



**Comhairle Contae
Ros Comáin**
Roscommon
County Council

COMHAIRLE CONTAE ROS COMÁIN
ROSCOMMON COUNTY COUNCIL

Privacy Statement
Housing Department

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1.0 Introduction

The role of the Housing Department is to manage the provision of social housing and social housing supports within the county. It achieves this by providing the following services/functions:

- Provision of emergency accommodation;
- Processing social housing applications;
- Allocation of Local Authority housing and tenancy agreements (including Garda Vetting);
- Provision of social housing via Housing Associations (CALF/CALF-MTR/CAS) and the leasing of private properties (HAP, RAS and Roscommon County Council/housing leasing agreements including Mortgage to Rent (MTR));
- Administration of grant funding (HOP, HGD, HGD-LA, IWILs and energy retrofit);
- Administration of housing loans, Shared Ownership Scheme and Tenant Purchase Schemes;
- Maintaining and inspecting social housing stock;
- Providing new stock and disposal of old stock, as appropriate;
- Inspection of rented property (RTB);
- Tenant and estate management (including rent collection);
- Rent assessments (Local Authority, HAP and RAS).

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.

3.0 Definitions

For the purposes of this privacy statement the following definitions apply:

- **Data Subject:** is an identified or identifiable natural person to whom personal data relates.

- **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:** 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 Housing Department in physical or electronic format. This data primarily relates to applicants and tenants availing of social housing services.

5.0 Data Protection Policy

Roscommon County Council creates, collects and processes a significant amount of personal data in various formats on a daily basis.

It is the policy of Roscommon County Council that:

- It will seek to act at all times in full compliance with data protection legislation in its processing of personal data;
- GDPR principles are respected and strictly adhered to;
- The rights of data subjects are fully respected and protected;
- Measures exist to respond appropriately to personal data breaches;
- Appropriate governance mechanisms exist to oversee compliance with data protection legislation.

Roscommon County Council is fully committed to ensuring that the personal data processed by its Housing Department is:

- Obtained lawfully, fairly and in a transparent manner;
- Obtained for only specified, explicit and legitimate purposes;
- Adequate, relevant and limited to what is necessary for the purposes 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 only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Roscommon County Council has developed a ***Corporate Data Protection Policy and Procedures*** which go in to more detail as to how it intends meeting these commitments.

6.0 What Personal Data is Processed

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

Table 6.1	
Service/Function	Personal Data Processed
Provision of Emergency Accommodation	<ul style="list-style-type: none">• Name• Postal Address (last permanent address)• Eircode• Contact Details (phone numbers, e-mail address)• Date of Birth• Gender• Nationality• Civil Status• PPS Number• Income/Employment Details

	<ul style="list-style-type: none"> • Passport/Drivers Licence/National Identity Card/Public Service Card • Separation Agreement • Divorce Agreement • Barring Order • Garda Report • Income Details • Next of Kin Details including Name and Contact Number • Landlord's Name and Contact Details • Household Names and all the above details for each Household Member • Tusla/Social Worker Contact Details • Addiction/Support Details • Physical and Mental Health Needs • Name of G.P. • Service Support Plan • Criminal Offences
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Table 6.2

Service/Function	Personal Data Processed
Processing Social Housing Applications	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth • Gender • Nationality • Civil Status • PPS Number • Passport /Drivers Licence/Social Services Card/Identity Card • Electricity / Telephone Identification • Other Utility Bill • Income/Employment Details • Bank Account Details • Separation Agreement • Divorce Agreement

	<ul style="list-style-type: none"> • Bank Repossession Details • Information in relation to Sale of Land/Assets and Folio Numbers • Income Details • Medical Report (including Consultant's and Occupational Therapist's Report) • Landlord's Name and Contact Details • Accommodation History • Previous Local Authority Tenancies • Details of any Property or Land Previously Owned • Household Names and all of above details for each Household Member
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Table 6.3	
Service/Function	Personal Data Processed
Allocation of Local Authority Housing and Tenancy Agreements (including Garda Vetting)	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth • Gender • Nationality • Civil Status • PPS Number • Bank Account Details • Income Details • Garda Vetting • Household Names and all of above details for each Household Member

