

Arts Council England

General Privacy Notice



1. About this notice

- 1.1. Arts Council England collects a range of information, from grant applicants, members of the public, arts and culture organisations and a range of other organisations to process grants, develop, and advocate for the arts, museums and libraries and fulfil its other objects as set out in its Royal Charter.
- 1.2. This privacy notice tells you what to expect when Arts Council England collects personal data. It applies to personal data we may collect, create, receive, use and store:
 -) When you apply for funding or provide us with information as a grant applicant or recipient.
 -) When you apply for Museum Accreditation or Collection Designation, or register for Artsmark
 -) When you apply for an export licence or offer a work of art or cultural object in lieu of tax under the Acceptance in Lieu or Cultural Gift Scheme
 -) When you complete one of our surveys or a survey undertaken on our behalf
 -) When you make a complaint, request information, or call us
 -) When you subscribe to a newsletter, register for an event, or request a publication from us
 -) When you apply for a job, or a position on one of our boards, committees or panels
 -) When you supply us with goods and services
 -) When you visit our website
 -) When we acquire personal data through publicly available sources, meetings and other engagements
- 1.3. It also provides details of how you can exercise your rights under Data Protection laws.
- 1.4. It is supplemented by specific privacy notices for example for employees, on our job and grant application portals, and our website privacy and cookies policy.

2. Data Controller and Data Protection Officer

Data Controller	Arts Council England 21 Bloomsbury Street London WC1 3BH
Data Protection Officer	Margaret Folkman Senior Manager Governance and Planning Arts Council England The Hive 49 Lever Street Manchester M1 1FN

3. Your Rights

3.1. Under the General Data Protection Regulation, we must ensure that your personal information is:

-) Treated fairly, lawfully and in a transparent manner
-) Only collected for specified, explicit and legitimate purposes
-) Adequate, relevant and limited to what is necessary
-) Accurate and, where necessary, kept up to date;
-) Kept for no longer than is necessary
-) Kept securely and protected against unauthorised or unlawful processing, accidental loss, destruction or damage, using appropriate measures.

3.2. You have the right to:

-) Be informed about our processing of your personal data
-) Request access to your personal data and information about how we process it
-) Request that your personal data is amended if inaccurate and that incomplete personal data is completed
-) Request the restriction or suppression of your personal data
-) Request the erasure or deletion of your personal data
-) Move, copy or transfer personal data (Data Portability) - where the processing is based on consent or for the performance of a contract; and when processing is carried out by automated means.
-) Object to the processing of your personal data
-) Be informed about automated decision-making and profiling.
-) Withdraw your consent to our processing of your personal data where our processing of your data is based on consent.

- 3.3. If you want to exercise one of those rights, please either:
-) E-mail the Information Team at Arts Council England via Information@artscouncil.org.uk
 -) Write to the Information Team, Arts Council England The Hive, 49 Lever St, Manchester M1 1FN.
 -) Call us on 0161 934 4317.
- 3.4. Please note that we may need to take steps to verify your identity before considering your request. You will receive a response from us within one month of receipt of a valid request.

4. How we use your information

When you apply for funding or provide us with information as a grant applicant or recipient.	
What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Personal data collected in grant application forms includes: names, contact details, information on the project team, financial information, details of the leadership and board of the organisation, and artists and other stakeholders involved in the project or bid.) We also collect special category data on applicants such as their Ethnicity, Disability, Sexual Orientation.) Those who are awarded grants may be asked to provide additional information during the term of the grant and a final report which may include personal data including personal data of the types listed above (plus gender) in respect of members of the public.
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To assess, review, and decide on your grant application) Ongoing administration and management of any grants that are awarded) Identity verification and fraud prevention checks) To publish information about grants awarded including the amount of grant awarded and the recipient of the grant on our own and Government websites.) To keep you up to date with our work, relevant initiatives and funding programmes.) To monitor the impact of our work on the different protected characteristics set out in the Equalities Act 2010.) To help us understand the progress we are making on our strategy and to assist with policy development, and future decisions on strategy and policy.) To gather intelligence on individuals and organisations with particular specialisms, knowledge and experience and to disseminate that information for the benefit of the sector.) For other statistical and research purposes.
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Public Task) Legitimate Interests) Legal Obligation <p>Special Category data is also processed under Article 9(g) Substantial Public Interest</p>

When you apply for funding or provide us with information as a grant applicant or recipient.

