

CONTRIBUTOR PRIVACY AND DATA POLICY

1. Scope

Like most businesses, Kite Entertainment Limited (“we”) hold and process a wide range of information, some of which relates to individuals who we engage to take part in projects we are developing or producing. This Privacy and Data Policy Notice explains the type of information we process, why we are processing it, and how that may affect you. It focuses on individuals who have or will take part in our development and production of films and television productions.

2. The capacities in which we process Personal Data

We process data in connection with our business including for development, production, broadcasting, distribution and marketing purposes.

3. Sources of Personal Data and who gets to see it

Much of the personal data that we process about you comes directly from you (*e.g.* your name, age, address, email address *etc.*). When you participate in one of our productions, the initial data about you that we process is likely to come from you: for example, contact details

Other personal data about you is created in the course of you taking part in the development and/or production of our projects. People working on development or production of our projects (*e.g.* director, producer, scriptwriter, editor *etc.*) may see your personal data.

We may also pass your data to select third parties, for example, a commissioning broadcaster, distributor, or film festival. We will only disclose your personal data to third parties if disclosure is consistent with a ground for processing on which we rely and doing so is lawful and fair to you. We may disclose your data if it is necessary for our legitimate interests as a television and film production business or the interests of a third party (but we will not do this if these interests are over-ridden by your interests and rights in particular to privacy).

If you have an on-screen role, disclosure of footage, images, or audio recordings of you as part of the broadcasting, distribution and marketing of the production may be made to the public generally. Similarly, if you have an exclusively off-screen role, your Personal Data may be disclosed to the public to allow us to credit your role.

4. Duration of Data Retention

We do not keep your personal data for any defined period but will not keep it for longer than is necessary for our legitimate business purposes. In general, we will keep your personal data for so long as you take part in a production and for a period afterwards, (*e.g.* while rights in a project are under licence, while we are considering your potentially suitability for other prospective projects *etc.*).

Some data, such as production footage itself and credit information, will be kept indefinitely as we have an ongoing legitimate interest in retaining the footage in our library for potential future use.

5. Transfers outside the EEA

We may transfer your personal data outside the EEA to other jurisdictions in which we or our suppliers and/or commissioning broadcasters are established. If you featured in a production, the data constituting your performance or contribution may be transferred out of the EEA for broadcast, distribution and/or marketing purposes.

6. Your Rights as a Data Subject

You have a right to make a subject access request to receive information about the data that we process about you, to correct any inaccurate data we hold about you, or to request us not to process your data.

7. Contact Details

In processing your personal data, we act as a data controller. Our contact details are as follows:
info@kiteentertainment.com

We try to be as open as we reasonably can about personal data that we process. If you would like specific information, just ask us. You also have a legal right to make a “subject access request”. If you exercise this right and we hold personal data about you, we are required to provide you with information on it, including:

- A description and copy of the personal data; and
- An explanation as to why we are processing it.

If you make a subject access request and there is any question about who you are, we may require you to provide information from which we can satisfy ourselves as to your identity.

As well as your subject access right, you may have a legal right to have your personal data rectified or erased, to object to its processing or to have its processing restricted.

If we have relied on consent as a ground for processing, you may withdraw consent at any time – though if you do so that will not affect the lawfulness of what we have done before you withdraw consent

If you have complaints relating to our processing of your personal data, you should flag these to your point of contact at the production in the first instance. You may also raise complaints with the Office of the Data Protection Commissioner.

8. Definitions

“**Personal data**” is information relating to you (or from which you may be identified) which is processed by automatic means or which is (or is intended to be) part of a structured manual filing system. It includes not only facts about you, but also intentions and opinions about you.

Data “**processed automatically**” includes information held on, or relating to use of, a computer, laptop, mobile phone or similar device. It covers data derived from equipment such as access passes within a building, data on use of vehicles and sound and image data such as CCTV or social media content. It also covers video, audio and images captured as part of a production.

“**Processing**” means doing anything with the data such as collecting, holding, editing, disclosing, or deleting it.

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sexual orientation, sex life, trade union membership and genetic and biometric data are subject to special protection and considered by EU privacy law to be “**sensitive personal data**”.

References in this document to work or services (and similar expressions) include any arrangement we may have under which an individual or entity provides us services in relation to a production. We use the word “**you**” to refer to any legal entity within the scope of the notice.

