



# The United Kingdom Implementation of the European Directive on the Re-use of Public Sector Information

- the first two years

A Report by the Office of Public Sector Information

July 2007



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This report can also be accessed on the Office of Public Sector Information website at:

[www.opsi.gov.uk/advice/psi-regulations/uk-implementation-first-years.pdf](http://www.opsi.gov.uk/advice/psi-regulations/uk-implementation-first-years.pdf)

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## EXECUTIVE SUMMARY

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Marking two years since the UK implementation of *The Re-Use of Public Sector Information Regulations 2005* (PSI Regulations), this report reviews the progress made in the UK. It sets out the practical and innovative steps taken by the Office of Public Sector Information (OPSI) to ensure that this important piece of legislation is recognised, understood and put into practice. To date, OPSI has:

- published a range of guidance material which sets out step-by-step what public sector organisations need to do to meet their responsibilities;
- contacted over 400 public sector organisations to spread awareness and raise standards;
- introduced the Information Fair Trader Scheme (IFTS), IFTS Online, AKTive PSI and Click-Use Licensing, which set standards and make it easier to re-use public sector information; and
- investigated a number of complaints against public sector information holders, leading to licensing improvements.

The UK's public sector information (PSI) assets are extremely valuable yet often under-utilised. This report aims to explore the policy and action taken by OPSI and others so far and place this activity within the wider information policy context in the UK. The report sets out the further actions which OPSI will be taking to ensure that the UK grasps the opportunities to maximise the potential of PSI.

A key activity for OPSI has been to raise the profile of the re-use agenda, ensuring that it is central to emerging information policy development. We have played a key role in *The Power of Information Review* and the Office of Fair Trading's study into *the Commercial Use of Public Information* (CUPI).

# REPORT ON THE UK IMPLEMENTATION OF THE EUROPEAN DIRECTIVE ON THE RE-USE OF PUBLIC SECTOR INFORMATION: THE FIRST TWO YEARS

## Chapter 1: Introduction

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### Aims

- 1.1 *The Re-Use of Public Sector Information Regulations 2005*<sup>1</sup> (the PSI Regulations) came into force two years ago. The aim of this document is to report progress on the UK implementation of the PSI Regulations to date. We shall consider the main provisions of the PSI Regulations and also assess the effectiveness of guidance and other awareness spreading activities to date. We will also outline the practical results of UK initiatives and consider OPSI's evolving role as a regulator of PSI. In placing the UK Government's PSI agenda within the wider policy context we will identify future opportunities and challenges.
- 1.2 In this Report we outline a series of planned actions that OPSI will be pursuing based on the lessons learned to date.
- 1.3 This Report sets out the current UK position and will contribute towards the European Commission's formal review of implementation, due by 1 July 2008. OPSI plays an active part in the ePSIplus programme and<sup>2</sup> will facilitate a conference to be held in London in November 2007. The main theme of this conference will be pricing and charging of PSI and the financial impact of the European Directive on the Re-Use of Public Sector Information (PSI Directive)<sup>3</sup>.

### The Office of Public Sector Information

- 1.4 OPSI has UK-wide policy responsibility across government for the re-use of public sector information. Now operating from within The National Archives (TNA), OPSI<sup>4</sup> is at the heart of information policy, setting standards, delivering access and encouraging the re-use of public sector information. Its functions complement those of The National Archives, which leads on information management, and the Ministry of Justice, which has the policy lead on access rights and privacy. OPSI provides a wide range of services to the public, the information industry, government and the wider public sector that facilitate the finding, using, sharing and trading of information.
- 1.5 To coincide with the publication of the PSI Regulations, OPSI published a *Guide to the Regulations and Best Practice*<sup>5</sup> which explained the effect of the PSI

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<sup>1</sup> The Re-Use of Public Sector Information Regulations 2005 (SI 2005/1515): <http://www.opsi.gov.uk/si/si2005/20051515.htm>

<sup>2</sup> The ePSIplus project is a Thematic Network, funded by the eContent plus programme of the European Commission, to support the implementation of the European Directive on the re-use of public sector information in the period leading up to its review in 2008: <http://www.epsiplus.net/>

<sup>3</sup> European Directive on the Re-Use of Public Sector Information: [http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l\\_345/l\\_34520031231en00900096.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_345/l_34520031231en00900096.pdf)

<sup>4</sup> At the time of implementation OPSI operated from within the Cabinet Office.

<sup>5</sup> Guide to the Regulations and Best Practice: <http://www.opsi.gov.uk/advice/psi-regulations/advice-and-guidance/guide-to-psi-regulations-and-best-practice.doc>.



Regulations, set them in their wider policy context and provided detailed guidance on how public sector organisations can meet their PSI responsibilities.

## Background

1.6 The PSI Directive was approved by the Council of Ministers on 27 October 2003. The European Commission required member states to implement the Directive by 1 July 2005. The UK was one of eight Member States to meet the Commission's deadline. By the end of June 2007, 22 Member States had implemented the PSI Directive. The European Commission established a network known as ePSIplus to monitor progress and share best practice across the Community.

1.7 The overriding aim of the PSI Directive was economic. Public sector information is a valuable information resource<sup>6</sup> that could be used by the private sector to develop value added products and services. The removal of barriers to re-use will act as a stimulus to the European information and publishing industry, so providing significant economic opportunities and enhancing job creation across Europe. The PSI agenda also has the additional benefit of improving the flow of information from the public sector to the citizen. This complements the following European policy initiatives:

- i2010 - A European Information Society for growth and employment<sup>7</sup>; and
- the Lisbon Strategy for growth and jobs.<sup>8</sup>

1.8 The ministerial policy responsibility for negotiating and implementing the Directive was shared between the Cabinet Office and the then Department of Trade and Industry.<sup>9</sup> Leading up to implementation, OPSI and DTI consulted widely across central government. This included detailed discussions with HM Treasury. Discussions also took place with government trading funds and their partners. Beyond central government, the PSI Regulations and the accompanying guidance has benefited from the input of groups such as the Licensing Forum,<sup>10</sup> The Advisory Panel on Public Sector information<sup>11</sup> (APPSI), representatives of the information industry, trade associations and other key players. At each stage the views of the European Commission were sought, seeking clarification where necessary. The Government also launched two public consultations ahead of implementation, the responses to which helped to inform and shape the PSI Regulations and the supporting initiatives and guidance introduced by OPSI.

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<sup>6</sup> Annex G of the Office of Fair Trading's market sector study into the Commercial Use of public Information:

[http://www.oft.gov.uk/shared\\_oft/reports/consumer\\_protection/oft861g.pdf](http://www.oft.gov.uk/shared_oft/reports/consumer_protection/oft861g.pdf)

<sup>7</sup> [http://ec.europa.eu/information\\_society/eeurope/i2010/index\\_en.htm](http://ec.europa.eu/information_society/eeurope/i2010/index_en.htm)

<sup>8</sup> [http://ec.europa.eu/information\\_society/eeurope/i2010/ict\\_and\\_lisbon/index\\_en.htm](http://ec.europa.eu/information_society/eeurope/i2010/ict_and_lisbon/index_en.htm)

<sup>9</sup> The Department of Trade and Industry's responsibilities in relation to the information industry have now been taken on by The Department for Business, Enterprise and Regulatory Reform which was established 28 June 2007. Press release:

<http://www.gnn.gov.uk/environment/fullDetail.asp?ReleaseID=295527&NewsAreaID=2&NavigatedFromDepartment=True>.

