

**FARMSONLINE**

**PRIVACY IMPACT ASSESSMENT**

*This is a "living document" that will be updated over time*

**VERSION 3.2**

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This Privacy Impact Assessment document is a work in progress and any comments, suggestions or questions are welcomed. Please contact:

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## 1 INTRODUCTION & OVERVIEW

Information about properties is fragmented and duplicated across a number of government and industry databases. The Ministry of Agriculture and Forestry (MAF), however, needs to access this information, in a suitable format, for use in a biosecurity event and preferably prior to the event occurring. Without this capability, the duration, direct costs and flow-on impacts to the wider New Zealand economy from a biosecurity event are greater.

*In 2005, an anonymous letter claimed that foot and mouth disease had been released on Waiheke Island. Just over half of the potentially affected properties could be located and contacted using easily accessed information. It took over a week to identify the balance of properties on the small, 92 square-kilometre island. Information about these properties was available; however it was fragmented and duplicated across numerous government and industry databases that were not readily accessible. MAF needs the ability to access this information and process it into a format suitable for use in a biosecurity emergency in advance of the outbreak occurring. Had MAF been able to do this in advance of the Waiheke Island event this critical work would have only taken two days.*

*In 2005, immediately following the Waiheke operation, MAF commissioned analysis of the current state of rural property information, specifically on AgriBase, the main source of rural property used by MAF, and owned by AgriQuality (now AsureQuality Ltd - AQ). The focus was specifically the coverage, currency and accuracy of AgriBase and the effectiveness and constraints of the existing commercial AgriBase model. AgriBase holds information for about 57 percent of rural properties – predominantly commercial livestock properties.*

The FarmsOnLine project and the related National Animal Identification and Tracing (NAIT) project, were both approved in principle by Cabinet in May 2008. On 19 October 2009, Cabinet approved FarmsOnLine as a Crown-owned resource to provide a shared service to collate and re-use property information that is already collected by government and industry, but is fragmented and duplicated. Cabinet approved the FarmsOnLine project to move to the database build and implementation phase, as set out in the full FarmsOnLine (Stage 2) Business Case.

NAIT is a joint industry-government project to develop a scheme to enable the rapid and accurate tracing of animals from birth to slaughter, and to provide key information related to these animals and the properties on which they have resided. The initial NAIT proposal is for individual animal tracing for cattle and deer, but for the system to be designed to enable other species to be included over time at property, flock/herd or individual level.

The FarmsOnLine dataset will cover all livestock, forestry, horticulture and viticulture sectors, as well as cattle and deer properties that will be recorded under the first rollout of the NAIT scheme. The FarmsOnLine dataset will actively manage information about all rural properties, including life-style blocks, and properties contiguous to these rural properties, and will also include sale yards, abattoirs, pack-houses and other relevant premises.

The FarmsOnLine core repository dataset will include rural property location, address, title and land-use information that is already in the public domain. A Privacy Impact Assessment is needed for FarmsOnLine because it will also include "personal information" as defined under Part 1 clause 2 of the Privacy Act 1993, i.e. "*Personal information means information about an identifiable individual*".

FarmsOnLine will hold personal information relating to individual property owners and occupiers in the form of personal contact details and farm-level information on the volumes of stock and/or crop species. Farm-level information is personal information because it is specific to farm owners and occupiers. It is also commercially sensitive information.

The purpose of use for personal information held in the FarmsOnLine database is:

1. To support activities sanctioned under the Biosecurity Act 1993, to enable a precautionary biosecurity capability including:
  - a) to facilitate the provision of assurances and certificates in relation to exports of organisms and their products; and
  - b) as a basis for the proper administration of the Act, including the institution of precautionary actions, response actions, emergency and exigency arrangements, and pest management strategies; and
  - c) to monitor the effect of pest management strategies; and
  - d) otherwise to enable any of New Zealand's international reporting obligations and trading requirements to be met.
2. For MAF internal statistical or research purposes under Information Privacy Principle (IPP) 10(f)(ii) in the Privacy Act 1993. The caveat on this is that the personal information will not be published in a form that can be reasonably expected to identify the individual concerned.
3. To support any purpose allowed through specific permission (e.g. responding to individual farmer requests for assistance to prevent or mitigate harm to livestock and crops during adverse events such as severe weather events; voluntary participation by individual farmers in market access schemes where location of origin is relevant).
4. To support purposes set out in any existing or new legislation that mandates the provision of personal information to be held in the FarmsOnLine database (e.g. proposed NAIT legislation).

The Government has introduced a Bill to amend the Biosecurity Act to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases. Personal information in FarmsOnLine will be sourced primarily from the rating information databases and from NZ Post's rural delivery database.

Farm-level information will be accessed either from approved partner applications (where individual permissions have been obtained), or by contacting individuals directly, or by accessing information provided by persons in charge of animals under proposed National Animal Identification and Tracing (NAIT) legislation.

FarmsOnLine will also hold reference information on urban properties (information sourced from local authorities' rating information databases) for use in the event of an urban response. Urban property information will not be actively managed by FarmsOnLine or become part of the core repository dataset.

MAF has consulted with the Office of the Privacy Commissioner and the Office of the Ombudsmen in developing the approach to the protection of personal information and commercially-sensitive information in FarmsOnLine, and will continue to do so leading up to and beyond the implementation of the system. The implications of the Privacy Act for FarmsOnLine have been worked through with the Office of the Privacy Commissioner and the implications of the Official Information Act 1982 have been worked through with the Office of the Ombudsmen.

MAF is aware that farmer support and cooperation with FarmsOnLine is important to ensure that quality farm data is available to support biosecurity surveillance, response and pest management activities. FarmsOnLine will conform with the *Information Privacy Principles* in the Privacy Act and will manage and protect personal information in accordance with the FarmsOnLine Purpose of Use Statement.

All data updates and retrievals will be logged by the FarmsOnLine system, providing extensive audit capability. FarmsOnLine will be subject to an annual external audit to ensure conformance with the *Information Privacy Principles* in the Privacy Act. The audit findings will be reviewed by the Office of the Privacy Commissioner, and will be published to enable farmers and others to view the audit findings. Where FarmsOnLine data has been sourced from data that is already in the public domain (e.g. from Land Information New Zealand - LINZ, and AsureQuality - AQ), FarmsOnLine intends to make this data available to industry, other government agencies and research parties at the cost of transfer.

## **2 DESCRIPTION OF THE PROJECT AND INFORMATION FLOWS**

A number of government and industry processes depend on robust and accurate rural property information.

The FarmsOnLine project has been established to meet the needs of a coordinated approach to acquiring and maintaining robust, accurate and current rural property information.

The FarmsOnLine project will develop and implement a shared data resource to capture, update and maintain a dataset of New Zealand rural and urban fringe property location, ownership, management, and stock and crop information. FarmsOnLine will be a core Crown asset for the benefit of New Zealand, administered by MAF.

The diagram below illustrates the "lifecycle" of how personal information will be managed by FarmsOnLine:



## **2.1 Our purposes for gathering personal information**

The purpose of use for personal information held in the FarmsOnLine database is:

1. To support activities sanctioned under the Biosecurity Act 1993, to enable a precautionary biosecurity capability including:
  - a) to facilitate the provision of assurances and certificates in relation to exports of organisms and their products; and
  - b) as a basis for the proper administration of the Act, including the institution of precautionary actions, response actions, emergency and exigency arrangements, and pest management strategies; and
  - c) to monitor the effect of pest management strategies; and
  - d) otherwise to enable any of New Zealand's international reporting obligations and trading requirements to be met.
2. For MAF internal statistical or research purposes under Information Privacy Principle (IPP) 10(f)(ii) in the Privacy Act 1993. The caveat on this is that the personal information will not be published in a form that can be reasonably expected to identify the individual concerned.
3. To support any purpose allowed through specific permission (e.g. responding to individual farmer requests for assistance to prevent or mitigate harm to livestock and crops during adverse events such as severe weather events; voluntary participation by individual farmers in market access schemes where location of origin is relevant).
4. To support purposes set out in any existing or new legislation that mandates the provision of personal information held in the FarmsOnLine database (e.g. proposed NAIT legislation).

