



**COMHAIRLE CONTAE ROS COMÁIN**  
**ROSCOMMON COUNTY COUNCIL**

**Privacy Statement**  
**National Roads Regional Office**

**March 2023**

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## **1.0 Introduction**

The National Roads Regional Office supports Roscommon County Council's commitment to develop a sustainable transport network that caters for the future needs of County Roscommon. It achieves this through providing the services/functions necessary for the following:

- Progressing major and minor schemes on the National Primary and Secondary routes in County Roscommon through the various stages of the TII Project Management Guidelines;
- Progressing Greenway and Active Travel projects in County Roscommon through the various stages of the TII Project Management Guidelines;
- Design of pavement improvement schemes on the National Primary and Secondary routes in County Roscommon;
- Services provided on National routes in conjunction with TII Road Safety such as the monitoring of the completion of Road Safety Inspections and associated improvement works; and
- Services provided on National routes in conjunction with TII Network Operations such as Regional Trench Reinstatement Inspections and Non-Native Invasive Alien Species survey and treatment contract administration etc.

## **2.0 Purpose of Privacy Statement**

The purpose of this privacy statement is to describe, in clear and concise terms, the personal data the National Roads Regional Office may collect about individuals, why it is needed, how it is used and how individuals may interact with the National Roads Regional Office in relation to their personal data. It also outlines the rights of individuals under data protection legislation in relation to the processing of their personal data.

## **3.0 Definitions**

For the purposes of this privacy statement the following definitions apply:

- **Data Subject:** is an identified or identifiable natural person to whom personal data relates.

- **Personal Data:** any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Special Categories of Personal Data:** personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; genetic data; biometric data processed for the purpose of uniquely identifying a natural person; data concerning health and data concerning a natural person's sex life or sexual orientation.

#### **4.0 Scope**

This statement applies to all personal data processed by the National Roads Regional Office in physical or electronic format. This data primarily relates to:

- Landowners and members of the public impacted/affected by the various projects being progressed by the National Roads Regional Office; and
- Contractors, consultants, advisors and other specialists employed by Roscommon County Council on TII funded transport projects.

#### **5.0 Data Protection Policy**

Roscommon County Council creates, collects and processes a significant amount of personal data in various formats on a daily basis.

It is the policy of Roscommon County Council that:

- It will seek to act at all times in full compliance with data protection legislation in its processing of personal data;
- GDPR principles are respected and strictly adhered to;

- The rights of data subjects are fully respected and protected;
- Measures exist to respond appropriately to personal data breaches;
- Appropriate governance mechanisms exist to oversee compliance with data protection legislation.

Roscommon County Council is fully committed to ensuring that the personal data processed by the National Roads Regional Office 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 the purposes 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.

Roscommon County Council has developed a ***Corporate Data Protection Policy and Procedures*** which go into more detail as to how it intends meeting these commitments.

## 6.0 What Personal Data is Processed

Details of personal data processed by each of the services/functions of the National Roads Regional Office are contained in the following tables:

<b>Table 6.1</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Public Consultations and Submissions Received from the Public	<ul style="list-style-type: none"> <li>• Name</li> <li>• Postal Address</li> <li>• Contact Details (phone number, e-mail address)</li> </ul>

<b>Table 6.2</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Land Acquisition	<ul style="list-style-type: none"> <li>• Name</li> <li>• Postal Address</li> <li>• Contact Details (phone number, e-mail address)</li> <li>• Ownership Details</li> <li>• Bank Account Details</li> </ul>

<b>Table 6.3</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Site Investigation and Archaeological Testing : Compensation Payments to Landowners	<ul style="list-style-type: none"> <li>• Name</li> <li>• Postal Address</li> <li>• Contact Details (phone number, e-mail address)</li> <li>• Ownership Details</li> <li>• Bank Account Details</li> </ul>

<b>Table 6.4</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Roads Statutory Notices	<ul style="list-style-type: none"> <li>• Name</li> <li>• Postal Address</li> <li>• Contact Details (phone number, e-mail address)</li> <li>• Ownership Details</li> </ul>

