



ARCHITECTS DEPARTMENT, FINGAL COUNTY COUNCIL PRIVACY STATEMENT

Data Protection & Personal Data:

The Architects Department, Fingal County Council needs to collect and use personal data for a variety of purposes, in the provision of Architectural, Consultancy and Quantity Surveying services to Fingal County Council, to fulfil its statutory obligations and duties under the requirements of public interest and legal obligation. In order to do this, the Architects Department services other client departments in Fingal Council and the majority of the personal data we process is received from our Client Departments.

Data Protection legislation safeguards the privacy rights of individuals in relation to the processing of personal data. The Data Protection Acts confer rights on individuals as well as responsibilities on those persons processing personal data. Personal data, both automated and manual, is data relating to a living individual who is or can be identified, either from the data or from the data in conjunction with other information.

Why do we have a privacy statement?

The Architects Department has created this privacy statement in order to demonstrate our firm commitment to the protection of the rights and privacy of individuals and to perform our responsibilities under the General Data Protection legislation, which comes into effect on 25th May, 2018, in accordance with the eight stated data protection principles outlined in the Acts as follows:

1. Obtain and process information fairly

The Council will obtain and process personal data fairly in accordance with the fulfilment of its functions and its legal obligations.

2. Keep it only for one or more specified, explicit and lawful purposes

The Council will keep data for purposes that are specific, lawful and clearly stated and the data will only be processed in a manner compatible with these purposes.

3. Use and disclose it only in ways compatible with these purposes

The Council will only use and disclose personal data in ways that are necessary for the purpose/s or compatible with the purpose/s for which it collects and keeps the data.

4. Keep it safe and secure

The Council will take appropriate security measures to prevent unauthorised access to, or alteration, disclosure or destruction of the data and against accidental loss or destruction. The Council acknowledges that high standards of security are essential for processing all personal information.

5. Keep it accurate, complete and up-to-date

The Council has procedures in place that are adequate to ensure high levels of data accuracy and completeness and to ensure that personal data is kept up to date.

6. Ensure that it is adequate, relevant and not excessive

Personal data held by the Council will be adequate, relevant and not excessive in relation to the purpose/s for which it is retained.

7. Retain it for no longer than is necessary for the purpose or purposes

The Council has a defined Record Management Policy that sets out retention periods for personal data and will have appropriate procedures in place to implement such a policy.

8. Give a copy of his/her personal data to an individual, on request

The Council has procedures in place to ensure that data subjects can exercise their rights under the Data Protection legislation.

The Architects Department is committed to ensuring the protection of the privacy of personal data and compliance with Data Protection legislation, where it is the controller of personal data, or where it is the processor of personal data, received from another Council Department.

Data Protection Policy

The Architects Department adheres to the Fingal County Council Data Protection Policy which sets out how we as a public body are committed to ensuring the security of any personal data you provide to us.

A copy of the Data Protection Policy can be accessed via the following link:

<http://www.fingal.ie/media/Data%20Protection%20Policy.pdf>

What types of Personal Data do we need?

The types of personal data you may be asked to supply can be categorised as follows:

- Contact details to allow for efficient communication - You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate.
- Details of your personal circumstances which you are required by law to supply and/or as part of your application for a service offered by Fingal County Council.
- Your own financial details which you are required by law to supply and/or as part of your application for a service offered by Fingal County Council.

The personal data may be provided directly to the Architects Department, or to another client department in the Council (e.g. Housing, Planning, etc.).

The following are services/processes in which Personal data is processed by the Architects Department:

- Provision and Maintenance of Council Housing Stock / Housing Maintenance Programmes, Services & Grants - through the Housing Department – When applying for or availing of a Housing Maintenance programme, service or grant, you will be required to provide certain personal details to the Housing Department, to allow for your application to be processed and the service provided. In order to fulfil our duties and/or provide a service, some personal data may be processed by the Architects Department, which may include the following:
Name, address, phone numbers, details of your specific requirements, etc.
To provide maintenance services, it will be necessary to take photographs of the dwelling.
- Statutory Public Consultation Processes - through the Planning Department – When making a submission or observation as part of any statutory public consultation process, (Planning Development, Housing

Construction, Conservation issues, etc.), you may be required to provide personal data, which may be processed by the Architects Department, including: *name, address, email address, telephone number*.

