

ITV STUDIOS PRIVACY NOTICE FOR CONTRIBUTORS

1. Introduction & Who this notice is for

This Privacy Notice is for all 'contributors' who are involved in making TV programmes or other projects for ITV Studios Limited (company registration no. 03106525) or one of ITV Studios (ITVS) production companies (sometimes known as 'labels') - you can find a list of ITVS production companies [here](#).

Contributors include:

- On screen talent (actors, writers, presenters or hosts, composers and musicians and other performers)
- People who are participants or apply to be in our TV programmes or in our studio audience (for example, if you apply to appear on one of our entertainment or quiz shows)
- Other people who contribute to our TV programmes (for example, interviewees or people who send us videos, photos or other materials)

This Privacy Notice will also apply to agents or other representatives of the contributors listed above.

This Privacy Notice does not apply if you are employed by us or provide services to us as a freelancer or other contractor - see the 'Working for Us Privacy Notice'.

This Privacy Notice explains how and why we collect and use your personal information to make our programmes, and sets out your related rights and options.

The production label or company which is making the programme you are involved in is a **"controller"**, which means they have legal responsibility when using your personal information. The name of the controller will be set out in your application / entry form, contributor agreement, release form and/or any consent forms you are asked to sign. When we refer to 'we' or 'us' in this notice, we mean the relevant controller which will be one or more ITVS production companies. In some cases the relevant controller may provide you with its own Privacy Notice

If you are not sure who the controller is for your personal data please email myprivacy@itv.com.

2. What personal information do we collect and use?

It depends on the programme you are involved in and nature of your participation, but we commonly collect and use your: name, contact details (usually phone number and/or email address), gender, date of birth, passport details or other national identifier (e.g. driving licence), proof of address, national insurance or social security number, bank details, tax status, details about your previous roles or work, background, interests, general knowledge, preferences, opinions, education details, video footage of you or from which you can otherwise be identified, details of your role in an ITVS production, photographic or other still images of you, your professional qualifications or examples of previous work (for example showreel footage).

We may also collect and use types of personal information which are more private and sensitive in nature, such as information about your physical and/or mental health, racial / ethnic origin, political opinions, sex life / sexual orientation, religion, philosophical beliefs, genetics, biometrics, trade union membership and/or information about your criminal record, if any (which may include allegations, proceedings and/or convictions). All these types of information are referred to collectively as **"Sensitive Information"** in this Privacy Notice.

3. Where do we get your personal information?

We collect your personal information either from you or third party sources. The table below sets this out in more detail:

WHAT	OUR SOURCES
<i>Personal information that you give to us</i>	<ul style="list-style-type: none"> • from emails or other types of correspondence, application forms, pre-filming questionnaires, release forms, payment instructions and any associated documentation that you (or an agent on your behalf) complete; and • from discussions, conversations, interviews, consultancy, audition footage, footage of the actual programme (live or pre-recorded), behind the scenes material, contributions to the programme and participation in social media chats (including Instagram Stories, Instagram Live and similar on other social media channels).
<i>Personal information we obtain from others</i>	<ul style="list-style-type: none"> • publicly available and accessible reports, directories and sources (such as Companies House and newspaper articles); • interviews and correspondence with friends, family members, and/or people connected to you; • social media platforms, including Facebook, Instagram, Twitter, LinkedIn, Snapchat and TikTok; • subscription only databases such as Factiva, GBG Investigate and Reuters; • background check services providers such as Social Media Check and People Check; • tax authorities, including those that are based outside the UK and the EEA if you are subject to tax in another jurisdiction; • your bank or building society in connection with payments; • our professional advisers working on a matter which involves or is relevant to you; • governmental and competent regulatory authorities to whom we have regulatory obligations; • agents, production companies, audience ticketing companies and other broadcasters; • recruitment / talent agencies; • our insurer, and its representatives including brokers, third party claims adjusters, reinsurance companies and insurance regulatory authorities; • fraud prevention and detection agencies and organisations; • Information technology and access systems run by others on our behalf, such as CCTV systems and door entry systems / logs

