

Arts Council England - General Privacy Notice

September 2023

1. About this notice

1.1. Any use of 'we,' 'us' and 'our' refers to Arts Council England.

1.2. This privacy notice tells you what happens when we collect personal data. 'Personal data' is information about you. We follow the Data Protection Laws, and we explain these below.

1.3. Personal data only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

1.4. We collect information from:

- Grant applicants
- Applications for accreditation or designation or export licensing
- Members of the public
- Arts and Culture organisations
- A range of other organisations and individuals

1.5. We collect this to:

- Process applications
- Award grants or accreditation or designation or export licenses

- Develop funding programmes
- Develop and advocate for the arts, museums, and libraries
- Develop and advocate accreditation or designation status
- Fulfil other objectives set out in our Royal Charter

1.6. This privacy notice applies to personal data you give us. We will receive and may store your data when you:

- Apply for funding
- Request access support
- Give us information as a grant applicant or recipient.
- Complete one of our surveys or a survey undertaken on our behalf
- Make a complaint or raise a concern
- Request information from us over email, phone, or webchat
- Apply for a job, or a position on one of our boards, committees, or panels
- Subscribe to a newsletter, register for an event, or request a publication from us
- Apply for Museum Accreditation
- Apply for Collection Designation
- Register for Artsmark
- Apply for an export licence
- Offer a work of art or cultural object in lieu of tax under the Acceptance in Lieu or Cultural Gift Scheme
- Apply to or supply us with goods and services
- Visit our website
- Provide data through publicly available sources, meetings, and other engagements

1.7. You can exercise your rights under Data Protection Laws, which are the:

- Data Protection Act 2018 (DPA 2018)
- United Kingdom General Data Protection Regulation (UK GDPR)
- Other laws as may apply or come into force regulating collection, processing, and privacy of personal data

1.8. We also have specific privacy notices for:

- Our employees
- Our grant application portals
- Job or position application portals
- Our website, which you can find in our privacy and cookies policy
- Access support

2. Your Rights

2.1. We must ensure that your personal data is:

- Treated fairly and lawfully.
- Collected only when we need it
- Accurate and kept up to date
- Kept for no longer than needed
- Kept securely

2.2. We will protect your data against:

- Unauthorised or unlawful processing
- Accidental loss
- Destruction or damage

2.3. You have the right to:

- Be informed about how we process and use your data
- Request access to your personal data
- Request that your personal data is updated
- Request the restriction or suppression of your personal data
- Request that we erase or delete your personal data
- Move, copy, transfer or reuse the personal data we retain in a safe and secure way (often referred to as Data Portability)
- 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.

2.4. You can request any of the above by contacting our Information Team:

- Email: Information@artscouncil.org.uk
- Post: Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN.
- Phone: 0161 934 4317 (10am to 4pm)

2.5. We may need to verify your identity before we consider your request. After this, you will receive a response from us within one month.

3. How we use your information

3.1. Applying for funding:

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

What types of personal information do we collect?

- Personal data collected in grant application forms: names, job titles, addresses, telephone numbers, email addresses, date of birth (for individual applicants), 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. They may also be asked to provide additional information in their final grant activity report which may include personal data including Special Category data (Ethnicity, Disability, Sexual Orientation, and Gender) in respect of members of the public that participated in or were involved in the grant recipient's activity.

Why do we collect and process this information?

- To assess, review, and decide on your grant application
- Ongoing administration and management of any grants that are awarded
- To monitor, compile statistical reports, and report on activity under the grant or funding programme
- 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 site, Government websites and other sites such as other Lottery Distributors, Camelot UK Lotteries Ltd, Allwyn Entertainment Ltd, and third-party funding websites
- To keep you up to date with our work, relevant initiatives, and funding programmes.

