

Your Rights:

Summary

The following summary is aimed at assisting you to understand your rights under GDPR and should not be read as a legal interpretation. Full details of data subject rights and restrictions are outlined in [Chapter 3 of the GDPR](#).

1. Right to rectification – information we hold is incorrect or out of date

You have a right to request correction of the personal information that we hold about you. This enables you to have any incomplete, out of date or inaccurate information corrected or updated. Typically, this may involve the requirement to update your name or address. If this occurs and you want to update your data please let us know by the following ways:

Writing to us at: Data Protection Officer, Carlow County Council, County Buildings, Athy Rd, Carlow, R93 E7R7

Emailing us at: dpo@carlowcoco.ie

When making a request to update your record please provide evidence to support this - for example a copy of a document containing your new address – utility (Gas, Electricity, Phone) bill etc. and proof of your identity (e.g. photocopy of passport or driver's license)

This will enable us to offer protection to your information by confirming your identity before we make changes. Please note that upon verifying your identity the copies of the documentation provided for that purpose will be securely destroyed.

If you experience problems or unreasonable delays in corrections being carried out, you can also contact our Data Protection Officer. Contact details are provided at the end of this section.

If the Council continues to fail to rectify the matter you can consider making a formal complaint to the [Office of the Data Protection Commissioner](#). Contact details are provided at the end of this section.

2. Right to access information- know if we hold information and to access that information

You have a right to find out whether we hold your personal data and, if so, to obtain access to the data. Applications of this nature must be addressed to the Council's Data Protection Officer see contact details below

3. Right to be erasure -the right to be forgotten

In the first instance it should be noted that the right to erasure of data (right to be forgotten) is not an absolute right. Where a data controller can demonstrate that the retention of data is necessary in relation to the purpose or purposes for which they were obtained, the right to erasure will not generally be applicable.

To understand these rights and how they apply to data processed by the Council, you should refer to the relevant Privacy Statement connected to whatever service or activity you are using. This is generally contained with an application form or on our website. In seeking to exercise this right you should be aware that the Council *in general* will process personal data for reasons as contained in Article 6 of the General Data Protection Regulation, being;

Article 6:

*“(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;”*

4. Right to object to processing

You have the right to lodge an objection about the processing of your personal data. While you may apply you should know that under the GDPR, your right to object does not automatically lead to a requirement for processing to stop or for personal data to be deleted. Where the Council, as data controller, can demonstrate compelling, legitimate grounds for processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims, we will be entitled to continue to process your personal data.

On that basis each application for objection or deletion must be assessed in the above context and general guidance on likely outcomes cannot be provided.

5. Right to restrict processing

You may apply to restrict how your personal data is used. This is not an absolute right, and your personal data may still be processed where certain grounds exist. The Council will consider and respond to requests they receive, including assessing the applicability of these grounds. This may for example extend to continuation of processing where based on lawful grounds or the accuracy of the data is validated.

6. Right to Data Portability

This right does not apply to personal data controlled by Kildare County Council.

The right to portability or to request that your digital data be moved or shared directly with you or another organisation applies only to personal data where the processing is carried out by automated means. It is not applicable in the case of paper-based records or files.

However, the right to portability can only be exercised where the processing is based on the consent of the data subject or is necessary for the performance of a contract to which the data subject is party. Data processed by a Local Authority is generally carried out because of its need to perform a task in the public interest, or in the exercise of official authority **and therefore is not subject to portability.**

Full details of the rights outlined in this Section are contained in the [General Data Protection Regulation](#).

Privacy Statement

For details of our General Privacy Statement see <http://www.carlow.ie/wp-content/documents/uploads/General%20Privacy%20Statement%20Carlow%20County%20Council%202018.pdf>

Cost and Timelines

- There is **no charge** for making an application.
- In general, we will make a decision **within one month** of receipt of a valid application.
- If we have doubts as regards identity or insufficient information to enable us to locate your data, **we may ask for further clarifying documentation**. Where this arises the period of time to make a decision will commence upon receipt of the clarifying information.
- In circumstances such as a complex request or receipt of numerous requests, **we may require additional time**. Where this occurs, we will notify you of the extension of the time (**by a period up to but not exceeding 2 months**) within one month from the date of the receipt of the request.
- Where a decision on an earlier request has issued and a subsequent identical or similar request is made by the same individual, it shall not be accepted unless, in the opinion of the Council, a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

Contact details of the Data Protection Officer

If you wish to enquire about any aspect of Data Protection in Carlow County Council, please see contact details below.

Postal Address: Carlow County Council, County Buildings, Athy Road, Carlow, R93 E7R7

E-mail: dpo@carlowcoco.ie

Please note we do not accept access requests via telephone or text message.

Security: Before we act on any application, we need to know who you are to avoid access or changes to your data without your permission. To enable us to offer this protection to your information, we will need to confirm your identity, you can do this by providing the following with your application.

- **a legible photocopy/scanned copy of proof of your identity** (e.g. photocopy of passport or driver's license) **AND**
- **Proof of address** (photocopy/ scanned copy of a utility bill with your name on it)

Please note that upon verifying your identity the documentation provided for that purpose will be securely destroyed.

Right of Complaint to the Data Protection Commissioner

If you are not satisfied with the outcome of the response received by the Council, 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.