<sup>10</sup> See paragraph 3.7.

<sup>11</sup> The Advisory Panel on Public Sector Information: <http://www.appsi.gov.uk/>

## **UK Public Sector Information**

1.9 The UK holds a wealth of public sector information. There is a richness and variety of material that is of particular interest to re-users. It includes:

- legislation;
- information produced by the parliaments and assemblies;
- mapping data;
- meteorological data;
- consultation and policy documents;
- official statistics;
- annual reports of public sector bodies;
- statutory registers;
- guidance;
- information about local services; and
- health service information.

## **Key Principles and Objectives**

1.10 The PSI Regulations establish a framework for the re-use of public sector information. They are based on the principles of fairness, transparency, non-discrimination and consistency. The PSI Regulations extend to most parts of the public sector.

1.11 The PSI Regulations set out a number of key themes and objectives:

- identification of what material is available for re-use;
- establishment of clear charging information and the basis of the charges;
- the need for prompt turnaround of applications, enabling re-users to get their information products to market quickly;
- transparency and fairness of terms and conditions; and
- it establishes a robust and fair complaints process.

1.12 These objectives were underpinned by a need to set standards and share good practice across the public sector.

## Chapter 2: Overview of the PSI Regulations

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2.1 Two years on, it is apparent to OPSI that there are certain aspects of the PSI Regulations that would benefit from further clarification. In this chapter we consider these aspects. Our assessment should be seen in the context of the European Commission's planned formal review of implementation of the PSI Directive in 2008<sup>12</sup>.

### Organisations Covered

2.2 The PSI Directive linked the definition of *public sector bodies* to the list of public bodies in the European public procurement rules. In the UK, the list of public sector organisations covered was based on The Public Contracts Regulations, most recently updated in 2006.<sup>13</sup> These include central and local government, the NHS, the Parliaments, Fire and Police authorities. The PSI Regulations follow the PSI Directive in excluding a number of public sector organisations, notably: schools and universities, public sector broadcasters, archives and libraries and cultural establishments.

2.3 From the private sector perspective, the exclusion of the organisations listed above does not pose a particular difficulty for re-users. It should be noted that The National Archives (TNA), as an archive, is technically excluded from the PSI Regulations. It was decided, however, that it would comply with the PSI Regulations given that it stores a wide range of material produced by government departments and other public sector bodies. This decision was reinforced following the merger of OPSI with TNA in October 2006.<sup>14</sup>

2.4 The European Commission has sought clarification as to whether the UK judiciary falls within the scope of the PSI Directive. OPSI is in discussion with Ministry of Justice at official level with a view to providing greater clarity on this point.

**In line with the EU review of the implementation of the PSI Directive, by July 2008, OPSI will revisit the scope of the PSI Regulations, updating guidance as necessary.**

### Scope

2.5 The PSI Regulations also identify certain categories of information that fall outside the scope. These are:

- material produced outside the public task;
- relevant third party copyrights; and
- information not made available for re-use.

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<sup>12</sup> Tender for formal review: <http://ted.europa.eu/>

<sup>13</sup> The Public Contracts Regulations: <http://www.opsi.gov.uk/si/si2006/20060005.htm>

<sup>14</sup> Press release: 31oct2006.pdf" <http://www.nationalarchives.gov.uk/documents/31oct2006.pdf>

## Public Task

2.6 The PSI Regulations draw a distinction between activities carried out by public sector organisations as part of their public task and re-use. The practical effect of this is that only material produced as part of a public sector information holder's public task falls within scope of the PSI Regulations. This reinforces the principle that a public sector organisation could conceivably produce information as part of its public task and then subsequently re-use the same information. This would include, for example, the publication of a commercial information product or service as part of a commercial venture with a private sector partner. In the interests of fairness and non-discrimination, the public sector organisation should be subject to the same terms and conditions, including charges, as any other re-user. In the UK, it is not always apparent whether an activity carried out by a public sector organisation is a public task or a re-use activity.

2.7 The public task issue surfaced in the context of a complaint made by Intelligent Addressing against Ordnance Survey<sup>15</sup>. OPSI and the Review Board of APPSI<sup>16</sup> that investigated the complaint differed on whether production of the documents at the centre of the complaint formed part of Ordnance Survey's public task.

### *Case Study:*

*The company Zero-Now brought a complaint against Milton Keynes Council for investigation by OPSI.<sup>17</sup> The Complainant wished to re-use all information on the Council's website at the same time as the Council's contractor that manages the Council's official website. OPSI considered in this case that the Contractor concerned was not re-using the documents requested because it was expressly publishing the documents under a contract on behalf of the Council for the purposes of fulfilling its public task. The Contractor's website is essentially an official website endorsed by the Council under an official agreement and therefore publication of the documents did not constitute re-use.*

2.8 The lack of clarity as to what is covered by *public task* has highlighted the need for clearer definitions of the term. This need was echoed by the Review Board of APPSI. The benefit of such clarification will be to reinforce the message that if public sector organisations re-use information they should be subject to the same terms and conditions as any private sector re-user. In this way the principle of fairness and non-discrimination will be maintained. A further practical benefit will be to provide greater certainty to OPSI and APPSI as to whether specific complaints fall within the scope of the complaints process under the PSI Regulations.<sup>18</sup>

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<sup>15</sup> OPSI's investigation of a complaint between Ordnance Survey and Intelligent Addressing: <http://www.opsi.gov.uk/advice/psi-regulations/complaints/SO-42-8-4.pdf>

<sup>16</sup> APPSI's review of the OPSI investigation: <http://www.opsi.gov.uk/advice/psi-regulations/complaints/statement-review-SO-42-8-4.pdf>

<sup>17</sup> OPSI's investigation of a complaint between Milton Keynes Council and Zero-Now: <http://www.opsi.gov.uk/advice/psi-regulations/complaints/SO-42-8-6.pdf>.

<sup>18</sup> The OFT, in its market sector study into the Commercial Use of Public Information, recommended that each public sector organisation clearly define its public task. OPSI will monitor this through the Information Fair Trader Scheme (IFTS) and complaints processes. For more details about the OFT study see 5.2-5.4.

**OPSI will produce a clearer interpretation of what is meant by the term public task. This will be included in the Guide to the Regulations and Best Practice, which will reinforce the existing practical guidance to public sector organisations to help them define their public task.**

### **Third Party Copyrights**

- 2.9 The PSI Regulations do not apply where a third party holds relevant intellectual property rights in the material. The reason for this is that a public sector organisation would not be entitled to allow re-use unless it was either the legal copyright holder or had been authorised by the legal copyright holder to permit re-use.
- 2.10 Information, particularly in a digital form, will often incorporate copyright material owned by several organisations. In the context of re-use, it is questionable whether the inclusion of third party copyright material should be a barrier to re-use where the appropriate consents from the third party are in place.
- 2.11 In its recent review of the Intelligent Addressing – Ordnance Survey complaint, the APPSI Review Board found that the inclusion, however limited, of third party copyright material in a product took this outside the scope of the PSI Regulations. OPSI in this matter, stands by its original decision that the existence of third party copyright material as part of a bigger work or database should not preclude investigation under the PSI Regulations. We recognise, nevertheless, the need for further clarification.

