

# Privacy Notice – Goodman Gallery UK Ltd

## 1. INTRODUCTION AND GENERAL TERMS

Goodman Gallery UK Limited, a company registered under company number 10928960 (“GOODMAN GALLERY”, “we”, “us” or “our” in this notice), forms part of an international commercial gallery which operates in Johannesburg, Cape Town and London and which represents artists worldwide (the “Services”). Where we decide the purpose or means for which personal information you supply is processed, we are the “data controller” i.e. the entity responsible for handling your personal information in line with the requirements of UK data protection law.

If you have any questions or comments about this privacy notice, please contact us via:

Telephone: +44 (020) 8125 4065

Email: [ldn@goodman-galleryuk.com](mailto:ldn@goodman-galleryuk.com):

Goodman Gallery is committed to protecting and respecting your privacy. This privacy notice aims to make all those who interact with us, visitors, customers, members, supporters and suppliers, aware of the information that Goodman Gallery may hold about you, how it uses it, and what associated legal rights you have.

We comply with General Data Protection Regulations (GDPR) when dealing with your personal data. Further details on GDPR can be found on the website of the Information Commission ([www.ico.org.uk](http://www.ico.org.uk)).

## 2. WHAT PERSONAL INFORMATION DOES GOODMAN GALLERY COLLECT ABOUT ME?

We collect and process the following data from you which may include your personal information.

### a. Information provided by you when using our Services

You may give us information about you by filling in forms when using or purchasing our Services, attending events and exhibitions, signing up to our newsletter or contacting us with enquiries. Such information may include any of the following:

1. **Identity and contact data:** including your name, username, address, telephone number and e-mail address; and
2. **Profile Data:** including artwork information, artworks owned, requested, offered, reserved, purchased, consigned and details of artwork invoices.

## **b. Payment Information**

In order for you to use all the functions of our Services we may collect payment information from you including your credit card number and bank account details.

## **c. Automated Interactions**

As you interact with our website, we may automatically collect technical data about your equipment, browser type, time zone settings, browsing actions and patterns. We collect this personal information by using cookies and other similar technologies. We use this information for our internal system administration, to administer our website, and to monitor and improve the user experience. For further details, please see more on cookies below.

Goodman Gallery will collect information about you only insofar as this is lawful and appropriate for one or more of the purposes described in section 3 below.

## **d. CCTV Images of You Recorded on Our CCTV Cameras**

### **3. WHAT DOES GOODMAN GALLERY USE MY PERSONAL INFORMATION FOR AND DOES UK DATA PROTECTION LAW PERMIT IT TO USE MY PERSONAL INFORMATION AS DESCRIBED?**

UK data protection law specifies a limited number of grounds on which an organisation is permitted to handle personal information. This is known as the “legal basis for processing”. Goodman Gallery is required to inform you which of these grounds it relies on. Goodman Gallery uses the information about you, which is described above, to the extent lawful and appropriate, for one or more of the following purposes and legal grounds:

#### **a. Contract** - Providing our services to you as a prospective or existing client

We legally use and retain your Personal information where we need to perform the contract we are about to enter into or have entered into with you, such as:

- For registering you as a new client;
- Processing purchases including any shipping details for delivery of the artwork; and
- Keeping track of contractual agreements;

- b. **Legitimate Interests** in circumstances where these interests are not outweighed by the need to protect your privacy, for example:
- Keeping track of artworks offered to you in order to understand your preferences and purchase history and allow us to offer you and communicate concerning, relevant artwork when it comes in;
  - conducting analysis and research in relation to our supporters, e.g. we may analyse certain types of information that you submit to us in order to improve the Services we offer to you and to provide you with a bespoke, tailored service based on your preferences, recommendations, interests and previous purchases and location.
  - providing a bespoke artist representation service to you, such as:
    - Promoting and selling your artwork to relevant clients based on their preferences and previous purchases;
    - Retaining a personal profile of you and your artwork to provide clients with background information, and market your artwork accordingly;
    - Responding to your enquiries; and
    - Providing you with information and updates about our Services and upcoming exhibitions.
  - Where we collect and view images recorded on our CCTV cameras which we use only for security reasons, to help us keep our visitors, staff and collection safe; and
- c. **Vital Interests** - We may process health information e.g. in the unlikely event of a life-threatening emergency while you are visiting the Goodman Gallery and we have to process your personal information in order to make sure you receive appropriate medical attention.
- d. **Compliance with a Legal Obligation** - we use and retain your information for fulfilling our legal and accounting obligations e.g. for tax matters, anti-money laundering, insurance purposes, fraud prevention and in the event of actual and potential legal claims. This may involve disclosing your personal information to third parties as described in section 6 below.

