

## Applicants, Participants, Contributors and Audience Privacy Notice

### Introduction

This Privacy Notice concerns the personal information of people who are applicants, participants or contributors (including anyone nominated by another to participate) who we are considering, or have decided, to include in a programme, which we intend to produce, and anyone attending in the studio audience when we are filming a programme.

Your information is very important to us and we will look after it in line with privacy and data protection laws, including the EU General Data Protection Regulation.

This policy explains what data we collect and why, how we use it and who we share it with, as well as your rights as a data subject.

We are committed to keeping your information secure with appropriate technical and organisational measures to ensure its confidentiality, integrity and availability.

Where a password is required to access certain parts of our websites, you are responsible for keeping this password confidential and not sharing it with anyone else.

It is important that you read this Privacy Notice together with any additional Privacy Notices or Fair Processing Notices, which we give you, so that you are fully aware of how and why we are collecting and using your data. This Privacy Notice supplements these other notices (if provided) and is not intended to override them.

We may update this Privacy Notice from time to time and will post any changes on our website so it's a good idea to check <https://www.twofour.co.uk/privacy-policy/> from time to time.

This Privacy Notice was last updated on 19 February 2019.

### Who are we?

Any reference to "we", "us" and "our" is to Twofour Group Limited (company no. 05493388) and its subsidiary companies. We are known as the "data controller" of your personal data and you can contact us at [privacy@twofour.co.uk](mailto:privacy@twofour.co.uk) or write to the Twofour Privacy Team at Twofour Studios, Estover, Plymouth, PL6 7RG for more information about how we process your data.

### What personal information do we process about you?

The information we process may include your name, address, email address, IP address, gender, date of birth, age, phone number, passport details or other national identifier, driving licence, your national insurance or social security number and income, employment information and details about your previous roles and personal history.

We collect information about you from a number of sources, including from you directly. The table below gives more information:

	WHAT	HOW WE COLLECT THIS INFORMATION / FROM WHERE
1	<i>Information that you give us</i>	<ul style="list-style-type: none"> <li>from the forms and any associated documentation that you (or an agent on your behalf) complete when you apply for a role or part in, or contribute to, a programme when you provide it to us in correspondence and conversations (e.g. application telephone interviews, pre-filming questionnaires and release forms)</li> <li>when you apply, participate or contribute to a programme, or attend a live recording, information which is relevant to your application or contribution. The information will be dependent on the nature of the programme, but where relevant this could also include special category data such as medical information, political opinions, sexual orientation, etc, and where relevant your criminal history. The nature of the programme and the information which we will be asking you for will be explained to you in advance and a supplemental Privacy Notice will be provided to you</li> </ul>

		<ul style="list-style-type: none"> <li>with your consent, we will pass your email address to Silvermouse and Soundmouse, who may contact you as part of Twofour's commitment to monitoring diversity as part of the Diamond project. This is the diversity monitoring system managed by the Creative Diversity Network on behalf of UK broadcasters BBC, ITV, Channel 4, Sky, Channel 5/Viacom. You can find out more about Diamond <a href="#">here</a>.</li> </ul>
2	<p><b>Information we obtain from others</b></p>	<ul style="list-style-type: none"> <li>publicly available and accessible directories and sources</li> <li>social media platforms, including Facebook, Instagram, Twitter, LinkedIn</li> <li>subscription only databases such as Factiva, Lexis Nexis and Reuters</li> <li>tax authorities, including those that are based outside the UK and the EEA if you are subject to tax in another jurisdiction</li> <li>governmental and competent regulatory authorities to whom we have regulatory obligations</li> <li>agents and production companies</li> <li>fraud prevention and detection agencies and organisations</li> <li>where we need to do so for regulatory purposes, and this is in the public interest, crime enforcement and criminal records agencies such as Disclosure Scotland and uCheck</li> </ul>

### Why do we process your personal information?

- We obtain personal information about you when you apply to take part in a programme or are confirmed as a participant or contributor to a programme which we are producing, or apply for tickets to a live recording of one of our programmes.
- We need to process this information to consider your application or to make the programme once you have been selected.

We have set out below some more specific information about why we process your personal data.

#### (1) Our contracts with you

We consider it necessary to process your personal data to perform our contracts with you in the following circumstances:

- to meet the contractual obligations between us;
- as part of any legally binding contract which you have entered into with us for your application, contribution and/or participation in a programme; and
- if you are due any payment, to provide to our in-house payments team in order for this to be paid.

Contracts are retained for a minimum of 6 years from the date of signature, or for the period during which we have rights in the programme whichever is the longest.

#### (2) To comply with applicable laws

We process your personal data where it is necessary to do so to comply with applicable laws which apply to us as an organisation, including:

- to verify your identity;
- to carry out verification and anti-money laundering checks, prevent and detect fraud and carry out other legally mandated checks; and
- if we are legally obliged to disclose your personal data.

