PART ONE: IFTS ASSESSMENT

Overall Assessment

1. The Information Fair Trader Scheme (IFTS) is the best practice model for public sector bodies wishing to demonstrate compliance with the Re-use of Public Sector Information Regulations 2005 (the Regulations). IFTS ensures that re-users of public sector information can be confident that they will be treated reasonably and fairly by public sector information providers.

2. This IFTS re-verification of Ordnance Survey (OS) took place against the background of further announcements of releases of OS open data, OS adopting the Open Government Licence for that open data, and the Government’s intention to change OS status from trading fund to government company. There have also been a number of complaints made against OS under both the Re-use of Public Sector Information Regulations and IFTS, which have involved consideration of issues of governance. This re-verification therefore concentrates on matters relating to OS governance.

3. The process of this re-verification involved interviews with a range of external OS stakeholders: GeoPlace Directors and staff; Local Government Association representatives; the Shareholder Executive and a government representative of the Public Sector Mapping Agreement. We also gathered views of OS partners and customers, and interviewed OS staff. Our examination of OS’s licensing focused primarily on particular areas that were the subject of recent complaint investigations. The assessment against the principles in the IFTS performance management framework therefore measures these areas of OS operations.

IFTS Performance Management Framework

4. OS scored as a high-risk organisation when assessed against the OPSI risk criteria. OS can therefore expect to be re-verified in 2 years. Re-verification will focus on implementation of recommendations in this report and key changes to the organisation.

5. The table below rates OS’s position against the IFTS principles only in respect of the governance arrangements in place. Direct comparison with the previous rating set out in the report of our 2011 re-verification, or with ratings given to other IFTS members, is not possible. The 2011 rating examined OS licensing policy and practice generally, and did not examine governance issues in particular detail. The present re-

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1 Statement by Minister of State Matthew Hancock on Ordnance Survey Change in Operating Model, 22 January 2015. The re-verification took place before the change in OS status, but this report is published after the change, which took place at the end of financial year 2014-2015.
verification has focused on the detail of governance both for OS and for GeoPlace and the public sector mapping agreements (the Public Sector Mapping Agreement (PSMA) and the One Scotland Mapping Agreement (OSMA)). It covers not only OS’s own arrangements, but those in place for the governance of GeoPlace (for which reason we interviewed staff of OS’s partner in that joint venture, the Local Government Association (LGA)), and the PSMA and OSMA arrangements. Because of the focus on governance matters in this re-verification, it should be noted that the ratings given below are intended to convey our assessment of the governance arrangements in place, and therefore do not follow the pattern set out generally for IFTS re-verifications in the published Performance Management Framework\(^2\).

6. Our investigation of the governance arrangements found that OS respects the principle of Fairness in its operations and does not discriminate between its customers and partners. It makes sincere efforts to promote Innovation and Maximisation. There remains, however, work for OS to do in the governance arrangements regarding the Simplicity and Transparency of its work, and to properly allow Challenge to OS activities.

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<th>Maximisation</th>
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\(^2\) The Performance Management Framework document sets out the criteria against which IFTS members’ performance will normally be assessed during verifications. The Framework is used to assess the areas routinely investigated during verifications, and does not provide a model to assess particular areas such as the governance aspects investigated here. The Framework document is published at: [http://www.nationalarchives.gov.uk/documents/information-management/ifts-performance-management-framework.pdf](http://www.nationalarchives.gov.uk/documents/information-management/ifts-performance-management-framework.pdf).
Table 1. Summary of OS governance arrangements against the IFTS principles.

**IFTS Verifications**

7. OS was first accredited to the IFTS in April 2003, and that accreditation was re-verified in 2005, 2007 and 2011.

8. The team appreciates the co-operation and assistance of OS, GeoPlace, BIS and LGA staff in sharing their views and experiences of governance arrangements regarding OS licensing activities, policy and practice. Our requests for additional information or documentation and for further interviews were all met without question. We appreciate particularly the patience shown during this re-verification which, due to its specific focus and the scope of persons interviewed, has taken longer than anticipated to complete.
PART TWO: HIGHLIGHTS AND AREAS FOR IMPROVEMENT

Maximisation

‘An obligation to allow others to re-use material’

9. We find OS to be working at a good level against the Maximisation principle. OS staff were responsive to a partner request to make changes to one product, which resulted in a reduction in price, a rise in sales and consequently increased re-use. Several interviewees told us their version of this example of Maximisation. It is a good example and merits the mark awarded for Maximisation. To achieve an improved score, OS would need to be able to show that this is not an isolated example. We note that such changes outside the normal review cycle are exceptional and that amendments to terms will usually be incorporated at the planned 6-monthly revision of terms and conditions.

10. In this case OS took care to make sure that all partners and customers were comfortable with the change, and adjustments made to accommodate those with reservations. OS showed flexibility in agreeing to change licences outside the normal 6-monthly programme enabling the reduced price product to be available for the important Christmas market. This shows good practice by OS in varying procedures to enable Maximisation while at the same time ensuring fairness to its existing partners and customers. OS should consider further products where prices can be reduced in order to increase sales and Maximise re-use.

Public Sector Mapping Agreement/One Scotland Mapping Agreement

11. Membership of PSMA or OSMA gives a public sector organisation access to the majority of OS products. It helps these organisations to deal with a range of challenges and to make use of geographic and location data across their applications, so saving money, taking better decisions and delivering public services more efficiently. Over 3,400 organisations have joined PSMA and around 100 organisations are now members of OSMA. These include local authorities, district councils, health departments, national park authorities, emergency services and many other public sector bodies.

12. PSMA members have raised a concern about the interaction of PSMA and the Freedom of Information Act (FOIA). In a case referred to us by a PSMA member for advice, we learned that the guidance for members issued by OS is not to release vector data in response to FOIA requests without the prior written agreement of OS. It is our view that this guidance potentially acts as an unnecessary barrier. FOI requests for data may be made so that a potential re-user can assess the utility of the information in question, and OS’s desire to protect its licensed information should not obstruct FOI requests. The licensing of the information is a separate issue. The wording of the guidance should be
amended to better fit with the obligations of authorities under FOIA to release non-exempt data.

**Recommendation 1**: Paragraph 2.4 of OS’s guidance to PSMA members should be amended to recognise authorities’ responsibilities under FOIA, while still meeting OS’s requirement to protect its licensed material under PSMA where FOIA s43 exemptions may apply.

**GeoPlace**

13. GeoPlace is a Limited Liability Partnership jointly owned by OS and the Local Government Association (LGA, through the Improvement and Development Agency for Local Government). OS and LGA work together to create and maintain the National Address Gazetteer (NAG).

14. We note the steps taken by GeoPlace to improve the quality of data created by local authorities, through the mechanism of annual improvement schedules. GeoPlace actively helps local authorities to move towards national consistency in their geospatial data, and works closely with any that are lagging to bring them up to standard. By enhancing consistency across local authority boundaries this makes a significant contribution to Maximisation by improving the quality and consistency of information submitted by local authorities to the NAG for onward licensing by OS. This work is commended as best practice.

15. The governance arrangements in place for both GeoPlace and PSMA-OSMA are key when OS data can be re-used. It is important that the Maximisation principle is adhered to in these arrangements, including when they are revised. The recent development in PSMA and OSMA arrangements, whereby members will be able to assume that proposed uses are allowed by OS unless told otherwise, is commended. Recommendation 2 below is intended to promote continued Maximisation in future arrangements.

