



Llywodraeth Cymru  
Welsh Government

# Farm Business Grant General Rules Booklet

The Welsh Government Rural Communities -  
Rural Development Programme for Wales

2014-2020



Cronfa Amaethyddol Ewrop ar  
gyfer Datblygu Gwledig  
Ewrop yn Buddsoddi mewn Ardaloedd Gwledig  
European Agricultural Fund for  
Rural Development  
Europe Investing in Rural Areas



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Mae'r ddogfen yma hefyd ar gael yn Gymraeg / This document is also available in Welsh.

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## Important Information

- Expressions of Interest (Eoi) and claims for the Farm Business Grant (FBG) must be submitted through RPW Online.
- You are able to submit Eois in multiple windows with a minimum £3,000 threshold per application. The maximum overall grant threshold is £12,000.
- Contracts will be offered to customers who are selected for the FBG and will have to be accepted within 30 days of the contract offer date.

**To accept or decline the FBG contract offer, you must click the 'blue button' on the RPW Online homepage.**

- Items cannot be purchased until the contract is accepted. **The 120 day timescale for purchasing the items and submitting a claim starts from the date the contract is offered.**
- **To claim the FBG payment, you must submit:**
  - a FBG claim through RPW online, using the Capital Works Claim page
  - invoices for all claimed items
  - an accountant's letter confirming business turnover of £1m or less
  - Evidence that the purchased items meet the grant specification and are delivered to the holding

**This was a common problem in previous windows with incomplete claims being submitted. It is your responsibility to ensure all this information is submitted by the claim deadline.**

**It is no longer a requirement for you to:**

- **Attend a 'Farming for the Future' event as part of the application process for FBG window 8.**

## Key Messages

- The EoI has been developed digitally and is available through the RPW Online service. Expression of Interests must be submitted through RPW Online by the publicised deadlines.
- If you are not yet registered with RPW Online, please refer to the Welsh Government website for the [how to register guidance](#) or call the Customer Contact Centre on 0300 062 5004.
- Guidance on completing the online EoI is available on the [Welsh Government website](#).
- **There is no requirement to attend a ‘Farming for the Future’ event as part of the application process for FBG window 8.** We will check if you have an eligible Basic Payment Scheme or Glastir Organic claim to verify if you are a primary producer of agricultural products and you have 3ha of eligible agricultural land in Wales.
- The maximum grant award is £12,000

The minimum grant award is £3,000

The grant provides a maximum 40% contribution towards capital investments in equipment and machinery, which have been pre-identified as offering clear and quantifiable benefits to farm enterprises.

**For this round, additional items are included and certain items, previously available, have been removed.**

**The specification of some items has been amended.**

Annex A provides a list of eligible capital items and is available to view on the [Welsh Government website](#).

- An EoI may exceed the maximum grant by adding a single item. If selected, the related claim will be capped to the maximum £12,000 grant, where this is still available, if you have previously successfully applied.
- If you have applied for the FBG in any previous application windows and your EoI has been selected, but did not reach the £12,000 maximum grant, you can apply in this or a future window. The minimum grant value of your EoI must be £3,000 or more. Where

you have previously successfully applied, the grant contribution will be capped to any amount available to you which is below the £3,000 minimum grant threshold.

- This is a separate scheme to the Farm Business Grant - Yard Coverings scheme, therefore, any payment you receive for the Farm Business Grant - Yard Coverings scheme will not count towards the £12,000 maximum grant value for the FBG. Similarly, the payment value received for FBG will not count towards any future windows of the Farm Business Grant – Yard Coverings scheme.
- If your EoI is selected, all items applied for must be purchased.
- Your claim will be rejected and any grant paid will be recovered if any of the following are found:
  - You have bought items before the FBG contract is accepted;
  - You have not bought all of the items listed in the contract,
  - Not all of the items claimed are present on your holding during an inspection.
- To evidence the item supplied is of the correct specification and it has been delivered to your holding, at claim stage you will be required to provide the following information, where applicable:
  - Name of the manufacturer, model number, serial number, etc. if not included on invoice
  - Detailed specification list, if not included on invoice
  - Description of item purchased and how it meets the specification if not included on invoice

**You may also submit photographs with a date and time stamp of the item in situ or in use as evidence.**

Your claim will be rejected **or you will incur penalties** and any grant paid will be recovered if any of the items are of the wrong kind or do not meet the specification.