	<ul style="list-style-type: none"> • third parties we work with as part of the production process, such as fixers, editors and individual freelance crew members such as writers and directors; • where authorised by applicable laws, crime enforcement and authorised criminal records organisations, such as the DBS (sometimes via a DBS-registered organisations such as uCheck), Disclosure Scotland and/or Access NI (depending on where in the world you live / have lived before); and • registered health professionals.
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4. **How and why we use your personal information**

To use your personal information we need a “**lawful basis**”. A lawful basis is a justification for using your personal information which is recognised and permitted by data protection law. Generally, we use your personal information when one of these justifications applies:

- **Contract performance:** when using your personal information is necessary to perform a contract with you or take steps at your request before entering a contract with you.
- **Legal obligations:** when using your personal information is necessary for us to comply with applicable law.
- **Consent:** when you agree in advance that we can use your personal information in a specific way.
- Where using your personal information is necessary to satisfy the TV programme commissioner’s **public service broadcasting** remit.
- **“Legitimate interests”:** when using your personal information is necessary for a genuine business, operational or legal reason. We only rely on this justification when we have considered that, on balance, our legitimate interests are not overridden by any potential adverse impact on you.

To use your Sensitive Information, we must rely on both a lawful basis **and** a “**condition**”. A condition is another justification for using personal information which is recognised and permitted by data protection law. Generally, we will only use your Sensitive Information:

- when in the **substantial public interest**. In brief, these are situations considered by applicable law to be important enough to our society to justify using Sensitive Information. The most applicable to ITVS are:
 - reviewing / maintaining equality of opportunity or treatment,
 - journalistic / artistic purposes in connection with unlawful acts or dishonesty,
 - preventing and detecting unlawful acts,
 - protecting the public against dishonesty, malpractice or other improper conduct,
 - insurance reasons,
 - safeguarding children and individuals at risk, and
 - archiving reasons.
- Where necessary or allowed under **employment, social security or social protection law**.

- Where necessary for **medical purposes**: diagnosis, preventive / occupational medicine, assessment of working capacity, providing healthcare / treatment, public health or in medical emergencies.
- Where you **knowingly and willingly** make / have made your Sensitive Information **available to the public**.
- Where necessary to establish, exercise or defend **legal claims**.
- Where you provide your **consent** in advance.

At least one of the lawful bases will apply when we use your personal information, and at least one of the conditions will apply when we use your Sensitive Information, for the following purposes:

- **Administering our relationship with you and facilitating your involvement**

For example, communicating with you, managing our legal relationship, using your contribution, onboarding you, booking travel / accommodation, making reasonable adjustments, scheduling, or paying you when you.

- **Casting and crewing**

Ensuring that we have appropriate and suitable talent, contributors, audience members and production teams for each of our programmes. We do this by, for example:

- creating, maintaining, updating and selecting from databases,
- receiving applications and considering them on merit,
- auditions, interviews and conversations,
- considering public-facing social media profiles and accounts,
- working with talent and recruitment agencies,
- typecasting, and
- receiving and considering nominations for a person to participate as a contributor.

Depending on your preferences, we may also use your personal information to contact you about future series / programmes for which you may be interested in applying.

In some cases we may work with third party advertisers and platforms, such as Facebook, to advertise our casting flyers to the most relevant audiences. This can involve sharing your personal information (such as name and email address) with third party platforms who will match the personal information we hold about you with the personal information they hold on their platform to either provide you with flyers for relevant future series / programmes or to find and target individuals with similar interests and demographics.

- **Research for programmes**

We use personal information when doing both initial and further research for programmes (for example scripted dramas based on real-life circumstances). We do this by using publicly available sources, like books and articles, and by engaging consultants who can provide relevant information.

- **Assessing your medical fitness and suitability to participate**

We ask for health information and carry out health assessments (and similar assessments like drug tests and STI screening) so that we can ensure that all participants can be kept healthy and safe during production, for insurance reasons and to offer reasonable adjustments where appropriate.

- **Medical problems and emergencies**

If you get ill or injured during your participation in a production, we will share information about your health with either an on-site / attending / emergency medic so that they can give you the right treatment.

