

Lancashire Environment Record Network

Data Sharing & Use Policy

Introduction

This document sets out the Lancashire Environment Record Network (LERN) policy on sharing and use of the data we hold. The policy helps us achieve a rational and consistent approach towards the management of data and its availability to, and use by, partners and others.

It is intended to help our data providers and users better understand our aims and intentions. We want those that provide us with data to understand how their data will be used and made available to others. We want those that use the data we hold to understand the rationale behind any constraints we place on the availability of data.

Our Aims and Objectives

The LERN partnership aims to support quality environmental decision making through the efficient collection, management and supply of environmental information for Lancashire.

This will be achieved by strengthening links between, and providing services in support of, the collectors and users of environmental data.

The partnership encompasses the voluntary, public and private sectors.

Data Sources

LERN collects, manages, and archives data, images and metadata collected or collated by a variety of organizations and individuals who undertake surveys of the natural environment of Lancashire¹ and its marine environment up to 12 miles offshore.

LERN supports initiatives, such as species and habitat surveys, to improve the level of environmental information for Lancashire.

LERN holds data and images from both volunteer and professional surveyors. The information types held vary and range from one-off records, to extensive species and habitat surveys. Data include, but are not restricted to:

- species data, including records of marine fauna and flora;
- habitat data, including biotope or assemblage data;
- site data, including Biological Heritage Sites;
- geophysical data, including geology, geomorphology and soils.
- Landscape data, including landscape character assessments and details of historic designed landscapes.

LERN provides a data management and archive service. This service is available to data owners who wish to outsource their data management or who do not have the facilities to ensure the long-term safety of their data.



LERN does not archive biological specimens but can provide details of partner, and other, organizations that may provide such a service.

In order to provide an efficient service, LERN maintains metadata for those environmental data sets in Lancashire of which it is aware.

LERN staff are hosted by the partner organizations.

Data Use

When data or images are received they undergo a process of quality control prior to archive storage.

- All data and image resources will be archived electronically on secure systems to ensure that a copy of the original data remains available for use by future generations.
- All data and image resources and its associated metadata undergo quality assurance. The checks differ depending on the type of data or images.
- For further information view our quality control, metadata standard, validation, and verification information.
- LERN may copy data and image files to different formats to ensure present accessibility and as hardware or software changes in the future.
- LERN progresses metadata and data (in standard format) to the National Biodiversity Network (NBN) Gateway Gateway with the permission of the Data provider.

Data Sharing

LERN is committed to promoting the use of the data held within the archive. The data resources held should be freely available for use in not-for-profit decision making, research, education and other public-benefit purposes.

To this end, LERN makes survey data, and its associated metadata, available in a number of ways, including over the World Wide Web.

LERN considers itself to be subject to the Environmental Information Regulations, 2004. Consequently, there may be some circumstances in which LERN, as a responsible data custodian, may need to restrict access to all, or part of, a data resource.

Whenever restrictions are applied the justification and rationale behind the decision are documented and made available.

Reasons why LERN may restrict access to its data holding could include:

- The release of certain data is likely to increase the risk of environmental damage or put particularly sensitive species at risk.
- The release of third party data is likely to jeopardise the supply of data and collation of future data resources. LERN is a data custodian and does not own the data resources held. Data providers support our data sharing and use policy but are under no obligation to share their data with us or with you through us.
- The data provider has requested that certain data or information is withheld. For example where data may be commercially sensitive, or where the data is under preparation prior to

publication. The restriction may be permanent or temporary depending on the restrictions agreed with the data provider.

- The request for information is unreasonable or formulated in too general a manner. In such circumstances, and before making a refusal, we will seek to clarify the request with the applicant.
- The data contains personal information. Information within LERN is managed in accordance with the Data Protection Act 1998. Personal data will be managed in accordance with our published privacy statement. Personal information (including the recorder's name) will usually be removed from the data resources that we make available.

Terms and Conditions

LERN holds datasets provided by a variety of public and private bodies, and individual researchers. The data/image provider (and Copyright holder if different) will be stated in the associated metadata. Data providers retain the copyright of the original data or images at all times. Data providers have given LERN their permission to hold a copy of their data/image(s) within the data archive.

All our data and image holdings are made available for use under the *LERN Terms and Conditions*. The Terms and Conditions are important and protect the copyright of our data and image providers. Users are permitted to use the data holdings that we make available on-line for their own private use or for use in the ordinary course of your business, provided that such use is in accordance with our Terms and Conditions. Users are permitted to use the images available on-line for their own private use, provided that such use is in accordance with the relevant section of our Terms and Conditions.

Anyone wishing to use data or images for commercial purposes will require additional permission from the data (or image) provider (or Copyright holder if different), who can be contacted through LERN. Similarly, additional permission will be required for the use of images for wide dissemination, including use on Web sites, leaflets or in promotional brochures. Any use of data or images that is not addressed in the Terms and Conditions will require permission from the Data provider (or Copyright holder if different).

Charges

LERN data and image resources are made available in a variety of formats, for use in not-for-profit decision making, research, education and other public-benefit purposes, free of charge. However, where permission is required under our Terms and Conditions, or where the size or nature of the request will require significant staff time, LERN reserves the right to apply a charge for the provision of data.

Any such charges will be in accordance with the published *Scale of Charges*.

Further Information, Advice and interpretive services

LERN has a limited archive to hold physical media, e.g. maps, survey reports, scientist's notebooks, drawings and films/slides. The physical archive will actively target 'legacy data' that is 'at risk', i.e. where the host institution can no longer hold the material, the institution has closed or the scientist(s) have retired.



The size of the physical archive is limited, LERN will deal with requests to hold physical media on a case-by-case against its identified priorities.

LERN is seeking to expand and develop its digital archive. We may be able to offer assistance with the electronic capture and storage of environmental data. For example, field notebooks or historic maps can be scanned and the originals returned to the owner.

Please contact the LERN to discuss your requirements.

Anyone wishing to gain access to the LERN physical archives should contact: lern@lancashire.gov.uk