- FBG forms part of the Welsh Government Rural Communities - Rural Development Programme for Wales 2014-2020.

## Section A - Introduction

The Farm Business Grant is a Capital grant scheme available to farmers across Wales.

These Guidance Notes explain the **Farm Business Grant (FBG)** and the application process. Please read them carefully. If you then consider your investment plans may qualify for grant and you want to apply for support under this scheme, please see Section C and refer to the [How to Complete booklet](#).

The FBG is an important element of the Welsh Government Rural Communities - Rural Development Programme 2014-2020. It is designed to help farmers in Wales to improve the economic and environmental performance of their agricultural holdings.

### **Scheme objectives:**

- increase on-farm investment;
- increase technical performance;
- increase on-farm production efficiencies; and
- increase on-farm resource efficiencies.

The FBG provides for capital investments in equipment and machinery that have been pre-identified as offering clear and quantifiable benefits to your farm enterprise. The capital items have been specified along with a standardised cost.

Applications for the FBG will address the strategic and thematic objectives of the Welsh Government.

Activities under the FBG will address **at least one** of the following Welsh Government Rural Communities - Rural Development Programme 2014-2020 Focus Areas:

**Focus Area 2.** Enhancing competitiveness of all types of agriculture and enhancing farm viability:

- 2a) facilitating restructuring of farms facing major structural problems, notably farms with a low degree of market participation, market-oriented farms in a particular sector and farms in need of agricultural diversification.

**Focus Area 5.** Promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in agriculture, food and forestry sectors;

- 5b) increasing efficiency in energy use in agriculture and food processing
- 5d) reducing nitrous oxide and methane emissions from agriculture.

The scheme is discretionary. The amount of grant offered would relate to individual circumstances and would always be the **minimum amount necessary** to allow the investments to go ahead.

The items available through the scheme cover the following five themes:

- Animal Health, Performance and Genetics.
- Crop Management.
- Resource Efficiency.
- Energy Efficiency.
- ICT.

The Farm Business Grant has been approved by the European Commission. Any further changes will be publicised via the [Welsh Government website](#), GWLAD online and, where necessary, we will also contact you directly.

Farm Business Grant is funded through the Welsh Government and the European Commission to form part of the Welsh Government Rural Communities - Rural Development Programme for Wales for 2014 to 2020.

Farm Business Grant is governed by The Rural Development Programmes (Wales) Regulations 2014 No. 3222(W327); Council Regulations (EU) No. 1305/2013, 1303/2013 and (EU) No. 1306/2013, Commission Implementing Regulation (EU) No. 808/2014 and (EU) No. 809/2014 and Commission Delegated Regulation (EU) 640/2014 and 807/2014 (all as amended from time to time). Copies of these regulations can be found at EUR-Lex web site ([eur-lex.europa.eu](http://eur-lex.europa.eu)) or copies can be requested from the Rural Payments Wales Customer Contact Centre.

## Section B – Farm Business Grant Eligibility

### You are eligible to apply if:

- You are registered with the Welsh Government and have been issued with a Customer Reference Number (CRN). Please refer to the Welsh Government website for the [how to register guidance](#) or call the Customer Contact Centre on 0300 062 5004.
- You must:
  - be a primary producer of agricultural products
  - have 3ha of eligible agricultural land registered with RPW in Wales **or**
  - be able to demonstrate over 550 standard labour hours

We will check if you have an eligible Basic Payment Scheme or Glastir Organic claim to verify if you are a primary producer of agricultural products and you have 3ha of eligible agricultural land in Wales.

If you have not submitted claims for either of these schemes or we are unable to verify the land, you must submit documentary evidence **with your EOI** to verify that you are a primary producer of agricultural products and that you meet either the 3ha or 550 standard labour hours' eligibility criteria.