## **2.2 Access to personal information**

Amendments in 2004 to the Local Government (Rating) Act 2002 limited access to personal information in local authorities' rating information databases, specifically property owners' and ratepayers' personal contact details in bulk form. Prior to this amendment, MAF had been able to access the personal information in bulk form for biosecurity purposes under the Biosecurity Act.

Access to personal information stored in the rating information databases is critical for MAF to be able to perform its obligations under the Biosecurity Act in terms of maintaining accurate, up-to-date personal contact information for rural properties.

The Government has introduced a Bill to amend the Biosecurity Act to require local authorities (territorial authorities and regional councils) to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases.

Specifically, the amendment will:

1. enable MAF to keep and maintain the FarmsOnLine database;
2. override clause 28A(6) of the Local Government (Rating) Act 2002 preventing disclosure of personal information to FarmsOnLine in bulk form;
3. enable access by FarmsOnLine to personal information in bulk form from local authorities' rating information databases on a regular ongoing basis; and
4. enable access, use, and disclosure of personal information provided, or made available, to the Director General of MAF from local authorities' rating information databases for the FarmsOnLine database, to be restricted to the four categories for the purpose of use for personal information, as specified in section 2.1 of this Privacy Impact Assessment document.

### **2.3 Collection of information from the public domain**

FarmsOnLine will collect public domain information (including physical location, land use and LINZ title information) for the following purposes:

- effective biosecurity responses and adverse event management;
- effective biosecurity surveillance programmes;
- developing and implementing robust policy to secure the future of the rural sector and monitoring and reporting on the success of these policies;
- supporting bona-fide research related to the rural sector, animal plant and human health, and food safety; and
- assisting the successful implementation of a wide variety of government and industry programmes.

#### **2.3.1 Information collected from partner applications**

Before any personal information is collected by FarmsOnLine from any potential data-providing partner application, we will need to address:

- whether the potential partner application's use of the personal information is consistent with MAF's powers under the Biosecurity Act; and
- whether the potential partner application has obtained specific permission from the relevant individuals to provide their personal information and commercially-sensitive information to FarmsOnLine to be used for a specific purpose(s).

A Data Sharing Agreement will be established with each approved partner clearly stating what personal information and commercially-sensitive information will be collected by FarmsOnLine and how that information will be used in accordance with the FarmsOnLine Purpose of Use Statement (see sections 3.6 and 4.1.1). A Data Sharing Agreement will also include ongoing monitoring arrangements.

### 2.3.2 Personal information collected directly from individuals

FarmsOnLine will also collect personal information directly from individuals in a number of ways, including property owners or occupiers:

- updating their own information on the secure interface of the FarmsOnLine web-site;
- providing information to MAF in response to a survey, query or "casing" enquiry from the FarmsOnLine Data Maintenance Centre, via telephone or mail;
- providing information during other "on-farm" activities conducted by authorised persons, or conducted by partner applications, for example Tb testing; and
- requesting assistance during adverse events.

The use of the data by FarmsOnLine will be advised to the individual when the information is collected.

### **3 THE PRIVACY ANALYSIS**

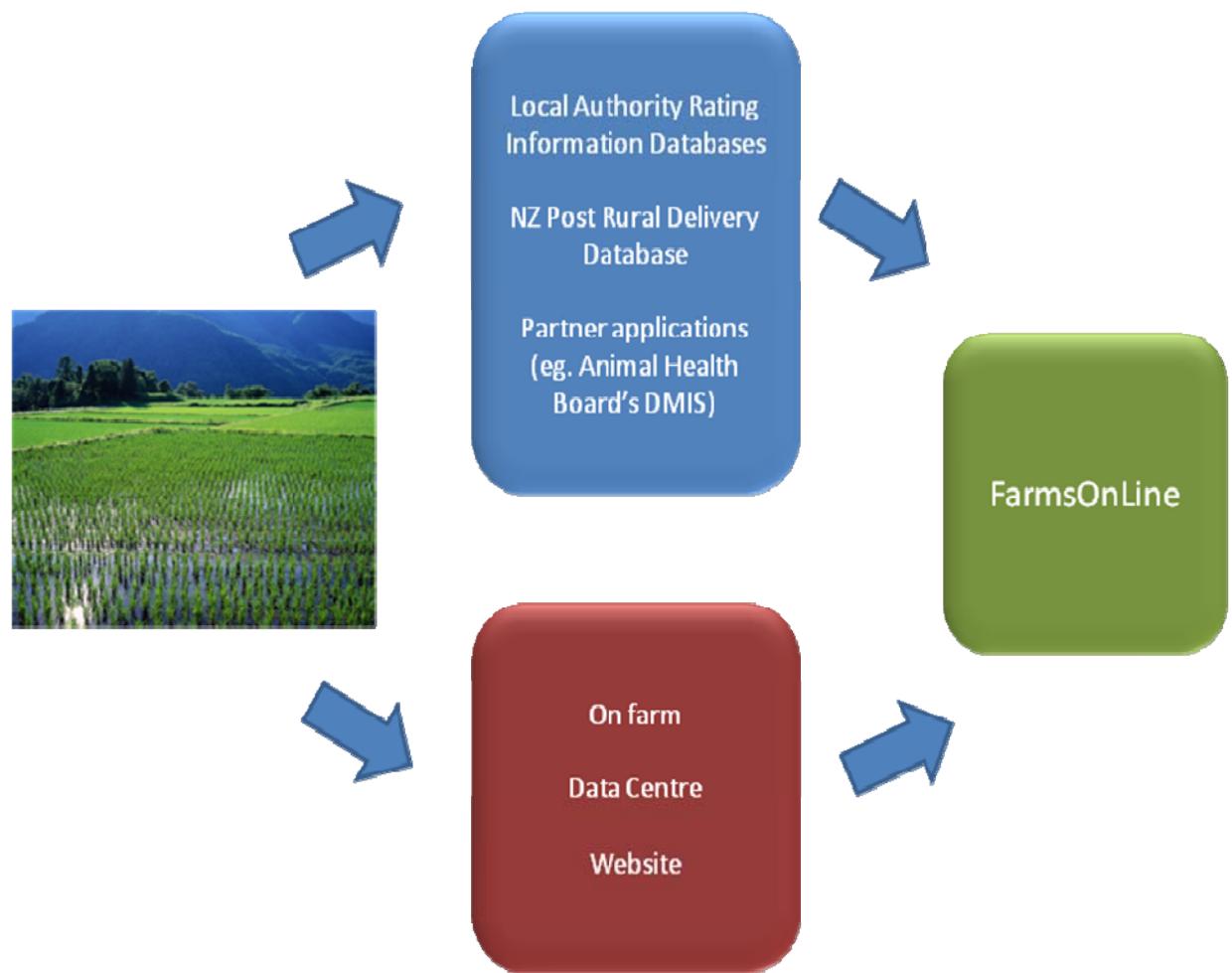
#### **3.1 Sources we collect personal information from and its uses**

FarmsOnLine proposes to collect personal information from sources as outlined in the table below:

