

Norfolk Biodiversity Information Service

Data Policies

Data Acquisition & Management

Species

Species data arrives at NBIS in two main ways – either via the county recorder (and therefore already verified) or direct from members of the public.

Verified records from the county recorders (or from other experts whose skills are known to us) are validated and then entered onto the Recorder 6 database.

Unverified records from other sources are entered onto a spreadsheet and validated before being sent to the county recorders for verification. Once verified as correct it is entered into the Recorder 6 database.

Habitats

Habitat data comes to NBIS from a variety of sources: from field surveys by partner organisations, from national and regional datasets (such as the Natural England Priority Habitat Inventory), from aerial photo interpretation and from remote sensing data.

Habitat data mapped by NBIS is mapped according to the Natural England standards and snapped to MasterMap polygons where possible.

Validation & Verification

Species

Validation

Validation involves filling in any gaps in Latin names, formatting grid reference and dates if necessary (e.g. no spaces in grid references). Grid references are determined from the location details provided where they are missing and are checked against the location where they are present. In some cases, erroneous grid references can easily be corrected (e.g. where TG has been used instead of TF). Any issues not easily corrected will be raised with the original recorder. Where contacting the original recorder is not possible, the record will not be entered onto the database and will be saved as 'unvalidated'.

Verification

Once validated and correctly formatted, all unverified records are batched up by taxon group and sent to the county recorders for verification.

As the records are verified, they are imported into Recorder according to the original survey they belong to. Records flagged as erroneous are NOT imported. They are saved as 'unverified'.

Habitats

When a new habitat data set arrives it is converted to MapInfo tab file format if necessary. Where appropriate, it is then checked against existing sources of habitat information including aerial photographs, other local habitat survey data and the Natural England Priority Habitat Inventories. Habitat data received is checked for currency, accuracy and methodology; the author's digitisation skills are also confirmed if not known. Where habitat data is sent to us from a reputable source it is used as it is, with any caveats accompanying the data taken into account and stored with the data files. New habitat data is stored and integrated or used to update the baseline habitat mapping already present at NBIS. The remotely sensed 'Norfolk Living Map' is now that baseline and other habitat data will be used to update this live mapping dataset.

Data Quality

Geographic & taxonomic coverage

Overall there is a good geographical coverage of records across the county, though records tend to be sparser towards the west of the county. Some taxonomic groups have a higher concentration of records in certain regions of the county. For example there are a lot of bird records from the North Norfolk coast, as the area is popular with bird watchers. Odonata records are mainly concentrated in the Broads. And there are higher concentrations of non-vascular plant records in the Broads and the Brecks – the areas focussed on for species audits a number of years previously.

NBIS holds data for all taxonomic groups. It is only in the case of confidential records that customers have to be directed to the data provider or county recorder. Fish, marine species and some invertebrates (particularly the more obscure taxa) are less well recorded than other groups.

Currency

The currency of the records on Recorder will depend on how quickly the recorder submits the record to NBIS and on the verification response time of the county recorder. Once records are returned as verified they are uploaded to Recorder prior to the next enquiries tool update. The majority of data searches are run from a GIS layer extracted from Recorder 6 at least twice a year.

Accuracy

All our data is carefully checked before integration into Recorder. See validation and verification section for more detail.

Precision

All data is held at the highest precision possible, which is dependent on how the data owner collected and recorded the data.

For further details on data coverage, currency, accuracy and precision see the NBIS metadata statement available on the website.

Data Sharing & Access

Data Access Aims

NBIS follows the NBN Data Exchange principles (<https://nbn.org.uk/the-national-biodiversity-network/archive-information/data-exchange-principles/>) in providing access to data held at the records centre:

