

**Farming
Advice Service**

Welcome to the Farming Advice Service newsletter

Thank you for continuing to subscribe to our monthly newsletter. We hope we are providing you with a valuable service, but welcome any feedback or suggestions on topics you would like to see covered in future editions.

If you do not already receive the FAS newsletter straight to your inbox, but would like to, please visit www.farmingadvice.service.org.uk and enter your email address under 'Sign up for Newsletters' on the home page. Alternatively, please email bookings@farmingadvice.service.org.uk with 'register for newsletters' in the subject line. Your details will not be shared with any third parties.

Contact us

FAS technical advice line: 03000 200 301

advice@farmingadvice.service.org.uk

Website: farmingadvice.service.org.uk

All of us at the Farming Advice Service (FAS) would like to take this opportunity to wish you and your family a very happy festive season, and a healthy and prosperous new year.

Please be aware that our helpline will be closed from midday on Thursday 24 December until 08.30 on Monday 4 January. Any messages received during this time will be picked up in the new year.

December 2020 – Issue 58

Key dates

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Key dates

Below are details of the key dates that you should be aware of.

| | |
|--------------------|--|
| 31 December | End of the Basic Payment Scheme (BPS) 2020 scheme year. (BPS 2020) |
| 1 January | The BPS 2021 year starts. You must start following the rules in the cross compliance 2021 guide from this date. (BPS 2021) |
| 1 January | If you are located in a Nitrate Vulnerable Zone (NVZ), then from this date you can apply organic manure with a high, readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on shallow or sandy soils if conditions are suitable, and you adhere to the quantity restrictions for applying these manures. (SMR* 1) |
| 1 January | If you are located in an NVZ, this is the beginning of the year for assessing the annual amount of livestock manure applied to your land. (SMR 1) |
| 15 January | Ecological Focus Area (EFA) cover crops must be retained until at least this date. (BPS 2020). |
| 16 January | If you are located in an NVZ, then from this date you can apply manufactured nitrogen fertilisers to grassland and tillage land if conditions are suitable. (SMR 1) |

In case you missed them...

| | |
|--------------------|--|
| 26 November | From this date, pesticide equipment must be tested every 3 years instead of every 5 years (as previously agreed on 26 November 2016). (NSTS**) |
| 30 November | If you have a two-part tariff agreement for your water abstraction licence, expect to receive your second part charge after 30 November. (GAEC*** 2) |
| 1 December | BPS 2020 payment window opens. (BPS 2020) |
| 1 December | You must carry out your annual inventory of sheep or goats, and forms must be completed and returned by 31 December. (SMR 8) |

For more details about the information provided in the key dates table, please visit the [Guide to cross compliance in England 2020 and Basic Payment Scheme: rules for 2020](#) pages of GOV.UK.

How can FAS help you?

Free and confidential advice

England's domestic farming legislation and EU Common Agricultural Policy (CAP) regulations require an advisory system that covers cross compliance, greening, water protection and aspects of pesticide use. In England, this is provided by the Farming Advice Service (FAS). Under these regulations, the advice given to individual farmers must be

confidential – that is, FAS **must not** disclose any personal or individual information, or data it obtains during its advisory activities.

FAS updates the farming sector on relevant EU policies, and policies for England from the Department for Environment, Food and Rural Affairs (Defra). It explains the requirements and objectives of domestic national legislation and policy, CAP and EU directives; and the actions that can be taken to help meet compliance.

FAS provides **free, confidential** advice on cross compliance and the greening requirements, some aspects of the Water Framework Directive (such as silage, slurry and agricultural fuel oil (SSAFO), and waste exemptions) and the Sustainable Use (of pesticides) Directive. The cross compliance rules apply to you if you are a Basic Payment Scheme (BPS), Countryside Stewardship or Environmental Stewardship claimant.