Source	The personal information that is collected	Specific uses of this information
Individuals – (FarmsOnLine Data Maintenance Centre responsibility)	Name, address, role, phone numbers, stock and crop details	Surveillance, response, pest & disease management; and any purpose specifically allowed under individual permissions (e.g. responding to individual farmer requests for assistance, to prevent or mitigate harm to livestock and crops during adverse events such as severe weather events)
Local authority rating information databases (via Property IQ - contracted to Quotable Value New Zealand)	Name, address, phone numbers, legal description, valuation, land use	Surveillance, response, pest & disease management
New Zealand Post rural delivery database	Name, address, phone numbers	Surveillance, response, pest & disease management
LINZ	Public domain data	Surveillance, response, pest & disease management
Partner Applications, e.g. AHB's Data Management Information System (DMIS)	Name, address, phone numbers, stock details (cattle & deer)	Surveillance, response, pest & disease management
Regional councils – specific to pest management strategies	Name, address, role, phone numbers, stock and crop details	Surveillance, response, pest & disease management

FarmsOnLine will also seek to access personal information from other existing/future organisations that operate control/eradication strategies for the management of livestock and plant pests and diseases e.g. Johne's Management Limited<sup>1</sup> and Ovis Management Limited.<sup>2</sup>

The flow diagram below illustrates the process of collecting personal information:



<sup>1</sup> Johne's Management Limited is owned by Trial Holdings, which in turn is owned by Deer Industry New Zealand (DINZ). The purpose of Johne's Management Limited is to lower the incidence of Johne's disease in New Zealand deer.

<sup>2</sup> Ovis Management Limited (OML) is a wholly-owned subsidiary of the Meat Industry Association of New Zealand (MIA) whose mission is to provide a low-cost programme promoting control of *Cysticercus ovis* in livestock.

### 3.2 How we gather personal information

FarmsOnLine will gather personal information in various ways, as outlined in the table below:

Source	Mechanism to obtain access	Implications for individuals
<b>Individual farmers – (FarmsOnLine Data Maintenance Centre responsibility)</b>	<p>Individual permission relating to stock and crop information – via:</p> <ul style="list-style-type: none"> <li>▪ on-farm direct contact by MAF or its contractors</li> <li>▪ updating FarmsOnLine Secure Website</li> <li>▪ responding to FarmsOnLine Data Maintenance Centre mail-outs and telephone campaigns</li> <li>▪ responding to reactive casing by telephone (in response to change triggers e.g. farm sales)</li> <li>▪ responding to individual farmer requests for assistance during adverse events)</li> <li>▪ FarmsOnLine Data Maintenance Centre support when updating own details on FarmsOnLine Secure Website</li> </ul>	
<b>Local authority rating information databases (via Property IQ - contracted to Quotable Value New Zealand)</b>	The Government has introduced a Bill to amend the Biosecurity Act. The Bill includes a provision to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases.	Able to request personal information be withheld from a rating information database under Local Government (Rating) Act – clause 28(C)
<b>New Zealand Post Rural Delivery database</b>	Existing permission statement agreed by individuals	
<b>LINZ</b>	Data extract from LINZ Core Record System (CRS)	
<b>AHB's Data Management Information System (DMIS)</b>	Biosecurity (National Bovine TB Pest Management Strategy) Order 1998	Mandated to provide data to DMIS, but can request data not shared with FarmsOnLine
<b>Regional councils – specific to pest management strategies</b>	Individual permission relating to stock and crop information	Able to request personal information be withheld from FarmsOnLine

This data will be gathered on a regular ongoing basis (monthly, bi-monthly, quarterly) from each of the above data sources, or is updated due to a “trigger” – e.g. change of ownership, revaluation of property, contact with an individual, etc. Wherever possible, individuals are given the ability to access and update their own information. At any time individuals will have the right to request to have their personal information removed from the FarmsOnLine database through incorporation of an opt-out provision.

### 3.3 Disclosure of personal information and its uses

Personal information in FarmsOnLine will be disclosed and used as follows.

Disclosed to	What data	Specific uses of this information
MAF (including contractors working on behalf of MAF)	Name, address, role, phone numbers, stock and crop details	Surveillance, response, pest & disease management Policy research as described in the Purpose of Use Statement
Ministry of Civil Defence and Emergency Management - MCDEM (Civil Defence teams) – on a case-by-case basis where specific permission has been obtained from the individuals	Name, address, role, phone numbers, stock and crop details	Adverse event management (i.e. responding to individual farmer requests for assistance during adverse events)
Partner applications – (disclosed only if the individuals have provided specific permission)	Name, address, role, phone numbers, stock details	Surveillance, response, pest & disease management Policy research as described in the Purpose of Use Statement
Any third party that has obtained specific permission from the individual(s)	Could include any of individual's name, address, role, phone numbers, stock and crop details (as per specific permission)	As per specific permission statement
The NAIT Information System Administrator under proposed NAIT legislation.	Data specified in accordance with any new legislation where disclose has been mandated	As per the mandated terms of disclosure, provision and use

#### 3.3.1 Data Sharing Agreements for sharing of FarmsOnLine information

Any partner application that wants to obtain information from FarmsOnLine must execute a Data Sharing Agreement with MAF. The Data Sharing Agreement will address:

- on what basis FarmsOnLine personal information and commercially-sensitive information will be shared;
- what FarmsOnLine personal information and commercially-sensitive information will be shared;
- how use of FarmsOnLine personal information and commercially-sensitive information will be managed by the partner; and
- rules governing the disclosure of FarmsOnLine personal information and commercially-sensitive information.

The Data Sharing Agreement will also require ongoing monitoring arrangements to be undertaken by the partner application.

### **3.4 How we store and maintain personal information**

Before any data is updated into FarmsOnLine it goes through a systematic review and update process where it is validated against its source and against other sources of data. There will be defined “triggers” which requires further investigation and validation. The FarmsOnLine Data Maintenance Centre tasked with maintaining the data repository will conduct the investigation and validation. It will also be responsible for:

- a set of procedures and supporting information systems to update and maintain the data quality, over time;
- regular mail-out surveys and pro-active telephone campaigns targeting particular regions or industry types (driven by the latest MAF Biosecurity priorities);
- reactive “casing” (updating property details) by telephone interviewing, in response to a change trigger (e.g. change of property ownership); and
- Data Maintenance Centre support to farmers who wish to access and update their FarmsOnLine details through the web application.

There are four repositories that form the FarmsOnLine solution: Core Data Repository, Logging & Audit Repository, Data Maintenance Repository and Reference Data Repository. All updates and activity relating to the Core Data Repository will be logged in the Logging & Audit Repository. The scope of the data logged includes field level changes to data and field level retrieval of data. The purpose of this is to enable of full history of changes to data fields, including the time and source of change, to be reported. This capability will enable a “point in time” view of any data in the Core Data Repository to be derived on demand. In addition, all retrieval and ‘update request’ activity is logged providing extensive audit capability.

#### **3.4.1 Restricted access to personal information**

Any personal information will be specifically tagged for continuous identification within the FarmsOnLine database and will be maintained separately from the public domain data. This is to ensure MAF is able to

ensure that personal information is only provided to approved sources, and under approved circumstances (see section 3.6).

### 3.5 How personal information will be maintained securely

A range of services that maintain and control access to the data held in the four FarmsOnLine repositories have been designed to support the data maintenance, point in time history, and audit requirements of the FarmsOnLine solution. The services associated with each of the four repositories are set out below.

#### 3.5.1 Core Data Repository

The primary purpose of the FarmsOnLine solution is to manage core data relating to rural properties and the contact information of people related to those properties. This data is referred to in FarmsOnLine as the Core Data Repository and forms the heart of all FarmsOnLine activities. A number of web services will provide the functionality to the Core Data Repository. These are described below.

*Core Data: Update Request Services, Update Validation Services, Validated Update Services* - These services support the reconciliation and validation of updates to core data received from the FarmsOnLine Data Maintenance Applications and partner applications (e.g. AHB's Data Management Information System (DMIS); MAF Biosecurity New Zealand's Incursion Response System – IRS; NAIT – post implementation) in 'loosely coupled real-time'. The services support rule-based automated and manual (user) validation. The results of these validation processes are logged to support ongoing optimisation and assessment of both automated and manual validation.

