Carey Dodd Associates
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.

We are Carey Dodd Associates of 78 York Street, London, W1H 1DP – Registered address: Spaces – Mocatta House, Trafalgar Place, Brighton, BN1 4DU. Carey Dodd Associates 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.

[We have a dedicated data protection officer ("DPO"), Chris Carey. You can contact the DPO by writing to the above address, marked for the attention of the DPO. [Alternatively, you can go to the Contact Us section of our website.]

1. 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)]
- [Publications]
- [Filmography]
- [Credits]
- [Manuscripts]
- [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]
- [Disputes, disciplinary and grievance information relating to projects/employment/work you are or have been involved in with third parties]
- [Health information including mental health]
- [Details of your assets and beneficiaries, such as information contained in your will or where you have transferred your beneficial interest in your work or other rights to other individuals and/or companies.]
- [Your marital status, family, lifestyle or social circumstances and other affairs, if relevant to the agency client relationship (for example where we liaise with third parties on your behalf in respect of your reputation or reliability).]
- [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.]

2. 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).

3. 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.

a) 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 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] [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]

b) 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]

c) 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]

d) 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.

4. 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:

a) 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 hold and disclose any criminal records information relating to you (including alleged offences) e.g. where disclosure of such information to a third party is a condition of your engagement on a project.]

- [To create an artist/performer profile on our casting database 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] [and] [transfer your profile onto a third-party casting database] and to find and put you forward for new roles and projects]

b) 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.]

c) The personal data we wish to process has manifestly been made public by you

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

e) Processing is necessary for reasons of substantial public interest

5. 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 [and other entities in the group]. 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. [Our casting database is hosted/provided by [TBC name of host or provider]]. [We may place your artist/performer profile on a third-party casting database [such as TBC].]

[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.

6. 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.

7. 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).

8. 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 Carey Dodd Associates.

9. 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.

10. 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 retain your personal data in accordance with applicable laws and regulations.

11. 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.

12. 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 either Chris Carey or Samantha Dodd 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.

13. 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 either Chris Carey or Samantha Dodd. 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.

14. Data Protection Officer

[We have appointed a DPO to oversee compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal data, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.]

15. 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.

If you have any questions about this Privacy Notice, please contact Chris Carey, Company Director, at chris@careydoddassociates.com