

Data Protection Act 1998 - Fair Processing Notice

Purpose of this Fair Processing Notice

The purpose of this Fair Processing Notice is to inform equine owners of the use that Defra will make of the personal data that they supply when applying for an equine passport.

Data Controllers

The following are Data Controllers, as defined in [section 1\(1\)](#) of the Data Protection Act 1998, in respect of the personal data processed in relation to equine ownership:

- Defra (including the Animal and Plant Health Agency (APHA), an Executive Agency of Defra)
- The Devolved Administrations, as follows:
 - Scottish Government (jointly with the Scottish Agricultural Organisation Society Ltd);
 - Welsh Government; and
 - Northern Ireland Executive
- Passport Issuing Organisations (PIOs)
- Enforcement Authorities, including Local Authorities and the Police Service, etc

Defra is a Data Controller in respect of personal data relating to equine owners in England or equine owners registered with a PIO that Defra has authorised.

A Devolved Administration is a data controller in respect of personal data relating to equine owners in its jurisdiction (Scotland, Wales and Northern Ireland) or equine owners registered with a PIO that the Devolved Administration has authorised.

A PIO (authorised by Defra or a Devolved Administration) with which equine owners registered details of equines that they owned or kept at the time of registration, is a Data Controller in respect of personal data relating to those owners.

Enforcement Authorities are Data Controllers in respect of personal data relating to equine owners that they obtain or create themselves, as necessary for the fulfilment of their official functions.

Details of the use of personal data by Defra (as a Data Controller) are given in the “What will the information be used for?” section.

Data Processors

Bramble Hub and Equine Register Ltd are Data Processors, as defined in [section 1\(1\)](#) of the Data Protection Act 1998, in respect of the personal data processed in relation to equine ownership in the United Kingdom. The Scottish Agricultural Organisation Society Limited (SAOS) is a data processor in respect of personal data processed in relation to equines registered with PIOs in Scotland

Defra has contracted Bramble Hub to process the personal data relating to equine owners as required for managing the equine passport system in the United Kingdom. Bramble Hub has subcontracted Equine Register Ltd to operate the United Kingdom Central Equine Database (CED), which will collect information from PIOs in England, Wales and Northern Ireland and SAOS in Scotland. The CED therefore provides a single dataset of equines registered with PIOs in the whole of the United Kingdom.

The Scottish Government has contracted SAOS to operate an equine database in respect of equines registered with PIOs in Scotland. SAOS will upload information from that database to the United Kingdom CED.

What information is being collected?

The personal data collected is that required by EU Regulation [2015/262](#) for the purpose of enabling equine owners to obtain an equine passport. Other, non-personal, data will also be collected as part of the equine passport application process, as required by Article 38(1) of EU Regulation 2015/262, for example equine details such as the country of birth, microchip number, date of birth, etc.

Unless specified otherwise, “personal data” and “non-personal data” are referred to as “information” throughout this document.

Who is collecting the information?

As required by EU Regulation 2015/262, equine owners must register details of their equines with a PIO so that the PIO can issue an equine passport. Therefore, the PIO chosen by an equine owner collects the information from that owner and retains it on its database. Also, as subcontractor to Defra’s contractor Bramble Hub, Equine Register Ltd collects this information from PIOs using the UK Central Equine Database (CED).

How is the information collected?

Equine owners submit the information to a PIO when they apply for an equine passport or want to request a change to an existing passport. After entering the information on their own database, PIOs are required to submit it directly to CED. For historical passport records held by PIOs, PIOs send the information to Equine Register Ltd who import it into CED on the PIOs’ behalf.

What are the consequences if incorrect information is entered into CED?

The main purpose of CED is to show whether an equine presented for slaughter can safely enter the human food chain, based on information in the equine passport. If CED incorrectly shows that an equine is “signed in” to the food chain there could be serious detrimental effects on human health if that equine is slaughtered for human consumption.

CED will automatically keep a record of the name of anyone who makes a change to information held. Any deliberate amendment of information for fraudulent purposes may result in prosecution.

What will the information be used for?

Defra will mainly use the information for the following purposes:

- (1) to comply with and enforce the requirements of EU Regulation [2015/262](#);
- (2) to fulfil its functions in relation to disease control, animal health and welfare;
- (3) to carry out statistical analyses of non-personal information from CED to inform Government policy development and for analyses and planning purposes;
- (4) to search the CED by microchip or UELN to verify equine(s);
- (5) to enable Local Authorities, the Police Service and other enforcement agencies to investigate alleged or actual breaches of any laws and take prosecuting or other enforcement action as appropriate;
- (6) to enable Local Authorities, the Police Service and other enforcement agencies to identify the owners of equines that have strayed onto public roads, other public areas or other land so as to take appropriate action, including reuniting owners with their equines;
- (7) to enable the Food Standards Agency (FSA) to check details relating to equines that have been or are to be slaughtered to ensure that any equines not fit for human consumption do not enter the human food chain. If the FSA’s checks identify discrepancies, the FSA will notify the relevant Local Authority either directly or via the PIO with which the equine was registered. The FSA will also enter certain information into CED, including the dates of slaughter of equines;
- (8) to provide information to other Member States of the European Union (MSs), as required. Articles 39 and 40 of EU Regulation 2015/262 requires MSs to cooperate in the use of their databases that are equivalent to CED, including sending information updates to other MSs that issued an original passport and allowing enquiries

from other MSs regarding microchip number, Unique Life Number or passport number; and

- (9) to allow the general public to search for an equine using its microchip number for verification and fraud prevention purposes. This will not reveal either the identity of or other personal data relating to the equine owner.

In addition, the information may be used as follows:

- (1) to provide Fire and Rescue Services with details of equines and their owners where necessary to deal with incidents requiring their action;
- (2) to enable computer systems to be tested to ensure that they work effectively and efficiently and to develop new systems in order to improve efficiency and the service that is provided to equine owners and other persons. Any use of information for testing or developing computerized systems will be conducted in a secure manner in accordance with the Data Protection Act 1998 to safeguard the privacy of the information that equine owners have supplied; and
- (3) to contact equine owners in connection with occasional customer research aimed at improving the services provided;

If equine owners require details about the use of the information by Defra or any of the other Data Controllers or organizations mentioned above, they should contact them directly.

Disclosure of information, including personal data, under freedom of information laws

Information, including personal data and commercial information, may be required to be released on request under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000 (including equivalent laws in Scotland). However, the relevant Data Controller will neither permit any unwarranted breach of confidentiality nor act in contravention of its obligations under the Data Protection Act 1998.

Personal Information Charter

Defra's Personal Information Charter, which gives details of rights in respect of the handling of personal data, is on the [Defra section of Gov.uk](#).