Getting in contact with the advice line

Farmers requiring telephone advice from FAS can contact the **Rural Services Helpline** on **03000 200 301** Monday to Friday between **08:30** and **17:00**. **Please note that our helpline will be closed from midday on Thursday 24 December until 8:30am on Monday 4 January. Any messages received during this time will be picked up in the new year.**

The Rural Services Helpline provides a single number for all **FAS, Rural Payments Agency, Animal and Plant Health Agency, Natural England** and forestry enquiries. By providing a single point of contact, the Government aims to make it simpler for farmers to access technical guidance on a range of topics, including cross compliance, greening, CAP payments and animal health inspections.

You can also email enquiries to advice@farmingadvice.org.uk



Cross compliance in 2021 - what's new?

As with previous years, the 2021 Basic Payment Scheme (BPS) will run for the full calendar year (1 January to 31 December). Those who are intending to claim BPS payments for 2021 will need to comply with the BPS requirements for the entire year, despite the UK having left the European Union (EU). This article outlines some of the changes that will be introduced for the 2021 scheme year.

Unlike previous years, farmers **will not be required to meet the three greening rules** in the 2021 BPS scheme year (crop diversification, Ecological Focus Areas (EFAs) and permanent grassland). However, it should be remembered that cover crops that have been planted to meet EFA requirements must be retained until at least 15 January 2021. It will also be helpful if farmers familiarise themselves with the business and environmental benefits that come with retaining existing greening features. More information about this can be found in the [November FAS newsletter](#).

[‘The guide to cross compliance in England 2021’](#) was published on 18 December by the Rural Payments Agency (RPA). **There are not going to be any changes to Good Agricultural and Environmental Conditions (GAECs) or Statutory Management Requirements (SMRs)**. However, Table 1 details some operational changes that will be implemented.

You can access ‘The guide to cross compliance in England 2021’ at [GOV.UK](#). For further help with the cross compliance rules, please contact the FAS helpline on 03000 200 301 or email advice@farmingadvice.org.uk.



Table 1: Cross compliance changes for 2021

| Area of cross compliance | New in 2021 |
|---|---|
| Inspections | <p>Before an inspection visit, you will be provided with a list of records that inspectors will check, which will enable you to prepare before the visit.</p> <p>Where appropriate during an inspection, inspectors will now signpost farmers to guidance that they feel will help them meet the requirements of the cross compliance rules. This includes free telephone and email advice from the Farming Advice Service, and the suite of free resources available on our website.</p> |
| Simplification of the online guidance | <p>Information and resources on GOV.UK will be simplified to minimise the duplication of existing guidance. The online version of ‘The guide to cross compliance in England 2021’ will be amended to make it easier to understand the information provided and include links to where more information can be obtained.</p> |
| Changes to the penalty matrix | <p>The penalty matrix will be updated to expand the range of penalties available to include 2% and 4% reductions. This will remove the assumption that most negligent breaches start at 3% and enable the RPA delivery team to determine what penalty to apply.</p> |
| Extended scope of ‘early warning system’ (EWS) letters where there is no risk to public and animal health | <p>This will mean EWS letters can be applied to a wider range of breaches where there is no risk to public or animal health.</p> |

Grassland derogations in 2021 and Nitrate Vulnerable Zones for 2021-2024

Grassland derogations in 2021

The Department for Environment, Food and Rural Affairs (Defra) has confirmed that grassland derogations for livestock manure in Nitrate Vulnerable Zones (NVZs) will be offered in England in 2021. Applications can be submitted from Monday 14 December. The statutory deadline for applications is 31 December 2020. However, the Environment Agency recognises that this is a short application window and will use

its best efforts to process applications received between 1 January and 31 January 2021. It should be noted that these late applications will be considered on a case-by-case basis and there may be delays or difficulty contacting the Environment Agency during this period. Therefore, farmers are urged to contact the Environment Agency on 03708 506 506 (Monday to Friday, 8am to 6pm) as soon as possible prior to the 31 December to guarantee that their derogation application will be processed.

The Environment Agency will be contacting those farmers, via email and/or telephone, who have expressed an interest in applying for a grassland derogation to make them aware of this information.

