



Privacy Notice

This Privacy Notice describes how we collect and use personal data about you prior to you being a client of the agency, during the agent client relationship and once the relationship has ended. This notice does not form part of our agent client agreement with you.

Himley Rose Talent Management is a “data controller”. This means that we are responsible for deciding how we hold and use personal data about you. We are required under the General Data Protection Regulation 2016 (the “GDPR”) to notify you of the information contained in this Privacy Notice.

What kinds of personal data about you do we process?

We will collect, store, and use the following categories of personal data about you:

Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses

Date of birth, gender and/or age, your nationality and/or citizenship status

Next of kin and emergency contact information

National Insurance number

Bank account details and tax status information

Copies of driving licence and passport

Photographs

Your calendar

Agency client engagement information (including copies of right to work documentation, references, samples of work and submissions (in any form including tapes, images and documents), and information included in a CV or cover letter or as part of the client application process).

Career history including work/engagement/project/employment records, project details, job titles, work history, working hours, holidays, training records and professional memberships)

Filmography

Credits

Contracts

Payment and fee details including any interest in and connection with any intermediary through which your services are supplied and royalty payments

Merchandising, commercial tie-up rights, advertising, intellectual property rights and other information relating to exploitation of your rights

Details of contractual negotiations conducted on your behalf with third parties

Details of the projects/engagements you are or have been involved in

Health information including mental health

Casting information such as headshots, body measurements, and skin, hair and eye colour.

Information about criminal convictions or offences

Some of the personal data above may also fall within “special categories” of more sensitive personal data such as:

Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

Trade union membership.

Information about your health, including any medical condition, health and sickness records

Genetic information and biometric data.

Some of the personal data above may also fall within personal data relating to criminal convictions and offences.

What is the source of your personal data?

Most of the personal data we collect, store and use about you will be provided by you (or third parties authorised by you) as follows:

As part of and during the agency client engagement process prior to you engaging us as your agents (e.g. submissions, CVs and references); and

As part of the agency client relationship to enable us to fulfil our contractual obligations to you under our agency client agreement.

We may also use and store personal data about you from:

Information generated about you in fulfilling our contractual obligations under the agency client agreement; and

Information about you that is available from public sources (e.g. IMDB, Wikipedia, LinkedIn, Spotlight, YouTube).

How will we use your personal data and what are our legal grounds for processing your personal data?

We use your personal data primarily for the purpose of acting for you as your agent. The situations in which we may use your personal data are set out below along with the legal grounds we will rely upon to process your data. Some of the legal grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

The processing of your personal data is necessary for the performance of an agency client agreement or to enable us to take steps at your request prior to entering into an agency client agreement:

To make a decision about whether we take you on as a client

Determining the terms of our agency client agreement with you

Keeping you up to date and reporting to you

To represent you

To find and put you forward for new projects and engagements

To create an artist/performer profile on our casting database and website to enable us to assess your suitability for new roles and projects so that we can easily forward your profile onto third parties such as casting directors and producers and transfer your profile onto a third-party casting database and to find and put you forward for new roles and projects

Negotiating the terms of your engagement on new projects with third parties including (but not limited to):

The scope of your services

Fees, payments and royalties

Work benefits and expenses

Working hours, dates of the engagement, place of work and your work environment

Restrictive covenants

Disputes

Publicity

Managing your affairs and servicing contracts

To negotiate your intellectual property rights, licence fees and royalty payments

To collect and receive payments on your behalf, to undertake invoicing, to collect and pay VAT and to deduct our commissions

Making arrangements for the termination of any agency client relationship

The processing of your personal data is necessary for our legitimate interests of running an agency business:

Business management and planning

Dealing with legal disputes involving you and/or our employees

Equal opportunities monitoring

Updating client records

To monitor and keep records of our communications with you and our staff

For market research and analysis and developing statistics

For some direct marketing communications

To comply with our legal obligations

Accounting and auditing of our business

To comply with any obligations under employment law and/or under the Employment Agency Standards

Consent

For some direct marketing

Change of purpose

We will only use your personal data for those situations listed above, 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 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, where this is required or permitted by law.

