

Minutes of the meeting of Studbooks, Breed Societies and Passport Issuing organisations who were members of the BHS Horse and Pony Breeds Committee, BHS HQ, Abbey Park

Friday 23rd February 2018

Present:

Gemma Stanford	The British Horse Society
Kate Cobley	The British Horse Society
Lorraine Amor	CHAPS (UK)
Sandra Lawrence	BSPA
Jo Ashby	Dales Pony Society
Jane Murray	New Forest Pony Society
Ruth Staines	Caspian Horse Society
Eva-Maria Broomer	AES
Anne Vestey	BHS Welfare
Geth Tillin	BCPS
Sacha Shaw	NPS
Phillipa Cole	SPSS
Ruth O'Reilly	AQHA UK
Karin Swanson	Arab Horse Society
Natalie Meredith	Arab Horse Society
Jayne Stuart	NPS
Celia Clarke	WBSUK
Catherine Burdock	SHB(GB)
Marian Eydmann	SHB(GB)
John Shenfield	
Tom Brown	Dartmoor Pony Society
Andrea Betteridge	TGCA
Bev Beresford-Batten	British Palomino Society
Guest: Stewart Everett	The Equine Register

01.01.18 Apologies for absence

Karen Coleman	AQHA UK
Michael Goddard	Fell Pony Society
Sandra Mansell	Exmoor Pony Society
Tikki Adorian	IMHPS
Gina Dent	Central Prefix Register

02.01.08 Stewart Everett, The Equine Register

- Update on CED
- GDPR considerations for Passport Issuing Organisations
- Historical data

We are all in the same boat regarding GDPR, The Equine Register has to be GDPR compliant as do all the Passport Issuing Organisations. TER are trying to help PIOs

and do understand their situation. Mr Everett recommended PIOs also seek out independent advice regarding their GDPR preparations. A big change in culture and process is imminent. Not taking any action is not an option.

PIOs are currently being onboarded and their to support PIOs through the process. GDPR webinars took place and 40% of PIOs took part. Some of the PIOs in the room took part whilst some said they were unaware of the webinars. TER said would put another webinar on for those who have not yet taken part.

ACTION: Gemma Stanford to email TER with the PIOs who want to attend a webinar, those PIOs are:

- Arab Horse Society
- AQHA
- CHAPS
- AES
- SPSS
- NPS
- Dales Pony Society
- Palomino Society
- Dartmoor Pony Society
- WBSUK

GDPR covers historic records as well as those post-25th May. There is a responsibility under GDPR to keep records up to date. GDPR is more prescriptive than DPA. There has to be an easy way for people to opt in and out when providing data. It is legal for PIOs to hold data but then it would not be legal for the data to be entered into a public stud book for example – that would require specific consent and the ability to opt in and out. A digital solution is needed. You need to be able to gather phone and emails so you can communicate automatically or there will be a huge administrative burden. Non-engagement is not appropriate or acceptable. All businesses and organisations are expected to be fully compliant by 25th May 2018. This is 61 working days.

A survey of PIOs was done re: GDPR. 95% were of the understanding that they were DPA compliant. Sandra Lawrence added that there is a self-assessment survey on the ICO website. The data commissioner's office is also good to talk to for advice. Only 20% of those PIOs surveyed have a process in place for data accuracy. This means 80% are not GDPR compliant. A digital platform is needed to address this. Culture needs to change greatly by 25th May. Not many of those 20% have ways to do ongoing checks re: data accuracy. Tom Brown asked about data relating to animals and whether this is included. Mr Everett said it is included if linked to an owner.

There is a requirement to keep data up to date. TER has flagged CED accuracy as an issue to DEFRA as the CED can only be as good as the data the PIOs provide. CED needs to be kept up to date and DEFRA have advised they will be taking action to ensure the data on the CED is kept up to date.

There was a discussion surrounding prefixes as there are 90,000 prefixes registered. When you enter the prefix on the Central Prefix Register it brings up the name of who it is registered to.

