

# BBC Radio Devon Fighting Fitz Competition

## Privacy Notice and Terms and Conditions

### **PRIVACY NOTICE**

Your trust is very important to us. This means the BBC is committed to protecting the privacy and security of your personal data. It is important that you read this notice so that you are aware of how and why we are using such information. This privacy notice describes how we collect and use personal data about you during and after your relationship with us, in accordance with data protection law.

#### **Why are we doing this and how can you participate?**

BBC Radio Devon is hosting a prize giveaway for the David FitzGerald show. During the programme, a question will be announced live on the radio and listeners will be invited to call in or send a text message with the correct answer.

The prize giveaway competition is open to participants aged 16 and above. You can take part in the competition by calling 0808 100 1034, or text your responses to 81333.

Participants will be selected at random from those that answered correctly and will be invited to go live on the David FitzGerald show to have a go at the quiz.

Each participant will be given 60 seconds to answer the quiz, and a weekly scoreboard will be kept for those who played the quiz on air. The highest scoring participant will play against the presenter and will have the opportunity to ask the presenter the hardest question.

If the presenter fails to beat the highest score of the week, the listener with that score wins a prize. If the presenter beats the highest score, then there is no winner and the prize rolls over to the following week.

The BBC production team will collect your personal information for the purpose of administering the competition. If we broadcast your contribution, this may include the programme being made available online and or on demand, and your contribution may be used again in the future.

#### **What will BBC collect and how will we use it?**

The BBC will collect and process the personal data that you have provided to us about yourself. The personal data will include:

- Name
- Phone number
- Email address
- Verbal confirmation that you are over 16

If you are a winner, the BBC reserves the right to request proof of age and eligibility to enter this competition viewing the ID documents when prizes are collected or for admittance at events. If you win the competition, we will also collect and process your full address to send you your prize. The BBC may use recordings of your entry in post competition publicity on air and on our social media platforms (Facebook, Twitter and Instagram).

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## **Who is the Data Controller?**

The BBC is the “data controller” of your personal data. This means that the BBC decides what your personal data is used for, and the ways in which it is processed. For the avoidance of doubt, your personal data will be collected and processed for the purposes set out in this privacy notice.

As the data controller, the BBC has the responsibility to comply, and to demonstrate its compliance with, data protection law.

## **Lawful basis for processing your personal data**

The legal basis on which the BBC processes your personal data is Legitimate Interests. The BBC’s role is to act in the public interest and to serve all audiences with content which informs, educates, and entertains. We rely on our legitimate interests which include running radio competitions and providing interesting and engaging radio programming for our audiences. We consider that the collection and use of personal data for this purpose as set out in this notice is justified, taking account of the interests of participants.

## **Sharing your data**

When you take part in the competition, the BBC will share your data with its third-party data processor which provide the BBC with a platform to facilitate phone competitions and record calls. We ensure that our providers have all entered into an appropriate contract, which ensures they cannot do anything with your personal data except as we have instructed them to do so.

We will not share your personal data with any third parties unless required or permissible by law.

## **Retaining your data**

The BBC will retain your personal data for up to six weeks, after which it will be deleted. The winner’s personal data will be retained for a period of two years for regulatory reasons, after which, it will be deleted. We don’t retain any copies of ID’s requested for proof of age and eligibility to enter.

Your personal data will be stored within the UK and the EEA.

Any recorded audio appearances and trails will be retained on BBC Sounds for one month after the competition has ended after which it will be deleted from BBC Sounds.

## **Your rights and more information**

You have rights under data protection law. You can request a copy of the personal data BBC stores about you.

You have the right to ask for the personal data we collect about you to be deleted however there are limitations and exceptions to this right which may entitle the BBC to refuse your request.

In certain circumstances, you have the right to restrict the processing of your personal data or to object to the processing of your personal data.

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You have the right to ask that we transfer the personal data to you or to another organisation, in certain circumstances.

You can contact our, Data Protection Officer if you have questions or you wish to find out more details about your rights, please visit the BBC's Privacy and Cookies Policy at <http://www.bbc.co.uk/privacy>.

If you have a concern about the way the BBC has handled your personal data, you can raise your concern with the supervisory authority in the UK, the Information Commissioner's Office (ICO) <https://ico.org.uk/>.

### Updating this privacy notice

We will revise the privacy notice if there are significant changes to how we use your personal data.