**Recommendation 2**: OS should ensure that the Maximisation principle continues to be promoted in all aspects of the work of GeoPlace and PSMA-OSMA.

**Simplicity**

‘*Facilitating re-use through simple processes, policies and licensing*

16. The governance arrangements for OS data and licensing are not straightforward. There is a complex interplay of interested groups – Shareholder Executive, GeoPlace, PSMA and OSMA, all operating under the external view of groups interested in promoting open data and pressure from vocal customers. OS has made and continues to make efforts to simplify its licensing arrangements, but has done so against the necessary background of its need (as a former trading
fund) to protect and enhance its assets and revenues. Much could still be done to simplify OS governance arrangements and we make a number of recommendations in this report to address particular points. We assess OS as performing at a development area standard against the Simplicity principle.

**GeoPlace**

17. We considered the role and position of GeoPlace, and remain concerned at the confusion which still exists about its role. Since the incorporation of GeoPlace it has been maintained (by OS, LGA and GeoPlace), that information held by GeoPlace is outside the scope of the IFTS and the Re-use Regulations and is not public sector information. These arrangements for GeoPlace were raised by OS with OPSI when it was being set up, and we challenged the assertion that GeoPlace should not join IFTS both at the time, subsequently and during the re-verification, but have found that the parties are keen to hold this position. This means that OS is the only entity able to access and exploit the data (except for local authorities which can access products under PSMA arrangements). OS maintains that the PSI Regulations and the requirements of IFTS are satisfied in any event by OS which makes all address products available for use and re-use under its standard model.

18. We are not convinced that this is a tenable position. The data held by GeoPlace begins its existence in local authorities, where it is certainly public sector information. It is subsequently traded by OS, as public sector information held by a public sector body. GeoPlace as the intermediary is owned by two bodies, one of which is a public sector body which trades in the information and the other of which is a representative body whose members are all public sector bodies which benefit from PSMA arrangements. Therefore the assertion that the data held and processed by GeoPlace is not public sector information and is outside the scope of the Re-use Regulations and IFTS seems anomalous, and rests on a legalistic, narrow interpretation of GeoPlace’s status, ignoring the reality of how the creation of the data is paid for.

19. We were told that GeoPlace does not in any way trade in the data it holds and processes. We asked about intended future developments for GeoPlace, and were informed that GeoPlace might start to offer consultancy services in future. If GeoPlace moves to provide consultancy services on a commercial basis, it would then be in the position of trading using the knowledge it gains in handling public sector information. The assertion that GeoPlace is outside the scope of the Re-use Regulations is further weakened if these circumstances arise, and the status of GeoPlace and its data should be under review given the conversion of OS to government company status.
**Recommendation 3:** The asserted status of GeoPlace as a body outside the scope of the Re-use Regulations should be reviewed annually by OS with LGA, and particularly in the event that GeoPlace offers consultancy services.

20. GeoPlace has made efforts to improve external communications, but it appears that the process of gathering data is technical and jargon-laden. Interviewees told us that the benefits to local authority data generated by GeoPlace activities have not been well communicated. The message must be simplified so that successes achieved by GeoPlace can be shared and understood. The role of GeoPlace needs to be clearly and simply stated so that others understand its purpose.

**Recommendation 4:** OS should work with its partner LGA to ensure that GeoPlace clearly communicates its role and its work, in Plain English and free of jargon or technical terms.

**Ordnance Survey**

21. The licensing system has been significantly simplified since the last re-verification. The number and complexity of available licences has been reduced, though there is more work to be done. The advent of Open Data, and the decision for OS Open Data to be made available under Open Government Licence v3.0 terms\(^3\), has helped simplify matters further. The change to updating licences on a predictable, 6-monthly basis has also been helpful to re-users. It has simplified their business models and allows them to plan more effectively. OS should continue to simplify the licensing process and licences as a key objective of all future licensing reviews.

**Recommendation 5:** OS should continue simplifying its licences at every opportunity and in its regular updates.

22. In the period since the last re-verification, a significant development has been the decision by HM Land Registry (HMLR) to release its Polygon data under Open Government Licence (OGL) terms. The need to accommodate protection for licensed OS data within this arrangement resulted in a degree of market concern evidenced by a particularly lengthy and at times acrimonious formal complaint, and in difficult extended discussions to achieve an acceptable licensing arrangement. Although OS has worked hard to understand the point of view of its partners and to put in place suitable licensing arrangements, the present arrangements remain complicated and continue to cause resentment among some partners. The detail of the licence review is at Appendix 3 to this report.

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\(^3\) Ordnance Survey announcement of adoption of Open Government Licence v 3.0, 17 February 2015.
Recommendation 6: OS should continue to examine ways to simplify and streamline the arrangements for licensing HMLR Polygon data.

23. In discussing the future market for OS data, we were told that it is in OS’s interest to continue to reduce barriers to re-use, to simplify terms and to “componentise” information with the aim of enabling customers’ needs. We support this approach so long as such changes can be made without being unfair to existing customers. As well as simplifying OS’s offering, these changes would serve to promote Innovation. We support OS’s continued exploration of ways to componentise its offering to enable greater and more diverse re-use.

24. In the course of this re-verification, we found evidence of the frustration caused to OS partners regarding the minimum £1,000 royalty, which was the subject of a recent complaint to OPSI. In the complaint report, we recommended that OS review the minimum royalty as it does have a disproportionate effect on smaller businesses. We were told that often partners terminate their agreement rather than pay this minimum royalty when it becomes due in the third year of partnership. We were minded to recommend that OS should continue to explore options to simplify, mitigate or remove this minimum royalty to promote the re-use of OS information by small or start-up businesses. We were therefore gratified to hear OS announce its intention to abolish the minimum royalty payment. This move will also support the Maximisation principle.

25. We assess that OS is operating at a satisfactory level against the Transparency principle in respect of its governance arrangements. OS is aware of its responsibility to be transparent, and in some areas of its activity follows good practice, as set out below. However, continuing failure to be fully transparent in other areas, particularly in the arrangements surrounding its decision-making processes and for GeoPlace, fosters suspicion among OS partners and critics. Improving transparency in these areas would serve to raise OS’s score for Transparency.

26. OS has published a statement of its public task. Towards the end of this verification process, OS began redrafting its public task statement

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4 Term used by OS meaning to offer data on individual geospatial features separately from a more extensive collection of mapping data items.

5 OS minimum royalty payments were completely removed in April 2015.
and shared some proposed amendments with us. The comments made in Appendix 4 to this report relate to the published public task statement rather than to the revised draft, but are generally applicable. The National Archives has published a set of public task principles, against which IFTS members’ public task statements can be measured at re-verification, and we have reviewed the OS public task statement against these principles at Appendix 4.

**Recommendation 7:** OS should address the areas identified in Appendix 4 to improve the published statement of public task.

27. OS has published a comprehensive page on its website describing its governance structures, which is, in itself, an example of good practice. The page describes first and second tier governance bodies as well as OS reporting lines. Terms of reference are published for first tier governance bodies. Terms of reference at the second tier, particularly the Pricing and Trading Group, are key for OS partners and customers. These are not published. Transparency will be increased by publishing the terms of reference for these second tier governance bodies.

