

## Privacy Statement

Please read the following information relating to the collection and use of your personal data and the declaration carefully.



Kilkenny County Council

Comhairle Chontae Chill Chainnigh

Data Privacy Statement – Kilkenny County Council

Healthy Ireland, Community Department, Kilkenny County Council

Kilkenny County Council Not Around Us Campaign

### 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. The Healthy Ireland Fund is managed and administered by Pobal on behalf of the Department of Health. Kilkenny Local Community Development Committee (LCDC) provides oversight and management of the delivery of the Healthy Ireland Fund on behalf of Kilkenny County Council. The Purpose of the Healthy Ireland Fund is to promote and support the Health and Wellbeing of Kilkenny. The Kilkenny LCDC works to improve health and wellbeing by creating and improving the physical and social environment and developing community resources that help people support each other.

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 Kilkenny County Council is to outline in clear and concise terms the personal and non-personal data that we may collect about individuals while carrying out the Not Around Us Campaign. 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.

The aim of the Not Around Us campaign is to demoralise smoking and vaping around children and young people. "Not Around Us" is another step towards a Tobacco & Vape Free Kilkenny.

## **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 Community 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.

## **Purpose of collecting and retaining personal and non-personal data**

Kilkenny County Council will keep personal information only for lawful purposes in line with data protection legislation. Kilkenny County Council will use all personal data for the purposes for which it has been collated. This includes:

- Processing your application and financial information and progress reporting to Pobal (Data Processors on behalf of the Department of Health)
- Reporting on Healthy Ireland Outcomes for the Not Around Us Campaign
- Audit purposes (all information and files for the Healthy Ireland Fund are retained in Kilkenny County Council)
- for general administration purposes

## **What personal or sensitive data do we need for the Evaluation Survey as part of the Not Around Us Campaign**

No personal data that identifies participants will be asked i.e. name, email, address. The information will be captured on Microsoft Forms and stored in Kilkenny County Council's internal systems on SharePoint. The types of personal/sensitive data the participants may be asked to supply can be categorised as follows:

- Age Bracket
- Gender
- Health Status: self-perceived health and subjective measures

## **What personal or sensitive data do we need for the Sign-Up Request Form for Organisations, schools or sports club as part of the Not Around Us Campaign**

- Name of Organisation
- Contact Person of the Main Contact
- Work Number for the Main Contact
- Organisation Address including Eircode
- Number of young people reached through the campaign

### **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:

- Kilkenny County Council will share anonymised data with Kilkenny Local Community Development Committee, Pobal and Department of health who are contracted with Kilkenny County Council to administer the Healthy Ireland Fund at a local level

### **Legal and Regulatory Obligations**

Legal Basis for collecting, retaining and processing personal and non-personal data Processing is contained in Article 6(1)(e) - necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Kilkenny County Council, Article 9(2)(g) - substantial public interest, Article 6(1a) - Consent, Article 9(2a) - explicit consent of the General Data Protection Regulation, 2016. Specifically, the lawful basis for this process is contained in:

- Section 66(e); 67.1 and 67.2 of the 2001 Local Government Act
- Section 36 of the 2014 Local Government Reform Act: Local Community Development Committees

Where we rely on explicit consent for the processing of personal data you have the right to withdraw consent to the processing at any time.

### **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/Data-Protection.html](https://www.kilkennycoco.ie/eng/Your_Council/Data-Protection/Data-Protection.html)

The retention period in this case will be **seven years** after the project commences.

### **Your Data Protection Rights**

Your Rights: You have rights in respect of your data that we are processing as part of the Healthy Ireland Fund, These rights include the following:

- The right to access a copy of your personal data
- The right to rectification
- The right to erasure
- The right to restriction of processing
- The right to data portability
- The right to object processing
- The right to withdraw consent
- The right to lodge a complaint with the Irish Data Protection Commission

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 Notice](#) on the website here where we are processing data based on your consent, you have the right to withdraw consent at any time. You can withdraw your consent by email to Janette Boran, Healthy County Coordinator, Community Section, Kilkenny County Council: [community@kilkennycoco.ie](mailto:community@kilkennycoco.ie)

All necessary steps will be undertaken to delete your information within 4 weeks of the request to withdraw your personal information.

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](mailto:dataprotection@kilkennycoco.ie)

Website: [www.Kilkennycoco.ie](http://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](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, Canal House, Station Road

Portarlinton, Co. Laois. R32 AP23

**Review:** This policy will be reviewed regularly in light of any legislative or other relevant indicators