



Cyngor Celfyddydau Cymru  
Arts Council of Wales

# Privacy Policy

February 2021



Noddir gan  
Lywodraeth Cymru  
Sponsored by  
Welsh Government



Yn dyfarnu arian / Awarding funds from  
**Y LOTERIGENEDLAETHOL**  
**THE NATIONAL LOTTERY®**



Arts Council of Wales makes information available in large print, braille, audio, Easy Read and British Sign Language. We'll also try to provide information in languages other than Welsh or English on request.

Arts Council of Wales operates an equal opportunities policy.

## Contents

Introduction	5
Identity and contact details of Data Protection Officer and Privacy Support	5
Confidentiality / Security	6
Your Rights	7
Access to your Personal Data	7
1. Our online platforms	8
Visiting our website	8
Data Collection and Purpose Specification	8
Use of cookies What are cookies?	8
What do we use cookies for?	9
Social Media	9
Personal information	10
2. Working for the Arts Council of Wales	11
Job Applications and Expressions of Interest	11
How long do we keep your data for?	12
Staff Information	13
3. Grant Funding	17
Lottery Funding	17
Purpose and Use	18
Time Frame	18
Arts Portfolio Wales Organisations	18
Purpose and Use	19
Time Frame	19
4. Night Out	20
Promoter Correspondence	20
Your Data	20

Purpose and Use	20
‘What’s On’	21
Performer Correspondence	21
Your Data	21
Purpose and Use	22
5. Collectorplan	23
Member Galleries	23
Private Individuals	24
6. Procurement - Contracts and Suppliers	25
Contracts	25
Supplier Correspondence	26
Your Data	26
Purpose and Use	26
7. Research	27
Statistical Disclosure Control	27
Access to data	28
8. Contacts	29
Information Collection	29
Purpose and Use	29
Time Frame	30
Access and Opt-Out Rights	30

## Introduction

The Arts Council of Wales is an independent charity, established by Royal Charter. We are the country's official funding and development organisation for the arts. Our principal sponsor is the Welsh Government. We also distribute funding from the National Lottery and raise additional money where we can from other public and private sector sources.

We act as both a Data Controller and Data Processor as defined by the UK General Data Protection Regulation (UK GDPR). This Policy establishes how the Arts Council of Wales handles the information we:

- collect from you through our application processes, including grant funding enquiries and applications and job opportunities;
- learn about you when you visit our website;
- collate through our transactional relationships including procurement; payments to suppliers and grant recipients; management and administration of our staff
- gather through any other process including events registration, contacts lists, research activities and correspondence.

This Policy is endorsed by the Chief Executive and Senior Leadership Team. This revision was conducted in January 2021.

Protecting the privacy and personal data of our clients and visitors is of the utmost importance to us. Protecting your privacy and your personal data is an important aspect of the way we create, organise and implement our activities on-line and off-line. When we talk about personal information, we are only referring to information from which an individual person can be identified (e.g. name, personal contact or location details, identification number).

The specific practices outlined in this Privacy Policy apply to all the activities of the Arts Council of Wales, including Wales Arts International and Night Out.

## Identity and contact details of Data Protection Officer and Privacy Support

If you have any enquiries about our privacy statement, how your data is processed or are requesting access to your personal data please contact our [Data Protection Officer](#) on the contact details below:

Planning, Performance and Compliance Manager at [Governance@arts.wales](mailto:Governance@arts.wales) or you can write to us at Arts Council of Wales, Bute Place, Cardiff, CF10 5AL.

## Confidentiality / Security

We intend to protect the quality and integrity of your personal information.

We have implemented technologies and security policies to protect the stored personal data of our users from unauthorised access, improper use, alteration, unlawful or accidental destruction and accidental loss. To achieve this, we use encrypted secure technology to protect information stored by us. We operate up to date and regularly review policies for Data Protection, Information Security and Business Continuity (including Risk Assessment) to support our business processes and to ensure that all personnel are aware of the importance of data security. We will continue to review and enhance our security procedures as new technology becomes available.

Arts Council of Wales employees and anyone who may process data on our behalf and who has access to personal data are obliged to respect the privacy and the confidentiality of their personal data of our visitors, clients and those we may engage with for research purposes including participation in surveys.

