

PRIVACY NOTICE FOR ONSCREEN CONTRIBUTORS

Introduction and main purposes

This Privacy Notice relates to people who are applicants, participants, contributors, performers, presenters and audience members who may be featured in programmes or projects which a production brand of the Banijay UK Group intends to produce ("Programme(s)"). You can find a list of the Banijay UK production companies here www.banijayuk.com/companies/ and the production company producing the specific programme or project you've been contacted about and named in any Contract you enter into ("Company" or "we, us, our") is the data controller in respect of your personal data.

We will collect, use and process certain personal information relating to you for purposes connected with your contribution to the Programme and any participant agreement or contract that we may in the future enter into with you ("Contract") including managing, administering and complying with the Contract; assessing your suitability for participation in the Programme; filming your contribution to the Programme and elements of it; producing, broadcasting, distributing, publicising and commercialising the Programme; communicating with you about your contribution to the Programme; contacting you about other Banijay UK Group shows, products, projects, services and casting and complying with legal and regulatory obligations. We are committed to keeping your personal information secure using appropriate technical and organisational measures to ensure the confidentiality, integrity and availability of your personal data.

If you do not provide us with information necessary for the purposes of the Contract, we may not be able to fulfil our obligations under the Contract and you may not be able to participate in the Programme.

What types of personal data do we collect?

Personal information

This information may include:

- (i) your name, social media usernames, address, nationality, date of birth and contact details;
- (ii) footage, recordings (including audio) and/or photographs of you;
- (iii) information about your interests, opinions, personality, previous appearances on television, family life, job and general knowledge (to help us decide whether you are a suitable contributor for the Programme and decide whether or not to enter into the Contract with you);
- (iv) your bank account details (in order to pay any sums due to you), your tax status, your tax code, national insurance number (to deal with National Insurance and tax) and any applicable pension details (this information may only be collected if we engage your services)
- (v) a copy of your passport (to fulfil our legal obligation to check you have the right to work in the UK and in connection with any visa, certificate of sponsorship or any other permit we are required to obtain where applicable ("Permits"));
- (vi) information about your health (to obtain and administer insurance, to arrange and administer any medical treatment you may require and to assess your suitability to take part and continue to take part in the Programme);
- (vii) your ethnicity (for diversity monitoring);

- (viii) any disability you may have informed us about in the application process or otherwise (to meet our legal and regulatory obligations);
- (ix) information about any criminal background (for us to meet our legal and regulatory obligations to safeguard the welfare of you, the other participants, contributors and audience members, our employees and freelancers, to assess your suitability to take part in the Programme and to assess the need for and (if required) to obtain Permits);
- (x) information about you that is relevant for inclusion in publicity material; and
- (xi) any information you provide as part of the filming and recording of the Programme including personal information relating to your ethnicity, political opinions or religious belief, trade union membership, physical or mental health, sexual orientation, genetic and biometric data ("Special Category Personal Data") and criminal background data.

Marketing and Advertising

If you opt in to be contacted by phone or email about marketing and/or advertising of our shows, products, projects and services and for your email and social media usernames to be used to generate and provide you with social media advertising related to us, we may use your email address, social media usernames and (where specified) your phone number (and other personal information such as your name, age category and general location required to administer your opt in) to:

- (i) send you emails with information about the Programme and our other shows, products, projects and services;
- (ii) contact you by phone or email about casting for the Programme and/or casting for other programmes being produced by us; and
- (iii) use your email or social media usernames to provide you with specific advertising related to us that we think you may be interested in on other platforms such as Facebook, Instagram, Twitter, Snapchat and Google and/or to enable those other platforms to provide advertising related to us on our behalf to types of audiences who use those platforms. If we use your email or social media usernames in this way we remain the Data Controller of your information and the relevant platform does not have the right to use your email and/or social media usernames (provided by us in this way) for its own purposes. If you would like further information about how this works please refer to the privacy information provided by the social media platforms you use.

You can unsubscribe to this marketing and advertising option by either emailing privacy@banijayuk.com or using the unsubscribe option in any of the marketing emails that you receive or (if you are contacted by phone) telling us you no longer wish to be contacted.

How we collect your personal data

We will obtain most of your personal information directly from you, those authorised by you or your representatives (if any). We may also collect information about you from third parties (e.g. footage of others discussing you), from public sources (such as social media), industry contacts and public opinion through surveys and market research. We may also conduct background checks to verify personal information about you. These checks could include checks of information that is publicly available online, including information you have made public via social media and checks obtained lawfully from third parties engaged by us for verification purposes

such as data intelligence services and any organisation authorised to provide basic criminal history checks. You may also be asked to provide us with documentation to verify personal information provided by you.

Our legal grounds for collecting and using your personal data

Personal data

Our legal grounds for collecting and using your personal information are primarily that it is necessary:

- (i) for the performance of the Contract (or to take steps to decide whether or not to enter into the Contract with you), and/or
- (ii) to pursue our legitimate business interests (for example to fulfil contractual obligations to you, the Programme broadcaster and others), where those interests are not overridden by your rights and freedoms.