#### (3) Our legitimate interests

We consider that we have a legitimate interest in producing audio visual programming for commercial exploitation, as such, 'on-screen' and 'off-screen' contributions from individuals are crucial to this production activity and require the processing of personal information about these individuals.

We consider that it is in our legitimate interests (or those of a third party) to process your personal information, namely:

- to produce audio-visual programming for commercial purposes, such as processing 'on-screen' and 'off-screen' contributions from individuals. When we refer to a "programme" in this notice we mean not just the finished programme

- but all rushes, clips and unused material;
- (b) to assess your continuing involvement for the programme that you are contributing to (if your application to participate in a programme is unsuccessful, your information will be deleted within three months of the programme going into production unless you have agreed you may be contacted about future programmes);
  - (c) to deal with any questions or complaints arising in relation to your participation in the programme;
  - (d) to deal with any agents acting on your behalf;
  - (e) to retain the programme and your personal data in it in our archive, for the purpose of repeating the programme or otherwise using it for commercial purposes;
  - (f) to commercially make full use of either the entire programme or clips from it in the UK and around the world, for the period in which we have rights in the programme. We also keep an archive copy of the programme after our rights have expired - as a record of programming we have either made and/or broadcast;
  - (g) if applicable, to provide to any third parties (e.g. travel agencies, airlines, resorts and/or hotels) who require it to supply any prizes and/or benefits to you during your participation in a programme, or to facilitate your participation in the programme;
  - (h) to share with our professional advisors and/or the commissioning entity or commissioning broadcaster that we are producing the programme for and/or within the Twofour Group of companies and/or any co-producer that we are producing the programme with;
  - (i) to verify your age, identity and other information as we may require for the production and exploitation of the programme we are producing;
  - (j) in the event that we sell or buy any business or assets, in which case we may disclose your information to the prospective seller or buyer of such business or assets, along with its professional advisers. If Twofour Group Limited or substantially all of its assets are acquired by a third party, personal information held by Twofour Group Limited about its applicants, entrants or nominee(s) may be one of the transferred assets. In such circumstances the acquirer of the information will become the new data controller;
  - (k) to comply with applicable regulatory obligations;
  - (l) to pass on to a competent regulator, prosecutor or competent authority or law enforcement authorities including without limitation the UK Information Commissioner and/or the Office for Communications (OFCOM) should it be requested from us;
  - (m) to comply with our accounting and tax reporting requirements;
  - (n) to comply with our audit requirements;
  - (o) to protect our business against fraud, breach of confidence, theft of proprietary materials, and other financial or business crimes (to the extent that this is not required of us by law);
  - (p) to monitor communications to/from us using our systems;
  - (q) to protect the security and integrity of our IT systems; and
  - (r) to arrange for you to attend the live recording of our programmes.

We only process data on this legal basis, where we have considered that, on balance, our legitimate interests are not overridden by your interests, fundamental rights or freedoms.

### ***Monitoring as described at (p) above***

We monitor communications where the law requires us to do so. We will also monitor where we are required to do so to comply with our regulatory rules and practices and, where we are permitted to do so, to protect our business and the security of our systems.

### **Future participation**

Where you have agreed to this, we process your personal data in connection with your consideration for future series of programmes and/or other shows produced by us or by another company within the Twofour Group of companies. This information may be kept by us for a period of up to 3 years from date of the applicable agreement, unless you ask us to delete it earlier.

### **Diversity monitoring**

Twofour is part of an industry-wide diversity monitoring initiative called Diamond. The Diamond project uses personal information regarding on and off-screen contributors to programmes to report on the diversity of TV production in the UK.

- If you have provided us with your email address (unless you have asked us not to) we will share this with Creative Diversity Network Limited, Soundmouse and Silvermouse and you will be invited to participate in the Diamond project.
- The company running the Diamond project will contact you to ask whether you are willing to contribute to the project by providing certain information regarding your diversity characteristics such as; gender, ethnicity, disability, age, gender identity and sexual orientation. This information is collected, processed and stored anonymously on the Diamond system, with the relevant data being jointly controlled by the main UK broadcasters including the BBC, ITV, C4, C5, CDN and Sky. If

you provide Diamond with your diversity data, they will issue you with a separate privacy notice.

### **What do we do with children's personal information?**

We are committed to protecting the privacy of children aged under 18 years old. If you are aged 17 or under, please get your parent/guardian's permission beforehand whenever you provide us with any personal information. We will take reasonable steps to verify this by contacting your parent or guardian to confirm their consent.

### **Who else do we share your data with?**

Your information will be used by the relevant production team for the purposes of making the programme. It may also be shared internally with the Business Affairs team to prepare contractual documentation or provide legal advice, and with any other Twofour teams involved in commercial exploitation such as the finance teams where a payment is required, and the Health and Safety and Insurance teams (and their respective advisors) if their advice is required.