We implement measures to safeguard your personal data from being disclosed to unauthorised third-party institutions and authorities except if required as part of ongoing programme management or audit requirements, by law or other regulation. The Arts Council of Wales has a duty to protect public funds and therefore we may use information provided for the purpose of the prevention and detection of fraud. We may also share information with other bodies responsible for administering public funds for these purposes. This includes the collecting and sharing of data with the Auditor General for Wales in connection with his audit work and studies. We will carry out this process lawfully, proportionately and securely.

Further information regarding how we manage personal data for each of the following areas may be found later in this document or by selecting one of the links below.

1. [Our Online Platforms](#)
2. [Working for the Arts Council of Wales](#)
3. [Grant Funding](#)
4. [Night Out](#)
5. [Collectorplan](#)
6. [Procurement Contracts and Suppliers](#)
7. [Research](#)
8. [Contacts, including event registration and newsletters](#)

## Your Rights

Under the UK GDPR you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or, in certain circumstances, erasure of your personal data, the right to restrict processing, object to processing as well as the right to data portability.

If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time unless we are contractually or legally obligated to retain data. Withdrawal of consent will not affect the lawfulness of the processing before your consent was withdrawn. Withdrawal of consent may be done by unsubscribing from the mailing list in question or by contacting [Governance@arts.wales](mailto:Governance@arts.wales).

In cases where we do not need to retain data for contractual or legal reasons, we will delete the data as soon as possible and at the very least within 28 days.

You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the UK GDPR with regard to your personal data.

## Access to your Personal Data

You can ask us whether we are keeping personal data about you, and you can also request a copy of that personal data. Before sending you any personal data, we will confirm your identity and may ask you to provide further information to help us with this. If we are not able to confirm your identity, we reserve the right to refuse to send you the personal data. We will not make any charges for such requests, unless the requests made repeatedly and are considered excessive.

We will make every effort to respond in a timely manner to your requests (within 28 days) or to correct inaccuracies in your personal information. At any time, you may request that we delete or correct your personal information in our records. For such requests, please contact our [Data Protection Officer](#)

# 1. Our online platforms

## Visiting our website

We take a proactive approach to user privacy and ensure the necessary steps are taken to protect the privacy of our website visitors and users throughout their visiting experience.

Our website complies with all UK national laws and requirements for user privacy.

## Data Collection and Purpose Specification

In general, you can browse our website without disclosing any personal information about yourself. Our website will include links to external sites and resources as part of our normal business activity. These include news stories and links to other websites as part of the information being shared on our website (e.g. case studies). Use of those links may allow third parties to collect or share your personal information. As we have no control over how such third parties may collect and share your information we do not take any responsibility for their use of your information.

Our website enables you to post information to be accessed by others, subject to our approval. When you do so, other visitors may collect the data you have submitted.

We do not automatically log personal data nor do we link information automatically logged by other means with personal data about specific individuals.

We use cookies to store personal data. We do not link non-personal information stored in cookies with personal data about specific individuals. We provide more information on cookies in the following section.

We collect the personal data that you may volunteer while using our services. Under UK GDPR this data is collated and processed on the basis of consent.

We do not collect information about our visitors from other sources, such as public records or bodies, or private organisations.

We may collect and use personal data for the additional purpose of populating mailing lists. If we wish to use your personal data for a new purpose, we offer you the means to consent to this new purpose by indicating in a box at the point on the site where personal data is collected. You may withdraw this consent at any time by unsubscribing via our website link or emailing [Governance@arts.wales](mailto:Governance@arts.wales)

## Use of cookies What are cookies?

Cookies are small files saved to the user's computer's hard drive that track, save and store information about the user's interactions and usage of the website. This allows the website, through its server to provide the users with a tailored experience within this website.



## What do we use cookies for?

As described above, we sometimes collect anonymous information from visits to our site to help us provide a better service. For example, we may keep track the domains from which people visit and we may also measure visitor activity on the Arts Council of Wales website, but we do so in ways that keep the information anonymous. We use the information that we collect to measure the number of visitors to the different areas of our site, and to help us make our site more useful to visitors. This includes analysing these logs periodically to measure the traffic through our servers, the number of pages visited and the level of demand for pages and topics of interest. The logs may be preserved indefinitely and used at any time and in any way to prevent security breaches and to ensure the integrity of the data on our servers.

