



KILKENNY COUNTY COUNCIL

Data Privacy Statement – Kilkenny County Council

Climate Action Department

Consultation on the Draft Kilkenny County Council Climate Action Plan 2024-2029

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 Climate Action 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.

What is the activity referred to in this Privacy Statement?

The public consultation for Draft Kilkenny County Council Climate Action Plan (CAP) 2024-2029 consists a consultation on the Draft CAP itself.

We are currently at the "Draft" stage of the plan process. The Draft CAP has now been prepared by the County Council for display.

When the Draft CAP is published, it must be placed on public display for a minimum of four weeks during which submissions and observations are invited from the public and interested parties.

Following the consultation stage, a report summarising the issues raised and the Chief Executive's recommendation will then be presented to the Elected Members for their consideration in February 2024.

All submissions received that provide consent, will be published on the website of the Council accompanied by their name or the organisation's name they submitted on behalf of. Their name will be listed in the Chief Executive's report which will be published on the website of the Council.

Anonymous submissions will not be excepted.

The Elected Members must approve/approve subject to modifications, by resolution, within 6 weeks of receiving the Chief Executives Report.

No Material Alterations to the Draft CAP are provided for under the Climate Action and Low Carbon Development (Amendment) Act 2021

The Draft Climate Action Plan sets out how the local authority will undertake a range of mitigation, adaptation and other climate action measures, to help deliver on the national climate obligations, which seeks to pursue and achieve, by no later than the end of 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy.

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

The respondents name, email address and/or affiliated organisation.

Including third party personal data in submissions:

In cases where a person decides to submit the personal information of another person in their submission, they must:

- Notify that person that they are providing their personal information to the Council and obtain their permission; OR
- Provide that person with a copy of this Privacy Statement;

In addition, they must

- Promptly notify that person of any changes to this Privacy Statement that they are aware of.
- Ensure that, to the best of their knowledge, that the person's personal information is accurate and up to date, and promptly notify the Council when aware that it is incorrect.

Persons making a submission/observation should be aware that comments involving allegations of any kind against a named or otherwise identifiable person or organisation may be viewed as defamatory by the subject of the comments. Persons may be sued directly for any defamatory allegations in any submission/observation and should avoid making such allegations.

In the event of any potentially defamatory allegation giving rise to legal action against it, Kilkenny County Council will seek indemnity from the person making the allegation.

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:

All submissions received over the duration of the public consultation period must be documented formally. This will be undertaken by way of a report on submissions. This report will list the persons and/or entities (where applicable) who made submissions. The report will be made publicly available on the Kilkenny County Council website following publication of the Climate Action Plan.

Legal and Regulatory Obligations

The legal basis for processing personal data by the Climate Action Department is mostly contained in the following legislation: Article 6(1)(e) of the GDPR and other relevant legislation including the Climate Action and Low Carbon Development (Amendment) Act 2021

Where the Climate Action 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.

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.

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
Portarlinton, Co. Laois. R32 AP23

Review:

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