<p>Is the data shared with a third party?</p>	<p>We will share the information you provide or our assessment of your application or organisation with third parties, such as:</p> <ul style="list-style-type: none">) Organisations that process data on our behalf and their subcontractors) Sector Support Organisations that we've commissioned to provide services to our funding recipients) Other Arts Councils, Lottery Distributors and Camelot UK Lotteries Ltd) Other organisations to assist us in our assessments) The Government; or) Where we are required to do so under a legal obligation. <p>We will only share details of your grant application with a third party, if we have a written data sharing agreement in place restricting the use of personal information for specified purposes or where we are required to do so under a legal obligation.</p>
<p>How long is the personal information kept for?</p>	<p>Personal information is retained for 7 years after the grant is closed (in the case of successful applications) or 7 years after the decision (unsuccessful applications) in line with the statute of limitations in case there is a legal case arising out of the decision.</p> <p>Anonymised information may be retained for longer for statistical purposes in line with business needs. Personal information collected to inform progress against our strategy and to assist with policy development, monitoring and decision making may be retained for at least a period of 7 years and thereafter depending on business needs.</p> <p>Personal information contained in files relating to grant programmes selected because of their significance for permanent preservation may be kept indefinitely. In addition, where it is not cost effective to delete the information, the information may be retained beyond the retention period mentioned above, where we do so we will take steps to ensure that the personal information is restricted and not used.</p>
<p>Is the information transferred outside the European Union?</p>	<p>Personal information may be transferred outside of the EEA by us or organisations that process data on our behalf (and their sub-contractors). In such instances adequate safeguards will be in place to ensure compliance with GDPR and the Data Protection Act 2018.</p>

When you apply for Museum Accreditation or Designation status for a Collection or register for Artsmark

<p>What types of personal information does Arts Council England collect?</p>	<p><input type="checkbox"/> Names, addresses and contact telephone numbers and emails of staff employed by the applicant organisation and details of its external advisors.</p>
<p>Why does Arts Council England collect and process this information?</p>	<p><input type="checkbox"/> To assess, review, and decide on your application.</p> <p><input type="checkbox"/> To help us understand the progress we are making on our strategy and to assist with policy development, and future decisions on strategy and policy.</p> <p><input type="checkbox"/> To gather intelligence on individuals and organisations with particular specialisms, knowledge and experience and to disseminate that information for the benefit of the sector.</p> <p><input type="checkbox"/> To monitor, compile statistical reports, and report on activity under the scheme.</p>
<p>Legal basis for processing under GDPR</p>	<p><input type="checkbox"/> Public Task</p> <p><input type="checkbox"/> Legitimate Interests</p>
<p>Is the data shared with a third party?</p>	<p>We will share the information you provide with third parties such as:</p> <p><input type="checkbox"/> Organisations that process data on our behalf</p> <p><input type="checkbox"/> External/Independent Assessors</p> <p><input type="checkbox"/> Scheme Partners</p> <p><input type="checkbox"/> Sector Support Partners</p> <p><input type="checkbox"/> The Government; or</p> <p><input type="checkbox"/> Where we are required to do so under a legal obligation.</p>
<p>How long is the personal information kept for?</p>	<p>Business Purposes – to process the application and maintain records for the scheme.</p> <p>Archive Purposes – in accordance with legal and regulatory requirements.</p>
<p>Is the information transferred outside the European Union?</p>	<p>None.</p>

When you apply for an export licence or offer a work of art or cultural object in lieu of tax under the Acceptance in Lieu or Cultural Gift Scheme

What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Names, contact and financial details of applicants and others mentioned in applications.
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To review, assess and decide on the application) To monitor, compile statistical reports, and report on activity under the scheme.
Legal basis for processing	<ul style="list-style-type: none">) Public Task
Is the data shared with a third party?	<p>We will share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) Organisations that process data on our behalf) Government including HMRC) Independent or External Advisors
How long is the personal information kept for?	<p>Business Purposes – to process the application and maintain records for the scheme.</p> <p>Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>
Is the information transferred outside the European Union?	None

