

Data Protection Policy of ScotEID.com Limited

1. POLICY STATEMENT

- 1.1 Amongst other things, ScotEID.com Limited (“ScotEID”) provides access to a database where users and others can record the registration, movements, BVD status, BVD PI locations and QMS Status (as those terms are defined in our Terms and Conditions (hereinafter also referred to our “contract with you”) for use of the website ScotEID.com and the ScotEID.com Database) of their livestock. In addition to recording livestock locations, status and movements we also need to retain some personal information about our users (together the “Purpose”). Everyone has rights with regard to how their personal information is handled. During the course of our activities we will collect, store and process personal information and we recognise the need to treat it in an appropriate and lawful manner. This policy (previously referred to as the “Data Protection Policy”) should be read in conjunction with our Terms and Conditions and Cookies Policy for use of the website ScotEID.com and the ScotEID.com Database.

The types of personal information that we may handle includes details of users of our database. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 2018 and the Regulation (EU) 2016/679 of The European Parliament and of The Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)(the **Regulation**) and other EU and UK legislation. The Regulation imposes restrictions on how we may use that information.

ScotEID is committed to maintaining the highest standards of data protection and shall maintain the standards referred to in this policy notwithstanding the UK withdrawing from the European Union. Following any such withdrawal an update of this policy will be issued in due course.

2. PURPOSE OF THE POLICY

- 2.1 This policy aims to give you information on how ScotEID collects and processes your personal data through your use of ScotEID’s website and database and sets out our rules on data protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and destruction of personal information.
- 2.2 The ScotEID website and database is not intended for children and we do not knowingly collect data relating to children.
- 2.3 The Data Protection Officer is responsible for ensuring compliance with the Regulation and with this policy. That post is held by Mr Bob Yuill, director of ScotEID, telephone no: 01466 700203, email: bob.yuill@saos.coop, address: ScotEID.com Limited, Rural Centre, West Mains, Ingliston, Newbridge, EH28 8NZ. Any questions or concerns about the operation of this policy should be referred in the first instance to the Data Protection Officer. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship

with us. Please also contact the Data Protection Officer if you are having difficulty accessing and/or updating your information.

- 2.4 If you consider that the policy has not been followed in respect of personal data about yourself or others you should raise the matter with the Data Protection Officer. The Data Protection Officer can also be contacted if you have any questions about our Data Protection Policy. You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.
- 2.5 We do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.
- 2.6 Where we need to collect personal data by law, or under ScotEID's terms and conditions applicable to your use of the ScotEID website and/or database, and you fail to provide that data when requested, we may inform the relevant regulatory authority or authorities of your failure to provide such data.
- 2.7 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact the Data Protection Officer. Please note that we may process your personal data without your specific knowledge or consent where this is required or permitted by law.

3. DEFINITION OF DATA PROTECTION TERMS

- 3.1 **data** is information, which is stored electronically, on a computer, or in certain paper-based filing systems.
- 3.2 **data subjects** for the purpose of this policy include all living people about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal data.
- 3.3 **personal data** means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- 3.4 **data controllers** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with the Regulation. We are the data controller or joint data controller of all personal data used in our business.

3.5 **data users** include users of the ScotEID Database (including those listed at paragraph 6.3 of this policy) whose work involves using personal data. Data users have a duty to protect the information they handle by following our data protection and security policies at all times.

3.6 **data processors** include any person who processes personal data on behalf of a data controller.

3.7 **processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties, including those listed at paragraph 6.3 of this policy.

4. COLLECTION OF PERSONAL DATA

We use different methods to collect data from you including through:

- (a) Direct interactions – you may give us your identity and contact information by filling in applications or corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you register as a user on our website, request information to be sent to you, give us feedback or contact us or complete and send/provide to us paper forms (e.g. Farmer’s Herd Declaration for the BVD Eradication Scheme, ScotMoves application form or ScotMoves exemption form).
- (b) Third parties – we may receive personal data about you from the Scottish Government and the third parties listed in paragraph 6.3.
- (c) Automated technologies or interactions – (i) when you call ScotEID, your telephone number may be automatically collected; and (ii) as you interact on the ScotEID website, technical data about your equipment, browsing actions and patterns is automatically collected. This personal data is collected by using cookies and other similar technologies. For more information about the cookies we use, please see <https://www.scoteid.com/node/4872> .

