

## Introduction

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This Privacy Notice (the **"Notice"**, for short) is intended to provide you with information about how we gather and use your personal data and about your legal rights under the General Data Protection Regulation – or **"GDPR"** – the European law on the use of personal data.

Freeform Productions Limited (**"Freeform"**) respects your privacy and is committed to protecting your personal data. We maintain electronic and paper versions of this Notice. The electronic version is indexed, so that you can click through to the areas of relevance to you.

The Glossary at the end of the Notice explains what some of the terms used in the GDPR and this Notice mean.

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## 1. Important information and who we are

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### Purpose of this Notice

This Notice aims to give you information on how Freeform collects and processes your personal data, whether you have provided it to us directly or whether we've obtained it from other people and organisations.

We may provide you with more specific privacy information where we collect information from you for certain specific purposes. If we do so, you should still refer to this Notice so that you are fully aware of how and why we are using your data and how we may use it in future. This Notice adds to other information we may give you, and is not intended to replace it.

### Controller

Freeform is the data controller and responsible for your personal data (when we refer to **"Freeform"**, **"we"**, **"us"** or **"our"** in this Notice, that's who we're talking about).

We have appointed a data privacy manager who is in charge of answering questions in relation to this Notice. If you have any questions about it or if you want to use any of your legal rights, please contact the data privacy manager using the details set out below.

### Contact details

Our full details are:

Full name of legal entity: Freeform Productions Limited (we're a company registered in England and Wales with registered number 03392216)

Contact our Data Privacy Manager at:

Email address: [linda.glendinning@aplaceinthesun.com](mailto:linda.glendinning@aplaceinthesun.com)

Postal address:  
Freeform Productions Limited,  
West Clayton Business Centre,  
Berry Lane,  
Chorleywood,  
Herts  
WD3 5EX

Telephone number: 01923 287 305

You have the right to make a complaint about our use of your personal data at any time to the Information Commissioner's Office ("**ICO**"). The ICO is the UK's supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

If you do have a problem, question or concern about our use of your personal data, we would really appreciate the chance to try to help you before you approach the ICO, so please feel free to contact us in the first instance using the data privacy manager's contact details above. You can contact us about data privacy issues in other ways, but if you contact the Data Privacy Manager, that will make it much easier for us to help you.

### Changes to the Notice and your duty to inform us of changes

This Notice was last updated on 3 May 2018.

The data protection law in the UK will change on 25 May 2018 when GDPR comes into force. Although this Notice sets out most of your rights under the new laws, we may not yet be able to respond to some of your requests until then as we are still working towards getting our systems ready for some of these changes.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.



## 2. The data we collect about you

**"Personal data"** means any information about an individual, held by a data controller, from which the controller can identify a specific, living person. It does not include data about a living person that the controller can't identify.

Some personal data falls into **"Special Categories"** under the GDPR and are given greater protection. These include any personal data revealing your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, and information about your health, as well as genetic and biometric data. Information about criminal convictions and offences is also treated differently from ordinary personal data under the GDPR.

We may collect, use, store and transfer different kinds of personal data about you. The personal data we collect will depend on the relationship you have with Freeform.

If you are:

- An employee of Freeform, someone working with us under a contract for services, or someone who applies for employment or work with us, we will provide you with specific privacy information and ask for your consent to use your personal data. We will also collect the following information on you:
  - o **Identity Data** including first name, last name, title, job title, role or similar identifier, and gender, as well as proof of identity and your right to work in the UK.
  - o **Contact Data** which may include your address, email address and telephone numbers.
  - o **Financial Data** to provide pay, benefits and conduct other financial transactions with you.
- A business contact, including persons who supply us with goods (including hiring things to us) or services and any contacts at a company or other organisation which does so, and customers (including contacts at companies or other organisations) to whom we supply our products and services, we may collect the following types of data on you:
  - o **Identity Data** includes first name, last name, title, job title, role or similar identifier, and gender.
  - o **Contact Data** includes your work address, email address and telephone numbers.
  - o **Financial Data** if we supply or purchase goods and services to or from you as an individual (including some sole traders and partnerships), we may record and retain details of those transactions.
- Someone who applies to, or is selected to be a contributor to one of our programmes, we may collect the following types of data on you:
  - o **Identity Data** includes your full name, title, date of birth, gender, age and occupation.
  - o **Contact Data** including home address, email address and telephone numbers.

