

# **DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL**



## **PRIVACY STATEMENT**

### **Infrastructure and Climate Change Department**

Date: 23 March 2021

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## **1.0 Introduction**

The Infrastructure and Climate Change Department is responsible for progressing the Council's Climate Action Plan, the Council's Capital Programme and implementing policy and services related to environmental matters, strategic roads planning, property and facilities management and emergency services.

These roles and obligations are achieved through the provision of the following services/functions:

- 1.1 Waste Management:
  - Request to remove vehicles.
- 1.2 Part 8 for Infrastructure and Capital Programme delivery;
- 1.3 Education and environmental awareness initiatives;
- 1.4 Grants:
  - Climate change and energy efficiency
  - Animal Welfare
- 1.5 Property Management:
  - Acquisitions by Agreement;
  - Compulsory Purchase Orders (CPO's);
  - Disposals;
  - Maintenance.
- 1.6 Management of Derelict Sites
- 1.7 Graffiti complaints;
- 1.8 Inventory list for bees;
- 1.9 Progress the delivery of schemes contained in the Councils 3-year Capital programme;

## **2.0 Purpose of Privacy Statement**

The purpose of this privacy statement is to describe, in clear and concise terms, the personal data the Infrastructure and Climate Change Department may collect about individuals, why it is needed, how it is used and how individuals may interact with the Infrastructure and Climate Change 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:

- 3.1 **Data Subject:** is an identified or identifiable living individual who is the subject of personal data
- 3.2 **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 person.
- 3.3 **Special Categories of Personal Data:** is 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.
- 3.4 **Processing:** is widely defined under the GDPR and means performing any operation or set of operations on personal data, whether or not by automated means, including:
  - the collection, recording, organisation, structuring or storing of the data;
  - the adaptation or alteration of the data;
  - the retrieval, consultation or use of the data;
  - the disclosure of the data by their transmission, dissemination or otherwise making the data available;
  - the alignment or combination of the data; or
  - the restriction, erasure or destruction of the data
- 3.5 **Data concerning health:** means personal data relating to the physical or mental health of an individual, including the provision of health care services to the individual, that reveal information about the status of his or her health.

#### **4.0 Scope**

This statement applies to all personal data processed by the Infrastructure & Climate Change Department in physical or electronic format relating to the services/functions outlined in Section 1.0.

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

The Infrastructure & Climate Change Department processes significant amounts of personal data in various formats on an on-going basis. Dún Laoghaire-Rathdown County Council is committed to ensuring that personal data processed by it's Infrastructure & Climate Change Department is:

- obtained lawfully, fairly and in a transparent manner;
- obtained for a specified, explicit and legitimate purposes only;
- adequate, relevant and limited to what is necessary for the purpose 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 in a manner that ensures the appropriate security of the personal data, including protection against unauthorised or unlawful processing.

Dún Laoghaire-Rathdown County Council Data Protection Policy provides more detail with regards to how departments meet these commitments.

#### **6.0 What personal data is processed?**

Details of the personal data processed by each of the services/functions of the Infrastructure & Climate Change Department are contained in the following tables:

| <b>Table 6.1</b>  |  |
|---|--|
| <b>Services/Function</b>                                | <b>Personal data processed</b>   |
| <b>Waste Management</b><br>Requests to remove vehicles; | <ul style="list-style-type: none"> <li>• Vehicle Registration details;</li> <li>• Name;</li> <li>• Address;</li> <li>• Contact phone number.</li> <li>• Email address</li> </ul> |

| <b>Table 6.2</b>  |  |
|---|--|
| <b>Services/Function</b>  | <b>Personal data processed</b>   |
| <b>Part 8 for Infrastructure and Capital Programme delivery</b> | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> <li>• Contact phone number.</li> </ul> |

| <b>Table 6.3</b>   |   |
|--|---|
| <b>Services/Function</b>                                 | <b>Personal data processed</b>  |
| <b>Education and Environmental Awareness Initiatives</b> | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> <li>• Email address;</li> <li>• Contact phone number;</li> <li>• Tenderers' details, including financial records;</li> <li>• Photographs of award ceremonies and events.</li> </ul> |

| <b>Table 6.4</b>                                      |   |
|---|---|
| <b>Services/Function</b>                              | <b>Personal Data processed</b>  |
| <b>Grants</b><br>Climate Change and Energy Efficiency | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> <li>• Contact telephone number;</li> <li>• Email address;</li> <li>• Photographs of award ceremonies</li> </ul> |
| Animal Welfare  | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> </ul>   |