**OPSI will clarify the UK approach on third party copyright material in the Guide to the Regulations and Best Practice**

### **Material Not Available for Re-use**

- 2.12 The PSI Regulations state that they do not apply to a document unless it is already accessible under access legislation (Freedom of Information Acts<sup>19</sup> and Environmental Information Regulations<sup>20</sup>), or is readily available to the public, for instance, having been published on a website. OPSI has Protocols with the Office of the Information Commissioner<sup>21</sup> and the Office of the Scottish Information Commissioner<sup>22</sup> for the purposes of ensuring that the appropriate links are made between access and re-use. Guidance has been issued which seeks to draw a distinction between access and re-use. However, we recognise that further clarification is necessary.

**OPSI, in consultation with the Office of the Information Commissioner and the Office of the Scottish Information Commissioner, will revise and reissue guidance drawing out the distinctions between access and re-use.**

<sup>19</sup> Freedom of Information Act 2000 <http://www.opsi.gov.uk/acts/acts2000/20000036.htm> and Freedom of Information (Scotland) Act 2002 <http://www.opsi.gov.uk/acts/acts2000/20000036.htm>

<sup>20</sup> <http://www.defra.gov.uk/environment/index.htm>

<sup>21</sup> Protocol with the Office of the Information Commissioner: <http://www.opsi.gov.uk/advice/psi-regulations/disputes-resolution/opsi-ico-protocol-2005-08.pdf>.

<sup>22</sup> Protocol with the Scottish Information Commissioner: <http://www.opsi.gov.uk/advice/psi-regulations/disputes-resolution/opsi-sic-protocol-2005-08.pdf>.

## Chapter 3: Spreading Awareness and Setting Standards

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3.1 In order to support the public sector in meeting their responsibilities under the PSI Regulations, OPSI has delivered an extensive range of awareness spreading events. This included in-house seminars, workshops, conferences and presentations to over 400 public sector organisations since 2005, covering the length and breadth of the UK.

"The Office of Public Sector Information (OPSI) has been setting standards, delivering access and encouraging the re-use of public sector information, providing a wide range of services to the public, information industry, government and the wider public sector relating to finding, using, sharing and trading information." **Javier Hernandez-Ros, European Commission, June 2007**

"It is reassuring to know that OPSI provide the guidance and support in this new area of work." **Northern Ireland seminar to departments and health bodies, November 2005**

"Thank you for an informative morning – it is very useful to know I can ring up OPSI with specific questions." **presentation to the National Assembly for Wales and other public sector bodies February 2006**

"A very useful seminar – thank you! Best information packs I've ever seen." **seminar to local and central government in Edinburgh June 2006**

"We really appreciate your input, the approach you took and your involvement in our group work. You helped us make major progress today!" **Workshop for Audit Scotland, June 2007.**

### Compliance and Best Practice

3.2 Local government and the health sector are particularly rich sources of public sector information. For this reason, OPSI carried out an extensive programme to spread awareness and best practice across local government by means of seminars, conferences and the publication of practical guidance. OPSI also wrote to all local government and health service Chief Executives, drawing their attention to the PSI Regulations. However, a survey carried out by PSI Consulting (UK) Ltd.<sup>23</sup> showed that compliance with the PSI Regulations across the 426 local authorities remains disappointing.

3.3 PSI Consulting addressed the following areas in their survey:

- compilation of asset lists of information available for re-use;
- the application process; and
- charges, terms and conditions that apply.

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<sup>23</sup> PSI Consulting Ltd. is an independent management consultancy company which promotes dialogue between public and private sector. See <http://www.psiconsulting.co.uk/home.html>.

The replies received from the Local Authorities raised some concerns in that:

- over 40% failed to respond to requests for re-use;
- 75% of those that responded had not fully complied with the PSI Regulations;
- there was confusion about the difference between access and re-use.

PSI Consulting also identified a lack of available resources to enable compliance and a common misconception that existing Publication Schemes met the requirement in the PSI Regulations to publish a list of the main documents available for re-use.

Based on spot checks the websites of NHS Trust and other health bodies, and also discussions with the NHS Information Centre, there are indications to suggest limited awareness of re-use and compliance with the PSI Regulations across the Health Service.

- 3.4 The European Directive states that there is no obligation (on the public sector body organisation) to allow re-use of documents. The PSI Regulations reflect this position. Despite this, if a public sector organisation re-uses the material it produced as part of its public task, it is obliged under the non-discrimination provisions to be subject to the same conditions as any other re-users.

**OPSI will consider, with key stakeholders, the options available to ensure greater compliance with the PSI Regulations.**

- 3.5 Research undertaken by the Council of Property Search Organisations (CoPSO),<sup>24</sup> the major trade association for the property search industry, shows that many local authorities do not apply the same terms for their own re-use as they do to others. Property search companies rely on public sector bodies for access to data and as monopoly providers these public sector bodies could have an adverse effect on the market. This position remains unchallenged largely because search companies are often reluctant to make too many demands or complain in case this adversely affects their relationship with the local authority.

*Case Study: Property Searches*

*Property searches are currently carried out by both private and public sector bodies. It is a highly competitive market. Property search organisations collect information from a wide range of public information holders, such as the local authorities, the Environment Agency, Coal Authority and Ordnance Survey. There has been a significant growth in the private property search market over the last 5 years and some of this growth has resulted in the loss of business for public sector search providers.*

<sup>24</sup> The Council of Property Search Organisations website: <http://www.copso.org.uk/>

*CoPSO conducted research in early 2006 which showed that compliance with the PSI Regulations across local government was poor. There was an overwhelming view by local government that the PSI Regulations were not mandatory and therefore no action was necessary. Companies often experienced difficulties when dealing with local authorities where appointment times, costs, licence terms etc differed from one authority to the next. Indeed, some companies have given up in certain areas of the country as it has been so difficult to obtain and re-use information.*

**OPSI will ensure that companies engaged in the property search market are aware of the complaints process.**

3.6 OPSI has issued guidance, including Frequently Asked Questions,<sup>25</sup> which provide a practical guide to the PSI Regulations. It covers the following:

- a detailed Guide to Best Practice and the Regulations;
- licence templates;
- standard licence terms that public sector bodies can use and adapt;
- making a complaint;
- links between access and re-use;
- re-use of website information;
- authorising re-use of information contained in print publications;
- producing a list of exclusive arrangements; and
- producing asset lists.

This guidance provides an essential framework for both re-users and public sector information holders that explain the practicalities of re-use.

## Licensing Forum

3.7 The Licensing Forum<sup>26</sup> was established by OPSI in 2004 to bring together licensing practitioners from across the public sector. It provides an opportunity for organisations to share best practice and issues and to discuss developments in information policy.

The Licensing Forum aims to:

- improve licensing systems and processes;
- ensure greater consistency in licensing and information policy across government;
- increase transparency of licensing and information, policy both internally and externally;
- encourage networking opportunities between UK PSI licensing practitioners;
- encourage a greater awareness of emerging information policy across government; and
- promote good customer service and responsiveness to customer requirements.

3.8 The Licensing Forum covers subjects which are topical and relevant to members of the groups. For example, *The Commercial Use of Public Information (CUPI) Market*

<sup>25</sup> Advice and guidance: <http://www.opsi.gov.uk/advice/psi-regulations/advice-and-guidance/index.htm>

<sup>26</sup> <http://www.opsi.gov.uk/advice/licensing-forum.htm>.



Study published by the Office of Fair Trading<sup>27</sup> has featured at several fora due to the expected impact it is likely to have on licensing practitioners in the public sector. Other topics include presentations on the ePSIplus network and the Council of Property Search Organisations. Talks given by the members themselves are useful in sharing good practice and resolving problems.

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<sup>27</sup> For details on the OFT study see Chapters 5.8-5.11.