**Recommendation 8:** OS should publish the terms of reference of all the governance bodies described on the governance page of its website.

28. There does not appear to be a published set of the minutes of the Pricing and Trading Group available on the OS website. It would improve transparency and help OS to overcome some of the negative perceptions which still exist among some of its customers and partners if these minutes (or at least a summary record of decisions taken) were routinely published. We were informed that the Group includes two OS staff members who are there to represent the interests of OS customers; publishing the minutes would make their contribution visible and provide reassurance to those customers.

**Recommendation 9:** OS should consider the routine publication of minutes of, or records of decisions taken at, the Pricing and Trading Group.

29. OS customers and partners are not directly represented on the Pricing and Trading Group. They are represented by OS staff on the Group, albeit staff well-versed in customer requirements, who are charged with representing the interests of customers and partners on that Group. While we were told that the Pricing and Trading Group regularly sees correspondence direct from customers and partners, we nevertheless feel that this governance arrangement risks appearing flawed. This is particularly so as minutes of Pricing and Trading Group meetings are not available. While we recognise that entitling customers to direct representation to this internal governance Group would present various issues, OS should consider ways to introduce a form of representation for customers and partners on this key Group to ensure that their views are not only represented, but openly seen to have been represented.
Recommendation 10: OS should consider enabling the representation of customer and partner views to the Pricing and Trading Group instead of relying on OS staff to represent those views.

30. As a result of Pricing and Trading Group decisions, existing licences may need to be revised. The Pricing and Trading Group now programmes these revisions at regular 6-monthly intervals under its delegated authority, which provides certainty to customers and partners and allows them to plan. This is an example of good practice in transparency. We were also told of the efforts made to keep those customers who have requested changes informed of progress. Sharing the news directly and promptly, even if it is not good news, is good practice.

31. OS holds regular OS Partner Forum events where partners can meet senior OS staff and challenge OS directly. We attended one such Forum in autumn 2014 as part of this re-verification. These Forums contribute significantly to transparency about OS and are an example of good practice. We discuss the Forums further under the Challenge principle below.

32. The evidence is that OS continually improves its existing products and develops new ones – and that the list of potential new products grows at a rate that outstrips OS’s ability to develop them. We explored the position to see if OS would consider publishing lists of ideas it is considering developing or is presently working on (described to us as a ‘shopping list’), in the interests of transparency, and were told that it was not presently possible. We understand that this would be a difficult step to take for reasons of commercial sensitivity.

33. However, we have heard in recent complaints and in open discussion during the Partners Forum that private sector developers are concerned that OS will take and develop their new idea before the developers can bring their new products to market. We believe that OS could better counter such beliefs by being more transparent about the products it is developing, and that this would also provide assurance to the developer community that ideas are not being ‘poached’ by OS.

Recommendation 11: OS should identify ways to be more transparent about the products it has in development.

GeoPlace

34. We were concerned that there is presently little transparency around the activities of GeoPlace, and that much of the available information is technical and jargon-laden. As a result, there is no clear, strong, publicly-available narrative about GeoPlace and its role. While GeoPlace’s website includes some high-level contextual statements, documents such as GeoPlace’s business plan are not available from
the GeoPlace website. This absence generates suspicions among OS partners and those with an interest in Open Data. We feel that more transparency about GeoPlace activities would assist greatly with this issue – especially because GeoPlace’s owners are a public sector body and a membership organisation representing a large number of public sector bodies. Taxpayers should be provided with more information about GeoPlace’s activities on their behalf.

**Recommendation 12:** OS should work with LGA to increase transparency about GeoPlace activities, ensuring that plain English messages are given to clearly explain GeoPlace’s activities and purpose. Routine publication of the main Board strategy and decisions and Committee minutes, where they are not commercially sensitive, is recommended.

**PSMA/OSMA**

35. We were pleased to note that minutes of the PSMA Quarterly working group meetings are published. It is important to show how PSMA operates on a practical level to meet new public sector requests. This is good practice. However, we note that OS reports on actions from previous meetings by exception – i.e. where OS actions from the previous meeting have not been completed. OS should consider ways to provide more public commentary on how it has met requests from PSMA members.

**Recommendation 13:** OS should consider ways to publish more information about how it has met PSMA-OSMA members’ requests for changes or improvements to PSMA-OSMA.

36. Our review of the governance information available on the websites for OS and GeoPlace is in Appendix 2, which highlights a number of areas for improvement. In particular we draw attention to the wide divergence between the amount of governance information published for PSMA and OSMA, and the absence of published terms of reference, minutes or decisions of key OS and GeoPlace governance bodies.

**Recommendation 14:** OS should address the areas identified in Appendix 2 to improve the publication of governance information.

**Shareholder Executive**

37. In conducting this re-verification, we interviewed many stakeholders interested in the governance of OS, including Shareholder Executive. OS and its shareholder must deliver the requirements of OS, previously as a trading fund, and now as a government company. Decisions taken between OS and Shareholder Executive should take account of OS’s responsibilities as an IFTS member, and should wherever possible

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6 The GeoPlace business plan is, for instance, published on the Intelligent Addressing document hub website. The home page of this website includes a warning to unauthorised users that they should not continue to use the website. This is not good practice in Transparency.
support the IFTS principles. We find that the relationship between OS and Shareholder Executive is not always clear to OS’s stakeholders. The means by which OS and the Shareholder Executive support the IFTS principles through their relationship should be clearly explained in the governance section of OS’s website.

**Recommendation 15**: OS should publish details of how its relationship with Shareholder Executive supports the six IFTS principles.

### Fairness

‘Applying terms without any discrimination’

38. The recent complaints against OS have cited the perceived unfairness of certain OS practices as they affect individual customers. We note that the investigations of those complaints found no pattern or culture of unfairness operating in OS. The terms and conditions in place were applied without favour by OS in the circumstance of each complaint. As reported to us during evidence gathering for this re-verification, some customers remain sceptical about OS motives and intentions. It is our view, noted elsewhere in this report, that improved simplicity and transparency from OS would help to counter this perception. We find, however, that OS takes great care to ensure that it treats all its customers, licensees and partners in a fair and equal manner according to its terms and conditions. We find that OS is operating at a good standard against the Fairness principle.

**Ordnance Survey**

39. As noted above under Transparency, the views and requirements of OS partners and customers are now specifically included in the terms of reference of a key decision making body, the Pricing and Trading Group. This is good practice in Fairness for information traders. We were pleased that staff interviewed showed themselves to be very aware of and aligned to this provision. We noted in particular that when changes are made to licence terms in response to customer proposals, the impact of those changes on other customers and partners is always considered. We were told of the efforts made to engage the views of all customers, across all platforms, in developing new pricing terms for one product.

40. A significant change in OS’s operating model from 2010 has been the advent and development of OS Open Data. We were told that where it is appropriate, small customers are always steered towards Open Data solutions. The view that the benefit and impact of OS Open Data has favoured the largest corporate users of data rather than smaller and start-up organisations, was expressed to us. The impact for smaller users and start-up companies has been much less significant, despite OS efforts to date. We note that OS announced the establishment of a
Geospatial Innovation Hub\(^7\) to encourage innovation and small enterprises in new geospatial developments, and encourage OS to continue to identify ways to enable OS Open Data to be used to best advantage by small and start-up businesses.

