

YOUR PRIVACY

The Whisper Group and its subsidiaries (Whisper Films Limited, Whisper (North) Limited, East Entertainment Media Limited, Moonshine Features Limited and Chapter 3 Graphics Limited) ("Company") is committed to protecting your personal data. We have produced this Privacy Notice to notify you about how we use your personal data in connection with your contribution and the production.

We will process your personal data in accordance with data protection laws, such as the GDPR.

Company is a "controller" in respect of personal data. This means that we are responsible for deciding how we process the personal data we hold about you. "Personal data" means information which identifies you as well as any information relating to you, and includes your name, contact details and, where relevant, your payment details.

This notice applies to all contributors. We may update this notice at any time and will inform you of any material changes.

Please read this notice, together with any other privacy documents we may provide on specific occasions when we are processing personal data about you, so that you are aware of how and why we are using such information.

Where the data subject to which this Privacy Notice relates is a child, this Privacy Notice is issued to the parent or legal guardian of that child.

How will we process your personal data?

Company will only use your personal data when permitted to do so in accordance with data protection laws, which means that we will only process your personal data where we have a lawful basis for doing so. In respect of your personal data, these bases are as follows: (i) where the processing of your personal data is necessary for the performance of a contract to which you are a party; (ii) where the processing of your personal data is required to comply with a legal or regulatory obligation; (iii) where the processing of your personal data is in our (or a third party's) legitimate interests and your freedoms and fundamental rights do not override those interests; (iv) where the processing of your personal data is necessary to protect vital interests; or (v) where you have consented to the processing of your personal data.

Primarily, we will process your personal data for the purpose of the production, distribution and commercialisation of the production in which you are involved. Processing for this purpose is necessary for performance of the contract we have with you.

Additionally, we will process your personal data for the following purposes and the applicable lawful bases are:

Purpose	Lawful Basis
Engagement, management and administration of contributors – including use of your name, voice and images in respect of the production, assessing your suitability to partake in the	Our legitimate interests in assessing your suitability to partake in the production;

production, managing your appearance/contribution, arranging for transport and assistance, creating and maintaining records relating to your participation and the awarding of any prizes in connection with your participation in a production.	Necessary for the performance of the contract we have with you
Payment – including, where applicable, payment of a fee for your participation in a production, payment of any agreed expenses in connection with your participation in a production and/or payment of a prize awarded to you as a result of participating in a production.	Necessary for the performance of the contract we have with you
Production Related Communications – including contacting you in relation to your contribution and the production, and responding to your communications	Necessary for the performance of the contract we have with you in respect of contacting you; necessary for the performance of a contract or in accordance with your consent in respect of responding to communications from you
Emergency Contacts and Related Communications –including contacting you and your specified contacts in the event of an emergency, facilitating communications in respect of health and safety	Consent in respect of your emergency contacts, which you should obtain or in accordance with your vital interests; necessary in accordance with your vital interests in respect of health and safety and in the event of an emergency
Compliance – including complying with legal obligations, broadcaster requirements, defending claims, tax and national insurance deductions	Necessary for us to comply with legal or regulatory obligations
Sharing – including sharing your personal data with members of our group, any co-producers, financiers, the broadcaster/commissioner, distributors, and/or our professional advisors for facilitating purposes set out above, and as set out in 'disclosing your personal data' below	The applicable lawful bases set out above where such sharing is to facilitate the purposes set out above; and where the lawful basis is not applicable then such sharing will be in our legitimate interests to enable us to produce and distribute the production but only where such sharing does not prejudice your interests or fundamental rights and freedoms
Health information – including where necessary to manage risks and take actions to protect workforce and facilities including without limitation during the COVID-19 pandemic and to satisfy certain reporting requirements, for example in connection with a production's insurance	Our legitimate interests and as required under health and safety legislation to ensure safe conditions on set; necessary in accordance with vital interests in respect of health and safety; necessary for insurance purposes

Special Categories of personal data

We may also collect and use "special categories" of your personal data (formerly known as "sensitive personal data"), which means personal data relating to your trade union membership, health information for purposes of managing risks and taking actions to protect our workforce and facilities (including without limitation during the COVID-19 pandemic and to satisfy certain reporting requirements, for example in connection with a production's insurance), criminal convictions and history, ethnicity, religion, sexuality or political persuasion. Where such personal data is required we will only process this as follows:

- where we have your explicit consent;
- where it is necessary for reasons of substantial public interest;
- where it is necessary for the purpose of the establishment, exercise or defence of legal claims (including prospective proceedings);
- where required under a specific legal obligation;
- where the processing of your personal data is necessary to protect vital interests; or
- where you have manifestly made this information available to us.

