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The Scottish Government

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Investing in a Smart, Sustainable and Inclusive Future

Data and Information Management Guidance

Green Infrastructure Fund

Guidance for Applicants

June 2016



Disclaimer

Applicants should be aware that as the Green Infrastructure Fund is a new programme, the guidance will be reviewed as the programme evolves and therefore may be subject to change. The European Union and Scottish Ministers reserve the right to amend the National Rules and SNH reserves the right to amend the published guidance during the period of the programme. Decisions to fund projects will be based on the availability of funding, how well the project matches the Green Infrastructure Fund priorities and its contribution to outcomes as part of the whole Strategic Intervention. These priorities may change during the course of the Strategic Intervention to take into account gaps in meeting priorities in previously funded projects and not to fund at all. The Scottish Government reserves the right not to award any support at all under this programme.

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1. Purpose

It is the responsibility of any organisation receiving funding through the Green Infrastructure Strategic Intervention to ensure compliance with the [European Structural Funds, 2014-2020, Document Retention Guidance](#) which covers:

- Document Retention Periods;
- Level of Documentation;
- Format of Documents;
- Conditions for accepting digitised, scanned, replica digital versions of original paper documents;
- Certified true copies of original paper documents (photocopies).

This statement is intended to help applicants and grantees to comply with this guidance.

To ensure compliance and appropriate retention of all appropriate project records and documentation, we will require applicants to submit a **Data Management Policy** with their application to the Green Infrastructure Fund.

This is necessary in order to fully evidence outcomes and to demonstrate a clear and transparent audit and procurement trail. The purpose of your Data Management Policy is to ensure that your organisation:

- Meets legal requirements in terms of data & information management (European and Scottish);
- Has management and control systems in accordance with Article 4(8) (*The Regulation states the General principles of management and control systems and includes that management and control systems shall, in accordance with Article 4(8), provide for: (d) computerised systems for accounting, for the storage and transmission of financial data and data on indicators, for monitoring and for reporting.*);
- Can accurately and quickly respond to audit enquiries;
- Can evidence your outputs and outcomes;
- Can evidence your financial management;
- Can support the management of your Projects;
- Can support your claims and reporting.

All documentation relating to the promotion and publicity of ESF projects must be retained until **2030** for audit purposes. This includes documents relating to recruitment, finance, monitoring and evaluation and publicity merchandise (e.g. stationery, banners, and visual presentations). If documentary evidence cannot be provided, it will be assumed that the publicity requirements have not been fulfilled and may result in the ESF funding that has been awarded having to be repaid.

Beneficiaries must ensure that robust systems and controls are in place to maintain and monitor access to documentation throughout the retention period which is to **31 December 2030**. All documents (including any electronic information) must be readily accessible to requests from the Green Infrastructure Fund team, the Scottish Government, European Commission etc.

Please note, you may still need to retain documents for a longer period if required by the applicable State Aid rules or if audits or investigations are underway and you are specifically advised to retain the audit trails until further notice.

It is important that where documents exist in electronic form only, the computer systems used shall meet accepted security standards that ensure that the documents held comply with national legal requirements and can be relied on for audit purposes.

For the purposes of verifications and audits, you should keep a document that describes the procedures you have undertaken to obtain the necessary assurance that adequate IT security standards are in place to rely on the information held electronically / digitally.

The documentation to be retained for a Challenge Fund is laid out in the [Document Retention Guidance](#) which states that it is: *“All documentation that supports grant scheme/challenge fund process ie. Guidance documents, application forms, approval documents, offer letters and claim forms. A full and transparent audit trail eg invoices, BACs lists, bank statements.”*

Grantees will also need to keep documents relating to Procurement: *“Documents that fully demonstrate that open or selective tendering has taken place in line with the rules relating to public procurement ie. Call for tenders, selection criteria, scoring sheets, correspondence offering and accepting contract, adverts and award notices in the OJEU etc.”*

In addition, the Scottish Government’s [European Structural Funds 2014-2020, Publicity Requirements](#), states that: *“All documentation relating to the promotion and publicity of ESIF projects must be retained for audit purposes. This includes documents relating to recruitment adverts, attendance sheets, certificates and publicity merchandise (stationery, banners and visual presentations). If a project cannot provide documentary evidence it will be assumed that they have not fulfilled the publicity requirements and may result in them having to repay the ESIF funding they were awarded. Lead Partners and grantees will be informed by the Scottish Government when this information can be destroyed”.*

The [Document Retention Guidance](#) also gives advice relating to conditions for accepting digitised, scanned, replica digital versions of original paper documents and certified true copies of original paper documents (photocopies).