<b>Table 6.5</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Procurement/Management of Contractors, Consultants, Specialists Employed on Road , Greenway, Active Travel and Pavement Projects	<ul style="list-style-type: none"> <li>• Name</li> <li>• Postal Address</li> <li>• Contact Details (phone number, e-mail address)</li> <li>• Tender Documentation including insurance, tax compliance and other suitability details</li> <li>• Bank Account Details</li> </ul>

## **7.0 Why Personal Data is Processed**

**7.1** Personal data is processed by the National Roads Regional Office in order to progress road, greenway, active travel and pavement projects through the various stages of development from inception to closeout in accordance with TII Project Management Guidelines.

**7.2** If the National Roads Regional Office proposes to process personal data for a purpose other than that for which it was obtained it will, prior to such processing, provide the data subject with information on that purpose and any other relevant information.

## **8.0 The Legal Basis for Processing Personal Data**

**8.1** Under Articles 6 and 9 of the GDPR, the processing of personal data requires a legal basis. The legal basis for the National Roads Regional Office's processing of personal data includes any one or more of the provisions contained in these Articles and in particular any one or more of the following:



- Article 6(1)(a) of the GDPR where the data subject has given consent to the processing of his or her personal data for one or more specific purposes. Generally, the number of occasions whereby Roscommon County Council relies on consent for the processing of personal data is very limited. In such circumstances the data subject has the right to withdraw consent to the processing of his or her personal data at any time.
- Article 6(1)(c) of the GDPR where the processing is necessary for compliance with a legal obligation to which Roscommon County Council is subject.
- Article 6(1)(e) of the GDPR where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in Roscommon County Council.

**8.2** *Appendix A* provides details of the full range of lawful conditions for which Roscommon County Council may process personal data under Articles 6 and 9 of the GDPR.

**8.3** Art 2(2)(d) of the GDPR however provides that *'this Regulation does not apply to the processing of personal data .... by Competent Authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security'*. The Law Enforcement Directive 2016/680 provides for the processing of personal data for such purposes.

## **9.0 How Personal Data is Obtained**

**9.1** Most of the personal data collected by the National Roads Regional Office is obtained directly from the public (public consultations), landowners and their representatives, contractors, consultants and specialists working on behalf of Roscommon County Council.

**9.2** The National Roads Regional Office also creates personal data as a result of processing activities carried out by the services it provides e.g. submissions arising from public consultations processes, land acquisition process etc.

## **10.0 How Personal Data is Processed**

The processing of personal data by staff within the National Roads Regional Office is generally carried out by Roscommon County Council IT systems. Details of the IT systems that are used by the National Roads Regional Office to process the personal data are as follows:

- IT systems: Milestone 4, Chief Executive's Order System;
- Internal databases and spreadsheets used to prepare CPO documentation and manage land acquisition process.

## **11.0 Sharing Personal Data with Third Parties**

The sharing of personal data with third parties will only occur in circumstances that are permitted by law.

Details of the sharing of personal data by the National Roads Regional Office with third parties are contained in the following tables:

<b>Table 11.1</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Public Consultations and Submissions received from the Public	<ul style="list-style-type: none"><li>• Relevant Roscommon County Council Staff</li><li>• Relevant Contractors, Consultants, Specialists etc.</li><li>• Legal Advisors and Valuers</li></ul>

<b>Table 11.2</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Land Acquisition	<ul style="list-style-type: none"> <li>• Relevant Roscommon County Council Staff</li> <li>• Relevant Contractors, Consultants, Specialists etc.</li> <li>• Legal Advisors and Valuers</li> <li>• Funding Authority (TII)</li> </ul>

<b>Table 11.3</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Site Investigation and Archaeological Testing : Compensation Payments to Landowners	<ul style="list-style-type: none"> <li>• Relevant Roscommon County Council Staff</li> <li>• Funding Authority (TII)</li> </ul>