Applications should be made on the basis of the [Check for Drinking Water Safeguard Zones and NVZs map](#). The relevant GOV.UK pages will also be updated in due course. For more information on grassland derogations for livestock manure in NVZs, please visit [GOV.UK](#).

Nitrate Vulnerable Zones for 2021-2024

The Environment Agency recently concluded its 4-yearly review of Nitrate Vulnerable Zones (NVZs) for the period 2021-2024. It advised the Secretary of State that there has been no substantive change in patterns of nitrate

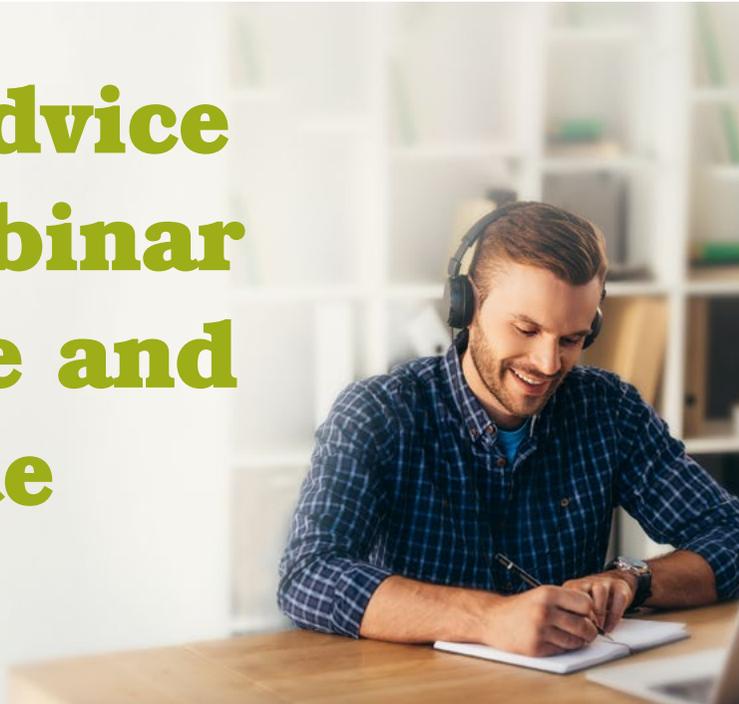
pollution in England, concluding the NVZs should remain the same as the final zones for the previous 2017-2020 cycle. The Secretary of State has agreed with this recommendation and the relevant maps will be updated shortly to reflect the new time period. The Department for Environment, Food and Rural Affairs (Defra) will be contacting affected farmers in writing in the new year to advise them of this and the process going forward.

The Secretary of State recently announced Defra's intention for a reformed regulatory regime for agriculture following the agricultural transition. From 2021, Defra will start looking at how to improve the way existing rules and processes are managed, including those covered by the Nitrates Regulations. Defra will be consulting on this new regulatory approach early in the agriculture transition, working in partnership with the sector to achieve regulations that are fair, clear and effective.

If you'd like to learn more about the recent agricultural transition period announcement, please read the [November FAS newsletter](#).



Farming Advice Service webinar programme and new website launch



The Farming Advice Service (FAS) invites you to attend a series of FREE webinars. They started in December and run through to early 2021. Each online event will have a different theme and will last for 1 hour, including an opportunity to put questions to our expert speakers. Details of the webinars can be found below. If you are unable to attend any of the live broadcasts, a recording of each one will be available on the [FAS website](#).

To book your place, please click on the relevant link below and complete the booking form. You will need to do this for each session that you wish to attend. BASIS points will be available. You will receive a notification email with joining instructions a couple of moments after booking. If this does not come through, please check your spam or junk folder.

Future webinars

FAS will also run some sessions in the new year on the agricultural transition, including existing and future farm support schemes – more details to follow soon.

FAS new website and important information

On 8 December, FAS launched its [new website](#), which will have all of the previous content, including newsletters, technical articles and event resources. Recordings of our webinars will also be uploaded to the new website.

Please be aware that due to the change in website platform, the 'Read more' links contained in the emailed version of the newsletter before October 2020 will no longer link directly to the article in the newsletters. The links will take you to the newsletter page on our new website [here](#), where you can read and download previous newsletters.