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

	<ul style="list-style-type: none"> • 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 specialisms, knowledge, and experience and to disseminate that information for the benefit of the sector. • For other statistical and research purposes.
<p>Legal basis for processing under UK GDPR</p>	<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>
<p>Is the data shared with a third party?</p>	<p>We may 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 • External/Independent Assessors • Other organisations to assist us in our assessments • Sector Support Organisations that we have commissioned to provide services to our funding recipients • Our suppliers that are providing services to us or our funding recipients • Other Arts Councils, Lottery Distributors, Camelot UK Lotteries Ltd, and from February 2024, Allwyn Entertainment Ltd • The Government • External Legal Advisors

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

	<ul style="list-style-type: none"> • 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 UK?</p>	<p>Personal information may be transferred outside of the UK by us or organisations that process data on our behalf (and their sub-contractors). If this occurs, adequate safeguards will be in place to ensure compliance with Data Protection Laws.</p>

3.2. Applying for Accreditation or Designation:

When you apply for Museum Accreditation or Designation status for a Collection or register for Artsmark	
What types of personal information do we collect?	<ul style="list-style-type: none"> Names, job titles, addresses, telephone numbers, and email addresses of staff or volunteers applying for the applicant organisation and details of its external advisors.
Why do we collect and process this information?	<ul style="list-style-type: none"> To assess, review, and decide on your application. 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 specialisms, knowledge, and experience and to disseminate that information for the benefit of the sector. To monitor, compile statistical reports, and report on activity under the scheme.
Legal basis for processing under UK 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 and their subcontractors External/Independent Assessors Scheme Partners Sector Support Partners Government

When you apply for Museum Accreditation or Designation status for a Collection or register for Artsmark	
	<ul style="list-style-type: none"> • External Legal Advisors where relevant • Where we are required to do so under a legal obligation
How long is the personal information kept for?	Business Purposes – to process the application and maintain records for the scheme. Archive Purposes – in accordance with legal and regulatory requirements.
Is the information transferred outside the UK?	Personal information may be transferred outside of the UK by us or organisations that process data on our behalf (and their sub-contractors). If this occurs, adequate safeguards will be in place to ensure compliance with Data Protection Laws.

3.3. Applying for export licence, Acceptance in Lieu, or Cultural Gift Scheme:

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 do we collect?	<ul style="list-style-type: none"> • Names, job titles, addresses, telephone numbers, email addresses, and financial details of applicants and others mentioned by you in your applications.
Why do we collect and	<ul style="list-style-type: none"> • To assess, review, and decide on the application • To monitor, compile statistical reports, and report on activity under the scheme

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

<p>process this information?</p>	<ul style="list-style-type: none"> • Identity verification and fraud prevention checks • If applicable, to publish information about the application on our own and Government websites. • For other statistical and research purposes.
<p>Legal basis for processing</p>	<ul style="list-style-type: none"> • Public Task
<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 • External/Independent Assessors • Government including HM Revenue and Customs • Independent or External Advisors • External Legal Advisors where relevant • Where we are required to do so under a legal obligation
<p>How long is the personal information kept for?</p>	<p>Business Purposes – to process the application and maintain records for the scheme. Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>
<p>Is the information transferred outside the UK and EEA?</p>	<p>For export license applications, personal information may be transferred outside of the UK by us. In such instances adequate safeguards will be in place to ensure compliance with Data Protection Laws.</p>

3.4. Our surveys:

When you complete one of our surveys	
What types of personal information do we collect?	<ul style="list-style-type: none"> • Names, addresses, telephone numbers, emails addresses, and possibly socio-economic data such as age, and level of education • We may also collect Special Category data from you. Special category data is personal data about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data (where used for identification purposes), health data, sex life, and sexual orientation.
Why do we collect and process this information?	<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 2010
Legal basis for processing under UK 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 complete one of our surveys

Is the data shared with a third party?	We may share the information you provide with third parties such as: <ul style="list-style-type: none">• Organisations that process data on our behalf and their subcontractors• Where we are required to do so under a legal obligation
How long is the personal information kept for?	Business Purposes – to analyse and report on findings of the surveys.
Is the information transferred outside the UK?	Personal information may be transferred outside of the UK 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 Data Protection Laws.

