

Data Privacy Statement – Kildare County Council

Human Resources – Recruitment and Selection Process

Who we are and why do we require your information?

Kildare County Council is the democratically elected organisation whose principal function is to provide a broad range of services in areas such as Housing, Roads & Transportation, Flood Prevention, Water Services, Economic Development & Tourism, Planning & Conservation, Environmental Protection, Heritage & the Arts, Library Services, Community & Culture, Amenity, Sport & Recreation, Fire Services, Energy, Older People & Age Friendly, Children & Younger People, Financial Management & Customer Services development.

In performing its functions, Kildare County Council is required to collect and process significant amounts of "personal data" within the meaning of the General Data Protection Regulations [GDPR] and of the Data Protection Acts 1988 to 2018. The Council respects the privacy rights of those whose personal data we process, and we are conscious of our obligations under the Data Protection Acts.

Why do we have a privacy statement?

Kildare County Council has created this privacy statement to demonstrate our firm commitment to privacy and to assure you that in all your dealings with our Human Resources (HR) Department of Kildare County Council that we will ensure the security of the data you provide to us. The activities referred to in this statement are the collection of applications to shortlist, interview and support the formation of a panel to facilitate the offering of a post to successful candidates.

Kildare County Council collects and processes a significant amount of personal data in various multiple formats daily basis.

Kildare County Council's commitment to you is that the personal data you may be required to supply to us 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
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Data Protection Policy

Kildare County Council has a detailed Data Protection Policy which goes into more detail on how we as a public body are committed to ensuring the security of any personal data you provide to us here- [Kildare County Council - Data Protection Statement](#).

The types of personal data that we will collect, and process includes:

The Council needs to keep and process information about you for recruitment lifecycle purposes. The information held and processed will be used for management and administrative use only. It will be kept and used to enable the Council to manage the relationship and correspondence with you effectively, lawfully, and appropriately. This includes using information to enable the Council where applicable, to comply with the employment contract, to comply with any legal requirements, to comply with health & safety and occupational health obligations, to pursue legitimate interests and protect the Council's legal position in the event of legal proceedings. 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.

Much of the information held will have been provided by you, but some may come from external sources, such as referees or previous public sector employers.

The personal information held in relation to initial applications may include and not limited to;

- Name
- Address
- Telephone number (Home, Work, Mobile)
- E-mail address
- Educational history
- Qualifications (Training Courses, previous employments, early retirement scheme
- Details of Referees
- Disability declaration
- Date of Birth (where there is a minimum age requirement e.g., lifeguards).

Where an applicant is successful at interview and offered employment, further information may be required/recorded e.g.

- Medical Report
- References
- Date of Birth
- PPSN
- Gender
- Bank Details
- Driver's Licence/Passport
- Safe Pass
- Service details from previous public sector employer.

Sharing Information

For Kildare County Council to fulfil statutory or regulatory obligations or in the public interest, from time to time, may have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required Kildare County Council shall have regard to the security and integrity of the data and will minimise the data shared.

On-Line Applications:

When you submit an application or a draft application, the information you provide may be visible to Kildare County Council HR staff, and in order to provide a smooth online application service, Kildare County Council may/will share information of our data with the following, you can view their privacy statements [Submit.com](#), [access PeopleXD](#), and other HRIS providers we work with.

The Recruitment Section of our Human Resources (HR) Department requests and obtain information from the following bodies;

- Other Public Service bodies
- Medical Practitioners or your GP/Physiotherapist/Consultant etc with your consent or if provided by you or Occupational Health Practitioners engaged by Kildare County Council
- An Garda Síochána.
- An external organisation will be utilised to gather applicants contact details as part of an expression of interest process.

- Shortlisting board receive the applicant's submitted information to assist with the shortlisting process.
- An external organisation may receive the applicants contact details to organise an aptitude test. (Where applicable)
- The interview board receives the information submitted by the applicant (with the contact details redacted) to assist with the interview process.

Please Note: In this activity no information will be transferred outside of the EEA.

Legal Basis:

Processing is necessary for the performance of a task carried out in the performance of a contract, public interest or in the exercise of official authority vested in Kildare County Council.

[Article 6(1)(b)(e) of the General Data Protection Regulations, 2016 Article 9(2)(h) for the purpose of preventive or occupational medicine

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

- Employment legislation
- Health and Safety Legislation
- Superannuation legislation
- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
- Children First Act 2015
- National Guidance for the Protection and Welfare of Children 2017.
- Local Government Acts

What will happen if the requested personal data is not provided?

If the applicant does not provide the requested information, the application submitted by the applicant may not be processed as part of the campaign and the applicant will not be considered as part of the process to select candidates for the vacate position.

Records Retention Policy

Kildare County Council has adopted [The National Retention Policy](#). These policies 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. See pages (76-83).

