



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Seirbhísí Corparáideacha,
Comhairle Cathrach agus Contae Luimnigh,
Ceanncheathrú Chorparáideach,
Cé na gCeannaithe,
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To: The Mayor and Each Member of Limerick City and County Council

General Data Protection Regulation

A Chomhairleoir, a chara,

The General Data Protection Regulation (GDPR) will come into law on 25th May, 2018. The GDPR reinforces Data Subjects' rights and updates Data Protection laws to take account of ongoing advances in technology.

The basic principles of Data Protection remain the same and are set out below:

- Personal data should be obtained and processed in a fair and transparent manner.
- Kept for one or more specified and lawful purposes.
- Processed only in ways compatible with the purpose for which it was received.
- Kept safe and secure.
- Kept accurate and up to date.
- Should be adequate, relevant and not excessive to the purpose for which it is processed.
- Retained for no longer than is necessary for the specified purpose(s) for which it was collected.

While the Council, as a Data Controller, has to comply with these principles under existing Data Protection legislation, one of the significant changes introduced by the GDPR is that the Council must be in a position to prove ongoing compliance with these principles and all the Data Protection requirements as set out in the GDPR. To do this, the Council must:

- Maintain a log of all personal data processed, including - the purpose of the processing, the categories of personal data and Data Subjects, to whom the data will be disclosed, how long it will be kept for and how it will be kept secure. Similar information must be provided to the Data Subject in the form of privacy statements when personal data is provided to the Council.

- Ensure it is in a position to respond to Data Subjects' rights to access, rectify or erase their data in certain circumstances.
- Show how personal data is kept secure.
- Maintain a log of any data breaches and notify the Data Protection Commissioner and the Data Subjects in relation to same, in accordance with the requirements of the GDPR.
- Ensure that the principles of Data Protection are built into any new processes or systems and carry out Data Protection Impact Assessments in advance of designing such new processes or systems.
- Ensure that GDPR-compliant contracts are in place between the Council and any third parties who process data on its behalf.
- Carry out appropriate checks and audits to ensure ongoing compliance.

To ensure that the Council is compliant with the requirements of the GDPR, it is carrying out a detailed review of the processing of personal data under the various services it provides. Training is being provided to staff and a range of data protection, data security and data access policies are being drawn up.

The impact of the GDPR in terms of the Elected Members is being kept under review and, in particular, in terms of any revised guidance that might be issued by the Data Protection Commissioner on this subject. The Council will be kept informed of any developments in this regard.

As requested by the Corporate Policy Group, a Workshop for Elected Members will be organised to give a full briefing to Members on the implementation of the new Regulation.

Is mise le meas,



**Christy O'Connor,
Senior Executive Officer,
Corporate Services.**