We may use cookies to remember personal settings you have chosen at our website. In no other context do we use cookies to collect information that identifies you personally. Most of the cookies we set are automatically deleted from your computer when you leave our website or shortly afterwards.

Our website uses tracking software to monitor visitors to better understand how it is used. This software is provided by Google Analytics which uses cookies to track visitor usage.

The software will save a cookie to your computer's hard drive in order to track and monitor your engagement and usage of the website, but will not store, save or collect personal information.

Should users wish to deny the use and saving of cookies from this website onto their computer's hard drive, they should take necessary steps within their web browser's security settings to block all cookies from this website and its external serving vendors.

## Social Media

We receive anonymous, aggregated statistics about visitors to our social media pages through:

- Facebook Insights (<https://en-gb.facebook.com/policy>)
- Twitter Analytics (<https://twitter.com/en/privacy>)
- Instagram (<https://help.instagram.com/402411646841720>)
- Sprout Social (<https://sproutsocial.com/privacy-policy>)
- Hootsuite (<https://hootsuite.com/en-gb/legal/privacy>)
- Cision / Gorkana (<https://www.gorkana.com/about-gorkana/privacy-policy>)

This helps us to understand how visitors are engaging with our content.

## Personal information

Whilst using our website, software applications or services, you may be required to provide personal information (name, address, email, account details, etc.). We will use this information to administer our website, applications, client databases and marketing material. We will ensure that all personal information supplied is held securely in accordance with UK GDPR. Further, by providing telephone and email details, you consent to the Arts Council of Wales contacting you using that method. You have the right at any time to request a copy of the personal information we hold on you. Should you wish to receive a copy of this, or would like to be removed from our database, please unsubscribe or contact us at [Governance@arts.wales](mailto:Governance@arts.wales)

Registering on our site is optional. If you choose not to register or provide personal information, you can still use the Arts Council of Wales website

## 2. Working for the Arts Council of Wales

### Job Applications and Expressions of Interest

As part of any recruitment process, we will collect and process personal data relating to job applicants and Expressions of Interest received in response to advertised opportunities. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations in accordance with the European Convention on Human Rights, the UK Human Rights Act 1998, and UK GDPR. All of the information you provide during the recruitment process will only be used for the purpose of progressing your application or to fulfil legal or regulatory requirements when necessary.

Wherever possible, job applicants will apply for a position at the Arts Council of Wales by completing a standard proforma. This process may be adapted in instances to address any special requirements an individual applicant may have. However, in these instances, the same detail for each applicant is captured.

- Personal Details – name, address, contact details and language preference and language proficiency self-assessment
- Relationships with any member or employee of the Arts Council
- Legal status to work in the UK
- Unspent criminal convictions
- Education, professional qualifications and training including membership of any professional bodies
- Experience and achievements in relation to the specified knowledge, experience and attributes for the advertised role.
- Current and previous employment details – including employer’s name, address, role, reason for leaving and final salary
- References - name, address, contact details and language preferences for 2 referees
- Equal opportunities monitoring questionnaire – retained separately by Human Resources in accordance with the retention periods outlined below and not shared with the interview panel.

Under UK GDPR this data is collated and processed for the purpose of preparing or fulfilling a contract with you.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK or tax status before employment starts.

Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims. Where we may rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of job applicants, employees or workers and have concluded that they are not.

We collect this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests and questionnaires.

We will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from Disclosure and Barring Services (DBS) records checks (please see our separate published policy for more information on this). We will seek information from third parties only once a conditional job offer to you has been made and will inform you that we are doing so.

## How long do we keep your data for?

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

Unsuccessful application forms and their associated references (if requested) are kept for twelve months in case of claims, and are then destroyed, unless you specifically ask that your details are destroyed sooner. All information supplied will be treated in a confidential manner and seen only by those involved in the recruitment and appointment process. Any copies made will be destroyed after interview.