## TERMS AND CONDITIONS

1. The competition is open to all residents of the UK, including the Channel Islands and the Isle of Man, aged 16 or over, except BBC or BBC Group company employees and anyone connected with the competition. Proof of age and eligibility may be requested.

2. The competition will be played during the David FitzGerald programme on BBC Radio Devon on Monday to Friday (except when editorial requirements lead to a change in schedule or a change in programme content).

3. During programmes on Monday to Thursday there will be two rounds of the competition. Each time a question will be announced on air and listeners will be invited to call or text in with the correct answer. The entry window will be open for around 10 minutes – the opening and closing times will vary so please listen to announcements during the programme.

4. Listeners can enter:

- by calling 0808 100 1034 (calls are free from landlines and mobiles); or
- texting 81333 with the keyword DEVON followed by their answer (texts will cost your network's standard message charge).

You may enter once per round of the competition – any additional entries via text will not be counted but will be charged. Entries made outside of the window will not count, and if made via text will be charged.

5. For each round one entrant will be selected at random from those who answered correctly, a member of the production team will call them back so they can be put live on air to play the on-air quiz.

6. Each selected entrant will be given 60 seconds to answer progressively harder questions. A weekly scoreboard will be kept of those who played the game on air. The highest scoring listener will play against the presenter on Friday. If more than one entrant has the same high score, those

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entrants will be invited to compete in a tie break round and the winner of the tie break will be the highest scoring and go on to compete against the presenter.

7. Entrants must ensure that they are available on the telephone number provided to take the call from the production team. If an entrant is not available after reasonable attempts by the production team, another correct entrant will be randomly selected for that round of the quiz.

8. The presenter will also play the on-air quiz on Friday. The highest scoring listener will have the opportunity to ask the presenter the hardest question on air. If the presenter fails to beat the highest score for the week, the listener with that score is the winner and shall receive the prize. If the presenter beats the highest listener score then there is no winner for that week and the prize rolls over to the following week.

9. The prize shall be as described on air and may consist of CDs, tickets, books and other such items.

10. The BBC's decision as to prizes awarded is final. No correspondence relating to the competition will be entered into.

11. There is no cash alternative and the prize cannot be sold or transferred in any circumstances.

12. The prize may have additional requirements which alter the eligibility for entrants to the competition. In these instances the changes to the eligibility requirements will be announced clearly on air and online as appropriate before the Competition opens.

13. If the prize requires additional action (such as collection of tickets) the winner must follow instructions given (which may include proof of identity). The BBC is not responsible for any failure to properly follow such instructions. If the prize includes tickets or entry to an event, the BBC will not be responsible for any failure by the winner and guests (if applicable) to gain entry or re-entry to the event due to their behaviour or their failure to meet the admission requirements of the event, including, but not limited to, minimum age. Winners are responsible for checking admission requirements to the venue. The BBC will not be responsible for the suspension or cancellation of the prize event. The BBC will not provide an alternative or replacement prize. If the prize includes access to a sporting event, the winners and guests (if applicable) must not be subject to any order banning them from attending such events.

14. The BBC reserves the right to: (i) amend these terms and conditions including, but not limited to, the competition opening and closing times; (ii) disqualify any entrant who breaches the rules, has acted fraudulently in any way or brings the BBC into disrepute (in its sole discretion); (iii) where applicable, disqualify an entrant or winner, withdraw or substitute any prize, or where the prize includes attendance to an event, exclusion from that event; and (iv) impose any additional entry restrictions or requirements should the prize being offered require such restrictions or requirements (including but not limited to tickets for events with an age minimum or other entry requirements).

15. Entrants are expected to participate in post-competition publicity.

16. Winners may not re-enter the competition for a month.

17. Entrants will be deemed to have accepted these rules and to agree to be bound by them when registering.

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18. The BBC, its sub-contractors, subsidiaries and/or agencies cannot accept any responsibility whatsoever for any technical failure or malfunction or any other problem which may result in any entry not being properly registered.

19. To the extent permitted by law, the BBC will not be liable for any loss or damage (whether such damage or losses were foreseen, foreseeable, known or otherwise) including financial, reputational loss or disappointment.

20. The promoter of the competition is the British Broadcasting Corporation and the applicable law is the laws of England and Wales.

21. This competition accords with the BBC's Code of Conduct for Competitions:  
<https://www.bbc.com/editorialguidelines/guidance/code-of-conduct>