



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

(This document is for information purposes only)

Data Protection Privacy Statement for

Anti-Social Behaviour Complaint Form

Who we are and why do we require your information?

Limerick City and County Council seeks to promote the economic, social and cultural development of Limerick City and County and in doing so contribute significantly to improving the quality of life of its people. The delivery of high-quality services, tailored to meet the needs of all our customers, remains one of Limerick City and County Council's core objectives and is included in our Corporate Plan. This quality service includes not only the level and quality of service given to our customers, but also the quality of our decision-making processes, the efficiency and effectiveness of our corporate operations, standard of our facilities and our ability to adapt in an ever-changing environment. In order to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Limerick City and County we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being sought or provided, the information sought may include 'personal data' as defined by the Data Protection Acts and by the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements.

Why do we have a privacy statement?

Limerick City and County Council has created this privacy statement in order to demonstrate our firm commitment to privacy and to assure you that in all your dealings with Limerick City and County Council that we will ensure the security of the data you provide to us. Limerick City and County Council creates, collects and processes a significant amount of personal data in various multiple formats on a daily basis. Limerick City and County Council's commitment is that the personal data you may be required to supply to us 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 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 only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Data Protection Policy

Limerick City and County Council has a detailed Data Protection Policy, which outlines how we as a public body are committed to ensuring the security of any personal data you provide to us.

What is the activity referred to in this Privacy Statement?

Limerick City and County Council is responsible for the management of Council housing and the investigation of complaints relating to anti-social behaviour/other tenancy related breaches

connected with Council tenancies. The personal data provided on this form, together with any supporting documentation, is collected and processed for the purposes of:

- Receiving, assessing and investigating complaints of anti-social behaviour;
- Managing Council tenancies and enforcing tenancy agreements;
- Contacting complainants, witnesses and other relevant persons;
- Protecting the safety and welfare of tenants, residents, Council staff and the wider community;
- Preventing, detecting and investigating breaches of tenancy conditions and unlawful activities;
- Supporting legal proceedings, dispute resolution processes, statutory investigations and enforcement actions;
- Maintaining records in accordance with the Council's statutory obligations and records management requirements.

What is the basis for making the processing of personal data in this activity lawful?

The lawful basis for processing personal data in connection with this activity is:

Article 6(1)(e) of the GDPR – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Limerick City and County Council in accordance with the Housing (Miscellaneous Provisions) Act 2014.

Where special category personal data is processed, the Council will rely on a relevant condition under Article 9 of the GDPR and the Data Protection Act 2018, where applicable.

Information relating to alleged criminal offences or An Garda Síochána investigations will be processed only where necessary and in accordance with Article 10 of the GDPR and the Data Protection Act 2018.

We require your contact details

In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. These contact details may also be used to verify your identity.

What other items of personal data do we need to undertake this activity?

The Council may process personal data including:

- Names, addresses, telephone numbers and email addresses;
- Details of complaints and incidents reported;
- Information relating to alleged anti-social behaviour and/or other tenancy related breaches;
- Witness information;
- Photographs, video recordings, CCTV footage, messages, logs or other evidence submitted;
- Information relating to An Garda Síochána involvement, PULSE references and other agency interactions where relevant;
- Information contained within correspondence and tenancy records.
- Where special category personal data or information relating to criminal allegations or offences is provided, such information will only be processed where necessary and in accordance with applicable data protection legislation.

Is the personal data submitted as part of this activity shared with other organisations?

Limerick City and County Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required Limerick City and County Council shall have regard to the security and integrity of the data and will minimise the data shared.

In this process, the data will be shared with the following recipients:

Where necessary and proportionate, information may be shared with:

- Relevant Council departments;
- An Garda Síochána;
- The Council's legal advisers;
- Courts, tribunals and dispute resolution bodies;
- Statutory agencies and regulatory bodies including the Office of the Ombudsman;
- Other parties where disclosure is required by law or is necessary for tenancy management, enforcement or legal proceedings.

The Council will only share information where there is an appropriate legal basis for doing so.

In this activity, if the personal data is to be transferred to a different country, it will be transferred to the following countries (if there are no countries listed, it is not intended to transfer the personal data abroad):

On occasion, the Council may be required by law, or otherwise lawfully permitted, to share personal data with organisations or competent authorities outside Ireland, including law enforcement authorities in the United Kingdom. Any such transfer will be undertaken in accordance with applicable data protection legislation.

How long is this personal data held by Limerick City and County Council?

Limerick City and County Council has a detailed record retention policy which goes into more detail of the time period for which your personal data will be retained by Limerick City and County Council and what will happen to it after the required retention period has expired.

The data processed as part of this activity will be retained for the following period(s):

In accordance with Article 5 1. (e) of the General Data Protection Regulation and the National Retention Policy for Local Authority Records, anti – social behaviour complaint records will be retained for no longer than is necessary and in accordance with Limerick City and County Council's Record Retention Schedule.

Anti-social behaviour complaint records relating to Council tenancies should be retained as part of the relevant tenancy management file for the duration of the tenancy and for 7 years following termination of the tenancy, unless required for ongoing legal proceedings, investigations, enforcement action, Ombudsman investigations, FOI requests, or other statutory purposes. For single incident cases (of non-serious offences) records should be retained for 5 years and then destroyed.

Where there is a repeated pattern of anti-social behaviour or a single serious offence incident then records should be retained for a 10-year period and legal proceedings have been completed against the individuals. Where legal proceedings are underway all related records are to be retained until all legal proceedings have been completed. Specific legal cases which may have an impact on future operations should be offered to the archivist subject to data minimisation.

Click [here](#) for further details.

What will happen if the requested personal data is not provided?

- The provision of personal data is voluntary. However, if sufficient information is not provided, Limerick City and County Council may be unable to properly assess, investigate, verify, progress or respond to the complaint. This may limit the Council's ability to take any tenancy management, enforcement or other action arising from the matter.
- Where contact details are not provided, the Council may be unable to seek clarification, request additional information, provide updates, or inform the complainant of the outcome of any investigation. Anonymous complaints may still be recorded and assessed; however, the Council's ability to investigate and act on such complaints may be significantly restricted.

Your Rights

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy. In addition, if the data held by us is found to be inaccurate you have the right to change, remove, block, or object to the use of, personal data held by Limerick City and County Council. You also have the right to data portability. In certain circumstances blocking access to data may delay or remove access to a service where the data is required by law or for essential purposes related to delivery of a service to you. To exercise these rights, you should contact Limerick City and County Council (Data Controller) at the following address:

email: dataprotectionofficer@limerick.ie

Data Protection Officer,
Limerick City and County Council,
Merchants Quay,
Limerick.

Right of Complaint to the Office of the Data Protection Commissioner

If you are not satisfied with the outcome of the response you received from Limerick City and County Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commissioner's website is www.dataprotection.ie or you can contact their office at:

Lo Call Number: 01 7650100
1800 437 737

E-mail: info@dataprotection.ie

Postal Address:

Data Protection Commission
6 Pembroke Row, Dublin 2, D02 X963