Table 6.4	
Service/Function	Personal Data Processed
Provision of Social Housing via Housing Associations (CALF/CALF-MTR/CAS) and Private Rented Accommodation (RAS, HAP and Leasing including MTR)	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • PPS Number • Tax Clearance Certificate • Bank Account Details <p>Note that in relation to tenants allocated to these properties, personal data is processed under <i>Table 6.3 – Allocations and Tenancy Agreements (including Garda Vetting)</i></p>

Table 6.5	
Service/Function	Personal Data Processed
Administration of Grant Funding (HOP, HGD, HGD-LA, IWILs and Energy Retrofit)	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth • Gender • Civil Status • PPS Number • Applicants Property Local Property Tax ID Number • Tax Clearance Certificate • Bank Account Details • Certificate of Interest on Savings/Dividend Accounts • Income Details • Folio Numbers • Medical Report (including Consultant's and Occupational Therapist's Report) • Grant Applicant's Household Names, Dates of Birth, Gender, PPS Number • Contractor's Name, Address and Contact Details • Contractor's Tax Clearance Certificate

Table 6.6	
Service/Function	Personal Data Processed
Administration of Housing Loans, Shared Ownership and Tenant Purchase Scheme	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth • Gender • Civil Status • PPS Number • Tax Clearance Certificate • Bank Account Details • Income Details • Folio Number • Tenant Purchaser's Household Names, Dates of Birth, Gender, PPS Number • House Loan and Tenant Purchaser's Legal Agent's Name

Table 6.7	
Service/Function	Personal Data Processed
Maintenance of Housing Stock	<ul style="list-style-type: none"> • Name of Appointed Tenant • Postal Address of Household • Eircode • Contact Details (phone numbers, e-mail address) • Roscommon County Council's Contractor's Name, Address, Tax Clearance Certificate and Bank Details

Table 6.8	
Service/Function	Personal Data Processed
Provision of New Stock and Disposal of Old Stock	<ul style="list-style-type: none"> • Name of Vendor • Postal Address of Vendor • Eircode • Contact Details of Vendor (phone numbers, e-mail address) • Folio Number • Local Property Tax Details • NPPR Property ID and Account Reference • Irish Water Certificate of Discharge • Vendors Legal Agent's Name and Address, Phone Number and Email Address • Vendor's Legal Agents Bank Account Details • Name of Purchaser • Postal Address of Purchaser • Eircode • Contact Details of Purchaser (phone numbers, e-mail address) • Purchaser's Legal Agent's Name and Address, Phone Number and Email Address • Purchaser's Legal Agents Bank Account Details

Table 6.9	
Service/Function	Personal Data Processed
Inspection of Rented Property (RTB)	<ul style="list-style-type: none"> • Name of Tenant • Postal Address of Rented Property • Eircode of Rented Property • Contact Details of Landlord (phone numbers, e-mail address) • Contact Details of Tenant (phone numbers, e-mail address) • Breaches of Housing (Standards for Rented Houses) Regulations 2019

Table 6.10	
Service/Function	Personal Data Processed
Tenant and Estate Management (including Rent Collection)	<ul style="list-style-type: none"> • Name of each Household Member • Postal Address of Household • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth of each Household Member • PPS Number of each Household Member • Bank Account Details of each Household Member (where applicable) • Income details of each Household Member • Anti-social Behaviour Complaints on Household • Tenancy Breaches by any Household Members • Rent Arrears • Tenancy Warning for any Household Member

Table 6.11	
Service/Function	Personal Data Processed
Rent Assessment (Local Authority, HAP and RAS)	<ul style="list-style-type: none"> • Name • Postal Address • Eircode • Contact Details (phone numbers, e-mail address) • Date of Birth • Gender • Nationality • Civil Status • PPS Number • Passport /Drivers Licence/Social Services Card/Identity Card • Birth Certificate • Electricity / Telephone Identification • Other Utility Bill • Income/Employment Details • Bank Account Details • Separation Agreement