Cross compliance and greening update – what's new for 2021?

Andrew Wells

From 2021, the Government is taking measures to simplify the Basic Payment Scheme (BPS) – including removing all three of the greening rules. However, you will still have to meet the minimum standards on the environment, animal and plant health, and animal welfare. Andrew Wells from Arable Alliance will be on hand to talk you through the changes to cross compliance and greening for the 2021 scheme year to help you to comply with the requirements.

Tuesday 19 January, 15:30 to 16:30

Book here: <https://attendee.gotowebinar.com/register/502984099813743629>

Heading towards net zero emissions in agriculture

Dave Freeman

You will have heard lots of reports in recent times on the UK's ambitions to reduce greenhouse gas emissions. During this session, Dave Freeman, Agriculture Business Area Manager at Ricardo, will explain emissions, net zero and what this means for the agriculture sector.

Tuesday 26 January, 10:00 to 11:00

Book here: <https://attendee.gotowebinar.com/register/3681472104597945101>

In case you missed our webinar sessions earlier in December, you can watch the recordings on our website by clicking these links:

- [Farming rules for water](#)
- [Nitrate Vulnerable Zones \(NVZs\)](#)



Avian influenza (bird flu) update

*In response to the increasing number of findings of avian influenza in wild birds in England, and following a risk assessment informed by the latest scientific and ornithological evidence, the risk of incursion of avian influenza in Great Britain has been raised to **very high** for wild birds, **medium** for poultry with high biosecurity and **high** for poultry with poor biosecurity.*

In response, the Department for Environment, Food and Rural Affairs (Defra) declared an Avian Influenza Prevention Zone (AIPZ) across the whole of England, effective from 17.00 on 11 November 2020, with additional housing measures in force from 14 December 2020. The AIPZ means all bird keepers in England (whether they have pet birds, commercial flocks or just a few birds in a backyard flock) are required by law to take a range of biosecurity precautions. This includes keeping their birds indoors from 14 December 2020, except in very specific circumstances.

Further details of the measures that apply in the AIPZ can be found in the [AIPZ declaration](#) available on

[GOV.UK](#). To assist all bird keepers in complying with the new rules, Defra has published an updated [biosecurity guidance](#) and a new [biosecurity self-assessment checklist](#).

All bird keepers should follow the biosecurity advice set out on [GOV.UK](#) and remain alert for any sign of disease. Avian influenza is a notifiable animal disease. If you suspect any type of avian influenza in poultry or captive birds, you must report it immediately by calling the Defra Rural Services Helpline on 03000 200 301. For more updates, please visit [GOV.UK](#).



Remember to submit your annual sheep and goat inventory

If you keep sheep or goats, you must carry out an annual count/inventory of the sheep or goats on your holding on 1 December each year and enter this number into your holding register. This is a requirement in sheep and goat legislation and under the [Statutory Management Requirement \(SMR\) 8: Sheep and goat identification](#). Failure to meet this requirement is a breach of the cross compliance rules and may increase your chance of being selected for a further sheep or goat identification inspection and/or a Basic Payment Scheme (BPS) inspection.

Once you have carried out the annual count of your sheep or goats, you must enter the information into the online form [here](#) or complete and return a paper form by 31 December. If you are completing a paper form, the pre-paid envelope will be addressed to the Office of National Statistics (ONS) who record the information on behalf of the Department for Environment, Food and Rural Affairs (Defra). For guidance on how to complete the forms, please visit [GOV.UK](#).

If you did not receive correspondence from Defra by 13 December telling you how to complete your inventory, please call the Defra Surveys Team helpline on 03000 600 140 or email surveys@defra.gov.uk. You can find more information on your annual sheep and goat inventory, including the link to the online tool, [here](#).

Nitrate Vulnerable Zones – common queries through the FAS helpline



Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate. If any of your land is within an NVZ, then you must follow the rules under [Statutory Management Requirement \(SMR\): 1 Nitrate Vulnerable Zones](#). We often receive queries through to the FAS helpline on the rules for NVZs and we thought it would be helpful if we featured some that are asked most often.

