Comhairle Contae Chill Dara
Kildare County Council

PRIVACY STATEMENT for

PROPOSED TRAFFIC CALMING MEASURES SECTION 38 OF THE ROAD TRAFFIC ACT 1994

At

Monread Industrial Estate, Naas (2no. Bus Stop Enhancement works)

(Transport, Mobility & Open Spaces Department)

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 to you that personal data which you may be required to supply to us, to enable us to provide services, 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 the purpose for which it was obtained
- Is collected and processed accurately and kept up to date (where necessary)
- 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 at http://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?

This statement refers to the processing of personnel data in respect to submissions made by members of the public for this proposed bus stop enhancement works – Section 38 of the Road Traffic Act, 1994 (as amended) – Proposed bus stop enhancement works at the following locations;

- Monread Industrial Estate, Naas (2no. Bus Stop Enhancement works)

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 Section 38 of the Road Traffic Act, 1994.

Including third party personal data in submissions:

In cases where a person decides to submit the personal information of another person in their submission, they must:

- Notify that person that they are providing their personal information to the Council and obtain their permission; OR
- Provide that person with a copy of this Privacy Statement;

In addition, they must

- Promptly notify that person of any changes to this Privacy Statement that they are aware of.

- Ensure that, to the best of their knowledge, that the person's personal information is accurate and up to date, and promptly notify the Council when aware that it is incorrect.

Persons making a submission/observation should be aware that comments involving allegations of any kind against a named or otherwise identifiable person or organisation may be viewed as defamatory by the subject of the comments. Persons may be sued directly for any defamatory allegations in any submission/observation and should avoid making such allegations.

In the event of any potentially defamatory allegation giving rise to legal action against it, the Roads Authority will seek indemnity from the person making the allegation.

What happens to my submission?
Submissions made either online or in hard copy are processed in the following manner.

Submissions are assigned a reference number within the Roads, Transportation & Public Safety Department, in order to effectively manage the submission document and are added to an electronic system for processing of same. The submissions are considered by Kildare County Council.

We require contact details

As part of this procedure members of the public can make submission in respect to the above statutory procedure. 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?

We do not require any further personnel data to undertake this activity

Third party source of 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 **DOES NOT APPLY** to this activity.

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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 does not apply to this activity. Data is

NOT transferred to another country.

How long is my data kept for?

The Council has 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. A copy of Record Retention Policy can be accessed via the following link:
http://www.lgma.ie/sites/default/files/2002_national_retention_policy_for_local_authority_records_2.pdf

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, Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F
Emailing us at customercare@kildarecoco.ie

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

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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. You also have the right to data portability where technically feasible.

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/YourCouncil/GovernanceandCompliance/DataProtection/ , use one of the forms at our Counter or contact us.

Kildare County Council - Access to Information Officer

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** 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 South Dublin 2 D02 RD28

Changes to Privacy Statement

We may make changes to this Statement. If we make any changes they will be posted on this page and we will change the "Last Updated" date below**. LAST UPDATED ON 3rd February 2021**