<b>Table 11.4</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Roads Statutory Notices	<ul style="list-style-type: none"> <li>• Relevant Roscommon County Council Staff</li> <li>• Relevant Contractors, Consultants, Specialists</li> <li>• Legal Advisors and Valuers</li> </ul>

<b>Table 11.5</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Procurement/Management of Contractors, Consultants, Specialists Employed on Road , Greenway, Active Travel and Pavement Projects	<ul style="list-style-type: none"> <li>• Relevant Roscommon County Council Staff</li> <li>• Relevant Contractors, Consultants, Specialists etc.</li> <li>• Legal Advisors and Valuers</li> <li>• Funding Authority (TII)</li> </ul>

## **12.0 Records Retention Policy**

The National Roads Regional Office will retain personal data only for as long as is necessary for the purposes for which it was obtained. Roscommon County Council has developed detailed ***Record Retention Policies*** which go into more detail regarding the time period for which personal data will be retained.

## **13.0 Data Subject Rights**

Data subjects have a range of rights under GDPR. These include the following: -

- The right to be informed;
- The right of access;
- Right to rectification of inaccurate or incomplete data;
- The right to erasure of personal data (also known as the ‘right to be forgotten’);
- The right to portability;
- The right to object to the processing of personal data;
- The right to restrict the processing of personal data;
- Rights in relation to automated decision making, including profiling.

Roscommon County Council’s ***Corporate Data Protection Policy and Procedures*** provide more detailed information on these rights and how to exercise them.

## **14.0: Complaints to the Data Protection Commission**

**14.1** Data subjects may make a complaint in the following circumstances:

- a) If they experience a delay outside of the prescribed timeframe for making a decision on a request to exercise their data subject rights;
- b) If they are dissatisfied with a decision by Roscommon County Council on their request to exercise their data subject rights;
- c) If they consider that Roscommon County Council’s processing of their personal data is contrary to data protection legislation.

**14.2** Contact details for the Data Protection Commission are as follows:

Phone Number: 01 7650100 / 1800 437737.

Postal Address: Data Protection Commission  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28.

Online: [www.dataprotection.ie](http://www.dataprotection.ie) provides details for online contact.

**15.0 Monitoring and Review**

Provisions contained in this statement shall be subject to on-going monitoring and review.

**16.0: Further Information**

Further information and advice on the operation of this privacy statement is available from the Data Protection Officer, Roscommon County Council. Contact details for the County Council's Data Protection Officer are as follows:

Phone: 090 6637100

E-mail: [dataprotection@roscommoncoco.ie](mailto:dataprotection@roscommoncoco.ie)

Website: [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

Postal Address: Roscommon County Council  
Áras an Chontae  
Roscommon  
F42 VR98.

## ***Appendix A: Lawful Processing Conditions***

### **(a) Lawful Processing Conditions – Personal Data**

Under Article 6 of the GDPR the processing of personal data is lawful only if at least one of the following conditions apply:

- 1) The data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- 2) The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- 3) The processing is necessary for compliance with a legal obligation to which the controller is subject;
- 4) The processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- 5) The 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;
- 6) The processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party (Processor), except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. This condition shall not apply to processing carried out by public authorities in the performance of their tasks.

## **(b) Lawful Processing Conditions – Special Categories of Personal Data**

Under Article 9 of the GDPR the processing of Special Categories of Personal Data is lawful only if at least one of the following conditions apply:

- 1) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes;
- 2) The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Controller or of the data subject in the field of employment and social security and social protection;
- 3) The processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- 4) The processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other non-profit-seeking body with a political, philosophical, religious or trade-union aim and on the condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- 5) The processing relates to personal data which are manifestly made public by the data subject;
- 6) The processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- 7) The processing is necessary for reasons of substantial public interest;
- 8) The processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services pursuant to contract with a health professional;
- 9) The processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices; or
- 10) The processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes in accordance with the Regulation.