



---

# HR – Garda Vetting Privacy Notice



Kerry County Council  
*Comhairle Contae Chiarraí*

---



## - REVISION CONTROL -

<b>Version</b>	<b>Date</b>	<b>Audience</b>	<b>Notes</b>
0.1	11-Apr-2018	GDPR Compliance Team	Steering Committee draft for approval
0.2	08-May-2018	GDPR Compliance Team	Document formatting
0.3	17-May-2018	General Release	Customisation for HR – Garda Vetting
0.4	24-May-2018	General Release	typographical check.



## - TABLE OF CONTENTS-

1.	<i>Introduction .....</i>	<i>1</i>
2.	<i>Information Collected by the Council .....</i>	<i>1</i>
3.	<i>Requirement for a Privacy Notice .....</i>	<i>2</i>
4.	<i>Sharing Information .....</i>	<i>3</i>
5.	<i>How your Personal Data will be used/processed.....</i>	<i>3</i>
6.	<i>Legal and Regulatory Obligations .....</i>	<i>4</i>
7.	<i>Records Retention Policy .....</i>	<i>4</i>
8.	<i>Your Rights.....</i>	<i>4</i>
9.	<i>Data Protection Contact Details .....</i>	<i>4</i>



## 1. Introduction

Kerry County Council (the Council) is responsible for the provision of an extensive range of public services. This is the Privacy Notice for the Garda Vetting function of the Human Resources Department.

The Council seeks to promote the economic, social and cultural development of Kerry and in doing so contribute significantly to improving the quality of life of the people of the county. The delivery of high quality services, tailored to meet the needs of all our customers, remains one of the Council's core objectives and is included in our Corporate Plan. This service includes not only the level and quality of service given to our customers, but also the quality of our decision-making processes, the efficiency and effectiveness of our corporate operations, standard of our facilities and our ability to adapt in an ever-changing environment. For further information please visit our website [www.kerrycoco.ie](http://www.kerrycoco.ie) under GDPR.

## 2. Information Collected by the Council

The Council processes<sup>1</sup> and uses certain types of information about individuals (Data Subjects) and organisations to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Kerry.

Depending on the service being sought or provided, the information collected may include 'personal data'<sup>2</sup> as defined by the Data Protection Acts and by the General Data Protection Regulation 2016 (GDPR) and may relate to current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communications with the Council.

In addition, staff may be required, from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements. This includes contact details to allow for efficient communication with you. You do not have to provide all contact details but providing more, such as email, phone, address, make it easier to communicate. If you do not provide this data, the Council may be unable to comply with certain obligations. The Council will inform you about the implications of that decision.

The National Vetting Bureau (Children & Vulnerable Persons) Act 2012 - 2016 requires (inter alia) that Relevant Organisations vet employees/volunteers who are engaged in Relevant Work or Activities. The Council is deemed to be a 'Relevant Organisation' for the purpose of the Act .

<sup>1</sup>Processing is anything done with or to Personal Data, including data storage

<sup>2</sup>Personal Data is information about a living individual which is capable of identifying that individual



In order to complete the Garda Vetting process, the Council require the following personal information from the employees/volunteers who are engaged in Relevant Work or Activities.

- Forename(s), surname,
- Data of birth, place of birth
- Passport Number
- Email address, contact number
- Current and previous addresses
- Details of convictions.

Additional documentation may also be required from you, in relation to proof of identity and proof of residency requirements. (The documents you provide to meet these requirements may also contain personal information.)

Following receipt of a vetting disclosure under the Act, this information will be retained and the Council will carry out re-vetting every 3 years. This information will be used in order to comply with our obligations under the National Vetting Bureau (Children & Vulnerable Persons) Act 2012 – 2016.

Where special categories of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation are processed, the Council 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.

Where data is processing based on consent, you have the right to withdraw that consent at any time.

Other than as mentioned below, the Council will only disclose information about you to third parties if legally obliged to do so or to comply with our contractual duties to you.

If in the future, the Council intend to process your personal data for a purpose other than that which it was collected, information will be provided on that purpose and any other relevant information prior to doing so.

### **3. Requirement for a Privacy Notice**

The Council will set out the information required in a series of separate and distinct application forms and specific Privacy Notice relevant to each service application. Privacy Notices are located on our website at [www.kerrycoco.ie](http://www.kerrycoco.ie) under GDPR.



The Council has created this privacy notice to demonstrate our firm commitment to privacy and to assure you, that in all your dealings with the Council, in the area of Garda Vetting, the Council will ensure the security of the data.

The personal data you may be required to supply to the Council, or may be collected through other sources (i.e. investigations by Council staff; CCTV, information from other third parties or agents acting on your behalf) is;

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Recorded, stored accurately and securely and where necessary kept up to date
- Kept only for as long as is necessary for the purposes for which it was obtained
- Kept in a form which permits identification of the data subject for no longer than is necessary
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

#### **4. Sharing Information**

The Council may share your information with third parties in accordance with statutory and regulatory obligation. The staff of the Human Resources Department request/obtain/share information with the following bodies in relation to the Garda Vetting process:

- An Garda Síochána.

#### **5. How your Personal Data will be used/processed**

The volume of customers the Council serve and the range of Human Resource services provided, require IT systems to manage and process employee/volunteer data, which include;

- National Garda Vetting database.

Hard copy forms are also retained. Access to the data is controlled and restricted to relevant staff involved in assessing and processing the various services with other security measures such as passwords.



## 6. Legal and Regulatory Obligations

The legal basis and legitimate interest for processing personal data are included in;

- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

## 7. Records Retention Policy

The Council is in the process of preparing retention policies for all services and business units. These policies will outline the timeframe for which your personal data will be retained by the Council and what will happen to it after the required retention period has expired. These policies will be published, when available, on the Council's website under GDPR.

## 8. Your Rights

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy. If the data held by the Council is found to be inaccurate you have the right to change, remove, block, or object to the use of, said personal data. In certain circumstances blocking access to data may delay or remove access to a service where the data is required by law or for essential purposes related to delivery of a service to you. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

In addition, Data Subjects have a right to;

- exercise data portability, i.e., obtain a transferable copy of information we hold to transfer to a third party/provider
- obtain details of any transfer of data to a third country (outside the European Economic Area) and safeguards in place
- obtain details of any automated decision making.

To exercise these rights, you can make a Subject Access Request. This request can be in writing and directed to the contact details at the end of this policy or electronically using the form available on the Council's website [www.kerrycoco.ie](http://www.kerrycoco.ie) under GDPR.

## 9. Data Protection Contact Details

For all enquiries relating to Data Protection you can contact the Council at;



Phone: 066 718 3500  
E-mail: [dpo@kerrycoco.ie](mailto:dpo@kerrycoco.ie)  
Postal Address: Kerry County Council  
County Buildings  
Rathass  
Tralee  
V92 H7VT  
Co. Kerry.

If you are not satisfied with the outcome of the response you receive from the Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commissioner's website is [www.dataprotection.ie](http://www.dataprotection.ie) or you can contact their Office at;

Lo Call Number: 1890 252 231  
E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)  
Postal Address: Data Protection Commissioner  
Canal House  
Station Road  
Portarlinton  
R32 AP23  
Co. Laois.