



Bailiwick of Guernsey – Local Environmental Record Centres

Data Use Policy

The purpose of this document

To provide a clear outline of the policies and procedures for data use followed by the Local Environmental Records Centres in the Bailiwick of Guernsey for data providers and requestors and any persons who are in collaboration or affiliation with the Records Centres.

Introduction

The UK has a network of Local Environmental Records Centres (LERCs), of which the Guernsey (and by extension, Sark and Herm) and Alderney Records Centres are members. This policy applies to anyone using data supplied directly to the Guernsey Biological Records Centre (GBRC) or the Alderney Biodiversity Centre (ABC). All data released is at the discretion of the island's Records Centres to which the data relates.

Who are we?

The GBRC is a non-profit organisation, originally established in 2003 by La Société Guernesiaise, which is managed by the Nature Commission under contract with the States of Guernsey. The Nature Commission office is located at Lisia House, Rue à Chiens, St. Sampsons, GY2 4AE. The GBRC covers Guernsey and associated islets, Herm, Sark and associated territorial waters.

The ABC works in collaboration with other LERCs within the Channel Islands and beyond. The ABC is a project of the Alderney Wildlife Trust (AWT), who fund, staff, and manage the ABC. The ABC covers Alderney and associated islets and territorial waters.

La Société Sercquaise (LSS) was founded in 1975 to study, preserve, and enhance Sark's natural environment and natural heritage. Although Sark is a separate jurisdiction to Guernsey, the GBRC holds records for Sark and its surrounding islets and territorial waters, and assists Sark in the management and sharing of their data.

The GBRC, ABC, and LSS will be collectively referred to as 'us' or 'we' hereafter.

Data Use

The use of data for commercial purposes requires written permission from the ABC or the GBRC and must be requested via a data request process administered by the island to which



the data relates (or by Guernsey, in the case of Sark). The GBRC must obtain written permission from LSS to distribute biological record data from Sark.

All data provided by us originating from a written data request is restricted to the purpose(s) specified in the data request. Data may not be re-used in the future, following the completed agreed use of the original data request, without written consent from either the GBRC or ABC (to be determined based on the jurisdiction of the data).

All personal data collected, stored and processed by us is subject to the Bailiwick of Guernsey Data Protection Law (2017). 'Personal data' is defined in that Law.

We accept no responsibility for any costs, damages or liabilities whatsoever arising from the use of data provided by us, or any inaccuracies within it. Particular attention should be paid to the description of the data, and any limitations of the methodologies employed to collect the data.

Data Ownership

All data held by us remains the intellectual property and in the ownership and copyright of the originators, in accordance with the Copyright (Bailiwick of Guernsey) Ordinance, 2005. The data owner will be recorded in the metadata associated with any data made available by us. No transfer in ownership of data is to be inferred from the act of data sharing by the GBRC and / or the ABC to a data user or requestor.

Data Sharing and Data Requests

Commercial and Non-Commercial uses of data

Biological record data that is not considered sensitive will be made publicly and freely available for non-commercial uses where available. Non-commercial uses include non-profit decision making, education, research, personal interest, reporting for statutory purposes, and other public-benefit purposes. A sensitive species is one which, were data on the precise location to be made publicly available, would result in an adverse effect on individuals of that species and be greatly at risk of harm from human activity.

We use the definition of commercial use held by the NBN, defined by Creative Commons, who define the commercial use of data as "any use [of data] which is primarily intended for or directed towards commercial advantage or monetary compensation." Indirect use of the data in order to create some other product for commercial gain is still regarded as commercial use of the original data.



A Data Request Form must be completed for each data request by the individual/organisation requesting the data. The final determination of whether a data request is commercial or non-commercial is the prerogative of the Records Centre to which the data relates. Please contact the relevant Records Centre for advice if there is any uncertainty as to whether your data request is for commercial or non-commercial uses.

Data shared as a result of a data request is covered under the Creative Commons license CC-BY-NC-SA by default, unless a different licence has been applied by the data owner. This will be specified in the metadata provided as an output of the data request. This means that the contribution of the GBRC or the ABC in any derived information or publication in whole or in part, whether printed, electronic or broadcast, must be acknowledged. The Creative Commons license CC-BY-NC-SA is the default applied to all data made available by the GBRC or the ABC, unless the data owner has requested a different licence be applied. CC-BY-NC-SA means attribution must be given to the creator, it must be used for non-commercial purposes only, and if shared, must be licensed under identical terms. Any requestor of data for commercial purposes must obtain written permission from the GBRC / ABC/LSS.

Any reference to a specific biological record must abide by the requirements of the associated CC licence. Additional permission may be required for image use. Data owners may specify a different license which will have to be referenced in any document. If the data owner wants direct credit, they may specify it as part of the license.

Metadata

The relevant associated and available metadata for each set of data requested will be provided to the data requestor by the GBRC/ ABC. This will ensure the purpose, context, and limitations of the data are clear to the data requestor, as well as the licence under which the data must be managed by the requestor.

Specific terms and conditions for requestors

Research

We will provide support for research projects with the following requirements:

- the relevant Records Centre must be acknowledged in published work.
- Any additional data collected during work/research/study should be provided to the relevant Records Centre.
- A copy of the final work should be provided to the relevant Records Centre.

Environmental Organisations/Consultants



Environmental organisations/ consultants include organisations providing analysis, ecological considerations/ value, and guidance on good habitat indicators and invasive non-native and native species. In certain circumstances, location data for sensitive species may not be released or location information may be blurred, if the release of data is likely to lead to environmental damage and/or put a sensitive species at risk of harm.

Media

We welcome enquires about Guernsey's local wildlife and invitations to comment or contribute to topics of public interest. Specific data on species may (on request) be provided to the media however recorder names may not be released, and the release of detailed location information will be determined by whether the species is considered to be sensitive or not.

Data Accuracy

Whilst every effort is made to ensure the accuracy of all data provided, we accept no responsibility for any costs, damages, or liabilities whatsoever arising from the use of data provided by us, or any inaccuracies within them.

Content supplied by us following a data request should not be considered comprehensive, and the absence of data does not imply the absence of any species, habitat, or designation. Nor does recorded presence imply current, continuing, or breeding presence, or an accurate level of abundance. Spatial boundaries of sites and designations should be considered indicative and not definitive.

The ABC assure quality of biological data through a content management plan as appropriate for the content. The GBRC assure quality of biological data via a validation and verification process. Data is verified by independent volunteer data verifiers who hold sufficient knowledge regarding the data they verify. Information regarding accuracy of the data will be made available in the metadata sheet associated with the requested data where relevant.

Data Sources

We collate, manage, and archive biological, ecological, and environmental data, which is recorded, produced, collected, or collated from within the Bailiwick of Guernsey and its territorial waters. This content is provided by a mix of professional and amateur individuals and organisations, either directly to us, or indirectly through provision of data to us via the



original source, such as a citizen science project. The submission of biological data to our records centres may include casual recording, one-off surveys, and/or long-term monitoring.

More information regarding the specific sources of data within a dataset can be found in the metadata sheet associated with the data requested.

Data Charges

Please refer to island jurisdiction with the relevant charges relating to data requests.

Initial advice on information held by us is provided free of charge. A charge will be made for the extraction, analysis, and/ or collation of data by any data requestor where the purpose of the request is commercial use.

Policy Review

This policy will be reviewed regularly to ensure its effectiveness and alignment with evolving best practices and legal requirements.

Next review to be completed by May 2027