| <b>Table 6.6</b>                    |  |
|-------------------------------------|--|
| <b>Services/Function</b>            | <b>Personal Data processed</b>   |
| <b>Management of derelict sites</b> | <ul style="list-style-type: none"> <li>• Name of site owner;</li> <li>• Address of site owner;</li> <li>• Contact phone number;</li> <li>• Email address.</li> </ul> |

| <b>Table 6.7</b>           |   |
|----------------------------|---|
| <b>Services/Function</b>   | <b>Personal Data processed</b>  |
| <b>Graffiti Complaints</b> | <ul style="list-style-type: none"> <li>• Complainants Name;</li> <li>• Complainants address;</li> <li>• Complainants phone number;</li> <li>• Complainants email address;</li> <li>• Site photographs;</li> </ul> |

| <b>Table 6.8</b>  |   |
|---|---|
| <b>Services/Function</b>  | <b>Personal Data processed</b>  |
| <b>Inventory list for bees/American Foul Breed Disease (Bee Pest) Act – Compensation to bee-keepers</b> | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> <li>• Contact Number;</li> <li>• Email Address.</li> <li>• Financial Details</li> </ul> |

| <b>Table 6.9</b>  |  |
|---|--|
| <b>Services/Function</b>                                      | <b>Personal Data processed</b>   |
| <b>Capital Programme</b><br>(Public consultation/submissions) | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Address;</li> <li>• Contact phone number;</li> <li>• Email address.</li> </ul> |

## **7.0 Why personal data is processed**

Personal data is processed by the Infrastructure & Climate Change Department in order to deliver the services/functions outlined in Section 1.0 above.



If the Infrastructure & Climate Change 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**

The legal basis for processing personal data by the Architects' Department is contained in the following legislation:

- Local Government Act Section 2001 – Section 65, 66, 67 and 183)
- Local Government Act, 1898;
- Local Government Act, 1960 - as substituted by Section 86 of the Housing Act, 1966;  
Local Government Act, 1994 – Section 37 (Bye-Laws) Regulations, 1995 and 1999;
- Planning and Development Act, 2000, as amended.
- Planning and Development Regulations, 2001, as amended.
- S.I. No. 156/2016 – EU (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016.
- Bee Pest Prevention (Ireland) Act, 1908 – Section 6
- Bee Pest Prevention (Amendment) Regulations, 1978
- Agriculture Act, 1931 – Section 4
- Derelict Sites Act, 1990 – Section 8 and 11
- Housing Act, 1966 - 3rd Schedule, Section 78(1) and S.79
- Sanitary Services Acts
- Land Clauses Consolidation Act, 1845
- Acquisition of and (assessment of Compensation) Act, 1919
- Arbitration and Appels Act, 1925
- Ground Rent Landlord and Tenant (No. 2) Act, 1978

## **9.0 How personal data is obtained**

Most of the personal data collected by the Infrastructure & Climate Change Department is obtained directly from individuals availing of the services/functions outlined in section 1.0.

However, in some instances personal data may also be collected from the Council's Referencer, other Council Departments, Councillors and members of the public,

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## 10.0 How personal data is processed

The processing of personal data by staff within the Infrastructure & Climate Change Department is generally carried out through the use of:

- Hard Copy office files
- Electronic files (DLR Docs, OneDrive)
- Databases (Customer Relationship Management, AGRESSO, Property Interest Register)
- Productivity Applications (Microsoft Office)
- Collaboration Applications (Microsoft Teams, Microsoft Outlook)

## 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 Infrastructure & Climate Change Department with third parties are contained in the following tables:

| <b>Table 11.1</b>                                      |  |
|--|--|
| <b>Services/Function</b>                               | <b>Third parties with whom personal data is shared</b>   |
| <b>Waste Management</b><br>Requests to remove vehicles | <ul style="list-style-type: none"><li>• Vehicle removal contractor – to arrange for the removal of the vehicle</li></ul> |

| <b>Table 11.2</b>   |  |
|---|--|
| <b>Services/Function</b>  | <b>Third parties with whom personal data is shared</b> |
| <b>Part 8 for Infrastructure and Capital Programme delivery</b> | <ul style="list-style-type: none"><li>• N/A</li></ul>  |

| <b>Table 11.3</b>                                   |  |
|---|--|
| <b>Services/Function</b>                            | <b>Third parties with whom personal data is shared</b> |
| <b>Education and environmental awareness grants</b> | <ul style="list-style-type: none"><li>• N/A</li></ul>  |