If successful, the application will be retained electronically in the personnel file by the Human Resources Department. We will hold no other copies. Notes made at shortlisting will be destroyed after the interviews are complete. The only further information stored after the interview will be the reason why an applicant was not appointed. Interviewees are welcome to contact the Human Resources Department to request feedback about their interview. Therefore, this information is retained for twelve months and then destroyed with the application.

## Staff Information

This section also applies to Arts Associates and Creative Agents.

As your employer or contracting party, the Arts Council needs to collect, keep and process information about you for normal employment purposes. The information we hold and process will be used for our management and administrative use only and, as such, will be maintained with measures to protect against unauthorised access. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with:

- the employment contract
- to comply with any legal requirements
- pursue any legitimate interests of the Arts Council, and
- protect our legal position in the event of legal proceedings

Under UK GDPR this data is collated and processed on the basis of fulfilling or preparing a contract.

If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

Where we are processing data based on your consent, you have the right to withdraw that consent at any time. You may do this by contacting [HR@arts.wales](mailto:HR@arts.wales) if you are a member of staff, or [Governance@arts.wales](mailto:Governance@arts.wales) if you are an Arts Associate, Creative Agent or other party contracted directly by us.

In carrying out our day-to-day activities, we may sometimes need to process your data to pursue any legitimate business interests, for example to prevent fraud, administrative purposes or reporting potential crimes. The nature of such interests regarding our recruitment and employment activities include:

- maintaining the contracted employment relationship
- recruitment and internal job application processes
- payroll / IR35 administration
- pension administration (where relevant)

- statutory reporting requirements such as audits carried out by HMRC
- the prevention of fraud, and
- the reporting of potential crimes

We will never process your data on the basis of pursuance of any legitimate business interests where these interests are overridden by your own interests or fundamental rights which require protection of your personal data.

Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager or lead contact within the organisation, or in some cases, external sources, such as referees.

The sort of information we hold includes your:

- application form and references
- your contract of employment and any amendments to it
- correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage provider confirming your salary
- information needed for payroll, IR35 considerations, benefits and expenses purposes
- contact and emergency contact details
- records of holiday, sickness, maternity / shared parental leave and other absence
- information needed for equal opportunities monitoring (this is only ever reported on an anonymised basis)
- information needed for Welsh Language Standards monitoring, and
- records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, Disclosure and Barring Service (DBS) checks, disciplinary and grievance records. Our separate published Policy for Disclosure and Barring Services may be found [here](#)
- declared interests for yourself and immediate family members.

The retention periods for the information outlined in the above areas are based on the recommended retention periods provided by the National Archives and may be found in our Records Management Policy.

You will, of course, inevitably be referred to in many Arts Council documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the Arts Council. However, in these instances, other than your name and/or contact details, there is unlikely to be any personal information detailed. You should refer to our UK GDPR (Data Protection) Policy which is available in the Knowledgebase or from the Planning, Performance and Compliance Manager.

Where necessary, we may keep information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage statutory and company sick pay.

The Equalities Act (2010) requires us to report on protected characteristics. Where we process special categories of information relating to your protected characteristics, such as:

- age
- sex
- marital or civil partnership status
- disability
- racial or ethnic origin
- religious and philosophical beliefs, and
- sexual orientation
- transgender
- maternity / pregnancy

We will always obtain your explicit consent to those activities unless this is not required by law or the information is required to protect your health in an emergency.

For staff, we monitor computer use, as detailed in our suite of ICT policies, available on the intranet. We also keep records of your hours of work by way of your Cascade timesheets. Timesheets are monitored by the line manager and reports are created by HR for the purpose of monitoring credit and deficit hours. Where issues arise these are reported to SLT. Anonymised reports are also presented to the HR and Remuneration

Committee as part of anonymous HR management information reports.

We will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to our pension administrators, HMRC for tax collection purposes, the Office for National Statistics or Auditor General for Wales in connection with audit work and studies and to be used in data-matching exercises designed to prevent and detect fraud. The data is provided under Part 3A of the Public Audit (Wales) Act 2004.

Under UK GDPR, if we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information and seek your consent if appropriate to do so (i.e. where it is not required under legal obligations or compatible with the original purpose for the collection of the data).



### 3. Grant Funding

We are the public body responsible for funding and developing the arts in Wales. Our vision is of a creative Wales where the arts are central to the life and well-being of the nation.

