



**Comhairle Contae
Ros Comáin**
Roscommon
County Council

**COMHAIRLE CONTAE ROS COMÁIN
ROSCOMMON COUNTY COUNCIL**

**Privacy Statement
Roads and Transportation Department**

March 2023

Version Control

Department		Corporate Services		
Service		Data Protection		
Document Title		Privacy Statement – Roads and Transportation Department		
Document Reference No.		DP-2-15		
Version No.		V.1		
Prepared By.		Brian Duffy, Data Protection Officer	Date:	December 2018
Approved By.		Management Team	Date:	14/12/2018
Revisions:				
Version No.	Revised by	Date	Approved by	Date
V.2	Brian Duffy, Data Protection Officer	03/03/2023	Management Team	21/03/2023

Contents

	Page No.
1.0 Introduction	3
2.0 Purpose of Privacy Statement	4
3.0 Definitions	4
4.0 Scope	5
5.0 Data Protection Policy	5
6.0 What Personal Data is Processed	6
7.0 Why Personal Data is Processed	11
8.0 The Legal Basis for Processing Personal Data	11
9.0 How Personal Data is Obtained	12
10.0 How Personal Data is Processed	13
11.0 Sharing Personal Data with Third Parties	13
12.0 Records Retention Policy	17
13.0 Data Subject Rights	17
14.0: Complaints to the Data Protection Commission	17
15.0 Monitoring and Review	18
16.0 Further Information	18
<i>Appendix A: Lawful Processing Conditions</i>	19

1.0 Introduction

The role of the Roads and Transportation Department is to provide a well-maintained public road network, subject to financial and human resource constraints. County Roscommon has approximately 4,041,978 km of public road infrastructure as set out by category below:

Road Class	Length (m)
Motorway	20,220
National Primary	83,492
National Secondary	148,056
Regional	375,780
Local Roads	3,414,430
Total All Roads	4,041,978

It achieves this through providing the following services/functions:

- Abnormal Load Permits
- Burial Grounds including Headstone Permits, Cemetery Improvement Grants and Cemetery Caretakers
- Community Involvement Schemes (CIS)
- Land Transactions
- Local Improvement Schemes (LIS)
- National Transport Authority Functions Approvals
- Road Opening Licences
- Roads Complaints, Arterial Drainage Maintenance, Bridge Maintenance and Improvement Works, Declaration of Public Roads/Taking-in-Charge Estates, Extinguishment of a Public Right of Way, Fleet and Machinery, Flood Alleviation Works, National and Non-National Road Maintenance and Road Improvement Schemes, Part VIII Procedures, Roads Grants Schemes, Cemetery Grant Scheme and Hedge Cutting Grant Scheme, Smarter Travel Initiatives, Speed Limits Bye-Laws, Temporary Road Closures, Temporary Road Works Speed Limits, Active Travel Investment Programme

- Roads Statutory Notices relating to Temporary Road Closures, Temporary Road Works Speed Limits, Declaration of Public Roads/Taking-in-Charge Estates, Extinguishment of a Public Right of Way, Part VIII Procedures, Speed Limits Bye-Laws
- Public Submissions under Roads Functions: Temporary Road Closures, Temporary Road Works Speed Limits, Declaration of Public Roads/Taking-in-Charge Estates, Extinguishment of a Public Right of Way, Part VIII Procedures, Speed Limits Bye-Laws
- Roads Safety Committee
- Junior Warden Scheme
- Roads Works Contracts
- Fleet Management.

2.0 Purpose of Privacy Statement

The purpose of this privacy statement is to describe, in clear and concise terms, the personal data the Roads and Transportation Department may collect about individuals, why it is needed, how it is used and how individuals may interact with the Roads and Transportation Department 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 Roads and Transportation Department in physical or electronic format. This data primarily relates to Roads and Transportation Services outlined in Section **1.0**.

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 its Roads and Transportation Department 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 in to 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 Roads and Transportation Department are contained in the following tables:

Table 6.1	
Service/Function	Personal Data Processed
Abnormal Load Permits	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.2	
Service/Function	Personal Data Processed
Burial Grounds including Headstone Permits, Cemetery Improvement Grants and Cemetery Caretakers	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.3	
Service/Function	Personal Data Processed
Community Involvement Schemes	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.4	
Service/Function	Personal Data Processed
Land Transactions	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.5	
Service/Function	Personal Data Processed
Local Improvement Schemes	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.6	
Service/Function	Personal Data Processed
National Transport Authority Functions Approvals	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.7	
Service/Function	Personal Data Processed
Road Opening Licences	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.8	
Service/Function	Personal Data Processed
Roads Complaints	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.9	
Service/Function	Personal Data Processed
Roads Statutory Notices	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.10	
Service/Function	Personal Data Processed
Public Submissions under Roads Functions	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.11	
Service/Function	Personal Data Processed
Roads Safety Committee	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

