

Ten66 Television Privacy Notice

This notice sets out how Ten66 Television Limited collects and processes the personal data of people we are considering, or have decided, to include in our programmes – as well as anyone we have engaged with or whose data we otherwise process in connection with those programmes.

Your information is very important to us and we will look after it in line with privacy and data protection laws, including the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

This notice 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. If we process your personal information, we will only do so in accordance with this privacy notice and data protection law.

1. Who are we?

Ten66 Television Limited (Company number 08851307) is a television production company based in the United Kingdom that produces TV programmes and other content for worldwide distribution.

Our main office is at **Ten66 Television , Suite 6.02, Creative Media Centre, 45 Robertson Street, Hastings, TN34 1HL**

Why do we collect and process personal information?

We collect and process personal information for various reasons in connection with our TV programme making including:

- operating and managing our business effectively and lawfully;
- contacting individuals about taking part in our TV programmes, assessing their suitability to take part in them and then casting them;
- for employment purposes;
- producing, exhibiting, exploiting, distributing, publicising, advertising and promoting our TV programmes by any media (now known or hereafter invented) throughout the world;
- responding to queries from members of the public about the TV programmes we make;
- making payments to individuals in connection with the TV programmes we make; and
- for marketing purposes in connection with the TV programmes we make.

2. What Personal Information do we collect in connection with the TV programmes we make and why?

We process a lot of information in the course of our business. Depending on our interaction with you, we may process the following information about you which we may obtain from you or from a third party:

1. your name, your gender, your age and date of birth, your address and contact details such as your email address and telephone number, your handwriting as well as other basic details about you.

We need this information to correspond with you and to contract with you in connection with the TV programmes we make and for administrative and other purposes.

2. your name, image, your gender, your age and birth date, information contained within your passport, your driving licence and possibly other official documents which identify you. We need this information to check your identity and to ensure compliance with relevant laws and regulations.
3. information about your past and present personal, home and family life, including information about your current and former partners and relationships, whether you have any children and the details of any custody arrangements or parental responsibility you may have in relation to your children. We may need this information to be able to assess your suitability to take part in or work on the TV programmes we make and to comply with our contractual and regulatory obligations.
4. information about your past and present professional life including information about your current role and schedule, your previous work history, your qualifications and your experiences. We need this information for administrative purposes, to be able to assess your suitability to take part in or work on the TV programmes we make and to comply with our contractual and regulatory obligations.
5. whether you consent or object to being identified in the TV programmes we make and if you object, the basis of your objection. We need this information to assess your suitability to take part in the TV programmes we make and to comply with our contractual and regulatory obligations.
6. information about you that is on social media and the internet including images of you and other personal information that is contained there. We need to process this information in order to verify your identity and to assess your suitability to take part in the TV programmes we make.
7. financial information e.g. your bank details and the details of any payments made to you. We may need this information in order to make payments to you in connection with the TV programmes we make and/or to comply with accounting and tax reporting requirements.
8. information concerning your physical and mental health including whether you have tested positive or negative for – or have symptoms consistent with – COVID-19 or any sexually transmitted diseases. We need this information in order to assess your suitability to take part in or work on the TV programmes we make, and for compliance with contractual obligations we have to third parties, who are subject to statutory regulation.
9. information concerning any criminal convictions or cautions you may have, any criminal activity you may have been involved in and any current criminal proceedings or criminal allegations that relate to you or in which you are involved, including information included in background checks and any County Court judgments. We need this information in order to assess your suitability to take part in or work on the TV programmes we make; and for compliance with contractual obligations we have to third parties, who are subject to statutory regulation.

10. your age, gender, gender identity, ethnicity, religion, disability and sexual orientation. We will use this information for diversity analysis monitoring.
11. any personal information revealed on camera and contained in footage or audio that is filmed or recorded for the TV programmes we make (collected by us or provided to us by a third party in connection with those programmes) including your image and voice and potentially a very wide range of personal information relating to you revealed by you and others including without limitation:
 - 11.1 your name; your gender; your age and date of birth; your address and contact details; information about your past and present financial situation, home and family life, relationships including any current or former partners and professional life including information about your current role such as your work schedule, work history, your qualifications, experiences and salary;
 - 11.2 information revealing your racial and ethnic origin, political opinions, religious or philosophical beliefs or your membership of a trade union, genetic data, biometric data used for identification purposes and information concerning your health (including any physical or psychological injuries you have ever suffered, the details of any medical assessments or diagnoses made in relation to you and any medical treatment you have ever received), your sex life or your sexual orientation (“special category data”); and
 - 11.3 information concerning any criminal convictions or cautions you may have and any other criminal activity you may have been suspected of or involved in; information concerning the nature and status of any arrests, charges, prosecutions, court proceedings or other interactions between you and the authorities; and information about any criminal behaviour you have witnessed or which has affected you and any related police investigation or prosecution (“criminal convictions and offences data”).