One of the ways we try to do this is by distributing funding for arts activity to creative professionals and arts organisations either based in Wales or who demonstrate that they provide a cultural and public benefit to Wales.

#### Lottery Funding

You will need to register on our online portal to access funding. The personal information we will collect at this stage includes your name, contact details - including email address, bank details and equality monitoring information (this will be held separately from your application and will be used for statistical monitoring purposes only and reported in anonymised format). If you are acting as an Administrator on behalf of an organisation registered on our online portal, you may also enter additional contact details for other members of staff within your organisation as appropriate.

Under UK GDPR this data is collated and processed on the basis of preparing or fulfilling a contract with you. We also need to process your data to enter into a contract with you. For the purpose of this Privacy Policy your grant application and, if successful, grant offer will be regarded as contracts.

Should you progress to application stage, the personal information we may gather as part of your application preparation and submission in addition to the that collected at registration listed above includes DBS Checks if appropriate to the related grant activity (please see separate [Policy](#) for these processing arrangements), CV and any other personal information that may be supplied in supporting documentation you provide for your application. This may include personal contact details and career information for third parties involved in your proposal that you have submitted.

This information may be shared with nominated third parties (e.g. Arts Associates) for the purpose of assessing your application. In such instances, nominated third parties will be acting under Arts Council of Wales instruction and bound by its Data Protection Policy. As a distributor of public funds, including Lottery funds, we are obliged to publish details of the grant awards we have made and to share these with the Department of Digital, Culture, Media and Sport. The only personal information we will share with DCMS will be the of the grant applicant's name, post code, and Local Authority area. The personal information we publish on our website will be limited to the applicant's name and Local Authority area for the project activity.

Under UK GDPR this data is collated and processed on the basis of preparing or fulfilling a contract with you.

Applications are made online via our website. Our grant application software providers are fully compliant with UK GDPR requirements and holds user account details in encrypted format.

## Purpose and Use

This information is used to process your application and, if successful, administer your grant award and associated payments throughout the life of the grant including issue and receipt of Completion Reporting and any final payments.

## Time Frame

All personal information in relation to your application is retained by us for 6 years from closure of your associated grant funded project, or should your application be rejected or withdrawn, 6 years from this date, after which it is destroyed. Grant data held may be held in aggregated form after this period, for statistical analysing and reporting purposes.

## Arts Portfolio Wales Organisations

Members of Arts Portfolio Wales are those clients in receipt of recurrent grants, awarded on an annual basis, towards their core activities.

Arts Council of Wales' investment in the Arts Portfolio is one of the key means by which we aim to achieve a dynamic and creative arts sector and to deliver the strategic priorities outlined in our [Corporate Plan](#) and agreed with the [Welsh Government](#)

We set broader expectations alongside a number of common targets for all members of Arts Portfolio Wales. Our [website](#) explains how we manage our relationship with portfolio members. The website also provides access to the templates to present information during each year about how the organisation operates and is performing.

In managing our Arts Portfolio Wales Member Organisations we may collect and process the following personal information:

Name, address, contact details, bank details, financial details, CVs of associates, Board papers and Governing Documents, general correspondence and equal opportunities monitoring data for staff and Board Members (equalities reporting will always be on an anonymised basis and will not identify any individuals).

This information may be shared with nominated third parties (e.g. Arts Associates) for the purpose of assessing your application. In such instances, nominated third parties will be acting under Arts Council of Wales instruction and bound by its Data Protection Policy.

Under UK GDPR this data is collated and processed on the basis of preparing or fulfilling a contract with you.

## Purpose and Use

This information is used to process your annual Funding Agreements and administer your grant award and associated payments.

## Time Frame

All information in relation to your annual Funding Agreement is retained for 6 years from end of the associated financial year, after which it is destroyed.

The Arts Portfolio Wales Survey is sent every six months to all members. The survey primarily collects data on the number of arts events run and attendances made to these activities. Any personal information gathered as part of this exercise is reported in an anonymised format.

## 4. Night Out

### Promoter Correspondence

We currently hold your data because you have applied to the Night Out scheme to put on an event.