## Chapter 4: Initiatives

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4.1 In this chapter, we explore the practical innovations the UK has developed to implement the PSI Regulations and support the public sector. This includes examples of good practice and UK initiatives introduced by OPSI. Some of these initiatives predate the PSI Regulations, but helped smooth the path for UK implementation. Some of these initiatives have been extended to cover the wider public sector.

### Information Fair Trader Scheme

4.2 The Information Fair Trader Scheme (IFTS)<sup>28</sup> was introduced by OPSI in 2002 to raise standards in the information trading activities of government trading funds<sup>29</sup>. The scheme has been successful in improving standards by identifying areas of concern, recommending remedial action and sharing best practice.

'Using licence frameworks approved by the IFTS scheme has enabled Land Registry to grow its Commercial Services business from £270k in March 2005 to £1.85 million in March 2007'. **Simon Cross, Head of Marketing and Sales, HM Land Registry**

'Being a member of the scheme has provided us with a focus on the need to continually improve our internal processes and an impetus to make progress'. **Sandra Pearson, Met Office**

"IFTS has made us here at Registers of Scotland more conscious of the importance of Crown copyright as a concept and of the need for licensing arrangements. It has also made us more focussed on the importance of good record-keeping as evidence of adherence to IFTS principles". **Registers of Scotland**

4.3 IFTS is based on five principles:

- Openness: maximising the re-use of public sector information;
- Fairness: non-discrimination between re-users;
- Transparency: clear licensing terms and conditions and charging;
- Compliance: internal processes to meet the IFTS Commitment; and
- Challenge: a robust complaints process.

Through the IFTS process, OPSI monitors the responsibilities which are laid out in the PSI Regulations. These include timing and processing issues, non-discrimination, non-exclusivity, transparency of licensing terms and production of asset lists.

4.4 Full IFTS Accreditation is designed for major public sector information traders and trading funds. Members include Ordnance Survey, the Met Office, Environment Agency and HM Land Registry. It is based on a full audit of information trading activities and is aimed at bodies that are required to or volunteer to meet the

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<sup>28</sup> <http://www.opsi.gov.uk/ifts/index.htm>

<sup>29</sup> A government department, executive agency, or part of department, established as a Trading Fund by a Trading Fund Order made under the Government Trading Funds Act 1973. A Trading Fund has authority to use its receipts to meet its outgoings.

highest standard of compliance with IFTS principles and the PSI Regulations. Full IFTS Accreditation ensures that re-users of public sector information can be confident that they will be treated reasonably and fairly by public sector information holders.



#### *Case Study: IFTS (Met Office)*

*IFTS members are verified regularly according to risk. The Met Office, which is the national meteorological service for the UK, has made good progress since 2003 when it was first verified under IFTS. The Met Office derives approximately half its revenue from the sale of value added products and services, essentially from licensing of Crown copyright material. The Met Office initially failed to meet the IFTS standard, relating to transparency and fairness. There was no policy on pricing and no consistency in the treatment of customers. Following recommendations made in the first and subsequent IFTS reports, the Met Office has introduced significant improvements including a pricing policy and guidance on licensing. The Met office website was reviewed and now contains relevant information about licensing, making the process more transparent. There is a tangible sense of commitment towards information fair trading from senior policy makers and the Chief Executive, which makes the Met Office a role model in the world of public sector information trading.*

## **IFTS Online**

4.5 To meet the challenge of the PSI Regulations and recognising that one size does not fit all, OPSI developed an online version of IFTS, branded as *IFTS Online*.<sup>30</sup> Whereas full IFTS accreditation is targeted at the major public sector information holders, IFTS Online was designed for smaller information holders across the public sector. IFTS Online requires applicants to complete a series of questions and provide evidence to support their answers. This provides information on:

- what information is available for re-use;
- where the information is held;
- situations where re-use of information is not permitted;
- the organisation's policies on re-use;
- website and publications copyright notices;
- how charges for re-use are explained;
- the standard terms and conditions of re-use;
- staff awareness and guidance; and
- the complaints policy.

OPSI reviews the answers received from public sector organisations to produce a tailored report which shows their results, recommendations, advice and further sources of information to assess progress and the fair trading status of the organisation.

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<sup>30</sup> IFTS Online home page: <http://www.opsi.gov.uk/ifts/assessment/index.htm>

4.6 IFTS Online is an assessment process that measures how effectively public sector organisations manage the re-use of their information. It is a valuable tool for public sector organisations to demonstrate that they are meeting their legal responsibilities under the PSI Regulations. IFTS Online is available to all public sector organisations.

4.7 IFTS has proved invaluable in reinforcing responsibilities under the PSI Regulations, leading to improved standards across IFTS accredited organisations. Recognising how IFTS has helped push up standards across key information traders, the Office of Fair Trading, in their report into *The Commercial Use of Public Information*,<sup>31</sup> commended the scheme and recommended that OPSI be resourced to extend IFTS across the public sector.



**IFTS Online:**

**IFTS Online Assessment**

Do you provide your staff with guidance to ensure that they are aware of the policies relating to the re-use of public sector information?

Yes  No

**Definition**  
If your organisation is to treat all customers openly, fairly and transparently, you need to have policies and processes relating to the re-use of information. This may include awareness of:

- your organisation's policy on allowing re-use;
- the applicable fees and charges;
- the Re-use of Public Sector Information Regulations 2005;
- the Guide to the Regulations and Best Practice;
- other relevant legislation:
  - Freedom of Information Act 2000
  - Freedom of Information (Scotland) Act 2002

**You can use this space to provide additional information to the Standards Team.**

**Links to useful information such as PSI Regulations, copyright notices, and standard licences**

**The Re-use of Public Sector Information Regulations 2005**

2005 No. 1515  
PUBLIC SECTOR INFORMATION  
The Re-use of Public Sector Information Regulations 2005

Made: 7th June 2005  
Laid before Parliament: 10th June 2005  
Coming into force: 1st July 2005

The Minister for the Cabinet Office, being a Minister designated for the purposes of section 2(2) of the European Communities Act 1972, in exercise of the powers conferred by that section enabling him on that behalf to make the following Regulations:

**Citation and commencement**  
1. These Regulations may be cited as the Re-use of Public Sector Information Regulations 2005 and shall come into force on 1st July 2005.

**Interpretation**  
2. In these Regulations -

"the 1998 Act" means the Data Protection Act 1998;  
"the 2000 Act" means the Freedom of Information Act 2000;  
"the 2002 Act" means the Freedom of Information (Scotland) Act 2002.

<sup>31</sup> See paragraphs 5.2 to 5.4 below on the CUIP Report.

## Asset Lists

- 4.8 The PSI Regulations require public sector organisations to publicise the main documents available for re-use. In this way, re-users know what information is available for re-use.
- 4.9 At central government level, departments are required to produce and maintain an information asset register (IAR). The UK Government IAR was developed in 2001 and is maintained by OPSI. When the IAR was first introduced, the focus was mainly on unpublished datasets. Under Freedom of Information legislation public sector organisations are required to produce Publication Schemes. As the name suggests, Publication Schemes provide details of categories of published information.
- 4.10 The Information Asset Register (IAR) is a metadata repository, which enables users to search and find details of government's information assets. The information held largely follows the approach for bibliographic systems and uses the Dublin Core<sup>32</sup> metadata standard. The IAR has recently been redeveloped, to improve the search facility for users, allow a greater variety of metadata to be held and to enhance its interoperability with other systems. This is in accordance with the Open Archives Initiative Protocol for Metadata Harvesting (OAI-PMH)<sup>33</sup> standard. The new search facility will allow users to search for results from a particular department and to refine the results using terms from the Integrated Public Sector Vocabulary (IPSV)<sup>34</sup>, a public sector wide thesaurus. IPSV has been mandated for use across the public sector in the e-Government Metadata Standard to describe the subject of resources.
- 4.11 The IAR provides an effective framework for central government. However, there is a lack of consistency in its application as various departments choose what to include and update. The OPSI IAR solution is being developed so that it can be extended to the wider public sector.

