



Protected Disclosures Privacy Notice



Kerry County Council
Comhairle Contae Chiarraí



1. Introduction

Kerry County Council (the Council) is responsible for the provision of an extensive range of public services, including 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 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.

This is the Privacy Notice for Protected Disclosures made to the Council. This privacy notice explains how Kerry County Council, as Data Controller, will process the personal data provided to it in respect of a protected disclosure. It outlines in clear and concise terms how that information will be used and the rights of individuals under data protection legislation in relation to the processing of their personal data. For further information please visit our website www.kerrycoco.ie under GDPR.

2. Information Collected by the Council

The Protected disclosure form gathers the minimal information required in order to process and assess the disclosure.

You are asked to provide the following categories of personal data:

- First Name, Surname
- Address
- Eircode
- Email address
- Phone Number
- Area of Employment
- On occasion, other personal or special category data including third party data may be disclosed.



In most cases of protected disclosures, your personal data was provided to the Council by you or by the person making the disclosure.

You do not have to provide all contact details but providing more, such as email, phone, address, make it easier to communicate with you.

3. Purpose of processing

Your information is required in order to assess and investigate a protected disclosure.

4. 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 in relation to protected disclosures, the Council will ensure the security of the data you provide.

Kerry County Council collects and processes a significant amount of personal data in various multiple formats on a daily basis. Kerry County Council's commitment to you is that the personal data you may be required to supply to us is;

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
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

5. Sharing Information

The Council may share your information internally (within the Council) in accordance with its statutory obligations.

In addition, the Council may receive information from the Office of the Protected Disclosures Commissioner. The Protected Disclosures Commissioner is responsible



for ensuring that all external protected disclosures received are dealt with by the appropriate body.

Personal data may be shared in certain circumstances with third parties for investigation or other purposes where necessary and in accordance with statutory and regulatory obligations eg An Garda Síochána may be notified if fraudulent or criminal activity is discovered.

6. How your Personal Data will be used/processed

The Council will use the information provided in order to assess and investigate protected disclosures.

The Council implements appropriate technical and organisational measures to protect your information from unauthorised access. A limited number of staff will have access to your information, which will be stored in a restricted file management system with access restrictions in place such as password / network protection.

7. Legal and Regulatory Obligations

The legal basis for processing personal data is

Article 6(1) GDPR Processing shall be lawful only if and to the extent

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

The legal obligations are set out in the Protected Disclosures Act 2014 and the Protected Disclosures (Amendment) Act 2022. Further guidance is available on Kerry County Council's website.

8. Records Retention Policy

Kerry County Council's practices in relation to the retention of personal data are guided by the Local Government Management Agency's (LGMA) National Retention Policies. 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 Council will retain copies of disclosures made by staff / worker plus investigations and outcomes until the matter is resolved plus a further 7 years.



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. 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. Please note that to help protect your privacy, the Council 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.

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
Co 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 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
Portarlinton
R32 AP23
Co. Laois.