- **Duty of care background checks and screening**

We carry out background checks and screen contributors using publicly available sources and third parties, for duty of care, health and safety and/or safeguarding purposes. This includes information such as employment / work details, participation in previous / other TV programmes, social media posts or other content published online, information from public registers like Companies House or the Insolvency Register, criminal record and court proceedings.

- **Recording, editing and otherwise producing content**

We record and edit footage and audio of you for the purpose of making programmes, which helps us satisfy our remit as a Public Service Broadcaster and fulfil our objective of making television content for commercial use.

- **Using your property for filming**

When you allow us to film at your property, we collect your name, address, contact details, bank details and (if relevant) ownership details so that we can arrange filming, logistics and set-up and payment.

- **Filming in public places**

We may film in public places (for example as part of an outside broadcast for a news item). While there is less of an expectation of privacy in public places than private places, people are still entitled to expect their privacy to be respected when going about their daily lives. Whenever we film in public we put filming notices up in and around the area being filmed (to notify people in that area in case they prefer to not be filmed). We offer opt-outs to anybody who has been filmed and either did not realise, was unable to use a different route / area or who has changed their mind about being filmed.

- **User generated content**

We ask for and collect UGC as required for use in relevant productions and to engage with our viewers. We usually invite you to share UGC through a "call to action" (for example via a flyer issued on social media), and do not generally use unsolicited UGC sent by individuals or which is publicly available online. Productions typically ask for (i) images, videos and stories for inclusion in programmes from contributors or audience members and (ii) competitions involving submissions from viewers.

- **Broadcasting content and making it available for video-on-demand services**

If you contribute to a programme and/or are part of a programme's subject matter, we have a legitimate interest in selling / licensing the programme for use, making it available for broadcast and/or VOD services and distributing it (including repeats and re-edits) around for world for the period in which we have rights in the programme (which may be indefinitely - please see your release form or similar agreement). We also have a legitimate interest in using your personal information to deal with any questions or complaints arising in relation to your contribution.

- **Promotion and marketing**

Sometimes we may use your personal information to promote or market a particular programme or product (for example a short clip of video footage of your contribution to a production included in an advert to attract viewers to the programme).

- **Relationships with third parties relevant to you**

We provide personal information to third parties who work with us who may require it to, for example, perform their contractual obligations with us or you, supply benefits or services to you and/or help facilitate your participation in the programme or its production (for example transport and accommodation suppliers).

- **Diversity and inclusivity initiatives**

As a progressive and socially conscious producer-broadcaster, ITVS runs and participates in a variety of D&I initiatives, whether internal or external and whether run on its own or in collaboration with other organisations. We set out a non-exhaustive list of examples below:

- ITV is part of an industry-wide diversity monitoring initiative called [Diamond](#), which is run alongside Pact, other UK broadcasters and the Creative Diversity Network. Diamond uses personal information regarding on- and off-screen contributors (the vast majority of which is anonymised) to programmes to report on the diversity of TV production in the UK. If you have provided us with your email address, we will share this with the Creative Diversity Network (unless you have asked us not to). They will contact you to ask if you are willing to contribute to the initiative by providing information about characteristics like gender, ethnicity, disability, age and sexual orientation.
- We run initiatives which encourage individuals from diverse and under-represented backgrounds to participate in TV production and consider it as a profession, such as [Fresh Cuts](#) and [About Time!](#)
- We consider applications for / appropriate productions to receive financial support from our [Diversity Commissioning Fund](#).
- We keep records to create statistics and analysis in order to monitor the effect and impact of our own D&I initiatives and consider what further initiatives are required.
- Part of our remit as a Public Service Broadcaster is to provide a genuine reflection of current society in the UK. We may therefore select contributors in part based on typical D&I characteristics so that we can satisfy this part of the remit.
- We provide D&I information to commissioning broadcasters / streamers when they are a condition of the relevant commission.

- **Training and education**

Depending on the nature of your relationship with ITVS and involvement in a particular production, we may use your personal information in order to provide you with professional or similar training / education (for example diversity and inclusivity, health and safety, first aid and mental health awareness training).

- **External disclosure requests**

As set out in more detail in section 5 below, sometimes it may be necessary to share your personal information with third parties who ask us to disclose it to them. We only do this where we are legally obliged to do so or where there are compelling public interest reasons for doing so (for example,

providing footage or other information which may assist law enforcement authorities in an investigation).

