

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



General Data Protection Regulation and Data Protection Act 2018 PRIVACY STATEMENT Housing Department

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1.0 Introduction

The role of the Housing Department is to facilitate the provision of suitable, cost effective, quality accommodation and housing support for people in need of housing. The Housing Department in Dún Laoghaire-Rathdown County Council is responsible for both the provision of social housing and housing supports.

This is achieved through the provision of the following services/functions:

- 1.1 Processing of Social Housing Support Applications
- 1.2 Allocation of social housing in accordance with the Allocation Scheme and management of Council tenancies
- 1.3 Facilitation of tenancies for Social Housing Support Applicants in private rented accommodation through Housing Assistance Payments (HAP) and Rental Accommodation Scheme (RAS)
- 1.4 Provision of Emergency Accommodation and support services
- 1.5 Standards Inspections of Private Rented Properties
- 1.6 Estate Management
- 1.7 Maintenance of the Council's Housing Stock
- 1.8 Housing Revenue (including management of Rent Accounts for Social Housing Stock and the Administration of Housing Loans through the Rebuilding Ireland Home Loan Scheme)
- 1.9 Provision and Maintenance of Traveller Specific Accommodation
- 1.10 Delivery of new Council housing stock (including construction, acquisition, leasing, Mortgage to Rent and Repair to Lease)
- 1.11 Delivery of social Housing via Housing Associations through Capital Assistance Scheme (CAS) / Capital Advance Leasing Facility (CALF) schemes
- 1.12 Administration of grant funding

2.0 Purpose of Privacy Statement

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

Approved by the Data Controller for the Housing Department December 2022

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 Housing Department in physical or electronic format relating to the services/functions outlined in Section 1.0.

5.0 Data Protection Policy

The Housing 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 Housing 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 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 Housing Department are contained in the following tables:

Table 6.1	
Services/Function	Personal Data processed
Processing of Social Housing Support Applications	<p>Personal Data</p> <ul style="list-style-type: none">• Name• Address / Eircode• Contact details (phone number / email)• Date of Birth• PPSN• Income / Employment status• Next of kin details• Family composition• Current accommodation, including landlord details• Accommodation History• Welfare / Social Services information• Criminal Offences• Nationality / Citizenship• Marital / Civil status• Gender• Language spoken <p>Special Category Data</p> <ul style="list-style-type: none">• Ethnicity• Health/medical conditions <p>All of the above for other persons that are part of the application for Social Housing Support</p>

Table 6.2	
Services/Function	Personal Data processed
Allocation of social housing in accordance with the Allocation Scheme and management of Council tenancies	<p>Personal Data</p> <ul style="list-style-type: none"> • Name • Address / Eircode • Contact details (phone number / email) • Date of Birth • PPSN • Income / Employment status • Next of kin details • Family composition • Current accommodation including landlord details • Accommodation History • Welfare / Social Services information • Criminal Offences • Details of previous properties owned • Nationality / Citizenship • Marital / Civil status • Gender • Language spoken <p>Special Category Data</p> <ul style="list-style-type: none"> • Ethnicity • Health/medical conditions <ul style="list-style-type: none"> • All of the above for other persons that form part of the household

Services/Function	Personal Data processed
Facilitation of tenancies for Social Housing Support Applicants in private rented accommodation through HAP & RAS For Tenant / Applicant	Personal Data <ul style="list-style-type: none"> • Name • Address /Eircode • Contact details (phone / email) • Date of Birth • PPSN • Income / Employment status • Next of kin details • Family composition • Current accommodation, including landlord details • Accommodation History • Welfare / Social Services information • Criminal Offences • Nationality/Citizenship/Language • Marital / Civil status • Gender Special Category Data <ul style="list-style-type: none"> • Ethnicity • Health/medical conditions All of the above for other persons that are part of the application for Social Housing Support
For Landlord	<ul style="list-style-type: none"> • Name • Address • Contact details (phone / email) • PPSN • Bank Account Details

