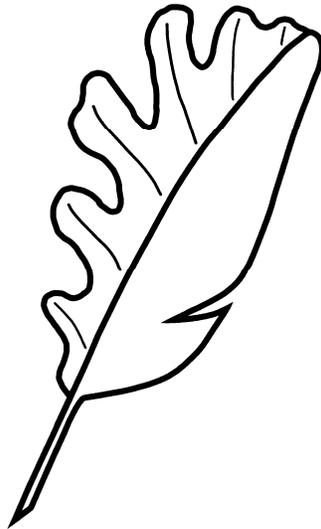# Bedfordshire and Luton's

Biodiversity Recording & Monitoring Centre (BRMC)

Policies and Procedures

Introduction

This document describes the Bedfordshire and Luton Biodiversity Recording and Monitoring Centre (BRMC) policies describing the principles that will be applied when managing the County's biodiversity information. The internal Procedures undertaken by staff to ensure that standardized methods are employed when carrying out every aspect of BRMC work and to ensure that the Policies are implemented effectively are detailed on the BRMC Wiki. The detailed definitions are below:

Policies
> A **POLICY** is a clear public statement of the principles the Record Centre wishes to abide by. Its users and suppliers can clearly see the position on a particular issue. Policies cover standards that the Record Centre hopes to achieve and its approach. They will be published and made available to anyone who asks to see them.

Procedures
> A **PROCEDURE** is a description of how the Record Centre will implement its policies. Aimed at staff and volunteers they form the operational handbook for the Record Centre on a daily basis. They are documented and reviewed on a regular basis.

Policies

The remainder of this document contains the BRMC's policies, arranged into the following categories.

Data Requirements
> Identification and prioritisation of user requirements, the type and standard of data that must be gathered to meet these requirements, and the definition of sites to be used to locate the data.

Data Collection and Recording
> Educational assistance the BRMC will provide in how to identify species, methods that can be used to record species and habitats, and best practices to be used in the field.

Data Providers and Data Acquisition
> Relationships the BRMC will have with its data suppliers, and how the BRMC will receive and validate the data that are supplied.

Data Management and Access
> Formal agreements on data supply and data release, data access controls, data documentation, and data storage and data removal.

Products and Services
> The identification and specification of BRMC's products and services, its data release services, data interpretation services and public information services.

Management of Operations
> Management structure and responsibilities, policies and procedures, provider and user satisfaction and dispute resolution.

Data Requirements

Policy 1 – Identification and prioritisation of user requirements

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Policy statement

The BRMC's management (as outlined in **_Policy 26 – Management structure and responsibilities_**) will prioritise the requirements of the BRMC's users, and hence the products and services the BRMC will deliver.

The BRMC's management will regularly review user requirements, and when necessary, change the BRMC's products, services and/or their prioritisation.

Background to the Policy

The BRMC exists to serve its users. The BRMC will however have finite resources, so it is necessary to prioritise user requirements to ensure that the most important products and services are provided first. This will be decided by the BRMC's management as defined in **_Policy 26 – Management structure and responsibilities_**

The primary concerns of the BRMC's users relate to (in no particular order):

Planning – Development control and planning policy, identification and assessment of County Wildlife Sites, habitat survey reports and summaries, monitoring planning applications, site assessment and provision of planning responses, provision of adequate baseline data for support of planning decisions in light of national legislation and local policy.

Site management – The provision of ecological information for the development of management plans and advice on specific management objectives.

Species protection – Acquisition of data to support species protection programmes particularly for legally protected species, UK and local BAP targets, conservation status lists and rare, scarce and notable species.

Monitoring – Baseline information on the distribution and quality of habitats and species data.

Ecological research – Collation of data on a range of species groups and habitat types, which will provide the foundation for future studies.

Public education – Provision of summarized information on key habitats and species of particular interest to the general public.

From within, and between, these categories the BRMC's products and services will be identified and prioritised to allow the most important ones to be provided first, according to the resources available.

As the requirements of users are likely to change over time, the BRMC's management will periodically review user requirements and change the BRMC's activities and priorities in response.

Policy 2 – Data requirements

Policy statement

The BRMC will identify the data sets required to deliver the products and services specified and prioritised by *Policy 1 – Identification and prioritisation of user requirements*

The BRMC will publicize the data sets that it is wishing to acquire and the minimum standards to which they must adhere. If necessary, particular survey or monitoring techniques may also be specified, to ensure the data gathered will meet the end user requirements.

Background to the Policy

It is essential that the right data be collected in order to meet the needs of the end user.

By publicising the data it is seeking to acquire at any particular moment, the BRMC can clearly and precisely specify its minimum content and the standards to which it must adhere. When records are supplied this will also form a quality measure for their acceptance, and since this will have been clearly stated in advance, the provider will also know whether or not the data they are supplying are of an acceptable standard.

For example the BRMC may specify

- Species it is seeking data for (e.g. conservation status lists)

- Verification criteria (e.g. certified by the appropriate County Recorder)

- Minimum record details (e.g. species, grid reference, date, observer, etc.)

- Data to be assigned to BRMC-recognized sites.

- Survey techniques (e.g. sward measurement method)

- Best practices for gathering data (e.g. permissions, taking specimens)

- Format for data submission to the BRMC (e.g. Recorder 6, MapMate, spreadsheet)

- Permission to supply the data (e.g. the supplier owns or has permission to supply the data)

This has the double advantage of stating what the BRMC is currently seeking, and by implication, what it is not currently seeking. The BRMC should take care however to emphasize that while it may not currently be seeking particular data, this does not imply that it never will. It will emphasize that all accurate biological data have value and that the BRMC's currently limited range of data requirement is a result of limited resources, rather than limited interest.

The minimum data standards and content specified by the BRMC will try to anticipate future uses for the data, to prevent it having only limited value. The BRMC will be aware of the data requirements of national recording schemes and will specify minimum data standards and content to be at least that required by such schemes.