The data interface process has been defined and tested with sample data from Quotable Value New Zealand (QV), IRS, AHB DMIS, NZ Post, LINZ.

*Core Data Retrieval Services* - These services support the authorised and filtered retrieval of core data based on privacy driven business rules. Field level logging of data retrieval activities supports the ongoing privacy audit requirements.

*Core Data Point-In-Time Services* - These services support the retrieval of data from the Logging & Audit Repository (see below) in combination with the Core Data Repository and Reference Data Repository to provide a view of all core data at any "point in time".

#### 3.5.2 Logging & Audit Repository

All updates and activity relating to the Core Data Repository are logged in the Logging & Audit Repository. The scope of the data logged includes field level changes to data and field level retrieval of data. The purpose of this is to enable of full history of changes to data fields, including the time and source of change, to

be reported. This capability will enable a 'point in time' view of any data in the Core Data Repository to be derived on demand. In addition, all retrieval and 'update request' activity is logged providing extensive audit capability. The purpose of this view is to support business process and systems that track farm based activity across time. The scope of this view is "to field level" and "to the second".

*Logging & Audit Services* – These services support asynchronous/time stamped logging of all update and retrieval activities within the FarmsOnLine solution. The scope of this logging is "to field level" and "to the second". Updates to Reference Data Parcel/Valuation data that is linked to FarmsOnLine Core Data are also logged as part of ongoing Reference Data update processes.

### 3.5.3 Data Maintenance Repository

The maintenance of data within the Core Data Repository is achieved through a multi-faceted approach, combining many data sources and activities to achieve a high overall level of data accuracy and reliability. The orchestration of these activities is supported by the Data Maintenance Repository which is primarily utilised by the suite of Data Maintenance Applications.

The FarmsOnLine *Data Maintenance Applications* provide the user tools to efficiently maintain data within the Core Data Repository. The Data Maintenance Applications utilise the Data Maintenance Repository to facilitate the orchestration of data maintenance activity, primarily through the use of 'activity queues' that are fed by data update triggers and business criteria reporting. The FarmsOnLine Web Site will provide a secure interface for authorised users to view and update their personal Core Data records (subject to *Update Validation Service* rules).

FarmsOnLine will implement data management procedures and measures reflecting the New Zealand's biosecurity priorities. The proposed FarmsOnLine system will be Crown owned and funded. Data collection and maintenance procedures will be driven by the annual biosecurity priorities for surveillance, response, and pest and disease management. An early priority will be readying the property and ownership information for cattle and deer properties to support purposes in proposed NAIT legislation.

The data maintenance priorities will be assured through a Service Level Agreement, and a set of measures that inform and assure Government that the activities of the FarmsOnLine Data Maintenance Centre are aligned to New Zealand's current and emerging biosecurity needs.

### 3.5.4 Reference Data Repository

The Core Data Repository is built on a foundation of external sources of property information, primarily LINZ land parcels and titles, rating information databases, and NZ Post Rural Delivery database. These data sources are maintained in the Reference Data Repository. The Reference Data Repository maintains a

historical change history designed to support “triggered” casing activities within the Core Data Repository, in addition to supporting a point-in-time view of the data within the Reference Data Repository.

*Reference Data Services* - These services support the management of regular scheduled updates to Reference Data from reference data providers (typically monthly via DVD). The process supports the identification of changes to data (delta) which are stored to support a ‘point in time’ view of the complete Reference Data Repository. These changes are also fed to the Data Maintenance Repository to support systematic casing and updates to Core Data as appropriate.

### **3.6 Data security**

During the FarmsOnLine database build, MAF will finalise the FarmsOnLine Purpose of Use Statement. The FarmsOnLine Purpose of Use Statement will be communicated to all key stakeholders, and published on the MAF and FarmsOnLine websites so that it can be as accessible as possible. FarmsOnLine will conform with the *Information Privacy Principles* in the Privacy Act and will manage and protect personal information in accordance with the FarmsOnLine Purpose of Use Statement.

MAF will commission an annual external audit to review all use of FarmsOnLine data against the FarmsOnLine Purpose of Use Statement and the *Principles and Protocols for Producers of Tier 1 Statistics*,<sup>3</sup> and be responsible for passing any recommended actions arising from this annual audit to the Director General of MAF.

#### **3.6.1 Unrestricted information**

This data is already in the public domain and can be provided to support the FarmsOnLine business applications above without any change to legislation. This data would generally be provided at an aggregated level (i.e. at mesh-block level, local-authority level, regional level, or national level), in compliance with the *Principles and Protocols for Producers of Tier 1 Statistics*.

#### **3.6.2 Restricted-use information**

The FarmsOnLine dataset will include personal information as defined under the Privacy Act, Part 1 clause 2, i.e. “*Personal information means information about an identifiable individual.*”

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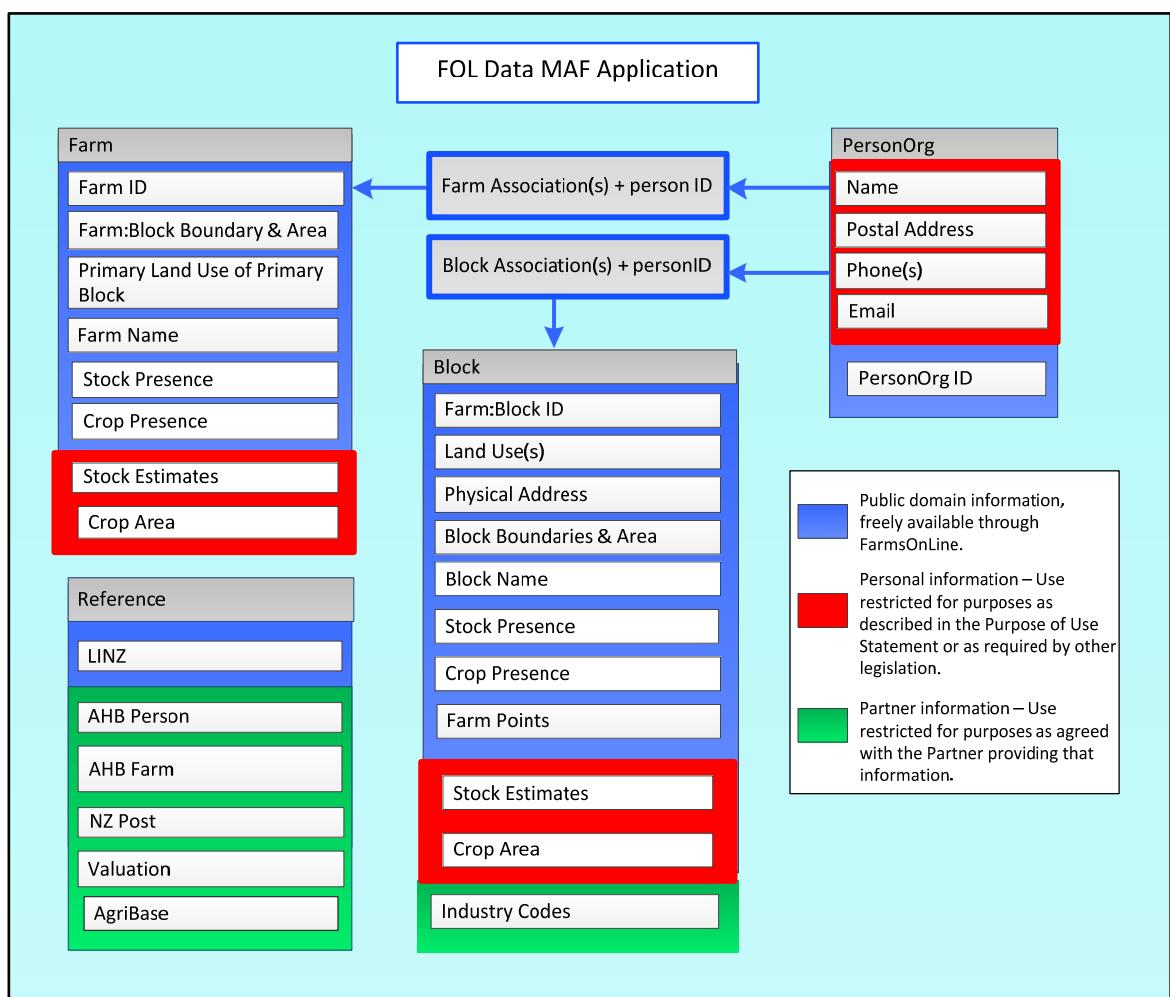
<sup>3</sup> <http://www.statsphere.govt.nz/about-official-statistics/-/media/statsphere/Files/tier-1/tier1-principles-and-protocols.ashx>

