



Economic Directorate

Covid 19- ReStart Grant

Privacy Notice

(Draft)

	<p>Coronavirus COVID-19 Business Support Helpline Kerry County Council 1800 807 102 Business.Support@kerrycoco.ie</p>	
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Kerry County Council
Comhairle Contae Chiarraí



Draft



- REVISION CONTROL -

Version	Date	Audience	Notes
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1. Introduction

Kerry County Council (the Council) is responsible for the provision of an extensive range of public services, including Economic Development. **This is the Privacy Notice for the ReStart finance grant application.**

The Council seeks to promote the economic, social and cultural development of Kerry and in doing so contribute significantly to improving the quality of life of the people of the county. The delivery of high-quality services, tailored to meet the needs of all our customers, remains one of the Council's core objectives and is included in our Corporate Plan.

This service includes not only the level and quality of service given to our customers, but also the quality of our decision-making processes, the efficiency and effectiveness of our corporate operations, standard of our facilities and our ability to adapt in an ever-changing environment. For further information please visit our website www.kerrycoco.ie under GDPR.

2. Information Collected by the Council

Kerry County Council is the controller and responsible for your personal data (collectively referred to as the Council, "we", "us" or "our" in this privacy notice).

The Council processes and uses certain types of information about individuals (Data Subjects) and organisations to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Kerry. Depending on the service being sought or provided, the information collected may include 'personal data'. This is defined by the Data Protection Acts 1988 - 2018, and by the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) 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 the Council.

In addition, the Council may be required from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements. This also includes data necessary to protect the vital interests of citizens or a task carried out in the public interest. Contact details may be required to allow for efficient communication with individuals.

Ireland's National Action Plan on COVID-19 (Coronavirus) has tasked local authorities and other agencies to work closely with businesses in our County for recover our economy in the wake of the Covid-19 public health emergency.

A Business Support Helpline has been established to allow businesses in need access information and supports. The ReStart Grant is one such support.



Persons requesting support on behalf of their business are required to provide information on the following categories of data. The Council will always aim to collect the minimum data necessary to deal with enquiries.

- Contact details of the Requestor.
- Contact details for the Business.
- Financial information relating to the business.
- Employment information.
- Details of any financial grounds which may have a bearing on the request for support and/or the welfare of persons providing the support.

3. Requirement for a Privacy Notice

The Council has created this privacy notice to demonstrate our firm commitment to privacy and to assure you that in all your dealings with the Covid-19 Business Supports, the Council will, in the context of a public health crisis, do its best to ensure the security of all personal data.

Kerry County Council will seek to ensure that the personal data you may be required to supply to it or may be collected through other sources (eg. information from other third parties or agents acting on your behalf) 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 for no longer than is necessary; and
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

4. Sharing Information to support Businesses

In general, the Council may share information, including personal information furnished of applicants / contacts, from Businesses seeking information or a range of Business Supports with other bodies. This may include the following agencies and other organisations or bodies that may be added, after screening, during the period of Covid19 recovery:

- Fáilte Ireland
- South Kerry Development Partnership
- North, East & West Kerry Development



- IRD Duhallow
- Local Enterprise Office
- Enterprise Ireland
- Kerry Education and Training Board
- Údarás na Gaeltachta
- Local Business Chambers
- Revenue Commissioner
- Central Government Departments as required, in particular the Department of Business, Enterprise & Innovation

Kerry County Council requires all third parties to respect the security of your personal data and to treat it in accordance with the law. It will not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with Kerry County Council's instructions/guidance/policies.

5. How your Personal Data will be used/processed

Kerry County Council is seeking the information below from you to process your ReStart Grant application.

The Survey123 webform (cloud-based technology provided under contract between ESRI – who are a Data Processor and Kerry County Council) allows us to gather information which is downloaded for further processing by relevant staff.

The personal information you provide will be used only for the purposes of submitting and processing your application for Re-Start grant funding.

It will be necessary to share a high-level description of the names and numbers of businesses applying for the grant, the amounts awarded and Covid impact and numbers employed data to the Department of Business, Enterprise & Innovation for reporting purposes.

6. Legal and Regulatory Obligations

The legal basis for processing personal data is included in Article 6 and Article 9 (2) (g) ;(h) & (i) of General Data Protection Regulation: Section 53 of Data Protection Act 2018.

This basis includes:

- where processing is necessary to protect the vital interests of the data subject or of another natural person;
- processing for the performance of a task in the public interest;
- where we need to comply with a legal or regulatory obligation; and
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.



- A legal basis for a local authority to engage in activities to promote the interests of the local community.

Generally, Kerry County Council will not rely on consent as a legal basis for processing your personal data in connection with this service. However, Business Support Helpline staff will endeavour to inform data subject of any service provider who they will be sharing case data with.

7. Change of Purpose

Kerry County Council will only use your personal data for the purposes for which it collected it, unless it reasonably considers that it needs to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please see the *Contact us section at the end of this document*. If Kerry County Council needs to use your personal data for an unrelated purpose, it will notify you and explain the legal basis which allows it to do so.

Please note that Kerry County Council may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

8. Records Retention Policy

Kerry County Council will only retain your personal data for as long as necessary to fulfil the purposes it collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which it processes your personal data and whether it can achieve those purposes through other means, and the applicable legal requirements.

Kerry County Council undertakes to retain the person data you supply for no longer than the duration of the Re-Start Grant Scheme plus a further 7 years. Any data retained for statistical or other purposes will be anonymised.



9. Your 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;

- right to access data: 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.
- right to rectification: If the data held by the Council is found to be inaccurate you have the right to change, remove, block, or object to the use of, said personal data. 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. The Council can refuse a request for rectification.
- right to erasure: you have the right to request the deletion of personal data that the Council hold about you. The right is not absolute and only applies in certain circumstances. This is sometimes referred to as the right to be forgotten.
- right to restriction of processing or to object to processing: you have the right to request that the Council no longer process your personal data for particular purposes, or to object to the processing of your personal data for particular purposes. The right is not absolute and only applies in certain circumstances.

Please note that to help protect your privacy, the Council will take steps to verify your identity before granting access to personal data.

In addition, Data Subjects have a right to;

- exercise data portability, i.e., obtain a transferable copy of information the Council hold to transfer to a third party/provider
- obtain details of any transfer of data to a third country (outside the European Economic Area) and safeguards in place
- obtain details of any automated decision making.

To exercise these rights, you can make a Subject Access Request. This request can be in writing and directed to the contact details at the end of this policy or electronically using the form available in the link www.kerrycoco.ie under GDPR Kerry County Council – Main Policies.



10. Data Protection Contact Details

For all enquiries relating to Data Protection you can contact the Council at:

Phone: 066 718 3500
E-mail: dpo@kerrycoco.ie
Postal Address: Data Protection Officer,
Kerry County Council
County Buildings, Rathass, Tralee V92 H7VT, Co. Kerry

If you are not satisfied with the outcome of the response you receive from the 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 Commission 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 Commission
Canal House, Station Road, Portarlinton, R32 AP23, Co. Laois.

11. External References

Here are links to information in relation to GDPR from the cloud-based systems providers used by the Business Support Helpline and related activity such as the grant application.

Data Capture for ReStart Fund Grant, and for processing Business Support Helpline requests:	Survey123 (ESRI)	https://www.esri.com/en-us/privacy/privacy-gdpr
Existing Data Processing undertaken in relation to Rates	Kerry County Council	http://docstore.kerrycoco.ie/KCCWebsite/gdpr/privacy/ratesnew.pdf