

NFU Policy

Data Protection Policy

Owner: Corporate Legal Advisor

Department: Compliance

Valid from: May 2018

To be reviewed by: May 2019

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Compliance/DP Policy/May 2018/1.1v



The NFU is committed to ensuring its compliance with the requirements of the General Data Protection Regulation (‘GDPR’). We recognise the importance of personal data to our business and the importance of respecting the privacy rights of individuals. This Data Protection Policy (‘the Policy’) sets out the principles which we will apply to our processing of personal data so that we not only safeguard one of our most valuable assets, but also process personal data in accordance with the law.

It is the responsibility of all employees to assist the NFU to comply with this Policy. In order to help employees comply, we have produced a Data Protection Guidance document (‘the Guidance’) which explains in more detail the requirements of the Act. Employees must familiarise themselves with both this Policy and the Guidance and apply their provisions in relation to any processing of personal data. Failure to do so could amount to misconduct, which is a disciplinary matter and could ultimately lead to dismissal..

In addition, a failure to comply with this Policy could expose the business to enforcement action by the Information Commissioner (which could result in high fines, orders for the NFU to handle personal data in a certain way or restrictions being imposed on our use of personal data) or to complaints or claims for compensation from affected individuals. There may also be negative publicity as a result of any breach that is made public.

Data protection principles

The NFU will comply with the overarching principle of accountability and the following principles as set out in Article 5 of GDPR in respect of any personal data which it processes as a data controller:

1. Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subjects (‘lawfulness, fairness and transparency’) and must not be processed unless:
 - 1.1 at least one of the conditions in Article 6 of GDPR is met;
 and
 - 1.2 in the case of sensitive personal data, at least one of the conditions in Article 9 of GDPR is also met.

The Article 6 and 7 conditions are set out in the Guidance.

Personal data must be:

2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving process in the public interest, scientific or historical research purposes or statistical purposes, shall in accordance with Article 89(1), not be considered to be incompatible with the initial purposes (‘purpose limitation’).
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’)
4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (‘accuracy’).

5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of the data subject ('subject limitation')
6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')

7. Personal data must be processed in accordance with the rights of data subjects under the Act. These rights are:
- 7.1 The right to be informed relates to ensuring all staff are aware of the NFU's privacy policy when collecting and processing personal data
 - 7.2 The right of access allows individuals access to their personal data and supplementary information and allows individuals to be aware of and verify the lawfulness of the processing
 - 7.3 The right to rectification allows for personal data to be rectified if it is inaccurate or incomplete
 - 7.4 The right to erasure, this is also known as 'the right to be forgotten' broadly the principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing
 - 7.5 The right to restrict processing means that individuals have a right to 'block' or suppress processing of personal data when processing is restricted, we are able to store the personal data, but not further process it, we can retain just enough information about the individual to ensure that the restriction is respected in future
 - 7.6 The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability
 - 7.7 The right to object to the following
 - processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
 - direct marketing (including profiling); and
 - processing for purposes of scientific/historical research and statistics.
8. Any transfer of personal data which is undergoing processing or is intended for processing after transfer to a third country or to an international organisation shall take place only if, subject to the other provisions of GDPR, the conditions laid down in Chapter V of GDPR are complied with by the controller and processor, including for onward transfers of personal data from the third country or an international organisation to another third country or to another international organisation..

This Policy may be amended from time to time to reflect any changes in legislation. Any queries should be directed to the Compliance Department.