

## **Creative February Podcast Project – Privacy Notice**

### **Who we are**

The Arts Council is the Irish government agency for developing the arts. We work in partnership with artists, arts organisations, public policy makers and others to build a central place for the arts in Irish life. For more about what our role is please visit [here](#).

This Privacy Notice is to provide you with information around how we, the Arts Council, use (“process”) your data in relation to our Creative February Podcast Project. If you wish to view our full Data Protection Notice, please visit our website [here](#) or contact us to request a copy.

The Arts Council is the data controller in regard to the data described in this notice.

For further information around children and data protection, the Irish Data Protection Commission has produced some helpful guidance documents. If you wish to view these, you can do so on their website [here](#).

### **Arts Council Data Protection Contact Details**

Email: [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie)

Post: The Arts Council, Data Protection Officer, 70 Merrion Square, South Dublin, Dublin 2, D02 NY52.

Telephone: +353 1 6180200 or +353 1 6180243

### **What is personal data**

Personal data is data that belongs to individuals and can be used to identify them. For example, this can be any information such as a name, address, email address, or in the case of this Podcast Project teacher and children’s names, voices and recordings and so on.

Certain types of personal data merit additional protection (special categories of data). This includes data that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, genetic data, biometric data or data concerning your health or sexual orientation.

### **What is the purpose of this Podcast Project?**

The Arts Council are asking post-primary students to submit a podcast of 4 -5 minutes in length on the theme of ‘How Do You Make Your Mark?’ for [Creative February](#). Creative February will run from the 1st to the 28th of February 2025.

This podcasting callout is intended to promote creativity and connection within schools. We are sharing these podcasts to highlight the excellent creativity of students and of the Irish school community.

### **What data are we processing for this Podcast Project and under what basis?**

For the purpose of this Creative February Podcast Project, we will be processing (e.g., collecting, storing, using etc.) personal data. We are processing this data under the basis of your informed consent and public interest (under the Arts Act 2003). We have listed what data we are processing below, and our legal basis for processing the data.

- School Name (may contain personal data)

- Teacher/Nominated Contact Name
- Teacher/Nominated Contact Email
- Names of Students participating (aged 13-18 years)
- Audio recordings of students
- Copies of full Podcast recordings
- Name of Podcast (may contain personal data in title)
- Content may contain personal data of other individuals e.g. whereby students mention parents, artists, other individuals in recordings.

### Project Consent Form

We have developed a consent form for participation in this project. The Arts Council will receive and store copies of these consents in line with our data protection requirements. You may withdraw this consent at any time (please see below section on your rights for more information on this).

This consent form contains the following personal data:

- Child's Name
- Name of School
- Name of Teacher/Nominated Contact
- Name and Signature of Parent/Guardian of Student participating

### A note on Special Category Data

Where/if we receive a podcast and there is mention of more sensitive data (e.g., health, disability), the Arts Council may contact you to receive further explicit consent to share this, or we may choose not to share the podcast due to the nature of the data.

### Safeguarding

The Arts Council has a Safeguarding Team, and further information and our Safeguarding Statement can be viewed on our website [here](#).

Should you have any safeguarding concerns, or queries around the Arts Council and our processing of children's data please email us at [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie) or contact our Safeguarding Officer at [safeguarding@artscouncil.ie](mailto:safeguarding@artscouncil.ie).

### How we collect your personal data

This Podcast Project is in partnership with participating schools. The form link for participation is on the Creative February webpage, and we will collect data via this. Data will also be collected via the podcasts we receive from participating students and from communications around this.

We will take precautions to prevent the loss, misuse or alteration of data we are provided with.

### Who we share your personal data with

Type of Data	Shared With
School Name (may contain personal data)	Acast (where mentioned in podcast)

	Arts Council – Internal Microsoft
Teacher/Nominated Contact Name	Arts Council – Internal Microsoft
Teacher/Nominated Contact Email	Arts Council – Internal Microsoft
Name and Signature of Parent/Guardian of Student participating	Arts Council – Internal Microsoft
Names of the students participating	Acast Arts Council – Internal Microsoft Public/Podcast Listeners
Name of Podcast (may contain personal data in title)	Acast Arts Council - Internal Microsoft Public/Podcast Listeners
Podcast Recordings (voice, audio recordings of students, Arts Council employees)	Acast Arts Council – Internal Microsoft Public/Podcast Listeners

### **Acast**

For this Podcast Project, the Arts Council will be using Acast for podcast recordings. The Arts Council Data Protection and ICT Teams have reviewed Acast and have deemed their security and data protection controls as sufficient for the purpose of this project. Acast do not own content that is uploaded.

