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**Privacy Notice**

**For Planning Department**

Data Controller Name: Mid Ulster District Council

Address: c/o Dungannon Office, Circular Road, Dungannon, BT71 6DT

Telephone: 03000 132 132

Email: info@midulstercouncil.org

Data Protection Officer Name: Barry O’Hagan

Telephone: 03000 132 132

Email: Barry.O’Hagan@midulstercouncil.org

**Why are you processing my personal information?**

* To enable the processing of applications for any permission, consent, approval or determination in planning services ;
* To facilitate public representations on Planning Consents;
* To inform preparation of the Local Development Plan, planning documents and Non-Statutory documents
* To inform decisions on Conservation and Environmental and Amenity matters
* To ensure compliance with applicable laws and regulations;
* To notify you about changes to our services;
* To answer any of your questions;

Please note that when you submit or comment on a planning application the information, including plans, maps and drawings, along with other associated documentation (with the exception of signatures, personal telephone numbers, email addresses or sensitive personal data), will also be published on the Planning Portal on the Council’s website at [https://www.midulstercouncil.org/planning/search,-view-and-comment-on-planning-applications](https://www.midulstercouncil.org/planning/search%2C-view-and-comment-on-planning-applications) . The details of any subsequent representations received, i.e., letters of objection or support, will also be published on the Planning Portal and made available for public viewing through the Council’s Open file provisions.

**What categories of personal data are you processing?**

* Personal Information: Name, address, phone number, email address, signatures, details of land holdings.
* Special Category – Sensitive information including Health data / Medical details financial information such as bank statements, invoices or utility bills, as well as legal and commercial information.

**Where do you get my personal data from?**

We get personal data from:-

* From planning applicants, agents, objectors and people making submissions in relation to Development Management, Enforcement, Conservation and the Local Development Plan
* From other Departments and Agencies and other Council and public bodies
* Other published sources including online
* Online registration processes / transactions

**Where do we store this data?**

* Planning Register
* Digital database
* On paper files

**Do you share my personal data with anyone else?**

By Law we must hold a Register of all Applications/ Notices/ Orders and Statutory submissions made since 1973. This information is publicly available at the Council Offices (Magherafelt).

This register can be inspected by anyone. It has to include details of the planning decision, which includes the applicant’s name, what the application is for, and, in applications from 1991, a copy of the application form with any approved plans is also held.

In addition to what is held on the Register comments received during consideration of a planning consent, including representations from objectors and Consultees, are also subject to public inspection, as is the case officer’s professional report. This is accessible via the Planning office through our Open file appointment system or by viewing on the Online Planning Portal.

Comments and representations received in response to a Draft Local Development Plan will be accessible for public inspection at the Planning Office and online at the Councils Website.

Information in relation to representations made at the Preferred Options Paper stage of the Local Development Plan will NOT be made accessible to the public. The substance of these representations will however be recorded in our public consultation report and be made available when the Draft Plan is published.

With regard to Enforcement, it is not our Policy to release personal data to the public.

The Council may also process the information for research purposes carried out in the public interest. All information will be held in accordance with the Council’s retention and disposal schedule and will be disposed of securely when no longer required.

No personal information you give us will be used for commercial purposes by the Council.

In relation to sharing data with others beyond the general public:

* It is our policy that information may be shared internally among officers and other agencies who are involved in processing planning applications and where necessary between internal council departments with the purpose of supporting an effective delivery of service;
* We may share your personal data with other Government bodies and enforcement agencies for the prevention, investigation or detection of breaches of planning control;
* We may also request a statutory charge is placed on land and in this case data is shared with Land Registry
* We may disclose or share information we have collected and processed with a third party if we are under a duty to do so or in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect the rights, property, or safety of our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection.
* Sensitive personal data may be released to the Planning Appeals Commission or other Tribunal or Court Order if requested.

**Please note that your telephone number, email address and signature will not appear on the internet.**

**Do you transfer my personal data to other countries?**
Your information will not normally be transferred to other countries, however we may, as a matter of practice, have to share data with the Republic of Ireland in cases where a planning application significantly impacts on a particular County in the Republic. Any data sharing will be in full compliance with all aspects of DPA legislation.

**How long do you keep my personal data?**

We will only retain your data for as long as necessary to process [e.g., your planning application] and in line with our Retention and Disposal Schedule (Records Management Policy). We may also keep it longer in order to meet other legislative requirements, or to answer requests for information from ongoing or impending statutory inquiries.

**Your responsibilities**

**Please ensure that the information you submit is accurate and correct. Do not include personal information about third parties (including family members) unless you have told the individual concerned and they agree to it being supplied.**

**Tell us as soon as possible if any of the personal information you have provided should change.**

**Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password secure. You should not share this password with anyone.**

**Documents submitted as part of a planning application may be subject to copyright law, even if they have been available on the internet. You should only use planning application documents for personal research purposes. The Council in making the documents available does not constitute permission for you to breach any copyright legislation that may exist on them.**

**What rights do I have?**

* You have the right to obtain confirmation that your data is being [processed, and access to your personal data](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-of-access/)
* You are entitled to have personal data [rectified if it is inaccurate or incomplete](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-to-rectification/)
* You have a right to have personal data erased and to prevent processing, [in specific circumstances](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-to-erasure/)
* You have the right to ‘block’ or suppress processing of personal data, [in specific circumstances](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-to-restrict-processing/)
* You have the right to data portability, [in specific circumstances](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-to-data-portability/)
* **You have the right to object to the processing,** [in specific circumstances](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/the-right-to-object/)
* **You have rights in relation to** [automated decision making and profiling](https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/rights-related-to-automated-decision-making-and-profiling/)

**How do I complain if I am not happy?**

**If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact Mid Ulster District Council’s Data Protection Officer.**

**If you are still not happy, you have the right to lodge a complaint with the Information Commissioner’s Office (ICO):**

**Information Commissioner’s Office**

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>

**Notes:**

1. Planning Consents relate to all applications and submissions under the Planning Act (NI) 2011 regardless of the outcome of the submission
2. Questions in include all enquiries, information requests and Service Complaints.
3. Decisions on Conservation / Environmental and Amenity matters relate to powers available to the Council under the 2011 Planning Act (NI)
4. A planning applicant relates to anyone seeking a statutory consent / permission or decision from the Council
5. Recently decided applications – these are held for 7 years in accordance with the Council’s disposal schedule.