Policy 3 – Definition and publication of sites

Policy statement

The BRMC will consider as sites, for recording purposes, all areas of land that have known or potential biological significance, i.e. statutory sites, non-statutory sites, and sites 'created' by the BRMC to facilitate data collecting or handling.

The BRMC will ensure that all such sites are adequately described. It will store their definition and boundary information in a form that allows maximum retrieval possibilities and ensures that the requirements of its data suppliers and data users can be met.

The BRMC will ensure that details of all sites, including their boundary descriptions, are available to data suppliers, to enable them to associate their data with BRMC-recognized sites.

The BRMC will use a stable set of sites whenever possible, but may be required to change site details, or add or remove sites, to meet new recording requirements. The BRMC will try to keep such changes to a minimum.

Background to the Policy
Precise details for how sites are defined are beyond the scope of this policy, however for illustration purposes, the latest thinking on site definition is included below:

Site definition
For recording purposes, Bedfordshire and Luton will be divided into 'sites', where a site is an area that has been recognized as having biological significance, e.g. a SSSI, a nature reserve, a County Wildlife Site, a water body, a woodland, a meadow, etc. For parts of the county not assigned a specific site boundary, a record may be associated with a nearby village or town 'site'. (The accuracy of locating records is determined by the descriptions of the record locations and the precision of their grid references, so associating records to an unbounded nearby village 'site' will not diminish their location information).

Linear features such as rivers, roads and railways may be treated in a special way that allows them to be regarded as single sites, but still allows their records to be usefully grouped along their length.

The BRMC will ensure that every site has a clear definition and that site boundaries are adequately defined and published to allow unambiguous association with data. Boundaries and designations of sites may sometimes change over time. All changes will be stored so that data can be assigned to the relevant site variant.

Site names
For data recording purposes a unique simple name will be assigned to each site. Site variants will each be given their own unique name. If site names change over time the BRMC will settle on a 'main' site name and keep a record of alternatives.

Data providers may sometimes bypass the BRMC and feed directly into national recording schemes. The result can be a confusion of names for the site. Close working relationships between the BRMC and such recording schemes is required to ensure consistency.

Recording site data
All records need to be linked to a locality and on many occasions this will be a defined site. The BRMC will attempt to ensure that data providers are made aware of all sites and have access to adequate descriptions of their boundaries. The BRMC may also provide a gazetteer to allow records to be associated with BRMC-recognized village or town 'sites', where the observation was not on a predefined site.

Data Collection and Recording

Policy 4 – Improving species identification skills

Policy statement

The BRMC will offer advice and encouragement to data providers of all levels of experience on developing their identification skills, to allow them to become more knowledgeable about the taxonomic groups they are familiar with, and to expand their taxonomic coverage.

Background to the Policy

The BRMC is dependent on accurate data and it is essential to ensure that contributing observers are as skilled at species identification as possible.

National and local Biodiversity Action Plans have increased the need for people with knowledge of specialist taxonomic groups. If the biodiversity resource is to be properly assessed then it is necessary to encourage a pool of specialists.

The BRMC is unlikely to have the resources to provide training directly, but it can be party to training programmes and the identification of training needs. Guidance and encouragement will be given by the promotion of public surveys, training courses and recommended literature.

Policy 5 – Recording methods

Policy statement

The BRMC will advise on the use of appropriate survey and sampling techniques, and encourage the use of recognized standard methods, to ensure the maximum value from collected data.
The BRMC will

- Be aware of standard methods for the collection of data on species and habitats, and keep abreast of the latest recording schemes and survey techniques.

- Provide information about standard methods, or where the information may be obtained.

- Promote standard methods whenever appropriate.

- Encourage all data contributors, when appropriate, to consider upgrading their knowledge of sampling, recording and survey techniques through training.

- Encourage, or require, data supplied to the BRMC to specify the recording methods used for obtaining it.

Background to the Policy

It is generally accepted that habitat and species data should wherever possible be gathered and recorded in a standardized way. The use of standard methods allows efficient and accurate collection of data, comparisons between data sets and interpretation.

The BRMC has a direct interest in promoting and prioritising data collection and quality. It is therefore in the BRMC's interest to be aware of the best methods for sampling and recording, and encouraging others to adopt and use them.

Policy 6 – Good recording practice

<u>Policy statement</u>
The BRMC will promote recording practices that ensure minimal inconvenience to third parties, and are in accordance with the law and good nature conservation.

<u>Sub policies</u>

Landowners and tenants
Surveys will be carried out in accordance with all current legislation. Permission from landowners will be sought for access to sites and the purpose of the survey fully explained when requesting access.

It may be necessary to survey land where the landowner is unknown but only after all reasonable steps have been taken to identify the landowner.

Conditions of access will be adhered to, if these conditions conflict with the aims of the survey then the survey will be cancelled.

Conforming with good nature conservation practice
Surveys will be conducted so that they do not contravene protected species legislation and so that their impact on populations of species and of features of nature conservation interest is negligible.

Conforming with good employment practice
The BRMC will encourage good health and safety practices to be followed regardless of who initiates or undertakes the fieldwork. Should the BRMC commission fieldwork the BRMC's health and safety policies will apply as defined by the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough, the BRMC's hosting organisation.

Recording with third parties
Contracted surveys, and surveys carried out by partners as part of joint projects, will conform to the same or equivalent standards encapsulated in the policies above.

<u>Background to the Policy</u>

Field recording, either in house or through third parties, is fundamental to the operation of the BRMC. It would be counter productive to alienate landowners and other interested parties by insensitive fieldwork practices. Seeking permission for access to a site is best seen as part of a wider process of securing support for the aims of the survey from the landowner.

 In addition, without proper precautions, fieldwork could compromise nature conservation objectives through the disturbance of rare species or the reduction of populations. It is important to realize that there may be a perception that some survey techniques could be damaging to nature conservation, even when their use is properly justified.

Data Providers and Data Acquisition

Policy 7 – Sources of data

Policy statement

The BRMC will identify, develop and maintain relationships with individuals and organisations that hold, or potentially hold, significant biological data relevant to the area of coverage of the BRMC.