Under UK GDPR this data is collated and processed for the purpose of preparing or fulfilling a contract with you. We will keep this data for three financial years after the event has occurred. After this time if you have not applied to use the Night Out scheme again we will delete the booking information and promoter contact details. Your organisation is more than welcome to apply again to the scheme at a future date but will need to re-register if you have not used the scheme for more than three years.

When you applied / registered you may have indicated that your contact information can be made available to performers interested in touring Wales. Your data is only shared with performers if you have ticked that it may be shared. If you wish to change this you are able to log on through your promoter home page at [www.nightout.org.uk](http://www.nightout.org.uk) and change these settings or contact the Night Out office at 02920441340 [enquiry@nightout.org.uk](mailto:enquiry@nightout.org.uk) if you have any queries.

### Your Data

Arts Council of Wales does not collect any non-business-related data such as date of birth, or government identification number, and does not collect sensitive personal data from visitors to our website or subscribers to our mailing lists.

### Purpose and Use

Night Out / Arts Council of Wales processes your information to administer the application we received from you.

Performers who have registered an account on our website may use the information within the [Promoter](#) database to contact individuals in line with their stated contact preferences. The promoter contact data base is not publicly available and is only accessible by account holders.

Anyone visiting our web site may [search](#) for the contact details of performers who have registered an account with Night Out. The search will return information in line with chosen preferences.

## ‘What’s On’

We will issue a monthly “What’s On“ listing to anyone who has subscribed to this service by submitting their name and e mail address on our [web site sign up](#) page.

Under GDPR this data is collated and processed on the basis of consent.

You may unsubscribe at any time by selecting the unsubscribe link at the bottom of What’s On emails. If you wish to amend your contact information and preferences from this list select Unsubscribe and then re submit your updated preferences.

Individuals visiting the What’s On page of our web site may use the ticket contact information, where these are published, in order to contact the individual regarding their event.

## Performer Correspondence

We currently hold your data because you have either been booked for a Night Out event or registered your information on our web site.

Under UK GDPR this data is collated and processed for the purpose of preparing or fulfilling a contract with you.

We will keep this data for three financial years after the event has occurred or you registered with Night Out. After this time if you have not been re-booked through the Night Out scheme or actively updated your details we will delete the booking information and performer contact details from our database. This will not affect any future bookings that may occur which are assessed on their own merit. You are then welcome to apply again to the scheme at a future date but will need to re-register if this is longer than three years ago.

If you registered an account with Night Out you may have indicated that your contact information can be made available to anyone visiting our web site. Depending on the selected preferences we may share contact name, phone, e mail and address. If you wish to change this you are able to log on through your performer home page at [www.nightout.org.uk](http://www.nightout.org.uk) and change these settings or contact the Night Out office at 02920441340 [enquiry@nightout.org.uk](mailto:enquiry@nightout.org.uk) if you have any queries.

Shows remain visible to search from the web site based on availability dates. If a show is no longer available changing the availability dates to a past date will mean it does not appear in search requests.

## Your Data

Arts Council of Wales does not collect any non-business-related data such as date of birth, or government identification number, and does not collect sensitive personal data from visitors to our website or subscribers to our mailing lists.

## Purpose and Use

Night Out / Arts Council of Wales processes your information to administer the application we received to book you.

Performers who have registered an account on our website may use the information within the Promoter database to contact individuals in line with their stated contact preferences. The promoter contact data base is not publicly available and is only accessible by account holders.

Anyone visiting our web site may [search](#) for the contact details of performers who have registered an account with Night Out. The search will return information in line with chosen preferences.

## 5. Collectorplan

Collectorplan is a service operated by Arts Council of Wales. Through Collectorplan, private individuals may borrow money (interest-free) to assist with the purchasing of Works from galleries in Wales which are Members of the Collectorplan service.

### Member Galleries

Member galleries are galleries that are registered with the Arts Council of Wales Collectorplan service. Only Members may operate the Collectorplan service. Galleries which operate as sole traders, partnerships or companies can apply to be a Collectorplan Member, provided that any sole trader must be over 18 years of age.

