26. In the above instances, we will take steps with the aim of ensuring your privacy is protected.

COOKIES AND WEB BEACONS

27. This Website may place and access certain Cookies on your computer. The Recordsmiths Limited uses Cookies to improve your experience of using the Website and to improve our range of products. The Recordsmiths Limited has carefully chosen these Cookies and has taken steps to ensure that your privacy is protected and respected at all times.

28. All Cookies used by this Website are used in accordance with current UK and EU Cookie Law.

29. Before the Website places Cookies on your computer, you will be presented with a message bar requesting your consent to set those Cookies. By giving your consent to the placing of Cookies, you are enabling The Recordsmiths Limited to provide a better experience and service to you. You may, if you wish, deny consent to the placing of Cookies; however certain features of the Website may not function fully or as intended.

30. This Website may place the following Cookies:

Type of Cookie	Purpose
Strictly necessary cookies	These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
Analytical/performance cookies	They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
Targeting cookies	These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

31. You can find a list of Cookies that we use in the Cookies Schedule.

32. Our emails may contain a “Web Beacon Pixel” to tell us whether our emails are opened and verify any clicks through to links or advertisements within the email. We may use this information for purposes including determining which of our emails are more interesting to users, and to query whether users who do not open our emails wish to continue receiving them. The pixel will be deleted when you delete the email.

33. If you do not wish the pixel to be downloaded to your device, you should read the email in plain text view or with images disabled. Please consult the 'Help' section of your email client for more information.
34. You can choose to enable or disable Cookies in your internet browser. By default, most internet browsers accept Cookies but this can be changed. For further details, please consult the help menu in your internet browser.
35. You can choose to delete Cookies at any time; however you may lose any information that enables you to access the Website more quickly and efficiently including, but not limited to, personalisation settings.
36. It is recommended that you ensure that your internet browser is up-to-date and that you consult the help and guidance provided by the developer of your internet browser if you are unsure about adjusting your privacy settings.
37. For more information generally on cookies, including how to disable them, please refer to aboutcookies.org. You will also find details on how to delete cookies from your computer.

GENERAL

38. You may not transfer any of your rights under this privacy policy to any other person. We may transfer our rights under this privacy policy where we reasonably believe your rights will not be affected.
39. If any court or competent authority finds that any provision of this privacy policy (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this privacy policy will not be affected.
40. Unless otherwise agreed, no delay, act or omission by a party in exercising any right or remedy will be deemed a waiver of that, or any other, right or remedy.
41. This Agreement will be governed by and interpreted according to the law of England and Wales. All disputes arising under the Agreement will be subject to the exclusive jurisdiction of the English and Welsh courts.

CHANGES TO THIS PRIVACY POLICY

42. The Recordsmiths Limited reserves the right to change this privacy policy as we may deem necessary from time to time or as may be required by law. Any changes will be immediately posted on the Website and you are deemed to have accepted the terms of the privacy policy on your first use of the Website following the alterations. You may contact The Recordsmiths Limited by email at GDPR@TheRecordsmiths.co.uk.

COOKIES SCHEDULE

Below is a list of the cookies that we use. We have tried to ensure this is complete and up to date, but if you think that we have missed a cookie or there is any discrepancy, please let us know.

STRICTLY NECESSARY

We use the following strictly necessary cookies:

Description of Cookie	Purpose
Termly.io Visitor Cookie Preferences	Used to record the cookie consent preferences of visitors
Termly.io Visitor Cookie Consent	Used to record the policies that visitors consent to.
Termly.io Random User ID Assignment	Assigns a random ID number to each visitor so that their policy consent and cookie consent preferences can be saved.
OX-MODAL-82-3053-LAST-SHOWN-TIME	Used to record status of pop up windows on the site
WooCommerce Cookies (Various)	Helps WooCommerce determine when cart contents/data changes using an anonymous unique code hashing.
PayPal Cookies (Various)	Used in context with the PayPal payment function on the website. This is necessary for making a safe transaction through PayPal.

TARGETING

We use the following targeting cookies:

Description of Cookie	Purpose
Facebook Unique Browser/User ID	Used by Facebook to collect a unique browser and user ID, used for targeted advertising.
Facebook Pixel	Facebook Pixel used to identify and track visitors for personalised advertising purposes.

STATISTICS

We use the following statistics cookies:

Description of Cookie	Purpose
MailChimp Landing Site Cookie	Used to register how visitors interact with the website by collecting and reporting information anonymously.

WEB BEACONS

We use the following web beacons:

Description of Cookie	Purpose
MailChimp Web Beacon	Used by MailChimp track the open rate of Marketing Emails sent out to our users.

ATTRIBUTION

43. This privacy policy was created using a document from Rocket Lawyer (<https://www.rocketlawyer.co.uk>).

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