Data Protection Act 2018 (as amended)

**PRIVACY STATEMENT for
Long Term Leasing**

**Who are we?**Kildare County Council (the Council) is the democratically elected unit of Local Government in County Kildare and is responsible for providing a range of services to meet the economic, social and cultural needs of the people of our County. In order to provide the most effective and targeted services to meet the needs of the citizens, communities and businesses of County Kildare we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being offered, information sought may include ‘personal data’ as defined by the Data Protection Acts and 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 our staff. 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 or to carry out functions in the public interest.

 **Why do we have a Privacy Statement?**This privacy statement has been created to demonstrate the Council’s commitment that personal data you may be required to supply to us is;

* Obtained lawfully, fairly and in a transparent manner
* Obtained for only specified, identified and legitimate purposes
* Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
* Adequate, relevant and limited to what is necessary for purpose for which it was obtained
* Personal data collected and processed must be accurate and (where necessary) kept up to-date.
* Kept only for as long as is necessary for the purposes for which it was obtained.
* Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

More detail is available in our Data Protection Policy Statement at <http://kildare.ie/CountyCouncil/DataProtection/>or you can request a hard copy at 045 980 200.

**What is the activity referred to in this Privacy Statement?**
The aim of the Long Term Leasing Scheme is to provide good quality rented accommodation for people currently on the Social Housing List**.**

**What is the basis for making the processing of this personal data lawful?**Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Kildare County Council in accordance with Article 6(1) of the General Data Protection Regulation, 2016. Specifically the lawful basis for this process is S19 Housing (Miscellaneous Provisions ) Act 2009, S56 Housing Act 1966

**We require contact details**In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. These contact details may also be used to verify your identity.

 **What other types of personal data do we need to undertake this activity?** Name, Date of birth, PPSN No, bank details, personal tax details, occupation and income details (of all prospective tenant household members) There is also sensitive data potentially collected in relation to criminal investigations and/or convictions, mental and physical health for prospective tenants. Tax Clearance Certificate, and BER, ETCI \Gas certificates and various invoices/quotations relating to the property. Lenders consent from Mortgage company and evidence of clear title to the property in the form of a folio document from the Property Registration Authority.

 **What will happen if the personal data is not provided?
The application cannot be processed.**

 **Am I the only source of this personal data?**In some instances to assist with the delivery of the activity or to comply with regulatory or legislative requirements personal data is sourced from a third party.

This **APPLIES** to this activity.

This **APPLIES** to this activity. The following may have provided personal data to the Council;

* Department of Housing, Local Government and Heritage
* Department of Social Protection
* Other Local Authorities
* Approved Housing Bodies
* TUSLA
* Health Service Executive
* Legal Representatives
* An Garda Siochana

**Is personal data submitted as part of this activity shared with other organisations?**The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

Sharing **APPLIES** to this activity.

Data may be shared with :

* Department of Housing, Local Government and Heritage
* Department of Social Protection
* Other Local Authorities
* Approved Housing Bodies
* TUSLA
* Health Service Executive
* Legal Representatives
* An Garda Siochana

Data **is not intended to be** transferred to another country.

However should the landlord live abroad the contract would be posted to the landlords’ residential address. The contract would include name, address, property size and description, PPSN of tenants, amount of rent paid to the Landlord. A R185 form is also posted to the landlord in relation to their monthly rent payment

**How long is my data kept for?**The Local Authority sector operates under a detailed record retention policy which outlines time periods for which your personal data will be retained and what will happen to it after the required retention period has expired. The National Record Retention Policy for Local Authority Records is available: <http://kildare.ie/CountyCouncil/DataProtection/>

**Do you need to update your records?**

Kildare County Council must take reasonable steps to ensure that personal data we have about our customers is correct and up to date.

In addition, if the data held by us is found to be inaccurate you have the right to rectify/correct this.
If you find that personal data we have about you is inaccurate or needs to be updated (for instance, you may have changed your name, address, contact details etc.) then please contact us so that we can correct it. You can do this by:

 **Writing to us at**: Kildare County Council, Corporate Services, Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F

**Emailing us at** customercare@kildarecoco.ie

When making a request to update your records please provide evidence to support this - for example a copy of a document containing your new address – utility (Gas, Electricity, Phone) bill etc. and proof of your identity

**Your rights:**You have the right to obtain confirmation as to whether data concerning you exists, to request access to personal data held about you, to be informed of the content and source of data and check its accuracy.

If the data held by us is found to be inaccurate you have the right to rectify/correct this – see above on how to update your records.

You also, subject to certain conditions being met, have the right to object to or seek restriction of the processing of personal data and to request the erasure of personal data held by the Council.

Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

To exercise these rights logon to [**http://kildare.ie/CountyCouncil/DataProtection/**](http://kildare.ie/CountyCouncil/DataProtection/) , use one of the forms at our Counters or contact us. Completed applications should be returned to:

**Kildare County Council – Data Protection Officer**

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| **Phone** | 045 980 200 |   |
| **E-mail** | dataprotection@kildarecoco.ie or customercare@kildarecoco.ie |  |
| **Postal Address** | Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F. |  |

**Right of Complaint to the Data Protection Commissioner**
If you are not satisfied with the outcome of the response received by the Council 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:

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| --- | --- | --- |
| **Lo Call Number** | 1890 252 231 |   |
| **E-mail** | info@dataprotection.ie |  |
| **Postal Address** | Data Protection Commissioner 21 Fitzwilliam Square SouthDublin 2D02 RD28Ireland |  |

 **Changes to Privacy Statement:** We may make changes to this Statement. If we make changes they will be posted below.

**LAST UPDATED ON: 11th March 2022**