"Restricted-use" data held in the FarmsOnLine database will consist of personal information relating to individual property owners and occupiers in the form of:

- personal contact information; and
- farm-level information on the estimated volumes of stock and/or crop species.

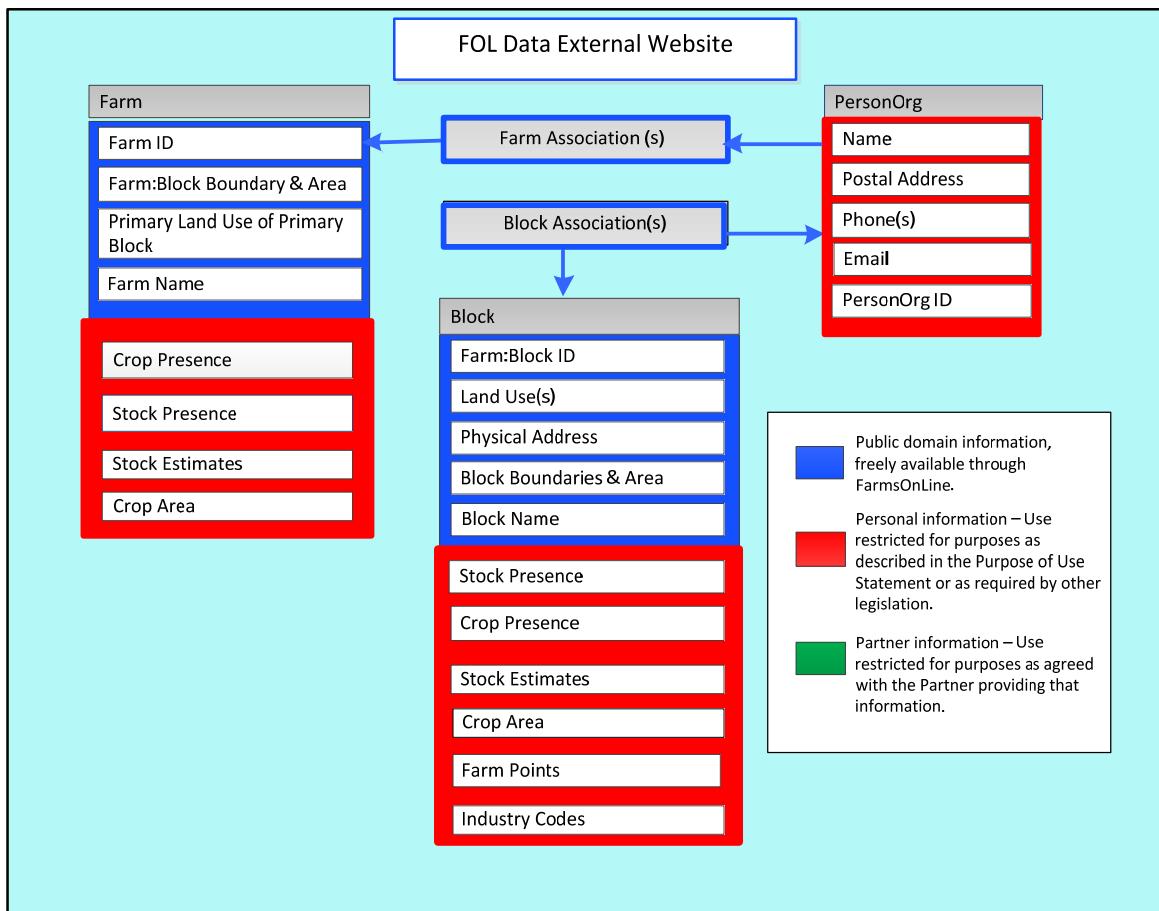
FarmsOnLine restricted-use information will be held under secure access permissions as part of biosecurity preparedness. Access to, use, and disclosure of restricted-use data held in the FarmsOnLine database will be restricted to the four-part purpose of use for personal information, as specified in section 2.1 of this Privacy Impact Assessment document.

In the following flow diagram for the FarmsOnLine Core Data Repository, the "restricted use" data elements are shown within the red blocks:





In the external application visible to the public a more conservative approach has been taken. The presence of stock and crop as well as estimates is restricted and only visible in the logged on view, that is a farm owner or manager can see the people and stock and crop associated with their own farm, but not any other farm, as set out in the flow diagram below:



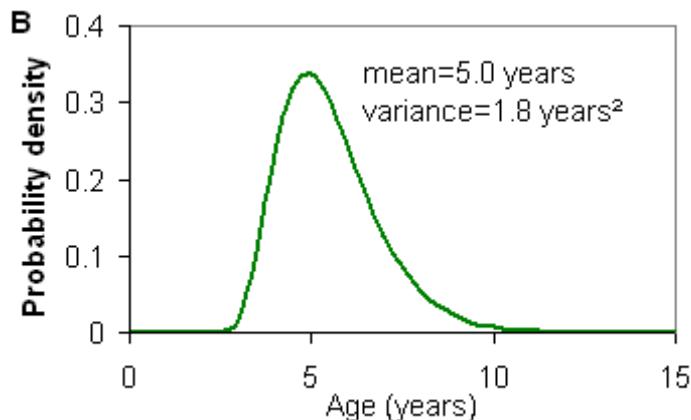
### 3.7 How and when will we dispose of personal information

Information will be retained in FarmsOnLine while it remains current – i.e. the “current” data elements for a farm, regardless of the date the information was collected.

Some FarmsOnLine stock and crop data may need to remain accessible for many years due to the long-term environmental presence of: livestock/crop disease organisms (e.g. the anthrax spore-forming bacterium *Bacillus anthracis* can live in the soil for many years); and non-germinated viable seeds of unwanted pasture/crop species.

Long incubation period diseases such as the transmissible spongiform encephalopathies, including bovine spongiform encephalopathy (BSE or mad cow disease), and chronic wasting disease (CWD) of deer, have incubation periods measured in years. Figure 1 below, taken from Supervie and Costagliola (2004),<sup>4</sup> shows estimated incubation periods for the French BSE epidemic:

**Figure 1**



Anthrax is a disease of animal and humans caused by *Bacillus anthracis*. This organism survives in the environment in an inactive spore form. The spores are resistant to degradation and have been known to last a long time in the bones of animals which die of anthrax. Soil contaminated from decaying carcasses has also been known to remain infectious for decades.

