



Operations Directorate

Privacy Notice



Kerry County Council
Comhairle Contae Chiarraí



- REVISION CONTROL -

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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 Operations Directorate which has responsibility for the:-

- **Roads Operations Unit**
 - Licensing/Permits (Casual Trading licence, Road Opening licence, Fingerpost licence, Street Furniture licence, Special Event licence Scaffolding/Hoarding permit, Abnormal Loads permit, Resident Parking permit, Car Park permit, Off-Road Dumper permit)
 - Enforcement (Traffic & Parking, Hedgecutting)
 - Roads & Services queries
 - Temporary Road Closures
 - Local Improvement Schemes (including Hardship & Emergency)
 - Community Involvement Schemes.

- **Housing Maintenance Unit**
 - Maintenance of Local Authority properties.
 - Operation of metered gas supply to the Council's estates.

- **Machinery, Plant and Other Facilities Unit**
 - Machinery Yard/Stores
 - Burial Grounds
 - Public Conveniences
 - Fenit Harbour
 - Piers & Harbours.

- **Flood Risk Management & Climate Change Adaptation + Energy Unit**
 - Flood Schemes
 - Flood Mitigation Measures
 - Coastal Erosion
 - Energy Consumption/Reduction.

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 under GDPR.

2. Information Collected by the Council

The Council processes¹ 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'². This is defined by the Data Protection Acts 1988, 2003 & 2018, and by the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) 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, the Council 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.

You do not have to provide all contact details but providing more, such as email, phone, address, make it easier to communicate with you. 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.

All applicants for services provided by the Operations Directorate are required to provide information on the following categories of data (where they are applicable);

- Name
- Address
- Email Address
- Telephone number
- Fax number
- Occupation
- Vehicle registration number
- PPS number/Tax Access number/Company Registration number
- Insurance Details
- Bank details

¹Processing is anything done with or to Personal Data, including data storage

²Personal Data is information about a living individual which is capable of identifying that individual



- Register of Electors number.
- Details of medical grounds for Local Improvement Scheme Hardship & Emergency applications
- Folio number
- Land map
- Photographs
- Name of boat.

3. Requirement for a Privacy Notice

The Council will set out the information we require 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/ under GDPR Kerry County Council – Section Policies.

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 Operations Directorate, the Council will ensure the security of the data you provide.

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 internally (within the Council) in accordance with statutory obligations. In addition, the Council may share your information with third parties in accordance with statutory and regulatory obligations.

The Operations Directorate, request, and obtain from, or share information with the following bodies as appropriate: -

- Transport Infrastructure Ireland (TII)
- Vehicle Registration Unit (VRU)
- Department of Transport, Tourism & Sport (DTTAS)
- Department of Rural & Community Development (DCRD)
- Department of Housing, Planning, & Local Government
- Department of Agriculture, Food & the Marine (DAFM)
- Department of Arts, Heritage, Regional, Rural & Gaeltacht Affairs
- Road Management Office (RMO)
- An Garda Síochána
- Health Service Executive (HSE)
- Local Government Management Agency (LGMA)
- The Court Service
- Health & Safety Authority (HSA)
- Social Welfare
- Revenue Commissioners
- Fáilte Ireland
- Irish Water (IW)
- Metered Gas Service Provider
- Office of Public Works (OPW)
- Irish Bank Resolution Corporation (IBRC)
- Sustainable Energy Authority of Ireland (SEAI)
- Reil Enprova

Information may also be shared with the following in accordance with statutory/regulatory obligations or with third-party processing agreements where appropriate.

- Solicitors



- Valuers
- Consultants
- Contractors.

5. How your Personal Data will be used/processed

The volume of customers the Council serves and range of services the Operations Directorate provide requires IT systems to manage customer applications. The hard copy application form is 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;

- Roads Acts/Regulations
- Road Traffic Acts/Regulations
- Health & Safety Acts/Regulations
- Planning & Development Acts/Regulations
- Housing Acts/Regulations
- Health & Safety Acts/Regulations
- Local Government Acts/Regulations
- Local Government (Sanitary Services) Acts
- Finance Acts/Regulations
- EU Directives/Regulations
- Port Security Acts/Regulations
- Casual Trading Act
- Arterial Drainage Act
- Public Health Acts
- Harbours Acts
- Traffic Warden Acts
- Bye-Laws
- Departmental Circulars
- Statutory Instruments
- Building Regulations.

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 on the Council's website.

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, the Council will 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, the Council 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 in the link www.kerrycoco.ie under GDPR Kerry County Council – Main Policies.

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
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 or you can contact their Office at:

Lo Call Number: 1890 252 231

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commissioner
Canal House
Station Road
Portarlinton
R32 AP23
Co. Laois.