

# PRIVACY POLICY

## What is the purpose of this privacy policy and to whom does it apply?

Jellyfish Pictures (“**Jellyfish**”, “**we**” or “**us**”) is committed to protecting the privacy and security of your personal data. References to your “**personal data**” include any or all of your personal data, as the context requires, including “**special categories of personal data**”, which involves more sensitive information about you (for a full definition, see Article 9 of the UK General Data Protection Regulation (“**UK GDPR**”).

This privacy policy describes how we are or will be processing personal data about you when you visit our website <https://jellyfishpictures.com> (“**website**”) and/or during the application process in which you apply for a role with us. We may update this notice at any time and without notifying you before we do so. By “processing”, we mean such actions as collecting, using, storing, disclosing, erasing or destroying your personal data (for a full definition, see Article 4 of the UK GDPR).

This privacy policy makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will be retained for. It provides you with certain information that must be provided under the UK GDPR.

## Identity and contact details of the data controller and the data protection manager.

Jellyfish 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 UK GDPR to notify you of the information contained in this privacy policy.

The contact details of Jellyfish are:

The Data Protection Manager (“**DPM**”)  
c/o Head of People  
Jellyfish Pictures  
86-88 Valentia Place  
London  
SW9 8EP

Our main office number is 020 7580 8154.

The DPM is responsible for overseeing compliance with this privacy notice and for handling any data protection queries or issues involving Jellyfish. You should contact

the DPM in the first instance about any issue involving data protection, whether it involves your data or anyone else's.

### Third-party links

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### What type of personal data do we process about you?

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**").

We may collect, use, store, transfer and process the following categories of personal data about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses and skype address.
  - Your date of birth, gender, marital status and nationality.
  - Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
  - Education, training and qualifications.
  - Employment history.
  - Information about suitable adjustments required during the recruitment and selection process.
  - Any information you provide us during interview.
  - Any information provided to us as a result of any tests (including psychometric tests) you have completed as part of the selection process.
  - Reason for leaving and confidential references provided by third parties.
  - Technical data such as internet protocol (**IP**) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the device you use to access this website.
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- Marketing and communications data including your preferences in receiving marketing from us and your communication preferences.

We may also process the following “special categories” of more sensitive personal data:

- Information about your gender
- Information about your health, including any medical condition, health and sickness absence records.
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

We may also collect, use and share Aggregated Data such as statistical or demographical data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your data to calculate the percentage of users accessing a specific website feature.

### **How do we collect your personal data?**

We use different methods to collect data from you and about you including through:

- Direct interactions. You may give us your identity and contact data by filling in forms or corresponding with. This includes personal data you provide when you apply for a role with us, request for marketing to be sent to you, give us feedback or contact us using one of the “contact us” links on our website.
- Automated technologies or interactions. As you interact with our website, we will automatically collect technical data about your equipment, browsing actions and patterns.

Where you apply for a role with us, we collect personal data about you through the application and recruitment process, either directly from you or sometimes from an employment agency. We may sometimes collect additional information from third parties including former employers (in the form of references).

### **What are the legal bases and the purposes for which we process your personal data?**

We will only use your personal data as permitted by law. We may use your personal data in any of the following circumstances (see section below for details of the situations in which we may process your data):

1. Where we have your consent to do so.

2. Where we need to perform the contract we have entered into with you.
3. Where we need to comply with a legal obligation.
4. Where the processing is necessary to protect anybody's vital interests (used rarely).
5. Where the processing is necessary to perform a task in the public interest
6. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. We are required to specify what the legitimate interests are (see below for further details).

#### *Necessary to comply with a legal obligation*

The following purposes come under this category:

- Checking that you are legally entitled to work in the UK. – your nationality and immigration status and information from related documents, such as your passport and other identification and immigration documentation.
- Compliance with the Equality Act 2010.

#### *Necessary to perform public interest task*

- The completion of equality and diversity monitoring forms in order to redress diversity imbalance in the workplace.

#### *Necessary for our legitimate interests or those of a third party*

- Personal data provided by you as part of your application form or CV, including your name, title, addresses, telephone numbers and personal email addresses and skype address – the legitimate interest is to make and maintain contact with you throughout the recruitment process.
- Personal data provided by you on your CV and application form and obtained during interview, and/or selection testing – the legitimate interests are: to ascertain your suitability through the selection procedure and, ultimately, for employment/engagement.
- Personal data obtained through external referees or background screening providers (which may include address history, employment history, education background, credit history and employment history – the legitimate interests are: for verifying the information provided by you on your CV, to verify the relevant qualifications/requirements for the role, to verify your employee declaration and as necessary for compliance and as required by regulatory bodies, and to ensure that there are no issues that could place unnecessary risks on us or third parties.
- Personal data about your identify and technical data obtained through your use of the website, may be used to administer and protect our business and this

website, including troubleshooting, data analysis, testing, system, maintenance, support, reporting and hosting of data. This is necessary for our legitimate interests, for running our business, network security and to prevent fraud.

