



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

This statement is to be read, and signed by all individuals handling the FBS data within the Department of Environment Food and Rural Affairs (Defra) and Promar International

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1. Introduction and objective of the confidentiality policy

One of the central policies of the FBS is to protect the confidentiality of data relating to individual farm businesses. The FBS is an annual voluntary survey and the need to assure farmers that their data will be handled in the strictest confidence ensuring UK GDPR data protection legislation is adhered to is pivotal to retaining trust and engagement with those that participate in the survey.

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

This document has been developed to ensure that all those who handle/process or have access to the FBS data “FBS data users”, have the necessary understanding regarding the confidential terms of use. The FBS is an annual voluntary survey and so it is imperative that farmers can be confident that their data is treated with in line with the [code of practice](#), that they can

- trust how we process and use the data, being transparent and having processes in place to ensure farmers understand how we process and use the data
- that their intended uses are based on appropriate data and methods and are not materially misleading and
- that the data is useful, easy to access, remain relevant, and support understanding of important issues



2. Legal Bases for processing the FBS data

Although the FBS is a voluntary survey Defra **do not** rely on the lawful basis of consent, rather, Defra rely on the following legal bases for the processing of personal data relating to the FBS 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*

3. Options for the terms of participation in the FBS

Options for the terms of participation in the FBS are provided, which allow the farmer varying levels of agreement to how their FBS data is processed.

Option 1: Sharing their County Parish Holding number (CPH) and/or Single Business Identifier (SBI) along with the FBS farm return with Defra to allow Defra to undertake data linking and ability to prepopulate, where possible, the FBS farm return.

Option 2: Not sharing their CPH/SBI with Defra, but agreement for Promar to undertake data linking.

Option 3: Not sharing their CPH/SBI with Defra and no data linking.

4. Personal data and Anonymised data

Personal data means any information relating to an identified or identifiable natural person. Someone who can be directly or indirectly identified by reference to an identifier such as name, address/location, ID number. Where FBS data is anonymised, this helps to preserve the identification of farms, however it does not follow that the data becomes non personal data. A single piece of FBS data – say turnover may not be enough to identify an individual, however, when collected together, they can identify a particular person and therefore the data would constitute personal data. Given the granularity and extensive data collected from farms within the FBS, all FBS farm returns, whether anonymised or not, is still amount to, and are treated as personal data. Further due to the sensitive/financial nature of the data collected anyone with access to/using the raw data must understand and adhere to the confidentiality processes and rules in place to ensure that the trust of farmers participating in the FBS is maintained.

FBS farms will be offered 3 options as described above. Only where option 1 is agreed will Defra be privy to the SBI/CPH. Although this ID in itself does not reveal the identity of an individual, as Defra hold the directly identifying data associated with the SBI/CPH such as name, address/location, contact details etc, this option means that Defra can identify the FBS farm. Further, under option 1, this allows Defra to then be able to link the FBS return to other data sources they hold to undertake further analysis. Only staff in the Defra FBS team will have access to the directly identifying data to allow them to carry out any data linking for users. FBS users will not have access to the directly identifying data. In respect option 2 and 3, although



the anonymised data is still treated as personal data, Defra would not receive the SBI/CPH along with the FBS farm return and Defra would not attempt to identify these farms. Under options 2 and 3 only staff working on the FBS contract within Promar would have access to the directly identifying data.

Benchmarking

Aggregated benchmarking data can and will be provided as part of the feedback farmers receive for participating in the FBS. However, where a farmer takes part in and any joint-benchmarking exercises which may reveal individual farms data, the farmer's agreement is required before any individual data, even in anonymous form, can be passed to other participating farmers.

5. Disclosure protection

To ensure the identities of those who participate in the FBS are not revealed the following governance is in place

- Direct identifiers (e.g., names and addresses) are not held in the same database as the FBS data.
- Other identifiers such as SBI/CPH are only shared with the FBS team in Defra alongside the FBS farm return dataset, where the FBS participant has agreed to do so (i.e., Option 1). No other teams within Defra or externally would have access to FBS data combined with the associated SBI/CPH. The SBI/CPH is retained and used only by the FBS team in Defra for the purposes of Data Linking.
- Any linked datasets provided to FBS data users for analysis will have the SBI/CPH removed.
- Publication rules prohibit the release of material from which information on any individual or business could be inferred whether identifiable or not. 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.
- Sharing, access and storage policy of the personal data has adequate processes and governance in place (e.g., Defra's FBS user access policy, FBS Data security plan).
- All FBS users must read the Defra code of conduct (CoC) paragraph 12 personal data. [defra-code-of-conduct-hr_2_.pdf \(publishing.service.gov.uk\)](#)



