

# HEATHER BASTEN CASTING

CASTING DIRECTOR | CDG | CSA

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# PRIVACY POLICY

# 2021

Heather Basten Casting

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## HEATHER BASTEN CASTING

Heather Basten Casting, **Mainyard Studios**, 90 Wallis Rd, Hackney Wick, London E9 5LN  
[www.heatherbastencasting.com](http://www.heatherbastencasting.com)



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## Privacy Notice

This page informs you of our policies regarding the collection, use and disclosure of Personal Information we receive from you personally, agents, actors, producers and other industry members alike, for the purposes of casting.

## Introduction

In order to conduct its business and casting activities, it is necessary for Heather Basten Casting to act as a data processor with respect to gathering and using the personal data of individuals. These can include clients, suppliers, employees, models, actors, non-actors and other people the company has a relationship with or may need to contact. This policy sets out how we collect, use and protect any information you give us when you use this website and/or our services.

We are committed to safeguarding your privacy. Should we ask you to provide certain information, you can be assured that it will only be used in accordance with this policy. We may be required to update this policy from time to time in order to remain legal and compliant. You should check this page periodically to ensure that you are happy with any changes.

### 1. Cookies

Our casting website uses cookies – small text files that are placed on your machine to help the site provide a better user experience. In general, cookies are used to retain user preferences, store information for things like shopping baskets. As a rule, cookies will make your browsing experience better. We only use cookies that are necessary to the functioning of the site. However, you may prefer to disable cookies on this site and on others. The most effective way to do this is to disable cookies in your browser. We suggest consulting the Help section of your browser or taking a look at the About Cookies website which offers guidance for all modern browsers.

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## Embedded Content from Other Websites

Articles on this site may include embedded content (e.g. video, stills, and extracts, etc.). Embedded content from other websites behaves in the exact same way as if the visitor has visited the other website.

These websites may collect data about you, use cookies, embed additional third-party tracking, and monitor your interaction with that embedded content, including tracing your interaction with the embedded content if you have an account and are logged in to that website.

## 2. What kinds of personal data about you do we process?

If you or your agent sends us personal data about you in general - or in response to a casting call, we will store and use it in the course of our casting activities. Such personal data might include the following categories:

- 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
- Samples of your work (in any form including tapes, images and documents), and information included in a CV
- Career history including work/engagement/project/employment records, project details, job titles, work history, working hours, holidays, training records and professional memberships)
- Publications

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

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

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### 3. 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 the casting process or deal negotiations.

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

- Information provided by you or your agent;
- Information about you that is available from public sources (e.g. IMDB, Wikipedia, LinkedIn, Spotlight).

### 4. 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 including you in the casting process of various projects. 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.

1. a) The processing of your personal data is necessary for our legitimate interests in running a casting business:
  - To make a decision about whether to invite you in to audition or provide a self-tape
  - To keep you or your agent up-to-date on casting developments
  - To suggest you to directors and producers
  - To negotiate the terms of your engagement on new projects with third parties including (but not limited to):
    - the scope of your services

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- 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
- To monitor and keep records of our communications with you and our staff
- For market research and analysis and developing statistics
- To comply with our legal obligations
- Accounting and auditing of our business
- To comply with any obligations under employment or any other law

## 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.

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## 5. 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.

### 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

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- 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, directors, and producers. 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 our business.

To enable us to assess your suitability for roles and projects, and so that we can easily forward your profile onto third parties, such as directors and producers, we may create an Artist Profile on our internal computer systems.

We will not share or use your personal data in a way you would not expect under usual terms of business.

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

## 7. 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 conducting of our usual business; (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; or (e) no other derogation is applicable.

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

If you fail to provide certain information when requested, or do not wish to share personal data, we may not be able to recommend you for appropriate roles.

## 9. What should you do if your personal data changes?

You can tell us, so that we can update our records, by emailing [casting@heatherbasten.com](mailto:casting@heatherbasten.com)

## 10. 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.

## 11. 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 satisfying any legal, accounting, or reporting requirements.

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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.

## 12. 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.

## 13. 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.

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- 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 us by email: [casting@heatherbasten.com](mailto:casting@heatherbasten.com) with '**GDPR Subject Access Request**' in the subject line.

## 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 or your agent 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.

## 14. 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

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contact us. 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 ground for doing so in law.

## 15. Data Protection Officer

Heather Basten is the DPO responsible for overseeing compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal data, please contact her. 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.

## 16. 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.

## RESPONSIBLE PERSON FOR GDPR:

Heather Basten CDG

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