Acast have their own Privacy Notice that can be viewed [here](#). Acast also have a Children’s Privacy Notice that can be viewed [here](#).

### **Microsoft**

The Arts Council use Microsoft for general administration, communications and document management.

### **Public/Podcast Listeners**

Podcasts will be shared with the public via the Arts Council website, media sites and communications via email. Please note that we will be sharing links to podcasts on our website via social media and that this may include onward transmission by other sources.

### **How long we keep your personal data for**

We retain your personal data for no longer than is necessary for the purposes for which it was collected by us, or as required or permitted for legal, reporting, regulatory and legitimate business purposes. In determining retention periods, the Arts Council take into account the purposes we collected your data for, along with the sensitivity and any legal or other requirements.

Please note, if we are processing personal data on the basis of consent this can be withdrawn at any time by contacting us.

If you have any questions about how long we are retaining your data, please contact us at [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie).

The Arts Council can request Acast to delete data on request and have specific retention periods in place for data (e.g., Acast keep records of listening sessions for 30 days).

### **International data transfers**

The Arts Council use some third parties that are based outside of the European Economic Area (EEA). This means that your data may be transferred to a country outside of the EEA. Where such transfers occur, we ensure a similar level of protection or safeguard is provided to your data. The Arts Council may also transfer your data to countries that have been deemed by the European Council to provide an adequate level of protection of data.

If you have any questions around international transfers or the mechanisms we are using to transfer your data outside of the EEA, please contact us at [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie).

### **How we keep your personal data secure**

The Arts Council has implemented appropriate technical and organisational measures to keep personal data that you provide to us secure.

The Arts Council has data breach procedures in place. Should you be concerned about a potential breach of your data please contact us at [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie).

### **Rights in relation to your data**

You have the right to...

**Be informed** about the collection and use of your personal data. This includes the right to request information about whether we are holding your data and why.

**Request access** to your personal data (also known as a 'data subject access request'). This enables you to receive a copy of your personal data. However, please note that there are some exemptions, so you may not receive all of the data we process.

**Request correction** of the personal data that we hold about you. This means you can ask us to have any incomplete or inaccurate data we hold about you corrected. In some instances, we may need to verify data that you provide us.

**Request erasure** of your personal data. Under this right you can ask us to delete or remove your personal data under certain circumstances. You can also ask us to delete or remove your data where you have objected to processing (see below) or where we have processed your data unlawfully. However please note that this right has limitations, we may not always be able to delete your data as we may need to comply with legal obligations, or it may be in the public interest to retain the data. We will inform of you of this at the time we carry out your request.

**Object** to processing of your personal data. Where we are relying on a legitimate interest, the processing forms part of our public task, or where you feel that your rights are being impacted you may object to the processing of your data. This includes direct marketing for example if you wish to unsubscribe from the Arts Council newsletter.

**Object to automated decision-making including profiling.** You have the right to not to be subject to automated decision-making and/or profiling.

**Request restriction** of processing of your personal data. You can ask us to suspend the processing of your data in certain circumstances. This may be, for example, where you want to confirm the accuracy of the data we hold, or where you need us to hold the data where we no longer need to hold it for legal or other reasons.

**Request transfer** of your data ('data portability'). Where you wish to have your data transferred, we will provide you, or a third party you have chosen, with your personal data. We will provide your data in a commonly used electronic format in such instances. This only applies to automated data that you have given consent for us to process or where we have a contract with you.

**Withdraw your consent.** If you have provided your consent to the processing of your data, you may withdraw this at any time. Please note that this will not affect the lawfulness of processing prior to the withdrawal of your consent.

In some instances, we may need to confirm your identity or request further information from you in order to process your request for you. We will inform you in these situations of what is required and why.

For further information on your rights please visit the Data Protection Commission website [here](#).

### **Making a Complaint**

In the first instance, should you wish to make a complaint about how we have handled or used your personal data, please contact our Data Protection Officer. We welcome any complaints so that we can rectify any issues.

You can contact us at the following:

The Arts Council  
Data Protection Officer  
70 Merrion Square,  
South Dublin,  
Dublin 2, D02 NY52.

Telephone: +353 1 6180200 or +353 1 6180243

Email: [dataprotection@artscouncil.ie](mailto:dataprotection@artscouncil.ie)

You also have the right to complain to a supervisory authority around our handling of your data. As an Irish organisation, our supervisory authority is the Irish Data Protection Commissioner.

They can be contacted at the following:

Data Protection Commission ('DPC')

Website: [www.dataprotection.ie](http://www.dataprotection.ie)

The DPC website includes a webform that you can contact them on.

Email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

Address:

Data Protection Commission

21 Fitzwilliam Square South

Dublin 2

D02 RD28

Ireland