



RED SKY PRODUCTIONS LTD CONTRIBUTOR PRIVACY NOTICE

This Privacy Notice (“**Notice**”) provides information on the personal data we collect about you, and how we will use and share your personal data when you provide or may provide a contribution to us.

This Notice is for a) talent who provide contributions to our productions (for example actors, musicians, presenters, writers and composers), b) other individuals who provide contributions to us (for example interviewees or individuals who provide photos or the use of their property for filming purposes), and c) individuals who are applying to take part in, or who we are in communication with about potentially taking part in, one of our productions (together “**Contributors**”).

Who collects personal data about you?

Red Sky Productions Limited (“**we**”, “**our**”, “**us**”, “**Red Sky**”) is the data ‘controller’. This means that we are responsible for deciding how we hold and use certain information about you.

What personal data do we collect about you?

As a Contributor, you provide certain personal data to us as part of your contribution, or potential contribution, to one of our productions. This could include the following categories of personal data:

- Identity Data such as your first name, last name, previous names, place of birth, date of birth, passport details and other identification documentation.
- Contact Data such as your email address, physical address, telephone numbers, social media handles, emergency contact details, next of kin, and professional and/or social network profile details.
- Financial Data such as your bank details so that we can reimburse you for your contribution (if this is part of the contractual arrangements between us).
- Physical Data such as your image, voice, photographs of yourself, views of your property and other information contained in your application (where relevant) or contribution that directly or indirectly identifies you.
- Biographical Data providing information on your personal life such as your age, marital status, living arrangements, dependants, personal relationships, family life, hobbies and interests, personality, opinions, previous appearances on television, and travel history.

In some instances, we may also collect ‘Special Category Data’ for example to assess your suitability to contribute to productions, as part of your contribution to one of our productions, to obtain insurance, or to arrange and administer medical treatment. Such Special Category Data may include:

- Diversity Data such as information on your race, ethnicity, sex life, sexual orientation or gender identity.
- Opinion, Belief and Membership Data such as your political opinions, religious or philosophical beliefs, or trade union membership.



- Criminal Convictions Data such as information about criminal convictions, proceedings or investigations, court orders, or court proceedings.
- Health Data such as information about your health or disability, genetic or biometric data.

How do we use your personal data?

We process your personal data for the purposes of our business, including for the production, broadcasting, distribution and marketing of our productions.

As a controller, we are required to have a lawful basis for processing your personal data. We will use the personal data we process about Contributors for:

- ***The performance of the contract and relationship between us.***

This include processing your personal data (which may include your Identity Data, Contact Data, Financial Data, Physical Data and/or Biographical Data) and Special Category Data (which may include your Diversity Data, Opinion, Belief and Membership Data, Criminal Convictions Data and/or Health Data) concerning your contribution to our productions and our assessment of it, the duration of your contract, your remuneration, your bank details, your references, checks we may make to verify personal data provided or background checks. Such processing shall include, where necessary, sharing your contact information and bank details with third parties for the purposes of facilitating payment of any residuals or other fees (to the extent that these are payable to you in accordance with the terms of our contract). If relevant, we may also process personal data concerning your health, any disability and any adjustments to filming arrangements.

Lawful basis: To perform our contract with you and to comply with our legal obligations. Where we process your Special Category Data for this purpose, one of the following grounds will also apply: (1) To fulfil our legal or regulatory obligations and exercise our rights including those as an employer (where applicable) – e.g. for the health and safety of our crew, programme contributors, and others, (2) For reasons of substantial public interest based on the law (e.g. where necessary for our health and safety obligations or for insurance purposes), (3) You have manifestly made the information public (including where you do so when participating in our productions), and (4) Where necessary for you to receive treatment from a medical professional, or (5) Your explicit consent. Please also see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

- ***To assess your suitability to provide a contribution to one of our productions.***

This includes processing of your personal data (such as your Identity Data, Contact Data, Financial Data, Physical Data and/or Biographical Data), Special Category Data (such as your Criminal Convictions Data and Health Data) to assess your suitability to provide a contribution to one of our productions in order to safeguard your health, safety and welfare and the health, safety and welfare of our employees, contributors, crew and the general public.

Lawful basis: Necessary for our legitimate interests or those of a third party to assess your suitability to provide a contribution to a production.