- **Offering you support and assistance**

Depending on the applicable circumstances, we may use your personal information to offer you support or assistance which either you request or we consider would be appropriate and helpful (for example, training and guidance on how to deal with social media and press scrutiny or psychological support after production).

- **Facilitating your rights and honouring opt-outs**

We use your personal information in order to help facilitate rights set out in section 8 below or to honour your choice to opt-out of a particular use of your personal information. For example, if you decide you do not want to be included in a production having been filmed in a public place, you can contact us to let us know your preferences. We will locate and delete footage of you and use our contact details to confirm.

5. **Who uses your personal information and who do we share it with?**

We may use, provide and share your personal information as set out below:

- **Internally:** your personal information will be used by our employees and contractors who are working on the relevant programme or others in supporting departments (such as finance and accounting for payroll purposes).
- **Within ITV's group of companies:** for example where two of our labels co-produce a programme, or where a different part of the business uses your personal information to perform its function (for example our distribution and sales company).
- **External suppliers** - we use suppliers to help us do our work. Non-exhaustively, those suppliers include:
 - Online casting application systems
 - Medical service providers such as physiotherapists and psychologists
 - Professional advisers such as lawyers, insurers, accountants and auditors
 - Suppliers which help with logistics and practicalities, such as accommodation and travel service providers
 - External TV studios and post-production houses, transcription service providers
 - Audience providers and ticketing companies
 - Suppliers helping with our D&I initiatives
 - Talent / similar databases
 - Recruitment agencies
 - Parties helping us with background checks, screening and identity verification
 - Document storage
 - Scheduling and day planning
 - Payroll
 - Rigging, set construction etc
 - Property owners / managers
 - Hospitals / police etc if we're working with them
 - Inshow / after-show care providers / counsellors etc
 - Security - threat monitoring, physical
- **Commissioning broadcasters / streaming platforms** - the companies who buy or licence our programmes and make them available to viewers
- **Independent production labels** who our labels sometimes work with to co-produce programmes
- **Unions and industry representative bodies**

- **Viewers** – personal information included in the content of a programme will be shared with anybody who watches it
- **Law enforcement bodies / government bodies** – for example if police request footage or information to help with an investigation or to apprehend or prosecute offenders or to protect someone from harm
- **Regulators** such as Ofcom (the UK broadcasting regulator) or the Information Commissioner's Office (the UK data protection regulator) may ask us for documents or records including personal information
- We may also share your personal information externally if:
 - We are required to do so by **law** (for example a court order) or a **regulator** (such as Ofcom or the ICO)
 - We are asked by a competent **law enforcement** or other organisation or body (for example police requesting footage)
 - For the purposes of prevention of fraud or other crime

6. Sending your personal information internationally

Your personal information is mainly used within the country where the relevant controller operates i.e. in the UK or the European Economic Area.

However, your personal information may sometimes be transferred to ITV Group companies or third parties in other countries for the purposes described in this Privacy Notice. We will only transfer your personal information to a country outside the UK/EEA if:

- the UK government or EU has determined that the data protection law of that country offers you a similar standard of protection as under UK / EU law;
- we put the recipient under contractual obligations or organisational rules (ITV companies only) that mean the standard of protection offered to you in practice is similar to that under UK / EU law;
- you provide your consent; or
- data protection law allows us to (for example where necessary under a contract which benefits you).

7. How long do we keep your personal information?

As a general rule, we keep your personal information only as long as required for the relevant purpose set out in this Privacy Notice (or another purpose that has been notified to you) or to enable us to pursue our legitimate business interests or for such longer period as is required by law or regulatory obligations which apply to us. We do not keep personal information in perpetuity or on a "just in case" basis unless stated in this notice.

When determining our retention periods, we think about the amount and nature of the personal information, the risks posed to you by our use of it, the importance of the reasons we need to use it, whether we can achieve those objectives without using it, and other applicable legal or regulatory requirements.