- Have a business turnover of £1m or less (**in order to receive the FBG payment you must submit a letter from your accountant confirming your business turnover for the most recent financial year that accounts are available when you submit your claim**).
- The scheme is open to Eols from a wide range of businesses involved in the primary production of **agricultural products**, such as:
  - sole traders
  - voluntary sector organisations
  - private and public limited companies (SME and Large Enterprises)
  - farming businesses and co-operatives
  - new businesses, including start-up businesses.



- The primary production of agricultural products includes the following farming sectors:
  - arable
  - beef
  - dairy
  - goats
  - horticulture (including hydroponics and aquaponics)
  - pigs
  - poultry
  - sheep
  - apiculture

### **You are not eligible if:**

- you are an Equine customer (including grazing horses)
- you are a Forestry customer (including woodland only owners)
- your business has a total turnover that exceeds £1m. Total turnover is all business income that goes through one business account; this can include agricultural income and all income for non-agricultural diversification. Income from separate businesses is not to be aggregated for this purpose
- a group of farmers (including Producer Organisations)
  - but, if two or more agricultural holdings are managed as a single unit, or in a single ownership, or to which to some extent have common management, common financial accounts, common livestock, machinery and/or feeding stores that will be classed as a single business.

## **Activities**

### **Eligible activities**

Support under FBG covers tangible investments in the primary production of agricultural products covered by Annex 1 of the Treaty on the Functioning of the European Union (TFEU), or cotton, but excluding fisheries products.

### **Ineligible activities**

You must not use items purchased through FBG for agricultural contracting activities.

## **Costs**

### **Eligible Costs**

Only items included in the List of Eligible Capital Items set out in Annex A will attract funding under FBG.

These items must meet or exceed the **minimum** specification described

### **Ineligible Costs**

- Second hand equipment
- Consumables (items which are likely to be used up or depleted, e.g. Medication to be used in the Auto ID Drench Gun item would not be eligible).

### **Maximum Grant Rate and Maximum Grant Threshold**

The grant amount is made up from the total public sector contribution to the investment project, which includes: monies from the EU; co-finance to the EU funds from Welsh Government; monies from other government departments and agencies, non-departmental public bodies and local authorities; monies from governmental controlled bodies such as the Small Business Service and the National Lottery; and monies from parafiscal taxes (levies).

If other EU or UK public funds are obtained to support the costs of a project, they will be discounted against the Farm Business Grant.

The maximum grant award is **£12,000**, where this is still available to you.

The minimum grant award is **£3,000**, where this is still available to you.

The grant provides a maximum 40% contribution towards capital investments in equipment and machinery, which have been pre-identified as offering clear and quantifiable benefits to farm enterprises.

Your EoI may exceed the maximum grant by adding a single additional item. If your EoI is selected, the related claim is capped to the maximum £12,000.

If you have applied for the FBG in any previous window and your EoI has been selected, but did not reach the £12,000 maximum, you can apply in this or a future window. The grant value of your EoI must be £3,000 or more.

If you have applied for FBG in previous windows and your EOI has been selected and total £9000 or more but did not reach the £12,000 maximum, you must select an item with a minimum grant value of £3000 or more and this item will be part funded.

This is a separate scheme to the Farm Business Grant Yard - Coverings scheme, therefore, any payment you receive for the Farm Business Grant - Yard Coverings scheme will not count towards the £12,000 maximum grant value for the FBG. Similarly, the payment value received for FBG will not count towards any future windows of Farm Business Grant – Yard Coverings scheme.

If you accept a FBG contract in this or any previous windows, but do not submit a valid claim, the value of the accepted contract will be deducted from the £12,000 maximum.

E.g. EoI submitted for Window 5 and contract offered. Total value of contract is £8,000. Contract is accepted, a valid claim is not submitted, the total amount available for Window 8 or any subsequent windows is £4,000.