At any particular moment the BRMC will be most active in seeking to acquire the data sets identified by **_Policy 2 – Data requirements_**, so will most actively be involved with the organizations and individuals that can provide this data. However this will not prevent it developing relationships with others who may hold other data sets and may be become providers of data in the future.

Background to the Policy

The BRMC will ensure that data coverage is as comprehensive as reasonably possible and relevant to its users needs. It will ensure that data quality is maintained to demonstrate continued relevance and engender support from its suppliers and users.

There are a variety of organisations and individuals that can provide data. Separate procedures will be in place for these differing categories, some of which will be of lower priority for action.

It is impractical for the BRMC to collate and maintain all the potential biological data relating to its area. However the BRMC will ensure it is aware, as far as possible, of the location, validity and availability of data sets relating to its area of operation that it either has been unable to acquire, or which are non-priority data sets.

Policy 8 – Working with data providers

Policy statement

The BRMC will establish, and maintain, long term relationships with data providers, and invest in their customer care. It will actively encourage data providing individuals, groups and organizations through the provision of appropriate educational assistance, data services, administrative support, feedback, etc., in return for the right to use their records. It will also ensure that they are appropriately acknowledged in publications and reports.

The BRMC will inform suppliers and potential suppliers of its current needs for data, and the required recording standards, identified via *Policy 2 – Data requirements*, and seek to influence their data collection accordingly.

The BRMC will periodically review the cost effectiveness of providing support to each data provider, taking into account the volume and quality of records received, and will correspondingly adjust the support services provided.

Background to the Policy

This policy has the following strategic objectives:
- To maintain the flow of usable data
- To ensure data are reasonably accessible to users
- To maximize efficiency in acquiring data
- To encourage recorders to extend their skills and conform to standards.

For the BRMC to function, data providers, whether individuals or organisations need to provide access to past, present, and future records. All providers, whether resident or visitors, may be recorders, whatever their recording level.

Some people may be reluctant to allow access to their records. To overcome this, the BRMC will emphasize the value of pooling data and explain how it deals with the usual concerns, i.e. data ownership, confidentiality, data security, acknowledgements and charging issues.

All data providers are important and the BRMC will cultivate long-term relationships with them. The BRMC will offer data providers a range of services and feedback. The importance of their role to the BRMC will be made clear, and where appropriate, will be acknowledged in publications and reports that use their data.

Data providers form a spectrum from novice non-specialists to experienced specialists. Specialists are particularly important, as they are often the only people providing records for certain taxonomic groups and are also needed for verifying records.

Specialists are often part of a wider recording network and can therefore form an excellent link between the record centre and specialist organisations leading to the identification, for example, of more records, recording effort or awareness of the BRMC.

The greater the skill of the recorder base, the more efficiently the BRMC can function. Through the application of *Policy 4 – Improving species identification skills* and *Policy 5 – Recording methods* the BRMC will seek to help the recorder base expand its capabilities.

There are several categories of data provider, for example:
Individuals – Amateur or professional naturalists
Recorder groups – constituted clubs, societies and recording schemes comprised mainly of amateur naturalists. Contact with these will usually be through their Recorders.
National recording schemes – Organizations that collect national data, but who may be able to supply data to local record centres

These categories are covered by the same policy but may require separate procedures. The type and level of support provided to these different categories is likely to vary.

Policy 9 – Public information gathering

Policy statement
The BRMC will support biodiversity information collection by the public and community groups, in association with other wildlife groups as appropriate.

Background to the Policy

Public involvement in collecting species and habitat information can help in the protection and enhancement of local biodiversity and aims to:

- Promote awareness and understanding to a wider audience
- Forge links with local communities and a base of support for environmental recording projects
- Develop a network of reliable dedicated recorders who are directly or indirectly enhancing the local environment
- Generate a greater understanding of the work of the BRMC through publicity and liaison with the public.

Suitable care will be taken to ensure that legislation and BRMC policies on good practice as promoted by *Policy 6 – Good recording practice* are upheld. Surveys will be targeted and suitable for public involvement, making recording easy, providing advice, assistance and training when needed.

As BRMC resources will usually be limited, surveys of this nature are likely to be undertaken in conjunction with other wildlife groups, with the BRMC performing an appropriate role agreed at the time.

Policy 10 – Commissioning of surveys or monitoring

Policy statement

Occasionally, in order to satisfy particular user requirements, the BRMC may need to commission surveys, or initiate monitoring programmes, to gather data that are unavailable through other sources.

The BRMC will make clear through **Policy 2 – Data requirements** what data it requires and will approach individuals and organizations that may be able to acquire the data. The BRMC will negotiate with potential data providers, on a case-by-case basis, the terms and conditions for obtaining the data, though these will remain in line with the BRMC's policies and procedures. If professional services need to be appointed then the BRMC will endeavour to obtain the best value for money through fair and open procedures.

Background to the Policy

Most of the BRMC's data needs are likely to be met through regular contact with data providing individuals and organizations who will supply field observation data through data supply agreements. Occasionally, however, particular user requirements may dictate that other types of data may need to be gathered, and it may be necessary for the BRMC to commission surveys or monitoring to acquire this.

The BRMC will consider all practical avenues for obtaining the data and will decide upon the best course of action on a case-by-case basis.

While the BRMC may develop a set of preferred suppliers with whom it has successfully worked before, the BRMC will continue to look for alternative sources and will always try to ensure value for money.

Policy 11 – Data acquisition

Policy statement

The BRMC will accept ecological data in agreed formats and process this information efficiently and accurately using agreed procedures.

Background to the Policy

The BRMC needs to efficiently incorporate information received into its database, so that the data become available for use as quickly as possible.

As a result of *Policy 2 – Data requirements* the BRMC will document and publish the desired formats for data submission and will put in place efficient mechanisms to handle data supplied in these formats. Example formats that will be considered include Recorder export or database, Access database, Spreadsheet, MapMate export, CSV file, Tab-separated-variable file, etc. Paper records may also be accepted when an electronic source is unavailable.

