



# Comhairle Contae Chill Dara

## Kildare County Council

### Data Protection Act 2018 (as amended)

## PRIVACY STATEMENT for Investigation of a Data Security Breach

### 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.



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### **What is the activity referred to in this Privacy Statement?**

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Data controllers are obliged to report security breaches to the Data Protection Commission within 72 hours of being made aware of the breach.

### **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:

Article 33 of General Data Protection Regulations and Article 6(1)(c) of the General Data Protection Regulations.

### **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?**

This will depend on the nature of the data breach and the category of personal data being processed which may include special category and/or sensitive data.

The personal data will generally be sourced from the Department where the breach occurred.

### **What will happen if the personal data is not provided?**

It may necessary to process various types of personal data; where that data is not provided the necessary investigation into the breach may not be completed in full and any gaps to meet the requirements of GDPR may not be identified and possible measures to improve those gaps may not be implemented.

### **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.



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This APPLIES to this activity. Various third parties/agencies may report a security breach, containing personal data, to the Council

### **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 is shared with: Data Protection Commission

Data **IS NOT** transferred to another country.

### **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/>

In relation to matters concerning data protection records are retained for 10 years, after which time files are archived

### **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](mailto: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,



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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/>, use one of the forms at our Counters or contact us. Completed applications should be returned to:

### Kildare County Council – Data Protection Officer

<b>Phone</b>	045 980 200
<b>E-mail</b>	<a href="mailto:dataprotection@kildarecoco.ie">dataprotection@kildarecoco.ie</a>
<b>Postal Address</b>	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:

<b>Phone Number</b>	+353 (0)761 104 800
<b>E-mail</b>	<a href="mailto:info@dataprotection.ie">info@dataprotection.ie</a>
<b>Postal Address</b>	Data Protection Commission 21 Fitzwilliam Square South Dublin 2 D02 RD28.

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

**LAST UPDATED ON: 25<sup>th</sup> March 2020.**