

**South Dublin County Council
County Hall,
Tallaght,
Dublin 24**

**Privacy Statement for Corporate Performance and Change
Management Department**

Business Unit: Procurement and Shared Services

Who we are and why we require your information

South Dublin County Council seeks to promote the economic, social and cultural development of the County and in doing so contribute significantly to improving the quality of life of the people of South Dublin County.

The delivery of high-quality services, tailored to meet the needs of all our customers, remains one of South Dublin County Council's core objectives and is included in our Corporate Plan. This quality service includes not only the level and quality of service given to our customers but also the quality of our decision-making processes, the efficiency and effectiveness of our corporate operations, standard of our facilities and our ability to adapt in an ever-changing environment.

To provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of South Dublin County we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being sought or provided, 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 current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements.

Why does the Council have a privacy statement?

South Dublin County Council has created this privacy statement to demonstrate the Council's firm commitment to privacy and the security of the personal data you provide to the Council.

South Dublin 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 and retained for only specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary for the purpose for which it was obtained.
- Recorded accurately and, where necessary, updated.
- Stored safely and securely.
- 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 fairly and in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Service referred to in this Privacy Statement

Managing procurement processes for South Dublin County Council in line with the requirements of the Council's Corporate Procurement Plan, including

- providing procurement advice and assistance to tendering sections.
- advertising procurement competitions.
- receipt of tenders / quotation submissions.
- evaluation of tenders / quotation submissions.
- appointing successful suppliers and managing the contracts.
- publishing award notices on www.etenders.gov.ie and publishing a summary of contracts awarded on www.sdcc.ie as part of the Freedom of Information (FOI) publication scheme.

Personal data required

The data requested by the Council as part of a tender submission will depend on the particular procurement and will be detailed in the request for quotation / tender documents. Personal data will only be requested where relevant.

South Dublin County Council uses www.etenders.gov.ie and www.supplygov.ie to advertise and manage procurement competitions and to publish award notices. Certain personal information is stored and processed on these national systems.

The Office of Government Procurement have published a Data Protection Statement for the etenders platform:

http://etenders.gov.ie/Media/Default/SiteContent/UserGuides/eTenders_Data_Protection_Statement_Final_28052018.pdf.

The Local Government Operational Procurement Centre have published a Data Privacy Statement for the supplygov platform:

https://www.supplygov.ie/Downloads/SG_Privacy_Statement.pdf .

Personal data may also be processed as part of live contracts, and this will be dependent on the nature of the specific assignment and will be governed by a Data Processing Agreement between the Council and the Supplier.

Specific and legitimate purpose for which the personal data is being sought

To carry out procurement processes and administer contracts.

Legal basis under which the information is required to be supplied

Section 229 of the Local Government Act 2001 refers to the 'Power of local authorities to enter into contracts, etc.' Tender processes are governed by EU Directives, Regulations, as well as national and local Guidance.

Depending on the nature of the procurement process, what personal data is requested and how it will be processed will determine the legal basis for processing. Generally, the legal bases for processing by the Council could include the consent of the individual; performance of a contract; compliance with a legal obligation; necessary to protect the vital interests of a person; necessary for the performance of a task carried out in the public interest; or in the legitimate interests of company / organisation.

Other organisations / bodies / entities that the Council will be required to share data with, or obtain data from, in order to provide the required service

The Council may be required to share the data with, or obtain the data from, other bodies to provide the service, for example:

- the suppliers of the www.etenders.gov.ie or www.supplygov.ie websites,
- the Evaluation Team,
- our external advisors for a competition,

- the Office of Government Procurement,
- the Local Government Management Agency, another local authority / public body party to the competition, and / or
- referees or other bodies to verify information supplied as part of the tender process.

Personal data may also be shared with other bodies where there is a legal basis to do so.

The Council has a requirement to publish details of competition awards publicly. Personal data may also be processed as part of live contracts, and this will be governed by a Data Processing Agreement between the Council and the Supplier.

How your personal data will be kept safe from unauthorised or unlawful processing

Files are securely stored, accessible by authorised staff only, and will be kept in line with the Council's Data Retention Policy: Data Retention Schedule for Procurement related Records.

Where personal data could be processed as part of a contract Data Processing Agreements will be put in place as part of the contractual arrangements between the Council and the supplier.

Period for which your personal data will be retained

The retention periods are outlined in the Council's Data Retention Policy: Data Retention Schedule for Procurement related Records.

Contact details

In order to communicate with you, the Council will ask for your contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier for the Council to communicate with you.

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 South

Dublin County Council is found to be inaccurate, you have the right to have the data corrected by the Council.

You may request to have information erased, object to direct marketing and to restrict the processing of your information, including automated decision-making.

You have the right to request data portability (transfer) of personal data held electronically by the Council to another data controller where technically feasible.

You may withdraw consent at any time where processing is based entirely on your consent.

Please note that to help protect your privacy the Council will take steps to verify your identity before granting access to personal data.

Data access requests should be made in writing and addressed to:

Data Protection Officer

South Dublin County Council, County Hall, Tallaght, Dublin 24.

E-Mail: dataprotection@sdublincoco.ie

Telephone: 01-414 9000

Right of complaint to the Data Protection Commission

If you are not satisfied with the outcome of the response you receive in relation to a data access request or are unhappy with the manner of the processing of your data by South Dublin County Council, then you are entitled to make a complaint to the Data Protection Commission which may investigate the matter for you.

The Data Protection Commission's website is www.dataprotection.ie or you can contact the Commission's Office at:

Telephone: 076 110 4800 or 057 868 4800

E-mail: info@dataprotection.ie

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