

# **APPLICANT AND PARTICIPANT PRIVACY POLICY**

## **1. INTRODUCTION**

- 1.1 This privacy policy focuses on individuals who take part in our productions or who we are considering, or have decided, to include in a programme, as well as any attending in the studio audience when we are filming a programme.
- 1.2 This privacy 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.
- 1.3 We are known as the “data controller” of your personal data and you can contact us at [info@magneticnorthproductions.com](mailto:info@magneticnorthproductions.com) or in writing at 3 Pleshey lodge offices, Pump Lane, Plesley, Chelmsford, Essex, CM3 1HF for more information about how we process your data.

## **2. WHAT PERSONAL INFORMATION DO WE COLLECT ABOUT YOU?**

- 2.1 The information we collect 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.
- 2.2 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... The nature of the programme and the information which we will be asking you for will be explained to you in advance.
- 2.3 Some of this information will be collected directly from you and collected during the course of you taking part in a programme, including:
- (a) from forms, questionnaires and any other documentation that you (or an agent on your behalf) complete when you apply for a role or part in, or contribute to, a programme;
  - (b) when you provide it to us in correspondence and conversations (e.g. application telephone interviews, pre-filming questionnaires and release forms); and
  - (c) when you apply, participate or contribute to a programme, or attend a live recording, information which is relevant to your application or contribution.
- 2.4 We also collect information about you from other sources, including:
- (a) publicly available and accessible directories and sources;
  - (b) social media platforms, including Facebook, Instagram, X, LinkedIn;
  - (c) subscription only databases such as Factiva, Lexis Nexis and Reuters;
  - (d) tax authorities, including those that are based outside the UK and the EEA if you are subject to tax in another jurisdiction;

- (e) governmental and competent regulatory authorities to whom we have regulatory obligations;
- (f) agents, broadcasters, production companies, and audience ticketing companies and;
- (g) where we need to do so for regulatory purposes, and this is in the public interest, crime enforcement and criminal records agencies such as the Disclosure and Barring Service, Disclosure Scotland and uCheck.

### **3. HOW AND WHY WE PROCESS YOUR PERSONAL INFORMATION?**

3.1 We have set out below the lawful basis on which we process your personal data.

#### Contract

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

- (a) to meet the contractual obligations between us;
- (b) 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
- (c) if you are due any payment, to provide to our in-house payments team in order for this to be paid.

3.3 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.

#### Legal Obligation

3.4 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:

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

#### Legitimate Interests

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

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

- (a) to produce audio-visual programming for commercial purposes, such as processing 'onscreen' and 'off-screen' contributions from individuals. When we refer to a "programme" or "production" in this notice we mean not just the finished programme for broadcaster or online content 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 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 a 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 a programme;
- (h) to share with our professional advisors or commissioning broadcaster that we are producing the programme for 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;
- (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.

3.7 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.

3.8 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.

3.9 We will only process your special category data where explicit consent has been given or where such processing is necessary, for example in a medical emergency involving you or for the establishment, exercise or defence of legal claims.

3.10 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.

#### **4. 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. This information may be kept by us for a period of up to six (6) years from date of the applicable agreement, unless you ask us to delete it earlier.

#### **5. CHILDREN'S DATA**

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.

#### **6. SHARING YOUR DATA**

6.1 Your information will be used by the relevant production team for the purposes of making the programme. It may also be shared internally and externally with our professional advisors to prepare contractual documentation or provide legal advice, and with any other 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.

6.2 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.

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

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

## **7. SENDING YOUR PERSONAL INFORMATION INTERNATIONALLY**

7.1 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.

7.2 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 terms approved by the applicable supervisory authority. Please contact us at [info@magneticproductions.com](mailto:info@magneticproductions.com) if you would like to know more about these agreements or receive a copy of them.

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

## **8. HOW LONG DO YOU KEEP MY INFORMATION?**

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

8.2 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 such longer period as is required by law or regulatory obligations which apply to us.

8.3 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.

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

## 9. USE OF COOKIES

9.1 Like many other websites, our 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.

9.2 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.

## 10. YOUR RIGHTS AS A DATA SUBJECT

### Access to your data

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

- (a) why we are processing it;
- (b) 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;
- (c) how long will we be keeping your data; and
- (d) the source of the information, if it was not collected directly from you.

10.2 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

10.3 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

10.4 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

10.5 If you feel we are processing your information unlawfully or with inaccurate data, you can ask us to restrict any further processing.

10.6 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

10.7 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

10.8 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.

### **11. MAKE A COMPLAINT**

11.1 We are committed to safeguarding your data and upholding your rights, but if you feel we have not done that, please contact [info@magneticnorthproductions](mailto:info@magneticnorthproductions) or write to Data Protection Officer, 3 Pleshey lodge offices, Pump Lane, Pleshley, Chelmsford, Essex, CM3 1HF.

11.2 Additionally, you have the right to complain to the relevant supervisory authority, which in the UK is the Information Commissioner's Office (ICO).