Generally we collect your personal data from you directly, although in certain circumstances we may receive personal data about you from other sources, including but not limited to, your agent or representative and, where you are providing your services to us through a services company, that services company. Where we are required to carry out background checks on you, for example if your role in the production involves children or background checks are otherwise required by the broadcaster/commissioner of the production, we may receive additional information from background check agencies if you have a criminal record.

Disclosing your personal data

We may disclose your personal data to certain third parties to process your personal data on our behalf. These companies may change from time-to-time, but will only be those which specialise in providing services for the purposes set out in the table above or those otherwise set out in the table above. In each case, we will require that such parties process your personal data in accordance with this Privacy Notice or equivalent data protection requirements .

We may also disclose your personal data to the following categories of recipients in the following circumstances:

- to other members of our group of companies;
- to our co-production partners, financiers, the broadcaster/commissioner and/or to distributors;
- to insurers in order to provide health insurance to you or for us to insure the production;
- to accommodation and travel providers where filming for the production takes place at a location away from your place of residence and we have made travel and accommodation arrangements on your behalf;
- to our advisors where we believe that doing so is necessary to protect the rights, property, security, or safety of us, our production, our other cast and crew, or the public;

- to our advisors to enforce any contract or policies we have in place with you;
- to our advisors to investigate and defend ourselves or others against any third-party claims or allegations; and
- to potential purchasers or investors and our and their advisors in relation to a business transaction, such as the financing and distribution of the production, a merger, change of control or sale of assets.

In some cases, recipients of your personal data may be located in a jurisdiction where data protection and privacy regulations do not offer the same level of protection as that offered by the GDPR (such as group companies in the United States of America). In these cases we shall take reasonable steps to ensure the security and confidentiality of your personal data, which may include having in place standard data protection clauses adopted by the European Commission or by a supervisory authority, approved codes of conduct together with binding and enforceable commitments of the recipient, or approved certification mechanisms together with binding and enforceable commitments of the recipient.

We may also share certain data about contributors (including ethnicity, religion and gender) with third parties and public bodies to assist such parties in understanding demographic and equality statistics in the Film & TV sector. This information will only ever be provided on an anonymised or aggregated basis and will not personally identify you unless you have provided your consent.

Data retention

Company will 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 and accounting 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.

Please note, we retain a record of those involved in the production for our records.

Please also note that any personal data contained within the final version of the production, and any related marketing, will be publicly available on a permanent basis.

Informing us of changes to your personal data

Company seeks to ensure that the personal data it holds about you is accurate and up-to-date. Therefore, we request that you notify us as soon as possible of any changes to your personal data.

Where we have indicated in this Privacy Notice that we process your information because it is necessary to perform a contract that we have with you, if you provide us with incorrect information or if you do not provide the information we request at all we may not be able to perform our obligations to you under that contract or this could lead to a delay in us performing those obligations, for example if you provide us with incorrect bank details this could lead to a delay in us paying you.

Your rights

Under certain circumstances, by law 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 information we hold about you corrected.
- **Request erasure** of your personal data (commonly known as a "right to be forgotten"). 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 exercised your right to object to processing (see below).
- **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 and provided that we do not have compelling legitimate interests to override such objection.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.
- **Complain** to a relevant supervisory authority in respect of our processing of your personal data, which will be the Information Commissioner's Office in the UK. However, if you have any concerns about how we handle your personal data, we encourage you to contact us in the first instance so that we can work with you to resolve them.

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

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 for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Please be aware that the rights above are not absolute and there may be circumstances where we are unable to comply with your request (either wholly or in part). In such cases we will explain why we cannot comply with the request.

We may need to request specific information from you to help us confirm your identity and 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 data 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 your personal data 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. 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 lawful basis for doing so, which we will inform you of when responding to you. Please note, however, that in most cases we do not rely on your consent to process your personal data.

Contact us

If you have any queries in relation to your personal data or how it is processed by Company, please contact: legalnotices@whisper.tv