6. Access to FBS data (Anonymised or Directly identifying)

Access to anonymised FBS data (raw FBS data)

Anonymised FBS data can be shared with the following parties, for research and statistical purposes where it is in the public interest to do so;

- a) Defra FBS team for purpose of research, analysis to help inform government policy, to compile official or national statistics or publications and answering parliamentary questions.
- b) Other Defra colleagues undertaking research and analysis where under controlled conditions approval is provided by the FBS team
- c) Other government colleagues for research and statistical purposes where it helps to inform agricultural policy and under controlled conditions approval is provided by the FBS team.
- d) approved researchers for specific, relevant research projects via the UK data Archive (UKDA) approval is provided by Defra under controlled conditions.

The following conditions are applied:

- i) Defra is the sole distributor of individual data
- ii) that researchers must act at all times to preserve fully the confidentiality of the data;
- iii) researchers may not pass individual FBS data to anyone else and either the raw data must be deleted on completion of the project, and/or access to FBS network drive is withdrawn;
- 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) Under options 2, and 3 that the FBS data user (not Promar staff) must not attempt to identify which person or business any of the data relate to; in particular, no attempt must be made to reveal the identities of those that participate in the FBS.
- vi) 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 obtain and approved by Defra.

Access to directly identifying data.

Only the following parties can have access to the directly identifying data of FBS participants (ie Name, address, contact details and CPH/SBI)

- Promar staff working on the FBS contract



- Defra (FBS Team) where option 1 agreed
- Replacement contractor
- FBS Quality Assessor (if appointed)

Only staff working on the FBS contract at Promar will have access to the directly identifying data (such as name, address, contact details and CPH/SBI) with the exception of farms that have agreed to option 1. Where option 1 has been agreed, Promar will share the FBS return/dataset along with the associated CPH/SBI. No other FBS data users, whether external approved researchers, or non FBS Defra staff will have access to the farms directly identifying data.

In the event of a replacement FBS contractor, then the new contractor will be provided by Promar with the directly identifying data (contact details - name, address, email and phone number) so that any replacement contractor can contact the FBS participant to establish whether the farmer would like to continue in the FBS or otherwise.

In the event that Defra were to bring the FBS contract in house, then where option 1 has not already been agreed, FBS farms would need to be contacted to establish whether they would agree to transfer their directly identifying data to Defra.

7. Annex 1 'Confidentiality Undertaking' for individuals 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 [Defra CoC Paragraph 12 Personal Data..](#)
2. I understand that all information collected for the FBS is [Personal Data](#) as defined within the Data Protection Act 2018 and UK GDPR regulations and that all the data collected and processed as part of the FBS is classed as personal data whether anonymised or not.
3. I understand that only Promar staff working on the FBS contract and a replacement FBS contractor can have access to the **directly identifying data** of FBS participants **unless** the farmer has agreed to option 1 terms of participation, whereby the directly identifying data (i.e., SBI/CPH) can be shared with the FBS team within Defra. No other users of FBS data will have access to the SBI/CPH linked to the FBS farm return unless agreement is provided by the participant to divulge this information to another party
4. I understand that anonymised FBS data for individual businesses may be passed by the FBS team in Defra and to the UK Data Archive for statistical and research purposes only. These data may then be passed to approved researchers outside of Defra under strict conditions for specific research projects for which the use of individual FBS data has been authorised by Defra.



5. I understand that researchers within Defra may also be given access to anonymised FBS data under the same strict conditions. Access must be approved by the FBS team, with governance in place to review the use and access. The data must be stored in a secure place and only accessible by those who have approval and have signed this undertaking. Copies of individual farm level data are not permitted to be saved outside of the allocated secured folders. Defra users must also attend the FBS User Group at least once a month and provide an update on what they are using the FBS data for.

6. I understand that when access to FBS data is no longer required, the FBS team must be advised so access can be revoked, this includes when a member of staff leaves Defra. FBS staff will undertake a yearly review of those who have access to confirm that it is still required.

7. I understand that under no circumstances must FBS data for individual businesses be passed to any person other than those provided for in paragraphs 3 to 5 above.

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;

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

Signed by (signature)

Printed name.....

Date.....