5. DATA PROTECTION PRINCIPLES

5.1 ScotEID fully endorses and adheres to the principles of the Regulation.

Anyone obtaining, handling or processing personal data on the ScotEID Database must comply with the principles of good practice. These provide that personal data must be:

- (a) Processed fairly and lawfully;
- (b) Processed for limited purposes and in an appropriate way;
- (c) Adequate, relevant and not excessive for the purpose;
- (d) Accurate;
- (e) Not kept longer than necessary for the purpose;
- (f) Processed in line with data subjects' rights;
- (g) Secure; and

- (h) Not transferred to people or organisations situated in countries without adequate protection.

6. FAIR AND LAWFUL PROCESSING

6.1 The Regulation is intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject has a right, on making a request, to be told who the data controller is, the purpose for which the data is to be processed by us, the identities of anyone to whom the data may be disclosed or transferred and to request the erasure of that data.

6.2 We have set out below, in a table format, a description of all the ways we plan to use your data (which may include personal data from time to time (including, without limit, your mobile telephone number) and other data related to holdings and livestock identification), and which legal bases we rely on to do so. We have identified our legitimate interests where appropriate. Note that we may process your data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below. In addition to the legal bases below, ScotEID believes its work is overwhelmingly in the interests of the public and the Scottish livestock industry.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
The Purpose defined in paragraph 1.1.	(a) identity data	Compliance with legal obligations and control of disease.
Registration as a user with ScotEID.	(a) identity data (b) contact data	Performance of contract with you.
To allow you access to the ScotEID website and parts of the ScotEID database.	(a) identity data (b) contact data (c) technical data	Performance of contract with you.
To identify you and your livestock (including livestock movement, location, diseases (and potential diseases), births and deaths).	(a) identity data (b) contact data	(a) Efficient performance of contract with you. (b) Necessary to comply with legal obligation. (c) Necessary for our legitimate interests (to keep our records updated). (d) To reduce and prevent

		<p>fraud and crime.</p> <p>(e) Necessary for public interest and control of livestock disease.</p>
<p>To allow ScotEID and the various agencies listed in paragraph 6.3 to communicate with you about your livestock and to respond to any queries you have.</p>	<p>(a) identity data (b) contact data (c) profile data</p>	<p>(a) Performance of contract with you. (b) Necessary for our legitimate interests (to keep our records updated). (c) Necessary to comply with legal obligation.</p>
<p>To allow you, ScotEID and the third parties listed in paragraph 6.3 to input or confirm information on the ScotEID database.</p>	<p>(a) identity data (b) contact data (c) profile data</p>	<p>(a) Performance of contract with you. (b) Necessary for our legitimate interests (to keep our records updated). (c) Necessary to comply with legal obligation.</p>
<p>To administer and protect ScotEID and its website and database (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).</p>	<p>(a) identity data (b) contact data (c) technical data</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security and to prevent fraud and/or defend legal claims). (b) Necessary to comply with legal obligation.</p>
<p>To use data analytics to improve the ScotEID website, services, user relationships and experiences.</p>	<p>(a) technical data (b) usage data</p>	<p>Necessary for our legitimate interests (to define types of users for our services, to keep ScotEID's website updated and relevant and to improve ScotEID).</p>
<p>For research and development purposes (e.g. development of and participation in pilot schemes).</p>	<p>(a) identity data (b) contact data (c) profile data</p>	<p>(a) Performance of contract with you. (b) Necessary for our legitimate interests (to keep our records updated and to create new services and improvements for</p>

		ScotEID users). (c) Necessary to comply with legal obligation.
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Identity data includes name and username (or similar identifier).

Contact data includes home address, business address, email address and mobile and other telephone numbers.

Technical data includes IP address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the ScotEID website.

Profile data includes your username and encrypted password and communication and display preferences.

Usage data includes information on how you use the ScotEID website, ScotEID database and services.

