

## Impact and Insight Toolkit and Peer Portal Privacy Notice

### 1. About this notice

- 1.1. Arts Council England collects information from the Peer Portal and the Impact and Insight Toolkit ('IIT') survey responses to develop and advocate for the arts, museums and libraries and fulfil its other objects as set out in its Royal Charter.
- 1.2. Arts Council England National Portfolio Organisations ('NPO'), linked in Section 7, collect information from the Peer Portal and the IIT survey responses to understand what their peers and audiences think about their work and how this compares to what they are trying to achieve.
- 1.3. This privacy notice tells you what to expect when Arts Council England and NPOs (together referred to as "we" or "us" in this Privacy Policy) collect personal data using the Peer Portal or the IIT. It applies to personal data we may collect, create, receive, use and store when you complete one of our IIT surveys or register with the Peer Portal.
- 1.4. It also provides details of how you can exercise your rights under Data Protection laws.
- 1.5. It is supplemented by the Arts Council England's [general privacy notice](#) and 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

- 2.1. Arts Council England and the NPOs act as independent data controllers in respect to personal data that is collected using the Peer Portal or the IIT.
- 2.2. The contact details of Arts Council England and the NPOs who are responsible for your personal data are as follows:

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

Please see Section 7 for NPO data controller details.

### 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 at any time.

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](mailto: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.
- Please see Section 7 for details of how to contact NPOs.

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 register with the Peer Portal

When you register with the Peer Portal	
What types of personal information is collected?	<ul style="list-style-type: none"> <li>Name, contact details, and we may also ask you to provide non-mandatory socio-economic data such as ethnicity, gender and age of peers.</li> </ul>
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none"> <li>To provide insights to make a stronger case for continued public investments in arts and culture.</li> <li>To enable us to monitor the outputs, outcomes and impact of our funding programmes and other activity.</li> <li>To enable us to understand the views and perspectives of our NPO's peers.</li> </ul>
Why do NPOs collect and process this information?	<ul style="list-style-type: none"> <li>To invite and obtain reviews on our work from professionals in arts and culture.</li> </ul>
Legal basis for processing under GDPR	<ul style="list-style-type: none"> <li>Legitimate Interests</li> <li>Legal Obligation</li> </ul> <p>In addition, 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 with Counting What Counts Limited ('CWC'). CWC provides systems and technical support in connection with the IIT and processes personal data on our behalf. Where necessary, we may share the information you provide with other third parties such as organisations that process data on our behalf and their subcontractors.</p>
How long is the personal information kept for?	<p>We will keep your personal data stored in the Peer Portal for no longer than 3 years of non-activity (e.g. a peer not providing a review on behalf of ACE or an NPO).</p>
Is the information transferred outside the UK?	<p>Personal information is transferred outside of the UK. In such incidences adequate safeguards are in place to ensure compliance with GDPR and the Data Protection Act 2018.</p>

## 5. How we use your information when you complete one of our surveys

When you complete one of our surveys	
What types of personal information does Arts Council England collect?	<ul style="list-style-type: none"> <li>• Postcodes and socio-economic data such as age, gender and ethnicity and possibly names and contact details. Wherever possible, ACE will only have access to anonymised data for its purposes.</li> </ul>
Why does Arts Council England collect and process this information?	<ul style="list-style-type: none"> <li>• To provide insights to make a stronger case for continued public investments in arts and culture.</li> <li>• To enable us to monitor the outputs, outcomes and impact of our funding programmes and other activity.</li> <li>• To enable us to understand the views and perspectives of our NPO's audiences.</li> </ul>
Legal basis for processing under GDPR	<ul style="list-style-type: none"> <li>• Public Task</li> <li>• Legitimate Interests</li> <li>• Legal Obligation</li> </ul> <p>In addition, 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 use <a href="#">CWC</a> as our Processor to power our Surveys and Participant Communications with you. CWC has taken steps to minimise the amount of personal data it can see or access when processing on our behalf and to make sure such data is appropriately secured. Please see the CWC Processor Privacy FAQs in Annex 1 for more information.</p> <p>Where necessary, we may share the information you provide with other third parties such as organisations that process data on our behalf and their subcontractors.</p>
How long is the personal information kept for?	<p>We will keep your personal data stored on our systems for as long as it takes us to analyse and report on findings from the IIT. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our rights. We review our data retention policies regularly and will retain your personal data only as long as necessary for the purpose for which we process that data.</p>
Is the information transferred outside theUK?	<p>Personal information is transferred outside of the UK. In such incidences adequate safeguards are in place to ensure compliance with GDPR and the Data Protection Act 2018.</p>