If a data supplier offers data in an alternative format, the BRMC will consider whether or not the data on offer are of sufficient value to justify handling the non-standard format. If the data value is insufficient the supplier will be treated respectfully, and either the offer of their data politely declined (explaining that it is the format that is the problem and not the data), or more likely, they will be asked if they could repackage it to use a desired format.

The BRMC will also publish the preferred methods and procedures for delivery of data in the desired formats (e.g. by email, on CD, by post) and procedures will be developed to accept data using these methods.

The data supplier is expected to adhere to the agreed procedures for ownership, storage of data, access and security.

The BRMC will maintain a database of the data sets received from suppliers. This is covered more fully in *Policy 18 – Data documentation*.

The receipt of records will be acknowledged.

Data entry into the BRMC's database will be prioritised if necessary in accordance with *Policy 1 – Identification and prioritisation of user requirements*

Policy 12 – Data quality verification

Policy statement

The BRMC will ensure that incoming records meet the minimum quality standards specified via *Policy 2 – Data requirements*. Any data found to be below standard in content or accuracy will not be incorporated into the BRMC database, but will be referred back to the supplier to see if the deficiency can be rectified.

The BRMC will ensure that when habitat, site and other geographical information are digitised they are verified and captured using up to date and appropriate scale base maps and in accordance with current digitising standards. An appropriate standard of habitat definition will be used for habitat data.

Background to the Policy

As stated in *Policy 2 – Data requirements* the BRMC will set minimum and desirable record standards for precision, accuracy and content of supplied data. (These may vary according to the type of record). The BRMC will normally encourage the submission of data of a higher quality than that described by the minimum data record standard.

Upon data reception, and before they are incorporated into the database, the BRMC will check the data as best it can to ensure they meet the minimum content for that type of data.

As well as having a minimum content, the data must also be accurate. The data may need to stand up to legal scrutiny, e.g. if the data are used to select sites for protection by law, or in local development plans. Accurate information is also important for the compilation of conservation status lists and reviewing progress with the Biodiversity Action Plan. Generally speaking, there is little value in having a database whose contents are uncertain.

The BRMC will therefore, as best it can, verify that the data supplied are accurate. This will chiefly be achieved by ensuring that data are acquired only from reliable sources.

Some historic records may not satisfy all the requirements for a valid record, but may still contain enough accurate information to be of potential value for understanding long-term changes in landscape, flora and fauna. (A historical record is defined as any record for which it is impossible or undesirable to contact the recorder or donor for further information to upgrade the record). Historical records will be handled on a case-by-case basis to see how, or if, the data can be incorporated without detracting from the integrity of the database. They may be kept separate from the main database if necessary, but still be available for study when required.

When digitizing geographical information different base maps will be appropriate in different circumstances, but the most accurate and up-to-date ones should be used which will usually be Ordnance Survey MasterMap.

National standards for capturing habitat data are evolving and so digitising procedures will need to track these. There are also many categorisation systems for habitats, with new ones like the Integrated Habitat System emerging. Digitization will therefore need to be done using the most appropriate standard for the task as agreed with the client.

The information that is being captured needs to undergo an appropriate verification process to ensure correctness. This may include checking against existing habitat inventories, aerial photos, species data and local survey information and that where possible, local experts have been consulted. It will often be necessary to verify the digitized information for correctness after it has been drawn, e.g. when drawing definitive site boundaries, and amend when necessary.

Data Management and Access

Policy 13 – Data Supply Agreements

Policy statement

A Data Supply Agreement (DSA) will be signed with each supplier of data to the BRMC that details the terms and conditions of the relationship between the parties. This will be written in plain English and will explain the responsibilities of the BRMC and the responsibilities of the supplier.

Standard agreements that can be used with many different suppliers are to be preferred, as this will allow common procedures to be applied across many datasets, however customized agreements may be considered when the value of the data supplied justifies special procedures.

Obligations imposed upon the BRMC will include data access controls, safe data storage, documentation of data supplied, conformance with the Data Protection Act, confidentiality, use of sensitive data, use of data in publications, accreditation, audit of supplier's data if requested, removal of supplier's data if requested.

Obligations imposed upon the supplier will include the right (i.e. copyright) to supply the data to the BRMC, validation of submitted data (to the best of their ability), identification of which data are to be regarded as sensitive and specification of how such data may be used, notification of subsequent data corrections, changes of personal details (to conform to the DPA). Frequency of data updates and formats and procedures for data supply could be covered in the DSA, but may be agreed less formally.

The DSA will also specify acceptable uses for the data supplied. These are likely to include the distribution of raw data to recognized national recording schemes (including ownership and accreditation conditions), the use by named individuals of specific organizations for use in the course of their work, the use of data in Environmental Impact Assessments, and the release of data (with appropriate accreditation) to *bona fide* enquirers (providing there is no conflict with any of the above obligations). The BRMC will generally not enter into a DSA that makes the data unavailable for third parties, unless agreed by BRMC's management.

The DSA may also specify services that the BRMC may make available to the data supplier in return for the use of the data. These may, for example, include educational/information services, or access to other data sets, or dataset backup services.

Background to the Policy
The BRMC needs to understand the ownership of all the data it holds including raw data (information supplied to the BRMC prior to any processing of it) and any processed information it may produce or acquire. It needs to agree with the owners of data how it will be managed and used. Permissible uses for data gathered during public surveys will normally be stated in advance of the survey and submission of records will imply consent to these.

The data owner is the person who has intellectual property rights over the data. When data are first recorded in a physical form e.g. on paper or computer, the person making the record owns the data. This person can then give this property to any other person if they so wish.

