

DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



General Data Protection Regulation and Data Protection Act 2018

PRIVACY STATEMENT

Forward Planning Infrastructure Department

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1.0 Introduction

The Role of the Forward Planning Infrastructure Department is to progress the development of Cherrywood Strategic Development Zone (SDZ) in accordance with Dun Laoghaire-Rathdown County Council's statutory designation as Development Agency, along with the oversight and management of the three approved projects under the Local Infrastructure Housing Activation Fund (LIHAF) and the Urban Regeneration Development Fund (Cherrywood). It also has responsibility for driving the Major Urban Housing Development Sites within Dun Laoghaire-Rathdowns' administrative area.

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

- 1.1 Assessment by the Cherrywood Development Agency Project Team (DAPT) of planning applications received by the Planning Authority from applicants relating to the Cherrywood SDZ Planning Scheme 2014 (CPS), as amended and referred to the DAPT to ensure they are consistent with the CPS.
- 1.2 Facilitating workshops/discussions with landowners and their design teams/statutory agencies prior to commencement of any statutory planning process by the landowner.

2.0 Purpose of Privacy Statement

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

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- 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 Forward Planning Infrastructure Department in physical or electronic format. The data primarily relates to landowners and/or their agents availing of the services of the Forward Planning Infrastructure Department, as well as external statutory agencies or private consultants involved in the aforementioned service/functions outlined in Section 1.0.

5.0 Data Protection Policy

The Forward Planning Infrastructure Department process a 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 Forward Planning Infrastructure 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 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 Forward Planning Infrastructure Department are contained in the following tables:

Services/Function	Personal Data processed
Assessment by the Cherrywood Development Agency Project Team (DAPT) of planning applications received from applicants and referred to the DAPT to ensure they are consistent with the Cherrywood SDZ Planning Scheme 2014, as amended	<ul style="list-style-type: none">• Name• Address• Contact Details (Phone no, Email address)

Table 6.2	
Services/Function	Personal Data processed
<p>Facilitating workshops/discussions with landowners and their design teams/statutory agencies prior to commencement of any statutory planning process by the landowner.</p> <p>Statutory pre-planning proposals under Section 247 of the Planning and Development Act 2000 as amended</p> <p>Draft proposals and concept designs</p>	<ul style="list-style-type: none"> • Name • Address • Contact Details (Phone no, Email address) <ul style="list-style-type: none"> • Name • Address • Contact Details (Phone no, Email address)

7.0 Why Personal Data is Processed

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

If the Forward Planning Infrastructure 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 Forward Planning Infrastructure Department is primarily contained in the following legislation:

- Planning & Development Act 2000 as amended - Part IX and Section 247
- Local Government Act 2001 as amended - Section 65

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

The personal data collected by the Forward Planning Infrastructure Department is obtained directly from individuals availing of the services/functions outlined 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 Forward Planning Infrastructure Department is generally carried out through the use of:

- Hard copy files
- Electronic files
- Databases (APAS, Dropbox, Google Drive, WeTransfer)
- 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 Forward Planning Infrastructure Department with third parties are contained in the following tables:

Table 11.1	
Services/Function	Third Parties with whom Personal Data is Shared
Assessment by the Cherrywood Development Agency Project Team (DAPT) of planning applications received by the Planning Authority from applicants and referred to the DAPT to ensure they are consistent with the Cherrywood SDZ Planning Scheme 2014, as amended (CPS).	<ul style="list-style-type: none"> • External Consultants - in order to prepare reports for DAPT

Table 11.2	
Services/Function	Third Parties with whom Personal Data is Shared
Facilitating workshops/discussions with landowners and their design teams/statutory agencies prior to commencement of any statutory planning process by the landowner.	<ul style="list-style-type: none"> • External Consultants - in order to prepare reports for DAPT

12.0 Records Retention Policy

The Forward Planning Infrastructure 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.

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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. The contact details for the 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 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:

- 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

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