## Section C – Applying for Farm Business Grant

### Submitting an Expression of Interest (Eol)

#### RPW Online

You can complete an Eol for the Farm Business Grant by accessing Rural Payments Wales (RPW) Online only. If you already have a Customer Reference Number (CRN) you should have received a letter informing you of your Activation Code to set up your account. If you no longer have this, please telephone the Customer Contact Centre on 0300 062 5004 (Monday – Thursday 8:30 – 17:00, Friday 8:30 – 16:30) and tell the operator your CRN. They will send you a new Activation Code.

To register your business details for the first time, you need to complete the [online registration form](#). Please refer to the [how to register guidance](#) for further details. The vast majority of changes to business details can be done online. However, Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre for further information

Once registered, you can access your [RPW Online account](#). The Farm Business Grant Eol is available from the “Applications and Claims” section of your account.

Agents acting on behalf of a client will need to register as a Rural Payments Wales agent. If you have yet to do this you are advised to complete an online or paper copy Agent / Farming Union Customer Details (Wales) form immediately. The form is available on the [Welsh Government website](#). Upon receipt of the form, we will send you an Agent Customer Reference Number (Agent CRN) and an RPW Online Activation Code. You will also need to complete an Association Authorisation Form which can be completed once you register with RPW Online, please refer to our [how to register guidance](#).

If you have any questions about registering for RPW Online or completing your Eol, please contact the Customer Contact Centre on 0300 062 5004. They will be able to provide advice, including the digital assistance that is available to you.

Further details regarding RPW Online are available on the [Welsh Government Website](#).

## Scoring of the Eol

Each capital item has been scored by independent assessors against four criteria of:

- a. Animal Health & Welfare
- b. Health & Safety
- c. Technical Efficiency, and;
- d. Resource Efficiency

The resultant score is given in Annex A – List of Eligible Capital Items against each individual item available on the [Welsh Government website](#).

Applicants are required to select capital items up to the maximum grant award of £12,000, or one additional item which exceeds this. The system will automatically calculate the applicant's score by totalling the number of points against each individual item and averaging against the total number of individual items requested. This averaged score is divided by the total grant requested. The highest scoring projects which exceed a threshold score and rank within the budget will be offered contracts.

The purpose of this scoring is to allow Welsh Government to rank the Eols against the funding available in each call.

Once the Eol is submitted you cannot amend the items you have selected to purchase. If, having submitted your Eol, you need to change any of the items, provided the Eol window has not closed, you may withdraw your original Eol and resubmit a new one with the correct items selected.

## The Selection Process

It is a European Commission requirement that projects in the Welsh Government Rural Communities - Rural Development Programme 2014-2020 are not selected on a first past the post system. To meet this requirement, it is intended that the Welsh Government Rural Communities - Rural Development Programme 2014-2020 schemes will open and close for applications periodically through the life of the programme, dependent upon available programme financial allocations.

The Farm Business Grant selection process assesses each Capital Works Project submitted by farming businesses through the Eol. A score will be assigned to each Eol based on its ability to deliver an outcome towards the FBG objectives.

The Eols will be scored and ranked in order according to the scoring criteria

The Eols for a grant award will be selected in ranked order until the funds available in that round have been allocated.

The budget available for Window 8 of the FBG is £5.0m

You will be notified whether or not your EoI has been selected through your RPW online account.

## **Selecting Successful EOIs**

### **Successful Applicants**

If your EoI is selected you will be offered a contract through your RPW Online account

You must purchase and claim for **all** the items on your contract via your RPW online account within **120 calendar** days of the date of the contract offer.

You must accept your contract within **30 calendar** days of the date of the contract offer via the blue button on your RPW online homepage. You cannot purchase the items in your contract until you have accepted it.

If you do not accept the contract within **30 calendar** days, the contract will be withdrawn.

Full details of when your contract must be accepted and when the items must be purchased and claimed for will be in the contract.

### **Conditions of Grant**

The Farm Business Grant is subject to a range of relevant legislation. The Welsh Government and the applicant / recipient must act in accordance with that legislation.

