



Data confidentiality and disclosure protection Statement Farm Business Survey (FBS)

This statement is to be read, understood and signed by all individuals handling the FBS data within the Department of Environment Food and Rural Affairs (Defra) and the Universities and Colleges under the Rural Business Research (RBR) consortium

One of the central policies of the FBS is to protect the confidentiality of data relating to individual farm businesses. This is determined by two things:

First, the sensitivity of the data and the need to unambiguously assure farmers that it will be handled in the strictest confidence ensuring data protection legislation is adhered to [Data Protection Act 2018 \(DPA 2018\) General Data Processing Regulations \(GDPR\)](#);

Secondly, the requirement under the legislation of the Farm Accountancy Data Network Regulation 1217/2009 to maintain the confidentiality of any data contributing to the network.

It is a requirement of [Official Statistics](#) that, once the appropriate protection is in place, the data should be made available as fully and as widely as possible. Also, the disclosure protection methods adopted should not reduce the quality of the data.

Although the FBS is a survey undertaken by participants on a voluntary basis, the lawful basis for the processing of their directly and indirectly identifying personal data is;

Article 6(1)(c) of the GDPR – processing is necessary for compliance with a legal obligation to which the data controller is subject; and

Article 6(1)(e) of the GDPR - processing is necessary for the performance of a task carried out in the public interest

Disclosure protection is preserved by ensuring the following

- Direct identifiers (e.g. names and addresses) are held only by the FBS Research Centre in contact with the farmer
- Publication rules which prohibit the release of material from which information on any individual or business could be inferred, whether identifiable or not.
- Sharing, access and storage policy of the personal data

The detailed policy statement on confidentiality of FBS data is detailed in the sections below:

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POLICY STATEMENT ON CONFIDENTIALITY OF FBS DATA

The overall purpose of the Farm Business Surveys (FBS) in England is to ensure that we are able to fulfil our legal reporting requirements to the European Commission and provide useful information to policy makers and the agricultural industry, subject to maintaining the **confidentiality of individuals who participate in the FBS**. This is to be achieved by publishing only grouped data from which information on individuals or their businesses **cannot be identified**.

Objective of confidentiality policy

1. The objective of the FBS confidentiality policy is to ensure that **no** information about any individual farmer or their business can be identified outside the Research Centre throughout the duration of the contract of the FBS between Department for Environment, Food and Rural Affairs (Defra) and the contractor Rural Business Research (RBR), without the farmers consent.

People involved

2. Every farmer participating in the FBS provides information in confidence to a designated Research Centre.

3. Data are collected and analysed by six designated FBS Research Centres throughout England ([see Annex 1](#)). The Research Centres comprise the accounting officers who compile the FBS data, support staff and members of FBS and Commissioned Work Program committees, irrespective of the precise organisational locations of the individuals within their institutions. No other people in these institutions form part of a Research Centre.

4. The confidentiality policy imposes increasing degrees of restriction on four other groups of people as follows:

- a) the Farm Business Survey Unit in Defra (defined as those who have signed the confidentiality undertaking at [Annex 2](#))
- b) the FBS Quality Assessor (if appointed)
- c) the Farm Accountancy Data Network Unit in the EU Commission
- d) approved researchers who have been granted approval to access the data via the [UK data archive \(UKDA\)](#)

There are normally around 15 people in group (a) and less than a dozen in (c). The size of group (d) is unpredictable but rarely exceeds two dozen researchers in any one year.

Data involved

5. The policy focuses on three classes of data, and how each should be treated:

- a) farm accounts and related information containing **directly identifiable personal data**, and those who may have access to them (paragraphs 7 and 8)
- b) **Indirectly identifiable personal data** (anonymised FBS data) relating to individual persons or businesses, the conditions under which they may be held, and the uses to which they may be put (paragraphs 9 to 14)
- c) **grouped data**, and the conditions under which they may be published (paragraph 15)



The distinction between 5(a) and 5(b), in particular, is central to this policy and must be clearly understood.