Table 6.4	
Services/Function	Personal Data processed
Provision of Emergency Accommodation and support services	<p>Personal Data</p> <ul style="list-style-type: none"> • Name • Address /Eircode • Phone no • email • Date of Birth • PPSN • Income / Employment status • Next of kin details • Family composition • Current accommodation, including landlord details • Accommodation History • Welfare / Social Services information • Criminal Offences • Nationality / Citizenship • Marital / Civil status • Gender • Language spoken <p>Special Category Data</p> <ul style="list-style-type: none"> • Ethnicity • Health/medical conditions <p>All of the above for other persons that are part of the application for Social Housing Support</p>

Table 6.5	
Services/Function	Personal Data processed
Standards Inspections of Private Rented Properties	<ul style="list-style-type: none"> • Name of tenant • Contact details of tenant (phone number / email) • Address / Eircode • Contact details for landlord (phone number / email) • RTB tenancy registration details • Details of properties Compliance / Non-Compliance with Standards Legislation

Table 6.6	
Services/Function	Personal Data processed
Estate Management	<p>Personal Data</p> <ul style="list-style-type: none"> • Name of household members • Address / Eircode • Date of Birth • Contact details (phone / email) • PPSN • Welfare/Social Services information • Criminal Convictions • Confidential complaints and investigations of anti-social behaviour • Warning Letters • Tenancy Warnings • Legal Files • Deferrals and Approvals decisions • Confidential information from other Public agencies • Child protection notifications • CCTV Images <p>Special Category Data</p> <ul style="list-style-type: none"> • Health / medical conditions

Table 6.7	
Services/Function	Personal Data processed
Maintenance of the Council's Housing Stock	<ul style="list-style-type: none"> • Name of Tenant • Property Address / Eircode • Contact details (phone number / email address)

Table 6.8	
Services/Function	Personal Data processed
Housing Revenue (including management of Rent Accounts for Social Housing Stock and the Administration of Housing Loans through the Rebuilding Ireland Home Loan Scheme)	Personal Data <ul style="list-style-type: none"> • Name • Property Address / Eircode • Contact details (phone number / email) • Date of Birth • PPSN • Income / Employment status • Bank account details • Next of kin details • Family composition Special Category Data <ul style="list-style-type: none"> • Nationality / Citizenship • Marital / Civil status • Gender

Table 6.9	
Services/Function	Personal Data processed
Provision and Maintenance of Traveller Specific Accommodation	<p>Personal Data</p> <ul style="list-style-type: none"> • Name • Address / Eircode • Contact details (phone number / email) • Date of Birth • PPSN • Income / Employment status • Bank Account Details • Family composition • Accommodation History • Welfare / Social Services information • Confidential Complaints of ASB and Breaches of tenancy • Warning Letters • Tenancy Warnings • Legal Files • Deferrals and Approvals decisions • Confidential information from other agencies such as An Garda Siochana, Tusla, HSE, Prison Service, Probation Service. • CCTV Images • Criminal Convictions • Nationality / Citizenship • Marital / Civil status • Gender • Language spoken <p>Special Category Data</p> <ul style="list-style-type: none"> • Ethnicity • Health/medical conditions

Table 6.10	
Services/Function	Personal Data processed
Delivery of new Council housing stock as follows:	
Construction & Voids	Personal Data <ul style="list-style-type: none"> • Name • Address / Eircode • Contact details (phone number / email) • Family composition Special Category Data <ul style="list-style-type: none"> • Health/medical conditions (of intended occupants)
Leasing & and Repair to Lease	<ul style="list-style-type: none"> • Name • Address / Eircode • Contact details (phone number / email) • PPSN • Tax Details • Bank Details
Mortgage to Rent	<ul style="list-style-type: none"> • Name • Address / Eircode • Family Composition
Acquisition	<ul style="list-style-type: none"> • Name • Address / Eircode • Eircode • Tax Details • Contact details (phone number / email)

Table 6.11	
Services/Function	Personal Data processed
<p>Delivery of Social Housing via Approved Housing Bodies through CAS / CALF schemes and auditing of compliance of live mortgages</p> <p>Closing contracts from the AHB sometimes include:</p> <p>Auditing of AHB live mortgages includes the tenant's:</p>	<ul style="list-style-type: none"> • Vendor's Name • Vendor's Address • Name • Address / Eircode • PPSN • Contact Details (phone number / email)