## One List

- 4.12 The UK Freedom of Information Acts require public sector organisations to create and maintain a list of information assets they commit to making available on a routine basis. Recognising the potential overlap between Publication Schemes and the asset lists required under the PSI Regulations, OPSI, working with the Offices of the Information Commissioners, is developing a *One List* approach to information assets. The aim is to see whether we can combine key aspects of publication schemes and asset lists to create a single customer interface. A *One List* approach would have the benefit of bringing all public sector information assets together. Discussions with the private sector have indicated that the distinction between published and unpublished information is not a significant one for them. The key point for re-users is to know what information is held and how it can be obtained. The *One List* approach would also provide clarity for re-users, who are often confused by a profusion of information resources.

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<sup>32</sup> Dublin Core Metadata Standard, <http://dublincore.org/>

<sup>33</sup> OAI-PMH = Open Archives Initiative Protocol for Metadata Harvesting.  
<http://www.openarchives.org/OAI/openarchivesprotocol.html>

<sup>34</sup> IPSV = The Integrated Public Sector Vocabulary. This is an 'encoding scheme' for populating the e-GMS Subject element of metadata. See: <http://www.esd.org.uk/standards/ipsv/>

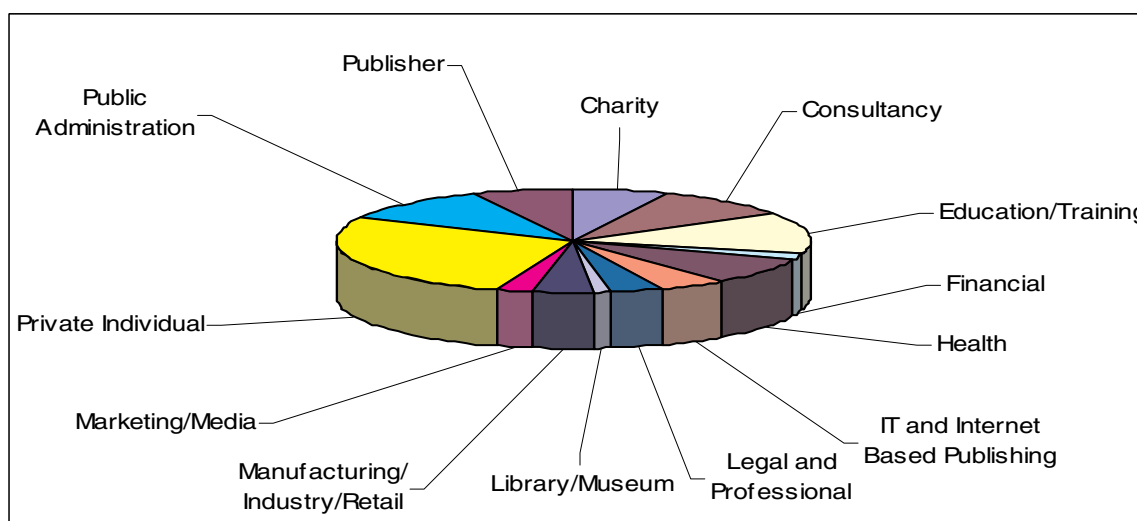
## Click-Use Licensing

4.13 In 2001, OPSI launched the UK Government's Click-Use Licence<sup>35</sup>, developed in consultation with private sector re-users. This is an online service that facilitates the re-use of a wide range of public sector information. The scope of the original Click-Use Licence was core government material that was at the heart of the government process. The Click-Use Licence provides a high degree of transparency offering a fast and streamlined licensing model. The original Click-Use Licence was extended to cover value added material produced by Government in 2004. Under this version of the Click-Use Licence, terms can be tailored to meet specific circumstances and charges for re-use applied.



4.14 The Click-Use Licence is one of the UK's PSI successes. The name Click-Use is widely known and respected in the information field. Since its launch, over 13,000 Click-Use Licences have been taken out. This covers many forms of re-use and many types of re-user ranging from research by private individuals to commercial publishing by multinational companies. The categories of re-user are shown below.

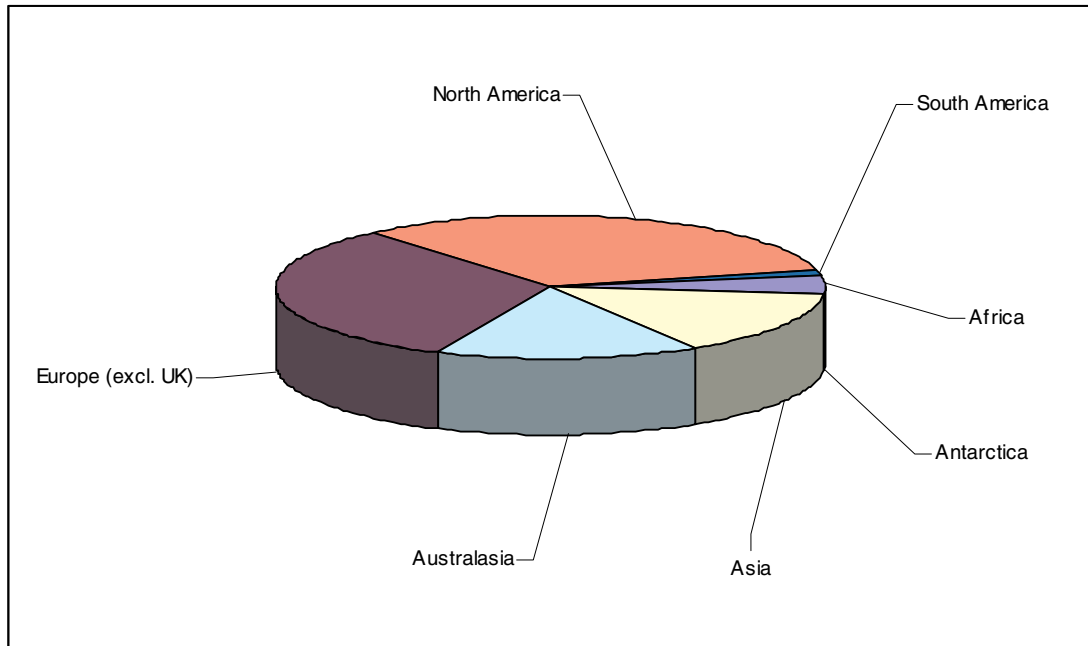
### Categories of Re-Users, 1 April 2001 – 30 June 2007



4.15 Click-Use Licences have a global reach. The growing awareness of UK public sector information on the web has resulted in Click-Use Licences being taken out across the world. Reflecting this global appeal, approximately 10% of Click-Use Licences taken out each month are from outside the UK. This illustrates that information re-use does not solely operate within national or geographical boundaries. The following chart shows the breakdown of international customers.