Where we process your Special Category Data for this purpose, one of the following grounds will also apply: (1) To fulfil our legal or regulatory obligations and exercise our rights including those as an employer (where applicable) – e.g. for the health and safety of our crew, programme contributors, and others, (2) For reasons of substantial public interest based on the law (e.g. where necessary for our health and safety obligations or for insurance purposes), (3) You have manifestly made the information public (including where you do so when participating in our productions), or (4) Your explicit consent. Please also see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

- ***Evaluating your potential contribution to one of our productions to enable its creation, broadcast, sale and distribution.***

This includes processing your Identity Data, Contact Data, Biographical Data, Diversity Data, Opinion, Belief and Membership Data, Criminal Convictions Data or Health Data relating to your application to contribute to one of our productions and our assessment of it, our discussions with you, your references, any checks we may make to verify information provided or background checks and any information connected with your right to work. If relevant, we may also process your Health Data in connection with any adjustments to filming arrangements. If you are in consideration for an on-screen or voiceover role, this may include the processing of your Physical data.

Lawful Basis: To comply with our legal obligations and necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms. Where we process your Special Category Data for this purpose, one of the following grounds will also apply: (1) You have manifestly made the information public (including where you do so when participating in our productions), or (2) Your explicit consent. Please see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

- ***Contacting you (or others on your behalf, such as your agent for example) in connection with your contribution to one of our productions.***

This includes processing Identity Data and Contact Data you have provided to us, including your address, phone number, or the personal data of an emergency contact or next of kin.

Lawful basis: Necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

- ***The creation, sale, and distribution/broadcast of a production you are providing a contribution to.***

This includes processing of personal data and Special Category Data connected with your contribution, such as the processing of your Identity Data, Contact Data, Financial Data, Physical Data, Biographical Data, Diversity Data, Opinion, Belief and Membership Data, Criminal Convictions Data and/or Health Data. Such processing shall include, where necessary, sharing your personal data with third parties for purposes of exploitation of your contribution, including the commissioning party, rights management platforms, and/or distribution agents.



Lawful basis: Necessary for our legitimate interests or those of a third party to publish your contribution as journalistic, artistic, or literary material which we believe is in the public interest and to manage and administer our respective businesses effectively and properly, where we consider that our or a third party's legitimate interests do not override your own interests, rights and freedoms. Where we process your Special Category Data for this purpose, one of the following grounds will also apply: (1) You have manifestly made the information public (including where you do so when participating in our productions), (2) Where necessary for you to receive treatment from a medical professional, or (3) Your explicit consent. Please see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

We may also rely on the Special Purposes exemption in order to process your personal data for the creation, sale, and distribution/broadcast of a production (see Special Purposes below).

- ***Maintaining appropriate business records during and after your contribution to a production.***

This includes processing your Identity Data, Contact Data and Financial Data relating to your contribution in one of our productions.

Lawful basis: To comply with our legal obligations and where necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

- ***Day to day business operations including marketing and travel on our behalf (where relevant).***

This includes processing your Identity Data, Contact Data, Biographical Data, and Physical Data in relation to your contribution to one of our productions.

Lawful basis: Necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

- ***Financial planning and budgeting.***

This includes processing your Identity Data, Contact Data and Financial Data connected with your remuneration.

Lawful basis: Necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

- ***Contacting you in relation to opportunities to contribute on further productions we may be working on.***

This includes processing your Contact Data. Lawful basis: Consent, where we have asked for your consent to contact you for such purposes. Where we do not have your consent, we consider it is necessary for our legitimate interests to manage and administer our business



effectively, including for marketing purposes, where our legitimate interests do not override your own interests, rights and freedoms.

- ***Monitoring of diversity and equal opportunities.***

This may include processing your Biographical Data and Diversity Data. Such data will be aggregated and used for equality of opportunity monitoring purposes. We may share aggregated and anonymised diversity statistics with regulators if formally required/requested.

Lawful basis: Necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

Please note: Red Sky contributes to 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 (CDN) and you will be invited to participate in the Diamond project. CDN will contact you to ask whether you are willing to contribute to the project by providing certain information regarding your diversity characteristics (such as your gender, ethnicity, disability, age, gender identity and sexual orientation). This information is collected, processed and stored anonymously by CDN on the Diamond system, with the relevant data being jointly controlled by the main UK broadcasters including the BBC, ITV, Channel 4, Channel 5, CDN and Sky. If you provide CDN with your diversity data, they will issue you with a separate privacy notice in relation to the Diamond project.

- ***Physical and system security***

This includes processing your Physical Data and/or Identity data contained in CCTV footage and records of use of swipe cards or similar entry cards.

Lawful basis: To comply with our legal obligations and where necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

- ***To fulfil our legal and regulatory obligations.***

This includes processing your personal data and Special Category Data where required to do so by law. For example, to comply with accounting, tax reporting, health and safety, or audit requirements.

Lawful basis: To comply with our legal obligations. Where we process your Special Category Data for this purpose, we do so to fulfil our legal or regulatory obligations and exercise our rights including those as an employer (where applicable) – e.g., for the health and safety of our crew, programme contributors, and others).