- o **Information about your relationship with a contributor who applies or is invited to contribute to one of our programmes with you.** This may include ordinary personal data relating to your hobbies and interests and the names and ages of any children, and special categories of personal data, including details of your personal relationship with them, but also any unsolicited data in that category which you choose to include in an application form.
- o **Information about your plans to purchase a property**, including your motivations for purchasing, your preferred location, type of property, specific requirements for a property, your own search efforts to date and why you would like to appear on one of our programmes.
- o **Financial Data** including your budget, method of finance for the purchase and source of funds, information about any existing property ownership (including the status of any sale, equity release or applications for finance).
- o **Information about your availability for filming**, including dates when you may not be available, any advance notice you may need, past appearances on television or other media, as well as special category data relating to any health condition which could affect decisions about filming (including information that our insurers may require us to collect).
- Related to or in a relationship with a contributor, we may collect your information from the contributor, including
  - o **Identity Data** includes your full name, title, date of birth, gender, age and occupation.
  - o **Contact Data** including home address, email address and telephone numbers.
  - o **Information about your relationship with a contributor who applies or is invited to contribute to one of our programmes with you.**

### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested:

- We may not be able to agree, enter in to or perform a contract we have or are trying to enter into with you or a person or organisation associated with you.
- If you are a contributor or prospective contributor, failure to provide data may result in us being unable to accept or use your contribution to our programmes.
- If you are an employee, contractor or applicant for a position with us, we may not be able to consider your application, provide you with pay or benefits, or administer a contract for services or contract of employment with you.



## 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your information by filling in forms, on the telephone, or by corresponding with us by post, fax, email or otherwise. This includes personal data you provide when you:
  - apply to or are invited to contribute to our programmes;
  - ask us to send information to you;
  - provide us (yourself or on behalf of an organisation) with goods or services or obtain products and services from us; or
  - give us feedback or contact us about our work.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Contact, financial and transaction data from your employer or any person or entity for whom you provide services or do work.
  - Contact, financial and transaction data from providers of technical, payment and delivery services where we supply goods or services to, or purchase them from you or your organisation (including where you are a member of a partnership).
  - Identity and contact data from publicly available sources such as Companies House.
  - Contributors to our programmes (or prospective contributors) may provide us with your data while preparing for or making the programme.
  - If you are an employee, candidate, contractor or third-party supplier and we are permitted or required to do so by any law or regulation, we may require you to obtain and provide us with information from the Disclosure and Barring Service.

## 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform or negotiate a contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. If you are a child (this is likely to be where a parent or sibling is appearing or has asked to appear on one of our programmes), we will take this into account when comparing your interests and rights to our own.
- Where we need to comply with a legal or regulatory obligation.
- Where you consent to our use of personal data, typically in relation to employment or a contract for services with us, where you have applied to be or been invited to be a contributor to one of our programmes, or where we have your consent to contact you with information about our products and services.

Where we have asked you to consent to our use of your data for other purposes, you can also withdraw that consent at any time. Please be aware that data protection law may still allow us to use some or all of your personal data, even special categories of personal data, if we have a lawful basis for doing so and have told you (in this Notice or elsewhere) that we intend to do so.

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table on the next page.