**Recommendation 16:** To improve the impact of OS Open Data for small and start-up businesses, OS should continue to explore ways to promote and enable the use of Open Data in these sectors.

41. We were told that OS, through its Mapwatch activities, acts to counter infringements through illegal downloads of mapping products. It does so not solely for OS’s benefit but also on behalf of its licensed partners whose products are sometimes also being illegally shared, and to meet its responsibilities to ensure the appropriate licensing of Crown copyright information.

42. We note that OS’s Mapwatch actions against infringements, while benefitting OS, are also a Fairness measure in working with and supporting the activities of OS partners, and as such is good and fair customer service practice. We note that difficulties remain with the unlicensed sharing of torrent files through websites based outside the European Union, which are less likely to respond favourably to take-down requests. We encourage OS to continue to monitor such breaches and to explore opportunities to counter them.

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**Challenge**

‘Ensuring that re-use is underpinned by a robust complaints procedure’

43. The Challenge principle does not solely concern the formal complaints processes of IFTS members, but also relates to other methods of mounting challenges to the member. Given the complex governance structures surrounding OS activities, and the lack of transparency noted elsewhere, we have found that OS is operating at a **development area** level against the Challenge principle. We make a number of significant recommendations below.

**Ordnance Survey**

44. The OS complaints process itself has been thoroughly tested by various complaints since the last IFTS verification. There have been some positive outcomes for complainants using the OS complaints process, though some complainants have told us they are not satisfied with the resulting outcomes. Recent complaints highlighted a number of areas of improvement and OS took steps to address these areas. Where the complainant also requested that the outcome of the complaint should be reviewed internally by OS, a thorough internal review was carried out.

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45. Almost everyone interviewed for the IFTS process was aware of recent complaint activity, although not all knew the detail. The verification team felt that this was positive, as lessons can be learned. It was clear that, on the whole, OS welcomes challenge and takes complaints seriously. However, we felt that complaints were not prioritised consistently; we recommend that OS allocates responsibility for complaints handling to an area of the organisation with an understanding of customer needs and expectations.

46. Presently, responsibility for complaints handling rests in the Pricing and Licensing function areas of OS. It is not surprising that complaints are viewed through the lens of OS pricing and licensing considerations rather than from the point of view of the licensee. We consider that the OS response to customers would be improved by complaints about licensing being handled in the Customer Relationship Management function area. This would both send a positive message to OS partners and licensees, and would better equip OS to understand customer complaints.

**Recommendation 17:** OS should transfer responsibility for handling licensing complaints from the Pricing and Licensing functional area of the organisation to the Customer Relationship Management functional area.

47. Holding Partner Forums where OS partners can meet and engage constructively with OS managers is a positive development and an example of **best practice.** The short-notice decision at the Autumn 2014 Forum to hold a question and answer session with OS Directors over lunch is a welcome innovation and showed OS’s willingness to discuss pressing matters without prior preparation. This session should be repeated. Giving partners advance notice that this will happen may encourage a wider spectrum of contributions from the floor. We were told after the event that those who spoke were largely partners who had a long and vocal history of raising complaints about OS practice. It is important not to lose sight of these views, but equally important not to assume that they are representative of the whole population of OS partners and customers.

**Recommendation 18:** OS should continue to hold regular Partner Forum events and should confirm in advance that Q&A sessions will be held to encourage wider contributions.

48. Such an arrangement might also address another concern which emerged during our interviews: that OS may not be able to detect when customer complaints that seem of little importance are about to develop into more significant complaints. Better staff training on handling complaints and recognising the signs of user dissatisfaction is advisable.

**Recommendation 19:** OS should train staff in complaint handling to address missed opportunities to resolve customer issues before they develop into formal complaints.
49. As part of being transparent with its IFTS regulator, OS should routinely issue invitations to its IFTS account manager at The National Archives to attend and observe at each Partners Forum.

**Recommendation 20:** OS should invite the IFTS account manager to attend and observe at each Partners Forum event.

50. OS’s Pricing and Trading Group includes members whose role is to represent the interests of customers. The Terms of Reference of the Group do not explicitly state this, but should do so to ensure that the stated concern for the interests of customers and licensees are officially considered by the Group, as far as competition law allows. The present Terms of Reference include the responsibility to consult the market, ‘with a view to informing ourselves prior to reaching an independent decision.’ The responsibility should be to consider the extent to which they can take account of the views of licensees to the extent that competition law allows.

**Recommendation 21:** The Terms of Reference of the Pricing and Trading Group should be amended to include a requirement to take account of the views of licensees and customers in its decision making as far as competition law allows.

**GeoPlace**

51. We noted earlier in the Transparency section that GeoPlace should be more open about its strategy, top-level Board decisions and its plans. Because GeoPlace is owned by one public sector body and by one body representing a large number of member public sector bodies, its actions should be open to challenge by anyone who feels that the decisions and strategy of GeoPlace is adversely affecting them. We urge OS to work with LGA to find ways to open up GeoPlace decisions to external challenge.

**Recommendation 22:** OS should work with LGA and with its shareholder to identify ways to open up GeoPlace decisions to external challenge.

52. We asked how LGA learned about concerns that their members might collectively have about GeoPlace, as it is not apparent from the existing governance structures how this might happen. We were told that the Authority Contacts Executives (ACE) is the vehicle for conveying local authority concerns about GeoPlace – but that ACE does this directly with GeoPlace. While we were told that the system works well and that LGA has not had to challenge GeoPlace decisions so far, it appears that LGA is not automatically alerted to issues that its members may have with GeoPlace. OS should work to establish procedures in GeoPlace to ensure that LGA is properly notified of any concerns that its members have about GeoPlace, so that LGA is able to mount a robust challenge when this is appropriate. This is particularly important since the membership of ACE consists of four
appointees, of whom two, including the Chair, are appointed by GeoPlace.

**Recommendation 23**: OS should work with LGA to introduce mechanisms to ensure that LGA is made aware of any local authority issues raised with GeoPlace by ACE or others.

53. In examining the governance of GeoPlace, we explored the degree to which LGA as co-owner of GeoPlace is able to challenge OS and ensure that the interests of its members and the taxpayers who fund them are properly considered. We were told that there is a gap between the Local Authorities and the advisers in GeoPlace who are tasked with informing senior managers. LGA told us that the next step should be to ensure that this gap is closed so that the technical issues facing local authorities are properly understood in GeoPlace.

**Recommendation 24**: OS should work with LGA to ensure that technical issues facing local authorities are properly understood by GeoPlace and to make sure that decisions taken are informed by knowledge of those issues.

**PSMA/OSMA**

54. We investigated the mechanisms in place to represent the views of PSMA members to OS and to oversee the PSMA. We were told that the PSMA is currently overseen by two independent groups. Firstly, the Geographic Information Customer Group (GICG) is an advisory group to Ministers and provides the senior level governance for the PSMA. This group is made of senior leaders (director level or above) from across the public sector and currently includes members from central government departments and agencies and the Welsh Government, local authorities and the emergency services. Members of the group are invited by the chair and are selected based on their knowledge, experience, and attributes rather than the organisation that they represent. We were told that the group members are from organisations that are amongst the largest and most innovative users of OS data in the public sector. The senior level of the membership of the group gives it the authority to speak on the behalf of the public sector. The GICG sets the strategic direction for the PSMA to BIS.