What are the closed periods for spreading manures with a high, readily available nitrogen content and/or for manufactured fertilisers?

NVZs have established closed periods that apply to types of organic manure (those with more than 30% nitrogen readily available, such as poultry manure and liquid organic manure) and manufactured fertilisers. You must not spread on the dates shown (all dates inclusive).

Closed periods for organic manure

| | Grassland | Tillage land |
|------------------------|----------------------------|-------------------------|
| Sandy or shallow soils | 1 September to 31 December | 1 August to 31 December |
| All other soils | 15 October to 31 January | 1 October to 31 January |

Closed periods for manufactured fertiliser

| Grassland | Tillage land |
|----------------------------|---------------------------|
| 15 September to 15 January | 1 September to 15 January |

Can farmyard manure (FYM) be spread during the closed periods?

The closed periods only apply to manures with a high, readily available nitrogen content, so FYM can be spread during these times if there is no risk of runoff/pollution and spreading conditions are suitable.

However, please remember that there is a limit of 170kg/ha on the amount of nitrogen in livestock manure that can be applied on your holding per year. You must also ensure you are complying with the spreading requirements under the Farming Rules for Water, which you can read more about [here](#).



What calculations am I required to do if I have land within an NVZ?

For manufactured fertiliser/organic manure application, you must calculate:

- The soil nitrogen supply.
- The crop nutrient requirement.
- The amount of nitrogen, from any planned applications of organic manure, that is available for crop uptake. You must ensure that you do not exceed the 250kg/ha of total nitrogen field limit (the field limit applies per hectare and does not include manure deposited by grazing livestock).
- The amount of manufactured fertiliser required and the nitrogen content (you can find the standard values in the blank field records and standard value tables on [GOV.UK](#)).

For livestock, you must:

- Show that you have kept within the whole farm nitrogen limit of 170kg/ha (the farm limit is an average across your holding and includes manure deposited directly by livestock and/or spreading).
- Calculate the amount of nitrogen produced by livestock.

For slurry storage, you must:

- Calculate the capacity of your storage facilities and how much additional storage you may require.
- Demonstrate that you comply with the crop nitrogen requirement limit (N-max). For more information on N-max limits, please read the [FAS Nitrate Vulnerable Zones: back to basics article](#).

Please remember, there are also record keeping requirements for land located in an NVZ, please read the [September FAS newsletter](#) for information on these.

Only part of my farm is within an NVZ – do NVZ regulations apply to all of my land?

- The 2017-2020 NVZ designations will remain the same for 2021-2024. The boundaries were drawn around whole fields so some of your land may be within an NVZ and some outside – NVZ restrictions apply to **each field** within the NVZ boundary. You can use [this interactive map](#) to check if your land is in an NVZ.

What are the rules for temporary field heaps? How long shall I wait to move it?

- Temporary field heaps should be moved at least every 12 months and you must wait 2 years before returning to the same site.
- The [November FAS newsletter](#) included an article on the rules for temporary field heaps in an NVZ.

For further help with the NVZ requirements, please contact the FAS helpline on 03000 200 301 or email advice@farmingadvice.service.org.uk.

Farming Rules for Water: Rule 2 – storing organic manures

Since 2 April 2018, all farmers in England have had to comply with rules aimed at protecting water quality. These rules introduce an approach to regulating farm practices that, in time, might be rolled out to reduce other environmental impacts beyond water quality. There are eight rules in total (five about managing fertilisers and manures, and three on managing soil).



Rule 2 is based on the [storage of organic manures](#). The rule states that organic manures must not be stored on land:

- within 10 metres of inland freshwaters or coastal waters;
- within 50 metres of a spring, well or borehole;
- where there is significant risk of pollution entering inland freshwaters or coastal waters.

It is important that you consider risk factors for runoff when deciding where to store manure on your land. When assessing pollution risks, you must take into account the risks of runoff and soil erosion from these factors:

- angle of slopes – in particular, if the angle is greater than 12°;
- amount of groundwater;
- distance to inland freshwaters, coastal waters, wetlands, springs, wells or boreholes;
- soil type and condition;
- presence and condition of land drains.