9. Legal basis for processing Personal Data

We process your personal data in accordance with Data Protection law on various grounds. In some instances, more than one ground may apply. These grounds can be briefly summarised as Legal Obligation, Legitimate Interests and Consent. The meaning of those terms are set out in the table below.

Term	Ground for processing	Explanation
Legal Obligation	Processing necessary to comply with our legal obligations	Ensuring we perform our legal and regulatory obligations. For example, avoiding unlawful discrimination or dealing with a request for discovery in legal proceedings.
Legitimate Interests	Processing necessary for our or a third party's legitimate interests	We or a third party have legitimate interests in carrying on, managing and administering our respective businesses effectively and properly And, in connection with those interests, processing your data. Your data will not be processed on this basis if our or a third party's interests are overridden by your own interests, rights and freedoms.
Consent	You have given specific consent to processing your data	In general processing of your data in connection with the services you provide is not conditional on your consent, although there may be general exceptions to this.

10. Sensitive Personal Data

If we process sensitive personal data about you, as well as ensuring that one of the grounds for processing mentioned above applies, we will make sure that one or more of the grounds for processing sensitive personal data applies. In outline, these include:

- Processing being necessary for the purposes of your or our obligations and rights in relation to your engagement in so far as it is authorised by law or collective agreement;
- Processing relating to data about you that you have made public (e.g. if you tell us you are ill);
- Processing being necessary for the purpose of establishing, making or defending legal claims;
- Processing being necessary for provision of health care or treatment, medical diagnosis, and assessment of your working capacity;
- Processing for equality and diversity purposes to the extent permitted by law.

11. The reasons why we process Personal Data

This policy notice outlines the purposes for which we process your personal data and examples of the data / the grounds on which we process data are set out in the table below. The table is not an exhaustive list.

Please note that if we were to find out that someone working for or with us was suspected of committing a criminal offence, we might process that information if relevant for our purposes. We may also require criminal background checks for certain roles – for example those working with minors.

Purpose	Examples of personal data that may be processed	Grounds for processing
Engagement	Information concerning your taking part in our productions and our assessment of it, your references, any checks we may make to verify information provided or background checks. If relevant, we may also process information concerning your health, any disability and in connection with any adjustments to filming arrangements.	Legal obligation Legitimate interests
Contacting you or others on your behalf	Your address and phone number, emergency contact information and information on your next of kin.	Legitimate interests
Enabling the creation, sale and distribution / broadcast of a production you are taking part in	Information connected with your participation including, the processing of images/ video/ audio of you. (Legal obligation Legitimate interests
Physical and system security	CCTV images. Records of use of swipe and similar entry cards.	Legal obligation Legitimate interests
Providing details in connection with your seeking to participate on other production	Information on your taking part in one of our productions.	Consent Legitimate interests
Monitoring of diversity and equal opportunities	Information on your nationality, racial and ethnic origin, gender, sexual orientation, religion, disability and age as part of diversity monitoring initiatives. Such data will be aggregated and used for equality of opportunity monitoring purposes. Please note we may share aggregated and anonymised diversity statistics with regulators if formally required / requested.	Legitimate interests
Disputes and legal proceedings	Any information relevant or potentially relevant to a dispute or legal proceeding affecting us.	Legitimate interests Legal obligation
Day to day business operations including marketing and travel on our behalf	Information relating to your participation in a programme. This may include a picture or profile of you. Information regarding your travel arrangements and location.	Legitimate interests
Maintaining appropriate business records during and after your	Information relating to your participation in one of our productions.	Legal obligation Legitimate interests

participation in a programme		
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Please note that owing to the fact that you may be appearing in one of our programmes, on some occasions we or third parties will rely upon exemptions to data protection rules in relation to journalistic freedom, the right to artistic expression or more generally, the right to freedom of expression (as mentioned in article 85 of the General Data Protection Regulation and section 22(A) of the Data Protection Act, 1998 (as amended) on the exemption for '*journalism, literature and art*').

12. Status of this Policy

This notice does not form part of your contract and does not create contractual rights or obligations. This notice may be amended by us at any time and we encourage you to consult it regularly to ensure that you are up to date with our prevailing policy. In addition, this notice neither means nor implies that you have or will be selected to work on or participate in one of our projects or productions.