

CONTRIBUTOR PRIVACY NOTICE

Last updated: 20 October 2020

Studio Hamburg UK Limited ("Studio Hamburg UK") is committed to protecting the privacy and security of your personal information.

This privacy notice describes how Studio Hamburg UK and its subsidiaries collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

This privacy notice applies to all cast and crew members, and to any other contributors to the programmes we make.

CONTROLLER

This privacy notice is issued on behalf of Studio Hamburg UK, and so when "we", "us" or "our" is stated in this privacy notice, that refers to Studio Hamburg UK.

We are a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We will keep this notice under review and may update it at any time.

CONTACT DETAILS

If you have any questions about this privacy notice, or any concerns about our privacy practices, you can contact us by email at info@studiohamburguk.com. We will respond to your question or concern as soon as reasonably practicable.

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

1. used lawfully, fairly and in a transparent way;
2. collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
3. relevant to the purposes we have told you about and limited only to those purposes;
4. accurate and kept up-to-date;
5. kept only as long as necessary for the purposes we have told you about; and
6. kept securely

THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (i.e. anonymous data).

There are certain categories of more sensitive personal data known as “special categories” of personal data which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions and offences also warrants a similarly higher level of protection.

We may collect, store, use and otherwise process the following categories of personal information about you:

- Personal contact details such as name, title, address, telephone numbers, and personal email address.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date and, if different, the date of your continuous employment.
- Leaving date and your reason for leaving.
- Location of employment or workplace.
- Copy of driving licence and/or passport.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- Compensation history.
- Performance information.
- Disciplinary and grievance information.
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems.
- Photographs.
- Results of HMRC employment status check, details of your interest in and connection with the intermediary through which your services are supplied.

We may also collect, store, use and otherwise process the following more sensitive types of personal information:

- Trade union membership.
- Information about your health, including any medical condition, health and sickness records, including:
 - results of any medical checks or testing (including, without limitation, any testing required in relation to a pandemic or other public health emergency);
 - any signed health declarations;
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
 - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- Information about criminal convictions and offences.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us. This may include asking you to provide additional health information or to submit to medical testing from time to time during your period of engagement.

HOW WE WILL USE INFORMATION ABOUT YOU

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

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.
4. Where you have provided us with your consent to the processing.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your vital interests (or someone else's vital interests).
2. Where it is needed in the public interest or for official purposes.

SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

We need all the categories of information described above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests, provided that your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are described below.

1. Making a decision about your recruitment or appointment.
2. Determining the terms on which you work for us.
3. Checking you are legally entitled to work in the UK.
4. Paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs).
5. If required, enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.
6. Administering the contract we have entered into with you.
7. Business management and planning, including accounting and auditing.
8. Conducting performance reviews, managing performance and determining performance requirements.
9. Making decisions about salary reviews and compensation.
10. Assessing qualifications for a particular job or task, including decisions about promotions.
11. Gathering evidence for possible grievance or disciplinary hearings.
12. Making decisions about your continued employment or engagement.
13. Making arrangements for the termination of our working relationship.
14. Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.

15. Ascertaining your fitness to work.
16. Managing sickness absence.
17. Complying with health and safety obligations.
18. To prevent fraud.
19. To monitor your use of our information and communication systems to ensure compliance with our IT policies.
20. To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
21. Equal opportunities monitoring.
22. Processing your personal data for any other purpose that we have brought to your attention.

Some of the above grounds for processing will overlap, and there may be various alternative grounds that enable our use of your personal information.

IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

CHANGE OF PURPOSE

We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis that allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

HOW WE USE MORE SENSITIVE PERSONAL INFORMATION

"Special categories" of more sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation or trade union membership, require higher levels of protection, as does information concerning criminal convictions and offences. We need to have further justification for collecting, storing and using this type of personal information. We may process such personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

SITUATIONS IN WHICH WE WILL USE YOUR MORE SENSITIVE PERSONAL INFORMATION

In general, we will not process such more sensitive personal information about you unless we have your explicit consent to do so or it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as

it is in the public interest to do so. The situations in which we will process your more sensitive personal information are listed below.

1. We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions and permanent health insurance. **Please note that, during the Covid-19 pandemic, we may ask you for additional information relating to your health and/or ask you to undertake additional medical checks or testing during your period of engagement with us. We may ask to take your temperature regularly or require you to submit to testing in relation to Covid-19 (including, without limitation, PCR testing and/or blood testing). This additional information is required to ensure the health and safety of cast and crew, and to ensure our compliance with government guidance and/or our own health and safety protocols.**
2. We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
3. We will use trade union membership information to pay trade union premiums, to register the status of a protected employee and to comply with employment law obligations.
4. We may also use more sensitive information about you for certain other purposes with your explicit consent to do so.

DO WE NEED YOUR CONSENT?

We do not need your consent if we use special categories of your personal information to carry out our legal obligations or to exercise specific rights in the field of employment law.

In limited circumstances, we may approach you for your written consent to allow us to process certain special categories of personal data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Please note that, during the Covid-19 pandemic, we will approach you to obtain your consent to process certain data relating to your physical health.

INFORMATION ABOUT CRIMINAL CONVICTIONS AND OFFENCES

We may only use personal data relating to criminal convictions and offences (including personal data relating criminal allegations and proceedings) where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and provided that we do so in line with our data protection policy. We do not envisage that we will usually process such personal data.

DATA SHARING

We may have to share your data with third parties, including third-party service providers and other entities in the Studio Hamburg group.

We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the European Economic Area (EEA).

To the extent that we do so, we will strive to ensure that a similar degree of protection is afforded to such information by ensuring that at least one of the following safeguards is implemented:

- transferring your personal information to a country, organisation or sector that has, at the time of transfer, been deemed to provide an adequate level of protection for personal information by the European Commission; and/or
- using specific forms of contract approved by the European Commission that give personal information the same protection it has within Europe.

WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY PERSONAL INFORMATION?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: payroll, accounts management, legals, pension administration, benefits provision and administration, IT services.

HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS AND OTHER ENTITIES IN OUR GROUP?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE GROUP?

We will share your personal information with other entities in the Studio Hamburg UK group as required to enable the production of our programmes, as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

WHAT ABOUT OTHER THIRD PARTIES?

We may share your personal information with other third parties, for example with the broadcasters, distributors and financiers of our programmes, and/or with agents involved in the production of our programmes.

We may also share your personal data in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or otherwise to comply with the law. This may include making returns to HMRC and disclosures to shareholders such as directors' remuneration reporting requirements.

DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available on request. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

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

HOW LONG WILL YOU RETAIN MY INFORMATION FOR?

We will only retain your personal information 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

YOUR DUTY TO INFORM US OF CHANGES

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

YOUR RIGHTS IN CONNECTION WITH PERSONAL INFORMATION

Under certain circumstances, by law you have the right to take the following actions:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.

- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us via the contact details above.

NO FEE USUALLY REQUIRED

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

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and to ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of certain personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us via the details above.

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 basis for doing so in law. **Please note that, during the COVID-19 pandemic, if you withdraw your consent to the processing of certain health information, we may be unable to allow you to access the production's set or unit base.**