

*Your personal data (including special category data) will be uploaded and stored on a digital system called Conote (which is owned and operated by Bastow Tech Ltd); this may be done by either:*

- (i) you personally (at the production team's request); or*
- (ii) by the production team on your behalf.*

*Accordingly, this Privacy & Cookie Policy will apply to your personal data (including special category data) in addition to The Garden Productions' Privacy Notice.*

## **Privacy & Cookie Policy**

In respect of

Bastow Tech Ltd

### **Privacy Policy**

Bastow Tech Ltd is committed to protecting and respecting your privacy.

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). This policy sets out the basis on which any personal data we collect from the companies we engage with and the contributors through the Conote product, will be processed, stored and disclosed by us.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting [www.conote.tv](http://www.conote.tv) (the Site) or using the Conote mobile url at [www.app.conote.tv](http://www.app.conote.tv) (the Mobile Site) and via our mobile application (the App) or using any services offered through or associated with our Site or Mobile Site (the Services), you are requested to accept, as well as deemed to have accepted and consented to the practices described in this policy.

The Site, App, the Mobile Site and the Services are owned by Bastow Tech Ltd ("Bastow Tech" "We") with company number 11967834 of Woodcott Broad Road, Kentisbeare, Cullompton, England, EX15 2DU (our Company Address).

Bastow Tech processes personal data as a Data Processor, as defined in the Directive and the General Data Protection Regulation (GDPR). Bastow Tech has a Data Protection Manager who is responsible for matters relating to privacy and data protection. This Data Protection Manager is Eleanor Casely and they can be reached at [eleanor@conote.tv](mailto:eleanor@conote.tv).

The Company is in the business of developing a desktop, application and mobile site for the purpose of gathering and recording all production related information, including but not limited to, scenes,

contributor's consent and any related notes. This product is to be used by companies in the production industry ("Customers") and their employees/members of the crew ("End Users") who gather personal information on individuals involved in the production services ("Contributors").

Please take note that Bestow Tech collects limited personal data from the Customers, the End Users and the Contributors (as described below.) Unless otherwise specified, 'your' refers to the Customers, the End Users and the Contributors. Please note that the Customers have their own privacy policies and that we do not accept any responsibility or liability for these policies. As an End User or Contributor, please check these policies before you submit any personal data to these Customers.

## 1. Data We Collect

We collect and process personal information so we can provide our Services to you. It's important that the personal data we hold about you is accurate and current. Please keep us informed if the personal data changes during your relationship with us.

The data we collect and process about you is explained in the sections below.

### 1.1. Data We Collect

- 1.1.1. You give us information about you by filling in forms on our Site, App or Mobile Site. This includes information you provide when you register to use the Site, App or Mobile Site, subscribe to our Services or use one of the sites as an End User or Contributor.
- 1.1.2. As a Customer, the information you give us includes full names, email address, login details and business information, which includes but is not limited to, company name, the consent forms to be uploaded and the company logo.
- 1.1.3. As an End User, the information you give us includes full name, email address, the name of the production company he/she works for and their role at the company.
- 1.1.4. As a Contributor, you will sign a release form or complete (with or without assistance from the End User) other paperwork/forms that may contain information including full name, email, phone number, address, summary of their contribution, what type of consent they agree to (full consent, background, voice only or no face), whether they're happy to be contacted by Diamond (tick box), ethnicity, gender, role, hair colour, health, criminal convictions information & any notes that the End User makes. We may also store other notes made in relation to you and your role as a Contributor which may or may not contain your personal data.

1.1.5 This data will be processed in accordance with clause 7.1 below and in accordance with the applicable data protection legislation.

## 1.2. Data We Automatically Collect

1.2.1. Each time you visit or use our Site, App or Mobile Site, we automatically collect the following information:

1.2.1.1. technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, location, network data, browser plug-in types and versions, languages, operating system and platform;

1.2.1.2. information about your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from the Site (including date and time); pages you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouseovers), and methods used to browse away from the page and any phone number used to call our customer service number.

1.2.2. We use this information as statistical data about your browsing actions and patterns, for system administration, and to evaluate, provide, protect or improve our Services (including by developing new products and services). Because we collect, use and share this information in the aggregate, it does not identify any individual.

## 2. How We Use the Data

2.1. We use the data to carry out our Site, App, Mobile Site and Services in the following ways:

2.1.1. To administer and manage your account, to provide you with information you request from us, and to carry out any other obligations arising from any contracts entered into between you and us.

2.1.2. To ensure that content from our Site, App and Mobile Site is presented in the most effective manner for you and for your device.

2.1.3. To allow you to participate in interactive features of our Service when you choose to do so.

2.1.4. To respond to communications from you and to provide you with information about our Services, including notifying you about changes to our Site, App,

2.2. We also use your data to make our Site, App, Mobile Site and Services better in the following ways:

2.2.1. To administer the Site, App and Mobile Site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes.

2.2.2. As part of our efforts to keep the Site, App and Mobile Site safe and secure.

2.3. We will not send you any unsolicited marketing or spam and will take all reasonable steps to ensure that we fully protect your rights and comply with our obligations under applicable data protection laws. If you are an existing Customer, we will only contact you by electronic means (e-mail or SMS) with information about services similar to those which were the subject of a previous enquiry by you. If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have expressly consented to this.