55. Secondly, the PSMA User Representatives Group (PURG) is the technical advisory group to the GICG and BIS. PURG is made up of individuals from across the public sector, elected by the membership. The focus of PURG is on ensuring that the products and licensing that is produced by OS and supplied through the PSMA are fit for purpose and meet the needs of the community. Where they are not, or where issues arise, PURG works with OS to improve these and to date have had a significant part to play in guiding the OS thinking around its licensing simplification work in relation to the PSMA licences, as well as the address migration and product development.
56. The secretariat function supporting GICG and PURG sits within the Innovation Policy team within BIS. BIS is not a business-critical user of OS data, which we were told allows the secretariat to support these two groups to ensure that PSMA and OS are supporting the needs of the whole public sector, whilst having the benefit of input and guidance from the biggest users of the data from all areas of the public sector.

57. We were, however, told by other interviewees that this position is not seen to be a ‘neat fit’ because BIS is not one of the PSMA members for whom geographic information is key. Those interviewees feel that if PSMA members through the secretariat are to be able to challenge OS appropriately, the secretariat should represent one of the key senior users and OS should welcome this challenge. We were also told that the role of head of the secretariat has recently changed frequently, so that the lead does not have time to get properly acquainted with the issues.

Recommendation 25: OS should consider surveying PSMA and OSMA members to establish if they feel that the present arrangements provide members with an adequate opportunity to challenge OS.

58. Recommendation 25 is of particular importance because it was stressed to us that there should be no conflict of interest, real or perceived, between the PSMA support from BIS acting as the customer and OS in their role as supplier to the PSMA. There is no evidence to suggest that current secondment arrangements to the PSMA Secretariat have acted either in favour of OS or to the detriment of PSMA members, but we note that the arrangement could be perceived to create a conflict of interest.

59. We were told that with the single exception of discussions over the sale of Royal Mail and the position of the Postal Address File, there were no regular contacts between PSMA and OSMA representatives. It would be helpful for PSMA and OSMA members to be in regular communication to ensure that any challenges to OS should reflect either the common interests of these two groups or, as it may be, their distinct interests. OS should encourage effective communication between the two groups of users to ensure that it properly understands their requirements.

Recommendation 26: OS should consider ways to ensure that the interests of PSMA and OSMA members are shared and considered together in any challenge to OS.

60. On a more practical level, we were told that in PSMA formal working group sessions, the senior members present were sometimes unaware of technical issues. We were told, and agree, that there can be a difficulty in ensuring that the informed views of junior technical staff reach senior managers attending working group meetings. We were also told that PSMA members often do not speak with a single voice so that requests made by one member can be opposed by others. This
makes it hard for OS to determine which requested changes should be
given priority. Some OS staff members told us that they felt PSMA
needs to challenge or push OS more.

**Recommendation 27**: OS should consider ways to ensure PSMA-
OSMA member discussions are properly informed by technical
understanding of the issues. OS should consider changes to the
process for requesting changes so that requests can be
methodically prioritised, and so that PSMA-OSMA members can
effectively challenge OS to deliver public sector requirements.

61. We were told that OS had taken part in a number of PSMA member
workshops to gather stakeholder feedback. This is a welcome
development and we warmly accept the proposal that the IFTS account
manager be invited to attend the next round of workshops. It would be
beneficial for the outcomes of these workshops to be published so that
all PSMA members and the wider community, not just those who
attend, could understand the feedback gathered.

**Recommendation 28**: OS should continue to take part in PSMA
member workshops to gather feedback. The IFTS account
manager should be invited to observe, and consideration should be
given to publishing the outcomes.

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**Innovation**

‘Supporting the development of new and innovative forms of re-use’

62. Technological developments continue to present both an opportunity
and a challenge to OS. We were told of the difficulties faced by OS in
dealing with torrent streaming of mapping files. It is proving difficult for
OS to address these infringements where the infringer is based outside
the United Kingdom. OS has however shown itself willing to review its
terms so as to better support innovative re-use. We find that OS is
operating at a **good** standard against the Innovation principle.

63. We were told of the improvements made to the processes for
generating new products, both innovated within OS and by its partners
and customers. It is our view that the process since the last re-
verification is much improved and that through the Pricing and Trading
Group it is possible to quickly reach agreement on the development of
new products. We also heard of the support given to innovative
proposals through Geovation\(^8\), and commend the support this gives to
innovative proposals and to start-up companies. Overall we found that
the appetite to support change in OS has grown and that once
accepted, changes can be fast-tracked if necessary. It is our view that
where previously customer requests for change faced significant
obstacles before OS would accept them, now OS is open to change to

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\(^8\) Geovation is the website enabled by OS to encourage innovative solutions using geospatial
data.
meet user requests. Indeed, in one interview we were told that there is a worry that OS can sometimes now be “too quick give up its existing, logical position” in order to facilitate a change.

64. We enquired about OS developer licence terms, and were told that OS intends to move to new click-to-accept terms that will waive developer licence fees⁹. This should promote innovation (as well as simplifying terms) and we welcome this change.

65. The Governance arrangements in place for both GeoPlace and the PSMA and OSMA play a part in determining how and when OS data can be re-used. It is important that the Innovation principle is adhered to in these arrangements, including when they are revised.

**Recommendation 29**: OS should ensure that the Innovation principle continues to be promoted in all aspects of the work of GeoPlace and of PSMA and OSMA.

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⁹ This move took place in April 2015.
PART THREE: BACKGROUND INFORMATION

Governance at OS

66. This re-verification was carried out between October 2014 and July 2015, a period of change and challenge for OS:

- The Government announced that Ordnance Survey would be converted from a trading fund to a Government Company.
- OS adopted the Open Government Licence v3.0 for OS Open Data.
- Further categories of OS Open Data were released.
- Challenges to OS policy and practice by its licensed partners continued.

67. We talked to a wide variety of individuals involved in OS licensing activities about governance arrangements. What we heard from OS broadly confirmed that the present arrangements are in general satisfactory and operate at an acceptable level, but that there are areas requiring further attention. This contrasted strongly with views hostile to OS governance expressed to us in recent complaints made to OPSI by OS commercial partners; in views of OS customers volunteered to us when we requested feedback for this re-verification; and aired at the OS Partners Forum.

68. The internal and external perceptions of OS’s governance arrangements – or at least the external perceptions of a small, vocal group of external critics – are at variance. It is not our role to lobby for changes to the existing governance arrangements. It is our role in this re-verification to explore how far the existing arrangements satisfy the principles of the IFTS, and where necessary to make recommendations for improvements.

69. We looked in detail at the following areas of OS governance:

- OS Pricing and Trading Group: the key internal OS body for decisions on pricing and licensing matters.
- GeoPlace: the joint venture between OS and LGA to enable the transmission of local authority data in quality, standard formats to OS for incorporation into OS products.
- PSMA/OSMA: the mapping agreements for England and Wales (PSMA) and Scotland (OSMA), which are publicly funded contracts between BIS and OS and Scottish Ministers and OS respectively to allow member public sector bodies access to and use of mapping data for their public task activities.

70. Within OS, we spoke to the acting Chief Executive Officer, directors and heads of department as well as licensing staff. We also spoke to external stakeholders in the governance of OS, including the chair of the Geographic Information Customer Group, the Shareholder Executive and a non-executive director.
PART FOUR: PROGRESS

Table 2. Recommendations of 2011 verification and if they have been met.

