



Privacy Notice for Contributors

November 2018

1. Introduction

This Privacy Notice concerns the personal data of all Contributors to S4C Content and Development Material (as defined below).

By '**Contributors**' we mean:

- i) **On-screen contributors** such as (and without limitation) actors, musicians, presenters, audience members, contestants, interviewees etc;
- ii) **Off-screen contributors** such as (and without limitation) writers, composers, directors, producers, rights holders of third party material appearing in Development Material and S4C Content etc.

By '**Development Material**' we mean material provided to S4C through its [Production Cloud](#) which may become S4C Content.

By '**S4C Content**' we mean S4C programmes and content broadcast on television and/or made available by S4C online.

Within this Privacy Notice, we use some definitions which have a meaning prescribed to them by law. These are:

- '**Personal Data**' which means any information relating to an identified or identifiable natural person ('**Data Subject**');
- '**Data Controller**', who determines the purposes and means of processing Personal Data;
- '**Data Processor**', who is responsible for processing Personal Data on behalf of a Data Controller.
- '**GDPR**' means the General Data Protection Regulation
- '**Special Category Data**' is Personal Data which the GDPR says is more sensitive, and so needs more protection

This Privacy Notice explains how and why we collect your Personal Data and the purposes for which we use it, in addition to your rights as a Data Subject.

In this Privacy Notice "**we**" and "**us**" means S4C. When you provide your Personal Data in connection with Development Material and S4C Content (whether directly to S4C or to a production company who passes your details on to S4C) upon receipt of that Personal Data, S4C is a Data Controller and is responsible for ensuring that your Personal Data is kept safe and used legally.

It is important that you read this Privacy Notice and any other privacy notice we may give you when your Personal Data is collected so that you fully understand how and why we are using your Personal Data.

If you are the parent/guardian of a child contributor who is aged 13 years or under, please explain to them what will happen to their Personal Data.

If you are under 13 years of age S4C will need your parent (or person or organisation with parental responsibility) to agree to S4C collecting and using your data. We will need to

contact your parent (or person or organisation with parental responsibility) directly to ensure that they are happy for us to keep and use your personal data.

We may update this Privacy Notice from time to time and we will post any changes on our website at www.s4c.cymru.

2. Who are we?

S4C is a public service broadcaster and the only Welsh language broadcaster in the world. S4C's aim is to deliver high quality content and media services in the Welsh language that provide entertainment, learning and inspiration, and that reach the widest possible audience across a range of contemporary platforms.

S4C is a publisher–broadcaster seeking to reach the widest possible audience by offering optional English language subtitling and, for some content, an optional English language audio track. S4C's TV service is available on Freeview across Wales and on the Sky, Freesat, Virgin Media and YouView platforms across the UK. S4C's online service is available throughout the UK and, where rights permit, its content is available on a worldwide basis. S4C's content is also available on Clic and iPlayer on a range of devices.

You can find out more about S4C [here](#).

3. What Personal Data do we process about you?

The Personal Data processed by S4C may include some or all of the following:

- Name
- Address
- Agent/Representative
- Telephone Number
- National Insurance Number
- Date of Birth
- Email
- Bank Details
- Image or likeness
- Voice

The Special Category Data processed by S4C may include:

- Race or ethnicity
- Political opinions
- Religious beliefs
- Trade Union membership
- Physical and mental health
- Sex life and sexual orientation
- Genetic and biometric data
- Criminal offences (actual or alleged).

4. How do we collect your Personal Data?

Personal Data relating to contributors is mostly provided to S4C by the Production Company/Licensors contracted by S4C in respect of the Development Material and/or S4C Content. This information is most often provided to S4C in one or more of the following ways:

- i) in general communications with S4C when discussing the Development Material and/or S4C Content;
- ii) as part of the paperwork delivered to S4C and relating to the S4C Content and/or Development Material (e.g. consent form, contract); or
- iii) inputted by the Production Company into an S4C online system to create a cast list relating to the Development Material and/or S4C Content; or
- iv) provided to S4C by a Production Company in order that S4C can input the relevant details onto its online system; or
- v) delivered to S4C as part of the S4C Content (on-screen contribution).

Alternatively, Personal Data may be provided directly to S4C by you (or your parent/guardian). For example, you may provide Personal Data whilst you liaise with our accounts department, or when dealing with our Communications Team or our Promos Team in respect of promotional work.

5. What entitles S4C to process your Personal Data and Special Category Data (what is the lawful basis for processing)?

S4C will only use your Personal Data where it has a valid reason for doing so (known as the lawful basis for processing). S4C will only process your personal data in the following circumstances:

- **Necessary for the performance of a contract**

We will process your Personal Data where the processing is necessary for the performance of a contract with S4C to which you are a party. S4C considers it necessary to process your Personal Data in order that it can meet the contractual obligations between S4C and you. Such processing may be for purposes such as making payments to you, dealing with rights management issues and/or contacting you about your engagement.

- **Processing as part of the performance of a task in the public interest**

Under the Communications Act 2003, the S4C Authority's legal function is to provide television programme services of high quality with a view to them being available for reception wholly or mainly by members of the public in Wales. The S4C Authority may also do anything which appears to it to be incidental or conducive to the carrying out of its legal function.

We will publish (and/or in the case of Development Material, consider whether to publish) your journalistic, artistic and/or literary contribution to S4C Content as part of the performance of a task prescribed to S4C by law and as such, is in the public interest.

- **The processing is in S4C's legitimate interests**

S4C will process your Personal Data for purposes falling within its legitimate interests except where such legitimate interests are overridden by your interests and fundamental rights and freedoms.