### 3. How We Secure Your Data

3.1. All of your personal information is protected, and we have put in place appropriate physical, electronic, and management procedures to safeguard and secure the data we collect. Your information is stored on secure cloud databases, dedicated and private servers, and on third party softwares. Your information is only accessible by employees who have authorised access rights to such information. All of your information is encrypted using SSL technology.

3.2. Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our Site or Mobile Site; any transmission is at your own risk. Once we have received your information, we use strict procedures and the security features described above to try to prevent unauthorised access.

4. How Long We Store the Data. We only keep the personal information for as long as it's necessary for our original legitimate purpose for collecting the information. A specific date is agreed upon with the Customers for the deletion of the data before logins are created for the End Users, which may be extended at the reasonable request of the End User. Alternatively, Customers, End Users and Contributors may request their data be deleted by emailing [hello@conote.tv](mailto:hello@conote.tv).

### 5. Disclosure to Third Parties

5.1. Parties with whom we share your information

- 5.1.1. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We use third parties such as Google Analytics (for collecting behavioural information on our website) and SteamTimeldler (for the development of the site).
- 5.1.2. We also may share your personal data, associated documents and information with the Customers and End Users who have engaged you as a Contributor. These third parties have access to data we share with their platforms. For more information on how these companies handle your personal data, please refer to their privacy policies.
- 5.1.3. The only other circumstances under which we would share your personal data are:
  - 5.1.3.1. If the third party is a member of our group (which means any subsidiaries or ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006).
  - 5.1.3.2. In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
  - 5.1.3.3. If the Company or substantially all of its assets are acquired by a third party, in which case personal data will be one (1) of the transferred assets and the purchaser will be permitted to use the data for the purposes for which it was originally collected by us.
  - 5.1.3.4. If we're under a duty to disclose or share your personal data in order to comply with any legal obligation, enforce or apply our Terms & Conditions and other agreements, or to protect the rights, property, or safety of the Company, our customers, or others (including exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction).

## 6. International Transfers

- 6.1. The data that we collect may be transferred to, and stored and processed at, a destination outside the European Economic Area (EEA). By submitting your personal data, you understand this transfer and storing and processing. We will take all steps reasonably necessary to ensure that your data is treated as securely as it would be within the EEA and under the GDPR. Such steps may include our entering into contracts with any third parties we engage and the use of Commission-approved Model Contractual Clauses. 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.

- 6.2. You can obtain more details of the protection given to your personal data when it is transferred outside Europe by contacting us as described in the Contact paragraph below.

## 7. Your Rights

### 7.1. Lawful Bases

7.1.1. We will ensure that your personal data is processed lawfully, fairly, and transparently and that it will only be processed if at least one (1) of the following bases applies:

7.1.1.1. You have given your clear consent to the processing of your personal data for a specific purpose.

7.1.1.2. Processing is necessary for the performance of a contract to which you are a party (or for us to take steps at your request prior to entering into a contract with you).

7.1.1.3. Processing is necessary for our compliance with the law.

7.1.1.4. Processing is necessary to protect someone's life.

7.1.1.5. Processing is necessary for us to perform a task in the public interest or in the exercise of official authority and the task/function has a clear basis in law.

7.1.1.6. Processing is necessary for our legitimate interests or the legitimate interests of a third party, except where there is a good reason to protect your personal data which overrides those legitimate interests, such as allowing us to effectively and efficiently manage and administer the operation of our business, maintaining compliance with internal policies and procedures, monitoring the use of our copyrighted materials, offering optimal, up-to-date security and obtaining further knowledge of current threats to network security in order to update our security.

### 7.2. Data Subject Rights

7.2.1. Under the GDPR, you have the right to:

- 7.2.1.1. withdraw your consent to the processing of your personal data at any time. Please note, however, that we may still be entitled to process your personal data if we have another legitimate reason for doing so (such as to comply with a legal obligation).
- 7.2.1.2. Be informed of what data we hold and the purpose for processing the data, as a whole or in parts.
- 7.2.1.3. Be forgotten and, in some circumstances, have your data erased by ourselves and our affiliates (although this is not an absolute right and there may be circumstances where you ask us to erase your personal data, but we are legally entitled to retain it).
- 7.2.1.4. Correct or supplement any information we hold about you that is incorrect or incomplete.
- 7.2.1.5. Restrict processing of the information we hold about you (for example, so that inaccuracies may be corrected—but again, there may be circumstances where you ask us to restrict processing of your personal data, but we are legally entitled to refuse that request).
- 7.2.1.6. Object to the processing of your data.
- 7.2.1.7. Obtain your data in a portable manner and reuse the information we hold about you.
- 7.2.1.8. Challenge any data we use for the purposes of automated decision-making and profiling (in certain circumstances—as above, there may be circumstances where you ask us to restrict our processing of your personal data, but we are legally entitled to refuse that request).
- 7.2.1.9. Complain to a supervisory authority (e.g. the Information Commissioner’s Office (ICO) in the UK) if you think any of your rights have been infringed by us. (We would, however, appreciate the chance to address your concerns, so please contact us prior to taking this step).
- 7.2.2. You will not have to pay a fee to access your personal data (or to exercise any of the other rights) unless your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.
- 7.2.3. You have the right to ask us not to process your personal data for marketing purposes. We will get your express opt-in consent before we use your data for such purposes or share your personal data with any third parties for such purposes, but

you can exercise your right to prevent such processing by contacting us at the Company Address, via email at [hello@conote.tv](mailto:hello@conote.tv), or by unsubscribing using the links contained in the marketing emails.

