

ELEMENT PICTURES PRIVACY NOTICE

1. Introduction
2. Who we are and how to contact us
3. What information we use and what we do with it
4. Who we share your information with
5. International transfers
6. How long we keep your information
7. How to access your information and other rights

1. Introduction

Element Pictures is committed to protecting your personal information. This privacy notice explains what we do with your personal information when you participate in a programme developed and produced by us.

We may make changes to this privacy notice from time to time, so please check our website periodically at <https://elementpictures.ie/privacy-policy/>. You can also email us to ask for a copy.

2. Who we are and how to contact us

Element Pictures Limited is the data controller responsible for your information. We're an Irish company (with company number 349194) and our registered office address is 30/31 O'Connell Street Lower, Dublin 1.

If you have any questions about this notice or want to exercise your rights, please email us at info@elementpictures.ie. You can also write to us at our registered office address, marked for the attention of our privacy officer.

3. What information we use and what we do with it

We ask you for, and use, your personal information when you participate in one of our programmes. We use that information in a number of different ways, and the table below sets out what we do with your information if requested by us and provided by you.

Pre-production, production and post-production of the programme

Information we use	How we use it	Why we use it (and the legal basis)
Name, address, phone numbers, email address and other contact details.	To contact you about your participation in the programme and to make arrangements for the filming of the programme.	To decide whether to enter into a contract with you; and, if you're selected to participate in the programme, to perform that contract with you.
Next of Kin Records.	To be able to contact your next of kin in the event of an emergency.	It's in our legitimate interests to safeguard your welfare.
Date of Birth and PPS number.	For the administration of the payments system and the administration of benefits, such as pensions and leave entitlements (if applicable).	To perform our contract with you.
Copy of passport and other documents showing immigration status.	We check and make a copy of this information to verify that you have a legal entitlement to live and work in the relevant country and/or to apply for any necessary work visas or permits..	To decide whether to enter into a contract with you, mindful that we have a business need to check that you're able legally to participate in the programme.
Health or medical information supplied by you on a confidential Health Declaration Form and the results of a medical examination if required for production insurance purposes.	We may be supplied with a medical report by the doctor in order to assess or determine your state of health and fitness for engagement on the programme, or a particular role or task or to assess any risk to your health. We may send these medical reports to our insurers for our own benefit against losses arising from your inability to perform the contract.	To safeguard your welfare and make sure you're able to perform the services under our contract with you. If any recommendations are made by the company doctor, it also enables us to make any reasonable adjustments. To effect insurance on you for our own benefit against losses arising from your inability to perform the contract.

		We only use this information if you've given your permission (i.e. explicit consent). You don't have to give your permission, and you can withdraw that permission at any time. But without your permission, you might not be able to participate, or continue to participate, in the programme.
Email Address. . (a number of financiers now conduct diversity information collections to aid measures towards ensuring diversity in the film industry. When applicable, we will use your email address to comply with these requests)	We share your email address with the financier (s) so that they can invite you to provide information about your diversity characteristics (i.e. gender, ethnicity, disability, age gender identity and sexual orientation). (if applicable)	We'll share your email address with the financier(s) because we consider that it's in ours, theirs and society's interests as a whole to ensure diversity in the television industry. You don't have to give the financier(s) any information when asked. If you do, we won't see that information. Please remember to check the financier's privacy notice carefully before providing them with any diversity information, as we're not responsible for how they use it.
Your bank account details, details of any unclaimed payments.	For the payment and review of fees and other remuneration and benefits.	To perform our contract with you.
Casting notes, CVs, footage from run throughs and auditions. (if applicable)	We review this information to assess whether to engage you in connection with the programme.	To decide whether to enter into a contract with you.
Photographs or Audio visual recordings of you and your performances or contribution filmed/recorded during the production process and used to make the programme and/or any 'behind-the-scenes' or 'making of' type pieces.	We use these recordings in order to make and exploit the programme and/or any 'behind-the-scenes' or 'making-of' type pieces	To perform our contract with you.
In the case of children, your name, date of birth, address, and other contact details, letter from your doctor and letter from your headmaster.	We use this information to apply to your local council for a child license to enable you to perform in the programme.	To perform our contract with you and to meet our legal obligation to obtain a license for televised child performances.

Exploitation & licensing of the programme

Information we use	How we use it	Why we use it
Name, contact details and email address.	We may share your contact details with the broadcaster or our commercial partners or licensees so that they can contact you in relation to press launches, photo calls, interviews and other activity relating to the exploitation of the programme.	To perform our contract with you.
Information about you as embodied in the programme and publicity trails and other content related to the programme including material for exploitation on YouTube, Facebook, Instagram or other social media sites.	To broadcast, distribute, publicise and otherwise exploit the programme (or parts of it) anywhere in the world, for the duration of your lifetime (if not longer), and by any means, including on television, online, in DVDs, video, books and magazines. We'll share this information with the financier(s) and other licensees of the programme including social media platforms and on websites and social	To perform our contract with you.

	media channels operated by our commercial partners.	
Name and contact details.	To keep for reference purposes on our rights database. We'll share this information with the broadcaster for inclusion on its own rights databases.	To perform our contract with you.

