

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/>

The following data is specific information in relation to the personal data processed for the Soil Sampling and Analysis Programme (SSAP).

1. Specified purpose:

The personal data sought from you, or previously furnished by you, the applicant, is required for the purpose of making an application under the Soil Sampling and Analysis Programme (SSAP) or for ongoing processing of your data under the scheme. You should consult the Terms & Conditions and Specification of the scheme in this regard.

The Department may also use data from the Soil Sampling and Analysis Programme (SSAP) for the purposes of facilitating the processing of an application 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.

These schemes are:

- Areas of Natural Constraints Scheme (ANC) and the Areas of Specific Constraints (Islands) Scheme (ASC)
- Organic Farming Scheme (OFS)
- Land Parcel Identification System
- Basic Income Support for Sustainability (BISS)
- Locally Led Agri-Environment Schemes
- Targeted Agricultural Modernisation Schemes (TAMS)
- Nitrates Derogation
- Farm Environmental Study (FES)
- Red Clover Silage Measure (RCSM)
- Multi-Species Sward Measure (MSSM)
- Liming Programme

- Agri-Climate Rural Environment Scheme (ACRES)

Further to this the operation of the scheme may also require data to be shared with internal sections such as:

- DAFM Agricultural, Environment and Structures
- DAFM Cross Compliance Section
- DAFM Climate Change and Bioenergy Division
- DAFM Direct Payments Division
- DAFM Rural Development Division
- DAFM Agricultural Environment and Structures Division

2. Legal basis:

The Department of Agriculture, Food and the Marine will use existing customer BISS, including LPIS, 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 (ref Article 6.4 of GDPR). The Soil Sampling and Analysis Programme (SSAP) is implemented pursuant to EU Regulations 1305/2013, 1306/2013, 1307/2013 and 640/2014.

The legal basis for use of data for the Soil Sampling and Analysis Programme is Article 6(1)(e) of GDPR [processing is necessary for the performance of a task carried out in the public interest (i.e. soil quality and analysis) and in the exercise of official authority vested in the controller (Dept Mission – Is to serve the government and people of Ireland by leading, developing and regulating the agri-food sector, protecting public health and optimising social, economic and environmental benefits).

This is a voluntary programme for farmers to join.

3. Recipients:

Information held by DAFM and provided in the application which is required for the implementation of the Soil Sampling and Analysis Programme (SSAP) will be transferred to the third party contracted by DAFM to deliver the programme. The third party will be compliant with Data Protection legislation in force. Information provided as part of the Soil Sampling and Analysis Programme (SSAP) application may be shared, with other Divisions within the Department, for the purposes of processing other related scheme applications in a timely and efficient manner.

When you submit a SSAP application some of your personal data may be made available to other Government Departments/Agencies/Local Authorities, but only where there is a valid legal basis to do so and a data sharing agreement will be put in place where necessary. The purpose of this sharing of data is for audit, evaluation purposes, conditionality controls, controls relating to the legislation underpinning cross compliance and Rural Development measures. Personal information may also 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 statistical, research and analysis purposes in some circumstances, but will only be done so in compliance with the Data Protection legislation in force. 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.

The Department is also currently obliged by law to provide information concerning applicants in response to requests received from the Office of the Revenue Commissioners, An Garda Síochana, and other bodies, in accordance current data protection legislation.

As part of this scheme, if you are approved into the programme, you may be requested by the Department or relevant agents acting on its behalf, to supply data in relation to your participation to the programme, where required for the purpose of assessment, verification, evaluation or research purposes as provided for under the Regulations (EU Reg 1305/2013, 1306/2013, 1307/2013 and 640/2014). Not to supply such information may invalidate/cancel your application.

4. Transferred outside the EU:

No Personal data will be transferred outside the EU.

5. Retention Period:

The data submitted in support of the application by the data subject under SSAP will be retained by DAFM only as long as there is a business need to do so 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.

Currently it is envisaged that data on this scheme will be held for 7 years after processing is complete.

6. Data provision being statutory or contractual obligation:

The Department of Agriculture, Food and the Marine will use existing customer BISS, including LPIS, 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.

This scheme is provided as part of the statutory remit of the Department.

7. Automated Processing:

Personal data provided in the submission of an application under SSAP will be processed automatically along with manual processing for the purpose of the efficient running of the scheme, and the timely payment of participants.

Automated Decision Making: No automated decisions are taken on customer data, as part of this process, as all decisions have human input.

8. 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>