



Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



# COMHAIRLE CONTAE ROS COMÁIN ROSCOMMON COUNTY COUNCIL

## Privacy Statement Planning Department

October 2018

## Version Control

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## **1.0 Introduction**

The role of the Planning Department is to deliver a quality planning and development service to the customers of Roscommon County Council. It achieves this through providing the following services/functions:

- Development Management
- Forward Planning
- Planning Enforcement
- Unfinished Housing Development Resolution
- Town Centre Planning Initiatives

## **2.0 Purpose of Privacy Statement**

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

- **Data Subject:** is an individual who is the subject of personal data.
- **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 natural person.

- **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.

#### **4.0 Scope**

This statement applies to all personal data processed by the Planning Department in physical or electronic format. This data primarily relates to planning applicants / developers, planning agents/ consultants, and persons who engage in making submission or observation on any aspect of the planning system. The foregoing may provide personal data in the course of their engagement with Roscommon County Council in respect of any of the following planning functions:

- Development Management
- Forward Planning
- Planning Enforcement
- Unfinished Housing Development Resolution
- Town Centre Planning Initiatives

#### **5.0 Data Protection Policy**

The Planning Department processes a significant amount of personal data in various formats on an on-going basis. Roscommon County Council is committed to ensuring that personal data processed by its Planning Department is:

- Obtained lawfully, fairly and in a transparent manner;
- Obtained for specified, explicit and legitimate purposes only;
- Adequate, relevant and limited to what is necessary for 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.

Roscommon County Council has a Corporate Data Protection Policy which goes in to more detail as to how it intends meeting these commitments. A copy of this document can be accessed [here](#).

## 6.0 What Personal Data is Processed

Details of personal data processed by each of the services/functions of the Planning Department are contained in the following tables:

Table 6.1	
Service/Function	Personal Data Processed
Development Management	<p><u>Planning Applicants:</u></p> <p>Standard required information as per Planning and Development Act 2000 (as amended):</p> <ul style="list-style-type: none"> <li>- Name, address, contact details (telephone, fax, e-mail);</li> <li>- Where applicant is a company – names of company directors;</li> <li>- Part V Financial proposals.</li> </ul> <p>Miscellaneous information which <b>may be</b> submitted by applicants (in support of their pre-planning proposal or planning application):</p>

- Employment details;
- Land / property ownership information;
- Location of familial dwellings;
- Herd numbers / REPs numbers;
- Health related information;
- Business accounts and / or other financial information;
- Other miscellaneous supporting information– examples include information relating to date of birth, school records, club memberships, employment, marital status, financial records, documents verifying proof of address, property lease information etc. (The type of information is not prescribed by Planning Authority and is submitted at the discretion of the applicants);
- Bank details and PPS no. (in connection with the processing of refunds or in relation to development contribution payments).

Planning Agents / Consultants :

- Names, address, contact details (telephone, fax, e-mail)

Third party submissions:

- Name, address, contact details (may include telephone or e-mail address);
- Miscellaneous information, volunteered by a person as part of their third party submission.

<b>Table 6.2</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Forward Planning	<p><u>Persons making submissions / observations during the Plan making process :</u></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Address;</li> <li>- Contact details (may include telephone or e-mail address);</li> <li>- Other miscellaneous information which may be voluntarily submitted, for example land / property ownership details.</li> </ul> <p><u>Persons engaging with the Planning Authority in relation to the Vacant Site Register or the Vacant Homes Action Plan:</u></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Address;</li> <li>- Contact details (may include telephone or e-mail address);</li> <li>- Land / property ownership details;</li> <li>- Financial information.</li> </ul>



**Table 6.3**

<b>Service/Function</b>	<b>Personal Data Processed</b>
Planning Enforcement	<p data-bbox="587 315 778 349"><u>Complainants:</u></p> <ul data-bbox="624 434 1342 815" style="list-style-type: none"><li data-bbox="624 434 762 468">- Name;</li><li data-bbox="624 495 788 528">- Address;</li><li data-bbox="624 555 1310 645">- Contact details (may include telephone or e-mail address);</li><li data-bbox="624 669 1342 815">- Other miscellaneous information which may be voluntarily submitted , for example land / property ownership details.</li></ul> <p data-bbox="587 898 1283 987"><u>Persons alleged to be undertaking / have undertaken unauthorised development :</u></p> <ul data-bbox="624 1077 1378 1576" style="list-style-type: none"><li data-bbox="624 1077 762 1111">- Name;</li><li data-bbox="624 1137 788 1171">- Address;</li><li data-bbox="624 1198 1378 1288">- Contact details (may include telephone number and / or e-mail address);</li><li data-bbox="624 1312 1378 1576">- Miscellaneous information as deemed relevant by the person in response to enforcement communications from the Planning Authority. Examples include land / property ownership details, employment details, financial information, medical information etc.</li></ul>

<b>Table 6.4</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Unfinished Housing Development Resolution	<p><u>Information relating to Taking in Charge Applications</u></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Address;</li> <li>- Contact details (may include telephone or e-mail address);</li> <li>- Land / property ownership details;</li> <li>- Financial information in relation to receivership / liquidation of developers;</li> <li>- Insurance information.</li> </ul> <p><u>Information provided in relation to Tender submissions for works in Unfinished Housing Developments</u></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Address;</li> <li>- Contact details (may include telephone and / or e-mail address);</li> <li>- Tax details,</li> <li>- Insurance details;</li> <li>- Business/Company account details;</li> <li>- Health &amp; Safety details;</li> <li>- Details (names, addresses &amp; telephone nos.) of technicians and technical bodies available to tenderer;</li> <li>- Details of tenderers' previous works and services together with contract values pertaining to same;</li> <li>- Record of relevant courses, educational qualifications &amp; grades obtained (management &amp; personnel of Business/Company submitting tender);</li> </ul>