If an arrangement is formed whereby the BRMC also releases (other) data to the supplier (i.e. the supplier and BRMC actually exchange data) then a separate Data Release Agreement will be entered for releasing data in the opposite direction, as covered in *Policy 14 – Data Release Agreements*

Policy 14 – Data Release Agreements

Policy statement

Data will be released by the BRMC under a Data Release Agreement (DRA) that has been signed by the appropriate party or parties. (A Data Release Agreement is a general title for an agreement between the BRMC and another party that details the terms and conditions whereby the BRMC will release data to them). The DRA will detail the obligations of the BRMC and the obligations of the data recipient.

Obligations on the BRMC will include ensuring the right to release the data by compliance with all relevant DSAs, the provision of a fair and impartial service in a reasonable amount of time and at a reasonable cost (if a charge is levied) and compliance with all relevant legislation. Where sensitive data may be released the BRMC is obliged to attempt to check the credentials of the intended recipient, and reserves the right to withhold data if it believes that wildlife or habitat may be harmed otherwise.

Obligations on the data recipient will include what they can and cannot do with the data, how long they may hold it for and in what format, what accreditations they must use in reports etc., who they may or may not release the data to, what charges they must pay (if any) and the requirement to return data to the BRMC if they become ineligible to use it.

A DRA will comply with all terms and conditions of all DSAs that cover the data to be released**.

Background to the Policy

DRAs are important, as they exist to protect the suppliers, their data, and ultimately wildlife and habitats, against misuse of the data. By formalizing the data release the data recipient becomes aware of their obligations to use the data in a responsible manner (with a hint at the possibility of legal implications if they don't).

They also clarify what the recipient can do with the data, so they can use it with confidence within the terms of the agreement.

DRAs also clarify what the BRMC is expected to do (or not do) and thus what service the recipient can expect from the BRMC.

There are likely to be different types of standard DRA documents to cover common forms of data release, such as to ecological consultants, to national recording schemes, to officers in local or national organizations, to county recorders or individual recorders, etc.

Policy 22 – Dataset release (from the BRMC) covers the products and services that may be offered for which a DRA needs to be signed.

**Note: Under the Environmental Information Regulations 2004 the BRMC may have to release data where it is in the public interest to do so.

Policy 15 – Service Level Agreements

Policy statement

Service Level Agreements (SLAs) will be established between the BRMC's management (as defined by **Policy 26 – Management structure and responsibilities**) and its main users.

They will detail the type and extent of services and products that the BRMC will supply without charge as a result of each main user's support of the BRMC. BRMC's management will decide the type and extent of such products or services for each individual SLA.

As main users will have the same data-use obligations as any other users, a DRA may be required to be signed by each main user, to formalize their relationship with the BRMC, or the SLA may simply be one particular form of DRA. (This is at the discretion of BRMC's management).

A SLA will comply with all terms and conditions of all DSAs that cover any data released, or service provided**.

Background to the Policy

As a result of their support of the BRMC, main users will be entitled to specific products and services from the BRMC. These will be detailed in each SLA. The BRMC will keep records of the products and services delivered to each main user to ensure that the user is receiving the service it expects and to ensure that the user is entitled to the products and services it is requesting. If the type or extent of the service requested by the user goes outside that specified in its SLA, the BRMC may prioritise other main users above that user, and may at its discretion limit the service it provides and/or charge, as for other users.

**Note: Under the Environmental Information Regulations 2004 a public authority may be obliged to release certain information if it is in the public interest to do so.

Policies agreed 20/01/04, updated 26/04/13

Policy 16 – Access to data

Policy statement

The BRMC will provide access to the data it holds, subject to any conditions imposed on its use by the Data Protection Act 1998, Environmental Information Regulations 2004**, Freedom of Information Act 2000**, Copyright and Intellectual Property Right law, or any other laws of the land that apply.

It will control access to data in accordance with its policies on charging, agreements (DSAs) with its suppliers (which include ownership and confidentiality) and priority levels imposed by management. Restrictions on the release of information may therefore apply.

Sub policies

Access to data will be provided subject to any conditions imposed on its use by the corresponding Data Supply Agreement. (Any restrictions on the use of sensitive data will be specified in the DSA)

Data will be released to users within the terms of a Data Release Agreement.

Data will be released to partners within the terms of their relevant Service Level Agreement.

Direct access to data by personal callers by appointment only.

Data may be withheld if BRMC staff believes that wildlife may be harmed as a result of releasing it.

BRMC staff are allowed access to the data in its databases in order to do their work.

All enquiries and supply of information will be logged.

Background to the Policy

The data within the BRMC have been gathered and are owned by a number of different organisations and individuals. Some of the data are held subject to terms and conditions laid out in Data Supply Agreements. These terms and conditions in some cases restrict the BRMC's ability to supply data. The BRMC may therefore restrict access to sensitive data.

The BRMC has clear terms and conditions specified in Data Supply Agreements and Data Release Agreements under which users could gain access to data. The BRMC's procedures ensure that access to data is in accordance with all terms and conditions.

Control on access to personal data is necessary under the Data Protection Act.

Access may also be restricted due to resource limitations.

This policy aims to ensure that:

- The data supplied meets users' needs
- Data are managed in an effective and efficient manner
- Copyright and ownership constraints attached to the data are complied with
- Release of data does not harm sensitive species or habitats
- Data suppliers are reassured that their data will only be released to third parties according to clear policies.

***Note: Under the Environmental Information Regulations 2004 any data passed on under this act remains the copyright of the data owner and use is restricted to those permissible under the copyright act for 'research for non commercial purpose and private study' and 'for criticism, review and news reporting'.*

There are a number of exceptions to the release of information including sensitive data and in the case of volunteered data, the interests of the data provider.

Policy 17 – Confidentiality

Policy statement

The BRMC may acquire information that some consider as confidential. This may be categorized into personal data, wildlife data, and landowner data. This is covered separately in the following subsections of this policy:

Personal confidentiality

The BRMC will conform to the Data Protection Act. The BRMC will attempt to hold only the minimum of personal information necessary for it to function. It will keep adequate records of what information is held and will respond appropriately to any enquiries from individuals seeking to know what the BRMC holds about them.