2. Managing Data

2.1. Ownership and user rights

Where Scottish Natural Heritage (SNH) commissions the collection of data, SNH secures the Intellectual Property Rights (IPR) and has unrestricted use and distribution rights. Where the collection of data is part-funded by SNH, SNH will seek to share the IPR. If the IPR is to be retained by another organisation SNH will:

- expect unrestricted user rights, with distribution to third parties referred back to the other organisation;
- expect to create derived products.

Therefore, in terms of the submitted data and information from you, SNH will ensure that the IPR is shared. SNH as Lead Partner and the Scottish Government as Managing Authority should be given unrestricted user rights to and rights to create derived products of all Green Infrastructure spatial data, photographs, videos, monitoring and measuring data submitted by grantees.

The data and information collected as part of monitoring progress against the indicators and measures may be used by the Lead Partner (Scottish Natural Heritage) and/or Managing Authority (Scottish Government) in reports, case studies and publicity material. Therefore, it is important that you ensure all participants and staff that feature in the data are aware of

this and have given the appropriate consent for their details to be shared. The Scottish Government has created a consent form for European Regional Development Fund Case Studies that grantees can download and use for this purpose (see page 20 of the [European Structural Funds, 2014-2020, Publicity Requirements](#):). Note that although the form states that we can use the case study up to 31 Dec 2020, we reserve the right to extend that date to 31 December **2023** as this is the date to which we are required to monitor results of the Strategic Intervention by the EU and the Scottish Government.

Extract from the Scottish Government Case study consent form:

“We may use your case study in newsletters, magazines, leaflets or on our website and social media accounts. We would like to use your photograph to accompany your case study wherever possible. Occasionally, we might want to interview you to gather more information.

- We may refer to your case study on a radio station or on TV.*
- We may use your case study in local and sometimes national newspapers.*
- We may share your case study with the European Commission to help them publicise the European Social Fund using measures described above.*
- European Structural Funds Division may share your case study with Government Ministers who sometimes use case studies when speaking in Parliament or making speeches.”*

Grantees shall agree to provide data from their organisation necessary for the purposes of the approved Project.

Grantees shall not benefit from any intellectual property rights arising from the achievements of their Project.

The grantee warrants and undertakes that, except to the extent that the Projects incorporate designs or materials furnished by SNH, nothing done or produced by you in the performance of the Projects, shall infringe any Intellectual Property Rights (IPR) of any third party and you shall indemnify SNH in respect of all actions, claims, demands, costs and expenses which SNH may suffer or incur as a result of or in connection with any breach of this condition.

All rights (including IPR) in any reports, documents, specifications, instructions, plans, drawings, inventions, photographs (including negatives and digital images), models or designs whether in writing or on magnetic or other media:

- furnished to or made available to the grantee by SNH, shall remain vested in SNH;
- prepared by or for the grantee for use, or intended use, in relation to the performance of your Project, are hereby (and in the case of future IPR shall be) assigned to and shall vest in SNH absolutely, and, without prejudice to this condition, the grantee shall not and shall procure that its employees and agents shall not (except to the extent necessary for the implementation of the Project) without the prior written consent of SNH, use or disclose any such reports, documents, specifications, instructions, plans, drawings, inventions, models, designs or other material as aforesaid, or any other information (whether or not relevant to the Project) which the grantee may obtain by reason of the Project, except information which is in the public domain otherwise than by reason of a breach of this provision.

All data collected or generated in the course of the provision of the Project shall be routinely recorded and/or stored on such media as SNH may reasonably request and promptly delivered to SNH on request. Such data shall belong to SNH exclusively and the grantee shall have no rights of use or publication in respect thereof save as expressly approved in writing by SNH.

The provisions of this condition shall apply during the continuance of this Contract and after its termination howsoever arising.

2.2. Disposal

Appropriate disposal of all files held by SNH will take place at the end of the retention period in accordance with the British Standard for Information Security, ISO27001. This will only be changed if the EU or the Scottish Government publishes further requirements that specify files to be held for a longer period, at which time the retention period will need to be reset.

2.3. Digital Continuity

You need to assure us of 'digital continuity' to ensure that the data and information you store as part of your Project and grant is maintained and accessible for the auditable life of the programme (up to end 2030) and not compromised by technological obsolescence. Portable devices (DVDs, CDs, USB-drives, etc) must not be used for permanent data storage.