7.2.4. You may request to revoke your consent for us to use your personal data as described in this Privacy Policy at any time by emailing us at [hello@conote.tv](mailto:hello@conote.tv). To enforce any of the above rights, please contact us at our Company Address or via email at [hello@conote.tv](mailto:hello@conote.tv).

7.2.5. We will notify you and any applicable regulator of a breach of your personal data when we are legally required to do so.

## Cookie Policy

1. A cookie is a small file of letters and numbers that we store on your browser. Cookies contain information that is transferred to your computer's hard drive (or the hard drive of another relevant device). We use cookies to distinguish you from other users on the Site or Mobile Site, to tailor your experience to your preferences, and to help us improve the Site and the Mobile Site.
2. Some of the cookies we use are essential for the Site to operate. If you use your browser settings to block all cookies (including essential cookies), you may not be able to access all or parts of our Site.
3. Before any non-essential cookies are placed on your device, you will be shown a pop-up message requesting your consent to setting those cookies. By default, most internet browsers accept cookies, but you can choose to enable or disable some or all cookies via the settings on your internet browser. Most internet browsers also enable you to choose whether you wish to disable all cookies or only third-party cookies. For further details, please consult the help menu in your internet browser.
4. We use the following cookies:
  - 4.1. Strictly necessary cookies. These cookies are required to save your session and to carry out other activities that are strictly necessary for the operation of the Site. They include, by way of general example, cookies that enable you to log into secure areas of the Site, use a shopping cart, or make use of e-billing services. These cookies are session cookies, which means they're temporary and will expire when you close your browser.

### PHPSESSID quickscore:

This is a session cookie stored in the computer's memory only during a user's browsing session and are automatically deleted from the user's computer when the browser is closed. This cookie stores a session ID that is not personally identifiable to users, allowing the user to move from page to page without having to log-in repeatedly. This cookie may also be used to store information such as the contents of a shopping cart or to provide feedback messages to users during your browsing session.

4.2. Analytical/performance cookies. These cookies allow us to recognise and count the number of visitors and to see how visitors move around the Site when they're using it.

These cookies help us improve the way the Site works by, for example, ensuring that users are finding what they're looking for easily.

Cookie:

Used to remember that you have accepted our cookie policy

4.3. Functionality cookies. These cookies are used to recognise you when you return to the Site. They enable us to personalise our content for you, greet you by name and remember your preferences.

Remember:

Allows Conote to remember your login using secure tokens

4.4. Targeting cookies. These cookies record your visit to the Site, the pages you visit, and the links you follow. We use this information to make the Site and the advertising displayed on it more relevant to your interests. We also share this information with third parties for the same purpose.

4.5. Social Media cookies. These cookies work together with social media plug-ins. For example, when we embed photos, video and other content from social media websites, the embedded pages contain cookies from these websites. Similarly, if you choose to share our content on social media, a cookie may be set by the service you have chosen to share content through.

4.6. Third Party cookies. We may use third party cookies on the Site from Youtube, Vimeo and Flickr for photos and video content. Please note that we do not control cookies placed by third parties and our Site does not block them. Please check the relevant third-party website for more information about these cookies.

You can find more information about the individual cookies we use and the purposes for which we use them in the table below:

#### First-Party Cookies

Cookie name	Duration	Purpose
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ForceFlashSite	Session	When viewing a mobile site (old mobile under m.domain.com) it will force the server to display the non-mobile version and avoid redirecting to the mobile site
hs	Session	Security
smSession	Persistent (Two days or two weeks)	Identifies logged in site members
XSRF-TOKEN	Session	Security
svSession	Persistent (Two years)	Identifies unique visitors and tracks a visitor's sessions on a site
SSR-caching	Session	Indicates how a site was rendered.
smSession	Persistent (Two weeks)	Identifies logged in site members

### Third-Party Cookies

Cookie name	Duration	Purpose
TS*	Session	Security
TS01*****	Session	Security
TSxxxxxxx (where x is replaced with a random series of numbers and letters)	Session	Security
TSxxxxxxx_d (where x is replaced with a random series of numbers and letters)	Session	Security

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Changes to Our Privacy & Cookie Policies We may update or amend our Privacy & Cookie Policies in the future.

Contact Questions, comments and requests regarding this Privacy & Cookie Policy are welcomed and should be addressed to our Company Address or to our email at [hello@conote.tv](mailto:hello@conote.tv).