Table 6.12	
Service/Function	Personal Data Processed
Junior Warden Scheme	<ul style="list-style-type: none"> • Name • School attended • Date of birth

Table 6.13	
Service/Function	Personal Data Processed
Road Works Contracts	<ul style="list-style-type: none"> • Company name • Postal address • Eircode/Postcode • Contact details, where provided • Insurance • Tax compliance

Table 6.14	
Service/Function	Personal Data Processed
Fleet Management	<ul style="list-style-type: none"> • Name

Table 6.15	
Service/Function	Personal Data Processed
Report It System	<ul style="list-style-type: none"> • Name • Postal address • Eircode/Postcode • Contact details, where provided - phone numbers, e-mail address

7.0 Why Personal Data is Processed

7.1 Personal data is processed by the Roads and Transportation Department in order to manage the Roads and Transportation Services outlined in Section 1.0.

7.2 If the Roads and Transportation Department 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 Roads and Transportation Department'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 Roads and Transportation Department is obtained directly from customers.

9.2 The Roads and Transportation Department also creates personal data as a result of processing activities carried out by the services it provides e.g. Local Improvement Scheme, Community Involvement Scheme, Cemetery Grant Scheme, roads complaints, public submissions as part of roads statutory consultation processes, land disposals and acquisitions, etc.

10.0 How Personal Data is Processed

The processing of personal data by staff within the Roads and Transportation Department is generally carried out by its IT systems. Details of the IT systems that are used by the Roads and Transportation Department to process personal data are as follows:

- Internal Roads Databases E.g. Cemetery Grants Database, LIS Online System, CIS Databases, etc.
- IT Systems: Road Management Office (RMO) System, Milestone 4, Core, Chief Executive Order System, iPlan, Fleet Management System, Report It System (Customer Relations Management System).

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 Roads and Transportation Department with third parties are contained in the following tables:

Table 11.1	
Service/Function	Third Parties with whom Personal Data is Shared
Abnormal Load Permits	<ul style="list-style-type: none">• None

Table 11.2	
Service/Function	Third Parties with whom Personal Data is Shared
Burial Grounds including Headstone Permits, Cemetery Improvement Grants and Cemetery Caretakers	<ul style="list-style-type: none"> • None

Table 11.3	
Service/Function	Third Parties with whom Personal Data is Shared
Community Involvement Schemes	<ul style="list-style-type: none"> • None

Table 11.4	
Service/Function	Third Parties with whom Personal Data is Shared
Land Transactions	<ul style="list-style-type: none"> • Roscommon County Council County Solicitor

Table 11.5	
Service/Function	Third Parties with whom Personal Data is Shared
Local Improvement Schemes	<ul style="list-style-type: none"> • None

Table 11.6	
Service/Function	Third Parties with whom Personal Data is Shared
National Transport Authority Functions Approvals	<ul style="list-style-type: none"> National Transport Authority

Table 11.7	
Service/Function	Third Parties with whom Personal Data is Shared
Road Opening Licences	<ul style="list-style-type: none"> None

Table 11.8	
Service/Function	Third Parties with whom Personal Data is Shared
Roads Complaints	<ul style="list-style-type: none"> None

Table 11.9	
Service/Function	Third Parties with whom Personal Data is Shared
Roads Statutory Notices	<ul style="list-style-type: none"> Roscommon County Council County Solicitor

Table 11.10	
Service/Function	Third Parties with whom Personal Data is Shared
Public Submissions under Roads Functions	<ul style="list-style-type: none"> The Chief Executive Report following a Part 8 Notice in relation to Specified Development lists the persons or bodies who made submissions or observations with respect to the proposed development

Table 11.11	
Service/Function	Third Parties with whom Personal Data is Shared
Road Safety Committee	<ul style="list-style-type: none"> • None

Table 11.12	
Service/Function	Third Parties with whom Personal Data is Shared
Junior Warden Scheme	<ul style="list-style-type: none"> • Irish Public Bodies Insurance

Table 11.13	
Service/Function	Third Parties with whom Personal Data is Shared
Road Works Contracts	<ul style="list-style-type: none"> • Relevant Government funding department

Table 11.14	
Service/Function	Third Parties with whom Personal Data is Shared
Fleet Management	<ul style="list-style-type: none"> • Termar Networks

Table 11.15	
Service/Function	Third Parties with whom Personal Data is Shared
Report It System	<ul style="list-style-type: none"> • None

12.0 Records Retention Policy

The Roads and Transportation Department 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 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

Website: 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.