We have outlined below (in section 6 of this document) the purposes for which we will process your Personal Data. We do not consider that S4C's legitimate interests as noted in Section 6 are overridden by your interests and fundamental rights and freedoms.

- **To comply with applicable laws**

S4C will process your Personal Data where such processing is necessary to comply with legal obligation placed on S4C e.g. broadcasting and equality laws; HMRC reporting.

Special Category Data

Special Category Data is more sensitive in nature and, as such requires more protection. As such, in addition to having a lawful basis for processing Special Category Data, S4C must also satisfy an additional condition laid down by law under Article 9 of the GDPR.

- **Substantial Public Interest**

We will normally only process Special Category Data where it is necessary for us to do so for reasons of substantial public interest, where it is proportionate to do so, and where suitable and specific measures are in place to protect your fundamental rights and interests. Please note that, where we rely on substantial public interest, we may where appropriate publish your contribution without your consent.

6. For what purposes will S4C process your data?

S4C will process your Personal Data for the following purposes:

- i. to make commissioning and editorial decisions in respect of Development Material and S4C Content;
- ii. to create the necessary contracts and other documentation in respect of S4C Content;
- iii. to assess, make decisions concerning and manage compliance issues associated with S4C Content;
- iv. to publish your contribution (e.g. by way of broadcast, webcast, or making available for reception by viewers on demand);
- v. to facilitate the repeat broadcast of S4C Content and the making of repeat payments/extract fee payments in relation to them;
- vi. to commercially exploit the S4C Content;
- vii. to facilitate the use of clips/extracts from S4C Content (whether by S4C or third parties) and the making of the relevant payments in respect thereof;
- viii. to prepare and submit reports to unions and/or collecting societies such as DPUK, MCPS, PRS, PPL and EMI;
- ix. to create and publish trailers promoting S4C Content or show reels promoting S4C as an organisation;
- x. to promote S4C Content and/or S4C as an organisation which may typically involve S4C contacting a cast member for interviews for press releases or cast members being invited to attend a screening or an S4C event;
- xi. to assist in dealing with complaints;

- xii. to comply with our regulatory requirements e.g. audit; accounting/tax; broadcasting;
- xiii. to cooperate with regulators such as OFCOM and the ICO;
- xiv. to obtain advice from S4C's professional advisors;
- xv. to create accessibility material to accompany S4C Content i.e. subtitling/audio-description/signing material;
- xvi. to monitor and protect our communications and IT systems;
- xvii. to comply with the terms of any competition in which you participated as part of your contribution to S4C Content;
- xviii. to comply with the law.

7. Who else will S4C share your data with?

S4C will not sell your data to anyone else.

We may use third party service providers to support our provision of the service. This may include for the provision of services related to business functions, including IT support, data hosting services on cloud platforms, legal, accounting, audit, consulting and other professional service providers, and providers of other services related to our business.

We will have in place an agreement with our service providers which will restrict how they are able to process your personal data. If any service provider is based outside of the European Economic Area, we will ensure that the provider is either a current subscriber to the EU/US Privacy Shield, or we have an appropriate contract for the international transfer of personal data with them.

Apart from the above, we will only share your data with third parties where we are required to do so by law, when we need to protect you or other people from harm, or where necessary to prevent fraud or other crimes.

8. What are my data subject rights and how can I use them?

Under data protection law, depending on the legal basis which S4C is relying on to use your data, you have several different rights. A summary of those rights and our obligations are set out below. More data about your rights and our obligations can be found on the ICO website <https://ico.org.uk/>.

You may:

- 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. You may be required to send us proof of identity.
- request the correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- withdraw consent where we are processing your personal data solely on the basis that you have told us that you want us to do so. You can withdraw consent by emailing data@s4c.cymru. Please note the content of section 5 of this notice in relation to our right to process your data without your consent.

- request the erasure of your personal data. We will comply with this request if:
 - the personal data is no longer necessary for the purpose for which we originally collected or processed it;
 - we are relying on consent as the sole basis for holding the data, and you withdraw your consent;
 - there is no overriding legitimate interest to continue this processing;
 - we are processing the personal data for direct marketing purposes and you object to that processing;
 - your personal data has been processed unlawfully; or
 - we must do so to comply with a legal obligation.

- object to the 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 situation which makes you want to object to processing on this ground. We will comply with this request unless we have a lawful reason to keep processing the data. 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 personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- request the data portability of your personal data. In certain circumstances, you may have the right to require that we provide you with an electronic copy of your personal data either for your own use or so that you can share it with another organisation. Where this right applies, you can ask us, where feasible, to transmit your personal data directly to the other party.
- complain about how we use your personal data. If you wish to do so, please contact us on data@s4c.cymru or as otherwise set out in our complaints procedure. You also have the right to lodge a complaint with the Data Commissioner's Office (ICO), which is the UK supervisory authority for data protection matters. Please visit the ICO website for instructions.

9. How long will S4C keep data about me?

S4C will only keep your data for as long as is:

* necessary for the purposes it was collected; and/or

* required by law

Your data will then be securely deleted.

10. Freedom of information and your data

S4C is subject to the Freedom of Information Act 2000 (FOI). This means that any data we hold, which could include any data you have provided to us, may potentially be disclosable if an FOI request is made unless S4C has a lawful reason for not disclosing such data.

11. Contact

S4C has a Data Protection Officer. Please send all comments, queries or requests in relation to this Privacy Notice and/or the way in which we manage your personal data to data@s4c.cymru.

Alternatively, you could send a letter to the S4C Data Protection Officer, S4C, Canolfan S4C yr Egin, College Road, Carmarthen SA31 3EQ.

S4C 2018