

Data Protection Notice

General Data Protection information applicable to all Department of Agriculture, Food and the Marine customers is available here:

<https://www.gov.ie/en/organisation-information/ef9f6-data-protection>

Information specific to the personal data being collected:

1. Information and Data Protection

General Data Protection information is available on the Department's website at [gov.ie - Data Protection Privacy Notices \(www.gov.ie\)](https://www.gov.ie/en/organisation-information/ef9f6-data-protection)

The following data is specific information in relation to the personal data processed for the ACRES Training Scheme (ATS).

The ACRES Training Scheme is linked to the Agri-Climate Rural Environment Scheme, both of which form part of Ireland's CAP Strategic Plan 2023-2027.

The Agri-Climate Rural Environment Scheme ('ACRES') is a voluntary agri-environmental climate scheme open to all applicants for the Basic Income Support for Sustainability (BISS) Scheme. There are two approaches within ACRES, namely:

- ACRES General, available nationally (outside of the high priority geographical area as defined for the ACRES Co-operation Project approach below), which offers a range of measures (both targeted and general); and
- ACRES Co-operation Project, available to farmers in defined high priority geographical areas.

All farmers participating in ACRES must attend a training course, provided under the ACRES Training Scheme ('ATS'), in the first year of their participation in ACRES. This is to facilitate knowledge transfer and acquisition of information on specific actions, complemented by on-line demonstrations/advice on good environmental practices. While the course to be undertaken in the first year of participation is mandatory, ACRES participants may also attend a voluntary course, to be provided under ATS, in their third year of participation in ACRES.

This Privacy Notice relates to the flow and use of data in the ACRES Training Scheme ('the Scheme'). The purpose of the Scheme is therefore to enable the provision of training courses to ACRES participants, with such provision involving the receipt and processing of data about ACRES participants and communication with approved ACRES Trainers including receipt of data in respect of those ACRES participants who become ATS course attendees for the purposes of issue of payments in respect of valid attendances at ATS courses. The overall objective of ATS is to contribute to a range of objectives as outlined in the CAP¹.

¹ The CAP EU Regulations [2021/2115](#), [2021/2116](#) including relevant secondary legislation, as well as the [CAP Strategic Plan](#) 2023-2027, and its Strategic Environmental Assessment, and Appropriate Assessment.

As the Scheme progresses data may also be shared with other parties if they have an appropriate legal basis to request the data. The ATS Data Protection Privacy Notice will be updated to reflect any data sharing agreements to ensure it accurately reflects the use of the data.

2. Specified purpose:

The personal data sought from the participant, or previously furnished by you, the participant, is required for the purpose of making an application for the ACRES Training Scheme or for ongoing processing of your participation in the Scheme. Failure to provide all the personal data required to facilitate the processing of the application and course, including data testing, under the Scheme will result in the Department being unable to further process the application. Failure to adhere to the Terms and Conditions of the Scheme may result in the non-payment of monies under the scheme.

The Department will use existing customer data held for the purpose of aiding administrative efficiencies and the use of the data in this way is considered compatible with its original purpose of collection.

The Department will also use data about a customer's attendance at the mandatory ATS course for the purposes of facilitating the processing of payments for participation in other related schemes operated by the Department of Agriculture, Food and the Marine or for the purposes of updating information on the relevant databases held by the Department in connection with these schemes (e.g., mapping database). Each scheme has its own legal basis as outlined under their own Terms and Conditions.

The following is a non-exhaustive list of the current schemes proposed, with this list subject to amendment:

- the Agri-Climate Rural Environment Scheme (ACRES),
- Basic Payment Scheme (BPS),
- Basic Income Support for Sustainability (BISS),

and additional schemes under Ireland's CAP Strategic Plan 2023-2027.

The operation of the Scheme may result in the sharing of data, where required, within the Department. This is to facilitate, among other things, the fulfilment of the obligations placed on Member States, including Ireland, and objectives of the CAP Strategic Plan (CSP). This may cover areas such as management, control, audit and compliance, monitoring and evaluation obligations, and statistical purposes. Sharing will be done in a manner compatible with the purpose for which the data was collected.

3. Legal basis:

The ACRES Training Scheme ('ATS') is implemented pursuant to the CAP EU Regulations, including Regulations (EU) 2021/2115 and 2021/2116 of the European Parliament and of the Council and relevant secondary legislation, as well as Ireland's CAP Strategic Plan 2023-2027, its Strategic Environmental Assessment and Appropriate Assessment, and is operated by the Department of Agriculture, Food and Marine. Article 151 (1) of Regulation (EU) 2021/2115 and Article 101 of Regulation (EU) 2021/2116 (Processing and Protection of Personal Data), places a legal obligation on Member States to collect personal data to facilitate the implementation of the CAP Strategic Plan.

Article 6(1)(c) of the General Data Protection regulation (GDPR) provides for processing where it is necessary for compliance with a legal obligation to which the controller is subject; while Article 6(1)(e) provides for processing where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The Department may use existing customer data held in a way which is considered compatible with its original purpose of collection, as outlined below. This is for the purpose of aiding administrative efficiencies. The rights of data subjects may be exercised pursuant to the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation.

The purpose of ATS is to receive, analyse and process data from participants or authorised third parties, communicate with them and/or the approved ACRES Trainer who has added him/her to an ATS course and subsequently receive and process the data of the participants in respect of their attendance at an ATS course and make payments to them.

The existing customer data to be used is that submitted for the Basic Payment Scheme (BPS) or, from 2023, for the Basic Income Support for Sustainability (BISS) scheme. BPS is implemented pursuant to EU Regulation 1306/2013, while the regulatory basis for BISS, ACRES and ATS is Regulations (EU) 2021/2115 and 2021/2116 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the Common Agricultural Policy (CAP), as well as relevant secondary legislation, the CAP Strategic Plan (CSP) Strategic Environmental Assessment, and Appropriate Assessment.