2.4. Freedom of Information and Environmental Information Regulations

SNH handles requests for information under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR).

The EIR provide public access to environmental information held by Scottish public authorities:

- Public authorities must make environmental information available proactively:
- Members of the public are entitled to request environmental information from public authorities.

Under the access to information legislation FOISA and the EIR, any person has a right of access to SNH's information. We have an obligation to provide information on request, unless the legislation gives us a reason to withhold it.

2.5. Data Protection Act

The Data Protection Act 1998 (DPA) is an Act of Parliament of the United Kingdom of Great Britain and Northern Ireland which defines UK law on the processing of data on identifiable living people. It is the main piece of legislation that governs the protection of personal data in the UK.

Personal data is information about a specific person that directly identifies them or leads to their identification when read with other information. The DPA sets out how personal data must be used and protected. (For example, Human Resources data for sick leave only needs to record number of days sick and does not need to contain reasons as this is personal information.) SNH, as all public bodies, is bound by the DPA and applicants should ensure they will comply with the Act when using personal data.

2.6. Commercial in Confidence

This is a classification that identifies information that, if disclosed, may result in damage to a party's commercial interests, intellectual property or trade secrets. SNH has an obligation under FOI and EIR. We will ask anyone supplying us with information if they consider

anything to be Commercial in Confidence so that we can take this into consideration if we receive a request from FOI and/or EIR. If you consider that any of the information you have supplied to us is commercially confidential, please confirm that you have identified those particular sections by marking them as Commercial in Confidence.

2.7. Privacy Statement

A privacy statement is included when personal data is being collected. The privacy statement tells the data subject who is collecting their personal data, what it's going to be used for and, if applicable, who else the data might be shared with. Giving a privacy statement is in line with the ICO Code of Practice https://ico.org.uk/media/for-organisations/documents/1610/privacy_notices_cop.pdf and allows the data subject to participate/provide their data in an informed manner.

The privacy statement for the Green Infrastructure Fund is:

Data Protection Act (Scotland) 1998. We will use the information you have provided to us on the Green Infrastructure Fund Application form and supporting documents when we assess your application, and to keep accurate records of our work. To do this we may need to discuss applications with other partners. If you do not want us to pass your personal details to others, please let us know.

2.8. EUMIS

For information: External to SNH and specific to the European Structural funds 2014-2020 programme is the Scottish Government's EUMIS IT system. This is a database that holds information on all Interventions and Projects. Grantees will **not** input any information to EUMIS. All required information will be inputted through the Green Infrastructure Fund team.

2.9. Objective Connect

This facility is an external server for secure file storage and sharing (similar to Dropbox) that will be provided by SNH to serve as a place to allow you to store files, associated with your application and reporting on your project if you are awarded a grant, that are larger than 10 megabytes. These files will be private with restricted access to key members of the Green Infrastructure team only. Individual files will be set up for each applicant / project. This facility complies with Data compliance laws and will be available from 1 March 2016.

Note that if you use the Objective Connect facility, you must also provide a covering email to the Green Infrastructure email address (greeninfrastructure@snh.gov.uk) advising which documents have been added to Objective Connect (see also [Customer Care](#) guidance). Your application and all supporting documents, whether submitted to the Green Infrastructure email address or Objective Connect, must be received before the deadline in order for your application to be considered. Applications sent to other mailboxes will be deleted on sight and not considered.

If you would like assistance on using Objective Connect, there is help and guidance available on the Objective Connect website:

<http://www.objectiveconnect.co.uk/tutorials/participate>.

2.10. Green Infrastructure Fund Website

The Green Infrastructure website (<https://www.greeninfrastructurescotland.org.uk>), which was made available on 19 January 2016 for the duration of the Green Infrastructure Strategic Intervention, will be used to provide information to applicants, to create a level playing field and support the delivery of the Challenge Fund. It will also be used to showcase delivery by projects and to signpost to good practice and examples. Screenshots of all website pages will be taken and stored in the appropriate file in eRDMS.

