



ADVISORY PANEL ON PUBLIC SECTOR INFORMATION

Date: Monday 6 November 2006

Time: 10.00 a.m.-3.00 p.m.

Venue: 1.44 Admiralty Arch, London

Chair: Professor Richard Susskind OBE

Deputy Chair: Peter Wienand, Expert Member

Secretary: Andrew Eeles

Attendees:

Members: Michael Allen, Representative Member, Wales

Mike Batty, Expert Member

Michael Clark, Expert Member

Keith Dugmore, Expert Member

John Ponting, Representative Member, Trading Funds

Christopher Roper, Expert Member

Duncan Shiell, Representative Member, Trading Funds

David Worlock, Representative Member, Digital Information Publishers

Non-members: Carol Tullo, Director, Office of Public Sector Information

Marcia Jackson, Head of Standards, Office of Public Sector Information

John Sheridan, Head of e-Services, Office of Public Sector Information

1. Welcome & introductions

- 1.1 Professor Richard Susskind began by welcoming everyone to the meeting. Apologies were read from Stefan Carlyle, Trevor Fenwick, Christine Gifford, Hector MacQueen, Avinash Persaud, Chris Sellers and John Thornton.

2. Minutes of the last meeting

- 2.1 The minutes of the previous meeting were agreed.
- 2.2 The Chair ran through the action points from the last meeting [18/5]. The copyright status of student theses has not been finalised. The Chair and Secretariat have still to finalise the wording of an appropriate FOI statement on the website. The statement about the complaints procedure was not published on the website as it was decided that it was not appropriate to make any changes to complaints procedure until the after the first review is completed. It was agreed that there would be further investigation on whether to use the Discussion Forums for specific project work. The other action points were either completed or are covered below under the appropriate agenda item.
- 2.3 A member sought clarification from the Chair on whether APPSI intends writing to the Guardian in response to its “Free Our Data” campaign. The Chair stated that there were no plans to do so. He indicated said that the Guardian articles were providing a useful debate on issues relating to public sector information. The articles have been written by different contributors setting out their own viewpoints. APPSI did not consider it appropriate to get involved in commenting on specific issues or when an article contained some inaccuracies.
- 2.4 The Chair said that he and the Deputy Chair had met Michael Cross, the Guardian journalist, after the last meeting [18/5]. A member confirmed to the Chair that the Demographics User Group has presented Michael Cross with its annual award for raising debate about PSI.

Action Point: Hector MacQueen to complete his research on the copyright status of student theses.

Action Point: The Chair and Secretariat to finalise the wording of the FOI statement for the APPSI website.

3. APPSI’s move to the Department of Constitutional Affairs (DCA)

- 3.1 The Chair confirmed that the formal transfer of APPSI from the Cabinet Office to the DCA had taken place. From 1 November APPSI ceased being a Non Departmental Public Body of the Cabinet Office. The Chair circulated a copy of a personal departure letter from Hilary Armstrong (Chancellor of the Duchy of Lancaster) thanking the Chair and APPSI for the important work that it had undertaken in relation to PSI since 2003 and wishing it future success with DCA.
- 3.2 The Chair advised members that he had provided a quotation to the DCA for inclusion in their Press Release about the move. A personal welcome letter from Lord Falconer (the Lord Chancellor) was circulated to members. In that letter the Lord Chancellor indicated that he would like to arrange a meeting with the Chair. The Chair also told members that Baroness Ashton (a DCA Minister) had expressed her interest in attending the current meeting but due to other commitments had notified the Secretariat that she was unable to do so.

- 3.3 The Chair let members know that he intends to respond to both letters on behalf of APPSI and will praise the work that has been done by OPSI in relation to PSI. He also intends to meet DCA Ministers to update them on the work that is being undertaken by APPSI.
- 3.4 During the discussion that followed members raised a number of queries about what the move to DCA would mean for APPSI. Carol Tullo confirmed that the Terms of Reference for APPSI remain unchanged; it still has its independence. It is able to advise Ministers in the plural, not just DCA Ministers.
- 3.5 The Chair concluded by saying that the early indications were positive on establishing a dialogue with senior officials and Ministers at the DCA. He was keen to ensure that they were followed up in the most effective way. It was agreed that the importance of a joined up approach to information management being promoted by DCA fitted well with the re-use of PSI and this message seemed to be featuring in discussions about information management.