3.5. When you contact us:

When you make a complaint, request information, call us or webchat with us

What types of personal information do we collect?	<ul style="list-style-type: none">• Names, addresses, telephone numbers, and email addresses• Telephone calls to our Enquiry Line may be recorded• Webchats to our webchat may be recorded
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When you make a complaint, request information, call us or webchat with us

	<ul style="list-style-type: none"> • Other personal data or Special Category data (Ethnicity, Disability, Gender, Sexual orientation) may be included in the correspondence or telephone call
Why do we 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 UK GDPR	<ul style="list-style-type: none"> • Public Task • Legitimate Interests • Legal Obligation
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 and their subcontractors • External/Independent Assessors • Government • Independent Complaint Reviewer/Parliamentary and Health Service Ombudsman • External Legal Advisors where relevant • Where we are required to do so under a legal obligation
How long is the personal information kept for?	<p>Business Purposes – to respond to the complaint, enquiry, or request for information. Archive Purposes – in accordance with legal and regulatory requirements and business need.</p>

When you make a complaint, request information, call us or webchat with us

Is the information transferred outside the UK?	Personal information may be transferred outside of the UK 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 Data Protection Laws.
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3.6. When you subscribe to our newsletters, register for events, register for ArtsJobs and news listing or request a publication from us:

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 do we collect?	<ul style="list-style-type: none"> • Names, job titles (where relevant), and contact details such as addresses, telephone numbers, and email addresses • Access and dietary requirements may be collected for events, where relevant <p>Access and dietary requirements may include Special Category data such as their Ethnicity, Disability, Religious or philosophical belief, Health.</p>
Why do we 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.

When you subscribe to a newsletter, register for an event, register for the ArtsJobs and news listing service or request a publication from us

	<ul style="list-style-type: none"> • 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 2010 • To monitor, compile statistical reports, and report on our communication activity.
<p>Legal basis for processing under UK GDPR</p>	<ul style="list-style-type: none"> • Consent (electronic newsletters and event registration) • Public Task • Legitimate Interests <p>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>
<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"> • Individuals attending the event will be given a list of the other attendees (names, job role, organisation) • Organisations that process data on our behalf and their subcontractors • Where we are required to do so under a legal obligation
<p>How long is the personal information kept for?</p>	<p>Business Purposes – to stay connected with subscribers. ArtsJobs and news listing service – for as long as the user account remains active.</p>

When you subscribe to a newsletter, register for an event, register for the ArtsJobs and news listing service or request a publication from us

<p>Is the information transferred outside the UK?</p>	<p>Personal information may be transferred outside of the UK 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 Data Protection Laws.</p> <p>Where event registration is through Eventbrite: https://www.eventbrite.co.uk/ then the event registration data through Eventbrite will be transferred to the USA on the basis of user consent by Eventbrite. See Eventbrite's Privacy Policy to find out more.</p>
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3.7. When you apply for a job or a position on one of our boards, committees, or panels:

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

<p>What types of personal information do we collect?</p>	<ul style="list-style-type: none"> • Names, titles (which may include honorary titles), job titles, contact details such as addresses, telephone numbers and email addresses of applicants • Biographical information, which may include Special Category Data • Names, titles (which may include honorary titles), job titles, contact details such as addresses, telephone numbers, and email addresses of referees • We collect socio-economic data such as age, and level of education of applicants • We also collect Special Category data of applicants such as their Ethnicity, Disability, Sexual Orientation, Gender or Religious or Philosophical belief. •
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When you apply for a job or a position on one of our boards, committees, or panels

Why do we 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 UK GDPR	<ul style="list-style-type: none"> • Consent • Legitimate Interests <p>Special Category data is also processed under Article 9(g) Substantial Public Interest</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"> • Organisations that process data on our behalf and their subcontractors • External/Independent Assessors • Government • Our suppliers that our providing services to us relating to the recruitment process • Applicants' referees • Other third parties involved in the recruitment process. • Where we are required to do so under a legal obligation
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	<p>Personal information may be transferred outside of the UK 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 Data Protection Laws.</p>

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

outside the UK?

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

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

What types of personal information do we collect?

- Tenders, contract documentation, and invoices contains names, contact details such as addresses, telephone numbers and email addresses, financial and biographical information of suppliers or individuals working for or on behalf of bidders or suppliers
- We may collect Special Category data from you such as Gender, Ethnicity, Religion or Philosophical belief, Sexual orientation, Disability

Why do we collect and process this information?

