



Animal &  
Plant Health  
Agency

# APHA privacy notice for plant biosecurity, GMO inspections and alien and invasive species

June 2018

## Contents

Your data is being collected by .....	1
What your data is being collected and used for and the legal basis for processing .....	1
Who your data may be shared with .....	2
How long we will keep your data for .....	2
Consequences of not providing personal data .....	3
The use of automated decision making or profiling.....	3
The transfer of data outside the European Economic Area (EEA).....	3
Your rights .....	4
How to raise a complaint.....	4

## Your data is being collected by

The Department for Environment, Food and Rural Affairs (Defra) is the data controller for the personal data you give APHA.

APHA also works with Scottish Government and the Welsh Government and we are joint controllers for any relevant personal data.

You can contact the Animal and Plant Health Agency's Data Protection Manager at:

Data Protection Manager  
Animal and Plant Health Agency  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP  
[enquiries@apha.gsi.gov.uk](mailto:enquiries@apha.gsi.gov.uk)

The Defra Data Protection Officer is responsible for monitoring that APHA is meeting the requirements of Data Protection legislation and contact details are in APHA's Personal Information Charter.

## What your data is being collected and used for and the legal basis for processing

Personal data is collected and stored for APHA's statutory functions in relation to plant biosecurity, genetically modified organisms (GMOs); and in the management of alien and invasive species. Specifically for notifiable pests and diseases, imports and export controls, training and for statutory food safety monitoring purposes.

In addition scanning surveillance functions by AHPA are necessary for the performance of tasks carried out in the public interest or in the exercise of an official authority vested in the data controller to manage plant biosecurity and GM legislation within England and Wales.

APHA may also use this data in order to conduct research into the control and management of pests and diseases in a manner which is compliant with data protection legislation.

More information about APHA can be found at  
<https://www.gov.uk/government/organisations/animal-and-plant-health-agency>

Legal bases for processing include:

- The performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- For compliance to a legal obligation on the controller
- The performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering a contract
- Consent has been given to process data for one or more specified purposes

## Who your data may be shared with

Personal data may be made available to local authorities and other public bodies in the UK and EU to meet legal requirements.

We may share data with Defra and its agencies, Welsh Government, Scottish Government, Food Standards Agency, Public Health, and other organisations and enforcement authorities.

We may have to release information (including personal data and commercial information) under the following legislation:

- General Data Protection Regulation (GDPR)
- UK Data Protection Act 2018
- Freedom of Information Act 2000
- Environmental Information Regulations 2004

We will not allow any unwarranted breach of confidentiality and we will not act in contravention of our obligations under UK data protection legislation.

## How long we will keep your data for

All information within APHA is held in accordance with our retention policy, if you would like more information please contact [enquiries@apha.gsi.gov.uk](mailto:enquiries@apha.gsi.gov.uk)

In specific circumstances information may be held for longer periods. Examples include:

- appeal
- audit activity
- complaint
- irregularity

- legal action
- a formal request for information
- if it sets a precedent
- scientific or historical research purposes

## Consequences of not providing personal data

For APHA's statutory function in relation to pest and disease control and management, there are legislative requirements to provide necessary data.

For a current list of legislation managing these disease please visit:

<http://www.legislation.gov.uk>

For contractual based processing, your entrance into a contract with us is voluntary and necessary information is supplied to fulfill that contractual relationship.

For consent based processing you have a right to revoke this at any given time

## The use of automated decision making or profiling

The information you provide is not connected with:

- individual decision making, in other words making a decision solely by automated means without any human involvement
- or profiling, in other words automated processing of personal data to evaluate certain things about an individual

## The transfer of data outside the European Economic Area (EEA)

The data you provide will largely not be transferred outside of the EEA. On rare occasions, when it is lawful and complementary to our work carried out in the public interest, research data may be transferred securely outside of the EEA.

## Your rights

A list of your rights under the General Data Protection Regulation, and 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/>

Please consult the APHA Personal Information Charter below for a full description of how your rights are upheld and made accessible by the Agency. This includes a full range of contact details.

<https://www.gov.uk/government/organisations/animal-and-plant-health-agency/about/personal-information-charter#privacy-notice>

## How to raise a complaint

You have the right to lodge a complaint with the Information Commissioner's Office (supervisory authority) at any time. Should you wish to exercise that right full details are available at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

---

We keep our Privacy Notices under regular review. This document was last updated on 18 June 2018.



© Crown copyright 2018

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.3. To view this licence visit [www.nationalarchives.gov.uk/doc/open-government-licence/version/3/](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/) or email [PSI@nationalarchives.gsi.gov.uk](mailto:PSI@nationalarchives.gsi.gov.uk)

The Animal and Plant Health Agency (APHA) is an executive agency of the Department for Environment, Food & Rural Affairs, and also works on behalf of the Scottish Government and Welsh Government.