The BRMC may only pass on relevant personal contact details (i.e. home phone numbers and/or home postal addresses) that are already in the public domain (e.g. because of a position they hold such as County Recorder or an officer of a society) or when agreement has been reached with the individuals concerned. When in doubt the BRMC will act as a go-between.

Personal email addresses will also only be specifically passed on under the same circumstances, however an email sent to more than one address may make email addresses known to others. (Bcc may be used to minimize such effects).

Workplace contact details may be passed on when their position is thought relevant to an enquiry.

Contact details for those in positions of authority in organizations (e.g. amateur wildlife groups or societies), where their contact details are not their home contact details, may be passed on when they are thought relevant to an enquiry.

Specific exemptions to any of the above (except DPA conformance) will be logged and respected, for example when an individual wishes not to be contacted even if they hold a specific position of authority or their details are in the public domain.

The BRMC may seek to build a list of experts that are willing to be contacted regarding specific aspects of wildlife, such as species or habitats. No one will be added to this list without first obtaining agreement from the individual concerned, and all requests to be removed from such a list will be honoured.

Confidential wildlife information

Some submitted information might be marked as containing confidential information about species or habitats. This may be due to concerns that information abuse could threaten wildlife.

The BRMC will take all reasonable steps to avoid the use of its data for destructive purposes, whilst at the same time ensuring that wherever possible decisions that may affect wildlife are taken in possession of the facts.

Where the BRMC identifies a record or report of a confidential nature within a data search, it will report to the enquirer the existence of the confidential information in the general area of the search, but will not reveal any confidential aspects of it.

If an enquirer reports that the information may be relevant to the case and requests full details, the BRMC will attempt to contact the person that declared it as confidential to seek permission for releasing it. If permission is refused then the information will not be released. If reasonable attempts to contact the person fail, the BRMC staff will make a decision on whether or not it is in the best interests of the species or habitat to release the information.

Very occasionally prospective users of data may have a destructive intention for species or habitats. The BRMC will withhold any data (confidential or otherwise) if it has any concerns about potential abuse. The BRMC reserves the right to withhold data from a prospective user who has failed to observe conditions in the past.

<u>Landowner confidentiality</u>

Where a landowner has granted access for a survey with restrictions on how its findings may be used or distributed, the BRMC will honour those restrictions. If however the conditions are too onerous, the BRMC reserves the right not to accept the data.

In the course of its work the BRMC may acquire ownership details for areas of land or water. These will not be passed on to anyone without permission from the owner. The BRMC may act as a go-between if necessary.

The BRMC will be sensitive to the risks of increasing public access pressure on private land when deciding whether to release data to members of the public or for publication.

<u>Background to the policy</u>

A clear confidentiality policy is essential to assure data suppliers that information they supply will not be misused. Also any information acquired about suppliers, landowners, individuals or organizations must be handled correctly.

There are several reasons why information may need to be treated as confidential:
- People may wish to maintain their privacy, or keep some aspect of their personal details private.
- Where release of data may endanger species or habitats.
- Where someone has stated that particular information may not be passed to third parties.
- Where a landowner has granted access with conditions attached.
- Where property details become known that are not otherwise public.

Personal confidential data can only be passed on with their permission. As the BRMC will hold only the minimum amount of information about individuals, this is unlikely to extend beyond contact details, any positions they hold in relevant organizations, or skills or knowledge they possess relating to wildlife (e.g. experts in species or habitats). The BRMC's position regarding passing on such information is stated in the above policy.

The DPA lists eight categories of data that are to be regarded as "sensitive personal data". It seems unlikely that the BRMC will ever need or want to hold any of the types of data on this list.

Confidential wildlife data will only be released in accord with the above policy. This ensures that the BRMC can acquire potentially useful data that is still currently regarded as confidential, while ensuring that it is not passed on. There are likely to be occasions when such data become valuable in protecting species or habitats and therefore knowing that it exists is helpful. Permission can then be sought on a case-by-case basis to use it, allowing its valuable content to be used to safeguard wildlife.

Confidential data about land ownership will be maintained as required. This may be useful in obtaining permissions for access to land for surveys for example. Such data will not be released without permission from the owner.

Landowners may also grant access to their land for surveys, but place restrictions on what may be done with the findings. In order to continue to enjoy the goodwill of such landowners, the BRMC will comply all agreed conditions, or else it will choose not accept the data into the BRMC.

Policy 18 – Data documentation

Policy statement

The BRMC will keep a register of all data held within it, including computerized and other records. This register will include information necessary for the proper management of the data.

Background to the Policy
The BRMC must document its data holdings to help manage them and provide information to users about these data holdings.

The term used to describe data about data is metadata. The BRMC needs metadata:
- To give a complete picture of its data holdings so that it can identify gaps in its holdings
- To enable partners and potential users to have a better understanding of the data it holds and how the data can be used
- To track ownership and availability of its data holdings and to manage relations with owners
- To track the status and location of datasets
- To ensure the BRMC knows the nature of its data
- To understand how the data can and can not be used and to ensure users understand the limitations of the data
- To contribute to the NBN Gateway.

Policy 19 – Data storage

Policy statement

The BRMC will store all data, whether digital or on paper, in a manner which safeguards it from physical loss or deterioration.

It will ensure that access to such storage is in accord with *Policy 16 – Access to data*.

Background to the Policy
The BRMC needs to store and archive all data supplied to the BRMC prior to any processing.

It also needs to take and keep backups of processed data at appropriate intervals.

Regardless of the data type, the BRMC will store data in an appropriate manner, to prevent loss or deterioration. The BRMC will ensure additional security is afforded to the storage of confidential or sensitive information. A Disaster Recovery Plan will be maintained in case of complete or partial loss of data and/or computer equipment.

Access to all data storage is covered by *Policy 16 – Access to data*

Policy 20 – Data removal

Policy statement

Data may need to be removed if a data supplier requests removal of all, or part, of the data they supplied.