	<ul style="list-style-type: none"> • Divorce Agreement • Bank Repossession Details • Information in relation to Sale of Land/Assets and Folio Numbers • Income Details • Medical Report (including Consultant's and Occupational Therapist's Report) • Landlord's Name and Contact Details • Accommodation History • Previous Local Authority Tenancies • Details of any Property or Land Previously Owned • Household Names and all of above details for each Household Member
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7.0 Why Personal Data is Processed

7.1 Personal data is processed by the Housing Department in order to deliver the services outlined in **Section 1.0**.

7.2 If the Housing 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

8.1 Under Articles 6 and 9 of the GDPR, the processing of personal data requires a legal basis. The legal basis for the Housing Department's processing of personal data includes any one or more of the provisions contained in these Articles and in particular any one or more of the following:

- Article 6(1)(a) of the GDPR where the data subject has given consent to the processing of his or her personal data for one or more specific purposes. Generally, the number of occasions whereby Roscommon County Council relies on consent for the processing of personal data is very limited. In such circumstances the data subject has the right to withdraw consent to the processing of his or her personal data at any time.
- Article 6(1)(c) of the GDPR where the processing is necessary for compliance with a legal obligation to which Roscommon County Council is subject.
- Article 6(1)(e) of the GDPR where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in Roscommon County Council.

8.2 *Appendix A* provides details of the full range of lawful conditions for which Roscommon County Council may process personal data under Articles 6 and 9 of the GDPR.

8.3 Art 2(2)(d) of the GDPR however provides that *'this Regulation does not apply to the processing of personal data by Competent Authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security'*. The Law Enforcement Directive 2016/680 provides for the processing of personal data for such purposes.

9.0 How Personal Data is Obtained

9.1 Most of the personal data collected by the Housing Department is obtained directly from individuals availing of services provided by the Housing Department. However, information is also obtained from other sources such as the Gardaí, Central Credit Register, Health Service Executive and other Local Authorities, as appropriate.

9.2 The Housing Department also creates personal data as a result of processing activities carried out by the services it provides, such as:

- Applications for homeless accommodation
- Housing applications
- Tenant information
- Grant applications
- Loan, Shared Ownership and Tenant Purchase applications
- Maintenance records and condition surveys
- Property inspection reports.

10.0 How Personal Data is Processed

The processing of personal data by staff within the Housing Department is generally carried out by use of:

- Hard copy office folders
- Electronic folders
- Data bases (iHouse, Ascendas, Grants, Agresso, CCAS, PASS).

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	
Service/Function	Third Parties with whom Personal Data is Shared
Provision of Emergency Accommodation	<ul style="list-style-type: none">• Service Providers• Galway County Council• Health Service Executive• Housing Action Team (where applicable)

Table 11.2	
Service/Function	Third Parties with whom Personal Data is Shared
Processing Social Housing Applications	<ul style="list-style-type: none"> • Housing Associations • Social Welfare- Community Welfare Officers • Other Local Authorities

Table 11.3	
Service/Function	Third Parties with whom Personal Data is Shared
Allocation of Local Authority Housing and Tenancy Agreements (including Garda Vetting)	<ul style="list-style-type: none"> • Social Welfare • Other Local Authorities • Housing Associations • Garda Síochána • Health Service Executive • Tusla

Table 11.4	
Service/Function	Third Parties with whom Personal Data is Shared
Provision of Social Housing via Housing Associations (CALF/CALF-MTR/CAS) and Private Rented Accommodation (RAS, HAP and Leasing including MTR)	<ul style="list-style-type: none"> • Landlords, Potential Landlords • Other Local Authorities • Limerick County Council HAP Shared Service • Department of Housing, Planning, Community and Local Government • Revenue Commissioners • Auditors • Central Statistics Office