The offer of a Farm Business Grant is made subject to terms and conditions, including those set out below. **Failure to meet the terms and conditions of the award could result in the cancellation of your award and / or the recovery of sums already paid, or a reduction of the amount of grant payable.**

#### **Conditions:**

The award is made on the basis of statements and declarations made by you or your representatives in the application form and the claim form and any subsequent correspondence.

#### **The making of false or misleading statements is an offence.**

*You must have bought the equipment and contacted RPW via RPW Online or through the post no later than 120 calendar days from date of the contract offer, the decision date.*

***If you have not contacted RPW within that time, the grant offer will be automatically rejected***

You must meet any legal obligations imposed under EU and UK law, including animal or plant health and welfare legislation.

No alterations may be made to the project, including the location of the activity, without the written approval of the Welsh Government.

You must have prior written consent from the Welsh Government if you dispose of, transfer or sell any items supported for five years from the date of the approval. The grant awarded must be re-paid in full.

Second hand equipment is not eligible for FBG.

Consumable items are not eligible for FBG

The applicant is required to comply with the rules on eligible expenditure as detailed in the Scheme Guidance Notes.

You must confirm that none of the items covered by the application are replacements under an insurance claim.

You must provide confirmation that no other public funding (whether from EU or UK sources) has been sought.

Records concerning the application and claim for this grant, including all original invoices and any other related documents, must be retained for at least seven years after the date of approval.

You must allow representatives of Welsh Government, the Auditor General for Wales, Audit Commission and the European Court of Auditors to inspect the project. On request, you must provide them with information and / or access to original documentation in relation to the project.

The information provided in the application and any supporting documentation is subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Any publicity given to the project must make reference to the part played by both the European Union and Welsh Government in funding it.

**You should be aware that, if successful, the Welsh Government and the EC reserve the right to publish the name of your business or company, the amount of grant you were awarded and a summary of your project.**

## **Withdrawal of Eols**

**Once a business has submitted an Eol for FBG can it be withdrawn?**

### **A. Yes - during an open Eol window**

You can withdraw your application via "My Messages" in your RPW Online account; you may re-submit an application before the window has closed.

**B. Yes - after an Eol window has closed BUT before the business has received the contract.**

You can withdraw your application via “My Messages” in your RPW Online account.

If you have selected the wrong items or have changed your mind about the items that you have selected or have missed items that you wanted to select, you must withdraw your application and apply again in the next round.

Please remember that the process is competitive and there is no guarantee that you will be successful in the next round.

**C. No - once the business has been selected and been offered a contract**

We cannot accept a withdrawal of the Eol once a contract has been offered.

We cannot accept changes to the items on the contract at this point (you can buy the same items of a higher (better) specification, but that is the only permitted change).



## Section D – Payments

### Claims

Farm Business Grant is only available to claim using the Capital Works Claim page on your RPW Online account; payments will be made following the successful validation of your claim.

In order to receive Farm Business Grant payments you must:

- Have accepted a Farm Business Grant contract within 30 calendar days of the offer date and adhere to all the requirements.
- Ensure that you have only purchased items listed in your contract after you have accepted the contract offer.
- Ensure that you have purchased **all** of the items listed in your contract.
- Ensure all items purchased are on your holding at the time you submit your claim.
- Submit the claim using the Capital Works Claim page on your RPW Online account within the 120 day deadline.
- Submit invoices for all claimed items
- Submit an **accountant's** letter confirming business turnover of £1m or less

**A claim is not considered valid unless it has been submitted via the Capital Works Claim page and until invoices for all items being claimed and an accountant's letter are submitted.**

### Supporting Documentation

**Important note:** You must submit an invoice for each item of equipment in your contract.

You must also submit an **accountant's** letter confirming business turnover is £1m or less.

You can submit the invoices by scanning them and sending them via “My Messages” in your RPW Online account or by submitting the original invoices by visiting your Divisional Office.

