

**Data Privacy Statement – Kilkenny County Council**

**Environment Department**

**Complaint Reports**

**Who we are and why do we require your information?**

Kilkenny 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, Kilkenny 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.

The purpose of this Privacy Notice for the Environment Department is to outline in clear and concise terms the personal data that we may collect about individuals, why it is required and how long the information is retained. It also outlines the rights of individuals under data protection legislation in relation to the processing of their personal data.

**Why do we have a privacy statement?**

Kilkenny County Council has created this privacy statement in order to demonstrate our firm commitment to privacy and to assure you that in all your dealings with the Environment Department of Kilkenny County Council that we will ensure the security of the data you provide to us.

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

Kilkenny 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. <https://www.kilkennycoco.ie/eng/Your_Council/Data-Protection/Data-Protection.html>

**What personal data do we need?**

**The public play a key role in assisting the Council by making complaints or reporting pollution incidents regarding litter, illegal waste activities, water pollution, noise nuisance, air pollution, or other environmental matters. If you do not provide your name and contact details the Council will be unable to contact you to clarify information and this could compromise the investigation. Also, without such details the Council will be unable to report back to you on the investigation outcome. However, we will reject an anonymous complaint.**

The types of personal data you may be asked to supply can be categorised as follows,

* Name
* Address
* Email Address
* Phone Number
* Location Data

**Sharing Information**

The Council may share your information internally (within the Council) in accordance with statutory obligations. In addition, the Council may share your information with third parties in accordance with statutory and regulatory obligations. Where this is required the Council shall have regard to the security and integrity of the data and will minimise the data shared.

Third parties that we may share this information with may include some of the following:

* EPA,
* Inland Fisheries Ireland (IFI),
* LAWPRO,
* Teagasc,
* ASSAP,
* Department of Health,
* Department of Agriculture, Food and the Marine,
* KSPCA
* Contractors (Available upon request)
* Midland Animal Care,
* NTFSO,
* NWCPO,
* REPAK,
* Regional Waste Management Office,
* Revenue,
* Customs,
* Dept Social Protection,
* Glassco,
* Irohaul,
* TRL,
* Hayes Ryan Consultants,
* Food Safety Authority,
* National Litter Monitoring System,
* Waterways Ireland,
* Other Departments within the County Council,
* An Garda Síochána,
* WERLA,
* CCSSS Ltd,
* Solicitors

**Legal and Regulatory Obligations**

The legal basis for processing personal data by Environment Department is mostly contained in the following legislation: Article 6(1)(a) of the GDPR and other relevant legislation for managing reports of complaints for investigation of alleged offences under the Litter Pollution Act 1997 – 2009, Waste Management Act 1996 – 2013, Derelict Sites Act 1990, Local Government (Sanitary Services) Act 1964(as amended), Control of Dogs Acts 1986 & 1992, Control of Horses Act 1996, Air Pollution Act 1987, Local Government (Water Pollution Acts) 1977-1990 and Water Services Act 2007-2013. Where the Environment Department relies on consent for the processing of personal data. In such circumstances the data subject has the right to withdraw consent to the processing of his or her personal data at any time.

Where special categories of information are being processed the Environment Department will obtain the data subject’s explicit consent to such processing unless this is not required by law or the personal data is required to protect the health of the data subject in an emergency.

**Records Retention Policy**

Kilkenny County Council practices in relation to the retention of personal data are guided by the Local Government Management Agency’s (LGMA) National Retention Policy for Local Authority Records and any updates that are issued by the LGMA. Copies of these documents are available here <https://www.kilkennycoco.ie/eng/Your_Council/Data-Protection/National-Retention-Policy.pdf>

**Contact Details**

In order to communicate with you, contact details will be requested of you. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate.

**Details of Personal Circumstances**

If you wish to apply for a particular service from the local authority you will be asked for a varying amount of personal details specific to you and your family, in order to support your application. Kilkenny County Council will set out the information we require in a series of separate and distinct application forms relevant to each service.

**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 Kilkenny 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 Kilkenny County Council (Data Controller), Contact Details are as follows:

**Phone Number:**  +353 56 7794277

**E-mail:** dataprotection@kilkennycoco.ie

**Website:** www.Kilkennycoco.ie

**Postal Address:** Kilkenny County council, County Hall, John Street, Kilkenny R95 A39T

**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 Kilkenny 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:

**Lo Call Number:** 1890 252 231

**E-mail:**  Info@dataprotection.ie

**Postal Address:** Data Protection Commissioner, Canal House, Station Road

Portarlington, Co. Laois. R32 AP23

**Review:**

This policy will be reviewed regularly in light of any legislative or other relevant indicator