Data about the status of a farm needs to be maintained well beyond the typical period of interest because of the potential for new disease outbreaks well after the original outbreak. This has occurred in New Zealand on several occasions in the past. Specific reports to support this include publication of evidence for viable spores found in bones estimated to be  $200 \pm 50$  years old (De Vos 1990).<sup>5</sup> A report from New Zealand put the time between the last known outbreak in New Zealand and an earlier one as 52 years (Barry 1954).<sup>6</sup>

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<sup>4</sup> Supervie, V. and Costagliola, D. (2004). The unrecognised French BSE epidemic. *Vet. Res.* 35 (2004) 349–362

<sup>5</sup> De Vos, V. (1990). The ecology of anthrax in Kruger National Park, South Africa. *Salisbury Medical Bulletin Supplement* 1990; 68: 19-23.

<sup>6</sup> Barry, W. C. (1954). The occurrence of anthrax in New Zealand. *New Zealand Veterinary Journal*, Volume 2, Issue 2: 51-52, June 1954.

Another reason for data retention for quite long periods of time is simply to allow analytical comparisons of the current situation with what was happening at various periods in the past. For example calculating rates of disease or activity at different time periods. Implicit in the calculation of rates is an understanding of the background population at risk. This would be calculated from FOL data.

Personal information held in FarmsOnLine, relating to farm property ownership and occupation, may need to be accessed for biosecurity preparedness and for enabling any of New Zealand's international and trading requirements to be met (e.g. supporting purposes in proposed NAIT legislation).

Therefore, on the basis of the above biosecurity rationale for the retention of historical information in FarmsOnLine, it may be necessary to retain personal information relating to some properties, for up to 50 years.

For every element of data, FarmsOnLine will be able to identify:

- when it was created;
- the complete history of updates and by whom; and
- if and when it was accessed, and by whom.

### 3.8 How FarmsOnLine will conform with the *Information Privacy Principles*

FarmsOnLine is subject to the 12 *Information Privacy Principles* set out in clause 6 of the Privacy Act. The proposed amendment to the Biosecurity Act, however, would override the requirement for FarmsOnLine to conform with *Information Privacy Principles* 2, 10, and 11. The following table shows how FarmsOnLine will confirm with the *Information Privacy Principles*:

<i>Information Privacy Principle</i>	How FarmsOnLine will conform
<b>1 – Purpose of collection of personal information</b>	<p>The purpose of use for personal information, as specified in section 2.1 of this Privacy Impact Assessment document, is:</p> <ol style="list-style-type: none"><li>1. To support activities sanctioned under the Biosecurity Act 1993, to enable a precautionary biosecurity capability including:<ol style="list-style-type: none"><li>a) to facilitate the provision of assurances and certificates in relation to exports of organisms and their products; and</li><li>b) as a basis for the proper administration of the Act, including the institution of precautionary actions, response actions, emergency and exigency arrangements, and pest management strategies; and</li><li>c) to monitor the effect of pest management strategies; and</li><li>d) otherwise to enable any of New Zealand's international reporting obligations and trading requirements to be met.</li></ol></li><li>2. For MAF internal statistical or research purposes under Information Privacy Principle (IPP) 10(f)(ii) in the Privacy Act 1993. The caveat on this is that the personal information will not be published in a form that can be reasonably expected to identify the individual concerned.</li><li>3. To support any purpose allowed through specific permission (e.g. responding to individual farmer requests for assistance to prevent or mitigate harm to livestock and crops during adverse events such as severe weather events; voluntary participation by individual farmers in market access schemes where location of origin is relevant).</li><li>4. To support purposes set out in any existing or new legislation that mandates the provision of personal information to be held in the FarmsOnLine database (e.g. proposed NAIT legislation).</li></ol>

## 2 – Source of personal information

- Personal information collected by FarmsOnLine will be:
- obtained from existing public domain sources e.g. LINZ;
  - obtained directly by way of individual permissions from the respective individual farm property owners and occupiers that agree to provide personal information, as follows:
    - on-farm direct contact by MAF or its contractors;
    - updating the FarmsOnLine Secure Website;
    - responding to FarmsOnLine Data Maintenance Centre mail-outs and telephone campaigns;
    - responding to reactive casing by telephone (in response to change triggers e.g. farm sales);
    - responding to individual farmer requests for assistance during adverse events); and
    - FarmsOnLine Data Maintenance Centre support when updating own details on the FarmsOnLine Secure Website.
  - approved data-set applications that have obtained agreement, from the individual farm property owners and occupiers that supply their personal information, to a permission statement:
    - regional councils – specific to pest management strategies
    - NZ Post Rural Delivery database; and
    - partner applications, e.g. AHB's Data Management Information System (DMIS); and FarmsOnLine will also seek to access personal information from other existing/future organisations that operate control/eradication strategies for the management of livestock and plant pests and diseases e.g. Johne's Management Limited and OVIS Management Limited.

The Government has introduced a Bill to amend the Biosecurity Act. The Bill includes a provision to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases. The provision would override the requirement under clause 6 of the Privacy Act to conform with *Information Privacy Principle 2* (that requires that where an agency collects personal information, the agency shall collect the information directly from the individual concerned).

The resultant exception to the requirement to conform with *Information Privacy Principle 2* would enable personal information to be obtained by FarmsOnLine from local authorities' rating information databases.

<b>3 – Collection of information from subject</b>	Farm property owners and occupiers are entitled to be aware that FarmsOnLine is proposing to collect personal information, and the intended purpose of the collection.  Communication of the purpose will be through a FarmsOnLine communications plan, a FarmsOnLine web-site, and when contacted by the FarmsOnLine Data Maintenance Centre for updating information.
<b>4 – Manner of collection of personal information</b>	FarmsOnLine will not collect personal information by: <ul style="list-style-type: none"> <li>▪ unlawful means; or</li> <li>▪ means that are unfair or intrude unreasonably.</li> </ul>
<b>5 – Storage and security of personal information</b>	FarmsOnLine will ensure that for personal information held in FarmsOnLine: <ul style="list-style-type: none"> <li>▪ there are reasonable safeguards against information loss, misuse or disclose; and</li> <li>▪ the information is protected from unauthorised use or disclosure.</li> </ul> Any personal information will be specifically "tagged" within FarmsOnLine and will be maintained separately from the public domain data. This is to ensure MAF is able to ensure this "restricted-use" data is only provided to approved sources, and under approved circumstances.  The implications of the Privacy Act for FarmsOnLine have been worked through with the Office of the Privacy Commissioner and the implications of the Official Information Act have been worked through with the Office of the Ombudsmen. Legislative protection of restricted-use information in FarmsOnLine can be sought: <ul style="list-style-type: none"> <li>• under the Privacy Act and under the Official Information Act for the protection of personal information; and</li> <li>• under the Official Information Act for the protection of commercially-sensitive information.</li> </ul>
<b>6 – Access to personal information</b>	Individual property owners and occupiers will be able to access and confirm what personal information is held about them in FarmsOnLine (personal contact details, estimated volumes of stock and/or crop species) either by contacting the FarmsOnLine Data Maintenance Centre or by using the igovt logon service.
<b>7 – Correction of personal information</b>	Individual property owners and occupiers will be able to update or correct what personal information is held about them in FarmsOnLine (personal contact details, estimated volumes of stock and/or crop species) either by contacting the FarmsOnLine Data Maintenance Centre and answering appropriate security questions, or by using the igovt logon service.