6.3 ScotEID does not sell your personal information. ScotEID also does not disclose your personal information except as provided for in our Data Protection Policy and/or ScotEID's terms and conditions (available on the ScotEID website). From time to time ScotEID may make data on the ScotEID Database available to users of the ScotEID website (such disclosure is limited to BVD status and BVD PI locations including CPH number, county and parish) and/or any relevant consumer representative organisation, government department or agency, or local authority in accordance with the Regulation. The main parties that ScotEID currently discloses data to, or that it obtains data from for inclusion in the ScotEID Database are as follows:

- (a) the Epidemiology, Population health and Infectious disease Control consortium (**EPIC**) the Scottish Government's Centre of Expertise for animal disease outbreaks;
- (b) British Cattle Movement Service (cattle movements, births, deaths);
- (c) Critical Control Points, principally markets and abattoirs (livestock movements);
- (d) Cattle Tracing Service (CTS);
- (e) Food Standards Scotland (FSS);
- (f) Laboratories (disease status);
- (g) Veterinary practices on the instruction of a registered veterinary surgeon who has passed the BVD CPD training course (disease status);
- (h) Animal Reporting and Movement Service (ARAMS) (sheep movements to and from England);
- (i) EIDCymru (Sheep movements (and cattle movements from 2020) to and from Wales);
- (j) eAML2 (Electronic Movement Licensing of pigs to and from England and Wales);

- (k) Animal Public Health Information System (APHIS) (animal movements to and from Northern Ireland);
- (l) SRUC-eGENES (genetic evaluation of BES information and tag sampling);
- (m) Rural Payments and Inspections Division (RPID);
- (n) Quality Meat Scotland (QMS);
- (o) The Animal and Plant Health Agency (APHA);
- (p) Rural and Environment Science and Analytical Services (RESAS);
- (q) Business Reference Number holders;
- (r) Livestock keepers (BVD and QMS status);
- (s) Livestock Information Programme;
- (t) Livestock Information Service; and
- (u) Livestock Information Limited.

- 6.4 In particular, in relation to the Beef Efficiency Scheme (BES), RPID will occasionally have access to the ScotEID Database to view a random sample of BES data recorded on the Database for the purposes of auditing ScotEID's annual reports to RPID. For the avoidance of doubt, ScotEID will not in respect of the BES be providing RPID with general access to the Database, entries made in keepers' calving diaries, or allowing the download of information from the Database.
- 6.5 In relation to cattle traceability, if you are subject to an official cattle identification inspection, RPID will check your cattle records on the Database. ScotEID will provide, on request, relevant data to RPID for a farm 'inspection pack.'
- 6.6 ScotEID may disclose personal information about you where it is (i) in accordance with our Data Protection Policy; (ii) required or permitted to do so by law, regulation or by court order (or similar); (iii) to comply with a legal request from an enforcement authority, other government official or animal welfare organisation; (iv) reasonably considered by ScotEID that such disclosure would prevent any harm and/or loss (whether physical, financial, reputational or otherwise) to ScotEID, its users and/or the public; (v) to establish, exercise or defend ScotEID's legal rights; and (vi) in connection with an investigation of suspected or actual fraud, illegal activity, security or technical issues. We may also share your personal information in other ways for which ScotEID will provide notice to you at the time of collection and obtain your consent to the extent required by law.
- 6.7 Keepers of livestock are under a legal obligation to provide the Scottish Ministers with certain data in relation to their livestock. Such data is made available to the Scottish Ministers through the ScotEID database.
- 6.8 ScotEID works with Scottish Government and the Scottish Livestock sector to design, develop and deliver solutions to ensure robust livestock traceability. Robust livestock traceability is a national priority for Scottish Government for a number of reasons, including disease reduction and eradication. The ScotEID Database can be used to determine livestock movements and locations to

control all officially recognised diseases, including BVD and exotic diseases such as Foot and Mouth Disease. The Database allows data users to determine where livestock are located and their movement history at the time of a disease outbreak, and to take the necessary action promptly. It enables Animal Health Inspectors to trace movements of animals that had come into contact with infected/potentially infected animals more quickly and without having to visit individual farms and look at their records manually. This will speed-up disease control procedures and thus reduces the spread of disease. In the event of any disease outbreaks the system could also allow for earlier easing of movement restrictions either at national or regional level.

- 6.9 The ScotEID Database also aids compliance with obligations imposed by European Directives and Regulations and the subsequent Scottish or UK wide legislation that has implemented European Directives.
- 6.10 Where necessary to comply with our obligations to the European Union, we will not transfer your personal data outside the European Union.
- 6.11 In some circumstances, ScotEID may offer you some choice in relation to aspects of your personal information, e.g. as to how ScotEID uses your personal information and how it communicates with you. Further information will be provided on the ScotEID website. You may update your preferences or limit the communications you receive from ScotEID by contacting ScotEID's Data Protection Officer.

