

## Privacy Policy

This privacy policy applies between you, (the Users of TNBS Website and clients of TNBS) and TNBS.

At TNBS, we want you to feel secure when using our services and visiting our Website and are committed to maintaining your trust and privacy. 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 our services and the Website.

We will at all times seek to comply with Data Protection Laws to ensure that personal Data you give us is kept securely and treated fairly and lawfully.

This privacy policy applies to your use of this Website. The Website may contain links to other websites over which TNBS has no control over how your data may be collected, stored or used and we recommend that you check the privacy policies of such websites before providing any data to them. For the avoidance of doubt, TNBS does not accept any responsibility or liability for the personal Data you may supply to those websites.

## Definitions and Interpretation

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

“Cookies” shall mean a small text file placed on your compute by this Website when you visit certain parts of the Website and / or when you use certain features of the Website.

“Data” shall mean collectively all information you submit to TNBS via the Website. This definition incorporates, where applicable, the definitions provided in the Data Protection Laws.

“Data Controller” shall, for the purposes of the Data Protection Laws, mean TNBS.

“Data Protection Laws” shall mean any applicable law relating to the processing of personal Data, including but not limited to Directive 96/46/EC (Data Protection Directive) or the GDPR, and any national implementing laws, regulations and secondary legislation, as amended or supplemented from time to time by the relevant legislature.

“GDPR” shall mean the General Protection Regulation (EU) 2016/679.

“TNBS”, “we” or “us” shall mean The New Black Studio Limited, a trading name of By Rebecca Brennan-Brown Ltd., a company incorporated under the laws of England and Wales (Company No. 11990393) with its registered office at Kemp House, 160 City Road, London, EC1V 2NX.

“User” or “you” shall mean any third party that accesses the Website and is not either (i) employed by TNBS and are acting in the course of their employment; or (ii) engaged as a consultant or otherwise providing services to TNBS and are accessing the Website in connection with the provision of such services.

“Website” shall mean the website you are currently using, <http://thenewblackstudio.co.uk> and any sub-domains of this site unless expressly excluded by their own terms and conditions.

2. In this privacy policy, unless the context requires a different interpretation:-

(a) The singular shall include the plural and vice-versa;

(b) References to sub-clauses, clauses, schedules or appendices are to sub-clauses, clauses, schedules or appendices or this privacy policy;

- (c) A reference to a person includes firms, companies, government entities, trusts and partnerships;
- (d) References to any statutory provisions shall include any modifications or amendments lawfully made to it;
- (e) "including" is understood to mean "including, without limitation";
- (f) Any headings or sub-headings do not form part of this privacy policy.

### Information We May Collect From You and How We Use It

- 3. We do not collect any personal Data about you unless it is specifically and knowingly provided by you.
- 4. If you decide to contact us or make use of personalised services (e.g. if you sign up to our mailing list) or send us an enquiry via our contact forms) we collect your personal Data as provided and use that Data as required for us to provide the relevant service(s) or handle your enquiry.
- 5. When you visit the Website, we also, through the use of Cookies and / or other similar technologies, gather information automatically. For more information about Cookies, please see our Cookies section at the end of this privacy policy.
- 6. Examples of the Data we may collect include:-
  - (a) Your name;
  - (b) Your e-mail address;
  - (c) Your contact details (including e-mail addresses and telephone details);
  - (d) Your IP address;
  - (e) Your web browser type;
  - (f) Your operating system
  - (g) Details about how you accessed the Website (including any referring website), your activity on the Website, and the website you exit to.
- 7. Our use of your personal Data will always have a lawful basis, including:-
  - (a) Providing and managing your access to the Website;
  - (b) Internal record keeping;
  - (c) Improvements to our services;
  - (d) Supplying our services, including appointment booking services to you;
  - (e) Personalising and tailoring our services for you;
  - (f) Replying to e-mails and other correspondence from you;
  - (g) Analysing your use of the Website in order to make improvements to the layout, content, navigability and performance of the Website.

### Who Do We Share Your Personal Data With?

- 8. We may share your personal Data with the following people:-
  - (a) Our employees, agents, consultants and / or professional advisors; or
  - (b) Any of our related companies or affiliated companies.

9. In certain circumstance, we may also share your personal Data with selected third party service providers who provide services on our behalf which require the processing of such Data (e.g. delivery of our e-mail alerts, support and maintenance services that help us run the Website, etc.).
10. In each case outlined in Clause(s) 8 & 9, such personal Data shall be shared in accordance with this privacy policy and shall be transferred and shared with appropriate security measures in place.
11. Notwithstanding the above, we retain the right to share your personal Data with law enforcement, judicial orders or public authorities where we are legally obliged to do so in order to prevent security, fraud or technical issues.

#### E-mail Alerts / Direct Marketing

12. We will always require your consent for the delivery of direct marketing to you by way of e-mail updates.
13. If you have registered to receive direct marketing by way of e-mail updates from us and you no longer wish to receive these, you can unsubscribe by contacting us or using the 'unsubscribe' link that is included in all of our e-mail updates.