Sacha Shaw added that we all need to take steps to make sure data is secure. The Central Prefix Register will need to consider their historical data and how this is dealt with. TER added the comment that we are all in the same boat.

Kate Cobley added that you need to document the type of information you have and whether there is a legitimate interest to hold that data. You need to state what you hold and why you hold it. ICO lists this and gives information. The data needs to be secure. You also need consent for sharing.

Anne Vestey added that too many people hand over a passport to a new owner to get it transferred. Onus should be on the last owner to change it out of their name. Natalie Meredith added that would happen in a perfect world but in reality it does not happen like that and no vendor would want to change ownership and hand a passport over before money has changed hands.

TER added that it is his recommendation for PIOs to move towards digital solutions. Ruth Staines added that DEFRA wanted a signed form completed from seller and buyer. Natalie Meredith said there has never been enforcement. Stewart Everett said any enforcement has been difficult due to lack of CED and data. Ruth Staines described an issue regarding ponies sold to Sweden. The new owner will not transfer ownership. TER recommended Ruth sent a formal notification email to DEFRA regarding this. Andrea Betteridge said DEFRA should move towards updating the CED with horses moving out of the country through ports. TER said we should be mindful of border control / traceability as Brexit is round the corner. Andrea Betteridge said that trade will not stop. Natalie Meredith said that the microchip should be getting logged with movement between countries.

TER said you need to know your records and your responsibilities. GDPR is about your records regardless of what is happening with CED. The CED is only as good as the info it gets from PIOs. Eva-Maria Broomer said that people are confused that passport is not a proof of ownership. DVLA has updated its processes and that kind of system would be useful to try and implement. Sandra Lawrence added that there is only 1 DVLA though compared to many PIOs.

TER added that under GDPR both processors and controllers are jointly liable. It is vital to document and be able to audit policies and procedures. TER is setting up a system alongside CED. Jayne Stuart said ponies are often over stamped by other societies. It is a challenge to get ownership changed with all organisations.

Eva-Maria Broomer asked about Emails with contact details on and how this would work. TER said to take advice. John Shenfield said about access being needed at ports. TER said Local Authorities and Trading Standards and FSA will all have access. They will have an extremely secure login. Gemma Stanford added that access to these organisations has been widely discussed before.

Kate Cobley said that in certain circumstances, such as for the detection of a crime or prevention of fraud, data can be shared.

Any data breaches must be reported within 72 hours.

TER added that the UK is a uniquely litigious environment due to PPI. The ability claim back PPI stops next year and so all focus is likely to turn to GDPR. TER said PIOs should be taking steps to safeguard themselves now. Get a digital system and show you have done it. Non-compliance is not an option. Fines are £20 million or 4%

of global turnover – whichever is bigger. Focus must be on processes, procedures and audit trails.

So what can you do? Get organised and gear up. Ask for help – ICO, TER, ESC, and DEFRA. You are doing legal work for DEFRA. TER has a GDPR compliant digital platform. Call TER for more info.

All present were interested in receiving further information.

ACTION: Gemma Stanford to contact Stephanie Murdoch at The Equine Register and advise the PIOs wishing to receive further information on the digital platform.

Catherine Burdock said she has amended the DPA notice on SHB (GB) forms regarding judge's details. The main concerns are historic records. Also a concern about people who phone up and do a verbal request but not signature provided. Kate Cobley said verbal consent is fine as long as you record somewhere and the date but should be avoided if possible. You need to be aware of why you are keeping historical data – is there a legitimate interest? The responsibility is with the data controller but the data processor also has a risk.

GDPR covers all of Europe. If you hold any EU citizen data need to be compliant. If you hold data from outside of Europe you have to comply with those laws.

Andrea Betteridge expressed concern that we are joint data controllers with Defra but there is no form of legal contract from Defra to say they won't share data. TER is the processor. PIO is the data controller. TER has said to DEFRA they will do what is needed to be compliant with GDPR. Andrea Betteridge said TGCA is a limited company and she is therefore legally responsible.

