

Data Protection Impact Assessment

The Prohibition of Greyhound Racing (Wales) Bill

Step 1: Identify the need for a DPIA

The Prohibition of Greyhound Racing (Wales) Bill aims to improve and protect the welfare of greyhounds in Wales by making it an offence for an operator of a stadium or similar venue in Wales to use it or knowingly use it for greyhound racing, or for a person to be involved in organising greyhound racing in Wales. As a new piece of legislation, a DPIA is required.

The Prohibition of Greyhound Racing (Wales) Bill makes it an offence for a person who is an operator of a stadium or similar venue in Wales to use it, or allow it to be used, for greyhound racing. The Bill also makes it an offence for a person to be involved in organising greyhound racing in Wales. “Greyhound Racing” is defined as setting greyhounds to run around a track in pursuit of a lure activated by mechanical means and includes timing or training a greyhound as it runs around a track.

Step 2: Describe the processing

Nature of the processing

The intention of the Bill, should it become law, is that inspectors are to be appointed by a county council, county borough council or Welsh Ministers. Enforcement will be carried out by local authorities. The Bill does not provide express powers to collect, manage or share any data in support of the enforcement. The proposed new powers will work alongside the current powers of investigation and enforcement that are devolved to local authorities.

All local authorities in Wales subscribe to the UK wide Trading Standards Intelligence Database¹ (IDB). The IDB is governed by the East of England Trading Standards Association Limited. In their governance role, they are also identified as a data processor. The primary data processor and system operator is Usk Intelligence Limited. Usk Intelligence Limited / East of England Trading Standards Association Limited hold and manages records for a legitimate trading standards or legislative purpose. These records are reviewed according to a review schedule, and a decision to retain or dispose of records will be made following such a review. The data controller is the subscriber organisation submitting the data (e.g. the local authority).

The IDB allows local authority officers to upload intelligence and access intelligence submitted by others. The information in the database may be supplemented with relevant intelligence from other agencies. This might include evidence of previous criminal offences, regulatory breaches, or other statutory interactions.

¹ [Login - Intelligence Database](#). Local authority and other agency officers across the UK upload intelligence and access intelligence submitted by others.

As subscribers to the IDB, the local authorities in Wales each sign an Access Agreement. This sets out the legal basis, responsibilities, and safeguards for data sharing. Local authorities are also bound by a Review, Retention and Disposal (RRD) Policy.

Scope of the processing

There is currently no complete data to accurately estimate the scale of the data collection. However, the level of data collection and processing is like to be minimal. There is only one greyhound racing track in Wales, in Caerphilly Council Borough Council. Any enforcement will likely be limited to the operator of that track. However, the risk of enforcement being necessary is considered to be low. We are working with those affected to help them prepare for the ban, therefore mitigating the risk further.

It is possible that illegal racing may take place anywhere in Wales. We do not expect this to be on a large scale, because as far as we are aware, there is limited interest in greyhound racing in general across Wales.

Context of the processing

Whilst not specified within the draft Bill, it is expected that personal data will be collected by the local authorities in the exercise of the powers of enforcement. It will be a decision for the local authority, as controller of information processed under the Bill's enforcement powers, as to what data is collected. It is expected that local authorities will collect only the information necessary and proportionate to any enforcement actions carried out. It is likely that names, addresses and contact details will be collected, in addition to identification data such as date of birth and driving licence number. There may also be other personal data collected when officers seize evidence to support enforcement. With limited knowledge about the industry, it is difficult to predict who offenders might be.

The proposals do not intend to result in systematic monitoring of data subjects. Neither does it expect to involve new or changed identity management or authentication processes. We do not envisage the proposal to enable identification of individuals who were previously anonymous.

The proposals in the draft Bill do not involve the introduction of privacy-intrusive technologies. However, local authority inspectors wear body cameras in the course of their duties. Therefore, special category data (such as images, voice or video recordings) may be collected by the local authority inspectors where it is necessary, proportionate, and relevant to the prevention and detection of crime.

It is for these reasons that the Welsh Government does not intend to issue guidance about the consistency of approach across the local authorities.

Purpose of the processing

The Bill makes provision about the appointment of inspectors and the following powers of enforcement, which include powers of entry and search:

- enter premises, if there are reasonable grounds for suspecting that an offence is being, has been or is about to be committed.
- seize any item, except a dog, that is found on the premises and which the inspector reasonably believes to be evidence of the commission of an offence.
- use reasonable force where necessary to exercise a power of entry and may take onto premises up to two other persons and anything necessary (including equipment and materials) to assist in their duties.

Therefore, the primary purpose of processing the data is to protect the public and help manage the risk posed by known offenders and other potentially dangerous people.

Step 3: Consultation process

The main stakeholders directly affected by the ban are Valley Greyhound Stadium, SIS Ltd and charities who rehome the greyhounds. We are working with these stakeholders as members of an Implementation Group². The group has been set up to help the transition towards the ban coming into force.

There is currently no data to accurately estimate the scale of data collection that may be required by local authorities. However, it is likely to be negligible or very low. There is one greyhound racing stadium in Wales, within Caerphilly Council Borough Council. Any enforcement will be limited to the operator of a stadium or similar venue, or to people involved in organising greyhound racing elsewhere other than the stadium. The risk of this happening is very low.

We have commenced the process of consulting with the Information Commissioner's Office about this proposal. We are also working with the Welsh Local Government Association to ensure that we understand the impact on the local authorities who will be responsible for updating the IDB.

Step 4: Assess necessity and proportionality

The Bill does not provide express powers to collect, manage or share any data in support of the enforcement. Neither are the proposals expected to change any processes for data retention or include any new data retention requirements. Therefore, local authorities will be processing the data on the basis of UK GDPR Article 6(1)(e) where "processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller" as the statutory basis for processing the data.

This is governed by statutory powers and the principles of necessity, proportionality, and compliance with the Data Protection Act 2018. The legal gateways for sharing already include:

- Crime and Disorder Act
- Enterprise Act 2002

² [Greyhound Ban Implementation Group | GOV.WALES](https://gov.wales/greyhound-ban-implementation-group)

- Environmental Protection Act 1990
- Data Protection Act 2018
- S14 Tenant Fees Act 2019

Information will be collected directly from individuals by local authority inspectors, in the course of their statutory duties. This information is then submitted to the database.

Step 5: Identify and assess risks

Risk and nature of potential impact on individuals	Likelihood of harm	Severity of harm	Overall risk
If we have underestimated the scale of the enforcement, then there may be a risk to the integrity of the database.	Remote	Minimal	Low
If we have underestimated the potential for illegal racing to take place in any other part of Wales, then there may be additional pressure on those local authorities.	Remote	Significant	Medium

Step 6: Identify measures to reduce risk

Measures to reduce or eliminate risks identified as medium or high in step 5				
Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
Risk to additional pressure on LAs	The Implementation Group should mitigate against unintended actions from the ban. In addition, any illegal action taken by trainers / owners who are affiliated to GBGB would negatively affect their ability to race in other GBGB registered stadiums.	Reduced	Low	Yes

Step 7: Sign off and record outcomes

Item	Name/position/date	Notes
Measures approved	James Morris, SRO for the	The actions set out in Section 6 will be considered

by:	Bill	in the implementation of the Bill.
This DPIA will kept under review by:	Welsh Government officials and the WLGA	