



PRIVACY NOTICE: EARNED RECOGNITION POLICY

LEAF Marque | Red Tractor | Soil Association | RSPCA Assured | Organic Farmers and Growers

Defra, along with the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency, are working together to implement an Earned Recognition policy to benefit farmers. This policy will take into account the high standards that farmers have attained and verified through membership of assurance scheme when considering whether inspections are needed. The aim is to reduce the burden of visits and inspections on compliant farms, which allows checking and enforcement activity to be focused on less compliant farms.

With overall encouragement to join assurance schemes, and the use of assurance scheme validation to focus farm visits and inspections more efficiently, Defra and its arms-length bodies can focus their efforts on less compliant farmers, as well as encouraging improvement in farming, welfare and environmental standards across the industry.

LEAF Marque, Red Tractor, Soil Association, RSPCA Assured and Organic Farmers and Growers are committed to supporting the earned recognition policy, and this privacy notice will outline how your personal data will be handled and processed as part of this policy.

Who is collecting your personal data?

The Controller of your personal data is LEAF Marque, Red Tractor, Soil Association RSPCA Assured or Organic Farmers and Growers (depending on which scheme you have joined).

Once the data is shared with Defra and its arms-length bodies (i.e. Defra, the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency) they will become separate and individual controllers of your personal data, as they will be processing your data for the purpose of the earned recognition policy and its implementation.

We are committed to the responsible handling and security of personal data. Your privacy is important to us and protected in law through the UK General Data Protection Regulation (GDPR), and the Data Protection Act 2018 (DPA 2018).

What data are we collecting?

LEAF Marque, Red Tractor, Soil Association, RSPCA Assured and Organic Farmers and Growers will share the following personal data about you i:

- Your CPH number and name of the scheme
- Your business name
- Your farm address (site address and correspondence address)
- Farm type
- The date you joined the assurance scheme
- Sector, species and type of product assured
- The date of your last assurance inspection
- The certificate expiry date and certification status

Why do we need your data?

We collect and use your personal data so that we can run the assurance scheme that you have signed up to. In relation to the Earned Recognition policy we will ensure that we hold the details needed from you to share the data with Defra and its arms-length bodies (as listed above), so that you can take part in the Earned Recognition scheme and are able to benefit from this opportunity.

When Defra, the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency receive details of the membership scheme that you have joined this will be added to their existing database of details held on you. This additional information will then be used to help assess how often your farm should be visited, by considering factors such as the length of time you have been in the assurance scheme and the size of your farm as well as the validation that you have gained through the assurance scheme. This assessment of your farm will then be used by Defra and its arms-length bodies to reduce the number of inspections and visits to your farm, where appropriate.

What is our legal basis for processing your data?

There are two legal bases in data protection law that apply to the use of your personal data for the Earned Recognition policy:

- (1) the legitimate interests of the assurance schemes; and
- (2) the performance of a public task by Defra and its arms' length bodies

Legitimate interests – the need for the assurance schemes to share your personal data with Defra and its arms' length bodies (as detailed above) is necessary for the purposes of their legitimate interests, except where the interests are overridden by your interests or fundamental rights and freedoms as the data subject.

As assurance schemes, they have a legitimate interest in taking steps to add value and official recognition to their schemes. The addition of the assurance schemes to this project will have benefits for its members and there is also the wider benefit of the project to incentivise good practice and target resources more effectively.

If the schemes could not share the data then the potential gains would not be possible, and the scheme members would not be able to access this potential benefit any other way. The data sharing is therefore necessary for this project to go ahead, and it is

reasonable for the assurance schemes to share the data in this way to benefit their members.

Public task - once the data is shared with Defra, the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency the legal basis for processing personal data is that the use is necessary for the performance of a task carried out in the public interest. The relevant task in the public interest is that it is important that those bodies can identify businesses that are lower risk of non-compliance and causing significant harm, and target regulatory resources more effectively. It is in the public interest that: standards are adhered to; Defra and its arms-length bodies work in an effective way; and that greater compliance with the rules is encouraged. This will also lead to improved outcomes for the environment and animal health and welfare, as well as a more efficient use of public money.

It is also in the public interest for Defra, the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency to work in partnership with assurance schemes, where they are working towards achieving shared environmental and animal health and welfare goals.

Can you opt out?

You can opt out of your data being shared with Defra and its arms-length bodies at any time by emailing us on:

LEAF Marque - enquiries@leafuk.org

Red Tractor - enquiries@redtractor.org.uk

Soil Association - cert@soilassociation.org

RSPCA Assured - hello@rspcaassured.org.uk

Organic Farmers and Growers – info@oforganic.org

If your data has already been shared with Defra and its arms-length bodies, you can opt out at any time by emailing: data.protection@defra.gov.uk. However, please note that this will just remove the additional information gathered from the assurance scheme and shared, as Defra and its arms-length bodies will already hold your personal data in relation to other farming issues.

What will happen if you opt out?

There will be no repercussions for you if you choose not to take part in the Earned Recognition policy. However, you will not receive any of the benefits of the policy, such as potentially reducing the number of farm visits and inspections that you receive.

Who will we share your data with?

Your personal data will be shared by us with Defra, the Environment Agency, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency.

We will not: sell or rent your data to third parties; or share your data with third parties for marketing purposes. However, we will share your data if we are required to do so by law - for example, by court order, or to prevent fraud or other crime.

How long will we keep your data?

The personal data about you will be kept for the length of time that you are a member of this assurance scheme, and by Defra and its arms-length bodies on an on-going basis whilst you are still a farmer accessing the services that the department provides, and then for a period of seven years.

Will my data be transferred outside of the EEA?

The data you provide will not be transferred outside the European Economic Area.

Who can you contact on data protection issues?

The assurance scheme's Data Protection Officer can be contacted with any questions about how we are using your personal data and your associated rights via the email addresses provided below:

LEAF Marque - enquiries@leafuk.org

Red Tractor - enquiries@redtractor.org.uk

Soil Association - cert@soilassociation.org

RSPCA Assured - hello@rspcaassured.org.uk

Organic Farmers and Growers – info@oforganic.org

The Data Protection Officer responsible for monitoring that Defra, Forestry Commission, Natural England, Rural Payments Agency and Animal and Plant Health Agency is meeting the requirements of the legislation can be contacted at:

Defra Group Data Protection Officer, Department for Environment, Food and Rural Affairs, SW Quarter, 2nd floor, Seacole Block, 2 Marsham Street, London SW1P 4DF
Email: DefraGroupDataProtectionOfficer@defra.gov.uk

The Data Protection Officer responsible for monitoring that the Environment Agency is meeting the requirements of the legislation can be contacted at:

Data Protection Officer, Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH. Email: DataProtection@environment-agency.gov.uk.

What are your rights?

A list of your rights under the General Data Protection Regulation, the Data Protection Act 2018 (DPA 2018), is accessible at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

You also have the right to lodge a complaint with the ICO (supervisory authority) at any time. Should you wish to exercise that right full details are available at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>