## 4. How we use your personal data (continued)

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you (or your employer or a person or entity to whom you provide services) as a new customer or supplier	(a) Identity data (b) Contact data (c) Financial data (for credit purposes)	(a) Performance of a contract with you (b) Necessary for our legitimate interests (c) Your consent
To fulfil our contractual obligations to you or your organisation or to enforce your or your organisation's obligations to us, including to (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity data (b) Contact data (c) Financial data (d) Transaction data	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Contacting you about products or services we obtain from or provide to you or your employer (c) Contacting you about a past, present or future contribution to one of our programmes	(a) Identity data (b) Contact data	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how our products/ services are used and received)
To administer and protect our business	(a) Identity (b) Contact	(a) Necessary for our legitimate interests (for running our business, provision of services, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To participate (and give you an opportunity to participate) in industry-wide diversity monitoring programmes, including the "Diamond" programme, which are intended to provide broadcasters with information about who is on television and who is making television.	(a) Name (b) Email	(a) Necessary for our legitimate interests and those of the broadcasters who may broadcast our programmes to monitor and increase diversity in our industry and in the media generally.
To administer a contract for services or contract of employment between us – we will provide you with further information about this when we collect information from you and during the course of our relationship)	(a) Identity data (b) Contact data (c) Financial data	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to administer the economic relationship between us) (c) Necessary to comply with a legal obligation (related to your work or workplace or our obligations under the law in relation to these)
To interact with contributors to our programmes and people who apply to contribute to them	(a) Identity data (b) Contact data (c) Any personal data provided to us on a contributor's application form or which the contributor provides to us in the course of making or preparing to make a programme	(a) Consent (b) Necessary for our legitimate interests (to administer the relationship between us and to make and distribute our programmes) (c) Necessary to comply with a legal obligation (d) To protect your vital interests or those of another person

### 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. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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. Disclosures of your personal data

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We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties as set out in the [Glossary](#).
- Specific third parties listed in the table in paragraph 4 ([previous page](#)).
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Notice.
- Broadcasters and other entities involved in the production, transmission, distribution and resale of our programmes.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

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Some of our programmes involve locations outside of the European Economic Area ("EEA"), or locations where, for geographical, economic or logistical reasons, support may be required from places which are themselves outside of the EEA. In these circumstances, processing of your personal data will may involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, in normal circumstances, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. Currently, this means Andorra, Argentina, Canada (where your data goes to commercial organisations), the Faroe Islands, Guernsey, Israel, the Isle of Man, Jersey, New Zealand, Switzerland, Uruguay and the USA (but only where the recipient adheres to the Privacy Shield framework) For further details, you should look up the information provided by the European Commission on their website regarding adequacy decisions.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, you should look up the information provided by the European Commission on model contracts for the transfer of personal data to third countries.
- Where we use providers based in the US, we may transfer data to them if they are part of the "Privacy Shield" programme, which requires them to provide similar protection to personal data shared between the Europe and the US. Further information on Privacy Shield is available from the European Commission.

In certain circumstances, the requirements of programme-making may prevent us from being able to ensure a similar level of protection when on location overseas. In these situations, we will ask you for your consent to transfer your personal data for processing overseas.



## 7. Data security

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We have put in place appropriate 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 instructions and they are subject to a duty of confidentiality.

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

## 8. Data retention

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### How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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.

By law we have to keep basic information about our contractors, suppliers and customers (which may include your contact, identity, financial and transaction data) for six years after our relationship with them ceases for tax purposes.

Where you apply to appear on one of our programmes, we may keep your application form and other information about you for up to 10 years so that we can consider you for current and future programmes.

In some circumstances you can ask us to delete your data: see [Request erasure] below for further information.



## 9. Your legal rights

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You have rights under data protection law in relation to your personal data. Further information on these rights is set out in the Glossary, below:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact our data privacy manager.

### No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### What we may need from you

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.

### Time limit to respond

We try to respond to all legitimate requests within one 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.





## 10. Glossary

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### LAWFUL BASIS

There are a number of different lawful bases for processing your personal data which we may use:

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to make the best programmes and to provide the best products and services we can. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party, or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

**Protecting your vital interests** applies where we would otherwise require your consent to use data but you are physically or legally incapable of giving consent, and processing is to protect your interests – for example, to facilitate urgent medical treatment.

### THIRD PARTIES

#### External Third Parties

- Service providers acting as processors based inside and outside the EEA who provide technical, financial, logistical or other support for our work, including services relating to pre-production, filming on location and post-production aspects of our programme making.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the EEA and outside of it who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Governments and public authorities in other countries where we carry out filming who require information on our crew and contributors.
- Broadcasters and any other parties involved in the financing, production, distribution, transmission, sale, resale or syndication of our programmes.

### YOUR LEGAL RIGHTS

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 data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**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 successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**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 particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.