- ***Disputes and legal proceedings.***



This includes any personal data or Special Category Data relevant, or potentially relevant, to a dispute or legal proceeding affecting us.

Lawful basis: To comply with our legal obligations and where necessary for our legitimate interests to manage and administer our business effectively, where we consider that our legitimate interests do not override your own interests, rights and freedoms.

Who will you share my personal data with?

If you are a Contributor, we may share your personal data internally within Red Sky to those employees working on a production in which you are or may be involved. Your personal data may also be seen by managers and administrators (including, for example, our finance team) for purposes of production, broadcasting, distribution, marketing, administration and management.

We may also share your personal data with a broadcaster or with other companies, organisations and/or individuals for the purposes of:

- The casting, development, production and/or broadcast, distribution and promotion of a programme in which you may be involved (e.g., with people working on the programme, broadcasters, investors, insurers, travel and medical service providers);
- Our internal business administration (e.g. processing contracts, making payments) – we may share your personal data with our professional advisers such as lawyers, accountants, banks and those who host our IT systems;
- Complying with our obligations under any applicable laws or as required by a court;
- Disclosing aggregated and anonymised diversity data to relevant regulators as part of a formal request.

We will only share your personal data with third parties outside of Red Sky where disclosure is consistent with a lawful basis for processing on which we rely and where this is legal and fair to you. We may disclose your personal data if it is necessary for our legitimate interests or the interests of a third party but will not do this if these interests are overridden by your interests and rights to privacy.

Transfers of personal data outside the UK

In connection with the administration of our business we may transfer your personal data outside the UK to data processors located in the US or to other jurisdictions in which our data processors are established. We may also transfer information to third parties located outside of the UK for the casting, development, production and/or broadcast, distribution and promotion of a programme in which you may be involved. Whenever we transfer your personal data outside the UK, we ensure a similar degree of protection is afforded to it by ensuring appropriate safeguards are implemented. Please contact us if you want further information about the specific mechanism used by us when transferring your personal data outside the UK.

Keeping your personal data secure

We have put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors



and other third parties who have a business need-to-know. They will only process your personal data on our documented instructions and they are subject to a duty of confidentiality.

We have also put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

How long with you keep my personal data for?

We will keep the personal data we obtain about you for no longer than is necessary for the purposes for which it is collected and processed. In general, where you have been involved with the production of one of our programmes, we will keep your personal data for as long as the programme is being broadcast, distributed or otherwise exploited. Where you have been involved in the casting of a programme, unless you agree that we can keep your information for longer (e.g. where you may be interested in appearing in other programmes) we will keep your personal data until such time as production is complete.

In considering how long to keep your personal data, we will take into account its relevance to our business and your contribution either as a record or in the event of a legal claim.

Some information, such as production footage of your contribution will be held indefinitely as we have an ongoing legitimate interest in retaining this.

Your rights

Under certain circumstances, by law you have the right to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **The right to withdraw your consent.** If we rely on your consent (or explicit consent) to process your personal information, you have the right to withdraw that consent at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate legal basis for doing so. Please note, in some circumstances we may rely on the



Special Purposes exemption to continue to process your information (see Special Purposes below).

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we restrict processing your personal data, please get in touch using the contact details below.

Special Purposes

We are required under applicable data protection legislation (in particular, the UK General Data Protection Regulation (“**GDPR**”) and the Data Protection Act 2018 (“**DPA**”)) to use your personal data in accordance with the requirements of, and your rights under, applicable data protection laws (as set out above).

However, Article 85 of the GDPR and Schedule 2 Part 5 of the DPA contains an exemption which allows us and relevant third-party partners (such as the commissioning party for a production you have contributed to) not to apply aspects of this Notice and your rights where they are incompatible with the artistic purposes of the production and there is a public interest in its broadcast. This exemption is known as the ‘Special Purposes’ exemption. As such, you should be aware that aspects of this Notice and your rights under data protection law may not apply where they are incompatible with the Special Purposes exemption.

This may be relevant, for example, where we process your personal data on the basis of your consent or explicit consent (e.g., processing your Health Data or Criminal Convictions Data provided during an application process) and you subsequently seek to exercise your right to withdraw that consent. In certain situations, we may rely on the Special Purposes exemption to continue to process this information where it would be incompatible with the artistic or journalistic purpose of the programme to cease processing this information, and there is a public interest in its broadcast.

Who to contact with queries or if you have a complaint?

Our Managing Director is responsible for overseeing compliance with this Notice. If you have any questions about this Notice or how we handle your personal data, please contact the Managing Director at privacy@redskyproductions.co.uk. We hope that any query or concern you raise about our use of your personal data can be resolved but if not, you have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues. See <https://ico.org.uk/concerns/> or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.