For further help with the Farming Rules for Water requirements, please contact the FAS helpline on 03000 200 301 or email advice@farmingadviceservice.org.uk. Please also read our article on silage, slurry and agricultural fuel oil (SSAFO) storage requirements in the [September FAS newsletter](#).

Below are links to the farming rules for water articles that we have covered so far in previous FAS newsletters:

- [Rule 1 – requirements for nutrient applications](#) (it is essential that you plan your nutrient applications in accordance with crop and soil need);
- [Rules 3, 4 and 5 – application of manures and fertilisers](#);
- [Rule 6 – Reasonable precautions to prevent soil erosion](#);
- [Rule 7 – Protecting against soil erosion by livestock](#).

Water abstraction reminders

For reminders about dry weather management – including reviewing your abstraction licence needs, water abstraction return dates and two-part tariff agreements – please read the [November FAS newsletter](#) and [October FAS newsletter](#).

The Environment Agency recognises that farmers face a challenge in balancing their needs with those of the environment and will always work with those who want to do the right thing. However, action will be taken against those who don't, including prosecution if necessary. The Environment Agency recently prosecuted a Cambridgeshire business for [illegal abstraction](#).

New Authorisations (previously exempt abstraction activities)

The deadline for receiving applications for previously exempt activities (including trickle irrigation) closed on 30 June 2020. Any abstraction undertaken after that date without a valid application having been submitted by the deadline will be unlawful and will require a [new application](#), which should be submitted through the normal licensing process before any further abstraction can take place.



Using buffer strips to tackle agricultural pollution

In 2021, greening will no longer be a requirement under the Basic Payment Scheme (BPS).

However, there are ways you can retain your existing greening features, such as buffer strips, to reduce pollution from agriculture. A recent study by the Environment Agency and the Forestry Commission explored this further. It considered how the design and management of riparian buffers (those next to a water source) could be improved to reduce water pollution and provide a range of other outcomes for the environment, such as storing carbon, creating new habitats and providing flood management benefits. The study also looks into three-dimensional buffer zones and how they can intercept pollution below, across and above ground.

The study found that establishing riparian woodland buffers scored highest and grass-vegetated buffers scored lowest for diffuse

pollution control. Problematic sites with high pollutant pressures would need greater intervention, such as more engineered buffer designs. This could include incorporating ridges, swales or mini-wetlands.

Introducing three-dimensional buffers zones is a measure that can provide diverse benefits for the environment. It is hoped that this study will form the scientific basis for their widespread use in the future. To view the full study, please visit [GOV.UK](https://www.gov.uk).

For more information on how to retain your greening features to benefit your business and the environment, please read the [November FAS newsletter](#).



Have your say on integrated pest management and pesticide policy

Pest management challenges are continually evolving. Restrictions on active ingredients, increasing pesticide resistance and threats to biodiversity mean that it is more important than ever for farmers to engage with Integrated Pest Management (IPM) and sustainable pest control.

The UK Government and devolved administrations want to support farmers in protecting their crops and ensure that pesticides do not have negative impacts on human health and the environment. They also want to support the long-term viability of the farming sector, while protecting our wildlife and landscapes. With these aims in mind, they have revised the National Action Plan (NAP) for the Sustainable use of Pesticides - a draft 5-year strategy to support pesticide users and the environment.

The Government and devolved administrations are keen to consider farmers' views on the revised NAP draft, and have opened an online consultation, which you are encouraged to complete before it closes on 26 February 2021. It can be found [here](#), and includes all the details of the consultation and how to respond.



Agroforestry and the Basic Payment Scheme

On 9 December 2020, the Rural Payments Agency (RPA) published guidance on GOV.UK that explains how agroforestry options can be compatible with the Basic Payment Scheme (BPS) in England.

