

Data Release Terms & Conditions



Terms and Conditions of Data Release

1. Data Ownership and Licensing

- 1.1. Records from certain datasets are held and distributed under a Creative Commons license (CC) (<https://creativecommons.org/licenses>) or Open Government license (OGL) (<http://www.nationalarchives.gov.uk/doc/open-government-licence>), in accordance with the wishes of the data supplier. Such records will be flagged appropriately and their subsequent use shall be determined by the relevant license. All other data will be governed by the Terms and Conditions set out within this document.
- 1.2. The information supplied belongs either to SWSEIC or such organisations, groups or individuals from which SWSEIC sources information, and in all respects any copyrights shall remain vested in such parties notwithstanding any payments made.
- 1.3. It is the responsibility of the person requesting information to ensure that all other staff working on/accessing data sourced from SWSEIC should be made aware of these Terms and Conditions.

2. Use of Data

- 2.1. Data may only be used for the purpose stated in the data request form. Please contact SWSEIC to inform if any changes to data use occur.
- 2.2. Data may not be passed to third-parties.
- 2.3. Permission to use the data sourced by SWSEIC expires after 12 months from receipt, see point 4 under Data Accuracy.
- 2.4. Data sourced by SWSEIC must be referenced as such in any publications, including the date on which the data search was conducted. Appropriate attribution should be given to data suppliers in accordance with any CC or OGL license.
- 2.5. Data may only be used for legitimate and legal purposes.

3. Confidential and Sensitive Records

- 3.1. Data for certain species may be flagged as sensitive/confidential. These are in accordance with Scottish Natural Heritage's Sensitive Species List (www.snh.gov.uk/protecting-scotlands-nature/protected-species/protected-species-az/) or at the behest of the data supplier. In respecting Principle 2 of the National Biodiversity Network's Data Exchange Principles*, release of such data may be obfuscated to an appropriate resolution prior to release.
- 3.2. Sensitive data at full resolution may be released to approved users at the discretion of SWSEIC, and where necessary, the data owner. This will typically be those wishing to use the data for conservation purposes, for example representatives of statutory agencies, local authorities, NGOs, and environmental consultants.

* Making biodiversity data available should reduce the risk of damage to the environment. If it is likely to have the opposite effect, availability may need to be controlled.

3.3. Sensitive data will be flagged as such in any outputs and users with enhanced access to detailed sensitive data agree to restrict the public dissemination of such data.

4. Data Accuracy

- 4.1. Data held by SWSEIC, although verified as far as possible, are not definitive.
- 4.2. There may be data concerning items in the ecological environment that are as yet unknown or unavailable to SWSEIC at the time of this enquiry. The absence of information does not infer absence of biological/environmental interest. SWSEIC will not be held liable for the absence of any data.
- 4.3. The data is supplied by SWSEIC in good faith and represents the available information at the time of the request. SWSEIC works hard to ensure the quality of the data supplied is as high as possible, but cannot warrant the accuracy of any information supplied and shall have no liability for any loss, damage or expense incurred as a result of reliance on any information supplied.
- 4.4. The data held by SWSEIC is updated regularly and is likely to become out-of-date quickly. If you intend to use this data after a period of 12 months please contact us to check that we have no new data for the search area.

Environmental Data Collected in South West Scotland

In accordance with CIEEM guidelines, SWSEIC requests that, wherever possible, data gathered for sites in Ayrshire and Dumfries & Galloway as a result of survey work relating to this or other projects be passed on to the Centre as soon as the project is completed. This helps to build a more complete picture of biodiversity in the region and the UK as a whole, and will enable better decision-making for future users. Data may be submitted directly to the Centre or via the Consultants Portal (www.consultantsportal.uk).