



Planning Department

Privacy Notice



Kerry County Council
Comhairle Contae Chiarraí



- REVISION CONTROL -

Version	Date	Audience	Notes
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0.2	14-May-2018	GDPR Compliance Team	Typographical Check
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- TABLE OF CONTENTS-

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



1. Introduction

Kerry County Council (the Council) is responsible for the provision of an extensive range of public services, including planning services in accordance with the provisions of the Planning Legislation and Regulations. This is the Privacy Notice for the Planning Section of Kerry County Council.

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 as defined by the Data Protection Acts and by the General Data Protection Regulation (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, 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.

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



All applicants submitting Planning applications are required to provide information on the following categories of data (where they are applicable);

- Contact details (postal address, email, phone number, fax number)
- Employment details
- Land holding details
- Company details
- Agent contact details (postal address, email, phone number, fax number).

Further information and application forms can be accessed by pasting the following link into a web browser, www.kerrycoco.ie/home3/planning.

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 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 Council, in respect of Planning matters, the Council will ensure the security of the data provided.

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.

Planning may request and obtain information from the following bodies:

- Development Application Unit (DAU)
- An Bord Pleanála (ABP)
- Transport Infrastructure Ireland (TII)
- The Health Service Executive (HSE)
- Department of Agriculture, Food and the Marine
- South Western Regional Fisheries Board
- Inland Fisheries Ireland
- Irish Aviation Authority (IAA)
- Heritage Council
- The Arts Council
- Other Local Authorities
- Córas Iompair Éireann (CIE)
- An Taisce
- Environmental Protection Agency (EPA).

5. How your Personal Data will be used/processed

The volume of customers the Council serve, and the range of Planning Functions provided, require 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

- Planning and Development Acts
- Regulations & Departmental Circulars
- Sanitary Services Acts.



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 www.kerrycoco.ie 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, 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.