

Privacy Notice – Cultural Development Fund

PLEASE NOTE THIS DOCUMENT ONLY RELATES TO THE CULTURAL DEVELOPEMNT FUND. FOR ARTS COUNCIL ENGLAND’S GENERAL PRIVACY NOTICE PLEASE CLICK [HERE](#).

Data processing:

The data controller:

For the purposes of the Data Protection legislation the Department for Digital, Culture, Media and Sport (DCMS) and The Arts council of England (ACE) are the joint controllers of the personal data you have provided to us in your application(s) to the Cultural Development Fund (CDF), related outreach events and your subsequent provision of monitoring, support and learning information.

Data Protection Officers (DPOs):

DPOs provide independent advice and monitoring of our use of personal information.

If you have any concerns about how DCMS is handling your personal data, you may contact the department’s Data Protection Officer (DPO). She can be contacted at the following addresses: Paulina Jedwabska, DPO Department for Digital, Culture, Media & Sport, [100 Parliament Street, London SW1A 2BQ](#); dcmsdataprotection@culture.gov.uk.

If you have concerns about how ACE is handling your personal data, you may contact their DPO using the following address: Information Team, Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN; information@artscouncil.org.uk.

Why we are processing personal data and the legal basis for doing so:

We are processing your data to perform tasks carried out in the public interest, namely to allow us to ascertain whether it is appropriate to make you (or, where different, the applicant organisation in connection with which your personal data has been obtained) a CDF award, to review your (or the applicant’s) progress against this award of funding during the lifetime of your project, to allow us to evaluate the impact of your (or the applicant’s) project on the programme outcomes as a whole and for related government research purposes.

In some circumstances we may also need to process your personal data to comply with legal obligations, for example in order to prevent fraud and money laundering.

As part of our processing, DCMS and ACE will also share your data with our evaluators, accountants, external evaluators, contracted support and other organisations involved in delivering this programme.

Contact details of successful applicants may be passed on to Members of Parliament by DCMS for the purposes of informing them of the Applicant's success and success in delivering the outcomes planned.

DCMS and ACE may also share information with organisation and individuals with a legitimate interest in CDF applications and grants including other funders, investors and advisors.

We will use the personal information provided by you in order to conduct appropriate identity checks. Personal information that you provide may be disclosed to a credit reference or fraud prevention agencies, which may:

- Cross reference personal information with other databases (public or otherwise)
- Retain a record of the search
- Use your details in the future to assist other companies with verification.

If you provide false or inaccurate information in your application or at any point in the life of any funding we award you (or the applicant) and fraud is identified, we will provide details to fraud prevention agencies to prevent fraud and money laundering, in compliance with the relevant legal obligations. If the applicant is a company this will include the names of the company directors at the time of the fraud. You must undertake to inform all Directors, Trustees and Committee members of this notice.

We have a duty to protect public funds and for that reason we may also share information with other Lottery distributors, government departments, organisations providing matched funding or for the prevention and detection of crime.

Your personal data will not be used for automated decision making.

Keeping your data:

ACE will keep your personal data 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.

DCMS will keep your personal data for the same period as ACE or, if your project continues post CDF funding after for seven years after the date you make your last entry on the DCMS CDF data platform.

Your rights:

The data we are collecting is your personal data, and you have rights that affect what happens to it. You have the right to:

- (a) know that we are using your personal data
- (b) see what data we have about you

(c) ask to have your data corrected, and to ask how we check the information we hold is accurate

(d) complain to the Information Commissioner's Office (see below)

Where your personal data is being processed to carry out a task in the public interest, you will also have the right to ask for your personal data to be deleted in certain circumstances. This does not apply where processing is necessary for compliance with a legal obligation.

For the purposes of Article 26 GDPR, it is agreed between DCMS and ACE that:

DCMS takes lead responsibility for compliance with the requirements under the GDPR in respect of processing data for the purpose of monitoring CDF projects and evaluating the CDF programme, and any processing of that data in respect of high level decisions regarding the CDF. ACE takes lead responsibility for compliance in respect of collating Expressions of Interests, completing assessments of full applications, issuing grant offer letters and monitoring of grants. DCMS will act as the first point of contact for all requests and complaints on all of the above areas and these should be directed to Chris Eliadis, Policy and Operations Assistant, Department for Digital Culture, Media and Sport, 100 Parliament Street, London SW1A 2BQ, chris.eliadis@culture.gov.uk

You can also make a complaint to the Information Commissioner, who is an independent regulator:

Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow
Cheshire
SK9 5AF
casework@ico.org.uk
Telephone: 0303 123 1113
Textphone: 01625 545860
Monday to Friday, 9am to 4:30pm.