When you complete one of our surveys	
What types of personal information do NPOs collect?	<ul style="list-style-type: none"> <li>• Names, contact details, and possibly socio-economic data such as ethnicity, disability, age, gender, age, sexual orientation of respondents.</li> <li>• NPOs will only have access to your personal information if you complete a survey which relates to the services that they provide.</li> </ul>
Why do NPOs collect and process this information?	<ul style="list-style-type: none"> <li>• To follow-up survey responses where needed.</li> <li>• To enable us to monitor the outputs, outcomes and impact of our activities.</li> <li>• To enable us to understand the views and perspectives of our audiences.</li> </ul>
Legal basis for processing under GDPR	<ul style="list-style-type: none"> <li>• Public Task</li> <li>• Legitimate Interests</li> <li>• Legal Obligation</li> </ul> <p>In addition, 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 use <a href="#">CWC</a> as our Processor to power our Surveys and Participant Communications with you. CWC has taken steps to minimise the amount of personal data it can see or access when processing on our behalf and to make sure such data is appropriately secured. Please see the CWC Processor Privacy FAQs in Annex 1 for more information.</p> <p>Where necessary, we may share the information you provide with other third parties such as organisations that process data on our behalf and their subcontractors.</p>
How long is the personal information kept for?	<p>We will keep your personal data stored on our systems for as long as it takes us to analyse and report on findings from the IIT. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our rights. We review our data retention policies regularly and will retain your personal data only as long as necessary for the purpose for which we process that data.</p>
Is the information transferred outside the UK?	<p>Personal information is transferred outside of the UK. In such incidences adequate safeguards are in place to ensure compliance with GDPR and the Data Protection Act 2018.</p>

<b>When you make a complaint, request information or call us</b>	
What types of personal information does Arts Council England or the NPOs collect?	<ul style="list-style-type: none"> <li>• Names and contact details</li> <li>• Phone calls to our Enquiry Line are recorded</li> <li>• Other personal data may be included in the correspondence or phone call</li> </ul>
Why does Arts Council England or the NPOs collect and process this information?	<ul style="list-style-type: none"> <li>• To consider and respond to the correspondence, complaint or enquiry</li> <li>• To monitor the quality of our responses</li> <li>• Audit purposes</li> </ul>
Legal basis for processing under GDPR	<ul style="list-style-type: none"> <li>• Public Task</li> <li>• Legitimate Interests</li> </ul>
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"> <li>• Organisations that process data on our behalf.</li> <li>• Independent Complaint Reviewer/Parliamentary and Health Service Ombudsman</li> <li>• External Legal Advisors where relevant</li> </ul>
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.</p>
Is the information transferred outside the UK?	None

## 6. Complaints or Queries

6.1. The Arts Council and the NPOs try 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.

6.2. 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 or the NPOs' collection and use of personal data. 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](mailto:Information@artscouncil.org.uk) or Arts Council England The Hive, 49 Lever St, Manchester M1 1FN.
- Please see Section 7 for details of how to contact NPOs.

6.3. 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](mailto:Information@artscouncil.org.uk) or Arts Council England The Hive, 49 Lever St, Manchester M1 1FN.
- Please see Section 7 for details of how to contact NPOs.

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

## 7. Arts Council England National Portfolio Organisations

NPO details are held in their privacy policies which can be found using the links in the [full list of NPOs](#) from the Arts Council England website.

## 8. Review

6.1 We keep our privacy notice under regular review. This privacy notice was last updated on 27 March 2019.

## **Annex 1: CWC Processor Privacy FAQs**

### **What is this and who should read this?**

This is intended to answer questions you may have if you've received communication sent to you related to our platform. If you wish to know about our practices when you visit our site directly or engage directly with us, please see our [Data Privacy Notice](#)

### **What is CWC and what are you doing with my data?**

CWC is the provider of our Survey platform. When NPOs use our platform to deliver surveys to you, they select the types of data to capture about you by selecting the questions and decide what to do with that data. This will vary with each NPO. We provide support to NPOs by collecting, transmitting and securely storing your personal data in their private NPO account (which is protected with an encrypted password) and providing additional support when necessary. CWC does not deliberately access, see, use or otherwise benefit from this information, though a member of CWC's support team may incidentally see some account content while providing NPO support.

### **Does CWC doing anything else with my data?**

No. In GDPR terms, CWC is the data processor for most of what we do with your personal data, and our NPO is the data controller. There are certain situations where CWC act as a Controller and use a limited amount of your personal data for our purposes. See below for further information on where CWC may use your data.

As a data processor, CWC only processes your personal data according to NPO's instructions and only process or view what is necessary to enable NPOs to use the platform. CWC provides the platform on a self-serve basis with templates and functionality that the NPO uses to communicate with you and capture your personal data. This includes optional information to confirm delivery.

CWC has controls in place to enforce need-to-know access and CWC employees are bound by strict confidentiality obligations. Where CWC does have access, only CWC personnel with a legitimate need-to-know will have that access. CWC personnel are bound by confidentiality, and CWC is contractually obligated to process your data only on NPOs' instructions and in a secure manner.

**If you have other entities who use your platform to capture my details in their own accounts, do you ever combine my information from different NPO accounts or allow others to so they can create richer profiles of me or track me across all these platforms?**

No. CWC never mingles personal data across NPO accounts and doesn't use the Personal Data input into the platform for its own use. However, with CWC's Client's prior written approval CWC may anonymise or pseudonymise aggregated data CWC processes for its own research purposes and it may match such anonymised data sets with other public data strictly for research purposes. CWC will only do so in accordance with Data Protection Law, specifically as provided under Arts. 5(1)(b) and 89(1), GDPR and relevant Data Protection Law, and after considering and mitigating risks of re-identification.

**How can I manage my privacy settings?**

The NPO, as the data controller, ultimately decides how to respond to privacy rights requests, like requests for information about what data the NPO holds on you, or requests to erase your data. CWC only processes a portion of the personal data the NPO may have about you.