Any gallery wishing to apply as a Member to the service will complete an application that will include the collection of personal data, including name, contact details, address and bank account details. By submitting an application to become a Collectorplan member, a gallery and its directors, management, committees and staff are making an offer to subscribe to the Collectorplan service which, if accepted by Arts Council of Wales, will result in a legally binding contract. Acceptance shall be deemed to have taken place, and a gallery's membership will commence, on a nominee of Arts Council of Wales countersigning the application form and notifying the gallery that its application has been successful.

Upon application, Arts Council of Wales will make reasonable enquiries of applicants (where the applicant gallery is a sole trader), partners (where the applicant gallery is a partnership) and applicant and its directors and shareholders (where the applicant gallery is a company) in order to ensure that the same are not un-discharged bankrupts, disqualified directors or persons holding unsatisfactory County Court Judgements or police convictions which would, in the opinion of Arts Council of Wales, adversely impact upon the administration of Collectorplan and jeopardise the goodwill of Collectorplan.

Collectorplan Member shall make audited accounts available to Arts Council of Wales on request. All information will be treated as confidential.

Under UK GDPR all associated data is collated and processed on the basis of fulfilling or preparing a contract.

Member may withdraw from membership of the Collectorplan service at any time by giving three months' prior notice, in writing, to Arts Council of Wales.

Information supplied by the gallery to the Arts Council of Wales as part of its membership is held and maintained securely for the duration of the membership, and for seven financial years from the date the membership ceased. After this period the details are destroyed.

## Private Individuals

Only private individuals may apply for and receive a Collectorplan loan. The application will include the collection of personal data, including name, contact details, address and bank account details. Upon receipt of a completed application, the Arts Council of Wales will make an enquiry of a credit reference agency as to any known County Court Judgments or problems. Where a problem does arise as a result of the credit enquiry, Arts Council of Wales will write direct to the Buyer advising that it will not be possible to proceed with the application (the Member will also be sent a copy of the letter. Where the loan is for £1,000 or more a reference may be asked for from the Buyer's bank.

By submitting an application to purchase an eligible work of art under the service, the Buyer is making an offer to subscribe to the Collectorplan service which, if accepted by Arts Council of Wales, will result in a legally binding contract.

Under UK GDPR all associated data is collated and processed on the basis of fulfilling or preparing a contract.

Completed applications are retained for 7 financial years from closure / full repayment of the loan.



## 6. Procurement - Contracts and Suppliers

### Contracts

As a public body, Arts Council of Wales is subject to the Public Procurement Rules (PPRs) and associated UK Regulations.

We may procure services and goods in a number of ways, appropriate to the value of the good or services being sought. These may include:

- Direct approach to potential suppliers for quotes
- Advertisement via our website, newsletters and social media
- Invitation to tender through Sell2Wales
- Via established Frameworks and Find a Tender)

Information, including personal information, collected and processed under our procurement activities is done so as part fulfilling or preparing a contract and its associated obligations and in accordance with the terms of the associated contract. UK GDPR considerations and obligations are included in our standard Invitation to Tender and Contract templates. It is the responsibility of the contracted party to process, manage and dispose of personal information gathered under the contract in accordance with the contract and UK GDPR. The personal information we may collect and process includes:

- Name
- Address (Postal and email)
- Contact numbers
- CV
- Bank Details
- Financial history and checks
- Criminal record checks
- Equalities Monitoring data

Under current guidance issued by the National Archives, information, including personal information, relating to procurement activity, is processed and retained for the term of the contract plus 6 years from contract end. After this period the information is destroyed.

## Supplier Correspondence

We currently hold your data because you have supplied us with goods or services.

Under UK GDPR all associated data is collated and processed on the basis of fulfilling or preparing a contract.

We will keep this data for seven financial years after the last transaction has occurred. After this time if you have not supplied goods or services again we will close your supplier account and delete the information held. Should your organisation provide goods or services in the future you will be required to go through the procedures required to set up a new supplier.

## Your Data

We do not collect any non-business-related data such as date of birth, or government identification number, and does not collect sensitive personal data from visitors to our website or subscribers to our mailing lists.

## Purpose and Use

We process your information to allow us to process invoices and any related correspondence we receive from you.

We will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to HMRC for tax collection purposes or Auditor General for Wales in connection with audit work and studies and to be used in data-matching exercises designed to prevent and detect fraud. The data is provided under Part 3A of the Public Audit (Wales) Act 2004.