Data may also need to be removed if the BRMC discovers them to be of dubious quality, which may prejudice the quality of reports and output from the BRMC.

In either case the BRMC will follow its procedures for data removal.

Background to the Policy

The BRMC will not normally own the data supplied to it, unless ownership is transferred to the BRMC in the corresponding Data Supply Agreement. The data owners can therefore request the BRMC to remove the data from its databases, and from storage, and be returned to the owner.

Whilst the BRMC will seek to understand the reasons for such a request, and may attempt to persuade the data provider to allow the BRMC to continue to use it, the BRMC will comply with all requests to remove a provider's data, within a reasonable time.

There may be practical limitations as to how much data may be removed. For example, the BRMC would not wish to have to go through all its backup databases removing all historical copies of the data. The BRMC however will remove it from all active databases such that it is no longer available to the ongoing operations of the BRMC. (If a database restoration were ever required from a backup containing the removed data, then the data would again be removed from the active database to ensure it remained unavailable to the BRMC's operations. Enough information would therefore be kept regarding the removed data to allow this process to be repeated).

There may also be occasions where, despite all attempts to validate data when supplied, some data may be found to be of dubious quality. Such data will be removed or isolated from the active databases until it has been validated or corrected if possible, or it may be permanently removed.

The BRMC will keep records about all data removal to ensure that its operations can be tracked, and reassurance provided that data have been removed as requested.

Products and Services

Policy 21 – Products and services

Policy statement

As a result of **_Policy 1 – Identification and prioritisation of user requirements_** the BRMC will document, publish and provide the prioritised range of common products and services that it will offer at any particular moment. It will focus its efforts towards providing these in an efficient and cost-effective manner.

The BRMC will occasionally receive requests for uncommon products or services and will handle these on a case-by-case basis. If they have already been considered and ranked as a product or service that is not to be currently provided, then the BRMC will politely refuse the request. If however the request is for a service or product that ought to be considered, then the BRMC may handle the request, at the discretion of the BRMC staff.

The BRMC will maintain adequate records of requests and responses to facilitate audit of its performance and review of the products and services it should offer.

Background to the Policy

The needs of the BRMC's main users will have been understood and prioritised via **_Policy 1 – Identification and prioritisation of user requirements_** to identify common products and services that will frequently be required. These will be the main output of the BRMC.

The BRMC will advertise its current products and services to allow users and potential users to know what is currently available. The BRMC will also state what service-levels it will endeavour to provide.

As it will not be possible to forecast every end user requirement, it will be necessary to consider new requests as and when they occur. The BRMC staff will use the prioritisation of user requirements, as a guide to decide how new requests should be handled.

To maintain support from both users and suppliers it is important that the BRMC maintains:

- Adequate enquiry recording, processing and auditing procedures
- Good information on the nature, frequency, source and costs of responding to enquiries
- Record of response times.

Policy 22 – Dataset release (from the BRMC)

Policy statement

One of the BRMC's services may be to release dataset(s) to ecological consultants, other organisations, recording schemes, societies or individuals. When doing so it will release the datasets un-interpreted. The extent and nature of the release of datasets will be defined by an appropriate data release agreement (i.e. DRA and/or SLA), specific policies and agreements (i.e. DSAs) relating to the original suppliers of the data, and the BRMC's access policies.

The release of datasets to users will depend on the nature of their needs, on the accessibility of data and on any restrictions placed upon their use. Where datasets are available in an accessible format, the BRMC will provide datasets in the most appropriate format. If datasets are not readily accessible, the BRMC reserves the right not to release the datasets, or to provide them in the most cost effective way available.

All these are subject to the data access controls of *Policy 16 – Access to data*.

Background to the policy
The BRMC holds datasets in a range of formats that may be more or less easy to access. It also holds data from a range of sources that are subject to various agreements over its use. The BRMC will enter into specific written agreements over the release of datasets to its users. The form and nature of dataset supply may be stipulated within the agreements if appropriate.

Some data suppliers may place restrictions on who is allowed to receive copies of their data, especially if their data are of a sensitive nature. This is covered by **Policy 13 – Data Supply Agreements** and **Policy 16 – Access to data**.

Policy 23 – Data interpretation (by the BRMC)

Policy statement

If decided by *Policy 1 – Identification and prioritisation of user requirements* and documented by *Policy 21 – Products and services* the BRMC may provide products and services that interpret data, rather than simply providing data un-interpreted.

If these services are for its main users then the terms and conditions will be detailed in a corresponding Service Level Agreement. If they are for other users these will be discussed and agreed on a case-by-case basis.

All such services will conform to the usual access restrictions imposed by *Policy 16 – Access to data*

Background to the Policy

In-house data analysis may take place in response to the needs of major users. The nature of the requests, the capability of the BRMC and the terms of any Service Level Agreement will determine the extent to which this takes place. BRMC's management will determine whether or not such services are to be provided as a result of *Policy 1 – Identification and prioritisation of user requirements*.

Similarly, such value-added services may be provided for other data users, if so decided by BRMC's management. An appropriate agreement will be drawn up for each provision of service.

Policy 24 – Charging

Policy statement

The BRMC's Products and services will be supplied to supporting bodies within the terms of Service Level Agreements.

Charges to other users may be levied for providing products or services. These will be clearly stated, or estimated, in advance and agreed within the Data Release Agreement. Any charges levied by the BRMC go towards recovering administration costs of the service, and to the maintenance and development of the records. No charge is made for the data itself.

The BRMC's charging scheme will be clearly stated and the pricing strategy decided by the BRMC's management. It may also operate concessions for certain groups (e.g. for students or charitable organizations).

Charging will not conflict with the BRMC's policy on limiting access to sensitive data. i.e. payment cannot buy greater access to sensitive data than they would otherwise be entitled to. (Some users however may not be entitled to any data (sensitive or otherwise) without payment).

If a supporting body requires more products or services than that specified in its Service Level Agreement, the BRMC reserves the right to charge for the additional products or services at a rate not exceeding that levied on other users.

