

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



General Data Protection Regulation and Data Protection Act 2018

PRIVACY STATEMENT

ICC - Municipal Services Department

Approved by the Data Controller for the ICC Municipal Services Department on the April 2023

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1.0 Introduction

ICC - Municipal Services 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 Flood Alleviation
- 1.2 Traffic and Road Safety
- 1.3 School Wardens
- 1.4 Paid Parking
- 1.5 Road Maintenance
- 1.6 Roads Control
- 1.7 Public Lighting
- 1.8 Cleansing & Beaches
- 1.9 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 ICC - 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:

- 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

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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 ICC - 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 ICC - Municipal Services Department 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 ICC - 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.

Dún Laoghaire-Rathdown County Council's Data Protection Policy goes into 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>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 6.2	
Services/Function	Personal Data processed
<u>Traffic and Road Safety:</u>	
Event Signage; Applications; Street Furniture Licences; Permits for filming on public roads and footpaths:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location
Disabled Parking Bays:	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number) • Location • Copy of Disabled Driver Badge
Road Statutory Notices (Temporary Road Closures):	<ul style="list-style-type: none"> • For private individuals: • Name • Address • Contact details (Email, Telephone number)
Public Submissions under Roads Functions (public consultations for future projects, bye laws or Part 8):	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)

Table 6.3

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 6.4

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

Table 6.7	
Services/Function	Personal Data processed
<p><u>Public Lighting:</u> (Public Lighting Complaints)</p>	<ul style="list-style-type: none"> • Name • Address • Contact details (Email, Telephone number)
Table 6.8	
Services/Function	Personal Data processed
<p><u>Cleansing and Beaches Unit:</u></p> <p>Illegal dumping complaints:</p> <p>Lifeguards:</p> <p>Booking Disability Chair:</p>	<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 6.9	
Services/Function	Personal Data processed
<p><u>Fleet/Machinery Yard:</u></p> <p>Maintaining Council's fleet Driver's Licences:</p> <p>Accident Forms/Accident Log Book:</p>	<ul style="list-style-type: none"> • Name • Address • Vehicle Registration Number <ul style="list-style-type: none"> • Name • Address

7.0 Why Personal Data is Processed

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

If the ICC - 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 ICC - Municipal 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

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- 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

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 ICC - Municipal 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 ICC - 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)
- CCTV
- Productivity Applications (Microsoft Office)
- Collaboration Applications (Microsoft Teams, Microsoft Outlook)

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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 ICC - 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
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 11.2	
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

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Table 11.3	
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 11.4	
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 11.5	
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

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Table 11.6	
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) <ul style="list-style-type: none"> - Road Opening Licences
Hoarding Licences; Scaffolding Licences; Skips Licences; Abnormal Loads Licences; Surface Permit	<ul style="list-style-type: none"> • Contractors

Table 11.7	
Services/Function	Third Parties with whom Personal Data is Shared
Public Lighting (Public Lighting Complaints)	<ul style="list-style-type: none"> • N/A

Table 11.8	
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 11.9	
Services/Function	Third Parties with whom Personal Data is Shared
Fleet/Machinery Yard (Maintaining Council's fleet - Driver's Licences)	<ul style="list-style-type: none"> • N/A

12.0 Records Retention Policy

The ICC - 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.

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

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Marine Road
Dún Laoghaire
County Dublin
Tel.: 01 2054700

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,

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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