7. PROCESSING FOR LIMITED PURPOSES

- 7.1 Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the Regulation. This means that personal data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be notified of the new purpose before any processing occurs. Such notification may be given on ScotEID's website (www.Scoteid.com, including through updated versions of this Data Protection Policy).
- 7.2 ScotEID works closely with the Scottish livestock sector & Scottish Government to research, design, develop and deliver systems to support traceability, livestock disease control and public health protection. Work began in 2008 researching and developing a system to support sheep electronic identification. Subsequent research and development led to a pig movement system and the Bovine Viral Diarrhoea (BVD) eradication scheme. ScotEID has been expanded to enable use of data for other purposes including the Beef Efficiency Scheme (BES) which aims to aid the improvement of production efficiency of the national herd by reducing the methane per kg of beef produced, the Quality Meat Scotland Scotch Potential Eligibility Cattle Checker (SPECC) which identifies an animal's Scotch Assured status. Further developments in process are a cattle electronic tagging system and Porcine Epidemic Diarrhoea (PED) mapping system.
- 7.3 In particular, processing is carried out for the following purposes:
- (a) Electronically recording the location and movements of livestock;
 - (b) Controlling, isolating and eradicating disease outbreak;

- (c) Supporting disease control schemes such as the BVD eradication programme;
- (d) Supporting schemes to improve the production efficiency of the national herd;
- (e) Providing a database of management information for keepers;
- (f) Ensuring complete traceability of livestock in order to maintain consumer confidence in Scottish farm produce;
- (g) Upholding the integrity of the food chain; and
- (h) To provide statistical and historical information on livestock for the purposes of compliance and public interest research in the areas of health and efficiency in the livestock industry.

8. ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

Personal data should only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

9. ACCURATE DATA

9.1 Personal data must be accurate and kept up to date. Information which is incorrect or misleading is not accurate and steps should therefore be taken by users of the ScotEID Database to check the accuracy of any personal data at the point of entering and at regular intervals afterwards. Inaccurate or out-of-date data should be destroyed. Users of the ScotEID Database are responsible for their own data, either directly or via a nominated person.

9.2 ScotEID assumes that where you provide a mobile telephone number, such number is your personal number and not shared with any other party unless you notify ScotEID to the contrary. ScotEID may use such number to help identify you. If you (a) change your mobile telephone number; (b) no longer use or be entitled to use that number; (c) have your mobile telephone or mobile telephone sim card stolen resulting in another party being able to use that number; (d) are no longer able to use your mobile telephone number; and/or (e) share control of such number with any other party, you are required to notify us at that time. Until ScotEID receives such notice ScotEID shall be entitled to rely on the mobile telephone number it has for you being sufficient identification of you.

10. TIMELY PROCESSING AND DATA RETENTION

10.1 Personal data should not be kept longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required for our purposes. We will retain records of a user for the longer of i) 5 years from the date when that user ceases to enter data onto the ScotEID Database; ii) receipt of written confirmation by us to our satisfaction from the relevant former keeper that such keeper will no longer keep and has no intention of again keeping livestock; and (iii) as required by law.

11. PROCESSING IN LINE WITH DATA SUBJECT'S RIGHTS

11.1 Data must be processed in line with data subjects' rights. Subject to the provisions of the Regulation, data subjects have a right to:

- (a) Request access to any data held about them by a data controller.
- (b) Object to or restrict the processing of their data.
- (c) Ask to have inaccurate data amended (or amend it themselves).
- (d) Transfer their personal data.
- (e) Request that data held about them is erased.
- (f) Withdraw consent provided to the processing of their personal data.

11.2 If you wish to exercise any of these rights, please contact the Data Protection Officer.

12. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Save as hereinbefore provided, we limit access to your personal data to those employees, agents and contractors who have a business need to know. We do not provide your personal data to any third parties other than with your consent or in accordance with or required by law. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

13. YOUR LEGAL RIGHTS

13.1 All personal data that we hold in relation to the data subject (other than copies of paper documents completed by the data subject) is available for review by the data subject when they access the ScotEID database. Additionally, a formal request from a data subject for information that we hold about them can be made in writing. ScotEID will make reasonable endeavours to provide you, upon request, with a copy of the personal data which you have inputted to the Database and/or provided to us in paper format.