| <b>Table 11.4</b>                                     |   |
|---|---|
| <b>Services/Function</b>                              | <b>Third parties with whom personal data is shared</b>  |
| <b>Grants</b><br>Climate Change and energy efficiency | <ul style="list-style-type: none"> <li>• N/A</li> </ul> |
| Animal Welfare  | <ul style="list-style-type: none"> <li>• N/A</li> </ul> |

| <b>Table 11.5</b>   |   |
|---|---|
| <b>Services/Function</b>  | <b>Third parties with whom personal data is shared</b>  |
| <b>Property Management</b><br>Acquisitions by agreement;<br><br>CPOs;<br><br>Disposals;<br><br>Maintenance of Council owned property/lands. | <ul style="list-style-type: none"> <li>• Property Registration Association of Ireland (P.R.A.I.) – to register the Acquisition</li> <li>• Registry of Deeds – to register the Acquisition</li> <li>• Members of the Public – All CPO’s are published on the Council website and available to view in the Council’s offices</li> <li>• N/A</li> <li>• N/A</li> </ul> |

| <b>Table 11.6</b>        |   |
|--------------------------|---|
| <b>Services/Function</b> | <b>Third parties with whom personal data is shared</b>  |
| <b>Derelict Sites</b>    | <ul style="list-style-type: none"> <li>• Derelict Sites Register</li> <li>• Valuation Tribunal</li> </ul> |

| <b>Table 11.7</b>          |  |
|----------------------------|--|
| <b>Services/Functions</b>  | <b>Third Parties with whom personal data is shared</b>   |
| <b>Graffiti complaints</b> | <ul style="list-style-type: none"> <li>• Graffiti removal contractor - to arrange for the removal of the graffiti</li> </ul> |

| <b>Table 11.8</b>              |   |
|--------------------------------|---|
| <b>Services/Functions</b>      | <b>Third Parties with whom personal data is shared</b>  |
| <b>Inventory List for Bees</b> | <ul style="list-style-type: none"> <li>• N/A</li> </ul> |

| <b>Table 11.9</b>   |  |
|---|--|
| <b>Services/Functions</b>   | <b>Third Parties with whom personal data is shared</b>   |
| <b>Progress the delivery of schemes contained in the Council's 3-year Capital Programme</b> | <ul style="list-style-type: none"> <li>• National Oversight and Audit Committee</li> <li>• LGMA</li> </ul> |

## **12.0 Records Retention Policy**

The Infrastructure & Climate Change Department's practices in relation to the retention of personal data are guided by the Local Government Management Agency's (LGMA) National Retention Policy for Local Authority Records and any updates that are issued by the LGMA.

## **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;
- the right to rectification of inaccurate or incomplete data;
- the right to erasure (also known as the 'right to be forgotten') of personal data;
- 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.

The Council has developed a Data Protection Policy which provides more detailed information on the rights of a data subject and how to exercise them. Dún Laoghaire-Rathdown County Council's Corporate Affairs Department deals with all requests in relation to data subjects' rights. Their contact details for the Corporate Affairs Department are as follows:-

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Data Protection Co-Ordinator  
Dún Laoghaire-Rathdown County Council  
Marine Road  
Dún Laoghaire  
County Dublin  
Tel.: 01 2054700  
E-mail: [dataprotection@dlrcoco.ie](mailto:dataprotection@dlrcoco.ie)

#### **14.0 Further Information**

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

Data Protection Officer  
Dún Laoghaire-Rathdown County Council  
Marine Road  
Dún Laoghaire  
County Dublin  
Tel.: 01 2054700  
E-mail: [dataprotectionofficer@dlrcoco.ie](mailto:dataprotectionofficer@dlrcoco.ie)

#### **15.0 Complaints to the Data Protection Officer**

If a data subject is not satisfied with any aspect of this statement they may make a complaint to the Council's Data Protection Officer. The contact details for the Data Protection Officer are outlined at 14.0 above. However, a data subject may also make a complaint to the Data Protection Commission in following circumstances:

- If they experience a delay outside of the prescribed timeframe for making a decision on a data subject right request;
- If they are dissatisfied with a decision by Dún Laoghaire-Rathdown County Council on their data subject right request;
- If they consider that Dún Laoghaire-Rathdown County Council's processing of their personal data is contrary to data protection legislation.

The Contact details for the Data Protection Commission are as follows:

Data Protection Commission,  
21 Fitzwilliam Square South

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Dublin 2

D02 RD28

Tel.: +353 578 648 800 or +353 761 104 800

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

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

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