1. Data held by NBIS will be made freely accessible to those needing to use them for not-for-profit decision making, education, research and other public-benefit purposes.
2. In making biodiversity data available NBIS will ensure every effort is made to reduce the risk of damage to the environment. Where it is considered that the release of data could pose a risk of damage to that species, data may be provided at a lesser resolution to that held on the NBIS database, or may be withheld altogether. Any data provider can, at any time, request that particular datasets or records are marked as confidential. In this case the records in question will only be released with written permission from the data holder or via the relevant county recorder if they have permission to act on behalf of the data holder. This principle may, for example, be applied to species under threat from persecution or disturbance such as breeding raptors, badgers and bat roosts.
3. NBIS makes available sufficient metadata to allow biodiversity data users to assess the scope and potential uses of their information holdings. This metadata is available to view on its website.
4. A transfer of authority is made, where appropriate, when a biodiversity data resource is put together, to allow NBIS staff to act on behalf of biodiversity data owners.
5. NBIS makes its terms and conditions publicly-available on its website alongside its charging policies, as well as having documented policies on data management, exchange and use.
6. NBIS handles and manages all personal data in accordance with the principles of the General Data Protection Regulation(GDPR) which came into force in May 2018. All staff and volunteers are required to take a GDPR e-learning course before they have access to the Norfolk County Council computer system and then every two years.
 - 7a) NBIS does not impose any charge for the time taken to prepare biodiversity data reports for those users wishing to access information for non-commercial purposes such as conservation, research and personal interest.
 - 7b) NBIS charges a fee for commercial data searches that reflects a proportion of the cost to NBIS in managing the information held and supplied in these reports. The cost does not include a charge for the data itself but is set to represent a fair proportion of the cost of running the records centre for the period of time it takes to produce the report.
 - 7c) According to the principles of NBN Data Exchange, biodiversity data users should expect to contribute to sustaining the provision of biodiversity data through contributing either in kind or financially to the collection, collation and management of biodiversity data, or at the point of use. In applying and adhering

to points a) and b) above we can ensure that this is done in a fair and transparent manner. Our charging policy is also made freely available at all times on our website.

Environmental Information Regulations

On 1 January 2005 Environmental Information Regulations (EIR) came into force, giving members of the public the right to access environmental information held by public authorities. EIR apply essentially to the same public authorities that are covered by the Freedom of Information Act 2000 (FOI):

- Central government and government departments
- Local authorities
- Health and education establishments
- Police forces and prison services
- Advisory groups, commissions and agencies

However, unlike FOI EIR also include:

- Any body or person carrying out a function of public administration
- Any body or person under the control of a public authority who has responsibility in relation to the environment. This includes some private companies and public private partnerships and includes the Environmental Records Centre operations.

Environmental information covers a range of information on the state of the environment. Those areas most pertinent to Environmental Records Centres include:

- air, water, soil, land, flora and fauna diversity, genetically modified organisms,
- measures and activities such as policies, plans and agreements,
- reports, cost benefit and economic analyses,
- cultural sites and built structures (as they may be affected by environmental factors)

This policy supports the principle of NBIS as an open and accountable body and it will use all appropriate and necessary means to ensure that it complies with the EIR. In complying with these regulations NBIS will apply the 'public interest tests' to determine if any of the potential exceptions may apply, for example, to avoid harm to the environment, intellectual property rights or avoid harm to the interests of the person who supplied the information.

Under the Environmental Information Regulations 2004 a request for data must be responded to within 20 working days of the request being made. An extension can be sought for more complex requests. If NBIS holds data belonging to a third party, organisation or individual who has not consented to its disclosure then that data cannot

be released and the person requesting the data will be transferred to the original Data Custodian with their consent.

A request for data, the disclosure of which would make it more likely that the site, habitat or species to which such data related would be adversely affected, may be refused. An example of this could be the location of a rare or threatened species. In such cases the enquirer may be referred back to the original Data Custodian.

In accordance with Regulation 12(5)(g) which states:

(5) For the purposes of paragraph (1)(a), a public body may refuse to disclose information to the extent that its disclosure would adversely affect -

(g) the protection of the environment to which the information relates

A request for data, the disclosure of which would make it more likely that the site, habitat or species to which such data related would be adversely affected, may be refused. An example of this could be the location of a rare or sensitive / threatened species, or, any data release that may harm an active partnership with volunteer recorders and/or landowners.

When a request for data is refused the reasons for refusal will be specified in writing in accordance with the Environmental Information Regulations.

The supply of information under the Environmental Information Regulations does not automatically give the requester of the information the right to re-use that information. Separate permission needs to be obtained from the copyright owner, as set out in the Re-use of Public Sector Information Regulations 2005.

When submitting a data request the enquirer has to agree to the conditions of the Information Request Declaration (in writing) which states that they are aware of restrictions on copyright & use of the data, and limitations on data quality.

Freedom of Information Act

The FOI Act came into force on 1 January 2005. The Act applies to any request for recorded information made to a public authority and is retrospective. Therefore, it applies to any information whenever created. The FOIA applies to all public authorities listed in Schedule 1 of the Act e.g. local authorities, central government departments, NHS bodies, police, fire service and maintained schools. This includes NBIS as we are hosted by Norfolk County Council.

The 'right to know' is set out in Section 1 of the Act. A requester has two related rights. These are:

- the right to be informed whether or not the information requested is held by the authority (known as the duty to confirm or deny), and, if so,
- the right to have that information communicated to him/ her.

The Act goes on to make clear that these rights are subject to exemptions. Section 39 exempts environmental information whose disclosure must be considered under the Environmental Information Regulations 2004. See section on Environmental Information Regulations.

