



# KILKENNY COUNTY COUNCIL

## **Data Privacy Statement – Kilkenny County Council**

### **Environment Section – CCTV and other Surveillance Systems for the purpose of Detecting and Preventing Waste and Litter Offences**

#### **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 including 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.

#### **Purpose of this Privacy Statement**

Enforcement activities undertaken by Kilkenny County Council relating to the investigation and prosecution of offences under various environmental legislation including the use of CCTV and other surveillance systems.

#### **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 our Environment Department 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; and
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

For full details of the collection, processing and sharing of your personal data by us and your rights in this regard, please see our full Privacy Statement on the website [here](#)

### **Data protection Policy**

Kilkenny County Council has a detailed Data Protection Policy which outlines how we as a public body are committed to ensuring the security of any personal data you provide to us and is [here](#)

### **What personal data do we need?**

Name, address, contact number, email address, land registry, photos, driver's licence, passport, social welfare information (or other such personal identifiers contained in waste/litter capable of identifying an alleged offender). There is also sensitive data potentially collected in relation to previous convictions. We may collect name and address details from the Department of Transport, Tourism and Sport (Motor Tax) on the basis of obtaining vehicle registrations.

In addition, the Council may use CCTV Technology for the purpose of Environmental investigations, specifically footage that include vehicle registrations and/or facial footage.

In the case of litter and/or waste enforcement this may include from time to time temporary covert CCTV use at remote or unsupervised litter blackspots where other measures have proven not feasible or are ineffective.

### **Am I the only source of this personal data?**

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. Complainants are encouraged to use the Council's Environmental complaint [report form](#) and where there is an allegation against a person regarding potential offences under this legislation to limit the personal data about this person to information to enable the Council to identify the person, location or vehicle in sufficient details to undertake an investigation.

### **Sharing Information**

We may share your Personal Data with selected third parties, including for example

- A data processor, acting on behalf of the Council,
- An Garda Síochána,
- Legal Representatives
- Other government agencies, where required to do so by law.
- Within the local authority where necessary and proportionate

We may also share your data with other Local Authorities, suppliers and other third parties who assist us in fulfilling our functions. In addition, to aid investigation, where vehicle registrations are obtained as evidence of alleged offences, this will be shared with the Department of Transport to obtain further information such as name and address of the owner.

### **Notification, information and signage**

Kilkenny County Council will provide where possible the necessary information on this processing activity in the form of signage which is displayed in prominent places and can be seen clearly by our customers.

## Legal and Regulatory Obligations

We process this personal data in the exercise of official authority vested in as the controller under the Litter Pollution Act 1997 (Sections 3,7,8,25 & 27) (as amended) and the Waste Management Act 1996 (as amended), Article 6(1)(e) GDPR and Part 5 of Data Protection Act 2018.

## Records Retention Policy

Kilkenny County Council has adopted The National Retention Policy. These policies outline the timeframe for which your personal data will be retained by the Council and what will happen to it after the required retention period has expired. The retention period for this activity will be 2 years unless the information is required in connection with a legal case. Updated policies will be published, when available, on the Council's website [here](#):

The time period related to CCTV will be 30 days, except where the data is required for investigation and/or prosecution purposes.

## 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 the full details requested makes it easier for us to communicate with you.

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.

## 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. A data access request form can be found [here](#)

To exercise these rights, you should contact Kilkenny County Council (Data Controller), Contact Details are as follows:

|                        |  |
|------------------------|--|
| <b>Phone Number:</b>   | +353 56 7794277  |
| <b>E-mail:</b>         | dataprotection@kilkennycoco.ie                                       |
| <b>Website:</b>        | www.Kilkennycoco.ie  |
| <b>Postal Address:</b> | 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 receive 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](http://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 statement will be reviewed regularly in light of any legislative or other relevant indicators.

**September 2020**