- e. **Consent** - if Goodman Gallery cannot lawfully handle your personal information on these or other permitted grounds, it may need to rely on having your consent in order to be able to do so. This might be the case where you have agreed to receive email updates from the Goodman Gallery (see section 5 below) or if we are dealing with personal information which falls into so-called “special categories”, which cover information that the law considers to be inherently sensitive, such as that relating to race/ethnicity, political opinions, health, religious or similar beliefs, sex life and biometrics.

Please note that you may withdraw consent at any time after you have given it. This would not affect the lawfulness of Goodman Gallery's prior use of that information. In certain situations, however, withdrawing consent might impact on our ability to offer you a specific service.

#### **4. WHERE DOES GOODMAN GALLERY GET MY PERSONAL INFORMATION FROM?**

Goodman Gallery typically obtains the information directly from you for example:

- when you express an interest in buying or selling an artwork to one of our staff or representatives;
- when you attend an event;
- when you purchase an artwork;
- when you subscribe to receive news about upcoming events;
- when you follow us on social media; or
- when you ask us to send you information, including about artists and their works.

However, depending on your circumstances and relationship with the Goodman Gallery, we may obtain it from a broad range of sources including:

- word of mouth
- when someone introduces you to us (e.g. because they believe an artist or work may interest you)
- websites where you have made information about yourself publicly accessible e.g. Instagram and LinkedIn, art platforms, publicly available resources such as newspaper articles, exhibition catalogues, public auction results.

## **5. DOES GOODMAN GALLERY USE YOUR PERSONAL INFORMATION FOR MARKETING PURPOSES?**

We use various forms of marketing to provide you with promotional materials about our Services either because it is in our legitimate interests to do so e.g. where you have previously requested/received Services, or consent where you have not previously requested or received Services but have provided your details or asked to be contacted by the Goodman Gallery.

Goodman Gallery does not sell or rent your personal information to third parties for their own marketing purposes.

## **6. DOES GOODMAN GALLERY DISCLOSE MY PERSONAL INFORMATION TO THIRD PARTIES?**

We will share your personal information with Goodman Gallery's South African affiliates e.g. for administrative ease and because they offer similar products and services to us so that you do not miss out on our global offerings and Services.

We also share your personal information with third parties "Data Processors" to carry work out on our behalf, such as to provide logistical support and payment processing services. Where relevant, we have and will put in place, appropriate contracts with them to require them to comply with data protection laws, to process only for the purposes we specify, and ensure they implement appropriate controls to keep your personal information secure. If you would like to find out more about how the third parties listed in this notice use your information, please refer to their respective privacy notices.

Campaign Monitor to assist with marketing emails.

## **7. COOKIES**

We process cookies to understand how visitors use our website and to compile reports on website activity.

This processing is necessary for us to pursue our legitimate interest in improving our website and providing a more relevant service to our customers. This information is not used to develop a personal profile of you.

## 8. WHAT RIGHTS DO I HAVE CONCERNING MY PERSONAL INFORMATION?

You have the right to ask Goodman gallery to:

- (1) provide a copy of your personal information (subject to the data protection rights of other people), as well as the type of information provided in this privacy notice;
- (2) correct any inaccuracies or incompleteness in your personal information;
- (3) modify or withdraw your consent for the collection, use and disclosure of your personal information (see section 3e above);
- (4) delete your personal information where there is no lawful justification for Goodman Gallery to retain it;
- (5) put the processing of your personal information on hold until Goodman Gallery responds to a claim by you that the data is inaccurate or that Goodman Gallery's legitimate interests in processing it are outweighed by your interests in the information not being processed; and
- (6) transfer your personal information to you or another company in a commonly used electronic format (known as the right to data portability).

You also have the right to object to the processing of your information, including for profiling purposes, where Goodman Gallery does this:

- (7) for the purposes of its legitimate interests or those of a third party; or
- (8) on the basis that it is acting in the public interest; or
- (9) for direct marketing purposes.