<sup>35</sup> Click-Use Licensing home page: <http://www.opsi.gov.uk/click-use/index.htm>

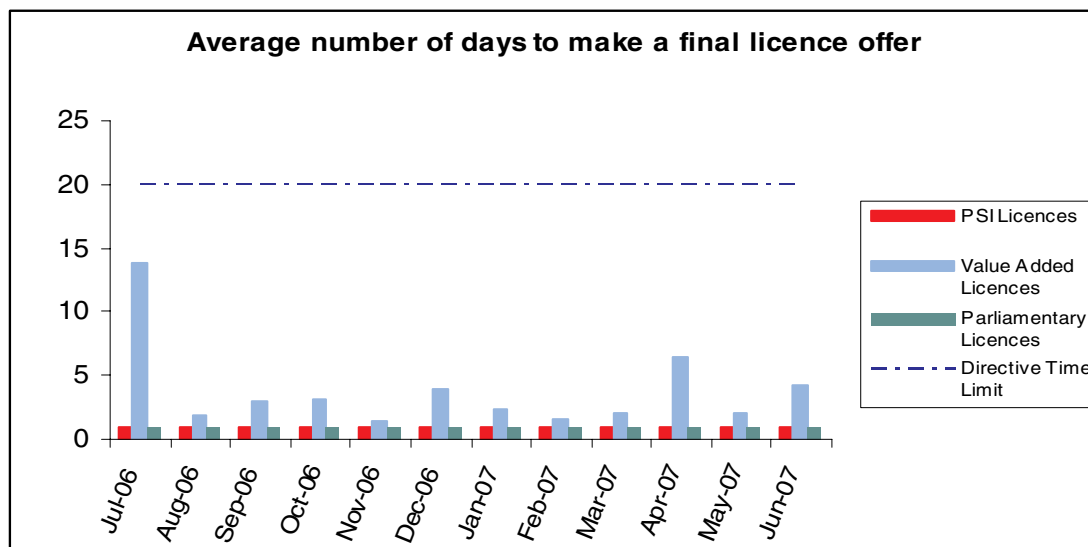
## Click-Use Licence Re-Users by Continent, 1 April 2001 – 30 June 2007



4.16 The PSI Click-Use Licence delivers the following benefits:

- no paper transaction and therefore no red tape;
- a one-off clearance that allows the re-user to roam across a range of material;
- no delay as online application is completed in minutes;
- 24/7 availability;
- there is the assurance that all re-users operate under the same terms; and
- clarity of licence terms that are free of legalese and jargon.

4.17 The Click-Use Licence also ensures compliance with published service standards. For example, it enables the tracking of licence applications, ensuring that requests for re-use within 20 working days.



- 4.18 Following the success of the Click-Use Licence for material produced by central government, OPSI designed a tailored service for the United Kingdom Parliament to allow its material to be re-used. The Parliamentary Click-Use Licence was launched in August 2005 and since then over 800 licences have been taken out throughout the world. This licence has proved to be very successful. OPSI is currently in discussions with the Scottish Parliament and the health service about designing a tailored service for the re-use of their information.
- 4.19 Organisations across the wider public sector are encouraged to use the Click-Use Licence and are free to adapt the licence terms to meet their own needs. A number of public sector bodies have gone down this path, including Hampshire County Council, Carlisle City Council and Sedgefield Borough Council.

**OPSI will ensure that awareness and uptake of Click-Use and other initiatives is maximised.**

### **AKTive PSI: Leading by Example**

- 4.20 The UK public sector is a source of rich, high quality and sought after data. While much of this information is published and available for re-use by others, it is often trapped by poor data structures, locked up in legacy data formats or in fragmented databases.
- 4.21 To explore the issues more fully, in 2005-6, OPSI worked with Advanced Knowledge Technologies (AKT),<sup>36</sup> an inter-disciplinary research project led by the University of Southampton. OPSI's work with AKT, in a research project called AKTive PSI, had two aims:
- to raise awareness about and disseminate the capabilities of semantic web technologies amongst government departments, agencies and local authorities;
  - to show what is possible using this technology.
- 4.22 OPSI brought together a diverse collection of public sector information assets to experiment with. A number of public sector organisations were involved in the project, including Ordnance Survey, the Met Office, the Department for Communities and Local Government, the Office for National Statistics, the Department for Environment, Food and Rural Affairs, the Environment Agency and the London Boroughs of Camden and Lewisham. The project underlined the potential for the use of semantic web technology in large scale integration of public sector information and the benefits such aggregation would bring. Semantic Web technology provides the best model for a range of interoperability issues. If widely adopted it would do much to harness the re-use of public sector information.
- 4.23 AKTive PSI has spawned further work in government using Semantic Web technology<sup>37</sup>. OPSI is using this technology in the following ways:

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<sup>36</sup> Advanced Knowledge Technologies home page : <http://www.aktors.org/akt/>

<sup>37</sup> The **Semantic Web** provides a common framework that allows **data** to be shared and reused across application, enterprise, and community boundaries. It is a collaborative effort led by W3C with participation from a large number of researchers and industrial partners. See: <http://www.w3.org/2001/sw/>



- Publishing content semantically from the London Gazette (the UK Official Journal) using Resource Description Framework (RDF) and Web Ontology language (OWL) as part of a full scale re-use strategy for the Gazettes;
- Developing a scheme for URI references to government copyright statements, conditions and licences supported by Click-Use web services;
- Releasing a highly granular URI scheme for the official version of legislation online, with longer term plans to add some level of semantic information to this content.

4.24 Other participants in AKTive PSI, such as Ordnance Survey, have also made use of Semantic Web technology. For example, the OS GeoSemantics team has released an ontology and dataset of 11,000 instances for Administrative Geography, which describes the administrative divisions in the UK – a complex dataset ideally suited to semantic representation.

4.25 OPSI continues to work with the University of Southampton and the Web Science Research Initiative (WSRI), a collaboration between Southampton and the Massachusetts Institute of Technology, which is bringing together academics, scientists and decision makers from around the world, to examine the World Wide Web and is offering approaches to help guide its future. OPSI made a significant contribution to the joint WSRI/W3C<sup>38</sup> workshop on e-Government and the Web in June 2007, delivering a keynote address. The outcomes from AKTive PSI were also featured at the workshop as a case study of data integration with government information.

4.26 The collective aim from these activities is to develop awareness of Semantic Web technology within government and its key role in furthering the re-use agenda. To do this OPSI is sponsoring further research into the potential of Semantic Web technology for enabling re-use and more flexibly aggregating public sector information on a large scale. Plans for a publicly available research space using public sector information are well advanced.

## Disputes Resolution

4.27 Given the importance of PSI, it is clearly important that re-use policy and practice in the UK is underpinned by a robust disputes resolution process. OPSI has a central role to play in that process. The framework for dealing with complaints is set out in Regulations 18 to 21 of the PSI Regulations. Under the PSI Regulations, OPSI has a responsibility for investigating complaints. To instil confidence in this new procedure under the PSI Regulations, the recommendations and decisions made by OPSI are open to review. This review role is provided by the Advisory Panel on Public Sector Information (APPSI)<sup>39</sup>, with recourse to the courts an option at any time.

4.28 To date, OPSI has investigated three formal complaints. The investigations resulted in some improvements in service delivery from the public sector organisations concerned and also helped to clarify various aspects of the legal position for re-users. Additionally, there have been a number of instances where OPSI has been able to use its expertise to facilitate discussions on a number of other issues.