Table 6.12

Services/Function	Personal Data processed
<p>Administration of the following Grants for private properties and adaptations:</p> <p>Housing Aid for Older persons; Housing Adaptation Grant for People with Disabilities; Mobility Aid Grants; Improvement Works in Lieu</p> <p>Housing Adaptations for Council stock/tenants</p>	<p>Personal Data</p> <ul style="list-style-type: none"> • Name • Gender • Address / Eircode • Date of Birth • Contact details (phone number / email) • PPSN • Income / Employment status • Bank Details • Family composition • Education Details • LPT Compliance • Tax Compliance <p>Special Category Data</p> <ul style="list-style-type: none"> • Health/medical conditions <p>Personal Data</p> <ul style="list-style-type: none"> • Name • Address • Eircode • Date of Birth • Contact details (phone number / email) • PPSN • Tenant Rent Account Details • Family composition • Gender <p>Special Category Data</p> <ul style="list-style-type: none"> • Health/medical conditions

7.0 Why Personal Data is Processed

Personal data is processed by the Housing Department in order to deliver the services/functions outlined in section 1.0.

If the Housing 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 Housing Department is contained in the following legislation:

- Housing Act 1966
- Housing Act 1988
- Housing (Miscellaneous Provisions) Act 1979
- Housing (Miscellaneous Provisions) Act 1992
- Housing (Miscellaneous Provisions) Act 1997
- Housing (Miscellaneous Provisions) Act 2002
- Housing (Miscellaneous Provisions) Act 2009
- Housing (Miscellaneous Provisions) Act 2014
- Housing (Traveller Accommodation) Act 1998
- Residential Tenancies Act 2004
- Residential Tenancies (Amendment) Act 2009
- Residential Tenancies (Amendment) Act 2015
- Housing (Standards for Rented Houses) 2017
- Social Housing Assessment Regulations 2011
- Housing (Adaptations for Older People and People with a Disability) Regulations 2007
- Housing (Adaptations for Older People and People with a Disability) (Amended) Regulations 2014
- Housing (Sale of Local Authority Houses) Regulations 2015
- Housing (Rebuilding Ireland Home Loans) Regulations 2018

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.

Approved by the Data Controller for the Housing Department December 2022

9.0 How Personal Data is Obtained

Most of the personal data collected by the Housing Department is obtained directly from individuals availing of the services/functions provided by the Housing Department as outlined at section 1.0. However, personal data may be collected from time to time from other public bodies and individuals.

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 Housing Department is generally carried out through the use of:

- Hard copy office files
- Electronic files
- Databases (OHMS, PASS, Access)
- 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 Housing Department with third parties are contained in the following tables:

Table 11.1	
Services/Function	Third Parties with whom Personal Data is Shared
Processing of Social Housing Support Applications	<ul style="list-style-type: none">• Other Local Authorities• Public Representatives• Community Welfare Officer• Tusla• Probation Service• Approved Housing Bodies• An Garda Siochana• Health Service Executive• Housing Support Services• Department of Housing Planning and Local Government• Housing Agency• Revenue• Office of the Ombudsman• Office of the Ombudsman for Children• Legal Representatives• Local Government Audit Service

Table 11.2	
Services/Function	Third Parties with whom Personal Data is Shared
Allocation of social housing in accordance with the Allocation Scheme and management of Council tenancies	<ul style="list-style-type: none"> • Other Local Authorities • Public Representatives • Community Welfare Officer • Tusla • Approved Housing Bodies • An Garda Siochana • Health Service Executive • Housing Support Services • Office of the Ombudsman • Office of the Ombudsman for Children • Legal Representatives

Table 11.3	
Services/Function	Third Parties with whom Personal Data is Shared
Facilitation of tenancies for Social Housing Support Applicants in private rented accommodation through HAP & RAS	<ul style="list-style-type: none"> • Other Local Authorities • Public Representatives • Community Welfare Officer • Tusla • Approved Housing Bodies • An Garda Siochana • Health Service Executive • Housing Support Services • HAP Shared Service Centre • Office of the Ombudsman • Office of the Ombudsman for Children • Legal Representatives • Department of Housing Planning and Local Government