As general guidance, we will keep your contribution (i.e. footage or other recordings of you), personal information contained within the contract(s) you enter into, personal information required to fulfil any ongoing contractual payment obligations, any records of your participation in the TV programme or project and information contained in any publicity material for as long as necessary – which may be indefinitely for airing and re-airing or other ongoing use or exploitation of the TV programme in any media (whether in whole or in part).

8. What are my rights when you use my personal information?

When we use your personal information, you obtain several rights that you can exercise over our use of it. Please note that some of these rights are not absolute or automatic – some can only be exercised in certain circumstances.

- **Consent withdrawal:** where we have asked for your consent to use your personal information, you can withdraw that consent at any time. Please note that withdrawal may preclude or prevent you from participating in a programme. Please also note that consent to use your personal information under applicable data protection law is different from consent obtained in a release form for purposes of compliance with the Ofcom code.
- **Access:** you can request a copy of our records, files and documents containing your personal information.
- **Rectification:** you can ask us to correct or update our records of your personal information.
- **Erasure:** you can ask us to delete your personal information from our records in specific circumstances.
- **Restriction:** in specific circumstances you can ask us to only use your personal information in certain ways.
- **Objection:** you can challenge our use of your personal information in specific circumstances. We then have to stop the relevant use(s) unless we have a compelling reason to continue.
- **Portability:** you can request us to move a copy of your personal information that you provided to us to another provider or to give you a copy (this right may be available when we automatically use your personal information on the legal basis of consent or performance of contract. However, it may not be technically possible and/or feasible for us to comply with your request).
- **Complaint:** you can make a complaint to the [ICO](#) if you are not satisfied with our use of your personal information.

Please be aware that these rights are not always absolute and there may be some situations in which you cannot exercise them, or they are not relevant. Please also be aware that these rights will not apply to the extent an exemption applies (for example where exercising these rights would undermine or prejudice the public interest value of a production).

If you want to exercise any of these rights or have any questions, please contact myprivacy@itv.com.

9. What do we do with children's personal information?

As a general rule we take the following approach to children:

- This Privacy Notice is aimed at people aged 13+. If this includes you and you are not confident that you understand this Privacy Notice, please either let us know at myprivacy@itv.com or ask a parent / legal guardian to go through it with you and explain.
- For children 12 and under, we ask the parent / legal guardian to explain to their child our use of their personal information and its implication, to the extent the parent / legal guardian considers it appropriate.

We usually rely on parental consent as a lawful basis to use personal information of children under 18, but may take a different approach in certain circumstances depending on the personal information in question, the risks posed by our use and the relevant child's level of understanding.

Otherwise, we take additional precautions when using children's personal information.

10. How we keep your personal information secure

We're committed to protecting your personal information and keeping it secure, private and confidential to prevent your personal information from being lost, damaged, compromised or used / accessed unlawfully or without authorisation.. We put in place appropriate technical and organisational measures to help protect the security of your personal information. Unfortunately no measures can ever be completely secure. We have implemented various safeguards to protect against unauthorised access and unnecessary retention of personal information in our systems. These may include pseudonymisation, encryption, restricting access, and retention policies. These measures are chosen and/or designed taking into account the nature, amount and scope of personal information we use

11. Exemptions

There are certain circumstances where data protection law allows us (and the Programme broadcaster/commissioner) to not comply with the legal framework or other obligations explained in this Privacy Notice, nor with your legal rights. These obligations include - transparency (i.e. telling you how and why we use your personal information) or needing to have a lawful basis and a condition (i.e. a justification recognised by law) to use your Sensitive Information.

The most common circumstances where exemptions may apply are:

- making a programme which has public interest value,
- assisting with the prevention or detection of crime,
- protecting the public against dishonesty, malpractice, serious incompetence or other seriously improper conduct,
- protecting the health, safety and welfare of people at work,
- Where legal privilege applies, or
- When negotiations or management forecasting or planning need to be confidential.

12. Contact

We have a data protection officer ("**DPO**") who heads a data protection & privacy team responsible for ensuring that ITVS production labels use personal information lawfully and fairly. If you have any questions about this Privacy Notice or how we use your personal information, please contact our DPO via myprivacy@itv.com. If you prefer, you can write to the DPO by post at: Data Protection Officer, ITV White City, White City Place, 201 Wood Lane, London W12 7RU.