- To evidence the item supplied is of the correct specification and it has been delivered to your holding, at claim stage you will be required to provide the following information, where applicable:
  - Name of the manufacturer, model number, serial number, etc. if not included on invoice
  - Detailed specification list, if not included on invoice
  - Description of item purchased and how it meets the specification if not included on invoice

**You may also submit photographs with a date and time stamp of the item in situ or in use as evidence.**

Your claim will be rejected **or you will incur penalties** and any grant paid will be recovered if any of the items are of the wrong kind or do not meet the specification.

You can also supply photographs with a time and date stamp of the item in situ or in use as evidence

### **Items not delivered**

If you have been advised by the supplier/manufacturer that they cannot deliver the items before the claim date, you will need to contact us via “My Messages” in your RPW Online account notifying us of the issue.

You will need to request an extension to the 120-day deadline to claim and provide proof of ordering the item and documentary evidence from the supplier to confirm that they cannot supply the item.

This information must be submitted before the original 120-day claim deadline and demonstrate that you have attempted to have the item supplied in time for the original deadline.

## Incorrect claims and penalties

You have a responsibility to make sure that the claim submitted is only for eligible equipment from the approved list.

All of the items of equipment that were approved must have been bought **after the contract has been accepted**.

Your claim is invalid or will incur penalties if:

- You have bought items before the FBG contract is accepted;
- You have not bought all of the items listed in the contract,
- Not all of the items claimed are present on your holding during an inspection.
- Any of the items are of the wrong kind or do not meet the specification;

**If all of the items in your contract do not meet the specification, your whole claim will be rejected and if any grant has been paid it will be recovered.**

Where we find that items purchased do not meet the specification, payments will be reduced to the amount of items purchased to the required specification.

If the amount of ineligible items is determined to be more than 10% of the eligible costs, an amount equivalent to the value of ineligible items will be deducted from your payment.

For example

A customer claims the following FBG items worth a total grant value of £6,118

FBG Item	Quantity	Grant value
Hydraulically operated squeeze Cattle crush.	1	£3,020
Automated footbaths	1	£2,032
Calving Gate	1	£184
Sheep Handler	1	£882
<b>Total</b>		<b>£6,118</b>

In this example, the calving gate worth £184 does not meet the specification. The total amount claimed is £6,118 and the value of the item not determined is £184. As the amount of the ineligible item is less than 10%, the total payment due is £5,934.

However, if the Sheep Handler, worth £882 does not meet the specification. The total amount claimed is £6118 and the value of the item not determined is £882. The amount of £882 is deducted from the original claim of £6118, leaving a remaining amount of £5236. As the amount of the ineligible item is more than 10%, an amount equivalent to the value of ineligible item, £882, is deducted from the remaining amount and the total payment due is £4,354.

## **Offences**

Regulation 13 of the Rural Development Programmes (Wales) Regulations 2014 (No. 3222 (W.327)) establishes criminal offences and penalties in relation to certain aspects of rural development funding. That Regulation and those offences are applicable to the Farm Business Grant Scheme. Examples of offences include knowingly or recklessly providing false or misleading information in relation to rural development funding, obstructing an inspector or official, and refusing to provide information when requested to do so.

## **Monitoring Of Projects**

It is a European Commission requirement that all grant awards are monitored and the effect of the grant on the business is evaluated.

It is a requirement that equipment purchased with the aid of a Farm Business Grant, must be kept on the holding, operational and in good repair, and used for the same purpose as set out in the original application for five years from the decision date.

You must allow officials from Welsh Government and the European Commission, or their representatives, to inspect the equipment at any reasonable time within this five year period.

## **Section E – Changes to Scheme Rules**

### **Legislation Changes (Including Changes in Interpretation)**

European regulations may change from time to time and you will be required to abide by any changes imposed following notification from the Welsh Government.

### **Changes to Scheme Rules**

We may need to make changes to your contract for a number of reasons. For example, we may need to update the management conditions to take account of the latest scientific advice, amend scheme rules to take account of any changes within the Welsh Government Rural Communities - Rural Development Programme for Wales 2014-2020 or revise payment rates. We will publicise changes on the [Welsh Government website](#) and where necessary contact you directly.

## **Section F – Inspections and Record Keeping**

The Welsh Government must enforce the Farm Business Grant rules. Inspections will include on farm inspections.