Table 11.5	
Service/Function	Third Parties with whom Personal Data is Shared
Administration of Grant Funding (HOP, HGD, HGD-LA, IWILs and Energy Retrofit)	<ul style="list-style-type: none"> • Occupational Therapist • Consultants • Contractors • Department of Housing, Planning, Community and Local Government • Ombudsman • Housing Associations • Auditors

Table 11.6	
Service/Function	Third Parties with whom Personal Data is Shared
Administration of Housing Loans, Shared Ownership and Tenant Purchase Scheme	<ul style="list-style-type: none"> • Other Local Authorities • Housing Agency • Central Credit Register • Legal Agent appointed by Roscommon County Council • Debt Collecting Agent for Roscommon County Council • Ombudsman

Table 11.7	
Service/Function	Third Parties with whom Personal Data is Shared
Maintenance of Housing Stock	<ul style="list-style-type: none"> • Contractors

Table 11.8	
Service/Function	Third Parties with whom Personal Data is Shared
Provision of New Stock and Disposal of Old Stock	<ul style="list-style-type: none"> • Roscommon County Council Appointed Legal Agent • Auditors

Table 11.9	
Service/Function	Third Parties with whom Personal Data is Shared
Inspection of Rented Property (RTB)	<ul style="list-style-type: none"> • Relevant Landlord • Relevant Tenant

Table 11.10	
Service/Function	Third Parties with whom Personal Data is Shared
Tenant and Estate Management (including Rent Collection)	<ul style="list-style-type: none"> • Other Local Authorities • Debt Collecting Legal Agent for Roscommon County Council • RAS and HAP Landlords • Tusla • Health Service Executive • Limerick County Council HAP Shared Service • Auditors

Table 11.11	
Service/Function	Third Parties with whom Personal Data is Shared
Rent Assessment (Local Authority, HAP and RAS)	<ul style="list-style-type: none"> • Debt Collecting Legal Agent for Roscommon County Council • Court Services • RAS and HAP Landlords • Limerick County Council HAP Shared Service • Auditors

12.0 Records Retention Policy

The Housing Department will retain personal data only for as long as is necessary for the purposes for which it was obtained. Roscommon County Council has developed detailed **Record Retention Policies** which go into more detail regarding the time period for which personal data will be retained.

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 of personal data (also known as the ‘right to be forgotten’);
- 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’s ***Corporate Data Protection Policy and Procedures*** provide more detailed information on these rights and how to exercise them.

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 request to exercise their data subject rights;
- b) If they are dissatisfied with a decision by Roscommon County Council on their request to exercise their data subject rights;
- 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: 01 7650100 / 1800 437737.

Postal Address: Data Protection Commission
21 Fitzwilliam Square South
Dublin 2
D02 RD28.

Online: www.dataprotection.ie provides details for online contact.

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 Number: 090 6637100

E-mail: dataprotection@roscommoncoco.ie

Website: www.roscommoncoco.ie

Postal Address: Roscommon County Council
Áras an Chontae
Roscommon
F42 VR98

Appendix A: Lawful Processing Conditions

(a) Lawful Processing Conditions – Personal Data

Under Article 6 of the GDPR the processing of personal data is lawful only if at least one of the following conditions apply:

- 1) The data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- 2) The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- 3) The processing is necessary for compliance with a legal obligation to which the controller is subject;
- 4) The processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- 5) The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller;
- 6) The processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party (Processor), except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. This condition shall not apply to processing carried out by public authorities in the performance of their tasks.

(b) Lawful Processing Conditions – Special Categories of Personal Data

Under Article 9 of the GDPR the processing of Special Categories of Personal Data is lawful only if at least one of the following conditions apply:

- 1) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes;
- 2) The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Controller or of the data subject in the field of employment and social security and social protection;
- 3) The processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- 4) The processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other non-profit-seeking body with a political, philosophical, religious or trade-union aim and on the condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- 5) The processing relates to personal data which are manifestly made public by the data subject;
- 6) The processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- 7) The processing is necessary for reasons of substantial public interest;
- 8) The processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services pursuant to contract with a health professional;
- 9) The processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices; or
- 10) The processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes in accordance with the Regulation.