

## Confidentiality and data protection

### Confidentiality

In addition to managing private information with care, Defra ensures that Official Statistics do not reveal the identity of any individual or organisation. Handling of private information which is collected by survey or has been extracted from an administrative database for statistical purposes is covered by Principle 5 of the [Code of Practice for Official Statistics](#) (National Statistics website) which states that:

*Private information about individual persons (including bodies corporate) compiled in the production of official statistics is confidential and should be used for statistical purposes only.*

Data is not used for non statistical purposes except where permitted under the separate legal authority in the Agricultural Statistics Act 1979, as amended, which covers a small number of statutory surveys to farmers and tenants/owners of agricultural holdings including the June Survey of Agriculture and Horticulture. This data is also managed with great care and consideration for confidentiality, but may be used for a limited number of non statistical purposes. These are set out fully in the section below 'Data collected under the Agricultural Statistics Act'

### Data Protection

In accordance with the requirements of the Data Protection Act 1998 we are required to notify data providers about certain particulars regarding the processing of the information they supply to us. For the purpose of the Data Protection Act 1998, Defra is the data controller.

Defra may be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000. However, Defra will not permit unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act.

Defra's public service guarantee on data handling, which gives details of your rights in respect of the handling of your personal data is available on the Defra website.

- [Defra's public service guarantee on data handling](#)

If you don't have access to the internet, please telephone the Defra helpline 08459 33 55 77 and ask to speak to the Data Protection Officer.

## Data collected under the Agricultural Statistics Act

Section 3 of the Agricultural Statistics Act 1979 which permits non statistical use of data is set out in full below. Personal data are all data on the survey form which relates to the holding and the contact name and address. Management of the data conforms to the Code of Practice for Official Statistics.

We do not normally use the personal data you have provided for inspections under EU or national legislation of livestock, crops, labour forces etc; the creation of new registers specifically for enforcement purposes; or share the information with investigative bodies (e.g. Police, HM Revenue and Customs) for enforcement purposes.

We use the data for:

- Creation of published statistical tables relating to agriculture and horticulture in England which do not contain figures relating to less than 5 agricultural holdings.
- Helping Defra and the Food Standards Agency and partner bodies such as local government and emergency services to prepare for and respond to emergencies and to prevent the spread of disease or contamination following any emergency.
- Sharing with:
  - i. fire brigades for emergency planning purposes.
  - ii. other Government Departments and the Office for National Statistics for statistical purposes, e.g. to ensure that agricultural and horticultural businesses are included in business surveys.
  - iii. Defra Divisions, Defra sponsored or supported research bodies conducting statistical surveys or studies.
  - iv. the Health and Safety Executive to assist in their planning, promotional work and farm visits and Injuries Reduction Programme.
- Sending targeted mailshots of important Defra or Defra sponsored information to agricultural and horticultural holdings, in which case lists of names and addresses are carefully controlled and not released outside the statistical team and approved mailing house for the specific mailing (lists must be destroyed by the mailing house within 4 weeks of the mailing).
- meeting our obligations to provide records to the European Union institutions for statistical and approved research purposes
- Sharing name, address and contact information, CPH/Business identifier and role (but not other detailed information) with other parts of the Defra family to update Defra customer registers for contacts with farmers. The Defra family includes the core Department and all related executive agencies and non departmental public bodies where they are carrying out functions on behalf of Defra.
- Permitting access to statistical researchers under controlled conditions to information which has been shared with the Office for National Statistics (name, address, CPH, employment).

## **Agricultural Statistics Act 1979 (as amended)**

3 (1) *Subject to subsection (2) below, no information relating to any particular land or business which has been obtained under Section 1 above shall be published or otherwise disclosed without the previous consent in writing of the person by whom the information was furnished and every other person who is occupier of the land and whose interests may, in the opinion of the appropriate Minister, be affected by the disclosure.*

(2) *Nothing in subsection (1) above shall restrict the disclosure of information –*

(a) *to the Minister in charge of any Government department, to any authority acting under an enactment for regulating the marketing of any agricultural produce, or to any person exercising functions on behalf of any such Minister or authority for the purpose of the exercise of those functions;*

(b) *to an authority having power under any enactment to give permission for the development of land, for the purpose of assisting that authority in the preparation of proposals relating to such development or in considering whether or not to give such permission;*

(c) *if the disclosure is confined to situation, extent, number and kind of livestock, character of land, and name and address of owner and occupier, to any person to whom the appropriate Minister considers that the disclosure is required in the public interest;*

(d) *to any person for the purpose of any criminal proceedings under section 4 below or for the purposes of any report of such proceedings;*

(e)....

(f) *to an institution of the European Communities under section 12 of the European Communities Act 1972;*

(g) *to the Food Standards Agency for purposes connected with the carrying out of any of its functions'*

(h) *to the Statistics Board for purposes connected with the carrying out of any of its functions, or by the Board to an approved researcher (within the meaning of Section 39(4)(i) of the Statistics and Registration Services Act 2007)*

*or the use of information in any manner which the appropriate Minister thinks necessary or expedient in connection with the maintenance of the supply of food in the United Kingdom*