

## 1. Who we are and what we do

Marathon-Photos.com Ltd is a private limited liability company registered in New Zealand (number 2356121).

We photograph individual participants in endurance events, with the images displayed online for viewing and ordering. We do this as the official photographer under contract to the event organiser.

Within the context of this policy 'we' means Marathon-Photos.com.

## 2. Data protection regulation

Marathon-Photos.com protects your rights and provides you with a clear route to contact us about the data we process that relates to you personally.

In carrying out our day-to-day activities we process and store personal information relating to participants and we adhere to the requirements of the UK Data Protection Act 2018 (DPA) and the General Data Protection Regulation 2018 (GDPR).

We take our responsibilities under data protection regulation seriously and we ensure the personal information we receive is held, used, transferred and otherwise processed in accordance with those regulations and all other applicable data protection laws and regulations.

The type of communications and information you receive from us is your choice. You can change your mind at any time, or ask to see the information we hold about you, by contacting the Data Controller: Marathon-Photos.com, email [privacy@marathon-photos.com](mailto:privacy@marathon-photos.com)

## 3. What personal data does Marathon-Photos.com collect?

**Personal data** is information that can be used to identify you. It is supplied to us by the event organiser or the timing company, with the approval of the event organiser. Marathon-Photos.com is a data processor under the terms of GDPR.

**Marathon-Photos.com receives the following information which the GDPR classes as personal data:**

- Your name
- Email address (of participants who have opted to receive emails from us)
- Gender

We also receive your race results data from the timing company. This is data publicly available online.

We receive this personal information about you to offer personalised photo products and to communicate with you when your images are online.

In recording this information, we apply all the usual data protection principles outlined in this policy, so people sharing this information can feel confident that this information will not be used or stored inappropriately, and they retain the right to access this information or to request its removal at any time.

## **Facial Recognition**

Marathon-Photos uses facial recognition as an adjunct to number recognition. We first aim to identify your race number. If this is later obscured, we use facial recognition to link your photos.

If we cannot identify your race number, you may choose to upload a selfie to find your photos based on facial recognition. No selfies are stored on our servers.

**Marathon-Photos.com does not collect credit/debit card or bank account information from those who buy from us:**

If you use your credit or debit card or bank transfer to pay for your images online, you can rest assured that we manage this securely and in accordance with the Payment Card Industry Data Security Standard.

We do not receive your credit or debit card or bank account details at all and we do not store any personal financial information.

**Marathon-Photos.com does not receive any sensitive personal data, as defined by the GDPR.**

## **4. Whose data do we collect?**

We collect information about:

- Visitors to our website and social-media channels (Facebook page and Instagram)
- The number of people who order from an event and the products that are ordered

## **5. Our data-administration platforms**

Our current data-administration platforms are listed below, but we reserve the right to change our platforms from time to time.

**Email:** This is the way that we communicate with runners when their images are online. Email is also the way runners can communicate with us over any matter relating to their images or their order.

**Website:** our website ([www.marathon-photos.com](http://www.marathon-photos.com)) collects limited data from runners who wish to pre-order images from an upcoming event, or who wish to register for an email when their images are online.

Our Website contains links to third party websites. These are the website of the events that we photograph. We do not collect data about the third party websites that you visit. We recommend you read the privacy policies of these third parties to understand how they may collect and process your data.

## **6. Definitions of 'processing' and 'direct marketing'**

**'Processing data'** means any operation or set of operations which is performed on personal data or on sets of personal data such as collection, recording or holding information, or disclosing or destroying the information.

**'Direct marketing'** means communicating any advertising or marketing material which is directed to particular individuals.

## **7. How do we use the information we process?**

Marathon-Photos.com's data processing practices means we can offer runners personal race information such as name and finish time on the photo products we sell and we can email runners when their images are online.

If you have opted in to receive emails from us, we may contact you by email before an event. We follow the ICO's guidance on this.

## **8. Consent**

For some data processing activities we may need your consent before we can contact you. For this reason you are asked to opt-in to receive emails from us.

You have the right to choose not to have your images and/or video displayed on our website. To exercise this right, you should email [privacy@marathon-photos.com](mailto:privacy@marathon-photos.com)

## **9. Who do we share your information with?**

A **'data processor'** is an organisation that processes data on behalf of an organisation and only on instructions from that organisation.