Your Data Protection 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. In addition, if the data held by us is found to be inaccurate you have the right to change, remove, block, or object to the use of, personal data held by Kildare County Council. 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. To exercise these rights, you should contact Kildare County Council (Data Protection Officer) Contact Details are as follows:

Phone number: 045 980 200

Website: kildare.ie/CountyCouncil

E-mail: dataprotection@kildarecoco.ie

Postal Address: Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F.

Our Data Protection Officer (DPO) advises and guides the staff of the Council on how they collect, use, share and protect your information to ensure your rights are fulfilled in compliance with the Data Protection Legislation. The DPO also acts as the contact point for individuals with concerns about the processing of their personal data and is also the liaison between the Council and the Office of the Data Protection Commissioner.

Any applications to exercise your Data Protection Rights must be addressed to the Councils DPO, to ensure they are properly managed in accordance with your rights. More information and forms relevant to this are available online at [Kildare County Council - Your Rights](#).

Right to Complain to the Office of the Data Protection Commissioner

If you are not satisfied with the outcome of the response you received from Kildare County 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:

E-mail: Info@dataprotection.ie

Postal Address: Data Protection Commissioner, 21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland.

Review

This Statement will be reviewed regularly considering any legislative or other relevant indicators.

Acceptable Use Agreement

1. ACCEPTABLE USE POLICY

1.1. Except as expressly set out in this Agreement or as permitted by any local law, Customer warrants and undertakes not to and shall ensure that the Authorised Users or Applicants (to the extent applicable do not):

1.1.1. Use the services for any unlawful or illegal purpose, act dishonestly, fraudulently, or unprofessionally by engaging in unprofessional behaviour by posting inappropriate, inaccurate, or objectionable content to or through the Supplier Platform.

1.1.2. Input personal or special categories of personal data (as defined under the GDPR) relating to an Applicant without explaining the purpose of the collection and processing of such data to the data subject.

1.1.3. Make any temporary or permanent reproduction by any means and in any form, in whole or in part, of the permanent aspects of the Supplier Platform.

1.1.4. Make any translation, adaptation, arrangement, or any other alteration of the permanent aspects of the Supplier Platform.

- 1.1.5. Make any form of distribution to the public of the content of the Supplier IP, in whole or in part, or of copies thereof.
- 1.1.6. Remove or alter any copyright or other proprietary notice from any part of the Supplier IP.
- 1.1.7. Disseminate, sell, give away, hire, lease, offer or expose for sale or distribute the Supplier Platform, or another product wholly or partially derived from any of the foregoing.
- 1.1.8. Create a user account for anyone other than a natural person.
- 1.1.9. Input personal data relating to any individual illegally.
- 1.1.10. Harass, abuse, or harm another person, including sending unwelcomed communications to others using the Supplier Platform.
- 1.1.11. Use or attempt to use another's account or create a false identity using the Supplier Platform.
- 1.1.12. Participate, directly or indirectly, in the setting up or development of a network that seeks to implement practices that are similar to sales by network or the recruitment of independent home salespeople for the purposes of creating a pyramid scheme or other similar practices.
- 1.1.13. Use manual or automated software, devices, scripts robots, other means, or processes to access, "scrape," "crawl" or "spider" any web pages or any part of the Supplier Platform.
- 1.1.14. Use bots or other automated methods to access the Supplier Platform, add or download contacts, send, or redirect messages, or perform other activities through the Supplier Platform, unless explicitly permitted by the Supplier.
- 1.1.15. Engage in "framing," "mirroring," or otherwise simulating the appearance or function of the Supplier Platform or any website from which the Supplier Platform is provided.
- 1.1.16. Attempt to or override any security component included in or underlying the Supplier Platform.
- 1.1.17. Engage in any action that directly or indirectly interferes with the proper working of or places an unreasonable load on the Supplier's infrastructure, including, but not limited to, sending unsolicited communications to other users or Supplier personnel, attempting to gain unauthorised access to the Supplier Platform, or transmitting or activating computer viruses through or on the Supplier Platform or,
- 1.1.18. Upload, post, email, transmit or otherwise make available or initiate any content that:
 - i. Falsely states, impersonates, or otherwise misrepresents your identity, including but not limited to the use of a pseudonym.
 - ii. Is unlawful, libellous, abusive, obscene, discriminatory, or otherwise objectionable.
 - iii. Includes information that you do not have the right to disclose, use or make available under any law or under contractual or fiduciary relationships.
 - iv. Infringes upon patents, trademarks, trade secrets, copyrights or other proprietary rights.

- v. Includes any unsolicited or unauthorised communication, advertising, promotional materials, “junk mail,” “spam,” “chain letters,” “pyramid schemes,” or any other form of solicitation and/or,
- vi. Infringes upon the rights of individuals under applicable data protection laws where the Services are used.