

Privacy Policy of ScotEID.com Limited in relation to ScotEquine

1. POLICY STATEMENT

- 1.1 Amongst other things, ScotEID.com Limited (“**ScotEID**”) provides access to a database where users and others can record details about their equines (including the location of equines from time to time) and access such information (“**ScotEquine Database**”). In addition to recording details about equines and their locations from time to time we also need to retain some personal information about our users. 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 should be read in conjunction with our (i) Terms and Conditions for use of the website ScotEquine.com, ScotEquine App and the ScotEquine Database; and (ii) our Cookie policy.

The types of personal information that we may handle includes details of users of the ScotEquine Database. The information (whether provided by you to us, by others and/or your use of the ScotEquine App and/or the ScotEquine website), 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 1998 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.

2. STATUS OF THE POLICY

- 2.1 This policy 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 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. Please also contact the Data Protection Officer if you are having difficulty accessing and/or updating your information.
- 2.3 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 privacy policy.

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 ScotEquine Database (including those listed at paragraph 5.6 of this policy) whose work involves using personal data. Data users have a duty to protect the information they handle by following our privacy 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 5.6 of this policy.

4. DATA PROTECTION PRINCIPLES

- 4.1 ScotEID fully endorses and adheres to the principles of the Regulation.

Anyone obtaining, handling or processing personal data on the ScotEquine 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.

5. FAIR AND LAWFUL PROCESSING

- 5.1 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.
- 5.2 The personal data you provide to ScotEID allows you to (i) create an account with ScotEID in relation to equines; (ii) correspond with ScotEID; and (iii) request information from us.
- 5.3 The types of personal information ScotEID obtains includes your contact information (e.g. name, telephone number, email address and address); photographs; location data (e.g. data from your IP address, country and post code); the exact location of your mobile telephone (or other smart device or tablet); and other personal information we obtain through the Scottish Government and/or various agencies (e.g. passport issuing office (“**PIO**”) and UK Central Equine Database (“**UK CED**”).
- 5.4 The provision of personal information from you to ScotEID is voluntary and if you opt not to provide ScotEID with such information, ScotEID will not be able to offer you access to the ScotEquine Database and/or the ScotEquine App.
- 5.5 The information you provide ScotEID with is used to (i) identify an equine’s location (and through that possibly your location) (ii) create and manage your account with ScotEID; (iii) allow ScotEID to communicate with you about your account with ScotEID and respond to your enquiries; (iv) verify your identity, prevent fraudulent activities and other unlawful activities, liabilities and claims; (v) maintain and enhance security of the ScotEquine website, the ScotEquine App and the ScotEquine Database.
- 5.6 ScotEID does not sell or otherwise disclose your personal information except as provided for in our privacy policy and/or the ScotEquine terms and conditions (available on the ScotEquine Website). From time to time ScotEID may make data on the ScotEquine Database available to 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 ScotEquine Database are as follows:

- (a) The Scottish Government;
 - (b) Research agencies supported by or otherwise approved by the Scottish Government;
 - (c) PIOs;
 - (d) UK CED;
 - (e) Our professional advisors; and
 - (f) Any law enforcement agency, court, regulator, government authority or other third party where we believe this is necessary to comply with a legal or regulatory obligation, or otherwise to protect our rights or the rights of any third party.
- 5.7 For personal data to be processed lawfully, certain conditions have to be met. These may include, among other things, that the processing is necessary for the legitimate interest of the data controller or the party to whom the data is disclosed; compliance with a legal obligation or a court order or to exercise and/or defend legal claims; and/or your consent to the processing (which you can revoke at any time). ScotEID may rely on any of the aforementioned conditions and believes its work is overwhelmingly in the interests of the public and the Scottish equine sphere.
- 5.8 ScotEID may disclose personal information about you where it is (i) in accordance with our privacy 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. .
- 5.9 ScotEID works with the Scottish Government and various Government agencies to design, develop and deliver solutions to ensure robust equine traceability. Robust equine traceability is a national priority for Scottish Government for a number of reasons, including equine protection and public health protection. The ScotEquine Database can be used to determine equine locations to ensure the protection of the equine, accountability of equine keepers and the protection of public health. The Database allows an equine keeper and/or owner to record where his or her equines are located from time to time in order to assist with the prevention of crime by the theft of an equine, abandonment of an equine and control diseased equines or equines containing certain drugs in them entering the human food chain, and to take the necessary action promptly. It assists animal health inspectors and the police to trace locations of equines and their owners and/or keepers more quickly. This will hopefully speed-up the tracking of the location of a stolen equine or identity of an equine owner and thus reduces equine related crime.

