



Comhairle Contae Chill Dara

Kildare County Council

Data Protection Act 2018 (as amended)

PRIVACY STATEMENT for

Waste Inspections including Pollution Complaints, PRI Inspections, Construction Site Inspections, Quarry Inspections, Planning Inspections, Commercial & Domestic Bin Inspections, Hazardous Waste Inspections, Dental Mercury Inspections and Back office Inspections with Waste Collectors

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.



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- 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 <https://kildare.ie/countycouncil/YourCouncil/GovernanceandCompliance/DataProtection/> or you can request a hard copy at 045 980 200.

What is the activity referred to in this Privacy Statement?

Enforcement of the following Waste Management Acts:

- **Waste Management Act, 1996 (As amended)**
 - Section 3&4 – General prohibitions and obligations relating to littering.
 - Section 14 – Powers of Authorised Person
 - Section 18 - Information
 - Section 32 – General duty of a holder of waste
 - Section 34 – Waste collection permits
 - Section 39 – Requirement to hold waste licence.
 - Section 55 – Power of local authority to require measures to be taken in relation to the holding, recovery or disposal of waste.
 - Section 56 - Power of local authority to take measures to prevent or limit environmental pollution caused by waste.
- **Waste Management (Collection Permit) Regulations 2007**
 - Section 21 – Offences for the purpose of section 34(5) of the Act
 - Section 30 - Non-application of section 34(1)(a) the Act
 - Section 36 - Provision of false or misleading information, or failure to provide information.
- **Waste Management (Facility and Permit Registration) (Amendment) Regulations 2019**
- **Waste Management (Food Waste) Regulations 2009**
 - Section 12 - Power of a local authority to require submission of information.
 - Section 13 - Offences
- **Waste Management (Environmental Levy) (Plastic Bag) Regulations 2001**



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Section 20 – Information to be supplied by distributors.

- **European Union (End-of-Life Vehicles) Regulations 2014**
Section 34 - Offences.
Section 35 - Prosecutions and Penalties.
- **European Union (Waste Electrical and Electronic Equipment) Regulations 2014**
Section 37 – Offences and Enforcement.
Section 39 - Offences.
- **European Communities (Waste Directive) Regulations 2011 (as amended)**
Section 50 – Enforcement and penalties.
- **European Union (Packaging) Regulations 2014 (as amended)**
Section 25 - Power of local authority to require submission of information.
Section 34 - Offences.
Section 35 - Prosecutions and Penalties.
- **European Union (Batteries and Accumulators) Regulations 2014**
Section 43 - Non-application of section 34(1)(a) of the Act.
Section 44 - Non-application of section 39(1) of the Act.
Section 47 - Offences.
Section 48 - Prosecutions and Penalties.
- **European Union (Household Food Waste and Bio-Waste) Regulations 2015**
Section 11 – Enforcement and penalties.
- **European Union (Mercury) Regulations 2018**
Section 9 – Penalties for breaches of EU Regulation.
- **Waste Management (Management of Waste from the Extractive Industries) Regulations 2009**
Section 18 – Offences, penalties, and prosecutions.
- **Separate Collection (Deposit Return Scheme) Regulations 2024**
Part X - Enforcement.



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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 **contacting the individual in the case of possible environmental pollution.**

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, telephone number and email address.

What will happen if the personal data is not provided?

We can obtain the details through other means.

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. Kildare County Council Motor Tax office or Planning Department maybe asked to 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: **Solicitors in the case of illegal proceedings for environmental pollution.**

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

Data is transferred to: **N/A.**



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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 and the revised schedules are available in the Council's privacy statement:

<https://kildare.ie/countycouncil/YourCouncil/GovernanceandCompliance/PrivacyStatement/>

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



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Kildare County Council – Data Protection Officer

Phone	045 980 200
E-mail	dataprotection@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 or you can contact their Office at:

Contact portal:	https://www.dataprotection.ie/en/contact/how-contact-us
Postal Address	Data Protection Commissioner 21 Fitzwilliam Square South Dublin 2 D02 RD28 Ireland

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

LAST UPDATED ON: 05/04/2024.