Where you apply for a role with us, once we have received your application form / CV / covering letter, and the results from any test that we require you to take, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we may then take up references before confirming your appointment,

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

We will obtain your express opt in consent before we share your personal data with any third party for marketing purposes.

If you apply for a role with us and would like to hear about other roles or opportunities we may have, then we require your consent to be able to share this information with you.

If you apply for a role with us and we believe that you may be suitable for another vacancy, we will retain your details on file for a period of up to 12 months. Unless you inform us otherwise, we will use those details to contact you about other suitable vacancies, within that period.

You can ask us to stop sending you marketing mailers at any time by following opt-out links on any marketing communications sent to you, or by contacting us at any time.

## Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

For more information about the cookies we use, please see our cookie policy, available on our website.

### **If you fail to provide personal data**

If you fail to provide certain information when requested, and we are unable to obtain it from a third party or publicly available source, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers). Depending on the nature and importance of the information requested, we may either have to cease employing or engaging you or withdraw an offer of employment or engagement.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, 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, before we start using it for that unrelated purpose.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is permitted by law.

### **How we use special categories of personal data**

"Special categories" of personal data require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data. We may process special categories of personal data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations including obligations under employment and social security law and in line with our policies.
3. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Sometimes, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's

interests) and you are not capable of giving your consent, or where you have already made the information public.

### **Purposes for processing special categories of personal data**

We will use your special categories of personal data in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness and other absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal data to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data or to use data for purposes not related to those for which we have collected it. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. We will at the same time inform you of the consequences of not consenting and you are also reminded of your right to withdraw your consent at any time, in any cases where your consent has been sought.

### **What safeguards are in place in relation to the transfer of your personal data outside of the UK?**

With the exception of the use of our third-party provider, Workable, which is an applicant tracking system through which all applicants provide their personal data to

us, neither we nor our third-party suppliers envisage transferring your personal data outside the UK. Workable may transfer your personal data outside the UK but we have

put in place adequate measures to ensure your personal data is kept secure and in accordance with the law.

Please contact our DPM if you want further information on the specific mechanism used by Workable when transferring your personal data outside of the UK.

### **How long will 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 satisfying any legal, accounting, or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.

Where you apply for a role with us, we will retain your details for up to 6 months if you are either unsuccessful in your application or you choose not to join us. We retain your information for this period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will seek your explicit consent to retain your personal information for a fixed period on that basis.

If you are successful and choose to join us, certain information from the application stage will be transferred to your personnel file.

To determine the appropriate retention periods 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, regulatory, tax, accounting or other requirements.

### **What are your rights and obligations as a data subject?**

### *Your duty to inform us of 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 working relationship with us.

### *Your rights in connection with 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. See the Data Subject Access Request Procedure for more details.
- 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.
- 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 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 the DPM.

### *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 data is not disclosed to any person who has no right to receive it.

#### *Time limit to respond*

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **What are your rights to withdraw consent to processing?**

You may withdraw your consent to allow us to continue processing your personal data, but only where consent was sought as a lawful means of processing your personal data.

In the limited circumstances where you may have provided your consent to the processing 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 the DPM. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **What are your rights to lodge a complaint about the way in which your personal data are being processed?**

Firstly we would urge you to contact the DPM in writing so that we can try to resolve your complaint to your satisfaction. If you are not satisfied with the DPM's response, you may contact the Information Commissioner's Office ("ICO") on 0303 123 1113 or [www.ico.org.uk](http://www.ico.org.uk).

You are free to contact the ICO at any time. However, the DPM may be able to answer your concerns or questions more quickly.

### **Personal data received from someone other than you**

If we obtain personal data from someone other than you (such as a referee), we will provide you with information as to the source of such personal data and, if applicable, whether it came from publicly available sources.

### **What data security measures are in place to protect your personal data?**

We have put in place measures to protect the security of your information. Details of these measures are available upon request but in brief, Jellyfish uses secure encrypted systems. Your personal data is held on cloud based secure sites where you

are able to manage, view and amend your personal contact information. There are locked cupboards with employee/contractor/candidate personal data held securely within the HR department. Electronic data of this nature is held securely on our systems to which access is restricted via login/password to those with a legitimate need to access that information.

Third parties will only process your personal data on our instructions and where they have agreed to treat the information confidentially and to keep it 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.

### **Changes to this privacy policy**

We reserve the right to update this privacy policy at any time and any updates will be posted on our website at <https://jellyfishpictures.com/reports-and-policies>. We may also notify you in other ways from time to time about the processing of your personal data.

If you are successful in your application to work for Jellyfish, you will be issued with a slightly different Privacy Policy, for employees, workers and contractors.

If you have any questions about this privacy policy, please contact the DPM.

**Acknowledgment of receipt**

You will have acknowledged receipt of this notice by positive indication on our website.