Personal data is provided by applicants to Basic Payment Scheme (BPS), and provided from January 2023 for its successor scheme BISS, to claim and receive payment under those Schemes and ACRES. The proposed further processing of the personal data for the purpose of the ATS will be done in a manner compatible with the purpose for which the data was collected, e.g. for the making of payment in respect of participation in Schemes administered by this Department funded under the Common Agricultural Policy (CAP) to facilitate, among other things, the fulfilment of the obligations placed on Member States and objectives of the

CAP Strategic Plan (CSP). This may cover areas such as management, control, audit and compliance, monitoring and evaluation obligations, and statistical purposes.

4. Recipients:

As noted in section 3 above, information provided as part of the ATS course may be shared with other Divisions within the Department, for the purposes of processing other related scheme applications in a timely and efficient manner. This sharing shall be done in compliance with the CSP legislative framework and relevant data protection legislation.

Personal data may also be sought from and made available to other Government Departments/Agencies/public bodies/Local Authorities/contracted parties/LIFE Projects, but only where there is a valid legal basis to do so. Anonymised data may also be shared between public bodies to support the achievement of government objectives.

Where appropriate, a Data Sharing Agreement will be put in place. The purpose of this sharing of data is to facilitate, among other things, the fulfilment of the obligations placed on Member States and objectives of the CAP Strategic Plan (CSP). This includes, but is not limited to management, control and audit purposes, monitoring and evaluation purposes, cross compliance controls, controls relating to the legislation underpinning cross compliance and all Rural Development measures, as required by Article 65 of Commission Implementing Regulation (EU) 809/2014 and for the performance of the CAP Strategic Plan as required by Article 128 of Regulation (EU) 2021/2115 of the European Parliament and of the Council. Also, personal information may be released under the terms of the relevant Data Protection legislation in force and the Freedom of Information Act 2014.

Personal data may be used for, among other things, statistical, research and analysis purposes in some circumstances, but will only be done so in compliance with the Data Protection legislation and the legislative measures under the CSP. Data used for such purposes will be pseudonymised (masked) or anonymised, as appropriate, to protect to the security and confidentiality of the data. The use of the data in this way may facilitate the Department in informing policy decisions into the future, which would benefit the Irish farmer and the Agriculture Sector.

As part of this scheme, if you are added to an ATS course, you may be requested by the Department or relevant agents acting on its behalf, to supply data in relation to your participation to the Scheme, and facilitate inspections/assessments, where required for the purpose of assessment, verification, evaluation or research purposes as provided for under the Regulations (EU Regulation 2021/2115 and EU Regulation 2021/2116). Not to supply such information may invalidate/cancel your participation in the scheme.

5. Publication of data:

Article 98 of Regulation (EU) 2021/2116 (Publication of information relating to beneficiaries) obliges Member States (MS) to publish beneficiaries' data in certain circumstances, but not where the amount is less than €1,250.

6. Transferred outside the EU:

Information provided in support of an application under the ACRES Training Scheme (ATS) is not currently transmitted outside of the EU.

7. Retention Period:

The personal data submitted in respect of the ACRES Training Scheme (ATS) will be retained by DAFM only as long as is necessary in line with the purposes for which it was collected.

After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.

8. Data provision being statutory obligation:

The data provided for this purpose is being requested under the requirements of the CAP EU Regulations 2021/2115, 2021/2116 including relevant secondary legislation, as well as the CAP Strategic Plan, its Strategic Environmental Assessment, and Appropriate Assessment. If the customer chooses not to provide necessary relevant information their proposed participation in the ACRES Training Scheme (ATS) cannot be processed further.

9. Automated Decision Making:

Personal data provided for attendance at a course under the ACRES Training Scheme (ATS) will be processed automatically for the purpose of the efficient running of the scheme, and the timely payment of attendees. However manual verification of this processing will also take place.

Automated decision making may be used for the purposes of selecting courses for inspection in accordance with the CSP legislative framework and relevant data protection law.

10. Information from Third Party:

Data may be provided to DAFM by a third party on behalf of the individual, for example the individual's Agricultural Advisor, where it can be shown that authorisation has been given by the individual for this to take place. CP Teams may also provide information to the Department, as part of their management of the CP Zone in which the ACRES participant's holding lies.

In addition, the Department may be in receipt of data from third parties, to facilitate, among other things, the fulfilment of the obligations placed on Member States and objectives of the CAP Strategic Plan (CSP) and other legislative provisions. This may cover areas such as management, control, audit and compliance, monitoring and evaluation obligations, and statistical purposes.

11. Information shared with CP Teams for ACRES CP participants:

The ACRES CP is managed by eight Cooperation Project (CP) Teams, one for each of the eight CP Zones. As part of such management, the CP Teams will receive, analyse, and process data from ACRES CP participants in their respective zones, communicate with them and/or their ACRES Advisors, and subsequently receive and process the data of the approved participants for the duration of their ACRES contracts. The overall objective of the ACRES CP itself is to contribute to a range of objectives as outlined in the CAP. As attendance at an ATS mandatory course is an eligibility requirement for ACRES participants, data, including that participant's personal information (name, contact details, land information) will be shared by the Department with CP Teams, subject to the terms and conditions set out in the contract awarded to the CP Team following a request for tender associated with ACRES Co-operation approach.

12. Technical information on data collected:

Technical information on the cookies used on the Gov.ie website is available at the following link: <https://www.gov.ie/en/help/privacy-policy/?section=cookies>