A **'data controller'** is an organisation that shares some limited data with a data processor and they use that data for a different purpose. For example, an event organiser is a data controller. They share with us a limited amount of data about their runners. We use this data to provide personal photo products to runners and to communicate with them when their images are online.

## **10. The accuracy of the information we hold about you**

Our aim is for all information that we hold about you to be accurate and, where necessary, kept up-to-date. If any of the information we hold about you is inaccurate and either you advise us of this or we become aware in another way of its inaccuracy, we will ensure it is updated as soon as possible.

## **11. Storing your information outside the EEA**

An organisation may transfer your personal data to a country outside the European Economic Area (EEA), if one of the following conditions applies:

- The country to which your personal data is transferred ensures an adequate level of protection for your rights and freedoms; or
- You have given your consent; or
- The transfer is necessary for one of the reasons set out in the GDPR, including the performance of a contract between you (the data subject) and us, or to protect your vital interests; or
- The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims; or
- The transfer is authorised by the relevant data protection authority where there are adequate safeguards with respect to the protection of your privacy, your fundamental rights and freedoms, and the exercise of your rights.

Marathon-Photos.com operates outside the EEA with data storage standards that are consistent with the standards of the DPA and the GDPR. We take all reasonable steps to ensure that your data is kept secure and in accordance with this privacy policy.

## **12. How long do we keep your personal data?**

We do not receive more information about you than we need and we only retain the data required to supply the products offered. All other data is deleted at the end of the calendar year. Data is monitored continuously to ensure that all unnecessary data is deleted as soon as it is no longer required.

However, if you ask us to remove your personal information from our records we will make efforts to ensure we have identified the correct record on our system and we will delete the information we hold about you from our records.

## **13. Cookies**

A cookie is a small file of letters and numbers that we may put on your computer or mobile device when you access our website. Cookies allow us to distinguish you from other users of the website, helping us to provide you with a good experience when you browse our website and also allowing us to improve our site. For example, they tell us whether you have visited our site before or whether you are a new visitor.

With cookies, the information we collect is anonymous and does not personally identify you.

Most web browsers allow at least a degree of control over cookies through their settings. You can opt to receive an alert whenever a cookie is set or to disallow the setting of cookies altogether. You can also delete all existing cookies.

You can prevent the setting of cookies by adjusting the settings on your browser (see your browser Help for how to do this). Be aware that disabling cookies may affect the functionality of our website and many other websites that you visit. For information about how to manage or delete cookies for your particular browser, please refer to the browser's help section. Alternatively you can visit [www.aboutcookies.org](http://www.aboutcookies.org), which has comprehensive information on how to manage cookies on a wide variety of desktop browsers.

Our website uses cookies to help it work well and to track information about how people are using it. For all areas of our website which collect personal information, we use a secure server. Although we cannot 100% guarantee the security of any information you transmit to us, we enforce strict procedures and security features to protect your information and prevent unauthorised access.

## **15. Policy changes**

We may update the terms of this policy at any time, so please check it from time to time. By continuing to use our website you will be deemed to have accepted such changes.

## **16. Responsibilities**

All employees who process data are responsible for complying fully with this Privacy Policy. Breach of this policy by an employee will normally result in the Disciplinary Procedure being implemented.

## **17. Review**

We review our application of this policy in three ways:

- Every two years we review our approach to consent and the balancing of legitimate interest with the rights and interests of the individual. If the balancing exercise indicates a different approach would be appropriate we change our approach accordingly.
- We monitor and regularly assess your feedback. If the feedback assessment indicates a different approach would be appropriate we change our approach accordingly.
- We review this policy if there is a change in the law that requires us to do so.

## **18. Your rights, including how to complain**

You have the right to:

- Request a copy of the information we hold about you.

- Update or amend the information we hold about you if it is wrong.
- Ask us to remove your personal information from our records (e.g. withdraw your consent)
- Raise a concern or complaint with Marathon-Photos.com's Data Protection Office ([privacy@marathon-photos.com](mailto:privacy@marathon-photos.com)) about the way in which your information is being used.

If you have any questions or queries about this Privacy Policy, or if you would like to request a copy of the information we hold about you, please email [privacy@marathon-photos.com](mailto:privacy@marathon-photos.com)