Details of our data protection and FOI/EIR processes and policies can be found on our website on the disclaimer and privacy pages.

General Data Protection Regulation

Coming into force in May 2018, the General Data Protection Regulation (GDPR) is implemented in the UK by the Data Protection Act 2018. GDPR has built on and strengthened previous data protection regulations, regarding personal data. NBIS have been working with the Norfolk County Council legal team to ensure our compliance with GDPR, including our Privacy Statements, volunteer documentation, online recording and contact lists. Additionally, every Norfolk County Council employee is required to undergo GDPR training in order to access the NCC ICT systems.

Levels of Data Access

All records are made accessible at their full resolution via NBIS data requests, with the exception of sensitive records where the data owner has specified that a lesser resolution must be provided.

Sensitive Records

Forty-one surveys held by NBIS contain confidential records.

These records are flagged as confidential in Recorder, and the Confidential field is included whenever records are exported from Recorder. When confidential records are returned in a data search, they are removed from the results spreadsheet. The customer is informed that confidential records were returned, of which further details cannot be provided by ourselves. They are then directed to the data owner or the appropriate county recorder, as per the conditions requested by the data owner.

Prioritisation of Data Requests

The highest priority data requests are those from SLA partners. These requests need to be processed within 3 working days.

Other commercial data requests are processed within 5 working days.

All non-commercial requests are processed within 10 working days, on a first come, first served basis.

In reality, most requests are processed within 3 working days, with some exceptions due to staff leave or particularly complex enquiries.

Data Provided in Enquiries

When records are sent out as part of an enquiry, the recorder name and survey name are removed, and the comments are screened to ensure they don't contain any personal information.

Data Exchange Agreements

In many cases the County Recorder for a particular taxonomic group is also involved in the appropriate National Scheme or Society, so data exchange between NBIS and the National Scheme or Society occurs through that individual. Due to current exchanges with County Recorders this picture is becoming more complex, as NBIS works towards a clear data flow for each taxonomic group and minimising previous issues of records duplication and a better understanding of the best process for each group.

The process of formalising data flow and verification of records with County Recorders and the Norfolk and Norwich Naturalist Society has been underway for some time. Nineteen Data Exchange Agreements (DEAs) have been signed and a further 20 or so are in development. All DEAs are currently under review, signed or otherwise, as they go through GDPR updates and legal checks with the Norfolk County Council legal team.

Charging Policy

For most non-commercial users, services are provided free of charge. Charges are made to ecological consultants and other commercial bodies for the time taken to collate, process and analyse data rather than for the information itself.

RATES

The standard charge is £120 per search.

A reduced charge of £75 per search may apply to single-species or 500m radius searches.

Large searches, which include a species search of over a 5km radius are charged at £240.

A bulk-buy deal is available at a charge of £960 for 10 searches.

Tailored Service Level Agreements are available on request.

Our day rate is £300. This day charge is made for more complex GIS project work.

At the discretion of NBIS staff, very small data requests (such as the provision of a single CWS citation) to commercial clients will be charged at a reduced fee - nominally £30 but judged on a case-by-case basis.

These charges do not include VAT.

Payments are requested by invoice from Norfolk County Council.

Charges will be waived if no records are found within the search area.

Data enquiries, and in particular paid enquiries, must be made in writing (including email) using the Data Request Form. Quotes will be given for individual requests and if the work needs more time than estimated then clients are informed before further charges are incurred.

Data Security

All NBIS staff and volunteers are required to take a Data Security e-learning course before they are allowed access to the Norfolk County Council computer system, and then again every two years.

The NBIS Recorder 6 data base is held on the Norfolk County Council servers which are regularly maintained and backed up every night. A copy of emails containing records are saved in an NBIS folder on the Norfolk County Council servers and are again backed up every night. Paper records, once entered are scanned in and saved in an NBIS folder on the Norfolk County Council servers to be backed up each night. This is particularly the case of hand written data sheets of which no other copies may exist.

The NBIS office is located within the Norfolk County Council headquarters and is not accessible to the general public unless accompanied by a member of staff. All of the computers with access to the database are password protected, as is the database itself. Computers are locked when left unattended.

Paper copies of important datasets are kept securely in the Archive Centre at County Hall; documents, card indexes, diaries and other papers are kept labelled boxes and stored in the temperature controlled storerooms, which is protected against fires etc. The NBIS archives are catalogued by the Norfolk Records Office and are publicly accessible by appointment. Any sensitive records held by the Norfolk Records Office are flagged as such and are exempt from public access for a stated time period. Any requests to view it come via NBIS.