

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



General Data Protection Regulation and Data Protection Act 2018

PRIVACY STATEMENT

Finance – Water Services Department

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

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	4
6.0	What Personal Data is Processed?	5
7.0	Why Personal Data is Processed	7
8.0	The Legal Basis for Processing Personal Data	7
9.0	How Personal Data is Obtained	8
10.0	How Personal Data is Processed	8
11.0	Sharing Personal Data with Third Parties	8
12.0	Records Retention Policy	11
13.0	Data Subject Rights	11
14.0	Further information	11
15.0	Complaints to the Data Protection Commission	12

1.0 Introduction

Water Services Section is the operations department of Dún 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

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 Water Services Section 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

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

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

5.0 Data Protection Policy

The Water Services Section process significant amount 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 its Water Services Section 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;

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

- 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’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
<u>Water & Drainage:</u>	
Payments to suppliers	<ul style="list-style-type: none"> • Name • Address • Category of Supplier • PPS/VAT Number • Contract details (Email, Telephone number) • Revenue/Tax Clearance • Payment details
Group Sewerage Schemes:	<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

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

Individual Well Grants & Lead Remediation Grants:	<ul style="list-style-type: none"> • Accountant contact details (Email, telephone number) • Name • Address • Contact details (Email, Telephone number) • Site Map • Contractor's Name • Contractor's Address • Contractor's Contract details (Email; Telephone number)
Section 4 Licences – Trade Effluent:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

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

7.0 Why Personal Data is Processed

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

If the Water 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 Water Services Department is contained in the following legislation:

- 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 Water Framework Directive 2000/60/EC
- European Communities Act 1972 as amended - Section 3
- European Communities (Waste Directive) Regulations, 2011.
- 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.
- Planning & Development Regulations 2001-18 - Part 8, Article 81
- Public Health (Ireland) Act, 1878 - Section 110
- Public Health Acts 1878-2004
- Local Government (Planning and Development) Act, 1990
- EU Floods Directive 2007/60/EC
- Local Authorities (Works) Act 1949
- Local Government (Sanitary Services) Act 1948
- 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

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

- 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

If any person has a query about the lawful basis for a service listed in this privacy notice, they should contact the Council's data protection officer at dataprotectionofficer@dlrcoco.ie.

9.0 How Personal Data is Obtained

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

If a person seeking to avail of a service from the Council as set out in this Privacy Notice does not provide the necessary personal data required by the Council to provide the service, then it will not be possible for the Council to provide the service to that person.

10.0 How Personal Data is Processed

The processing of personal data by staff within the Water 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)
- 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.

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Details of the sharing of personal data by the Water 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 <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
Individual Well Grants & Lead Remediation Grants:	<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 <ul style="list-style-type: none"> - Information on Group Sewerage Schemes that received grants for their records
Section 4 Licences – Trade Effluent:	<ul style="list-style-type: none"> • 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)

Approved by the Data Controller for the Finance and Water Services Department on the May 2023

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 • 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

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

12.0 Records Retention Policy

The Water 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.

A copy of this retention policy can be found at

<https://www.lgma.ie/en/publications/corporate/national-retention-policy-for-local-authority.pdf>

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.

If you wish to exercise any of these rights, you should contact the Council's Data Protection Co-ordinator in the Council's Freedom of Information Unit; Contact details below:

Data Protection Co-Ordinator
Dún Laoghaire-Rathdown County Council
Marine Road
Dún Laoghaire
County Dublin
Tel.: 01 2054700

14.0 Further information

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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
Website: www.dataprotection.ie

Approved by the Data Controller for the Finance and Water Services Department on the May 2023