Agroforestry is the term used to describe the combination of trees and agriculture on the same piece of land and plays an important role in creating woodlands on farms. Agroforestry has the potential to provide income for farmers through:

- using the agricultural products (such as livestock or crops);
- using the forestry-generated products (such as saw logs, fuelwood, fruit and nuts).

The [Agroforestry and the Basic Payment Scheme](#) page on GOV.UK also details the benefits of agroforestry, what land is eligible for agroforestry under BPS, and provides details of available grants and where to find more information.

The Rural Payments Agency makes full payments to thousands of rural businesses

Despite the challenges created by coronavirus (COVID-19), the Rural Payments Agency (RPA) is on track to [achieve its best-ever payment performance](#). Approximately £1.7 billion was paid to eligible farmers on the first day of the BPS payment window, which runs from 1 December 2020 to 30 June 2021. This is a further improvement on 2019, when approximately £1.2 billion was released on the first day.

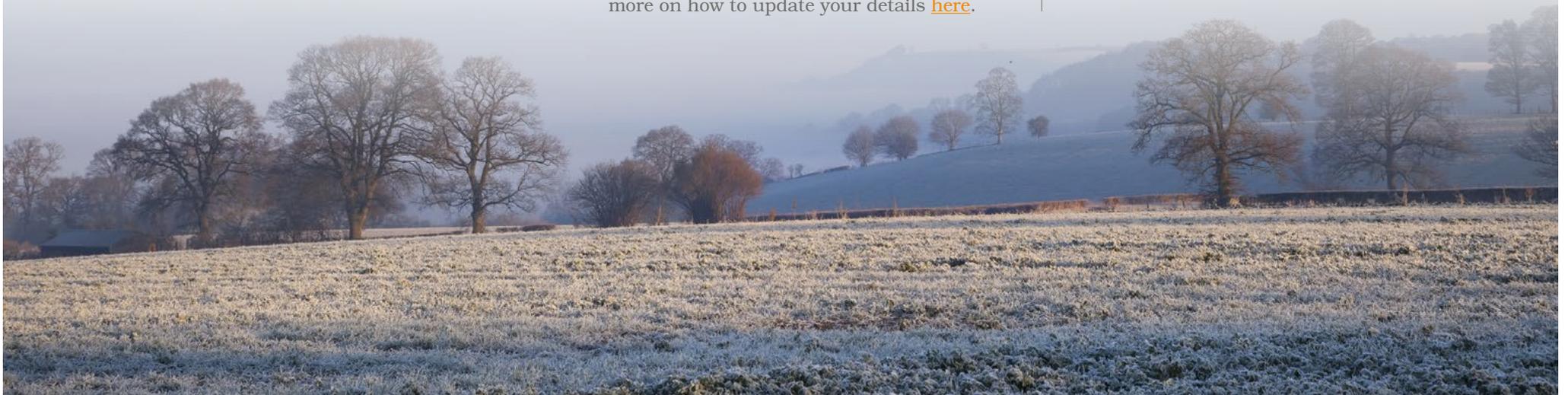
Improvements have also been seen in Countryside Stewardship (CS) revenue payments and Environmental Stewardship (ES) payments, with a combined total of £100 million expected to be paid during the first few days of December.

Payments are made direct to bank accounts via BACS transfer so farmers should ensure that the RPA has the most up-to-date account details in the Rural Payments service. You can read more on how to update your details [here](#).

Be aware of fraudulent activity

Please remember:

- Your bank, the police or the RPA will never ask you to reveal your online password, PIN or bank account details, or ask you to make a payment over the phone.
- Never disclose personal information to someone you don't know, or open unknown or unexpected computer links or emails.
- If in doubt, call the organisation back, ideally on a different telephone, using a number you are familiar with or you know to be official. You can find this on an organisation's website, correspondence or statement. Please contact [Action Fraud](#) on 0300 123 2040 without delay if you think you have been a victim of fraud, would like advice or to discuss a concern.



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In line with the General Data Protection Regulation (GDPR), FAS has updated its privacy policy to explain how your data is kept safe. To view the policy, please visit www.farmingadvice.org.uk/events/privacy/