

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:

The following data is specific information in relation to the personal data processed for the Sheep Improvement Scheme

1. Information and Data Protection:

The following information relates to the processing of personal data under the 'Sheep Improvement Scheme'. This sets out the ways in which the Department of Agriculture, Food and the Marine (the Department) collects, stores and uses personal data. Such data may be received directly from data subjects, authorised agents acting on their behalf or indirectly from third parties where there is a legal basis to do so.

The rights of data subjects may be exercised pursuant to the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation and The Data Sharing and Governance Act 2019. Further information in respect of data protection may be accessed on the Department's website: <https://www.gov.ie/en/organisation-information/ef9f6-data-protection/>

2. Specified purpose:

The personal data sought from, or previously furnished by applicants is required for the purpose of making an application to join this scheme or for ongoing processing of your application under relevant CSP schemes. Failure to provide all the personal data required to facilitate the processing of the application, under this scheme will result in the Department being unable to process the application further. Failure to provide certain information required under the terms and conditions of this scheme may result in the necessity to repay monies already paid under this scheme.

The purpose for the processing of personal data is to, among other things, receive, analyse and process data from applicants. To communicate with applicants and/or their authorised advisors and where applicable other authorised third parties. To subsequently receive and process the data of the approved participants for the fulfilment of their applications and make payments to them.

The Department of Agriculture, Food and the Marine may also use data submitted in an application under this scheme for the purposes of facilitating the processing of an application for participation in other schemes operated by the Department or where a compatible purpose exist.

Failure to provide all the personal data required to determine eligibility and facilitate the processing of the application, including data testing, under the scheme will result in DAFM being unable to process the application. In order to ensure the reliability, security and robustness of the system it is necessary to test using real system data which includes personal data. Data used for testing purposes will be pseudonymised/masked during the testing phase except for testing of financial systems. This is to ensure accurate calculation of payments is made to all applicants.

The operation of this scheme may also 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. The use of the data in this way is considered compatible with its original purpose of collection.

3. Legal basis:

Article 6(1)(c) of the General Data Protection regulation (GDPR) provides for processing of personal data where it is necessary for compliance with a legal obligation to which the controller is subject; while Article 6(1)(e) provides for processing of personal data 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 'Sheep Improvement Scheme' is implemented pursuant to the CAP EU Regulations, including Regulations (EU) 2021/2115 of the European Parliament and of the Council as well as relevant secondary legislation. 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.

The Department may, for the purpose of aiding administrative efficiencies, use existing customer data for other purposes such as to claim and receive payments under CSP Schemes. The use of the data in this way is considered compatible with its original purpose of collection. Existing customer data means data that is submitted for the Sheep Welfare Scheme and/or its successor scheme the Sheep Improvement Scheme which was implemented pursuant to EU Regulation 1306/2013 while Sheep Improvement Scheme is implemented pursuant to Regulations (EU) 2021/2115 and as well as relevant secondary legislation.

The proposed further processing of the personal data for the purpose of this scheme is considered compatible with its original purpose of collection, this includes the making of payments in respect of participation in schemes administered by the Department funded under the Common Agricultural Policy (CAP). This is 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 and data sharing:

As noted in the “Specified purpose” section above, information and personal data provided as part of this scheme may be shared with other Divisions within the Department for the purposes of aiding administrative efficiencies when processing other related scheme applications. This sharing shall be done in compliance with the CSP legislative framework and relevant data protection legislation.

Data may also be shared with approved third-party approved labs in order to verify compliance with the scheme actions by the applicant.

Personal data may also be sought from and made available to other Government Departments/Agencies/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 data may be released as required by relevant Data Protection legislation 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 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.

Data may be released under The INSPIRE Directive (Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community Directive) came into force on 15 May 2007.

Personal data is also shared with Teagasc for the purpose of facilitating the National Farm Survey as per Regulation (EU Reg 1217/2009) and meeting Ireland’s statutory obligation to provide data on farm output, costs and income to the European Commission.

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 and this will take place in accordance with Data Protection legislation.

As part of this scheme, if approved into the scheme, you may be requested by the Department or relevant agents acting on its behalf, to supply data in relation to your participation to this Scheme, and facilitate on-farm inspections/assessments, where required for the purpose of Sheep Improvement Scheme

assessment, verification, evaluation or research purposes as provided for under the CSP Regulations (e.g., EU Regulation 2021/2115 and EU Regulation 2021/2116). Not to supply such information may invalidate/cancel your application.

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:

Personal data, in respect of an application under this scheme, will not be transferred outside of the EU.

7. Retention Period:

Personal data in respect of an application under this scheme will be retained by the Department for 7 years plus the current scheme year in line with the purpose 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 or contractual obligation:

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

9. Automated Decision Making, including profiling:

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

Automated decision making may be used for the purposes of selecting participants for inspection in accordance with the CSP legislative framework and relevant data protection law. Article 65 of Regulation (EU) 2021/2116, obliges member states including Ireland, to set up and operate an integrated administration and control system, which among other things, includes an area monitoring system for systematic observations and tracking of agricultural activities and practices.

10. Information from Third Party:

Information from third parties will be received under the Sheep Improvement Scheme. Information may be received from approved third-party labs.

Data may be provided to this Department by a third party on behalf of an applicant, for example from a DAFM approved advisor, where it can be shown that authorisation has been given by the applicant for this to take place.

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. 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>