5.10 The ScotEquine Database will also aid compliance with obligations imposed by European Directives and Regulations and the subsequent Scottish or UK wide legislation that has implemented European Directives.

5.11 ScotEID offers you some choice in relation to your personal information, e.g. as to how ScotEID uses your personal information and how it communicates with you. You may update your preferences or limit the communications you receive from ScotEID by contacting ScotEID's Data Protection Officer.

6. PROCESSING FOR LIMITED PURPOSES

6.1 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.Scotequine.com, including through updated versions of our Privacy Policy).

6.2 ScotEID works closely with the Scottish equine sphere & Scottish Government to research, design, develop and deliver systems to support traceability, and public health protection.

6.3 In particular, processing is carried out for the following purposes:

- (a) Electronically recording the location and movements of equine;
- (b) Providing a database of management information for keepers of equine;
- (c) Ensuring traceability of equine in order to reduce equine related crime;
- (d) Upholding the integrity of the food chain; and
- (e) To provide statistical and historical information on equine for the purposes of compliance and public interest research in the areas of health and efficiency in the equine sphere.

7. 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.

8. ACCURATE DATA

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 ScotEquine 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 ScotEquine Database are responsible for their own data, either directly or via a nominated person.

9. TIMELY PROCESSING

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. 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 ScotEquine Database; and (ii) the lifetime of the relevant equine.

10. PROCESSING IN LINE WITH DATA SUBJECT'S RIGHTS

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) Prevent the processing of their data for direct-marketing purposes.
- (c) Ask to have inaccurate data amended (or amend it themselves).
- (d) Prevent processing that is likely to cause damage or distress to themselves or anyone else.
- (e) Request that data held about them is erased.

11. DATA SECURITY

11.1 Wherever possible we shall endeavour to ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

11.2 The Regulation requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data will only be transferred to a third-party data processor if they agree to comply with these procedures and policies, or if they put in place adequate measures themselves.

12. DEALING WITH ACCESS REQUESTS

All data that we hold in relation to the data subject is available for review by the data subject when they access the ScotEquine database.

Additionally, a formal request from a data subject for information that we hold about them must be made in writing. Save for statutory exceptions, a fee may be payable by the data subject for provision of this information.

Although ScotEID will make reasonable endeavours to provide you, upon request, with a copy of the data which you have inputted to the ScotEquine Database, it is not obliged to do so in permanent (printed) form if it would involve disproportionate effort on the part of ScotEID to do so.

13. DEALING WITH ERASURE REQUESTS

THE PURPOSE OF ACQUIRING INFORMATION FROM EQUINE PASSPORTS IS OVERWHELMINGLY IN THE PUBLIC INTEREST FOR THE INTEGRITY OF THE FOOD CHAIN AND THE PROTECTION OF PUBLIC HEALTH AND ANIMAL WELFARE. AS A RESULT SCOTEID IS UNABLE TO ERASE CERTAIN PERSONAL DATA RELATING TO THE EQUINE KEEPER FOR A PERIOD OF 5 YEARS FOLLOWING THEIR LAST UPDATE TO THE SCOTEQUINE DATABASE OR FROM THE DEATH OF THEIR LAST REGISTERED EQUINE. SCOTEID WILL ADVISE YOU AS TO WHAT PERSONAL DATA IT WILL RETAIN WHEN IT RESPONDS SUBSTANTIVELY TO YOUR REQUEST AND SUCH PERSONAL DATA WILL ONLY BE HELD TO THE EXTENT REASONABLY REQUIRED FOR ARCHIVING AND SCIENTIFIC, HISTORICAL OR STATISTICAL RESEARCH PURPOSES. ALL OTHER PERSONAL INFORMATION HELD BY SCOTEID RELATING TO AN EQUINE KEEPER MAY BE DELETED WITHIN ONE MONTH OF THAT EQUINE KEEPER'S WRITTEN REQUEST. ANY SUCH REQUEST SHOULD BE SENT TO SCOTEID'S DATA PROTECTION OFFICER, BOB YUILL. SCOTEID WILL NOTIFY THE EQUINE KEEPER IN ADVANCE IF WE ARE UNABLE TO ERASE THE DATA WITHIN THIS PERIOD AND WE WILL EXPLAIN OUR REASONS FOR DELAY.

14. 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 ScotEquine Website (www.Scotequine.com) and will apply from that date. You should check the ScotEquine Website from time to time to review the then current Privacy Policy.

15. 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 Information Commissioner's Office where appropriate.

Any user of the ScotEquine 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: June 2018