

Policy of the Countryside Survey (CS) partners on access to survey square locations

The aim of this policy is to maximise the utility of Countryside Survey (CS) spatial data in the public interest whilst minimising the risk of compromising future surveys and anonymity of the site locations which would not be in the public interest. The policy ONLY relates to survey square location data and spatial data within survey squares. All other CS data is publicly accessible.

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The 2007 CS partners were:

- Natural Environment Research Council (Centre for Ecology & Hydrology (UKCEH))
- Department for Environment Food and Rural Affairs (Defra)
- Natural England (NE)
- Welsh Government (WG)
- The Scottish Government (SG)
- Northern Ireland Environment Agency (NIEA)
- Forestry Commission (FC)
- Countryside Council for Wales (CCW)
- Scottish Natural Heritage (SNH)

Why are the locations of CS squares considered to be confidential?

CS square locations are considered confidential to preserve the representativeness of sampling sites and the goodwill of landowners. These are both essential elements to the future of the survey to ensure the scientific integrity of the sampling strategy, the protection of the environment, and help to ensure future permission from landowners to survey their land. Future surveys would be compromised if either of these elements were to be jeopardised and our capacity to reliably inform environmental policy would be diminished.

We believe our position on confidentiality to be in the public interest. Any requests for this information will be dealt with by UKCEH, on behalf of NERC and the CS partners, under the terms of the UK Freedom of Information Act 2000 (The Act) or the associated Environmental Information Regulations 2004 (The Regulations).

Under what circumstances may locations be released and at what level of precision?

Survey Data access allows users to identify whether or not any survey squares fall within certain predetermined areas (Country, County, ITE Land Class or Environmental Zone). In circumstances where the approximate locations of survey squares is valuable to users of the data, four-digit grid references can be released under licence allowing users to identify in which 10 km x10 km grid square each square is located.

In circumstances where precise location data (six-digit grid references) are essential to the needs of an external user, it is our policy to ask if pre-processing analysis required can be carried out by UKCEH to avoid the need to release the locations. However, in VERY EXCEPTIONAL circumstances, we may agree to provide location information externally under licence. To qualify for this exceptional access the requesting organisation must demonstrate in legal terms that the Intellectual Property (data, models, etc) to be used with the CS data is considered to carry an equal or higher level of confidentiality/protection than the CS data and therefore cannot be released to UKCEH for processing alongside the CS data.

Spatial data from within survey squares (e.g. maps of habitats, linear features) could be used relatively easily to identify the location of a square. It is therefore considered to carry equivalence to the location data and will only be released under the same exceptional circumstances and terms as the six-digit grid references location data.

Specific conditions of release

Licensees must preserve the confidentiality of the data, they must be stored in a secure format and location and access restricted to those named individuals with a legitimate need to use the data for the purpose agreed in the data licence.

Licences for access to location data will only be granted for finite periods for use on specific projects and data must not be retained to fulfil other organisational responsibilities.

At the end of a licensing period licensee organisations will be required to provide written confirmation that the location data has remained secure throughout the project and has now been destroyed.

No data, information, or images, whether derived or original, should be released to any third party that could compromise the confidentiality of the location of any of the CS squares. If in ANY doubt, users are asked to consult with UKCEH for advice.

The location data cannot be used to inform, plan, and execute visits to CS squares.

The location data must not be used in any way to check on compliance by individual landowners within squares.

If requested, potential licensees of location data will be required to provide evidence of project management standards at least equivalent to the Joint Code of Practice for Research (JCOP).

The terms of the licence for release of four-digit grid references are similar to those for six-digits but the intended use by the licensee will not need to pass the greater or equally level of IP confidentiality criteria required for the six-digit releases.

Terms of the licence for release of spatial data and four-digit grid references includes a clause preventing licensees from using the information supplied to try to identify the location of the squares e.g. The user must not attempt to derive information from the data with the intention of deriving the precise locations of any CS squares, nor claim to have done so.

Responsibilities

As owners of the CS data, decisions on exceptional release will be made on behalf of NERC by UKCEH, applying the principles outlined in this policy.

When approved, UKCEH on behalf of NERC will be responsible for issuing hardcopy licences for access to four-digit, six-digit and spatial data containing clauses to reflect the above policy. These must be agreed and signed by a senior person with authority to sign on behalf of the licensee organisation.

If approval is denied, UKCEH, on behalf of NERC, will follow the procedures of the Act and Regulations in supporting its decision.

UKCEH will provide the CS partners with an annual report summarising applications for access to location data, with brief details of the decision taken and the grounds on which the decision was reached.

For this policy to work in practice, for some internal business use of the partner organisations, there needs to be a reasonable expectation that UKCEH can undertake any necessary pre-processing analysis within a reasonable timeframe. Subject to moderate demand, UKCEH will endeavour to provide such support to organisations within the CS partnership. Requests from other organisations would need to be dealt with on a case-by-case basis.

It is highly recommended that partner organisations and other potential users of CS location data consult with UKCEH before committing to use any data covered by this policy in proposed work. This does not necessarily imply that UKCEH will be directly involved in the proposed work but it may be beneficial to work with an appropriate scientific lead in UKCEH to help define requirements and/or support appropriate use of the data. Whether such support from UKCEH is provided as part of a collaborative effort or for payment will be negotiated on a case-by-case basis.