2.11. Separation of Duties

Within the Green Infrastructure Fund team there will be strict separation of duties to ensure key team members are kept 'clean' for assessment and delivery processes. We will ensure separation of duties in the support, assessment, selection, monitoring and claims steps. This means that we will keep a record of all contact with applicants during the open / support phase and anyone with any substantive contact will not be able to assess or score that application. Similarly, the Audit and Compliance Officer and the Finance Manager will not be involved in the assessment or scoring of applications, except as Moderators. Enquiries will also be dealt with strictly to ensure separation of duties. Emails giving advice will be filed and only accessible to the relevant Project and Funding Officer and the Project Manager.

We have developed Process Maps that clearly demonstrate how this will be achieved and the principles will be adhered to at all times. The implications for data management are dealt with through privilege settings and handling relevant data as sensitive material to ensure separation of duties.

In addition, Declaration of Interest forms will be completed at the start of each stage of Assessment and Selection.

3. Information on managing different data types

3.1. GIS files

You will need to confirm whether you are an OSMA member. If not, you will need to be able to demonstrate how you will meet the monitoring requirements for Green Infrastructure data.

All GIS data to be collected should be supplied in Esri shapefile format. SNH will supply a GIS file template to you for the collection of spatial data associated with the reporting and monitoring requirements of the programme. The template file will be configured appropriately for the type of information to be captured and the structure of the template is not to be altered without the consent of SNH.

All GIS data submitted should be complete with metadata captured to the latest UK GEMINI standard (currently (December 2015) UK GEMINI 2.2). Guidance on the UK GEMINI standard can be found on the website of the [Association for Geographic Information](#), who oversee the standard.

All applicants will be required to submit with their application two maps which should clearly show a boundary marking the smallest area covering your Project's activities and a 300m buffer around the site. You should also show the location of the communities that will benefit from your project, and any other relevant features, based on an up to date Ordnance Survey map displaying the scale and a north point. The maps will be:

- one in PDF format at 1:25,000 recording proposed location
- one as an esri shapefile at 1:2,500 using the template provided with the application form

The PDF map will be used to record the location of your proposed project. The shapefile will allow us to assess the geographic information about your project at the scale of the whole Strategic Intervention, and to carry out checks in relation to SIMD 2012, Archive SSSI, Natura sites (including Special Areas of Conservation and Special Protection Areas), the Ancient Woodland Inventory and other relevant designations as part of the Assessment process.

3.2. Photographs and Videos

All photographs commissioned or submitted should be supplied in a digital format (jpg file). Images should be the maximum size that can be achieved by the camera. Each image should have the following metadata (information):

- Image ID
- Title
- Photographer (the person or the organisation)
- Short description
- Date taken
- [National Grid location](#)
- Permissions
- Copyright

If the images / videos are to be supplied by freelance professionals then the images should have the requested file metadata tagged to the IPTC field of each image file. If not, then a separate accompanying spreadsheet with the metadata will be required.

You must give SNH the right to use the photographs, transparencies or digital images, including video images you provide to us. You must get any permissions, including copyright, you need for these images to be used, including the consent of any persons appearing in them where applicable, before you send them to us or before they are to be used. Any images/videos that are of professional quality will be uploaded onto the SNH image library for SNH use.

All submitted or commissioned video clips should be provided digitally as an uncompressed video. Video clips should be in a format capable of being uploaded to social media, for example through the SNH YouTube channel. There is no file size constraint for videos but ideally they should be filmed at 1080p 25fps.

As a last resort, where the large size of the video files makes it not feasible to email video clips, then hard copies will be required either as DVDs or Pen Drives.

Video clips should show the name and organisation (if relevant) of those talking on screen.

Each video clip should have the following metadata attached and be contained in a separate accompanying spreadsheet:

- Video ID
- Title
- Photographer (can be the organisation)
- Short description
- Date taken

- Permissions
- Copyright

3.3. CAD files

This is a file format that is not easily supported by SNH at present, therefore, you will be asked to provide alternative formats.

3.4. Press Cuttings

As a result of copyright restrictions, SNH cannot keep electronic copies of press cuttings for more than 28 days. In cases where these are needed for reporting and audit purposes, we will print off hard copies to keep. We will also ask you for copies of press releases together with a distribution list and hard copies of final articles that have been published.

We also need you to inform us about news releases ahead of time and to include certain basic information about the Green Infrastructure Fund and a quote from SNH where possible (further information is in the Green Infrastructure [Communications Toolkit](#)).

3.5. Sound files

The Green Infrastructure team will use and store, for audit purposes, recording devices to capture conversations with you and others as appropriate (e.g. Project and Funding Officers will record support meetings).

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All of nature for all of Scotland
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