When you complete one of our surveys

<p>What types of personal information does Arts Council England Collect?</p>	<ul style="list-style-type: none">) Names, contact details, and possibly socio-economic data such as ethnicity, disability, age, gender, age, sexual orientation of respondents.
<p>Why does Arts Council England collect and process this information?</p>	<ul style="list-style-type: none">) To follow-up survey responses where needed.) To enable us to monitor the outputs, outcomes and impact of our funding programmes and other activity.) To enable us to understand the views and perspectives of grants recipients, the wider sector, the public and other stakeholders.) To enable us to understand our impact on the different protected characteristics set out in the Equalities Act.
<p>Legal basis for processing under GDPR</p>	<ul style="list-style-type: none">) Public Task) Legitimate Interests) Legal Obligation <p>In addition, the diversity data (Special Category data) is processed in line with Article 9(g) Substantial Public Interest.</p>
<p>Is the data shared with a third party?</p>	<p>We may share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) Organisations that process data on our behalf and their subcontractors
<p>How long is the personal information kept for?</p>	<p>Business Purposes – to analyse and report on findings of the surveys.</p>
<p>Is the information transferred outside the European Union?</p>	<p>Personal information may be transferred outside of the EEA by us or organisations that process data on our behalf (and their sub-contractors). In such incidences adequate safeguards will be in place to ensure compliance with GDPR and the Data Protection Act 2018.</p>

When you make a complaint, request information or call us

What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Names and contact details) Phone calls to our Enquiry Line are recorded) Other personal data may be included in the correspondence or phone call
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To consider and respond to the correspondence, complaint or enquiry) To monitor the quality of our responses) Audit purposes
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Public Task) Legitimate Interests
Is the data shared with a third party?	<p>We may share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) Organisations that process data on our behalf.) Independent Complaint Reviewer/Parliamentary and Health Service Ombudsman) External Legal Advisors where relevant
How long is the personal information kept for?	<p>Business Purposes – to respond to the complaint, enquiry or request for information.</p> <p>Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>
Is the information transferred outside the European Union?	None

When you subscribe to a newsletter, register for an event, register for the ArtsJobs and news listing service or request a publication from us	
What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Names and contact details) Access and dietary requirements may be collected for events
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To provide the newsletter or publication requested.) To keep track of the numbers and the types of people/organisations registered to attend an event.) To inform attendees of the other individuals registered to attend the event.) To keep those who have opted to receive updates from us, with updates on our funding programmes and other relevant initiatives.) To provide the ArtsJobs and news listing service.) To enable us to understand our impact on the different protected characteristics set out in the Equalities Act) To monitor, compile statistical reports, and report on our communication activity.
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Consent (electronic newsletters)) Public Task) Legitimate Interests <p>In addition, diversity data (Special Category data) is processed in line with Article 9(g) Substantial Public Interest, access and dietary requirements processed in line with Article 9 (a) Explicit Consent and (c) Vital Interests respectively.</p>
Is the data shared with a third party?	<p>We may share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) Individuals attending the event will be given a list of the other attendees (names, job role, organisation)) Organisations that process data on our behalf
How long is the personal information kept for?	<p>Business Purposes – to keep in contact with subscribers.</p> <p>ArtsJobs and news listing service – for as long as the user account remains active.</p>
Is the information transferred outside the European Union?	<p>No except for Event registration via Eventbrite. Event data will be transferred to the US by Eventbrite which has certified its compliance to the EU-US Privacy Shield to protect the data transfer from the UK to the US. See Eventbrite's Privacy Policy to find out more.</p>

When you apply for a job or a position on one of our boards, committees or panels

What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Names and contact details of applicants, biographical information and names and contact details of referees,) Diversity data such as age, gender, ethnicity, religion, sexual orientation, disability.
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To consider applications and decide who to offer the job or role to.
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Consent) Legitimate Interests <p>In addition, diversity data (Special Category data) is processed in line with Article 9(g) Substantial Public Interest.</p>
Is the data shared with a third party?	<ul style="list-style-type: none">) Data may be shared with third parties involved in the recruitment process.
How long is the personal information kept for?	<p>Business Purposes – to consider and decide on application. If you are appointed, the application is transferred to your personnel file.</p> <p>Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>
Is the information transferred outside the European Union?	None

When you apply to, or supply us with goods and services

What types of personal information does Arts Council England collect?	<ul style="list-style-type: none">) Tenders, contract documentation, and invoices contains names, contact details, financial and biographical information of suppliers or individuals employed by bidders or suppliers.) Diversity data such as age, gender, ethnicity, religion, sexual orientation, disability.
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To enable us to evaluate a quotation or bid) To enable us to contact you about your bid or contract) To enable us to assess and make a decision on competitive bids) To enable us to fulfil our obligations under the contract or terms and conditions) To enable us to manage and perform our obligations under the contract
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Public Task) Contractual Obligation) Legal Obligation <p>In addition, the diversity data (Special Category data) is processed in line with Article 9(g) Substantial Public Interest.</p>
Is the data shared with a third party?	<p>We will share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) 3rd Parties that process data on our behalf) HMRC/Government) Internal and External Auditors) Independent or External Advisors
How long is the personal information kept for?	<p>Business Purposes –to evaluate tenders and for the duration of the contract.</p> <p>Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>
Is the information transferred outside the European Union?	None