<table>
<thead>
<tr>
<th>Principle</th>
<th>Ref</th>
<th>Recommendation</th>
<th>Priority</th>
<th>Action Taken</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximisation</td>
<td>23</td>
<td>As part of its routine liaison meetings, Ordnance Survey should brief OPSI on the status of work that it has initiated to evaluate the economic benefits of OS OpenData.</td>
<td>H</td>
<td>Briefing completed</td>
<td>Complete</td>
</tr>
<tr>
<td>Simplicity</td>
<td>33</td>
<td>Two years on from the launch of its new suite of licences, Ordnance Survey should consider whether further simplification is possible by combining some remaining SUCs.</td>
<td>M</td>
<td>OS licences simplified</td>
<td>Complete</td>
</tr>
<tr>
<td>Fairness</td>
<td>40</td>
<td>Ordnance Survey should set out the rationale for the production flowline exemption on its website.</td>
<td>H</td>
<td>Rationale published</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>43</td>
<td>Ordnance Survey should fully evaluate its costing and pricing models once its new business model has been through a full financial year cycle and the data is available for analysis.</td>
<td>M</td>
<td>Models evaluated</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>46</td>
<td>Ordnance Survey should monitor the impact of its revised user derived data policy. In addition to supplying quarterly reports to OPSI on requests for user derived data policy exemptions, it should report on how the policy is being received by re-users as part of its liaison meetings with OPSI.</td>
<td>M</td>
<td>Reports submitted</td>
<td>Complete</td>
</tr>
<tr>
<td>Transparency</td>
<td>50</td>
<td>Ordnance Survey should continue to engage with The National Archives’ public task definition project and publish a full statement of its public task once the project has been implemented.</td>
<td>H</td>
<td>Public task statement published</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>53</td>
<td>Ordnance Survey should consider publishing its Specific Use Contract templates, its pricing examples and royalty calculators, to further promote transparency.</td>
<td>M</td>
<td>Templates published</td>
<td>Complete</td>
</tr>
<tr>
<td>Challenge</td>
<td>56</td>
<td>Ordnance Survey should ensure that the existence of the PSMA user derived data policy exemptions application and appeals process is adequately publicised.</td>
<td>M</td>
<td>Application process published on PSMA area of OS website</td>
<td>Complete</td>
</tr>
<tr>
<td>Innovation</td>
<td>58</td>
<td>Ordnance Survey should consider whether the OS OpenData service could be further improved by stating the update frequency of each dataset.</td>
<td>M</td>
<td>Frequency published</td>
<td>Complete</td>
</tr>
<tr>
<td>------------</td>
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<td>---------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
</tbody>
</table>

APPENDIX 1: SUMMARY OF RECOMMENDED ACTIONS

This is a summary of actions recommended to:

- remedy the weakness identified; and,
- strengthen the commitment to Information Fair Trading.

**Table 3. Summary of recommendations**

<table>
<thead>
<tr>
<th>Principle</th>
<th>Ref</th>
<th>Para</th>
<th>Recommendation</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General recommendations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency</td>
<td>14</td>
<td>36</td>
<td>OS should address the areas identified in Appendix 2 to improve the publication of governance information.</td>
<td>M</td>
</tr>
<tr>
<td><strong>Recommendations relating to the Public Sector Mapping Agreement (PSMA) and the One Scotland Mapping Agreement (OSMA)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximisation</td>
<td>1</td>
<td>12</td>
<td>Paragraph 2.4 of OS’s guidance to PSMA members should be amended to better fit with authorities’ responsibilities under FOIA, while still meeting OS’s requirement to protect its licensed material under PSMA where FOIA s43 exemptions may apply.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>15</td>
<td>OS should ensure that the Maximisation principle continues to be promoted in all aspects of the work of GeoPlace and PSMA-OSMA.</td>
<td>M</td>
</tr>
<tr>
<td>Transparency</td>
<td>13</td>
<td>35</td>
<td>OS should consider ways to publish more information about how it has met PSMA-OSMA members’ requests for changes or improvements to PSMA-OSMA.</td>
<td>M</td>
</tr>
<tr>
<td>Challenge</td>
<td>25</td>
<td>57</td>
<td>OS should consider surveying PSMA and OSMA members to establish if they feel that the present arrangements provide members with an adequate opportunity to challenge OS.</td>
<td>H</td>
</tr>
<tr>
<td></td>
<td>26</td>
<td>59</td>
<td>OS should consider ways to ensure that the interests of PSMA and OSMA members are shared and considered together in any challenge to OS.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>27</td>
<td>60</td>
<td>OS should consider ways to ensure PSMA-OSMA member discussions are properly informed by technical understanding of the issues. OS should consider changes to the process for requesting changes so that requests can be methodically prioritised, and so that PSMA-OSMA members can effectively challenge OS to deliver public sector requirements.</td>
<td>H</td>
</tr>
<tr>
<td>Principle</td>
<td>Ref</td>
<td>Para</td>
<td>Recommendation</td>
<td>Priority</td>
</tr>
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<td>-----------</td>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>28</td>
<td>61</td>
<td></td>
<td>OS should continue to take part in PSMA member workshops to gather feedback. The IFTS account manager should be invited to observe, and consideration should be given to publishing the outcomes.</td>
<td>M</td>
</tr>
<tr>
<td>Innovation</td>
<td>29</td>
<td>65</td>
<td>OS should ensure that the Innovation principle is adhered to in all aspects of the work of GeoPlace and of PSMA and OSMA.</td>
<td>M</td>
</tr>
<tr>
<td>Simplicity</td>
<td>5</td>
<td>21</td>
<td>OS should continue simplifying its licences at every opportunity and in its regular updates.</td>
<td>H</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>22</td>
<td>OS should continue to examine ways to simplify and streamline the arrangements for licensing HMLR Polygon data.</td>
<td>H</td>
</tr>
<tr>
<td>Transparency</td>
<td>7</td>
<td>26</td>
<td>OS should address the areas identified in Appendix 4 to improve the published statement of public task.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>8</td>
<td>27</td>
<td>OS should publish the terms of reference of all the governance bodies described on the governance page of its website.</td>
<td>H</td>
</tr>
<tr>
<td></td>
<td>9</td>
<td>28</td>
<td>OS should consider the routine publication of minutes of, or records of decisions taken at, the Pricing and Trading Group.</td>
<td>H</td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>29</td>
<td>OS should consider enabling the representation of customer and partner views to the Pricing and Trading Group instead of relying on OS staff to represent those views.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>33</td>
<td>OS should identify ways to be more transparent about the products it has in development.</td>
<td>L</td>
</tr>
<tr>
<td>Fairness</td>
<td>16</td>
<td>40</td>
<td>To improve the impact of OS Open Data for small and start-up businesses, OS should continue to explore ways to promote and enable the use of Open Data in these sectors.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>17</td>
<td>46</td>
<td>OS should transfer responsibility for handling licensing complaints from the Pricing and Licensing functional area of the organisation to the Customer Relationship Management functional area.</td>
<td>H</td>
</tr>
<tr>
<td>Challenge</td>
<td>18</td>
<td>47</td>
<td>OS should continue to hold regular Partner Forum events and should confirm in advance that Q&amp;A sessions will be held to encourage wider contributions.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>19</td>
<td>48</td>
<td>OS should train staff in complaint handling to address missed opportunities to resolve customer issues before they develop into formal complaints.</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>49</td>
<td>OS should invite the IFTS account manager to attend and observe at each Partners Forum event.</td>
<td>M</td>
</tr>
</tbody>
</table>
The Terms of Reference of the Pricing and Trading Group should be amended to include a requirement to take account of the views of licensees and customers in its decision making as far as competition law allows.