	<ul style="list-style-type: none"> <li>- Curriculum Vitae of key personnel;</li> <li>- PPS Numbers;</li> <li>- Driving Licence details.</li> </ul>
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<b>Table 6.5</b>	
<b>Service/Function</b>	<b>Personal Data Processed</b>
Town Centre Planning Initiatives	<ul style="list-style-type: none"> <li>- Name;</li> <li>- Address;</li> <li>- Contact details (may include telephone no. or e-mail address);</li> <li>- Land / property ownership details.</li> </ul>

## **7.0 Why Personal Data is Processed**

Personal data is processed by the Planning Department in order to assess compliance with planning policy, assist in planning for the future sustainable development of the area, ensure matters of unauthorised development are investigated and resolved, and to achieve the satisfactory completion of housing developments to a standard which renders them capable of being taken in charge by the Local Authority.

If the Planning 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 Planning Department is mostly contained in the following legislation:

- Local Government Acts 1925 – 2016;
- Planning and Development Act 2000 (as amended);
- Planning and Development Regulations 2001 (as amended);
- Urban Regeneration and Housing Act 2015;
- Planning and Development (Housing) and Residential Tenancies Act 2016.

There may be a limited number of circumstances whereby the Planning Department relies on consent for the processing of personal data. In such circumstances the data subject has the right to withdraw consent to the processing of his or her personal data at any time.

Where special categories of information are being processed the Planning Department will obtain the data subject's explicit consent to such processing unless this is not required by law or the personal data is required to protect the health of the data subject in an emergency.

## **9.0 How Personal Data is Obtained**

**9.1** Most of the personal data collected by the Planning Department is obtained directly from applicants, agents, persons making submissions, owners of sites and properties, attendees of workshops, agencies and bodies consulted, and owners or occupiers of properties on the RPS.

**9.2** However, it may on occasion be necessary for the Planning Authority, in undertaking its functions, to obtain information from other sources such as other sections of Roscommon County Council, the Public Participation Network (PPN) or the Property Registration Authority (PRA).

## 10.0 How Personal Data is Processed

The processing of personal data by staff within the Planning Department is generally carried out by its staff and IT systems. Details of the IT systems that are used by the Planning Department to process personal data are as follows:

- Microsoft office packages – primarily Word and Excel;
- Idocs;
- Iplan;
- GIS MapViewer

## 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 Planning Department with third parties are contained in the following tables:

<b>Table 11.1</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Development Management	<ul style="list-style-type: none"><li>• All planning application files are publically available (some aspects of information provided will be maintained as confidential and not made available for public viewing).</li></ul>

<b>Table 11.2</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Forward Planning	<ul style="list-style-type: none"><li>• Submissions made as part of the Plan making process are publically available.</li></ul>

<b>Table 11.3</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Planning Enforcement	<ul style="list-style-type: none"> <li>• Roscommon County Council’s legal advisors;</li> <li>• Court officials (in the event of enforcement action proceeding to court).</li> </ul>

<b>Table 11.4</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Unfinished Housing Developments	<ul style="list-style-type: none"> <li>• Consulting engineers engaged by Roscommon County Council under the ‘Framework for the Provision of Consultant Civil Engineering Services on Unfinished Housing Development Site Resolution.’</li> </ul>

<b>Table 11.5</b>	
<b>Service/Function</b>	<b>Third Parties with whom Personal Data is Shared</b>
Town Centre Planning Initiatives	<ul style="list-style-type: none"> <li>• Any consultants who may be appointed by Roscommon County Council as part of a town centre planning initiative.</li> </ul>

## **12.0 Records Retention Policy**

The Planning 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. Copies of these documents are available [here](#).

### **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.

Roscommon County Council has developed a Data Subject Rights Policy and Procedures document which provides more detailed information on the rights of a data subject and how to exercise them. A copy of this document is available [here](#).

### **14.0: Complaints to the Data Protection Commission**

**14.1** Data subjects may make a complaint in the 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 Roscommon County Council on their data subject right request;
- c) If they consider that Roscommon County Council's processing of their personal data is contrary to data protection legislation.

**14.2** Contact details for the Data Protection Commission are as follows:

Phone Number: 0761 104 800 or Local 1890 252 231  
E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)  
Website: [www.dataprotection.ie](http://www.dataprotection.ie)  
Postal Address: Data Protection Commission  
Canal House  
Station Road  
Portarlinton  
Co. Laois  
R32 AP23.

**15.0 Monitoring and Review**

Provisions contained in this statement shall be subject to on-going monitoring and review.

**16.0: Further Information**

Further information and advice on the operation of this privacy statement is available from the Data Protection Officer, Roscommon County Council. Contact details for the County Council's Data Protection Officer are as follows:

Phone: 090 6637100  
E-mail: [dataprotection@roscommoncoco.ie](mailto:dataprotection@roscommoncoco.ie)  
Website: [www.roscommoncoco.ie](http://www.roscommoncoco.ie)  
Postal Address: Roscommon County Council  
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F42 VR98.