## 7. Research

As an Official Statistics provider, Arts Council of Wales' Statistics are guided by the UK Statistics Authority Code of Practice for Official Statistics. The code applies to all UK bodies that are responsible for official statistics and compliance with the Code is a statutory requirement. The Code ensures that Official Statistics meet the needs of users and that the statistics are produced, managed and disseminated to a high standard. On this basis, we will aim to integrate the UK Statistics Code of Practice across all research and evaluation activity within the Arts Council.

Statistics prepared by the Research & Evaluation team will inform decisions made within the Arts Council of Wales, Welsh Government, businesses and the wider community.

Statistics are only of value if they help users to answer the questions with which they are concerned.

The Research & Evaluation team routinely collects both personal and non-personal information on a project by project basis.

Under UK GDPR all associated data is collated and processed on the basis of performing a public function. We protect the security of our data in order to fulfil legal obligations and to uphold our guarantee that no statistics will be produced that are likely to identify an individual or an individual organisation unless prior agreement has been agreed with them. This will be considered while taking into account that we obtain the maximum value from data we collect and hold for statistical purposes.

### Statistical Disclosure Control

The Research & Evaluation team use Statistical disclosure control to ensure that individuals or individual organisations cannot be identified from statistical data. This means that confidential information about a person or organisation is not made available and outputs from the same source, or outputs from different sources, cannot be combined to reveal information about an individual or organisation unless agreed prior to the release of statistical data.

All statistical data containing primary information with a count of fewer than three will be suppressed in publication unless prior consent has been given by the supplier. Values of three and less will be reviewed and assessed in terms of disclosure and where applicable this data will be suppressed to avoid individuals or individual organisations being identified. If appropriate the rounding of cells to a multiple of a set base (e.g. 5) would add uncertainty to the true value of small cells. This would be described in metadata released with the publication to avoid confusion and miss-interpretation.

## Access to data

Data access or data sharing agreements must be established before named third parties are given access to confidential information. These agreements are written documents and must specify the precise data and variables that are being provided and the nature of the analysis where they will be used.

## 8. Contacts

### Information Collection

Previously you have supplied us with your contact details in order to subscribe to our mailing list or upload promotional information regarding your events. The information you have supplied is:

- Name
- Company (if applicable)
- Telephone Number
- Email Address
- Language preference
- Details of activity / events e.g. mailing list subscribed to, details activity being promoted on the Arts Directory

Visitors who wish to upload event details to our Arts Directory must first create an account. This account is password protected.

Under UK GDPR this data is collated and processed on the basis of consent.

We do not collect any personal information on visitors to our website who do not create an account with us or subscribe to one of our mailing lists.

Arts Council of Wales does not collect any non-business-related data such as date of birth, or government identification number, and does not collect sensitive personal data from visitors to our website or subscribers to our mailing lists.

### Purpose and Use

We process your information for direct mailing purposes, based on the information and preferences you have provided during the subscription process. Visitors to our website may use the information within the [Arts Directory](#) to contact individuals on their contact details, where these are published (e.g for promotional listings for events) in order to contact the individual regarding their event.

## Time Frame

We endeavour to provide the most accurate information possible. Therefore, we seek to re-verify the accuracy of all of the information on an ongoing basis and we check subscription preferences and contact details annually. We do this by emailing contacts on the details currently held. Data that is found to be inaccurate or out of date is removed from the database.

## Access and Opt-Out Rights

With respect to the information Arts Council of Wales possesses about you, you have the rights of access, rectification, erasure, and restriction. You also have the right to object to processing. You may exercise any of these rights by either unsubscribing at any time from a mailing list by clicking the link in the footer of any email, or by contacting Arts Council of Wales [website@arts.wales](mailto:website@arts.wales). You may request access to the information we have about you. You may also request the correction, amendment, or deletion of any information about you that is inaccurate, and you may also simply opt-out of the database. Arts Council of Wales will treat requests for access, correction, amendment, or deletion of information in accordance with its internal policies and applicable legal requirements. If you feel that we have not complied with your requests, you have the right to lodge a complaint with the appropriate supervisory authority

This version of the Privacy Policy was published in January 2021 and will be reviewed every 2 years or sooner should circumstances dictate.