

**DUN LAOGHAIRE-RATHDOWN
COUNTY COUNCIL**



Comhairle Contae County Council

PRIVACY STATEMENT

Municipal Services

Department

23 March 2021

Contents

1.0	Introduction	3
2.0	Purpose of Privacy Statement	3
3.0	Definitions	3
4.0	Scope	4
5.0	Data Protection Policy	5
6.0	What Personal Data is Processed?	5
7.0	Why Personal Data is Processed	13
8.0	The Legal Basis for Processing Personal Data	14
9.0	How Personal Data is Obtained	15
10.0	How Personal Data is Processed	15
11.0	Sharing Personal Data with Third Parties	16
12.0	Records Retention Policy	22
13.0	Data Subject Rights	22
14.0	Further information	23
15.0	Complaints to the Data Protection Commission	23

1.0 Introduction

Municipal Services is the operations department of Dun Laoghaire Rathdown County Council which covers the below outside operations of the Council. This is achieved through the provision of the following services/functions:

- 1.1 Water & Drainage (including Service Level Agreement with Irish Water)
- 1.2 Flood Alleviation
- 1.3 Water Pollution Control
- 1.4 Traffic and Road Safety
- 1.5 School Wardens
- 1.6 Paid Parking
- 1.7 Road Maintenance
- 1.8 Roads Control
- 1.9 Public Lighting
- 1.10 Cleansing & Beaches
- 1.11 Dun Laoghaire Harbour
- 1.12 Fleet/Machinery Yard

2.0 Purpose of Privacy Statement

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

23 March 2021

- 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 Municipal Services Department in physical or electronic format. The data primarily relates to services/functions outlined in Section 1.0.

5.0 Data Protection Policy

The Municipal Services Department process significant amount of personal data in various formats on an on-going basis. Dun Laoghaire-Rathdown County Council is committed to ensuring that personal data processed by its Municipal Services 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.

Dun Laoghaire-Rathdown County Council's Data Protection Policy goes in to more detail as to how it intends meeting these commitments.

6.0 What Personal Data is Processed?

Details of the personal data processed by each of the services/functions of the Municipal Services Department are contained in the following tables:

Table 6.1

Services/Function	Personal Data processed
<p><u>Water & Drainage:</u></p> <p>Payments to suppliers</p> <p>Group Sewerage Schemes:</p> <p>Individual Well Grants & Lead Remediation Grants:</p>	<ul style="list-style-type: none"> • Name • Address • Category of Supplier • PPS/VAT Number • Contract details (Email, Telephone number) • Revenue/Tax Clearance • Payment details <ul style="list-style-type: none"> • Name • Address • PPS/VAT number • Contract details (Email, Telephone number) • Agent name • Agent address • Agent contact details (Email, telephone number) • Accountant name • Accountant address • Accountant contact details (Email, telephone number) <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Site Map • Contractor's Name • Contractor's Address

<p>Section 4 Licences – Trade Effluent:</p>	<ul style="list-style-type: none"> • Contractor’s Contract details (Email; Telephone number) • Name • Address • Contact details (Email, Telephone number)
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Table 6.2	
Services/Function	Personal Data processed
<u>Flood Alleviation:</u>	<ul style="list-style-type: none"> • Address of flooded properties/location of flooding • Name of person making contact taken • contact details (Email, Telephone number) of person making contact taken

Table 6.3	
Services/Function	Personal Data processed
<p><u>Water Pollution Control</u></p> <p>Water Pollution</p> <p>Pollution Surveys at Domestic Properties</p>	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Map Co-ordinates • Name • Address • Contact details (Email, Telephone number)

Table 6.4

Services/Function	Personal Data processed
<p><u>Traffic and Road Safety:</u></p> <p>Event Signage; Applications; Street Furniture Licences; Permits for filming on public roads and footpaths:</p> <p>Disabled Parking Bays:</p> <p>Road Statutory Notices (Temporary Road Closures):</p> <p>Public Submissions under Roads Functions (public consultations for future projects, bye laws or Part 8):</p>	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location • Copy of Disabled Driver Badge <ul style="list-style-type: none"> • For private individuals: • Name • Address • Contact details (Email, Telephone number) <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

Table 6.5

Services/Function	Personal Data processed
<u>School Wardens:</u>	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Pay number • Work location details • Work pattern • Pensionable status • Retirement date