We may pass your information to our third party service providers such as agents, subcontractors, ticket providers and other associated organisations for the purposes of facilitating your application, entry or enquiry or nomination for the programme you are interested in taking part in. However, when we use third party service providers, we disclose only those elements of your information that are necessary to deliver the required service.

Please be reassured that we will not otherwise share your information further, unless:

- we are required to do so by law, for example by a court order or for the purposes of prevention of fraud or other crime; or
- we are asked to by competent regulatory, prosecuting and other governmental agencies, or litigation counterparties, in any country or territory; or
- for the purposes of prevention of fraud or other crime.

### **Sending your personal information internationally**

We may transfer your personal data to other members of our group, and to third party service providers outside of the European Economic Area, which do not have similarly strict data protection and privacy laws.

Where we transfer personal data to other members of our group, or our service providers, we have put in place data transfer agreements and safeguards using European Commission approved terms. Please contact us at [privacy@twofour.co.uk](mailto:privacy@twofour.co.uk) if you would like to know more about these agreements or receive a copy of them.

Where this happens, we will ensure that adequate security and safeguards are in place to appropriately protect your information.

### **How long do you keep my information?**

We do not retain your information for longer than necessary for the purpose it was collected.

- We keep your personal data for as long as it is required by us for our legitimate business purposes, to perform our contractual obligations, or where longer, such longer period as is required by law or regulatory obligations which apply to us.
- In general we keep your information only for the period we have legal rights to exploit the programme that your information relates to, but we have included some exceptions to that rule above.

We will usually delete your personal information at the end of that period.

### **Do you need my consent to include me in a programme?**

There are circumstances in which we can make programmes about an individual without their consent provided we comply with the relevant laws and regulatory codes, such as the Ofcom Broadcasting Code.

We do not generally rely on obtaining your consent to process your personal data to make a programme in which you appear. This is something which we do as part of our legitimate business interests, as explained above.

Where you have entered into a contract with us to participate in our programmes, we may be entitled to show the programme whether or not you later change your mind about participation.

## Use of Cookies

Like many other websites, the Twofour website uses cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. They collect statistical data about your browsing actions and patterns and do not identify you as an individual. For example, we use cookies to store your country preference, this helps us to improve our website and deliver a better more personalised service.

It is possible to switch off cookies by setting your browser preferences, however turning cookies off may result in a loss of functionality when using our website.

## What are my data subject rights and how can I use them?

In law you are the 'Data Subject' and you have several rights that you can exercise over your data such as the right to access, correct and request to delete your personal information. From 25th May 2018 you have some additional rights e.g. data portability, restrict the processing or object to it which we outline below.

You also have the right to lodge a complaint with a supervisory authority (e.g. the Information Commissioner's Office in the UK), about our processing of your personal information.

## Access to my data

You can request access to the information we hold on you and we will also tell you:

- why we are processing it;
- who are we sharing it with and if any information is transferred to a country not deemed to have adequate protections in place for personal data;
- how long will we be keeping your data;
- the source of the information, if it was not collected directly from you;
- if we are using your data for automated decision making or profiling.

If you are making a request for a copy of your personal data that we are processing, please be as specific as possible as this will both help us to identify the information more quickly and provide you with a copy without any undue delay.

## Rectifying inaccuracies

If you feel the information we hold on you is inaccurate or incomplete, you can ask us to correct or update it.

## Right to be forgotten

You can also request that we erase your information in certain circumstances, although that might not always be possible if doing so means we cannot perform our contract with you, or we have a legal obligation or legitimate interest to keep the data. We will explain the consequences of erasing your data.

## Restrict the processing

If you feel we are processing your information unlawfully or with inaccurate data, you can ask us to restrict any further processing. Where personal information is subjected to restriction in this way we will only process it with your consent or for the establishment, exercise or defence of legal claims unless we have your consent. Please note that even if the processing is restricted, we will continue to store the data.

## Object to the processing

If you disagree with any legitimate interest or public interest we have relied upon to process your data, you can object to the processing. We will then stop processing the data unless we can demonstrate a compelling legitimate ground that overrides your rights (e.g. exercising or defend a legal claim).

## Data Portability

You can request to receive personal data that you have provided to us in a commonly used format and request that we transmit it to another data controller where feasible, or to you directly.

## Make a complaint

We are committed to safeguarding your data and upholding your rights, but if you feel we have not done that, please contact Viewer Services by email at [privacy@twofour.co.uk](mailto:privacy@twofour.co.uk) or write to Data Protection Office, Twofour Group Limited, Twofour Studios, Estover, Plymouth, PL6 7RG. Additionally you have the right to complain to the relevant supervisory authority, which in the UK is the Information Commissioner's Office (ICO).