



ALBA | CHRUTHACHAIL

SCOTLAND + VENICE Privacy Notice

Introduction

In submitting your proposal to CS to participate in Scotland + Venice you are supplying CS with personal information about yourself and/or organisation. CS requires this personal information to fully assess your proposal and make decisions on the allocation of public funding. The following sections contain details of how CS will use this personal information. To help clarify some of the wording, a 'Definitions' Section is located at the bottom of this Privacy Notice.

CS' status

CS shall be the controller of the personal information and shall comply with the Data Protection Laws when processing the personal information.

CS' legal basis for processing the personal information:

- carry out tasks in the public interest or in the exercise of its official authority as a Controller (**public function**)
- for the performance of a **contract**
- for the purposes of a **legitimate interest(s)**

CS' purpose(s) for processing the personal information:

- to assess the Applicant's proposal to receive funding;
- to undertake research in partnership with an external research agency (under contract with CS) to evaluate the impact of the programme;
- to publish information regarding the award made to the Applicant on the CS website and more widely e.g. there will be high public and/or press engagement opportunities in the UK and internationally;
- to respond to requests for information received by CS from the media otherwise than under Access to Information Laws; and
- to invite the Applicant(s) to attend related cultural events.

Data Sharing – CS will disclose:

- the Applicant's proposal information (including personal information) to an interview panel for shortlisting purposes e.g. the panel may include an external assessor(s);
- such personal information as it considers necessary to an external research agency (under contract with CS) e.g. End of Project Report;
- contact information:
 - for invitation(s) to attend public engagement opportunities within Scotland - during the period of the Biennale and beyond - including options to restage and / or tour elements of the project;
 - to assist the Applicant(s) to build strong, collegiate and co-ordinated relationships with the UK in Venice partners, including the organisers of the British Pavilion and Wales in Venice;

- to assist the Applicant(s) to increase their profile / presence for the visual arts community in Scotland, seizing the opportunity that Venice affords to increase professional interest in the artists and arts organisations based there;
- Personal information in response to requests received by CS under Access to Information Laws, either subject to or without prior consultation with the Funding Applicant at CS's sole discretion.

Length of time CS will retain the personal information

CS will retain successful proposal(s) and supporting information (including assessments and personal information) for the length of time of funding period (2 years) and to comply with financial regulations a further period of 7 years (9 years in total). Following the expiry of this timescale, the said information will be securely disposed of.

CS will retain unsuccessful, withdrawn or ineligible proposal(s) and supporting information (including assessments and personal information) for a period of 1 year. Following the expiry of this timescale, the said information will be securely disposed of.

Transfer of personal information outside the European Economic Area

CS shall ensure that if the processing of the personal information, as mentioned above, involves the transfer of the personal information to organisations established in countries outside the European Economic Area, then such transfer(s) shall comply with the Data Protection Laws.

Information about other data subjects

If your proposal and / or supporting information contains personal information about other data subjects, you must comply with the Data Protection Laws when providing their personal information to CS.

What will happen if you do not provide the information CS requires

CS will be unable to enter into a contract with you to provide funding for your project.

Data Subject Rights

When personal information about a data subject is processed, the data subject has the right to:

- Receive transparent information e.g. this Privacy Notice
- Access personal information – a data subject has the right to request access to personal information held about them and can do this by contacting CS' Data Protection Officer (contact details are provided below)
- Erase personal information – a data subject can request that their personal information be erased
- Rectify inaccurate or incomplete personal information – a data subject can request their information to be updated
- Restrict personal information while, for example, a request for rectification of inaccurate or incomplete personal information is being reviewed by CS
- Object to processing of personal information in defined circumstances

Changes to this Privacy Notice

Any changes CS may make to this Privacy Notice in the future will be posted on this page and, where appropriate, notified to you by e-mail.

Making a complaint

If you have any concerns with how CS has processed your personal information, you should contact CS' Data Protection Officer in the first instance, as CS would welcome the opportunity to work with you to resolve any complaint.

The contact details for CS' Data Protection Officer are as follows:

Vickie Ambrose
Data Protection Officer
Creative Scotland
2-4 Waterloo Place
Edinburgh
EH1 3EG
Telephone: 0131 523 0080
Email: vickieambrose@creativescotland.com

If you are still dissatisfied, you can submit a complaint to the Information Commissioners Office (ICO) either by telephone or by completing an online form. The ICO's contact details are as follows:

Telephone: 0303 123 1113
Website link: <https://ico.org.uk/concerns/>

Definitions:

CS	Creative Scotland
Controller	determines the purposes and means of processing personal information
Data Subject	means the living individual who the personal information is about
Applicant	the individual and/or organisation that has submitted a proposal to receive funding from CS
Personal Information	means information obtained by CS from and regarding the individual/organisation as part of the application and assessment process
Processing	means any act that is performed in relation to the personal information including collecting, recording, organising, structuring, storing, adapting, altering, retrieving, consulting, using, disclosing, aligning, combining, restricting, erasing or destroying
Access to Information Laws	includes the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 and any legislation supplementary thereto introduced in Scotland

Data Protection Laws

includes the Data Protection Act 1998; the Privacy and Electronic Communications (EC Directive) Regulations 2003; any legislation implementing the Data Protection Directive 95/46/EC of 24 October 1995 or the Privacy and Electronic Communications Directive 2002/58/EC of 12 July 2002; the General Data Protection Regulation (EU) 2016/679 of 27 April 2016 (GDPR); and any legislation supplementary to the GDPR introduced in the United Kingdom

European Economic Area

means the Member States of the European Union, Iceland, Norway and Lichtenstein