When you visit our website or the ArtsJobs site

<p>What types of personal information do you collect?</p>	<ul style="list-style-type: none">) Information about your computer and about your visits to and use of this website including your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths) Information that you provide to us when registering with our website including name and your email address) Information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters including your name and email address) Information that you provide to us when using the services on our website, or that is generated in the course of the use of those services including the timing, frequency and pattern of service use) Information contained in or relating to any communication that you send to us or send through our website including the communication content and metadata associated with the communication) Any other personal information that you choose to send to us; and provide details of other personal information collected.
<p>Why do you collect and process this information?</p>	<p>Administer our website and business and the ArtsJobs site</p> <p>Personalise our sites for you</p> <p>Enable your use of the services available on our websites</p> <p>Send you email notifications that you have specifically requested</p> <p>Send you our email newsletter or Arts News, if you have requested it you can inform us at any time if you no longer require the newsletter or Arts News</p> <p>Send you marketing communications relating to our business, where you have specifically agreed to this, by email or similar technology you can inform us at any time if you no longer require marketing communications</p> <p>Provide third parties with statistical information about our users but those third parties will not be able to identify any individual user from that information</p> <p>Deal with enquiries and complaints made by or about you relating to our website</p>

When you visit our website or the ArtsJobs site

	<p>Keep our websites secure and prevent fraud</p> <p>If you submit personal information for publication on our website, we will publish and otherwise use that information in accordance with the licence you grant to us.</p> <p>Your privacy settings can be used to limit the publication of your information on our website and can be adjusted using privacy controls on the website.</p>
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Public Task) Legitimate Interests) Contractual Obligations
Is the data shared with a third party?	<p>We may share the information you provide with third parties such as:</p> <ul style="list-style-type: none">) 3rd Parties that process data on our behalf <p>We will not, without your express consent, supply your personal information to any third party for the purpose of their or any other third party's direct marketing.</p> <p>For further details please see our website privacy policy.</p>
How long is the personal information kept for?	Business Purposes.
Is the information transferred outside the European Union?	Yes – please see our website privacy policy for further information.

When we acquire personal data through publicly available sources, meetings and other engagements	
What types of personal information do you collect?	As part of role to develop the arts, museums and libraries as set out in our Royal Charter we will collect use and store information on artists, creative practitioners and other key stakeholders. This includes names and contact details; biographical information; as well as initiatives that they are involved in or have expressed an interest in.
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none">) To develop, the arts, museums and libraries for example by facilitating partnerships between organisations and individuals with shared interests or pursuing common goals.) To gather intelligence on individuals and organisations with particular specialisms, knowledge and experience and to disseminate that information for the benefit of the sector.) To help us understand the progress we are making on our strategy and to assist with policy development, and future decisions on strategy and policy.
Legal basis for processing under GDPR	<ul style="list-style-type: none">) Public Task) Legitimate Interests
Sharing with 3rd Parties	<p>We may share the information acquired with third parties such as:</p> <ul style="list-style-type: none">) Organisations that process data on our behalf) Government) Individuals and Organisations.
How long is the personal information kept for?	Business Purposes.
Is the information transferred outside the European Union?	None

5. Complaints or Queries

- 5.1. The Arts Council tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage you to bring it to our attention if you think that our collection or use of your information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.
- 5.2. This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of the Arts Council's collection and use of personal data. However, we are happy to provide any additional information or explanation needed. If you require further information, please contact:
-) The Information team at Arts Council England via Information@artscouncil.org.uk or Arts Council England The Hive, 49 Lever St, Manchester M1 1FN.
- 5.3. If you are not happy with the way we have processed your personal data or have any other complaints in relation to this privacy notice, we would appreciate the opportunity to discuss this with you and request that you make a complaint directly to us in the first instance by contacting us via:
-) The Information team at Arts Council England via Information@artscouncil.org.uk or Arts Council England The Hive, 49 Lever St, Manchester M1 1FN.
- 5.4 You do, however, have the right to make a complaint at any time to the Information Commissioner's Office at:
-) Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, Cheshire SK9 5AF

6. Review

- 6.1 We keep our privacy notice under regular review. This privacy notice was last updated on 27 February 2020.