- Planning Files and Compliance including Conservation issues - through the Planning Department – When making a planning application or submission, or observation or submission on compliance issues, you may be required to provide personal data, some of which may be processed by the Architects Department, including:
name, address, email address, telephone number, photos of building, Rural Housing criteria, etc.
- Conservation – Review of Record of Protected Structures (RPS) - through the Architects Department – If you are the owner of a Protected Structure, you will be asked to confirm the following personal details: *owners name, address, phone number, e-mail address*. Photographs of the building and its setting may be taken. At the time of the RPS Review, owners will be notified of any additions or deletions to the Record of Protected Structures.
- Conservation – Declaration on RPS under Section 57 – through the Architects Department – If you write in to apply for a Declaration under Section 57, you may have supplied / or may be asked to supply the following personal data: *name, address, phone number, e-mail address, photographs of building and its setting, etc.*
- Conservation Funding Schemes – through the Architects Department –
 - Architectural Heritage Fund (Fingal County Council scheme),
 - Built Heritage Investment Scheme (Dept. of Culture, Heritage & the Gaeltacht (CHG) scheme),
 - Structures at Risk fund (Department of CHG scheme).

If you apply for any of the above funding schemes, you will be required to provide the following personal data:

Your (applicant and/or owner's) name, address, telephone number, photographs of building, tax clearance information, PPS number, bank details, etc.

Data Storage:

Data is securely stored, electronically and physically, in the office of the Architects Department, Fingal County Council, Main Street, Swords, Co. Dublin. Electronic access is limited to the Architects Department staff. Staff card swipe access is required to enter our office and any required personal data is stored in locked cabinets or storage units, which can only be accessed by the appropriate staff that process this data. We have internal procedures and computer interfaced protective barriers in place to keep data as safe and secure as possible.

Data Retention / Archival / Disposal:

Data is retained in accordance with the Architects Data Retention Policy. Data is retained by the Architects Department for as long as required to meet our statutory obligations and to fulfil our duties under the requirements of public interest and legal obligation. In the case of any Council Planning Development or construction project or maintenance programme works, this will be for the duration of the project, plus 2 years, plus the required statutory audit period, prior to secure archive or disposal, as appropriate. Data pertaining to a Council building, will be retained for the life of the building. Data pertaining to a planning application, conservation application or funding scheme is retained indefinitely.

Any superfluous or unnecessary data will be removed prior to archive.

Financial details will be securely deleted once the funding year has ended.

Once data has been retained for the requisite time, it is securely destroyed or archived for permanent retention. When scheduled for destruction, physical records will be securely shredded by an off-site third-party company. In the case of archive, physical records will be moved to a secure off-site storage.

Sharing of data:

The Architects Department will share data only when:

- It is necessary in relation to provision of a service, to comply with a statutory requirement, public interest and legal obligation.
- Consent has been acquired by the relevant Client Department, when required, and where the Architects Department receives the data from the Client Department.

The Architects Department will share data only, when required, with:

- Service providers who provide us with support services.
In order to provide Housing Maintenance services and to enable works to be carried out, personal data (e.g. your name, address, phone number) may be shared with Housing Maintenance Contractors.
- Prescribed Statutory and regulatory bodies.
Personal Data (name, address) pertaining to the Record of Protected Structures will be shared with prescribed bodies in accordance with regulatory requirements.
Personal Data pertaining to Conservation Funding Schemes that are run by the Department of Culture, Heritage & the Gaeltacht (Built Heritage Fund, Structures at Risk Fund) will be forwarded to them, to allow for processing.

When personal data is shared, the Architects Department will endeavour to ensure that the third party is compliant with Data Protection Legislation.

Your Rights:

You have the right to query or ask for access to any information about you held by Fingal County Council.

All requests for personal data held by Fingal County Council must be made in writing by post or email to:

Data Protection Officer

Corporate Affairs & Governance Department, Fingal County Council, Main Street, Swords, Co. Dublin

Email: Data.Officer@fingal.ie Tel: 01 8905162

You can obtain further information and access Fingal County Council's Data Protection policies at the link below:

<http://www.fingalcoco.ie/your-council/dataprotection/>

You can obtain further information regarding your rights / make a complaint or report a breach in relation to your Personal Data, by contacting the Office of the Data Protection Commissioner as follows:

The Office of the Data Protection Commissioner

Canal House, Station Road, Portarlinton, Co. Laois

LoCall: 1890 252 231, Telephone: 057 8684800, Fax: 057 8384757

Email: info@dataprotection.ie Website: <http://www.dataprotection.ie>