Table 6.6

Services/Function	Personal Data processed
<u>Paid Parking:</u>	
Parking Permits:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Car registration • Car Insurance certificate • Tax disc • Proof of address – bank statements & utility bills • Medical details required for Carer’s permit
Rescinding of Parking Bays:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)
Public Consultations for making of Parking Control Bye Laws:	<ul style="list-style-type: none"> • Name • Address • Email address
Parking Enforcement/Appeals:	<ul style="list-style-type: none"> • Vehicle Registration • Car ownership details (name and address) • Photographs of vehicles issued with fines

Parking Tag:	<ul style="list-style-type: none"> • Appeals include contact details (email, telephone number) and may include medical details
Car Club Licences:	<ul style="list-style-type: none"> • Vehicle Registration • Purchase Date • Start Time • End Time • Zone
	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

Table 6.7	
Services/Function	Personal Data processed
<u>Road Maintenance:</u> Hedge Cutting Notices; Footpath Dishing Applications; Road Complaints including Bridge Maintenance & Taking in Charge Certs:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location

Table 6.8	
Services/Function	Personal Data processed
<u>Roads Control:</u> Licences: Reinstatements Hoarding Licences; Scaffolding Licences; Skips Licences; Abnormal Loads Licences; Surface Permit	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location

Table 6.9	
Services/Function	Personal Data processed
<u>Public Lighting:</u> (Public Lighting Complaints)	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

Table 6.10	
Services/Function	Personal Data processed
<u>Cleansing and Beaches Unit:</u> Illegal dumping complaints: Lifeguards: Booking Disability Chair:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Pay number • Work location details • Work pattern <ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

Table 6.11

Services/Function	Personal Data processed
<p><u>Dun Laoghaire Harbour:</u></p> <p>Management of vessels within or on approach to the Harbour:</p> <p>Management of activities in Harbour (such as tenancies, moorings, water-based activities, boat storage & parking permits):</p> <p>Management of Harbour properties, concessions, events & filming:</p>	<ul style="list-style-type: none">• Name of vessel• Contact details (Email, Telephone number)• Length of stay• Where vessel was previously • Name• Address• Contact details (Email, Telephone number) • Address• Contact details (Email, Telephone number)• PPS/VAT number• Insurance details• CCTV

Incidence/accident reports:	<ul style="list-style-type: none"> • Name • Address • Date of birth • Gender • Contact details (Email, Telephone number)
Management of cruise ships, details taken on passengers disembarking, visitors to cruise ships, new crew coming on or crew disembarking:	<ul style="list-style-type: none"> • Name • Address • Date of birth • Gender • Passport details including passport number • Contact details (Email, Telephone number)
DLRHarbour.ie website Contact us Form:	<ul style="list-style-type: none"> • Name • Contact details (Email)

Table 6.12	
Services/Function	Personal Data processed
<u>Fleet/Machinery Yard:</u>	
Maintaining Council's fleet Driver's Licences:	<ul style="list-style-type: none"> • Name • Address • Vehicle Registration Number
Accident Forms/Accident Log Book:	<ul style="list-style-type: none"> • Name • Address

7.0 Why Personal Data is Processed

Personal data is processed by the Municipal Services Department in order to deliver the services/functions outlined in Section 1.0.

If the Municipal Services Department proposes to process personal data for a purpose other than 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 Municipal Services Department is contained in the following legislation:

- European Union Drinking Water Regulations 2014 - Part 8
- Health (Fluoridation of Water Supplies) Act 1960
- Planning and Development Act 2000 (as amended) Part I (Sections 4 & 6), Part II (Chapter III), Part XI; Part XII, Part XIV; Part XVIII & Part XX, Part 8; Section 179 and 254
- The Drinking Water Directive Council Directive 98/83/EC
- The Water Framework Directive 2000/60/EC
- Domestic Lead Remediation (Financial Assistance) Regulations 2016 Explanatory Memo from Department of Housing, Planning, Community & Local Government) - Article 4
- Domestic Waste Water Treatment Systems (Financial Assistance) Regulations 2013 - Article 5
- European Communities Act 1972 as amended - Section 3
- European Communities (Waste Directive) Regulations, 2011.
- European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2014 - Article 30
- Housing (Miscellaneous Provisions) Act 1979 - Section 5
- Local Government Act 1994 - Part VII
- Local Government Act 2001 - Schedule 10, Section 65, 66 and 67
- Local Government Reform Act 2014 - Section 57
- Local Government (Sanitary Services) Acts 1878 - 2004.
- Local Government (Water Pollution) Act, 1977 as amended
- Local Government (Water Pollution) Act, 1990 as amended; Amended (Section 3); Amended (Section 4 (1)) & (Section 16)
- Planning & Development Regulations 2001-18 - Part 8, Article 81
- Public Health (Ireland) Act, 1878 - Section 110
- Public Health Acts 1878-2004