Your claim may be selected for inspection before the payment is made to you or it may be inspected after the payment has been made.

All the details in your EoI, the details in your claim and the declarations that you made in submitting the EoI and claim will be checked at inspection. This will include a check on the business turnover figure, that all items are on the holding at the time of the inspection, the dates on which the equipment was bought, who the invoice or invoices were made out to and the specification of the equipment.

### **On Farm Inspections**

The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption but some checks require inspections to be unannounced, which means it may not be possible to give you notice of a visit. Inspections may occur more than once during a calendar year.

If you refuse to allow an inspection, or obstruct an inspector or fail to give reasonable assistance, you will lose your payment and you may be prosecuted.

### **Record keeping**

You must keep all records and information you need to evidence that you have provided complete and accurate information and have complied with your undertakings.

You will also be required to:

- Supply to the Welsh Government any information about your Farm Business Grant contract and supply that information within the period determined by the Welsh Government.
- Make available to the Welsh Government, its authorised persons or its agents, records, accounts, receipts and other information including access to computer data relating to your Farm Business Grant contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

## Section G – Appeals and Complaints Procedure

### Appeals procedure

The '*Independent Appeals Process for Farmers and Foresters in Wales*' allows you to request a review if you feel that the Welsh Government has not reached a correct decision according to the rules of a scheme. The process will review decisions concerning:

- BPS (and SPS)
- all Glastir schemes
- issues identified after 1 January 2007 for:
  - Farm Woodland Scheme, Farm Woodland Premium Scheme, Improved Land Premium.

The appeals process consists of two stages:

- Stage 1: review by RPW
- Stage 2: review by an Independent Appeals Panel (if you are dissatisfied with the Stage 1 response).

The Independent Panel make recommendations to the Cabinet Secretary for Environment and Rural Affairs, who then takes the final decision which concludes the process.

There is no charge for Stage 1 of the process but there is a charge at Stage 2 - £50 for a written hearing or £100 for an oral hearing. These charges are repaid in full if the Stage 2 appeal is either partially or fully successful.

Appeals, including supporting evidence, must be received within 60 days of the date of the letter outlining the decision you wish to appeal against.

We welcome receiving correspondence in Welsh, and will respond to any correspondence in Welsh if that is your preferred language. This will not lead to delay.

Further details of the appeals process can be obtained from the Customer Contact Centre or our website at:

<http://gov.wales/topics/environmentcountryside/farmingandcountryside/farming/rpwappeals>

## Complaints procedure

Complaints will be dealt with under the Welsh Government's Code of Practice on Complaints. Further advice on how to make a complaint can be obtained from the Customer Contact Centre or Complaints Advice Team

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

Tel: 03000 251378

E-mail: [complaints@gov.wales](mailto:complaints@gov.wales)

You may also choose to contact the Public Services Ombudsman for Wales:

1 Ffordd yr Hen Gae

Pencoed,

CF35 5LJ

Tel: 0300 790 0203

Website: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)



## Section H –

### General Data Protection Regulation: Privacy Notice

This notice informs you about the Welsh Government's use of the information provided in your application for aid under the Common Agricultural Policy Direct payment and Welsh Government Rural Communities – Rural Development Programme for Wales 2014 – 2020 schemes. It also explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation. The data controller for the information is the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

The data protection officer for the same information is the Data Protection Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Email: [DataProtectionOfficer@gov.wales](mailto:DataProtectionOfficer@gov.wales)

The information will be processed and managed by the Welsh Government in accordance with its obligations and duties under the following European Regulations:

- Council Regulations (EU) No 1305/2013
- Council Regulation (EU) No 1306/2013
- Council Regulation (EU) No 1307/2013
- Commission Regulation (EU) No 640/2014
- Commission Regulation (EU) No 807/2014
- Commission Regulation (EU) No 808/2014
- Commission Regulation (EU) No 809/2014
- Commission Regulation (EU) No 907/2014
- Commission Regulation (EU) No 908/2014
- General Data Protection Regulation (EU) No 679/2016

The information will primarily be used for the purposes of processing and determining applications for financial support. However, the Welsh Government may also make use of the information supplied for other purposes, which will include those connected with its functions and duties under the Common Agricultural Policy of the European Community and with its statutory environmental obligations.