<p><b>8 – Accuracy of personal information to be checked before use</b></p>	<p>Accuracy of personal information held in FarmsOnLine will, wherever possible, be checked before use.</p> <p>All updates and activity relating to the FarmsOnLine Core Data Repository will be logged in the Logging and Audit Repository. The scope of the data logged includes field level changes to data and field level retrieval of data.</p> <p>The purpose of this capability is to enable a full history of changes to data fields, including the time and source of change, to be logged. This capability will enable a “point-in-time” view of any data in the Core Data Repository to be derived on demand. In addition, all retrieval and “update request” activity will be logged, providing an extensive audit capability.</p>
<p><b>9 – Agency not to keep personal information for longer than necessary</b></p>	<p>FarmsOnLine will keep personal information only for as long as is necessary to support the purposes of use set out above in regard to <i>Information Privacy Principle 1</i>.</p> <p>To that end, it will be essential for FarmsOnLine to maintain accurate, up-to-date personal contact information for farm property owners and farm occupiers of all rural properties in preparation for, rather than following the onset of, a biosecurity event.</p> <p>Information will be retained in FarmsOnLine while it remains current – i.e. the “current” data elements for a farm, regardless of the date the information was collected. Some FarmsOnLine stock and crop data may need to remain accessible for many years due to the long-term environmental presence of: livestock/crop disease organisms (e.g. the anthrax spore-forming bacterium <i>Bacillus anthracis</i> can live in the soil for many years); and non-germinated viable seeds of unwanted pasture/crop species. Long incubation period diseases such as the transmissible spongiform encephalopathies, including BSE (or mad cow disease) and chronic wasting disease (CWD) of deer, have incubation periods measured in years.</p> <p>Data about the status of a farm needs to be maintained well beyond the typical period of interest because of the potential for new disease outbreaks well after the original outbreak. Another reason for data retention for quite long periods of time is simply to allow analytical comparisons of the current situation with what was happening at various periods in the past.</p> <p>Personal information held in FarmsOnLine, relating to farm property ownership and occupation, may need to be accessed for biosecurity preparedness and for enabling any of New Zealand’s international and trading requirements to be met (e.g. supporting purposes in proposed NAIT legislation). Therefore, on the basis of the above biosecurity rationale for the retention of historical information in FarmsOnLine, it may be necessary to retain personal information relating to some properties, for up to 50 years. (see section 3.7).</p>

<b>10 – Limits on use of personal information</b>	<p>The four categories for the purpose of use for personal information are specified in section 2.1 of this Privacy Impact Assessment document.</p> <p>Personal information obtained by FarmsOnLine from approved partner data-set applications that have obtained agreement from individual farm property owners and occupiers to a permission statement, will only be used for purposes consistent with the permission statement.</p> <p>The Government has introduced a Bill to amend the Biosecurity Act. The Bill includes a provision to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases. The provision would override the requirement under clause 6 of the Privacy Act to conform with <i>Information Privacy Principle 10</i> (that requires an agency that holds personal information that was obtained in connection with one purpose to not use the personal information for any other purpose, unless the agency believes, on reasonable grounds, that certain specified exemptions to <i>Information Privacy Principle 10</i> in clause 6 of the Act are applicable). The resultant exception to the requirement to conform with <i>Information Privacy Principle 10</i> would enable personal information obtained by FarmsOnLine from local authorities' rating information databases to be used to support activities sanctioned under the Biosecurity Act (see section 2.1).</p> <p>Personal information obtained by FarmsOnLine would also be used to support purposes in proposed NAIT legislation.</p>
<b>11 – Limits on disclosure of personal information</b>	<p>Personal information will not be disclosed for any purposes other than those covered under <i>Information Privacy Principle 10</i> (see above).</p> <p>The Government has introduced a Bill to amend the Biosecurity Act. The Bill includes a provision to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases. The provision would override the requirement under clause 6 of the Privacy Act to conform with <i>Information Privacy Principle 11</i> (that requires an agency that holds personal information to not disclose the personal information to a person or body or agency, unless the agency believes, on reasonable grounds, that certain specified exemptions to <i>Information Privacy Principle 10</i> in clause 6 of the Act are applicable). The resultant exception to the requirement to conform with <i>Information Privacy Principle 11</i> would enable personal information obtained by FarmsOnLine from local authorities' rating information databases to be disclosed to:</p> <ul style="list-style-type: none"> <li>▪ MAF (including contractors working on behalf of MAF) for surveillance, response, pest and disease management purposes;</li> <li>▪ Partner applications, MCDEM Civil Defence teams and any third party - where individual farm property owners and occupiers have provided specific permission for their personal information to be disclosed; and</li> <li>▪ the NAIT Information System Administrator under proposed NAIT legislation.</li> </ul>

## 12 – Unique identifiers

Government must not create a single unique identifier for an individual for all their dealings with government.

FarmsOnLine will allocate a Farm ID to all farm properties that will be specific to the property and not an individual. The Farm ID stays with the farm in the FarmOnLine database, throughout changes of ownership. Groups within MAF that interact with farmers and industry groups will reinforce the value of knowing one's Farm ID and using it for biosecurity purposes, although it is intended this will in the main be not compulsory, other than for meeting NAIT Registered User requirements under proposed NAIT legislation.

FarmsOnLine will create a system identifier for individuals associated with rural properties, but only as part of the design of the FarmsOnLine database to enable the database to function.

## **4 PRIVACY RISK ASSESSMENT**

### **4.1 System design features and government standards that mitigate privacy risks for FarmsOnLine**

The design and operation of the FarmsOnLine system is subject to:

- the Privacy Act governing the collection, storage and use of personal information; and
- the Public Records Act 2005 that requires that government agencies create and maintain public records and keep them accessible for subsequent reference until disposal (which can occur only with the authority of the Chief Archivist).

FarmsOnLine restricted-use information will be held under secure access permissions as part of biosecurity preparedness. Section 3.8 has outlined how FarmsOnLine will conform with the 12 *Information Privacy Principles* in clause 6 of the Privacy Act. Restricted-use data will not be available through the public domain of the FarmsOnLine website.

Farm property owners and occupiers will be able to use the igovt logon service to log-on as authorised FarmsOnLine users on the secure interface of the FarmsOnLine website, to access restricted-use data that is specific to them and to update or correct it if necessary. The igovt logon service, formerly known as the Government Logon Service (GLS), is an all-of-government shared service that allows people and businesses to use the same logon to access government online services, and sets out standards for development and use of metadata (i.e. information about information held) for portals and search engines.

#### **4.1.1 FarmsOnLine Purpose of Use Statement**

The FarmsOnLine Purpose of Use Statement will be communicated to all key stakeholders, and published on the MAF and FarmsOnLine websites so that it can be as accessible as possible. The FarmsOnLine Purpose of Use Statement has purposes of use both for personal information (*information about an identifiable individual*) and information sourced from the public domain (*including physical location, land use and LINZ title information*), as specified in sections 2.1 and 2.3, respectively, of this Privacy Impact Assessment document.

#### **4.1.2 Out of scope data elements**

The following property-level data elements will be out of scope for FarmsOnLine:

##### *Financial and Commercial Information*

- GST numbers
- IRD numbers

- Financial information
- Banking information
- Cost information
- Sales information
- Revenue or profit information.

*Stock and Crop Information*

- Identification of individual stock
- Identification of individual crop locations
- Herd numbers
- Disease status – stock
- Disease status – crops
- Breeding, background, or other means of stock identification and tracing
- Management practices
- Feeding practices
- Animal welfare information
- Veterinarian or laboratory information
- Animal treatments
- Animal movement information
- Other animal-specific Animal Status Declaration (ASD) information (e.g. Tb herd status, hormonal growth promotants-HGPs, withholding periods, etc)
- People roles set out in proposed NAIT legislation.

#### 4.1.3 Alignment of the FarmsOnLine system with New Zealand government and international standards

The proposed FarmsOnLine system complies with New Zealand government and international standards, and is aligned with New Zealand Geospatial Strategy. Other standards relevant to FarmsOnLine include:

- the Digital Strategy is aimed at ensuring New Zealand is a world leader in using information and technology to realise our economic, environmental, social and cultural goals;
- Standards Development – a work stream of the New Zealand E-Government Interoperability Framework;
- documents and standards of the State Services Commission and other central government agencies, including:
  - *E-government Requirements and Expectations*, November 2004, that set out Cabinet directions and expectations with regards to the e-Government programme;
  - *E-Government Interoperability Framework* that sets out standards for the interoperability of government information systems;
  - the igovt logon service;
  - *Guidelines for Managing and Monitoring Major Information Technology Projects*;
  - *Web Guidelines* that set out Cabinet expectations for accessibility and management of websites;
  - *Security in the Government Sector* (issued by the Interdepartmental Committee on Security) that sets out requirements for classifying and holding secure information and guidelines for communications and systems security management.

