

## **Joint Privacy Notice – DCMS and Arts Council England**

### **Culture Recovery Fund: Repayable Finance**

Please note that this privacy notice is only about how the Arts Council of England and the Department for Digital, Culture, Media and Sport handle your personal data in relation to the Culture Recovery Fund: Repayable Finance programme. For details of how we handle personal data for other purposes please refer to the [DCMS Personal Information Charter](#) or the [Arts Council General Privacy Notice](#).

### **Introduction**

The Culture Recovery Fund: Repayable Finance programme is part of a package to protect the UK's culture and heritage sectors from the economic impacts of Covid-19. The criteria for the Culture Recovery Fund have been set by the Department of Digital, Culture, Media and Sport ('DCMS') with loans being administered and monitored by Arts Council England on behalf of DCMS.

### **Important information and who we are**

For the purposes of the Data Protection legislation the Department for Digital, Culture, Media and Sport (DCMS) and Arts Council of England (ACE) are the joint controllers of the personal data you have provided to us in your application(s) to the Culture Recovery Fund: Repayable Finance programme.

We collect and process your personal data in accordance with applicable law. This includes, without limitation, the EU General Data Protection Regulation (2016/679) and the UK Data Protection Act 2018 together with other applicable UK and EU laws that regulate the collection, processing and privacy of your personal data.

We have data protection teams who are responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the teams using the details set out below.

DCMS Data Protection Team  
1st Floor, 100 Parliament Street, London SW1A 2BQ  
[dcmsdataprotection@dcms.gov.uk](mailto:dcmsdataprotection@dcms.gov.uk)  
[www.gov.uk/dcms](http://www.gov.uk/dcms)

ACE Data Protection Officer Contact details:  
Email address: [Information@artscouncil.org.uk](mailto:Information@artscouncil.org.uk)  
Address: Information Team, Arts Council England, The Hive, 49 Lever St,  
Manchester M1 1FN  
Phone: 0161 934 4317

*Please note that as of August 2020 the Arts Council offices are closed, and we do not know when they will reopen, so post will not be picked up. It is advisable to contact the Data Protection Officer via the email address above.*

We hope that our teams can resolve any query or concern you may raise about our use of your data, so please contact us in the first instance.

You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
Phone: 0303 123 1113

### **Personal data we collect**

We collect applicants main contact details including name, email address and contact telephone number.

We also collect special categories of personal data about the applicant organisation's board or senior leadership team including gender, disability and ethnicity.

### **How and why we will use personal data**

We are processing your personal data to perform tasks carried out in the public interest, namely to:

- allow us to decide whether it is appropriate to make a Repayable Finance loan to the applicant organisation in connection with which your personal data has been obtained
- review the applicant organisations progress during the loan term to allow us to evaluate the impact of the programme and for related government research purposes.

Where we are collecting, processing and sharing special categories of personal data about an organisation's board or senior leadership team, which could identify an individual, we do so on the basis of substantial public interest.

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

### **Who we share personal data with**

DCMS and ACE will share your data with individuals or organisations who are helping us to assess and monitor loans including, but not limited to, local authorities, other lottery distributors and organisations that award grants and loans, and other third parties such as consultants and specialist financial advisors.

After we reach a decision, we may also tell them the outcome of your application and, if appropriate, why we did not offer you a loan.

ACE will publish information about the loans we make to organisations through this programme on our website, but this will not include any personal data.

As an organisation that gives out public funds, we may carry out checks on the personal and financial information you provide us. To do this we may need to share the information about you with other National Lottery distribution bodies and relevant external bodies to prevent fraud and money laundering. If we identify or suspect fraudulent activity, we will report this to the police and take appropriate action.

### **International transfers**

We will not transfer your personal data outside the European Union.

### **Data security**

We have put in place appropriate security measures to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process 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 personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

### **Data retention**

ACE will keep your personal data for 7 years after the end of the loan term (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 6 years after the end of the loan term (in the case of successful applications) or 6 years after the decision (unsuccessful applications).

### **Your legal rights**

You have, in connection with your personal data, under certain circumstances, the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information 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 information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.
- Withdraw consent at any time in relation to our use of personal data as set out in this privacy notice, in relation to which are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact the DCMS Data Protection Team using the contact details set out above.

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 is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

August 2020