23 March 2021

- Local Government (Planning and Development) Act, 1990
- Water Supplies Act 1942
- Water Services Act 2007, as amended - Part 1, Section 17 and 70
- Water Services Act 2013
- Water Services (No. 2) Act 2013 - Section 7
- EU Floods Directive 2007/60/EC
- Local Authorities (Works) Act 1949
- Local Government (Sanitary Services) Act 1948
- Local Government Water Pollution Act, 1977 - Section 12
- Local Government Water Pollution (Amendment) Act, 1990 - Section 9
- Road Traffic Act 1961, as amended - Section 95 and Section 96)
- Roads Act 1993, as amended - Section 11, 13, 70, 71 and 75
- Road Traffic Act 2010 - Sections 35, 36, 38 and 81
- Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963
- Dun Laoghaire-Rathdown County Council Parking Control Bye Laws 2020
- Road Traffic Act 1994 - Section 36
- Dun Laoghaire-Rathdown County Council Bye Laws for the Control of Skips 1998
- Dun Laoghaire-Rathdown County Council Beach Bye Laws 2012
- Harbours Act 1996
- ISPS (The International Ship and Port Facility Security) Code
- EU Regulation No. 725/2004 on enhancing ship and port facility security

9.0 How Personal Data is Obtained

All of the personal data collected by the Municipal Services Department is obtained directly from data subjects availing of the services/functions outlines in Section 1.0.

10.0 How Personal Data is Processed

The processing of personal data by staff within the Municipal Services Department is generally carried out through the use of:

- Hard Copy office files
- Electronic files
- Databases (Customer Relationship Management, Agresso, Oracle, Aregis, Core, Citrix)

23 March 2021

- CCTV
- 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 Municipal Services Department with third parties are contained in the following tables:

Table 11.1	
Services/Function	Third Parties with whom Personal Data is Shared
Water & Drainage	
Payments to suppliers	<ul style="list-style-type: none"> • N/A
Group Sewerage Schemes:	<ul style="list-style-type: none"> • Government Departments <ul style="list-style-type: none"> - Information for Grants on Group Sewerage Schemes; Individual Well Grants & Lead Remediation • Federation of Group Water Schemes

23 March 2021

<p>Individual Well Grants & Lead Remediation Grants:</p> <p>Section 4 Licences – Trade Effluent:</p>	<ul style="list-style-type: none"> - Information on Group Sewerage Schemes that received grants for their records • Legal Agents <ul style="list-style-type: none"> - Surface Water Connections on behalf of new owners of properties • Government Departments <ul style="list-style-type: none"> - Information for Grants on Group Sewerage Schemes; Individual Well Grants & Lead Remediation • Federation of Group Water Schemes <ul style="list-style-type: none"> - Information on Group Sewerage Schemes that received grants for their records • Environmental Health Officer, Health Service Executive <ul style="list-style-type: none"> -Public Health Nuisances • Irish Water <ul style="list-style-type: none"> - Section 16 Licences (Pollution Surveys)
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Table 11.2	
Services/Function	Third Parties with whom Personal Data is Shared
Flood Alleviation	<ul style="list-style-type: none"> • Office of Public Works <ul style="list-style-type: none"> - For information on schemes for inputting on Catchment Flood Risk Management Maps

Table 11.3	
Services/Function	Third Parties with whom Personal Data is Shared
Water Pollution Control	<ul style="list-style-type: none"> • Health Service Executive <ul style="list-style-type: none"> - Pollution surveys following pollution incident

	<ul style="list-style-type: none"> • Environmental Protection Agency <ul style="list-style-type: none"> - Pollution surveys following pollution incident • Irish Water <ul style="list-style-type: none"> - Pollution surveys following pollution incident
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Table 11.4	
Services/Function	Third Parties with whom Personal Data is Shared
Traffic and Road Safety	
Event Signage; Applications; Street Furniture Licences; Permits for filming on public roads and footpaths:	<ul style="list-style-type: none"> • N/A
Disabled Parking Bays:	<ul style="list-style-type: none"> • N/A
Road Statutory Notices (Temporary Road Closures):	<ul style="list-style-type: none"> • N/A
Public Submissions under Roads Functions (public consultations for future projects, bye laws or Part 8):	<ul style="list-style-type: none"> • N/A

Table 11.5	
Services/Function	Third Parties with whom Personal Data is Shared
School Wardens	<ul style="list-style-type: none"> • Schools <ul style="list-style-type: none"> - ONLY share name of School Warden so school knows who will be on duty • Gardai <ul style="list-style-type: none"> - Garda Vetting for new School Wardens