OS should ensure that the Maximisation principle is adhered to in all aspects of the work of GeoPlace and PSMA-OSMA.

The asserted status of GeoPlace as a body outside the scope of the Re-use Regulations should be reviewed annually by OS with LGA, and particularly in the event that GeoPlace offers consultancy services.

OS should work with its partner LGA to ensure that GeoPlace clearly communicates its role and its work, in Plain English and free of jargon or technical terms.

OS should work with LGA to increase transparency about GeoPlace activities, ensuring that plain English messages are given to clearly explain GeoPlace’s activities and purpose. Routine publication of the main Board strategy and decisions and Committee minutes, where they are not commercially sensitive, is recommended.

OS should work with LGA and its shareholder to identify ways to open up GeoPlace decisions to external challenge.

OS should work with LGA to introduce mechanisms to ensure that LGA is made aware of any local authority issues raised with GeoPlace by ACE or others.

OS should work with LGA to ensure that technical issues facing local authorities are properly understood by GeoPlace and to make sure that decisions taken are informed by knowledge of those issues.

OS should ensure that the Innovation principle continues to be promoted in all aspects of the work of GeoPlace and of PSMA and OSMA.

OS should publish details of how its relationship with Shareholder Executive supports the six IFTS principles.
APPENDIX 2: WEBSITE REVIEW

IFTS Website Assessment – governance arrangements

In line with the focus of this IFTS re-verification on governance, the website assessment looks at the availability of governance information for Ordnance Survey, GeoPlace and for PSMA and OSMA through their respective websites or those parts of the Ordnance Survey web site hosting them (for PSMA and OSMA). This is a departure from the usual focus on OS licensing arrangements.

It is immediately clear from the summary table below that there are a number of areas where transparency about governance can be improved:

- more information about governance structures should be published;
- terms of reference for governance bodies should be published, only some are currently available;
- means to challenge governance decisions are limited;
- records of meetings and decisions are not readily available;
- information that is available is not re-usable under OGL terms;
- there is a marked imbalance in the information available about PSMA and OSMA governance relating to respective contracts.

Table 4. Summary of review of website governance transparency

<table>
<thead>
<tr>
<th>Governance structure described on website?</th>
<th>Ordnance Survey</th>
<th>GeoPlace</th>
<th>PSMA</th>
<th>OSMA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terms of reference published?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Means of challenge published?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minutes of governance bodies published?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decisions of governance bodies published?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governance body membership published?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IFTS membership acknowledged?</td>
<td></td>
<td></td>
<td>N/A – not IFTS Members</td>
<td></td>
</tr>
<tr>
<td>Open licence terms for governance body information?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Key: Transparent | Mostly transparent | Mostly not transparent | Not transparent
### Detailed tables

<table>
<thead>
<tr>
<th>Table 5</th>
<th>Ordnance Survey</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance structure described on website?</td>
<td>Yes - <a href="http://www.ordnancesurvey.co.uk/about/governance/">http://www.ordnancesurvey.co.uk/about/governance/</a></td>
</tr>
<tr>
<td>Terms of reference published?</td>
<td>Yes for first tier governance bodies, no for second tier bodies, including Pricing and Trading Group.</td>
</tr>
<tr>
<td>Means of challenge published?</td>
<td>Yes, through the OS Customer Service Centre - <a href="http://www.ordnancesurvey.co.uk/about/governance/policies/customer-service.html">http://www.ordnancesurvey.co.uk/about/governance/policies/customer-service.html</a></td>
</tr>
<tr>
<td>Minutes of governance bodies published?</td>
<td>No – minutes of governance bodies not listed on OS FOIA publication scheme and do not appear to be available online.</td>
</tr>
<tr>
<td>Decisions of governance bodies published?</td>
<td>No – decisions of governance bodies not listed on OS FOIA publication scheme and do not appear to be available online.</td>
</tr>
<tr>
<td>Governance body membership published?</td>
<td>Yes where terms of reference are published; otherwise no.</td>
</tr>
<tr>
<td>IFTS membership acknowledged?</td>
<td>Not on Governance page. Searches for IFTS reveal only two entries on the OS website, on the Customer Service and the Public Task pages. There are a few references to the Information Fair Trader Scheme, mostly on pages dealing with Crown copyright. IFTS logo not used.</td>
</tr>
<tr>
<td><strong>Table 6</strong></td>
<td><strong>GeoPlace</strong></td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| Governance structure described on website? | No, except for high level description of the Board - [http://www.geoplace.co.uk/geoplace/link.htm?nwid=203](http://www.geoplace.co.uk/geoplace/link.htm?nwid=203)  
Some information about Authority Contacts Executive held on the Intelligent Addressing hub web pages is linked to from the GeoPlace web page of resources for the Data Co-operation Agreement – [http://www.geoplace.co.uk/geoplace/link.htm?nwid=281](http://www.geoplace.co.uk/geoplace/link.htm?nwid=281). The Intelligent Addressing hub website home page includes warning messages about unauthorised use. |
<p>| Minutes of governance bodies published? | No. |
| Decisions of governance bodies published? | No. We were told that GeoPlace decisions are published to the local government community, but they are not published on the GeoPlace website. |
| Governance body membership published? | Yes for the GeoPlace Board and where terms of reference are published; otherwise no. |
| IFTS membership acknowledged? | GeoPlace non-membership of IFTS explained – <a href="http://www.geoplace.co.uk/geoplace/link.htm?nwid=273">http://www.geoplace.co.uk/geoplace/link.htm?nwid=273</a> |
| Open licence terms for governance body information? | No copyright notice or terms for using information on the GeoPlace website are evident. |</p>
<table>
<thead>
<tr>
<th>Table 7</th>
<th>PSMA user representatives group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Means of challenge published?</td>
<td>Not on the PSMA web page. We are told that the means of challenge to PSMA is set out in the dispute resolution provisions of the PSMA Framework Agreement and the PSMA member licence – this should be clearly set out for PSMA members. It remains unclear how any interested person outside PSMA could mount a challenge.</td>
</tr>
<tr>
<td>Decisions of governance bodies published?</td>
<td>Minutes of recent meetings only published; no published access to earlier decisions.</td>
</tr>
<tr>
<td>IFTS membership acknowledged?</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Open licence terms for governance body information?</td>
<td>OS website terms apply, so the published PSMA information is not presently available under OGL terms.</td>
</tr>
</tbody>
</table>

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10 PSMA does not have its own website. A PSMA section of the Ordnance Survey website, part of which is only accessible to members, includes some limited governance information.
<table>
<thead>
<tr>
<th>Table 8</th>
<th><strong>OSMA user representatives group</strong>¹¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance structure described on website?</td>
<td>No.</td>
</tr>
<tr>
<td>Terms of reference published?</td>
<td>No.</td>
</tr>
<tr>
<td>Minutes of governance bodies published?</td>
<td>No.</td>
</tr>
<tr>
<td>Decisions of governance bodies published?</td>
<td>No.</td>
</tr>
<tr>
<td>Governance body membership published?</td>
<td>No.</td>
</tr>
<tr>
<td>IFTS membership acknowledged?</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Open licence terms for governance body information?</td>
<td>OS website terms apply, so the published OSMA information is not presently available under OGL terms.</td>
</tr>
</tbody>
</table>

