

Planning & Water Appeals Commissions Privacy Notice

This Privacy Notice should be read in conjunction with the Planning & Water Appeals Commissions' Data Protection & Freedom of Information Policy.

Data Controller:

Planning & Water Appeals Commissions
4th Floor
92 Ann Street
BELFAST
BT1 3HH

www.pacni.gov.uk

Tel: 028 9024 4710

Email: info@pacni.gov.uk

A Data Protection Officer has yet to be appointed. In the interim, if you have any queries about this document, please contact our Chief Administrative Officer at the address on page 4 of this document.

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1. Why we process your personal information

The Planning & Water Appeals Commissions process personal data that is necessary to carry out their functions under legislation in place in Northern Ireland. These functions include:

- Deciding on appeals against local council decisions on a wide range of planning and environmental matters;
- Holding public inquiries and hearings and reporting on regionally significant and called in planning applications, development schemes, vesting orders, road schemes and the need for environmental impact assessments in relation to planning applications;
- Conducting Independent Examinations of Local Development Plans;
- A wide range of functions under water, fisheries and drainage legislation, and
- Addressing complaints and queries.

2. Our lawful basis for processing

The lawful basis for processing the information is provided for under Article 6(e) of the General Data Protection Regulation (GDPR). The Planning & Water Appeals Commission process personal data as this is necessary for the performance of a task carried out in the public interest and/or for the Commissions to comply with legislation underpinning our functions. The main legislation underpinning our functions is the Planning Act (Northern Ireland) 2011, and details of all relevant legislation can be found on our website www.pacni.gov.uk.

3. The categories of personal data we process

- Name, address, telephone number and email address of the appellant and any agent, consultant or interested party;
- Details of land ownership;
- Occupation of appellant.

We may also process some **special category personal data**, if this is submitted as part of documentation or evidence. Special category data we process includes (please refer to our Data Protection Policy):

- Physical or mental health details;
- Racial or ethnic origin;
- Religious or philosophical beliefs;
- Political views;
- Sex life, or sexual orientation.

4. Where we obtain personal information

Information is given to us by:

- Appellants;
- Agents;
- Interested parties;
- Local councils;
- The Department for Infrastructure;
- Other public bodies.

5. Who we share personal data with

All information submitted to the Planning & Water Appeals Commissions, including special category personal data, may be shared with:

- Councils;
- Agents;
- Interested parties;
- The Department for Infrastructure;
- The Independent Complaints Audit Panel;
- Any member of the public who wishes to view the case file, unless the file contains special category data, in which case the file will only be available for public view for the period of three months after a decision has been made.

Details of Commission cases, reports and decisions, which are published on our website, contain personal data including:

- An appellant's name and address, and the name and address, if given, of any persons identified by the appellant as being involved in the case;
- Name of any person present at any hearing or site visit;
- Personal and special category data relating to consideration of the case.

Your information is not transferred to any country other than Northern Ireland, and we do not use automated processing.

6. How long we keep your information

The Planning and Water Appeals Commissions maintains a Retention & Disposal Schedule of personal information provided by the public. This Schedule can be accessed at www.pacni.gov.uk.

The Retention & Disposal Schedule does not apply to decisions retained on our website.

7. Your responsibilities and access to your personal data

It is your responsibility to ensure that you:

- Only provide personal information if you are happy for it to be placed in the public domain, including publication on the internet;
- Do not include personal information about another person (including family members) unless the individual concerned has consented, and
- Tell us, as soon as possible, if any of the personal information you have provided changes.

To make a Subject Access Request (a request for access to your personal data), you should write to the Chief Administrative Officer at the address below, or send an email to info@pacni.gov.uk. You must provide proof of identity – acceptable forms of ID include:

- Copy or scan of the photograph page of your passport;
- Copy or scan of your photocard driving license;
- Copy or scan of at least two utility bills or bank statements from within the last six months detailing your name and address.

We will acknowledge your request in writing or by email as appropriate. Once we are satisfied that you meet the criteria for disclosure of data under the Data Protection Act and GDPR, you should receive a response within one month from the date we accept your application.

Detailed information about your rights under GDPR is available on the website of the Information Commissioner's Office:

<https://ico.org.uk/for-the-public>

8. CCTV

The Planning & Water Appeals Commission operates a monitored CCTV system at the entrance of our office. The purpose of this CCTV is to ensure the safety of the public and staff and to prevent and detect crime. A sign is displayed to notify visitors that CCTV is in operation.

9. Recording of proceedings

Under Sections 102B and 102C of the Judicature (NI) Act 1978, it is an offence to make a recording of a Commission hearing. Anyone found to be doing so will be reported to the Police Service for NI. This includes recordings or screenshots of any proceedings that are being live streamed.

10. Contact us

If you have any issues with any aspect of this privacy notice, or how your personal information is being processed, please contact the Chief Administrative Officer at:

Planning & Water Appeals Commissions
4th Floor
92 Ann Street
BELFAST
BT1 3HH

Tel: 028 9024 4710
Email: info@pacni.gov.uk

Any complaints about how the Commission deals with requests about information will be processed in accordance with the Commissions' Complaints System. Details of the system are available under Publications at www.pacni.gov.uk. These complaints will not be reviewed by the Complaints Audit Panel.

If you are not satisfied with the response from the Chief Administrative Officer or with the Commissions' response to your information request, you may contact the Information Commissioner's Office:

Information Commissioner's Office
51 Adelaide Street
Belfast
BT2 8FE

www.ico.gov.uk

Tel: 028 9026 9388
Email: ni@ico.gsi.gov.uk