Data Protection Privacy Notice for CEO contracts for the State agencies under the aegis of the Department

Part A:

We are fully committed to keeping all personal data submitted to us safe and secure. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold your data.

Being open and transparent in how we process your personal data is important to us and therefore we aim to keep you informed of the purpose(s) for which your personal data will be used and why, where it may be shared elsewhere and why, and how long your data may be held by the Department.

Data Controller and Data Protection Officer:

The Department of Transport has two data Controllers:

1. The Department of Transport
2. The Driver and Vehicle Computer Services Division of the Department

The Department has its Headquarters in Leeson Lane, Dublin D02 TR60. It has appointed a Data Protection Officer (DPO) for you to contact if you have any questions or concerns around the Department's personal data policies or practices. The Department's DPO details are as follows:

Data Protection Officer
Department of Transport
Leeson Lane
Dublin D02 TR60

Tel: 00 353 (85) 8797044
Email: dataprotection@transport.gov.ie
Website: https://www.gov.ie/en/publication/fdde77-data-protection/

Please contact the Department's DPO with any queries you may have in relation to this privacy notice for the processing of CEO contracts for the State agencies under the aegis of the Department.

Personal data processed by the Department will only be used for the specific purpose(s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.

Data Subject Rights:

When you provide personal data to us you have certain rights available to you in relation to that data. These rights are outlined below and can be exercised by contacting the Data Protection Officer, as detailed above, indicating which right you wish to exercise:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Finally, as a data subject, should you be unhappy with the provision of information in this Notice you can make a complaint to the Data Protection Commission (www.dataprotection.ie), which is Ireland's Supervisory Authority for data protection matters.

Part B: Information Specific to the Data Being Collected for CEO contracts for the State agencies under the aegis of the Department

The following is specific information in relation to the personal data processed for the purposes of CEO contracts for the State agencies under the aegis of the Department**.**

Specific Purpose:

The CEO of each State body under the aegis of the Department of Transport shall hold office subject to the terms and conditions as determined by the Board of the State body with the consent of the Minister and the Minister for Public Expenditure and Reform. Proposed draft contracts for employment, including the amount of the

proposed remuneration, must be submitted for approval to the Minister in advance of being presented to prospective CEOs. Therefore the Department processes personal data relating to the prospective CEO candidate to seek Ministerial approval for the appointment.

Legal Basis:

The Legal basis for this processing is as set out in

- The establishing legislation (and subsequent amendments) of each agency under the aegis of the Department of Transport and in the Ministers and Secretaries Act, 1924 and Ministers and Secretaries (Amendment) Act 2011.
- Department of Public Expenditure and Reform guidelines on appointments of CEO's to State Boards

Recipients:

Your personal data relating to your CEO application will be stored securely on the Department's network, validated by login and password with restricted access. Your data will also be stored on hardcopy in a filing system which is locked and only accessed by an officer of an appropriate level, to facilitate the processing of the data. The Department may disclose your personal data to other organisations in connection with the above purposes, including:

- Government Departments in keeping with the legislative basis for consent of the appointment of a CEO to a State agency;
- Government Agencies to assist in the completion of the CEO application and contract;
- The Department's Legal Adviser to assist with legal compliance in the completion of the CEO application;
- New Economy and Recovery Authority (NewERA) or the Department's Financial Advisor in relation to their financial and commercial advisory services provided in relation to commercial and non-commercial State bodies and to assist with the processing of the CEO application process;
- Other persons within the Department who assist in the processing of the approval process.

The personal information you provide in this form is not transferred outside the EU/EEA i.e. the EU and Norway, Iceland and Liechtenstein.

Retention period:

The data collected for this purpose will be held by the Department only as long as is necessary for the purpose(s) for which the personal data was collected, or to comply with our obligations under applicable law, and if relevant, to deal with any claim or dispute that might arise between you and the Department. After this time it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permission received from them or in line with other statutory requirements for destruction.

Data provision being a statutory or contractual obligation:

The personal data provided for this purpose is being required under the establishing legislation of the relevant agency and the Ministers and Secretaries Act, 1924 and Ministers and Secretaries (Amendment) Act 2011. This legislation provides for Ministerial consent to approve the appointment of a CEO to an agency under the aegis of the Department of Transport.

Right not to be subject to automated decision making:

You have the right not to be subject to a decision based solely on automated processing, where such decisions would have a legal or significant effect concerning you.

Reference to Third Parties as processors and how that is managed via joint controller agreement:

The data held by the Department of Transport for the purposes of CEO approval to a State agency was provided to us by the relevant State agency, the Public Appointments Service (PAS) in accordance with the requirements for the approval of the Minister and the Minister for Public Expenditure and Reform to complete the application process.

Technical information on data collected:

Technical information on the cookies used on our website is www.transport.gov.ie/dataprotection