6. A directly **identifiable personal data** is a name, address, telephone number, County/Parish/Holding (cph) number, Single Business Identifier (SBI) or any piece of information which may, on its own, directly identify a farmer or farm business. Other attributes which can assist in identifying a farmer or farm business with the help of additional information is classed as **indirectly identifiable personal data**; examples are age, farm type, size of farm, approximate location etc.

For the FBS, all data collected and processed is deemed to be personal data for the purposes of data protection legislation and GDPR regulations.

Directly identifiable personal data (anonymised)

7. The identity of any farmer taking part in the FBS must not be divulged to anyone outside the Research Centre responsible for compiling the FBS record without the farmer's express consent, confirmed in writing. Neither must the Research Centre pass details of a farmer's FBS record to anyone outside the Research Centre except in anonymous form (class 5(b)), and then only for the purposes described in paragraphs 9, 12, 14 and 15.

8. Any exception to paragraph 7 must be with the full written consent of the farmer. This would normally occur only in the following circumstances

- when the farmer wishes to transfer his/her own FBS records to his/her accountant or professional advisor
- to assist the duties of an appointed Quality Assessor
- should the institution to which the Research Centre belongs (Annex 1) no longer be contracted to undertake the FBS; the directly identifiable personal data of those participating farmers will be transferred to any subsequent contractor.

Anonymous data disclosure

9. Although data are anonymous, this does not mean that they are not disclosive. They may contain indirect identifiers which, if taken together or combined with local knowledge or other information, enable the farmer or business to be identified. So even anonymous data relating to an individual person or business (class 5(b)) needs to be carefully handled, to maintain confidentiality.

10. A farmer may choose to take part in joint-benchmarking exercises conducted by his or her Research Centre. The farmer's consent is required before any individual data, even in anonymous form, can be passed to other participating farmers.

11. Research Centres may allow the FBS Quality Assessor to have access to details of individual FBS records **in anonymous form only** for the exercise of his or her duties, unless the farmer has consented to the use of identifiable records (see paragraph 8).



12. Individual FBS records will be passed **in anonymous form only** to the FBS Unit in Defra (as defined in paragraph 4) which will act as the central repository and National Coordinator for FBS data.

13. Every official in the FBS Unit of Defra (see paragraph 4) must sign an undertaking to agree not to attempt identification by any means, including data matching or personal enquiries. A copy of this undertaking is attached at [Annex 2](#). This is to ensure compliance with the objective, described in paragraph 1, that no one in the FBS Unit should know the identity of any farm business participating in the survey or of any of the anonymous individual records in its custodianship.

14. As part of making the FBS data available to support industry, Defra will also provide, on request, anonymous individual data to the following group of researchers under strict conditions:

- a) researchers in Defra
- b) the Farm Accountancy Data Network (FADN) Unit in the European Commission
- c) approved researchers for specific, relevant research projects

The following conditions are applied:

- i) that researchers must act at all times to preserve fully the confidentiality of the data;
- ii) Defra is the sole distributor of individual data
- iii) researchers may not pass individual FBS data to anyone else;
- iii) that only **grouped data** may be passed on or published and **only in a way that does not allow the identification of any individual person or business**, even by someone with specialist knowledge;
- iv) that no statement may be made about any individual business, whether identifiable or not;
- v) that the researcher must not attempt to identify which person or business any of the data relate to; in particular, no attempt must be made to match the individual data with any other source to reveal the identities of those that participate in the FBS.
- vi) and that FBS data can be used only for approved research and business analysis, in accordance with Articles 1 and 16 of [EU Council Regulation \(EC\) No 1217/2009](#).

Researchers can gain access to FBS data, via the [UK Data Archive](#). Access to data is governed by their [data access policy](#) which imposes conditions on the access and use of the data and a special license to be obtained and approved by Defra.

Grouped data

15. Grouped data may be published or made generally available only in a form that does not allow identification of any individual or their business. In particular, a group must never contain data from less than 5 farms. Normally, groups will contain more than 5 farms for reasons of reliability and robustness of analysis.