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<sup>38</sup> W3C/WSRI workshop - <http://www.w3.org/2007/06/eGov-dc/agenda.html>

WSRI - <http://www.webscience.org/>

<sup>39</sup> Further details can be found in Chapter 5 and on the APPSI website: <http://www.appsi.gov.uk/>

## Mediation

4.29 A formal complaints investigation is not always an attractive option for customers who, regardless of the outcome, will still have to deal with monopoly suppliers of public sector information. Mediation is an alternative to investigation if both parties are content with this approach. Mediation will involve OPSI facilitating meetings between the parties concerned with the aim of reaching agreement or compromise. OPSI has a trained team qualified as professional mediators with the Centre for Effective Disputes Resolution (CEDR).<sup>40</sup> Through its team of qualified mediators, OPSI is now launching a new mediation service.

*Case Study: Met Office and Environment Agency Mediation*

*OPSI was invited to mediate between the Environment Agency and the Met Office, which had been unable to resolve issues relating to the commissioning of a Crown body by a non-Crown body. The meetings were positive, with agreement reached as to a new policy on commissioning arrangements.*

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<sup>40</sup> Centre for Effective Disputes Resolution website: <http://www.cedr.co.uk/>

## Chapter 5: Context and Linked Initiatives

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### Introduction

5.1 OPSI is at the heart of the Government drive to develop a coherent information strategy. In formulating policies and strategies, OPSI is a major contributor to a number of linked initiatives. In this chapter we explore these linked initiatives, placing them in a PSI context.

### External Reviews

5.2 This report should be seen in the context of other UK government information initiatives and reviews. A number of recommendations were made and issues highlighted in these reports. The Office of Fair Trading, in its market sector study into *The Commercial Use of Public Information (CUPI)*,<sup>41</sup> published in December 2006, recommended that the role of OPSI as regulator be strengthened, for instance by extending the scope of the Information Fair Trader Scheme. *The Power of Information Review*,<sup>42</sup> published in June 2007, recommended a review of OPSI's functions and funding to ensure that it is fit for purpose. The government responses to these reports were published in June 2007. The Department for Constitutional Affairs (now the Ministry of Justice) Information Sharing Vision Statement, published in December 2006<sup>43</sup>, considers how the sharing of personal data across government can contribute to improved delivery of services to the public.

### Power of Information Review

5.3 *The Power of Information Review*,<sup>44</sup> an independent report commissioned by the UK Government, argues that government can now grasp the opportunities that are opening up in terms of the creation, use and re-use of information. Current policy and action is not yet sufficient to achieve these objectives. The Government Response,<sup>45</sup> published on 25 June 2007, welcomed the report and accepted its recommendations in that government:

- engages with users and operators of user-generated sites in pursuit of common social and economic objectives;
- supplies innovators that are re-using government-held information with the information they need, when they need it, in a way that maximises the long term benefits for all citizens;
- protects the public interest by preparing citizens for a world of plentiful (and sometimes unreliable) information; and
- helps excluded groups take advantage.

5.4 OPSI is charged, with the Minister for the Cabinet Office, in reporting on progress on the 15 recommendations by December 2007 and again in December 2008.

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<sup>41</sup> See paragraphs 5.8-5.11

<sup>42</sup> See paragraphs 5.3-5.7.

<sup>43</sup> Information Sharing Vision statement: <http://www.justice.gov.uk/docs/information-sharing.pdf>

<sup>44</sup> Power of Information Review:

[http://www.cabinetoffice.gov.uk/publications/reports/power\\_information/power\\_information.pdf](http://www.cabinetoffice.gov.uk/publications/reports/power_information/power_information.pdf)

<sup>45</sup> Government response to the Power of Information Review:

[http://www.cabinetoffice.gov.uk/publications/reports/power\\_information/power\\_information\\_response.pdf](http://www.cabinetoffice.gov.uk/publications/reports/power_information/power_information_response.pdf)

- 5.5 *The Power of Information Review* was commissioned by government in recognition of the growth of online communities, especially in areas where their goals were aligned with those of public policy, for example in parenting or personal financial management. The review was written by Tom Steinberg of MySociety and Ed Mayo of the National Consumer Society, two experts in online information and consumer advice, supported by a team from the Prime Minister's Strategy Unit. The UK Government believes that this is the first policy review to explore the role of the state in helping to realise the benefits for the citizen from new patterns of participative information creation, use and re-use.
- 5.6 The review is presented as a story of opportunities. Both the economic and the social value of the re-use of public sector information is explored, and the case made as to why, by making information available to others to re-use, the government can further its policy objectives in a variety of spheres, such as public health or parenting. The review starts from the premise that where government enables the re-use public sector information, people will organise around it in new ways, creating new businesses and new communities. By placing the focus on maximising the benefits for the citizen from the new types of information creation and use, *The Power of Information Review* adds a new and important dimension to the re-use policy agenda. Alongside this analysis the review makes 15 recommendations, many of which feature OPSI or relate to issues that the EU Directive aimed to address.
- 5.7 The Government has welcomed *The Power of Information Review* and accepts most of the recommendations. The Government recognises that recent trends in web development have economic and social value, and that the scale of such activity is indicative of a new social trend. To quote from the government response, it is apparent that "the ease with which large amounts of data can now be manipulated allows completely new uses to be made of government information. This can be achieved at costs that are much lower than before, and the results made available to many more people than before."

## **OFT Commercial Use of Public Information Report**

- 5.8 The Office of Fair Trading (OFT) conducted an extensive market study of *The Commercial Use of Public Information* (CUPI).<sup>46</sup> The report, which was published in December 2006, relates closely to the PSI Regulations. The Government Response<sup>47</sup> was timed to coincide with the publication of the government's response to *The Power of Information Review*.
- 5.9 The CUPI report's recommendations focus on removing barriers to the re-use of public sector information. OFT estimates that improvements in this area could double the sector's value to the UK economy (currently £0.5 billion annually), and lead to the production of a wider range of competitively priced goods and services

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<sup>46</sup> Commercial Use of Public Information (CUPI):  
[http://www.oft.gov.uk/advice\\_and\\_resources/resource\\_base/market-studies/public-information](http://www.oft.gov.uk/advice_and_resources/resource_base/market-studies/public-information)

<sup>47</sup> Government Response to the Power of Information Review:  
[http://www.cabinetoffice.gov.uk/publications/reports/power\\_information/power\\_information\\_response.pdf](http://www.cabinetoffice.gov.uk/publications/reports/power_information/power_information_response.pdf)

for consumers and the generation of wider-spread productivity improvements across the economy.

5.10 The key recommendations contained in the report are that:

- public sector information holders (PSIHs) should separate their “unrefined” and “refined” information and allow re-users access to the information at the earliest practicable point;
- PSIHs should improve their accounting practices and quality of service, underpinned by improved guidance;
- Government trading funds should operate in a more transparent and fair manner in order to encourage re-use and wider competition. In practice, this could challenge the viability of the current funding model; and
- OPSI’s regulatory role should be strengthened and resourced accordingly.

5.11 An external research study on models of public sector information provision by Trading Funds, linked to the charging options in the report, will be completed in 2007. OPSI, pending the outcome of that study and the additional information gathering recommended in the Government response, is already addressing opportunities to improve and develop its regulatory role in line with the thrust of the recommendations.

**In line with the OFT report, OPSI and TNA will work with HM Treasury to review options to ensure that OPSI has sufficient resources to extend IFTS to all public sector organisations that generate £100,000 or more from the licensing of their material.**

## **Information Sharing Strategy**

5.12 The Government’s Information Sharing Vision Statement, published in December 2006, considers how the sharing of personal data across government can contribute to the improved delivery of services to the public and deliver efficiencies in reducing the duplication of effort in different public sector organisations collecting the same information from members of the public. The statement identifies the benefits of data sharing, including: greater efficiency, policy built on deeper analysis, increased public safety and more effective and more personal public services that help combat and reduce social exclusion. The key proposals set out in the report include a transparent and consistent approach to information sharing across government and standard information sharing arrangements across the public sector.

