



# Comhairle Contae Chill Dara

## Kildare County Council

### Data Protection Act 2018 (as amended)

## PRIVACY STATEMENT for

### Motor Tax Services provided by Kildare County Council on behalf of the Department of Transport, Tourism and Sport

#### 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?**

The purpose of this notification is to set out some information regarding the collection and processing of your information by Kildare County Council on behalf of the Department of Transport, Tourism and Sport (DTTAS). During the course of our activities we will collect, store and process personal data about customers. The Department of Transport, Tourism and Sport and Kildare County Council are joint data controllers in respect of this data.

For full details of the collection, processing and sharing of your personal data by us and your rights in this regard, please refer to [www.dttas.gov.ie/dataprotection](http://www.dttas.gov.ie/dataprotection). Details of this policy are also available in hard copy upon request by emailing [dataprotection@dtas.gov.ie](mailto:dataprotection@dtas.gov.ie) or in writing to Data Protection Unit, Department of Transport, Tourism and Sport, Leeson Lane, Dublin, D02 TR60

### **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 Finance (Excise Duties) (Vehicles) Act 1952 (as amended); Road Traffic Act 1968 (as amended); S.I. No. 35/1982 (as amended); Finance (No. 2) Act 1992 (as amended); S.I. 385/1992 as amended; S.I. No. 409/1992 (as amended); Finance Act 1993; Finance Act 1994; S.I. 277/1994 (as amended); S.I. 352/1999 (as amended); S.I. No. 233/2013. To process official requests for data for enforcement and other activities as defined in Regulation 9 of S.I. No. 287/2015 - National Vehicle and Driver File (Access) (No. 2) Regulations 2015 (as amended): Identifying the registered owners of mechanically propelled vehicles connected to alleged offences under the Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975), the Waste Management Act 1996 (No. 10 of 1996), the Litter Pollution Act 1997 (No. 12 of 1997) and the Air Pollution Act 1987 (No. 6 of 1987)

### **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?**

The types of personal data that we will collect, and process on behalf of DTTAS includes your name, address, credit card and bank details, vehicle licensing details,



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vehicle registration numbers, insurance details and personal phone numbers, business details, personal i.d.'s, hackney/taxi licenses details, utility bill details and PPSN/Herd/Tax Number.

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

We may be unable to carry out transactions such as providing your motor tax disc.

### **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 may apply to this activity. Companies such as traffic warden service, vehicle testing, solicitors or revenue may provide 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:

- Department of Transport, Tourism and Sport (NVDF)
- An Garda Siochana
- Solicitors
- Other local authorities
- Revenue Commissioners

Data **may be** transferred to another country based on the consent of the data subject **in relation to the Importation/ exportation of vehicles.**

Data is transferred to: **Country named in the individual's request, where that individual has given their consent to transfer the data.**

### **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/>

**Data is retained for up to a maximum of 5 years.**



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### **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, 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> or <a href="mailto:customercare@kildarecoco.ie">customercare@kildarecoco.ie</a>



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**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:

**Lo Call Number**

1890 252 231

**E-mail**

[info@dataprotection.ie](mailto:info@dataprotection.ie)

**Postal Address**

Data Protection Commissioner  
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> September 2020.