An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

Public Consultation on the Draft Development Plan Guidelines for Planning Authorities (Privacy Statement)

The Department of Housing, Local Government and Heritage is the Government Department responsible for housing and water, for physical and spatial planning, for local government, for heritage and for weather forecasting.

The Department is committed to protecting and respecting your privacy. This privacy statement explains how the Department, as the Data Controller, will process the personal data provided to it in respect of submissions made during public consultation on the draft Development Plan Guidelines for Planning Authorities; how that information will be used, and the rights you may exercise in relation to your personal data.

Why we are processing your data

The Department will use your submission in order to inform the finalisation of the Development Plan Guidelines for Planning Authorities. The Department collects your data in the form of any contact details we receive from you in order to ensure clarity on the submissions received as part of this public consultation. In this regard, the Department may contact you with follow up questions in relation to your submission. All submissions received during the public consultation process will be published on the government website, www.gov.ie, as they are received. Submissions may be released under the Freedom of Information Act 2014. Personal data, such as contact details, will be redacted before publication. The Department will include your name, or the name of the organisation you represent, in the published submission. If you wish for your name not to appear on the Department's website, please indicate this in your submission. All submissions received will

be subject to the provisions of the Freedom of Information Act and Data Protection legislation. The Department will not process your personal data for any purpose other than that for which it was collected.

Profiling

The Department will not use any personal data collected from you in respect of submissions made during public consultation on the draft Development Plan Guidelines for Planning Authorities for the purpose of automated decision making or profiling.

Lawfulness of processing

This processing of your personal data is lawful under Article 6 (1)(e) of the GDPR regulations. This grounds for data processing is established in Section 13(1) of Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment and in accordance with the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI 435 of 2004), as amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI 200 of 2011).

Processing of special categories of personal data

Under Article 9(1) of the GDPR regulations, the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation is prohibited. Therefore, the Department requests those making submissions not to include data of this nature in their submission.

Security of your personal data

The Department implements appropriate technical and organisational measures to protect your information from unauthorised access. However, despite these efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception or other type of misuse. In the event that your personal

data is compromised as a result of a breach of security, the procedures as outlined in the Department's Breach Management Policy will be implemented.

Recipients of the data

Personal data may be exchanged with other Government Departments, local authorities, agencies under the aegis of the Department, or other public bodies, in certain circumstances where this is provided for by law.

Cross-border Data Transfers

The Department will not transfer personal data collected in respect of submissions made during public consultation on the draft building height guidelines to any country or international organisation outside the EU/EEA.

How long will we keep your data?

The Department will only retain your personal data for as long as it is necessary for the purposes for which it was collected and processed. When your personal data is no longer required for this purpose, we destroy or delete it in a secure manner.

In line with legislative and business requirements, the data retention period for your personal data will be in line with legislative and business unit requirements and the National Archives Act 1986 (as amended).

Your rights

The Department's **Data Protection Policy,** which sets out how we will use your personal data, as well as providing information regarding your rights as a data subject (including details regarding right of access, right to rectification, right to erasure, right to restriction of processing, right to object), is available on our website. The policy is also available in hard copy upon request.

If you consider that your rights have been infringed, you have the right to complain to the Irish Data Protection Commissioner (www.dataprotection.ie), and you have the right to seek a judicial remedy.

Contacting Us

If you require further information, or wish to access your personal data, please contact the Department's **Data Protection Officer,** details below:

Data Protection Officer,

Department of Housing, Local Government and Heritage,

Newtown Road,

Wexford

Email: data.protection@housing.gov.ie

Telephone: 053 9117450