4. Who we share your information with

We share your personal information with certain other companies in relation to our programmes.

Companies we'll share your information with include our co-producers, and the programme's commissioning financier(s). Your information may also be shared with our insurers, the programmes' insurers, to accountants, auditors, lawyers and other outside professional advisers, and to companies who provide products and services to us (such as IT systems suppliers, payroll and pension scheme and intermediaries/brokers, as well as legal and regulatory authorities including Commission for Communications Regulation, Revenue Commission, Irish Naturalisation and Immigration Service, OFCOM, HM Revenue and Customs, the Border & Immigration Agency, or your local council (in the event we need to obtain a child licence to enable you to perform in the programme) and as required by law. Either way, whenever we share your information, we'll make sure that the company we share it with keeps your information as securely as we do.

5. International transfers

Sometimes the companies and suppliers we need to share personal information with are located outside the European Economic Area (EEA). The EEA includes all EU Member countries as well as Iceland, Liechtenstein and Norway.

Where we do this, we'll make sure your personal information receives the same protection as if it were being processed inside the EEA. If you'd like more information about this, please let us know by contacting our privacy officer.

Please also note that any footage in which you might appear is likely to be distributed internationally.

6. How long we keep your information

We don't keep your personal information for longer than is necessary, bearing in mind the purpose for which we collected that information, and any applicable legal or regulatory requirements.

We'll delete your personal information within 7 years from the end of production of the programme, except for (i) copies of your passport which we will delete 2 years from the end of production of the programme (ii) if you are entitled to ongoing payments and unclaimed payment records your bank account details will be kept permanently otherwise your bank details and any information we have collected from you in order to apply for a child performance licence will be deleted 6 months from the end of production of the programme, and (iii) any contractual documentation with you (such as the contributor agreement) and information in our rights database which we'll keep for the duration of copyright in the programme in order to distribute and exploit it.

7. How to access your information and other rights

You have a number of rights in relation to the information we hold about you.

- **Your right of access**

If you ask us, we'll confirm whether we're processing your personal information and, subject to any applicable exemptions, provide you with a copy of that personal information (along with certain other details) within the timescales or extended timescales provided for by the law for complex requests, or where applicable, provide you with an explanation as to why we will not be complying with your request. If you require additional copies, we may need to charge a reasonable fee.

- **Your right to rectification**

If the personal information we hold about you is inaccurate or incomplete, you're entitled to have it rectified. If you are entitled to rectification and if we've shared your personal information with others, we'll let them know about the rectification where possible and where this would not involve disproportionate effort. If you ask us, where possible and lawful to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

- **Your right to erasure**

You can ask us to delete or remove your personal information in some circumstances such as where we no longer need it or if you withdraw your consent (where applicable because that was the legal basis on which we were

processing your personal information). If you are entitled to erasure and if we've shared your personal information with others, we'll take reasonable steps to inform those others where possible and where this would not involve disproportionate effort. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

- **Your right to restrict processing**

You can ask us to 'block' or suppress the processing of your personal information in certain circumstances such as where you contest the accuracy of that personal information or you object to us. If you are entitled to restriction and if we've shared your personal information with others, we'll let them know about the restriction where it is possible for us to do so. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

- **Your right to data portability**

You have the right, in certain circumstances, to obtain personal information you've provided us with (in a structured, commonly used and machine readable format) and to reuse it elsewhere or to ask us to transfer this to a third party of your choice.

- **Your right to object**

You can ask us to stop processing your personal information, and we will do so, if we are:

- relying on our own or someone else's legitimate interests to process your personal information, except if we can demonstrate compelling legal grounds for the processing; or
- processing your personal information for direct marketing.

- **Your rights in relation to automated decision-making and profiling**

You have the right not to be subject to a decision when it's based on automatic processing, including profiling, if it produces a legal effect or similarly significantly affects you, unless such profiling is necessary for entering into, or the performance of, a contract between you and us.

- **Your right to withdraw consent**

If we rely on your consent (or explicit consent) as our legal basis for processing your personal information, you have the right to withdraw that consent at any time.

- **Your right to lodge a complaint with the supervisory authority**

If you have a concern about any aspect of our information management practices, including the way we've handled your personal information, you can report it to the Data Protection Commission (DPC) in Ireland. You can find details about how to do this on the DPC website at <https://www.dataprotection.ie/> or by calling their office on 076 110 4800

If you want to exercise any of these rights, please contact us (our contact details are at the top of this notice).