

## Clare County Council – Privacy notice - Freedom of Information Act, 2014

DOCUMENT NO.	REVISION NO.	DETAILS	EFFECTIVE DATE
DP-PN-01	1	Freedom of Information privacy notice	1/12/18

The council also has a Privacy statement which is a general document about how we approach data protection as an Organisation and is available on the council's website <https://www.clarecoco.ie/info/privacy-statement/> or on request from this department.

### 1. Contact details of the data protection officer

- Data Protection Office: Telephone: 0656846405 email: [DPA@clarecoco.ie](mailto:DPA@clarecoco.ie)

### 2. The purposes and legal basis for the processing

The [Freedom of Information Act 2014](#) (FOI Act) came into force on 14th October 2014.

The Act gives a person legal rights' to access both personal and non-personal (corporate) records, to have personal records amended or deleted where the information is incorrect or misleading and the right to seek reasons for decisions that affect him/her. Depending on the request being made the information sought may include 'personal data' as defined by the Data Protection Acts and by the general data protection Regulation (GDPR) and may relate to the personal circumstances of you (as applicant) and members of your family who may also be part of your request application.

There are exemptions provided for in the Act, this means that there are specific circumstances when the requested information will not be released, e.g. to protect confidentiality. If any of these exemptions are used to withhold information/records, the reasons will be explained to you.

Information including personal data supplied by persons making requests under the FOI Act or submitting queries etc. in relation to it, are collected, processed and shared only for the those purposes and in accordance with the relevant sections of the FOI Act.

When making a request under the FOI you provide us with contact details such as an address, a phone number or email address. We use these to contact you and will only contact you about matters that affect your request or query.

Please note that to help protect your privacy we take steps to verify your identity, before granting access to personal data, and further proof your identity may be requested by this council.

### 3. The recipients or categories of recipients of the personal data

The personal data you supply to this Council as part of your request, application, internal review, appeal or query under the Freedom of Information Act will only be used by Clare County Council for the purposes of processing the request, application, internal review, appeal or query and for essential purposes related to delivery of the service to you. This may entail sharing your data with other departments or associated companies of Clare County Council and with any relevant third parties (e.g. county solicitor's office, relevant contractors or companies) that may be associated with your application. Where a requester makes an appeal to the Information Commissioner all necessary records must be supplied to that office in order for them to process the appeal.

There are no plans to transfer personal data to a third country or international organisation.

Your data may also be shared with other sections within Clare County Council to make sure the information is accurate and/or prevent or detect fraud.

All data supplied by you as part of your request, application, internal review, appeal or query under the Freedom of Information Act will be used for the specific purpose of assessing and administering your application. However, Clare County Council may share the data with other public bodies in order to process your request, for example, where records are held by another public body we may transfer your

request, application or query to that body for processing under section 12 of the FOI Act. You will be informed where this occurs.

The council will seek to protect the privacy of individuals and information supplied in confidence however in certain circumstances it may be in the public interest to release such information.

A persons rights under the FOI Act, how to make applications, contact details and the criteria for applications to qualify as a valid request are available here;

<http://www.clarecoco.ie/your-council/your-rights-to-information/freedom-of-information/how-to-apply-for-information/>

A person's right to a review of a decision made on their request under the FOI Act and to an appeal on such a decision are available here;

<http://www.clarecoco.ie/your-council/your-rights-to-information/freedom-of-information/rights-of-review-and-appeal/>

4. The retention periods or the criteria used to determine that period
  - Data in relation to Freedom of Information Requests is held for 10 years under the Local Authority National Records Retention Policy (<http://www.lgcsb.ie/en/publications/corporate/national-retention-policy-for-local-authority.pdf>)

**5. Details on rights of access to and rectification/deletion of personal data.**

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. Please see our Privacy Policy for further details.

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

**6. The right to lodge a complaint with the supervisory authority**

If you have contacted us about a personal data matter and you are unhappy with the outcome, you can raise the matter with the Data Protection Commission, Canal House, Station Road, Portarlington, Co. Laois, Ireland. Before doing so it is recommended that you contact Clare County Council ([DPA@clarecoco.ie](mailto:DPA@clarecoco.ie)) to establish the circumstances and to indicate your intention to complain to the Data Protection Commission's Office. We may be in a position to resolve the problem in a timely manner. If you are not satisfied with our response, or if you do not receive a response, at that point you could make a complaint to the Data Protection Commission's Office.

The Data Protection Commission website [www.dataprotection.ie](http://www.dataprotection.ie) has further details and the online form to be completed if you wish to raise a concern or make a complaint.