



Privacy Notice

VERSION 5

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Planning and 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

If you have any queries about this document please contact our Chief Administrative Officer at the address on page 5 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;
- Addressing complaints and queries.

2. Our lawful basis for processing

The lawful basis for processing is provided for under Article 6(1)(e) of the UK 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 (and 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.

Formats: information is held electronically and / or in hard copy

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 3 months after a decision has been made.

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

- 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;
- TELL US AS SOON AS POSSIBLE IF ANY OF THE PERSONAL INFORMATION YOU HAVE PROVIDED SHOULD CHANGE.

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 licence;
- 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 2018 and the UK GDPR, you should receive a response within one month from the date we accept your application.

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

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

8. CCTV

There is a monitored CCTV system at the entrance of the building in which the Planning & Water Appeals offices are located. 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. 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 Commissions deal 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 Independent 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

Appendix 1: Privacy Notice Addendum

This addendum is to be read with in conjunction with the Planning & Water Appeals Commissions' Privacy Notice and our Data Protection & Freedom of Information Policy

Use of video and audio conferencing technology to conduct hearing sessions remotely and live streaming

This use of video and audio conferencing technology to conduct hearing sessions remotely was introduced to reduce the health and safety risk to individuals during the current Covid-19 pandemic. The personal data we collect from you to facilitate a remote hearing may include your name, email address or telephone number, IP address, display name, self-image which will be retained for the duration of the proceedings only. The technology is used to facilitate hearings only. As some sessions are live streamed they may be recorded automatically in the YouTube studio. These recordings will be deleted within 24 hours of the closure of the live streamed session.

Privacy Advice for Users of Digital Devices

The remote hearing platform will normally display the name and may sometimes also display the email address of participants in a virtual hearing to all other participants who are using digital devices.

After you click your joining link but before you join the virtual hearing the remote hearing platform will enable you to type in the name that you wish to be displayed. You can choose what name to type in and can add an organisation name too if you need to. It needs to be sufficient to enable you to be identified during the session.

Privacy Advice for Telephone Users

If you do not want to display your telephone number, you are reminded to add a privacy prefix before you dial the telephone number for the hearing session. On most UK telephone networks you can dial 141 before the telephone number and this will ensure that you remain anonymous and your telephone number is not shared with any other users. Some networks require you to use a different method. Certain telephone handsets also allow you to withhold your telephone number using a setting that is specific to your handset.

Please check with your telephone service provider and read the instructions for your telephone handset before the virtual hearing session and ensure that you have taken any steps that you wish to take to prevent the disclosure of your telephone number to other users.