Table 11.4	
Services/Function	Third Parties with whom Personal Data is Shared
Provision of Emergency Accommodation and support services	<ul style="list-style-type: none"> • Dublin Regional Homeless Executive • Public Representatives • Community Welfare Officer

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	<ul style="list-style-type: none"> • Tusla • Probation Service • An Garda Siochana • Health Service Executive • Homeless Support Services • Office of the Ombudsman • Office of the Ombudsman for Children • Legal Representatives
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Table 11.5

Services/Function	Third Parties with whom Personal Data is Shared
Standards Inspections of Private Rented Properties	<ul style="list-style-type: none"> • Public Representatives • Environmental Health Officers • Company awarded contract to carry out inspections • RTB • Relevant Landlord • Relevant Tenant • Legal Representatives • Department of Housing Planning and Local Government

Table 11.6	
Services/Function	Third Parties with whom Personal Data is Shared
Estate Management	<ul style="list-style-type: none"> • An Garda Siochana • Court Services • Tusla • Office of the Ombudsman • Office of the Ombudsman for Children • Legal Representatives • Tenancy Sustainment Service • Public Representatives • HSE • Probation Service • Prison Service • Other Local Authorities • Approved Housing Bodies • Department of Social Welfare • Local Government Management Agency • Department of Housing Planning & Local Government

Table 11.7	
Services/Function	Third Parties with whom Personal Data is Shared
Maintenance of the Council's Housing Stock	<ul style="list-style-type: none"> • Public Representatives • Council appointed Maintenance Contractors • Legal Representatives

Table 11.8	
Services/Function	Third Parties with whom Personal Data is Shared
Housing Revenue (including management of Rent Accounts for Social Housing Stock and the Administration of Housing Loans through the Rebuilding Ireland Home Loan Scheme)	<ul style="list-style-type: none"> • Public Representatives • Housing Agency • Tenancy Sustainment Service • Irish Credit Bureau • Central Credit Register • Legal Representatives • Local Government Audit Service

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Table 11.9	
Services/Function	Third Parties with whom Personal Data is Shared
Provision and Maintenance of Traveller Specific Accommodation	<ul style="list-style-type: none"> • An Garda Siochana • Court Services • Tusla • Office of the Ombudsman • Office of the Ombudsman for Children • Legal Representatives • Tenancy Sustainment Service • Public Representatives • HSE • Probation Service • Prison Service • Other Local Authorities • Approved Housing Bodies • Department of Social Welfare • Local Government Management Agency • Department of Housing Planning & Local Government • Traveller Representative Organisations

Table 11.10	
Services/Function	Third Parties with whom Personal Data is Shared
Delivery of new Council housing stock (including construction, acquisition, Voids, leasing, Mortgage to Rent and Repair to Lease)	<ul style="list-style-type: none"> • Approved Housing Bodies • Housing Agency • Department of Housing Planning & Local Government • Occupational Therapists • Legal Representatives • Public Representatives

Table 11.11	
Services/Function	Third Parties with whom Personal Data is Shared
Delivery of Social Housing via Approved Housing Bodies through CAS / CALF schemes and auditing of compliance of live mortgages	<ul style="list-style-type: none"> • Approved Housing Bodies • National Oversight and Audit Committee • Legal Representatives

Table 11.12	
Services/Function	Third Parties with whom Personal Data is Shared
Administration of grant funding Housing Aid for Older persons; Housing Adaptation Grant for People with Disabilities; Mobility Aid Grants; Improvement Works in Lieu; Housing Adaptations for Council stock/tenants	<ul style="list-style-type: none"> • Department of Housing Planning & Local Government • Legal Representatives • Occupational Therapists • Council appointed Contractors • Local Government Audit Service

12.0 Records Retention Policy

The Housing Department's practices in relation to the retention of personal data are guided by the Local Government Management Agency's 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

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