

Howling Bear Creative

Privacy notice for clients (GDPR compliant)

Terminology index:

“The Company” referred to in this document is: Howling Bear Creative.

“Your data” referred to in this document is: the data we hold on your company, its employees and your clients/service users.

The Company is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as a Contractor to the Company. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

Data controller details

The Company is a data processor, meaning we only process the data you provide us.

Data protection principles

In relation to your data, we will:

- process it fairly, lawfully and in a clear, transparent way
- process your data only for reasons that we find proper for the course of your engagement in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

Types of data we process

We hold many types of data about you, including *[delete and add points from the list as appropriate]*:

- your personal details including your name, address, date of birth, email address, phone numbers
- personal details of your employees and clients as required to fulfil the relevant project we are contacted to provide. These details include:
- photographs/still images
- moving images/video recordings
- gender
- dependants, next of kin and their contact numbers

How we collect your data

We collect data about your employees/clients in a variety of ways and this will usually start when we undertake to enter into a contract with you where we will

collect the data from you directly, for example, names, address and other personal details. Further information will be collected directly from your clients once your engagement begins, for example, when filming an interview with an employee/client.

Personal data is kept secure in client files.

Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests
- where something is done in the public interest and
- where we have obtained your consent.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your data in order to:

- carry out the contract that we have entered into with you and
- ensure you receive payment.

We also collect data so that we can carry out activities which are in the legitimate interests of the Company. We have set these out below:

- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access and

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract with us. If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g: ensuring interviewee names and job titles are correct within a video. We may also be prevented from confirming, or continuing with, your engagement with us.

Sharing your data

Your data will be shared with employees within the Company where it is necessary for them to undertake their duties. This includes, for example, creating a credit list at the end of a film.

We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. *Please see our data protection policy for details on this.*

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your and employees and clients data for as long as we need it, which will be at least for the duration of your engagement with us though in some cases we will keep your data for a period after your engagement has ended. Retention periods can vary depending on why we need your data. For example you wish us to create a re-edit of your film 12 months after the initial project has finished.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you, your employees and clients. To do so, you should make a subject access request. You can read more about this in our Subject Access Request policy which is available from *[insert details]*
- the right for any inaccuracies to be corrected. If any data that we hold is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact *Martin Simpson-Hughes*.

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

Data Protection Officer

The Company's Data Protection Officer is *Martin Simpson-Hughes*, he can be contacted on *info@howlingbear.co.uk*