#### Security & Storage of Personal Data

14. We place great importance on the security of all personal Data associated with Website users. We have security measures in place to protect against the loss, mis-use and alteration of personal Data under our control. Whilst we cannot ensure or guarantee the security of Data online, we use all reasonable endeavours to protect it.
15. We have put in place procedures and use, where appropriate, technologies to maintain the security of your personal Data from the point of collection to the point of destruction. These controls protect against the unlawful or unauthorised processing and the accidental loss of, or damage to, your personal Data.
16. If you suspect that there has been any mis-use, loss or unauthorised access to your personal Data, please let us know immediately by contacting us at: [dataprotection@thenewblackstudio.co.uk](mailto:dataprotection@thenewblackstudio.co.uk).

#### Data Retention

17. Unless otherwise required or permitted by applicable law, we will only hold your personal Data on our systems for: (a) as long as necessary to fulfil the purposes for which it was collected; or (b) until you request that the Data be deleted. Thereafter, we will make your personal Data non-identifiable or delete it in full.
18. Notwithstanding Clause 18 above, after deletion of your personal Data, it may subsist on any backup or archive media required to be kept by us for legal, tax or regulatory purposes.

## Your Rights

19. You have the following rights in relation to your personal Data:-

- (a) Right to access – the right to request copies of the personal Data we hold about you at any time.
- (b) Right to modify – the right to have your personal Data modified, corrected or rectified in the event that it is inaccurate or incomplete.
- (c) Right to erase – the right to request that we delete or remove your personal Data from our system(s).
- (d) Right to restrict – the right to restrict or “block” our use of your personal Data.
- (e) Right to object – the right to object to our use of your personal Data, even where we believe it is used for our legitimate interests.
- (f) Right to port – the right to request that we copy, move or transfer your personal Data.

20. To exercise any of your rights outline above, or to withdraw your consent to the processing by us of your personal Data, please contact us at: [dataprotection@thenewblackstudio.co.uk](mailto:dataprotection@thenewblackstudio.co.uk).

21. If you are not satisfied with any response that we provide to you in relation to your personal Data, you may be able to raise a complaint with the relevant data protection authority.

## Change of Business Ownership and / or Control

22. TNBS may, at any time, expand or reduce our business which may involve the sale and / or transfer of control over all or part of TNBS. Personal Data provided by you will, where it is relevant to any part of our business that is being transferred, be transferred along with that part and any new owner or controlling entity will, under the terms of this privacy policy, be permitted to continue to use the personal Data for the purposes for which it was originally provided to us.

23. We may, as required, disclose certain personal Data held by us to a prospective purchaser of TNBS (or part thereof) as part of standard due diligence checks. Where this is required, we shall take all reasonable steps to ensure that your privacy is protected.

## Analytics

24. This Website used analytics services provided by a third-party service provider, Google Analytics. These analytics are used to collect and analyse anonymous usage information from users (including you) to allow us to better understand how the Website is used and to enable us to improve the Website and the services offered through it.

## Cookies

25. This Website may place and access certain Cookies on your computer and / or device.

26. TNBS uses Cookies (Performance and Functional) to collect anonymous information about how visitors use our Website. By using our Website, you agree to have Cookies placed on your computer and / or device. These Cookies do not collect information that identifies a visitor and are only used to improve how the Website works.

27. TNBS uses Cookies to speed navigation, improve functionality and keep track of how visitors use the Website. For example, which pages visitors go to most often or how many users are connected to the Website at any one time. We cannot track your browsing activity on other websites.
28. All Cookies utilised on this Website are in compliance with applicable laws.
29. TNBS uses Cookies to aid and enhance your experience, but you may disable or delete Cookies in your internet browser settings.
30. You may choose to delete Cookies at any time, however, you may lose any information that enables you to access the Website more quickly and efficiently.
31. TNBS recommends that you keep your internet browser up-to-date and you consult the help and guidance notes of the developer of your internet browser if you are unsure about adjusting your privacy settings.

#### General

32. 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 that your rights will not be affected.
33. If any court or competent authority finds that any provision of this privacy policy (or any part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required be deemed to be deleted but the validity and / or enforceability of the remaining provisions of this privacy policy shall be unaffected.
34. Unless otherwise agreed in writing, no delay, act or omission by a party exercising any right or remedy shall be deemed a waiver of that, or any other, right or remedy.
35. This privacy policy shall be governed by and interpreted according to the laws of England and Wales. All disputes arising hereunder will be subject to the exclusive jurisdictions of the English and Welsh courts.

#### Changes to this Privacy Policy

36. TNBS keeps this privacy policy under regular review. This statement was last updated on 30<sup>th</sup> January 2020. We reserve the right to change this privacy policy as we deem necessary from time to time or as may be required by law. Any changes shall be posted on the Website and you will be deemed to have accepted the updated terms of the privacy policy upon your first use of the Website after any such update.