## **5 PRIVACY ENHANCING RESPONSES**

### **5.1 Rules around use of FarmsOnLine data**

MAF will establish a set of rules for acceptable use of FarmsOnLine data including governance and monitoring. MAF will also establish a *FarmsOnLine Data Advisory Committee* (see section 6.1) to ensure that the rules are monitored, maintained and adhered to.

#### **5.1.1 Public domain data**

This data is classed as “unrestricted” and can be shared with any party. Along with supporting the full spectrum of potential commercial uses, public domain data within FarmsOnLine will also be accessed by MAF to support uses already established for public domain data that include:

- policy development and monitoring of interventions
- biosecurity surveillance and reporting
- legitimate research
- disease modelling.

#### **5.1.2 Aggregated stock and crop data**

This data is also classed as “unrestricted” and is sourced at the mesh-block level from Statistics New Zealand, and also at the individual level from approved partner data-system applications. This data will be aggregated by FarmsOnLine, and can then be shared by with any party as for public domain data, i.e. to support the full spectrum of potential commercial uses, and also to support MAF uses already established for public domain data that include:

- policy development and monitoring of interventions
- biosecurity surveillance and reporting
- legitimate research
- disease modelling.

#### **5.1.3 Personal contact details**

This data is classed as “restricted use”. Personal contact details will be sourced primarily from local authorities’ rating information databases (assuming passage of the Bill the Government has introduced to amend the Biosecurity Act), and from NZ Post’s rural delivery database. Access to, use, and disclosure of restricted-use data held in the FarmsOnLine database will be restricted to the four categories for the purpose of use for personal information, as specified in section 2.1 of this Privacy Impact Assessment document.

### 5.1.4 Farm-level stock and crop data

This farm-level data is also classed as “restricted use”. Information on the estimated volumes of stock and/or crop species on a specific farm property will correlate to the estimated financial status of the farming operations on the property. Information on stock and crops at specific property locations may also be sensitive in terms of the potential risk that this information might facilitate targeted activities by activists. Stock and/or crop data in FarmsOnLine relating to an individual farmer will be both personal information and commercially-sensitive information; whereas stock and/or crop information relating to a property owned by a farm company will be commercially-sensitive information, but not personal information.

Farm-level stock and crop data will be sourced by FarmsOnLine from individual property owners and occupiers:

- updating their own information on the secure interface of the FarmsOnLine web-site; and
- providing information to MAF in response to a survey, query or “casing” enquiry from the FarmsOnLine Data Maintenance Centre, via telephone or mail.

Farm-level stock and crop data will also be sourced by FarmsOnLine from approved partner data-set applications that will have obtained agreement (from the individual farm property owners and/or occupiers, and farm companies that supply crop and stock information) to permission statements that will require FarmsOnLine to only use that information for purposes consistent with the permission statements, including:

- biosecurity surveillance
- biosecurity response
- biosecurity pest and disease management
- adverse event management.

## **6 COMPLIANCE MECHANISMS**

### **6.1 Governance and review mechanisms for compliance management**

MAF will establish a *FarmsOnLine Data Advisory Committee* (see section 5.1) that will have membership drawn from MAF senior management and will include industry representatives with ex officio/observer status.

Through this committee, FarmsOnLine will have transparent governance and review mechanisms that include the following activities:

- monitoring the use of FarmsOnLine personal information and commercially-sensitive information;
- approving any Data Sharing Agreement with a partner application for the use of FarmsOnLine personal information and commercially-sensitive information (see sections 2.3.1 and 3.3.1);
- consulting with the MAF FarmsOnLine Manager and the MAF Privacy Officer (see section 6.2 below) over the development and management of a breach/complaints/disputes process on FarmsOnLine matters;
- (as noted in section 3.6) commissioning an annual external Privacy Audit to review all use of FarmsOnLine personal information and commercially-sensitive information against the FarmsOnLine Purpose of Use Statement and the *Principles and Protocols for Producers of Tier 1 Statistics*; and
- responsibility for including any recommended actions arising from this annual external Privacy Audit in a report to the Director General of MAF, and elsewhere as appropriate.

Outside of these mechanisms, the Privacy Act provides for complaints to the Office of the Privacy Commissioner in the event that a person is concerned that any action in relation to FarmsOnLine is, or appears to be, an interference with the privacy of an individual, as defined under clause 66 of the Act. The Privacy Commissioner will independently investigate any complaint in accordance with Part 8 of the Act. In some circumstances, civil proceedings may be initiated before the Human Rights Review Tribunal and remedies may be sought.

### **6.2 MAF Privacy Officer for FarmsOnLine**

The MAF Privacy Officer will maintain oversight of Privacy issues around FarmsOnLine by:

- providing advice to the MAF FarmsOnLine Manager, or the *FarmsOnLine Data Advisory Committee* (see section 6.1 above), as requested;
- seeking external advice or liaising with the Office of the Privacy Commissioner when appropriate;
- reviewing the annual external Privacy Audit; and
- in relation to the Privacy Audit, making any recommendations necessary to the *FarmsOnLine Data Advisory Committee* for reporting to the MAF Director General, and elsewhere as appropriate.

## **7 CONCLUSIONS**

FarmsOnLine is a project to develop and implement a shared data resource to capture, update and maintain the dataset of New Zealand rural and urban fringe property location, ownership, management, and stock and crop information. FarmsOnLine will be a core Crown asset for the benefit of New Zealand, administered by MAF. The system will collate and re-use rural property information that is already collected by government and industry, but is fragmented and duplicated.

The FarmsOnLine shared data resource will provide a shared service with the capability to provide government agencies, appropriate industry groups, and approved partner data-system applications with efficient access to more accurate, complete, and up-to-date property information to support the biosecurity system, rural policy development, and adverse event management.

In order for MAF to maintain effective biosecurity preparedness to rapidly respond to any disease incursions that could threaten stock or crops, it will be essential for FarmsOnLine to have access to regular updates of rural property ownership and contact details from local authorities' rating information databases.

The Government has introduced a Bill to amend the Biosecurity Act. The Bill includes a provision to require local authorities to provide, or make available, to the Director General of MAF for the FarmsOnLine database, personal information in the rating information databases. The proposed provision is subject to public consultation and the submissions process of the Parliamentary Select Committee considering the Bill.

Protection of personal information is a fundamental issue for FarmsOnLine to manage. FarmsOnLine is subject to the Privacy Act governing collection, storage, access to, use, and disclosure of personal information. The FarmsOnLine Purpose of Use Statement will be communicated to all key stakeholders, and published on the MAF and FarmsOnLine websites so that it can be as accessible as possible.

FarmsOnLine restricted-use information will be held under secure access permissions as part of biosecurity preparedness, and will be accessed, used, and disclosed in accordance with the FarmsOnLine Purpose of Use Statement. Farm property owners and occupiers will be able to use the igovt logon service to log-on as authorised FarmsOnLine users on the secure interface of the FarmsOnLine website, to access restricted-use data that is specific to them and to update or correct it if necessary.

In summary, FarmsOnLine will support MAF to prepare for, and respond to, biosecurity threats. FarmsOnLine will be the authoritative source of rural property information in the context of biosecurity management and preparedness. The result will be a more effective and efficient system ensuring better support for land owners, the rural sector and the economy.