In addition, we will also use your personal data where necessary to fulfil our legal and regulatory obligations.

There may also be situations over the course of the Programme where it is necessary to use your personal data to protect your vital interests or the vital interests of another individual.

We also sometimes rely on your consent, for example where you choose to be contacted by us by email for marketing purposes.

Sensitive Personal Data

We will use your Special Category Personal Data or criminal background data where necessary for one of the above grounds and where one of the following applies:

- (i) we need to fulfil our legal and regulatory obligations and exercise our rights including those (where applicable) as an employer (for example, for the health and safety of our programme contributors, staff and others);
- (ii) you have provided explicit consent;
- (iii) we need to protect your vital interests or the vital interests of another individual, where you are not capable of giving consent;
- (iv) you have manifestly made the information public (including where you do so when participating in the Programme);
- (v) for reasons of substantial public interest based on the law (for example where necessary for our health and safety obligations or for the purposes of Ofcom's functions or for insurance purposes); or
- (vi) where necessary for you to receive medical treatment from a registered medical professional.

Where we are using your Special Category Personal Data for editorial research purposes only and where one of the above does not apply, we will obtain your consent to our use of your Special Category Personal Data.

Sharing your personal information

We may share your personal information with other personnel from the Company on a need to know basis (such as HR, IT Legal and Finance), the Company's affiliates and group companies, legal and regulatory authorities, insurers, the Company's professional advisors and other third parties such as any potential purchasers of the Company, broadcasters and distributors of the Programme, payment management providers and unions and industry representative bodies. Your personal information will be broadcast to the public to the extent it is included in the Programme.

Where you are represented by a third party, we will also share personal data with your agent or representative in order to meet the purposes set out in this privacy notice.

If the broadcaster of your Programme is ITV and you would like to know more about how ITV will manage your personal data please click

here: https://www.itv.com/data/documents/pdf/ITV_Broadcasting_Privacy_Notice.pdf

If the broadcaster of your Programme is Channel 4 and you would like to know more about how Channel 4 will manage your personal data please click here <https://www.channel4.com/4viewers/contributor-policy>.

International transfers

Some of the people we share your personal data with are based outside of the UK. When we send your personal information outside of the UK to a country not recognised as providing appropriate protections, we put in place appropriate contracts or other safeguards to ensure your rights are protected.

Data retention

Personal information collected about you when you apply to, contribute to, present, participate or perform in the Programme will be kept by us for as long as it is required to fulfil the Contract, to enable us to pursue our legitimate business interests or for such longer period as is required by law or regulatory obligations which apply to us.

If you are not selected to participate in the specific series of the Programme that you applied for then in order to consider you for future series of the Programme and to contact you by email and/or telephone about future series of the Programme, we will usually retain your personal information collected for your application until 18 months from the end of production of the specific series of the Programme that you applied for or for such other period as was communicated to you and/or which you agreed to when you applied to participate in the Programme.

We will keep footage of you, personal information contained within the Contract, personal information required to fulfil any ongoing contractual payment obligations, any records of your participation in the Programme and information contained in any publicity material for as long as necessary for the purposes of the Programme – which may be indefinitely for airing (including exhibiting or publishing via online services) and re-airing the Programme (whether in whole or in part). In practice this means that we will usually retain your contribution in perpetuity and keep your Contract and personal data concerning your contribution for at least the duration of copyright in your contribution.

Your rights

You have certain rights in respect of your personal data which include:

- (i) The right to be informed your personal data is being used (which is what this privacy notice is for).

- (ii) The right to access your personal data.
- (iii) The right to object to direct marketing.
- (iv) The right to object to the use of your personal data in certain circumstances.
- (v) The right to withdraw consent to the use of your personal data where consent is being relied on for the processing of your personal data.
- (vi) The right to erasure of your personal data in certain circumstances.
- (vii) The right of data portability in certain circumstances.
- (viii) The right to have your personal data corrected if it is inaccurate
- (ix) The right to have your personal data restricted or blocked in certain circumstances.

Please be aware that these rights are not always absolute and there may be some situations in which you cannot exercise them or they are not relevant. Please also be aware that, as explained below, these rights will not apply to the extent that they are incompatible with the Special Purposes.

To exercise any of these rights please contact us by emailing privacy@banijayuk.com.

You can find out more information about your rights on the Information Commissioner's website www.ico.org.uk. You can also complain to the Information Commissioner if you have any concerns about your personal data.

The Special Purposes

The UK General Data Protection Regulation ("UK GDPR") and the Data Protection Act 2018 ("the Act") require us to use your personal data within the legal framework explained in this Privacy Notice and in accordance with your rights under the UK GDPR (which we explain above).

However, the UK GDPR and the Act contain an exemption which allows us and the Programme broadcaster not to apply aspects of this legal framework and your rights if they are not compatible with the artistic purposes of the Programme and there is a public interest in broadcasting the Programme. This exemption is known as the "Special Purposes" exemption. Consequently, please be aware that aspects of the legal framework explained in this Privacy Notice and your rights under the UK GDPR may not apply where they are not compatible with the Special Purposes.

Update

This Privacy Notice was last updated on 4 May 2022.