

DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



General Data Protection Regulation and Data Protection Act 2018

PRIVACY STATEMENT

Infrastructure and Climate Change Department

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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.
- Management of Recycling Facilities
- Waste Enforcement activities
- Inspection of waste activities on construction sites
- Review of Annual return data from waste management companies
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1.2 Environmental Complaints:

- Litter management;
- Litter warden service – monitoring;
- – waste complaints;
- – air complaints;
- – noise complaints.

1.3 Animal Control Complaints:

- Dogs / Horses;

1.4 Part 8 for Infrastructure and Capital Programme delivery;

1.5 Education and environmental awareness initiatives;

1.6 Grants:

- Climate change and energy efficiency
- Animal Welfare

1.7 Property Management:

- Acquisitions by Agreement;
- Compulsory Purchase Orders (CPO's);
- Disposals;
- Maintenance.

1.8 Management of Derelict Sites

1.9 Graffiti complaints;

1.10 Inventory list for bees;

1.11 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 its 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:

Table 6.1	
Services/Function	Personal data processed
<p>Waste Management</p> <p>Requests to remove vehicles;</p> <p>Management of Recycling Facilities</p> <p>Waste Enforcement activities</p> <p>Inspection of waste activities on construction sites</p> <p>Review of Annual return data from waste management companies</p>	<ul style="list-style-type: none"> • Vehicle Registration details; • Name; • Address; • Contact phone number. • Email address <p>Name/Company Name;</p> <p>Address/Company Address;</p> <p>Email address;</p> <p>Contact phone number;</p> <p>PPS Numbers;</p> <p>Contractors details;</p> <p>Vehicle Registration details;</p> <p>Tenderers' details.</p> <ul style="list-style-type: none"> • Vehicle Registration details; • Name(s); • Address(es); • Contact phone numbers. • Email address(es) • Waste collection permit numbers • Company name(s)

Table 6.2	
Services/Function	Personal data processed
Environmental Complaints Litter warden service – monitoring;	Name; Address; Email address; Contact phone number.
Waste Complaints	Name; Address; Email address; Contact phone number.
Air Complaints	Name; Address; Email address; Contact phone number.
Noise Complaints	Name; Address; Email address; Contact phone number.

Table 6.3	
Services/Function	Personal data processed
Animal Control Complaints Dogs / Horses;	Complainants Name; Complainants Address; Complainants email address;

	Complainants contact phone number;
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Table 6.4	
Services/Function	Personal data processed
Part 8 for Infrastructure and Capital Programme delivery	<ul style="list-style-type: none"> • Name; • Address; • Contact phone number.

Table 6.5	
Services/Function	Personal data processed
Education and Environmental Awareness Initiatives	<ul style="list-style-type: none"> • Name; • Address; • Email address; • Contact phone number; • Tenderers' details, including financial records; • Photographs of award ceremonies and events.

Table 6.6	
Services/Function	Personal Data processed
Grants Climate Change and Energy Efficiency	<ul style="list-style-type: none"> • Name; • Address; • Contact telephone number; • Email address; • Photographs of award ceremonies
Animal Welfare	<ul style="list-style-type: none"> • Name; • Address; • Email Address. • Phone number • Financial details

<p>Maintenance of Council owned property/lands.</p> <p>Derelict Sites Enforcement</p>	<ul style="list-style-type: none"> • Address of legal representative; • Contact phone number of purchaser; • Phone number of legal representative; • Email address; • Details of land ownership; • Tenderers' details; • Site Photographs; • Name of property; • Address of property; • Details of previous owner(s) (name/address); • Details of land ownership; • Contractor details; • Site Photographs; <ul style="list-style-type: none"> • Name of Property/Site; • Address of Property/Site; • Name of Property/Site Owner; • Address of Property/Site Owner; • Name of legal representative; • Address of legal representative; • Name of Receiver; • Address of Receiver; • Contact phone number/phone number of legal representative;
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	<ul style="list-style-type: none"> • Email addresses for: <ul style="list-style-type: none"> ○ Property/Site Owner; ○ Legal Representative; ○ Receiver. • Details of land ownership; • Photographs;
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Table 6.8

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

Table 6.9

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

Table 6.10

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

Table 6.11

Services/Function	Personal Data processed
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<p>Capital Programme (Public consultation/submissions)</p>	<ul style="list-style-type: none"> • Name; • Address; • Contact phone number; • Email address.
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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 Infrastructure and Climate Change 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;

Protection of the Environment Act, 2003 and associated Regulations. (S.11, S.24, S.56, S.57),

European Union (Household Food Waste and Bio-Waste) Regulations, 2015 (S.I. 430 of 2015);

European Union (Paints, Varnishes, Vehicle Refinishing Products and Activities) Regulations, 2012 (S.I. 564 of 2012);

European Union (Installations and Activities using Organic Solvents) Regulations, 2012 (S.I. No. 565/2012);

European Union (Installations and Activities Using Organic Solvents) (Amendment) Regulations, 2014 (S.I. No. 399/2014);

Waste Management Acts 1996- 2015

Litter Pollution Acts 1997-2009

European Union (End-of-Life Vehicles) Regulations 2014.

European Union (End of Life Vehicles) (Amendment) Regulations 2016

Dir byelaws

- Planning and Development Act, 2000, as amended.

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- 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 Appeals Act, 1925

Ground Rent Landlord and Tenant (No. 2) Act, 1978

In the event that 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

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.

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 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)

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- 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:

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

Table 11.2	
Services /Function	Third parties with whom personal data is shared
Environmental Complaints Litter Management; Litter warden service – monitoring; Waste; Air; Noise.	N/A WERLA, EPA, CCTV CONTRACTOR, HSE – EHO SERVICE N/A N/A N/A N/A

Table 11.3

Services/Function	Third parties with whom personal Data is shared
Animal control complaints: Dogs / Horses	Dog Pound contract holder Horse Pound contract holder

Table 11.4	
Services/Function	Third parties with whom personal data is shared
Part 8/ Section 38 for Infrastructure and Capital Programme delivery	<ul style="list-style-type: none"> • Consultant or contracted organisations who provide support as part of a project

Table 11.5	
Services/Function	Third parties with whom personal data is shared
Education and environmental awareness grants	<ul style="list-style-type: none"> • N/A

Table 11.6	
Services/Function	Third parties with whom personal data is shared
Grants	
Climate Change and energy efficiency	<ul style="list-style-type: none"> • N/A
Animal Welfare	<ul style="list-style-type: none"> • N/A

Table 11.7	
Services/Function	Third parties with whom personal data is shared
Property Management	
Acquisitions by agreement;	<ul style="list-style-type: none"> • Property Registration Association of Ireland (P.R.A.I.) – to register the Acquisition • Registry of Deeds – to register the Acquisition
CPOs;	

Disposals;	<ul style="list-style-type: none"> Members of the Public – All CPO’s are published on the Council website and available to view in the Council’s offices
Maintenance of Council owned property/lands.	<ul style="list-style-type: none"> N/A N/A

Table 11.8

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

Table 11.9

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

Table 11.10

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

Table 11.11

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

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. 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;
- 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.

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 as follows: .

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

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Data Protection Officer
Dún Laoghaire-Rathdown County Council
Marine Road
Dún Laoghaire
County Dublin
Tel.: 01 2054700
E-mail: 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
Dublin 2
D02 RD28
Tel.: +353 578 648 800 or +353 761 104 800
E-mail: info@dataprotection.ie
Website: www.dataprotection.ie