FREELANCER/CREW PRIVACY NOTICE

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1. Introduction

FremantleMedia Limited ("FML") and FremantleMedia Group Limited ("FMG") are committed to protecting your personal information. This privacy notice explains what we do with your personal information when you are engaged by us to provide services in relation to programmes 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://fremantle.co.uk/privacy-notice-crew.pdf. You can also email us to ask for a copy.

2. Who we are and how to contact us

FML and FMG are the data controllers responsible for your information. FML and FMG English companies (with company numbers 00276928 and 00353341 respectively) and the registered office address for both companies is 1 Stephen Street, London, W1T 1AL.

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

3. What information we use, what we do with it, and the legal bases we rely on

We ask you for, and use, your personal information when you are engaged by us to perform services in relation to our programmes. We use that information in a number of different ways, and the table below sets out what we do with your information.

Information we use	How and why we use it	What's our lawful basis
Name, address, phone numbers, email address and other contact details (including, where applicable, your Diamond Linking Code).	To contact you about your engagement in relation to our programmes. To include on call sheets for the filming of our programmes so that you are contactable on filming days by other production staff and crew. We share your name and email address (or your Diamond Linking Code) with an IT system used by the Creative Diversity Network ("CDN"). CDN monitors diversity on UK television through a programme called Diamond. CDN will invite you to provide – entirely at your discretion – your diversity characteristics (such as gender, ethnicity, disability, age, gender identity and sexual orientation) directly into that system.	To perform our contract with you. We have a legitimate interest in managing and administering the production of our programmes We share your name and email address (or Diamond Linking Code) with C D N because we consider that it is in our legitimate interests, CDN's and society's interests as a whole to strive for diversity in the television industry.

	We may share your contact details with broadcasters or our commercial partners or UK or international licensees of the programme so that they can include your name as part of the end credits of the programme. To keep for reference purposes on our rights database. We'll share this information with the broadcaster for inclusion on its own rights databases.	
Your CV, application forms, details of education, job history and experience, qualifications, contracts of employment, offer letters and references.	We use this information to assess whether to engage you in connection with our programmes and to take up references to confirm your job history.	We have a legitimate interest in assessing whether to enter into a contract with you If you are engaged by us, 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.
Your bank details, date of birth and NI number, marital/civil partnership status and dependent details and details of salary and benefits, pension contributions, childcare vouchers	For the payment and review of invoices, fees, salary, expenses and for the administration of payroll and the administration of benefits, such as bonuses, pensions, insurances, childcare vouchers and leave entitlements.	To perform our contract with you.
Details of nominated beneficiaries	For the administration of pension and life assurance schemes	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 UK.	Compliance with a legal obligation.
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 and any health or medical information disclosed by you during your engagement with us. The results of any tests we conduct e.g. temperature tests/antibody tests.	To safeguard your welfare and the welfare of other participants in the programme as well as our production team and to 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. Information disclosed on the Health Declaration Form and the results of any medical examination will be confidential between you and the applicable doctor and we will not see this information. 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 use health information contained in a medical report or that you disclose to us and the results of any tests we conduct e.g. temperature tests/antibody tests, to comply with health and safety obligations	We only use this information if you've given your permission (i.e. explicit consent). You don't have to give your permission, but without it, you might not be able, or continue to be engaged by us. Please also see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

	and any duties to make reasonable adjustments	
Your vaccination status.	We may ask for details of your vaccination status and use this information: (i) where applicable, to assess any testing and isolation/quarantine requirements in the event you are required to travel for the purposes of your engagement. (ii) to apply for any work or travel visas on your behalf where individuals are required to be vaccinated against illness or disease in order to be able to secure such visas; (iii) to comply with health and safety obligations (including in relation to any self-isolation or quarantine requirements); and (iv) to comply with any duties to make reasonable adjustments	We only use this information if you've given your permission (i.e. explicit consent). You don't have to give your permission, but without it, you might not be able, or continue to be engaged by us. Please also see the note on the Special Purposes exemption below in relation to personal data processed on the basis of your explicit consent.