Defra

Rural Business Research



ANNEX 1 DESIGNATED FBS RESEARCH CENTRES IN ENGLAND

FBS Units in the following organisations:

Contact point

School of Agriculture, Food and
Rural Development, University of
Newcastle Newcastle-upon-Tyne
NE1 7RU

Contact: [Charles Scott](#)
T: 0191 208 6657
W: <http://www.ncl.ac.uk>

Rural Business Research Unit
Askham Bryan College Ltd
Askham Bryan YO23 3PR

Contact: [Joe Bonner](#)
T: 01904 772219
W: <http://www.askham-bryan.ac.uk/>

Rural Business Research Unit
University of Nottingham Sutton
Bonington Campus Loughborough
LE12 5RD

Contact: [Helen McHoul](#)
T: 0115 951 6071
W: <http://www.nottingham.ac.uk>

Rural Business Unit Department
of Land Economy University of
Cambridge, 19 Silver Street,
Cambridge CB3 9EP

Contact: [Ben Lang](#)
T: 01223 337169
W: <http://www.landecon.cam.ac.uk>

School of Agriculture, Policy and
Development, University of
Reading, 4 Earley Gate
Whiteknights Road PO Box 237
Reading RG6 2AR

Contact: [Richard Crane](#)
T: 0118 378 8963
W: <http://www.reading.ac.uk>

Duchy College Rural Business School
Stoke Climsland
Callington
Cornwall PL17 8PB

Contact: [Mark Fogerty](#)
T: 01579 372364
W: <http://www.duchy.ac.uk/rbs>



ANNEX 2 - 'Confidentiality Undertaking' those handling FBS data

1. I have read and understood the *Farm Business Survey Confidentiality Policy* and agree to abide by its terms. I have also read and understood the following documents

[Articles 1 and 16 of EU Regulation \(EC\) No 1217/2009](#) which prohibit the use of farm accounts data collected for the Farm Accountancy Data Network for any purpose other than business analysis.

Defra Code of Conduct Paragraph 12 "Personal Data" - see accompanying document, Defra CoC Personal Data.pdf, or for internal Defra use the link below:

[Defra Code of Conduct Paragraph 12 'Personal Data'](#)

2. I understand that all information collected for the FBS is provided in complete confidence by farmers to staff in FBS Research Centres and that only the staff in these Centres will know the identity of participating farmers and their data, unless consent is provided by the participant to divulge this information to another party.

3. I understand that FBS data for individual businesses must be passed to Defra in anonymous form only, preventing any direct identification of the farm businesses or the farmers concerned. Anonymised FBS data for individual businesses must be passed only to staff working in the Farm Business Survey team in Defra (defined as those who have signed this undertaking). These data must under no circumstances be passed to any other Defra employee or anyone else working for Defra (e.g. contract staff).

4. I understand that these anonymous data may be passed by Defra to the European Commission but only to people working in the Farm Accountancy Data Network (FADN), who are bound by the same rules, and only by the personal authorisation of the Head of the FBS team in Defra.

5. Anonymised FBS data for individual businesses may be passed by the FBS team in Defra to the UK Data Archive for the purpose of research. These data may then be passed to approved researchers under strict conditions for specific research projects for which the use of individual FBS data has been authorised by Defra. The FBS team in Defra may also pass FBS data to approved researchers directly, under the same strict conditions.

6. I understand that under no circumstances must FBS data for individual businesses be passed to any person other than those provided for in paragraphs 2 to 5 above.

7. I agree not to attempt to identify individual farmers or their businesses or any details about them from the FBS data, or by any other means, nor to claim to have done so.

8. I shall ensure that any publication of FBS data shall be in a form that does not allow information relating to any business or person to be inferred from the material, even with the assistance of additional (e.g. local) knowledge. I understand that this prohibits:



- the publication of statistical tables which show information relating to less than 5 farms in any cell, or of tables from which such information can be deduced;
- publishing statements which include information about an individual business or person, whether identifiable or not;
- attempting to identify individual FBS farms.

9. I am aware that individual FBS data constitutes [personal data](#) as defined within the Data Protection Act 2018 and GDPR regulations and that all the data collected and processed as part of the FBS is classed as personal data.

10. I fully understand the terms of this Confidentiality Undertaking and agree to abide by its terms.

Signed by (signature) (printed name)
..... (date)

In the presence of (signature (printed name)
..... (date)