3. Lawful Bases for processing personal data in connection with the TV programmes we make

The first column of the table below refers to the types of personal information set out in the numbered paragraphs above. The second column lists the lawful bases we rely upon in order to process this data.

Para	Lawful Basis
1	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract • necessary in order to check your identity and to ensure compliance with relevant laws and regulations.
2	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make

	<ul style="list-style-type: none"> • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract. • necessary in order to check your identity and to ensure compliance with relevant laws and regulations.
3	Processing is necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make
4	Processing is necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make
5	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract.
6	Processing is necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make
7	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract. • necessary in order to ensure compliance with relevant laws and regulations.
8	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make and / or • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract; and • undertaken with your explicit consent; and / or • necessary for carrying out or exercising employment, social security or social protection law obligations or rights; and / or • necessary for reasons of public interest in the area of public health.
9	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make and / or • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract; and • undertaken with your explicit consent; and / or • necessary for carrying out or exercising employment, social security or social protection law obligations or rights; and / or • undertaken in connection with public interest journalism.
10	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make; and • undertaken with your explicit consent.
11	Processing is: <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make; • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract.

11.1	<p>Processing is:</p> <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make; and / or • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract; and / or • undertaken in connection with public interest journalism.
11.2	<p>Processing is:</p> <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make; and / or • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract; and • undertaken with your explicit consent; and / or • undertaken in connection with public interest journalism. <p>• In addition, following exploitation of the TV programmes we make, such information contained within them may be information manifestly made public by you and if so we will rely on the relevant provisions of the DPA 2018 for any further processing of that information.</p>
11.3	<p>Processing is:</p> <ul style="list-style-type: none"> • necessary for the purposes of our legitimate interests and others e.g. the distributor or broadcaster of the TV programmes we make; and / or • necessary for the performance of our contract with you or in order to take steps prior to entering into the contract; and • undertaken with your explicit consent; and / or • undertaken in connection with public interest journalism <p>• In addition, following exploitation of the TV programmes we make, such information contained within them may be information manifestly made public by you and if so we will rely on the relevant provisions of the DPA 2018 for any further processing of that information.</p>

Legitimate Interests

Where we rely on ‘legitimate interests’ as the lawful basis for processing data, such legitimate interests include our legitimate interests in making and exploiting the TV programmes we make for worldwide distribution. 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.

The Special Purposes – public interest journalism

Please note that the UK GDPR and DPA 2018 state that in certain circumstances we do not have to comply with some aspects of data protection law (including this privacy notice) if we believe that doing so would be ‘incompatible’ with journalism and/or artistic purposes (i.e. it would stop us from doing our job as a producer), data is being held with a view to publication, and there is a public interest in broadcasting the relevant TV programme we have been making. This is known as the ‘special purposes exemption’

We may process your personal data under the special purposes exemption in connection with the TV programmes we make. References in the above table to ‘processing undertaken in connection with public interest journalism’ includes processing where we rely upon the special purposes exemption.

Consent

Generally, we anticipate that individuals will give their informed consent to take part in and work on the TV programmes we make. However, we may refer to or even feature an individual in one of our TV programmes without their consent provided we comply with the relevant laws and regulatory codes, such as the Ofcom Broadcasting Code.

Where you have entered into a contract with us to participate in one of our TV programmes, we may be entitled to distribute and show the programme even if you later change your mind about participation.

Consenting to take part in a TV programme, and our reliance on your consent to process your personal data are two distinct, different things. We will not generally rely on your consent if you appear in one of our TV programmes. This is something which we normally do as part of our legitimate business interests, for contract purposes and/or, in connection with public interest journalism.

Where we do rely upon 'consent' to process your personal information, you have the right to withdraw your consent at any time although note that we may be relying on other lawful bases at the same time.

4. Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

Please contact us if you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Where we collect your personal information from

We may collect information about you directly from you when you contact us, complete electronic and/or paper forms we provide to you, contact us by phone, email or communicate with us directly in some other way e.g. when we film you and we may also collect information about from third parties.

6. Who we share your personal information with:

Your personal information is processed by our employees, staff and contractors. We also may need to share your personal information with other organisations including with:

- third party service providers and advisors such as companies that support our IT, help us analyse the data we hold, provide us with insurance, legal or financial advice and generally help us in connection with the making and distribution of the TV programmes we make;
- companies involved with our business activities e.g. broadcasters, post-production houses, sales agents and distributors;

- the Government or regulators e.g. Ofcom where we are required to do so by law or to assist with their investigations; and
- Police and law enforcement where we are required to do so by law to assist with the investigation and prevention of crime.

7. Transferring your personal information internationally

Although we are based in the UK, our business is global and so we may need to transfer your personal information outside the UK.

Wherever your information is transferred to organisations outside the UK, we will ensure that adequacy regulations or appropriate safeguards, such as standard data protection clauses recognised or issued in accordance with the UK data protection regime, are in place to ensure the safety and security of your personal information and that it is processed in accordance with this privacy notice (unless an exemption applies). You can find out more about these safeguards by contacting us using the contact details below.

8. Retention, updating and removal of your personal information

We will only keep your personal information for as long as we need to. For those who appear or otherwise feature in our of our TV programmes, we are likely to retain your personal information for as long as is necessary in order to produce, exhibit, exploit, distribute, advertise, publicise and promote the programme in accordance with our legitimate interests and legal obligations. For programmes that are internationally distributed this is likely to be 10 years and 6 months.

If you apply to appear in one of our television programmes but do not appear in that programme, we will retain your information for 6 months after the programme has been filmed.

For those who have worked on one of our TV programmes we are likely to retain your personal information for six years after the end of your contract with us.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Personal information that is no longer required will be deleted/destroyed.

If you think we hold personal data about you that is inaccurate or incomplete, you can contact us using the details in paragraph below called "Contacting us" and, where appropriate, we will update the relevant personal information for you.

We will notify you and any applicable regulator of a breach of our obligations under data protection laws, where we are legally required to do so.

9. Security

We are committed to ensuring that your information is secure. In order to prevent unauthorised access, loss or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online. e.g. by storing it securely, and by keeping electronic data on secure servers and hard drives with appropriate levels of security including encryption and firewalls. However, the internet is an open system and we cannot guarantee that unauthorised third parties will never be able to defeat those measures.

10. Your rights in relation to your personal information

You have the following rights in relation to your personal information:

- the right to object to our processing of your personal data;
- the right to request the restriction of our processing of your personal data;
- the right to be informed about how your personal information is being used;
- the right to request access to the personal information we hold about you;
- the right to opt-out of receiving direct marketing messages;
- the right to request the correction of inaccurate personal information we hold about you;
- the right to request the blocking or deletion of your personal information where the processing does not comply with applicable data protection laws and; and
- the right to request that your personal information is provided to you in a portable format.

To exercise any of the above rights, or if you have any questions or concerns relating to your rights, please contact us by using the details set out in the "Contacting us" section below.

Most of these rights are not absolute and are limited to defined circumstances, however, so we may not always be able to comply with any related requests you may make.

If you make a complaint about our handling of your personal information, it will be dealt with in accordance with our complaints handling procedure. We will respond to you within 28 days. Generally, you will not have to pay a fee for this. We can charge a reasonable fee should your request be clearly unfounded, excessive or repetitive.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one calendar month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

If we are unable to resolve your complaint, you may make a complaint to the Information Commissioner's Office: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Please see <https://ico.org.uk/make-a-complaint/> for more information.

11. Changes to this privacy notice

This privacy notice was prepared in July 2021. We may update it from time to time in line with legislative requirements

12. Contacting us

If you would like more information about this notice, any matters relating to the personal data we process about you, and how you can exercise your rights as a data subject, you can write to us at: Ten66 Television Limited, **Ten66 Television , Suite 6.02, Creative Media Centre, 45 Robertson Street, Hastings, TN34 1HL** or call us on 07710 164 306 or email us at: production@ten66.tv