## **Cross-Government Coordination**

### **Competition Issues**

5.13 In the UK, there are a number of channels for complaints. The PSI Regulations provide one route. It is important when carrying out an initial assessment of a complaint that OPSI satisfies itself that the complaint is strictly relevant to the PSI Regulations and that it does not encroach into other areas of complementary jurisdiction such as competition, which is the policy responsibility of the Office of Fair Trading (OFT). For this reason, OPSI established a Memorandum of

Understanding in 2005 (MOU)<sup>48</sup> with the OFT. This involves discussion of cases, sharing of expertise and best practice. OPSI's first investigation of a complaint against a local authority was in fact referred to OPSI by the OFT under the MOU.

## **Links with the Offices of the UK Information Commissioners**

5.14 There is a clear interface between access and re-use. One of the principles of the PSI Regulations is that information cannot be re-used unless it has been cleared for access. Given the overlaps between access and re-use, Protocols between OPSI and the Office of the Information Commissioner and the Office of the Scottish Information Commissioner respectively were agreed and published. Under these Protocols, there is regular contact between the offices to discuss practice and initiatives<sup>49</sup>.

**OPSI will continue working with other parts of government to ensure a unified and integrated approach to managing information assets**

## **Organisation for Economic Co-operation and Development (OECD)**

5.15 Given the economic potential of PSI, OECD<sup>50</sup> has initiated detailed analysis of the benefits of PSI, to be approved by Ministers of the OECD countries in the summer of 2008. The PSI project will be addressing the following areas:

- Working towards the development of international principles and guidelines. OECD specifically cite IFTS as a model that could be considered as part of this exercise; and
- Further analysis that will involve economic analysis, social benefits and existing methodologies.

5.16 OPSI will play a full role in helping shape these developments and delivering analysis of the benefits of PSI.

## **Expert Advice and Input**

Given the number of linked initiatives on information issues, it is important to draw upon expertise across both public and private sector in order to ensure a clear and coherent approach. In this respect, OPSI has a major coordinating role. In this part of the chapter we discuss how expertise and knowledge can be shared.

## **The Advisory Panel on Public Sector Information**

5.17 The Advisory Panel on Public Sector Information<sup>51</sup> (APPSI) was established in 2003. APPSI's current terms of reference are:

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<sup>48</sup> Memorandum of Understanding with the Office of Fair Trading: <http://www.opsi.gov.uk/advice/psi-regulations/disputes-resolution/opsi-oft-memorandum-of-understanding-2005-08.pdf>

<sup>49</sup> See paragraph 2.12 for details of the Protocols

<sup>50</sup> OECD homepage: [http://www.oecd.org/home/0,2987,en\\_2649\\_201185\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/home/0,2987,en_2649_201185_1_1_1_1_1,00.html)

<sup>51</sup> Advisory Panel on Public Sector Information: <http://www.appsi.gov.uk/>

- to advise Ministers on how to encourage and create opportunities in the information industry for greater re-use of public sector information;
- to advise the Director of OPSI and the Controller of Her Majesty's Stationery Office about changes and opportunities in the information industry, so that the licensing of Crown copyright and public sector information is aligned with current and emerging developments; and
- to review and consider complaints under *the Re-use of Public Sector Information Regulations 2005* and advise on the impact of the complaints procedures under those Regulations.

The terms of reference have evolved since 2003, to reflect APPSI's wider role under the PSI Regulations.

5.18 APPSI has a vital advisory and influencing role. It provides an external perspective on all aspects of information re-use. It brings together key players in the world of public sector information, both from the information industry, academia and from public sector information holders. In its advisory capacity, APPSI provides Ministers and OPSI with detailed advice on a range of information policy issues. This includes commissioning research, reviewing new initiatives and legislation. APPSI has responded and contributed to numerous consultation documents and reports, including Regulatory Impact Assessments, Transformational Government, *The Power of Information Review* and CUPI. APPSI has worked hard to persuade senior officials of the value of public sector information.

5.19 Under the PSI Regulations, APPSI has responsibility for reviewing complaints referred to it.<sup>52</sup> In practical terms APPSI reviews OPSI's handling of complaints if one of the parties to the complaint requests such a review. APPSI's first role in this capacity involved a review of the complaint made by Intelligent Addressing, which raised significant and complex issues. In their report, APPSI raised questions regarding the scope and nature of its role in investigating complaints.<sup>53</sup>

**OPSI and APPSI will revisit its role in the complaints review process in the light of lessons learned in the first two years complaints activities. Both OPSI and APPSI will revise their respective complaints processes.**

## The Knowledge Council

5.20 The Knowledge Council was established in 2007 to provide strategic leadership on Information and Knowledge Management across government. It brings together information policy initiatives to help the UK government maximise its impact and achievements through collaborative working. The Knowledge Council is developing a strategic plan to address ways in which knowledge and information management can better support good public service delivery, well-informed policy making, and the wider exploitation and reuse of information.

<sup>52</sup> APPSI review role procedures: <http://www.appsi.gov.uk/complaints-resolution/psi-complaints-procedure.pdf>

<sup>53</sup> APPSI review of the Intelligent Addressing complaint: <http://www.appsi.gov.uk/review-board/review-SO-42-8-4.pdf>

## **Summary and Further Action**

5.21 As highlighted in this report, OPSI has taken the lead in many initiatives which have provided an innovative and effective structure to enable the re-use of public sector information. OPSI believes that the actions set out in this report will enhance the effectiveness of UK re-use policy and practice. The actions, highlighted in this report, will contribute to that process and help to maximise the re-use of public sector information.

Office of Public Sector Information  
July 2007



## Summary of Proposed Actions

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<b>Number</b>	<b>Paragraph</b>	<b>Action</b>
1	2.4	In line with the EU review of the implementation of the PSI Directive, by July 2008, OPSI will revisit the scope of the PSI Regulations, updating guidance as necessary
2	2.7	OPSI will produce a clearer interpretation of what is meant by the term public task. This will be included in the Guide to the Regulations and Best Practice, which will reinforce the existing practice guidance to public sector organisations to help them define their public task
3	2.11	OPSI will clarify the UK approach on third party copyright material in the Guide to the Regulations and Best Practice
4	2.12	OPSI, in consultation with the Office of the Information Commissioner and the Office of the Scottish Information Commissioner, will revise and reissue guidance drawing out the distinctions between access and re-use
5	3.4	OPSI will consider, with key stakeholders, the options available to ensure greater compliance with the PSI Regulations
6	3.5	OPSI will ensure that companies engaged in the property search market are aware of the complaints process
7	4.19	OPSI will ensure that awareness and uptake of Click-Use and other initiatives is maximised
8	5.11	In line with the OFT report, OPSI and TNA will work with HM Treasury to review options to ensure that OPSI has sufficient resources to extend IFTS to all public sector organisations that generate £100,000 or more from the licensing of their material
9	5.14	OPSI will continue working with other parts of government to ensure a unified and integrated approach to managing information assets
10	5.19	OPSI and APPSI will revisit its role in the complaints review process in the light of lessons learned in the first two years complaints activities. Both OPSI and APPSI will revise their respective complaints processes





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