Background to policy
The charging policy will be determined by BRMC's management, related to national legislation, NBN principles, standards and procedures, and also to the requirement and legitimate needs of the BRMC management and supporters.

The BRMC will also respect the rights and wishes of its data suppliers in formulating any charging policy, especially in relation to the effect such a policy may have on the use of data by the public or other potential users, or where the BRMC may be perceived as exploiting data freely provided by others.

Policy 25 – Public information service

Policy statement

The BRMC will provide a wildlife enquiry and information service for the public, and will develop a range of generic products that will provide relevant information on Bedfordshire and Luton's wildlife.

The BRMC management will decide how to provide this service, to ensure that its relations with data suppliers and main users are not prejudiced. The priority of such services relative to others the BRMC will provide will be set via *Policy 1 – Identification and prioritisation of user requirements*

The BRMC will seek to reduce the effects of demand for information by ensuring that the necessary resources are in place to support it, and to adopt generic means of communication wherever possible.

Dependent upon the nature of the information, it may, or may not, be necessary to enter into a data release agreement, or levy a charge for the service. The BRMC management will consider these matters when deciding upon these products and services.

Background to policy

The BRMC needs to build and maintain a public presence, particularly to the informed public, if it is to ensure that its long-term aims are maintained and supported.

As its information is gathered using public funds in some cases, and from the public, the BRMC has a moral duty to provide access to that data. A public face is also important in order to ensure that new sources of voluntary information are forthcoming.

Management of Operations

Policy 26 – Management structure and responsibilities

Policy statement

The BRMC staff will operate an appropriate in-house management structure, with all staff ultimately reporting to the BRMC Manager. The BRMC manager is responsible for implementing the BRMC's policies.

The BRMC Manager will report to a steering committee formed by the BRMC's supporters and main users, with a composition at their discretion. The steering committee will agree and document the steering committee's responsibilities and which of these (if any) it chooses to delegate to the BRMC Manager, or transfer to other parties.

The steering committee will agree the BRMC's policies as in _**Policy 27 – Policies and procedures**_

 Unless it decides otherwise, the steering committee will, in conjunction with the BRMC Manager, agree and prioritise the BRMC's users' requirements as in _**Policy 1 – Identification and prioritisation of user requirements**_, thus giving clear direction to the BRMC Manager and staff regarding the products and services that should be delivered.

Background to the Policy

For legal reasons, as well as the practical day-to-day running of the BRMC, a clear reporting structure is essential, and the responsibilities of each level of management need to be clear.

The above policy represents the current management structure and responsibilities as best understood.

Policy 27 – Policies and procedures

Policy statement

The BRMC Manager will agree with the steering committee, the policies (these policies) that will be applied to the operations of the BRMC. The policies will be reviewed every 5 years and updated as necessary by the same team. The policies will be freely available to anyone that wants to see them, and they will be published.

The BRMC staff will produce procedures that are to be used during the day-to-day operations of the BRMC, to ensure that the agreed policies are followed. Procedures will be kept under constant review by BRMC staff as daily activities bring any issues to light, and will be updated as required. The procedures will be formally reviewed every 5 years and updated by BRMC staff.

Background to the Policy

The BRMC needs to have formal policies by which the BRMC operates. These are necessary to engender confidence in its suppliers and users, and to give clear direction to its staff. They will ensure that the purpose of the BRMC is clear and the standards to which it operates are formalized and will be essential for accreditation by the Association of Local Environmental Record Centres (ALERC).

The procedures will ensure a consistent implementation of the policies, allowing the BRMC to efficiently and accurately deliver the products and services required. Although intended as an in-house document that details exactly how the policies are applied, and thus of limited value to anyone outside the BRMC, it may help re-enforce confidence in the BRMC by being able to demonstrate that its operations are being carried out in a proper manner. Hence the procedures document could be made available on request. Note, however, that the procedures may contain an element of "Intellectual Property" which could aid competitors to the BRMC, should they exist, so their release will be considered on a case-by-case basis.

Policy 28 – Supplier and user satisfaction

Policy statement

The BRMC will have a principle of continuous improvement in the way it interacts with its data suppliers and its users, and will adjust its procedures as required to benefit the relationships.

The BRMC will periodically formally check with its data suppliers and users how satisfied they are with their dealings with the BRMC, and ask how the relationship could be improved. The BRMC will use the findings to modify its policies and procedures as required.

Background to the Policy

It is in the interest of the BRMC to maintain good working relationships with those who supply it with data, and this is covered by *Policy 8 – Working with data providers*. Similarly, the BRMC must satisfy its users.

The BRMC will incorporate a principle of continuous improvement in its dealings with suppliers and users and will adjust its procedures to suit.

The BRMC will however periodically formally question its suppliers and users regarding their interaction with the BRMC. All aspects of the relationship will be covered to allow the BRMC to analyse and modify its policies and/or procedures to improve its operations.

The period between canvassing such opinions is specified in the corresponding procedure.

Policy 29 – Dispute resolution

Policy statement

If a dispute with a supplier or user should arise, the BRMC staff will work with those concerned to attempt to resolve it to everyone's satisfaction.

If however resolution cannot be found with BRMC staff, then the dispute will be referred to the BRMC's steering committee for them to attempt to resolve. The committee will decide the means on a case-by-case basis.

If the dispute still cannot be resolved by the steering committee, then unless an alternative method is agreed at the time, English law would resolve the matter.

Background to the Policy

The policies and procedures are designed to ensure that the operations of the BRMC are well understood and are consistently and accurately applied. This would normally ensure that all parties are satisfied with the BRMC's operation.

The DSAs and DRAs also make clear the obligations on data suppliers and data users, and it is hoped that they will act within the terms of their agreement.

On occasion however something may occur which is dissatisfying to a data supplier, data user or the BRMC. If this happens the stated policy above for resolving the matter would be followed.

Whatever the means of resolution, the policies and/or procedures would be reviewed and updated if required to prevent a re-occurrence of the issue.

END OF BRMC POLICIES