

Introduction

Welcome to Suffolk Artlink's privacy statement.

Suffolk Artlink respects your privacy and is committed to protecting your personal data.

This privacy statement will inform you as to how we look after your personal DATA and tell you about your privacy rights and how the law protects you.

1. Important information and who we are

Purpose of this privacy statement

This privacy statement aims to give you information on how Suffolk Artlink collects and processes your personal data.

It is important that you read this privacy statement together with any other privacy information or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy statement supplements other notices and privacy statements and is not intended to override them.

Controller

Suffolk Artlink is the data controller and is responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy statement).

We have appointed Alistair Winch and Rachael Murray as Data Protection Officers and they are responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights (see below), please contact Alistair Winch or Rachael Murray using the details set out below.

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact the Data Protection Officers Alistair Winch or Rachael Murray in the following ways:

Full name of legal entity: Suffolk Artlink

Email address: alistair@suffolkartlink.org.uk or rachael@suffolkartlink.org.uk

Postal address: Units 13 & 14, Malt Store Annex, The Cut, 8 New Cut, Halesworth, IP19 8BY

Telephone number: 01986 873955

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. [This version was last updated on **[21/11/2019]**].

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes [first name, maiden name, last name, identifier, marital status, title, date of birth and gender].
- **Contact Data** includes [email address and telephone numbers].
- **Financial Data** includes [bank account and payment card details].
- **Transaction Data** includes [details about payments to and from you and other details of products and services you have purchased from us].
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.
- **Special Categories of Personal Data** we collect data in relation to your health specifically for the purposes of providing medical assistance in your vital interests. We collect information Disclosure and Barring Service data as required by our safeguarding duties as an organisation working with children and vulnerable adults.

Suffolk Artlink only collects data that is necessary and relevant to the purpose for which it is collected.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your [Identity, Contact and Financial Data] by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - use or apply to use our services;
 - subscribe to our service or publications;
 - request marketing to be sent to you;
 - enter a competition, promotion or survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy <https://www.suffolkartlink.org.uk/privacy-policy/> for further details.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to provide services to you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- Where you provide consent.

See the Glossary section below to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before using your image or sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a service user	(a) Identity (b) Contact (c) Medical information (d) training and awards e.g. arts award and apprenticeships	(a) (b) (c) Necessary for our legitimate interests (further our charitable objects/provide a service to you) (c) Vital interest where necessary to protect from harm and respond to a medical emergency
To report to funders and to promote Suffolk Artlink and our charitable mission	(a) Identity (b) Recordings e.g. photographs, film and audio Recordings are anonymised, but linked to ID using a reference code to enable us to	(a) (B) Consent, we only do this with you consent, consent may also be required for parents and guardians or from the Local Authority in the case of looked after children.

	discharge our duties under GDPR	
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Necessary to comply with a legal obligation (b) Necessary for our legitimate interests (to keep our records updated and to study how service users use our services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	Consent – with people’s consent
To administer and protect our organisation and our and online content (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our organisation, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical	Necessary for our legitimate interests (to develop our products/services and grow our business)

	(d) Usage (e) Profile (f) Marketing and Communications	
To prevent harm to children and vulnerable adults	(a) Identity (b) Criminal Records	Legal Obligation under relevant legislation for the protection of children and vulnerable adults to DBS check staff and contractors performing a 'regulated activity' and, with consent to regularly check with the Update Service that a DBS certificate remains registered and that there is no new information.
To celebrate participants' achievement, to report to funders, to promote Suffolk Artlink and its charitable purposes	a) Photos, film, and audio recordings	By consent
To administer PAYE, ensure eligibility to work in the UK and make payments to staff	(c) ID (d) Contact Details (e) NI number (f) DOB (g) Bank or Building Society account details	Legal Obligation and Legitimate Interest to comply with the law and make payments
To pay suppliers and make refunds to customers	(a) ID (b) Contact details (c) Bank or Building Soc details	Contract – for the performance of contracts and making payments

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you.

You will receive marketing communications from us if you have requested information from us.

Third-party marketing

We do not provide details to third parties for marketing purposes.

Opting out

You can ask us to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences **OR** by following the opt-out links on any marketing message sent to you **OR** by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, registration, product/service experience or other transactions.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table above.

- Internal Third Parties as set out in the [*Glossary*].
- External Third Parties as set out in the [*Glossary*].
- Specific third parties [listed in the table [*Purposes for which we will use your personal data*] above

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

Suffolk Artlink uses Google G Suite and Microsoft Office 365 as data processors.

Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For further details, see European Commission: EU-US Privacy Shield. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to

know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see [*your legal rights*] below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

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

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

9. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

Vital interests: the processing is necessary to protect someone's life.

Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

THIRD PARTIES

External Third Parties

- Service providers acting as processors who provide [IT and system administration services.
- Professional advisers acting as processors including lawyers, bankers, auditors and insurers based in [SPECIFIC COUNTRIES] who provide banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers] based [in the United Kingdom] [who require reporting of processing activities in certain circumstances].
- Funders, press and media, where participants have given consent for anonymised images, film and recordings to be provided for the purpose of promoting Suffolk Artlink, the charity's mission and work.
- As an organisation working with children or vulnerable adults there may be specific occasions where Suffolk Artlink would share information with the police, Customer First and / or MASH. This arises where not sharing information would: put a child, young person or others at increased risk of significant harm; put an adult at risk of serious harm.
- Undermine the prevention, detection or prosecution of a serious crime.

Please refer to Suffolk Artlink's Confidentiality and Information Sharing Policy and Procedure for full details.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.