Sandra Lawrence raised the issue of historical data and issue with uploading data to CED where record does not have a UELN as record pre-dates the UELN requirement. CED requires UELNs to be added to old records.

Gemma Stanford circulated an information note to the group regarding General Data Protection Regulation (GDPR) Regulation (EU) 2016/679 which was prepared by The Horse Trust and The British Horse Society.

03.01.018 Matters Arising

Gemma Stanford secured the opportunity for two people to attend the ESC in the interim period before the group had been properly formalised. The meetings only happen twice a year, June and December, so it would have been a shame not to take advantage of this opportunity to get feedback from others as to whether this new direction and involvement with ESC was a positive step forward or not. Two attendees represented their current organisations rather than of the new group and they were Natalie Meredith (Arab Horse Society) and Celia Clarke (WBSUK). The meeting was on 18th December 2017.

Celia Clarke said the meeting was very interesting and extremely helpful. Brexit was a huge theme and Celia gave an update on Defra's project re: day 1 and then beyond. Out of all the government departments, the most work regarding Brexit sits with Defra. Celia commented that the meeting was the most informative, helpful and positive meeting she had been to in a long time. Natalie Meredith added that it was

fantastic that we have been given this opportunity to attend. Celia said she wrote to Defra following the meeting with some queries and is waiting for a reply.

Action: Celia Clarke to circulate her email to Defra around the group.

Ruth Staines said she asked Tristan Crago if we can still be mother studbooks after we leave the EU and the answer is that we won't know until after the negotiations.

Natalie Meredith said she had received a document from a colleague in a PIO abroad, so it would appear Defra have not yet circulated the document to UK PIOs. The document was circulated to other EU PIOs back in October. Celia went through the fields contained within the document.

04.01.18 Feedback on consultation

Following the last meeting a constitution has been drafted and circulated between the group. No further feedback or comments have been provided.

Natalie Meredith proposed to adopt the constitution as written. Catherine Burdock seconded this. There was a unanimous vote in favour.

05.01.18 Appointment of Roles

Gemma Stanford said a Chairman, Vice Chairman, Treasurer and Secretary was needed in line with the constitution.

Chairman

Catherine Burdock proposed Celia Clarke as Chairman. Natalie Meredith seconded this. All voted in favour.

New Chairman: Celia Clarke, WBSUK

Vice Chairman

Sandra Burdock proposed Catherine Burdock as Vice Chairman. Natalie Meredith seconded this. All voted in favour.

New Vice Chairman: Catherine Burdock, SHB (GB)

Gemma Stanford said the BHS would still be happy to support with the provision for a meeting room twice per year. Some in the room said they would like a London meeting and it was suggested whether the meetings would alternate between the midlands and London. Gemma reminded the group that London meetings come at a cost which the new group would need to raise so in the meeting BHS is still happy to host if required. Gemma said it was vital that organisations provide the correct email address to the secretary. Some organisations provide several email addresses and it is difficult to keep on top of.

Treasurer

Catherine Burdock proposed Lorraine Amor as Treasurer. This was seconded by Bev Beresford-Batten with a unanimous vote in favour.

New Treasurer: Lorraine Amor, CHAPS UK

Secretary

Catherine Burdock proposed Natalie Meredith as secretary. This was seconded by Andrea Betteridge with a unanimous vote in favour.

New Secretary: Natalie Meredith, Arab Horse Society

The development of a steering group was discussed. Jo Ashby said there needs to be a native pony person included in the group.

Action: Membership application form to be circulated to all, including previous members.

06.01.18 Date of Next Meeting

BHS HQ are able to accommodate the next meeting in their lecture theatre on Friday 12th October 2018. Please be aware that parking is limited, overflow parking and a short walk is to be expected and no dogs on site, including in cars.