Table 11.6

Services/Function	Third Parties with whom Personal Data is Shared
Paid Parking	
Parking Permits:	<ul style="list-style-type: none"> • N/A
Rescinding of Parking Bays:	<ul style="list-style-type: none"> • N/A
Public Consultations for making of Parking Control Bye Laws:	<ul style="list-style-type: none"> • N/A
Parking Enforcement/Appeals:	<ul style="list-style-type: none"> • Independent Appeal Officer - for parking fines
Parking Tag:	<ul style="list-style-type: none"> • Parkingtag – phone number to clarify if registration of vehicle paid using parkingtag
Car Club Licences:	<ul style="list-style-type: none"> • N/A

Table 11.7

Services/Function	Third Parties with whom Personal Data is Shared
Road Maintenance	
Hedge Cutting Notices; Footpath Dishing Applications; Road Complaints including Bridge Maintenance & Taking in Charge Certs:	<ul style="list-style-type: none"> • N/A

Table 11.8

Services/Function	Third Parties with whom Personal Data is Shared
Roads Control	
Licences: Road Opening Licences	<ul style="list-style-type: none"> • Road Management Office (shared office based in Donegal County Council)

Hoarding Licences; Scaffolding Licences; Skips Licences; Abnormal Loads Licences; Surface Permit	<ul style="list-style-type: none"> - Road Opening Licences • Contractors
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Table 11.9

Services/Function	Third Parties with whom Personal Data is Shared
Public Lighting (Public Lighting Complaints)	<ul style="list-style-type: none"> • N/A

Table 11.10

Services/Function	Third Parties with whom Personal Data is Shared
Cleansing and Beaches	
Illegal dumping complaints:	<ul style="list-style-type: none"> • N/A
Lifeguards:	<ul style="list-style-type: none"> • Gardai <ul style="list-style-type: none"> - Garda vetting on Lifeguards
Booking Disability Chair:	<ul style="list-style-type: none"> • N/A

Table 11.11

Services/Function	Third Parties with whom Personal Data is Shared
Dun Laoghaire Harbour	

Management of vessels within or on approach to the Harbour:	<ul style="list-style-type: none"> • Irish Coast Guard <ul style="list-style-type: none"> - Informing them of vessels that are approaching Dun Laoghaire Harbour
Management of activities in Harbour (such as tenancies, moorings, water-based activities, boat storage & parking permits):	<ul style="list-style-type: none"> • Gardai <ul style="list-style-type: none"> - Passing on incidence/accident reports - Passing on details of people disembarking Cruise Ships or vessels in Dún Laoghaire Harbour - Passing on details of people embarking onto Cruise Ships or vessels in Dún Laoghaire Harbour - CCTV of instances to investigate criminal offences
Management of Harbour properties, concessions, events & filming:	<ul style="list-style-type: none"> • N/A
Incidence/accident reports:	<ul style="list-style-type: none"> • Insurance Companies <ul style="list-style-type: none"> - Passing on incidence/accident reports if requested
Management of cruise ships, details taken on passengers disembarking, visitors to cruise ships, new crew coming on or crew disembarking:	<ul style="list-style-type: none"> • N/A
DLRHarbour.ie website	<ul style="list-style-type: none"> • N/A

Table 11.12

Services/Function	Third Parties with whom Personal Data is Shared
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Fleet/Machinery Yard (Maintaining Council's fleet - Driver's Licences)	<ul style="list-style-type: none">• N/A
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12.0 Records Retention Policy

The Municipal Services 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;
- 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.

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

Data Protection Co-Ordinator,
Dun Laoghaire-Rathdown County Council
Marine Road
Dun Laoghaire
County Dublin
Tel.: 01 2054700
E-mail: dataprotection@dlrcoco.ie

23 March 2021

14.0 Further information

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

Data Protection Officer,
Dun Laoghaire-Rathdown County Council
Marine Road
Dun Laoghaire
County Dublin
Tel.: 01 2054700
E-mail: dataprotectionofficer@dlrcoco.ie

15.0 Complaints to the Data Protection Commission

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:

- a) If they experience a delay outside of the prescribed timeframe for making a decision on a data subject right request;
- b) If they are dissatisfied with a decision by Dun Laoghaire-Rathdown County Council on their data subject right request;
- c) If they consider that Dun 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
Dublin 2
D02 RD28
Tel.: +353 578 648 800 or +353 761 104 800
E-mail: info@dataprotection.ie

23 March 2021

Website: www.dataprotection.ie

March 2021

23 March 2021