The lawful basis for the processing is that it is necessary for the performance of a task carried out in the exercise of official authority vested in the Welsh Government.

The Welsh Government collects personal data to identify your location and your farm business(es). The Welsh Government does not collect any special category data.

The data is processed through an automated process of business rules that use the Customer Reference Number (CRN) as a primary key for the majority of reports.

Your information will be stored in accordance with the Commission Implementing Regulation (EU) No 908/2014, “Conservation of Accounting Information”.

### **Reasons for sharing personal data**

EU legislation requires checking of scheme eligibility, and to conduct these checks Welsh Government may share information with:

- Natural Resources Wales
- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Other UK Government Agriculture Offices.

Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

The information may be used for the following:

- Cross Compliance and cross checking between Governmental organisations to prevent breaches of the Common Agricultural Policy schemes.
- the production and publication of maps showing the areas of land that have received support under the Common Agricultural Policy schemes.
- compilation of reports of aggregated data and/or summary statistics to be made publicly available.
- informing decisions relating to policy changes and funding including research studies conducted on behalf of the Welsh Government to inform Monitoring and Evaluation of Rural Development Schemes.
- identification of landowners/users in events of emergencies, e.g. disease control and breach control.
- protecting applicant’s interest in land conservation and issues that may arise due to funding queries.
- allowing partner organisations to fulfil their legal duties.
- shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity.
- publication of certain information and responding to requests for information.

### **The Publication and Disclosure of Information**

Your information, including your personal information, may be the subject of a request by another member of the public. When responding to such requests the Welsh Government may be required to release information, including your personal information.

Commission Regulation (EC) 908/2014 requires the Welsh Government to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a

searchable website, and will include the name and locality of the farmer/land manager and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of €1,250 in subsidies the name will be withheld. The data will be published annually on 31 May and remain available for two years from the date it is published. The information will be available on the [Defra website](#).

### **Rights under the General Data Protection Regulation (GDPR)**

The GDPR gives individuals rights in respect of the personal data held on them. These rights include:

- the right to be informed (this notice)
- the right to ask for and receive copies of the personal data that the Welsh Government holds about them, although the Welsh Government can sometimes withhold some data or not provide copies
- the right, in some circumstances, to prevent or restrict the Welsh Government processing personal data
- the right, in some circumstances, to have wrong data rectified
- the right, in some circumstances, to have data erased (to be forgotten).

If you wish to exercise any of your rights under the GDPR, you should contact the Welsh Government at the address provided at the beginning of this notice.

Individuals also have the right to ask the Information Commissioner, who enforces and oversees the GDPR, to assess whether or not the processing of their personal data is likely to comply with the GDPR. The Information Commissioner can be contacted at:

Information Commissioner's Office,  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 745 or 0303 123 1113  
Website: [www.ico.org.uk](http://www.ico.org.uk)

## Contacts

### RPW Online

Access the RPW Online service via the Government Gateway at [www.gateway.gov.uk](http://www.gateway.gov.uk), or once you have enrolled for the RPW Online service, access it via [www.wales.gov.uk/RPWOnline](http://www.wales.gov.uk/RPWOnline). If you are not yet registered with RPW Online, please refer to the Welsh Government website for the how to register guidance or call the Customer Contact Centre on 0300 062 5004.

### Enquiries – Customer Contact Centre

For all enquiries, please contact the [RPW Customer Contact Centre](#)

Enquiries can be submitted via RPW Online at any time.

### Access to Welsh Government offices for people with disabilities or special needs

If you have any special needs which you feel are not met by our facilities contact the Customer Contact Centre on 0300 062 5004. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

### Welsh Government Website

For all of the latest Agricultural and Rural Affairs information, visit the [Welsh Government website](#). By visiting the website, you can also sign up to receive the Gwlad e-newsletter.