How we use particularly sensitive personal data about you and what are our legal grounds for processing this type of personal data

Special categories of particularly sensitive personal data and personal data relating to criminal convictions and offences require higher levels of protection. We need to have a further legal ground for collecting, storing and using this type of personal data. We may process special categories of personal data in the following circumstances:

1. With your explicit consent

To collect, hold and disclose data concerning your health to third parties e.g. where disclosure of your health records or a medical examination is a condition of your engagement on a project.

To create an artist/performer profile on our casting database and website to enable us to assess your suitability for new roles and projects so that we can easily forward your profile onto third parties such as casting directors and producers; transfer your profile onto a third-party casting database and to find and put you forward for new roles and projects

2. Processing is necessary to protect your vital interests or those of another natural person

To collect, hold and disclose data concerning your health to third parties e.g. where disclosure of your health records is necessary for a medical emergency.

3. The personal data we wish to process has manifestly been made public by you

4. Processing is necessary for the establishment, exercise or defence of legal claims or whenever Courts are acting in their judicial capacity

5. Processing is necessary for reasons of substantial public interest

When do we share your personal data with other organisations or individuals?

We may have to share your personal data with third parties, including third-party service providers. We require such third parties to respect the security of your data and to treat it in accordance with data protection legislation.

A situation where we will often provide your personal data to third parties is where it is necessary for the performance of the agency client agreement with you such as where we put you forward for new

projects or where certain categories of your personal data are required by a third party in respect of a project you have been engaged on.

To enable us to assess your suitability for new roles and projects and so that we can easily forward your profile onto third parties such as casting directors and producers) we will create an artist/performer profile on our casting database and website. Our casting database is Spotlight. We may place your artist/performer profile on a third-party casting database such as Cast It if required by a casting director.

In order to market your work abroad we may, after discussion with you, engage a suitable co-agent. In this situation, we will seek your consent before providing any of your personal data to the co-agent.

We will not share or use your personal data in a way you would not expect under the agent client agreement.

We may also share your personal data with third parties where required by law or where we have another legitimate interest in doing so.

Transferring your personal data outside the EU

We are based in the UK, but sometimes we may need to transfer your personal data outside the EU. A common example is where we need to provide your personal data to a company or organisation outside the EU as a requisite to you providing your services to that company or organisation.

We will seek and secure your explicit consent for transferring your personal data outside the EU in circumstances where (a) the transfer is not necessary for the client agency agreement (b) the EU Commission has not made an adequacy decision in respect of the country in which the recipient of the personal data is based (c) the transfer of the personal data is not subject to appropriate safeguards as set out in Article 46 of the GDPR (d) there are no binding corporate rules in place (e) no other derogation is applicable.

What if you don't want to share your personal data with us?

If you fail to provide certain information when requested, we may not be able to perform the agency client agreement we have entered into with you or we may be prevented from complying with our legal obligations to you (such as paying you or putting you forward for new projects).

What should you do if your personal data changes?

You should tell us, so we can update our records. The contact details for this purpose are in this Privacy Notice, otherwise please inform your usual contact at Himley Rose Talent Management.

How do we keep your data secure?

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 data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

For how long do we retain your personal data?

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 the agency client agreement and 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.

Once you are no longer a client of the agency we will only retain your personal data where it is necessary in order to contact you regarding future payments and in order to make those payments. We will securely destroy all other personal data within seven working days of your representation coming to an end.

Your duty to inform us of any 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 client relationship with us.

Rights of Access, Correction, Erasure, and Restriction

Your rights in connection with your personal data

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. 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. You also have the right to object where we are processing your personal data for direct marketing purposes.

Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data, 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.

If you want to review, verify, correct or 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 the data controller at Himley Rose Talent Management in writing.

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 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 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.

Your 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 the data controller OR your usual contact at Himley Rose Talent Management. Once we have received notification that you have withdrawn your consent, we will no longer process your personal data for the purpose or purposes you originally agreed to, unless we have another legal ground for doing so in law.

Changes to this Privacy Notice

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

Himley Rose Talent Management

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