If you lodge an objection on the last of these three grounds Goodman Gallery will simply stop processing your personal information for marketing purposes (and any associated profiling). In the other two cases Goodman Gallery will stop processing the relevant information unless it identifies compelling legitimate grounds for the processing which override your rights and interests or else Goodman Gallery needs to process the information in connection with a legal claim.

## **9. MAKING A COMPLAINT TO THE ICO**

If you are unhappy with the way Goodman Gallery is processing your Personal information, please let us know.

Alternatively, if you do not agree with the way we have processed your information or responded to your concerns, you have a right to submit a complaint to the UK's Information Commissioner (the ICO).

## **10. DATA RETENTION**

We will hold your personal information on our systems for as long as is necessary for the relevant service or as required by law, or for accounting or regulatory purposes.

## **11. CHILDREN**

We do not knowingly solicit data from or market to children under the age of 18. If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us at [london@goodman-galleryuk.com](mailto:london@goodman-galleryuk.com). We will delete such information from our files without undue delay.

## **12. SECURITY**

We will take all reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

Please be aware that, although we endeavour to provide reasonable security for information we process and maintain, no security system can prevent all potential security breaches.

All our staff and data processors who have access to, and are associated with the processing of, personal information are legally obliged to respect the confidentiality of the personal information of our visitors, email subscribers, members, shoppers, supporters, and all those who engage with us.

## **13. CHANGES TO THIS NOTICE**

We will update this privacy notice from time-to-time to take account of Goodman Gallery's evolving needs and developments in the law. We will notify you of any significant changes to this privacy notice by email, a prominent notice on the website or account message.

## **14. INTERNATIONAL DATA TRANSFERS**

Where we transfer your data outside of the UK and European economic area in respect of the transfer to the above affiliates, we have agreements in place with those parties which include standard data protection clauses adopted by a data protection regulator and approved by the European Commission to ensure that appropriate safeguards are in place to protect your Personal information. If you would like to find out more about these safeguards, please let us know by writing to [ldn@goodman-galleryuk.com](mailto:ldn@goodman-galleryuk.com).

This privacy notice was last updated on 4 November 2019.



# Privacy Notice\_ Goodman Gallery SA (Pty) Ltd

## THE PROTECTION OF PERSONAL INFORMATION ACT CUSTOMER PRIVACY NOTICE

This notice explains how we obtain, use, process and disclose your personal information, in accordance with the requirements of the Protection of Personal Information Act (“POPIA”).

At Goodman Gallery SA (Pty) Ltd we are committed to protecting your privacy and to ensure that your personal information is collected and used properly, lawfully and transparently.

### **About the Company**

Goodman Gallery (Pty) Ltd is a company incorporated in terms of the laws of South Africa with physical address 163 Jan Smuts Ave, Parkwood, Johannesburg.

### **The information we collect**

We collect and process your personal information mainly to contact you for the purposes of, advertising our goods and services, understanding your requirements, and delivering our services accordingly. For this purpose we will collect contact details including your name and organisation.

We collect information directly from you where you provide us with your personal details. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Website usage information may be collected using “cookies” which allows us to collect standard internet visitor usage information.

### **How we use your information**

We will use your personal information only for the purposes for which it was collected and agreed with you. In addition, where necessary your information may be retained for legal purposes.

For example:

- To gather contact information;
- To confirm and verify your identity or to verify that you are an authorised user for security purposes;

- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- To conduct market or customer satisfaction research or for statistical analysis;
- For audit and record keeping purposes;
- In connection with legal proceedings

### **Disclosure of information**

We may disclose your personal information to our service providers who are involved in the delivery of goods or services to you. We have agreements in place to ensure that they comply with the privacy requirements as required by POPIA

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law;
- Where we believe it is necessary to protect our rights.

### **Information Security**

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorized access and use of personal information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your personal information remains secure.

Our security policies and procedures cover:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of private information;
- Investigating and reacting to security incidents.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

#### **Your Rights: Access to information**

You have the right to request a copy of the personal information we hold about you. We will need a copy of your ID document to confirm your identity before providing details of your personal information.

Please note that any such access request may be subject to a payment of a legally allowable fee.

#### **Correction of your information**

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your ID document to confirm your identity before making changes to personal information we may hold about you.

#### **Definition of personal information**

According to POPIA “personal information” means information relating to an identifiable, living, natural person and, where applicable, an identifiable existing juristic person.

#### **How to contact us**

If you have any queries about this notice; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website.