- 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 decide 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 UK GDPR

- Public Task
 - Contractual Obligation
 - Legal Obligation
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- Special Category data is also processed under Article 9(g) Substantial Public Interest

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

Is the data shared with a third party?	We may share the information you provide with third parties such as: <ul style="list-style-type: none">• Organisations that process data on our behalf and their subcontractors• Government including HM Revenue and Customs• External/Independent Auditors• External/Independent Advisors• External Legal Advisors where relevant• Where we are required to do so under a legal obligation
How long is the personal information kept for?	Business Purposes –to evaluate tenders and for the duration of the contract. Archive Purposes – in accordance with legal and regulatory requirements and business need.
Is the information transferred outside the UK?	Personal information may be transferred outside of the UK 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 Data Protection Laws.

3.9. When you visit our website or the ArtsJobs website:

When you visit our website or the ArtsJobs website	
What types of personal information do we collect?	<ul style="list-style-type: none">• Information about your computer and about your visits to and use of this website such as your IP address, your geographical location, browser type and version of browser, operating system, referral source (how you found our website), length of visit, page views and website navigation paths• Information that you provide to us when registering with our website such as your name and email address• Information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters such as your name and email address• Information that you provide to us when using the services on our website, or that is generated during 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
Why do we collect and	<ul style="list-style-type: none">• Administer our website and business and the ArtsJobs site• Personalise our sites for you

When you visit our website or the ArtsJobs website

process this information?

- Enable your use of the services available on our websites
- Send you email notifications that you have specifically requested
- 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
- 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
- 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
- Deal with enquiries and complaints made by or about you relating to our website
- Keep our websites secure and prevent fraud
- 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 or the licence that you agree to
- 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.

Legal basis for processing under UK GDPR

- Public Task
- Legitimate Interests
- Contractual Obligations

When you visit our website or the ArtsJobs website

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 and their subcontractors• Where relevant, the third party that listed the posting on ArtsJobs• Our suppliers that our providing services to us relating to our websites• Where we are required to do so under a legal obligation <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 Artsjobs website cookies and privacy policy.</p>
How long is the personal information kept for?	Business Purposes.
Is the information transferred outside the UK?	Yes – please see our Artsjobs website cookies and privacy policy for further information.

3.10. Personal data through publicly available sources, meetings, and other engagements:

When we acquire personal data through publicly available sources, meetings, and other engagements	
What types of personal information do you collect?	<p>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 may include information such as:</p> <ul style="list-style-type: none"> • Names and contact details such as addresses, telephone numbers and email addresses • Biographical information • Initiatives that these individuals are involved in or have expressed an interest in
Why we 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 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 UK 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 acquired with third parties such as:</p> <ul style="list-style-type: none"> • Organisations that process data on our behalf • Government

When we acquire personal data through publicly available sources, meetings, and other engagements	
	<ul style="list-style-type: none"> • Individuals and organisations, where doing so is in keeping with our legitimate interests and objectives • External Legal Advisors where relevant • Where we are required to do so under a legal obligation
How long is the personal information kept for?	Business Purposes.
Is the information transferred outside the UK?	Personal information may be transferred outside of the UK 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 Data Protection Laws.

4. Complaints and Queries about how we collect and use your personal data

4.1. We try to meet the highest standards when collecting and using personal data. For this reason, we take any complaints about this seriously. We encourage you to bring any complaints or issues 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.

4.2. This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of our 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 our Information team:

- by email Information@artscouncil.org.uk or in writing to Information team, Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN.

4.3 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, in the first instance we would welcome the opportunity to discuss this with you and request that you make a complaint directly to us by contacting our Information team:

- by email Information@artscouncil.org.uk or in writing to Information team, Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN.

4.4 However, you do have the right to make a complaint at any time to the Information Commissioner's Office:

- via their website <https://ico.org.uk/global/contact-us/> or in writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

5. Data Protection Officer

5.1. Our Data Protection Officer is David Bryant Senior Manager, Governance and Data Protection Officer. Our Data Protection Officer can be contacted:

- by email Information@artscouncil.org.uk or in writing to Arts Council England, The Foundry, 82 Granville Street, Birmingham, B1 2LH

6. Review

6.1. We keep our General Privacy Notice under regular review. We last updated the notice on 05 September 2023.