¹¹ OSMA does not have its own website. An OSMA section of the Ordnance Survey website, part of which is only accessible to members, includes some limited governance information. There is no Governance information available on the Scottish Government web page relating to OSMA.
APPENDIX 3: LICENCE REVIEW

For this IFTS re-verification, instead of the usual practice of examining a range of OS licences, we have instead reviewed the new licence contract that has been made available under the OS partners’ framework for commercial licensing of HM Land Registry Polygon data. (Note that non-commercial licensing is available under Open Government Licence terms). This licence has been chosen for review because it has been a central part of a complaint made against OS. We note that this licence is not particularly illustrative of most OS licences, which have been simplified since the last re-verification, as we note in the body of the report.

REVIEW OF OS-Land Registry Polygons Contract

Evaluation Criteria

1. **Clarity of licence terms**

*Check for clarity of language, jargon, legalistic language, plain English.*

The OS Land Registry Polygons Contract is lengthier than OPSI would like. It has, however, been shortened since previous versions. There is a long list of complex definitions and the licence itself contains legalistic language and jargon, though not unreasonably so given the substance of the contract.

2. **Comprehensiveness of licence terms**

*Are there any significant omissions? Does the licence contain terms that you would not expect to find in a licence?*

There are no significant omissions in the licence. The contract is unusual in that it is licensing the re-use of Land Registry polygons rather than an OS Product and directs you to HMLR to obtain the necessary consent from HMLR in respect of its IPR.

3. **Fairness**

*Does the licence contain terms that are unfair or unnecessarily discriminate between different user groups?*

The terms in the licence appear fair and do not discriminate between re-users or different user groups.

4. **Consistency**

*Does the licence contain any terms which are inconsistent and contradictory?*

The licence does not contain any inconsistent or contradictory terms.
5.  **Practical Arrangements**

*Is it clear what the process is for making payments, amending terms for example?*

The clauses on calculating royalties are complicated, however there are tables to demonstrate the royalty per polygon per annum based on the number of polygons required. This is fair as it is the same royalty fee regardless of re-user. The fact that the royalty calculation contains the HMLR polygon royalty makes the calculations more complex.

6.  **Restrictiveness of terms**

*Are any of the terms unnecessarily restrictive?*

The terms are fairly restrictive, but not unreasonably or unnecessarily so.
APPENDIX 4: REVIEW OF THE OS STATEMENT OF PUBLIC TASK

We reviewed the published OS statement of public task against the published public task principles.

**Principle 1 - Clarify the functions in relation to information it collects, creates, holds and disseminates**

*Pass* The statement sets out clearly and comprehensively the functions that OS carries out as part of its public task, and an annex sets out the detail of the OS products which in its opinion OS creates, maintains and makes available in order to deliver its public task.

**Principle 2 - Be open to challenge**

*Significant further work needed* The published statement records that it has been approved by the Shareholder Executive, after consultation with OPSI. While OPSI offers advice and guidance to public sector bodies generally on how to draw up statements of public task, and will comment on drafts if requested, we do not mark or approve them outside of the re-verification process or in the course of formal complaints. The statement does not make it clear that it is the OS view of its public task and can be challenged. There is a statement giving a contact number to which queries about the public task statement can be directed, and separately a referral to the OS complaints handling process for any complaints under the Re-use Regulations. The statement should explicitly set out that it is open to interested parties to challenge OS’s public task statement if they believe it to be incorrect in identifying public task activities.

**Recommendation**: At the earliest opportunity, OS’s public task statement should be amended to make it clear that it is open to interested parties to challenge the statement, setting out how that can be done, and to remove any suggestion that the statement has been approved by OPSI.

We expect that in setting out a public task statement, public sector bodies should open up the process to its interested licensees, customers and re-users. We are aware that the current public task statement was drafted by OS and signed off by Shareholder Executive, without an opportunity for interested parties to contribute to the drafting process. OS should enable contributions from its partners and licensees at future revisions of the statement.

**Recommendation**: OS should enable contributions from licensees, partners and consumers of OS products when revising and reviewing the public task statement.

**Principle 3 - Be current**

*Minor further work needed* The timescale for the next scheduled revision is set out in the statement, but could be improved by the
addition of timings for external contributions to the review (see recommendation under Principle 2 above). The present published document is not dated, and should be.

**Recommendation:** The public task statement should be dated.

**Principle 4 - Be written in Plain English**

**Pass** The statement is written clearly in Plain English and avoids jargon and legalese as far as possible in its main body (though there are inevitably some technical terms in the Annex, which in our view is probably unavoidable).
APPENDIX 5: ACTIVITIES CARRIED OUT BY THE VERIFICATION TEAM

Methodology
The IFTS procedure against which OS has been verified reflects recent information policy developments. An IFTS Strategy\textsuperscript{12} and a Performance Management Framework\textsuperscript{13} embed transparency and robustness into the IFTS process.

The IFTS principles are:

- **Maximisation** – an obligation to allow others to re-use information;
- **Simplicity** – facilitating re-use through simple processes, policies and licence terms;
- **Innovation** – supporting the development of new and innovative forms of re-use;
- **Transparency** – being clear and up-front about the terms of re-use, and the policies around it;
- **Fairness** – applying terms without any discrimination;
- **Challenge** – ensuring that re-use is underpinned by a robust complaints process.

Together with the principles and performance management framework, the verification team considers the organisation’s governance and culture, risk management, re-use policies, licensing, pricing, and approach to customer experience and feedback. For this review, we have in particular focused on matters of OS governance, measuring OS governance policy and practice against the IFTS principles.

Documentation review
OS provided documentation in support of the Chief Executive’s commitment which was reviewed by the team before and during the on-site verification.

People and Practices
In order to see how people in the organisation work and how their work is impacted by the Information Fair Trader commitment, OPSI interviewed a range of OS staff at all levels who are involved in the policy or practice of providing information, including an OS non-executive director. We also interviewed staff of Shareholder Executive and of the GI Customer Group and the PSMA Secretariat, staff working for GeoPlace and staff working for the Local Government Association, the co-owners with OS of GeoPlace. The interviews took place between October 2014 and July 2015.

\textsuperscript{12} http://www.nationalarchives.gov.uk/documents/ifts-strategy.pdf
Licence File Review
Contrary to usual practice, due to the focus of this re-verification on questions of governance, the verification team did not undertake a sample review of OS licensing files.

Website review
A review of the governance aspects of the OS website, and OS web pages relating to PSMA and OSMA, as well as the GeoPlace website, was carried out March 2015.

Public task statement review
A review of OS’s published statement of public task was carried out in March 2015.

Licence review
The team reviewed one OS licence (the HM Land Registry Polygons contract) and the results of that review can be found in Appendix 3 to this report.

Complaints process
OS’s customer complaints process was examined by the team and the quality manager was interviewed. Consideration of the organisation’s complaints process, both policy and practice, indicates how committed an organisation is to meeting customer needs.