13.2 You will not have to pay a fee to access your personal data (or to exercise any of the other rights you may have). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

13.3 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

- 13.4 We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

14. DEALING WITH ERASURE REQUESTS

THE PURPOSE OF IDENTIFYING THE LOCATION AND MOVEMENTS OF LIVESTOCK IS OVERWHELMINGLY IN THE PUBLIC INTEREST FOR THE INTEGRITY OF THE FOOD CHAIN AND THE PROTECTION OF PUBLIC HEALTH. AS A RESULT SCOTEID IS UNABLE TO ERASE CERTAIN PERSONAL DATA RELATING TO THE KEEPER FOR A PERIOD OF 5 YEARS FOLLOWING THEIR LAST UPDATE TO THE SCOTEID.COM DATABASE OR UNTIL OUR LEGAL OBLIGATION TO RETAIN IT CEASES. THE PERSONAL DATA THAT SCOTEID WILL ALWAYS RETAIN IS THE ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESS TO THE EXTENT (IF ANY) REASONABLY REQUIRED FOR TRACING, ARCHIVING AND SCIENTIFIC, HISTORICAL OR STATISTICAL RESEARCH PURPOSES. ALL OTHER INFORMATION HELD BY SCOTEID RELATING TO A KEEPER WILL BE DELETED FROM OUR LIVE SYSTEM WITHIN ONE MONTH OF THAT KEEPER'S WRITTEN REQUEST. ANY SUCH REQUEST SHOULD BE SENT TO SCOTEID'S DATA PROTECTION OFFICER. SCOTEID WILL NOTIFY THE KEEPER IN ADVANCE IF WE ARE UNABLE TO ERASE THE DATA WITHIN THIS PERIOD AND WE WILL EXPLAIN OUR REASONS FOR DELAY. PLEASE NOTE THAT YOUR PERSONAL INFORMATION MAY BE DELETED FROM SCOTEID'S LIVE SYSTEM BUT IT MAY STILL BE RETAINED IN OUR ARCHIVE SYSTEM DUE TO THE COMPLEXITY IN ISOLATING IT AND REMOVING IT. IN THIS CASE SCOTEID CONFIRMS THAT IT HAS NO INTENTION OF USING OR RETRIEVING SUCH PERSONAL INFORMATION AND THAT IT WILL BE PUT BEYOND USE AND DELETED PERMANENTLY WHEN THAT IS REASONABLY ACHIEVABLE UNLESS IT IS OTHERWISE REQUIRED TO DO SO BY LAW OR BY A COURT ORDER.

15. REFUSAL OF REQUESTS

- 15.1 There are circumstances where we may refuse to comply with your request and/or fully comply with your request under this policy, these include:-
- (a) exceptions under law;
 - (b) requests relating to data that includes information about other people, to which such other persons (or person) have not consented to the request relating to their personal data;
 - (c) manifestly unfounded requests;
 - (d) excessive requests (e.g. the request repeats the substance of a previous request and a reasonable interval has not elapsed);
 - (e) the request is malicious in intent and is being used to harass us with no real purpose other than to cause disruption;
 - (f) in relation to a request to correct or amend data, we do not agree that such data is incorrect or inaccurate; or
 - (g) the circumstances described in clause 14.

- 15.2 Should we decide to refuse to comply with your request, we will inform you of our reasons for refusal and you will have a right to complain to the ICO or another supervisory authority and you may seek to enforce your request through a judicial remedy.

16. MONITORING AND REVIEW OF THIS POLICY

We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives. Updates to this policy will be posted on the ScotEID Website (www.Scoteid.com). You should check the ScotEID Website from time to time to review the then current Data Protection Policy.

17. STATUS OF THIS POLICY

This policy has been approved by the board and any breach will be taken seriously and any breach be reported to the ICO when appropriate.

Any user of the ScotEID Database who considers that this policy has not been followed in respect of personal data about themselves should raise the matter with ScotEID.com Limited's Data Protection Officer.

Bob Yuill. Data Protection Officer

Last reviewed: April 2020