Records of sickness absence and medical certificates (including our Self-Certified Sickness Form and any medical reports which you have provided).	To administer statutory sick pay, to administer insurances, to monitor and manage sickness absence and to comply with obligations under health and safety legislation and other applicable legislation.	To perform our contract with you. To comply with a legal obligation. Carrying out obligations and exercising specific rights in the field of employment.
Details of development needs and achievements, records and documentation relating to any appraisals, performance reviews, salary reviews, disciplinary matters concerning you or in relation to which you have been involved or grievances you have raised or which others have raised about you, records relating to holiday and other leave.	To facilitate the management of work, to operate appraisals, performance reviews and salary reviews and disciplinary investigations and meetings, to comply with record keeping and other legal obligations and for business continuity purposes.	We have a legitimate interest in managing and administering our business. Compliance with a legal obligation.
Driving licence details	In order to comply with our health and safety obligations for those who drive to work and to effect any necessary insurance.	Compliance with a legal obligation. We also have a legitimate interest in managing and administering our business and ensuring your welfare.
Personal data collected and retained by our IT systems, entry passes or tapes from CCTV cameras	To operate the Company's IT and communications systems such as the use of mobile phones, ipads and laptops, and to check for unauthorised use of those systems (including where appropriate, monitoring) and to comply with record keeping and other legal obligations	It is in our legitimate interests to administer and manage our business; ensure the security of our sites and systems, and to safeguard your welfare and the welfare of the other production personnel working on our programmes. Compliance with a legal obligation.
Name , address, telephone number and email address and other information included on your CV.	To keep for reference purposes so that we can contact you about other programmes you might be interested in working on. If we can't contact you, we won't be able to let you know about new series or programmes you might want to apply to be engaged on.	We have a legitimate interest in maintaining a database of freelancers and crew that have worked on our productions previously.
Audio and/or visual recordings of you filmed / recorded during the production process.	There may be situations where a crew member's voice or image is recorded during the filming process. Recordings of your voice or image may be used in the production and exploitation of the programme.	To perform our contract with you. Audio and video is recorded at all times during the production of the programme. As such, you should be aware that your voice and image are likely to be recorded during the production process. Any Special Category Data which you chose to reveal during the production process which is captured by our recording equipment will be processed on the basis that you have manifestly made this information public.
Transcripts of audio recordings of you recorded during the production process and used to make editorial decisions about the programme.	There may be situations where a crew member's voice is recorded and later transcribed during the filming process. We use these transcripts to assist in the review of recorded content during the production process.	We have a legitimate interest in efficiently reviewing recorded audio content in order to inform production decisions. Any Special Category Data which you chose to reveal during the production process which is captured by our recording equipment will be processed on the basis that you have manifestly made this information public.

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 those within the Fremantle Group, as well as with RTL Group, our parent company, our co-producer(s)(if applicable) on the programme, and the programme's broadcaster (eg. BBC, C4, ITV and C5). Your information may also be shared with our insurers, the programme's insurers, our health and safety advisers and other persons implementing health & safety advice, our accountants, auditors, lawyers and other outside professional advisers, and with companies who provide products and services to us (such as car hire companies, IT systems suppliers, payroll and pension scheme providers, and intermediaries/brokers, as well as legal and regulatory authorities including OFCOM, HM Revenue and Customs, UK Visas and Immigration or any other division of the Home Office, and as required by law.

We also share your name and email address (or Diamond Linking Code) with the Creative Diversity Network ("CDN"), which acts as an independent data controller for the purpose of monitoring diversity in the television industry through Diamond (currently operated via The Everyone Project, "TEP"). CDN is the data controller for this diversity data, and is responsible for deciding how it is used and how long it is kept. Please check CDN's own privacy notice before providing any such information, as we are not responsible for how CDN uses it. If you would prefer not to be involved in Diamond, please tell your production contact within 7 days of the date of your engagement agreement.

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 United Kingdom.

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

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 keep your information for a reasonable time after your engagement by the Company has terminated. The Company needs to do this in order to ensure benefits have been properly administered, to give references if requested to do so, to ensure that the Company's tax obligations have been satisfied and to deal with any tribunal or other court proceedings. The Company will retain such records after termination of employment in accordance with its policy on the retention of records or other investigations by authorised bodies. The Company's retention policy for key records are as follows:

Commissions/Bonuses/Incentives/Awards	Termination + 7 years
Payroll Records	Termination + 7 years
Medical Records	Termination + 6 years
Personnel Records (including attendance records, application forms, CVs, job or status change records, performance evaluations, termination papers, test results, training and qualification records, next of kin records, references)	Termination + 7 years
Passport copies	Termination + 2 years
Statutory Maternity/Paternity/Adoption/Sick Pay records and calculations	3 years from the end of the tax year they relate to or life of engagement whichever is longer
Parental Leave	5 years from birth/adoption of the child or 18 years if the child receives disability
Individual Contracts	Termination + 7 years
All non hired applicants (including all applications and resumes whether solicited or unsolicited, results of post offer, pre-employment physicals, results of background investigations, if any, related correspondence)	6 months
DVLA licence checks	Up to 1 year

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. 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 or we rely on the Special Purposes exemption to continue to process your information (see below).

- **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 Information Commissioner's Office (ICO) in the UK. You can find details about how to do this on the ICO website at https://ico.org.uk/concerns/ or by calling their office on 0303 123 1113.

If you want to exercise any of these rights, please contact us (our contact details are at the top of this notice). Please note that if your request relates to the provision of services to us, we (or relevant third parties) may rely on the Special Purposes exemption to data protection rules in relation to journalistic freedom, the right to artistic expression or, more generally, the right to freedom of expression as set out below.

8. 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 as set out in this privacy notice and in accordance with 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 been engaged on) not to apply aspects of this policy 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 policy and your rights under data protection law may not apply where they are incompatible with the Special Purposes exemption.

For example, where we process your personal data on the basis of your consent or explicit consent (e.g., health information provided on a Health Declaration Form) and you subsequently seek to exercise your right to withdraw that consent, we may rely on the Special Purposes exemption to continue to process this information where stopping the processing and deleting your data is incompatible with the artistic or journalistic purpose of the programme, and there is a public interest in its broadcast.