Action Point: The Chair to reply to the letters from the Chancellor of the Duchy of Lancaster and the Lord Chancellor.

Action Point: The Secretariat to arrange for the Chair and Deputy Chair to meet DCA Ministers.

4. Appraisals and ongoing membership

- 4.1 The Chair advised Members that he had completed their Appraisals and that they should have received copies of their Appraisal Forms from the Secretariat. The members present confirmed that they had received their Appraisal Forms.
- 4.2 The Chair said that all members had reached the required level of performance and that he was content for them to be reappointed for at least another year. He also said that APPSI did not currently have its full quota of members, two members having decided to stand down due to other commitments. The intention is to make a formal submission to the DCA Minister with recommendations about the future membership requirements of APPSI. This submission will also need to reflect any changes resulting from the recommendations made by the Office of Fair Trading (OFT) in their market study on the Commercial Use of Public Sector Information (CUPI).

5. Update from OPSI/TNA

- 5.1 Since the last meeting in May a significant area of work has been the merger of OPSI with the National Archives which was formally announced in June. The merger which took effect on 1 November has required a lot of additional work from OPSI staff to ensure a smooth and effective transfer.
- 5.2 Another important area of work had been the OFT market study on CUPI. In the last 6 months there have been meetings with the OFT representatives undertaking research for this study. OFT have given some indication about the general direction of the recommendations that they intend to make to government in their report and this has enabled OPSI to consider the resources required for implementing any policy or regulatory changes that may be recommended in the report.

- 5.3 Contact has been established with one of the UK's representatives on the ePSIplus project. This is a Thematic Network funded by the EU Commission to support the implementation of the Directive on PSI Re-use and to measure its effect in the period leading up to formal review in 2008. It is to focus on five major themes: the impact of the legal and regulatory processes, public sector organisations and cultural change, encouraging PSI re-use by business, financial impact of Directive (prices and charges) and Information management (standards and data quality). OPSI has offered to host an ePSIplus network meeting in November 2007.
- 5.4 The investigation of complaints made under the PSI Regulations has also involved a significant amount of work. The investigation of complaints has proved to be an interesting learning experience for those who have been involved in the process. The important lessons that have been learnt will enable the procedures to be improved and the promotion of best practice.
- 5.5 After the update from OPSI the Chair made it known to OPSI that there were different views held by members on the transfer of APPSI to the DCA and about the merger of OPSI and TNA. He indicated that some members were happy with the changes while others were more cautious and had expressed reservations. Some members thought that there could be a lack of support from DCA Ministers and that PSI could get lost under different agendas. Carol Tullo said that she was aware of the members' hesitations and reservations and that was why she had written to them in October. The Chair said that the situation would need to be monitored and at the 15th APPSI Meeting time would be allocated to reviewing how the changes were working.
- 5.6 All agreed that initial change is awkward. Members were re-assured when Carol Tullo stressed that OPSI operating within TNA had its own agreed budgets and that its place in the new TNA vision had been clearly thought out. The importance of information and knowledge management were crucial issues for all public sector bodies and for those who want to re-use their information. TNA were taking an important lead on digital preservation in the public sector which fitted in well with what OPSI has already been doing. A member praised the proactive approach of the Chief Executive at TNA. Carol Tullo said that she had recently returned from Washington where as a guest of the US Government Printing Office she found that the US National Archives were using the same vocabulary about information management.
- 5.7 There was a discussion about OPSI providing APPSI with reports on the complaints that it was investigating under the PSI Regulations. It was stressed that there was a need to respect the confidentiality of the parties. OPSI advised that it was developing additional resource in this area and should have more accredited mediators by the end of this year. There was agreement that it would be beneficial for APPSI to receive anonymised workflow reports from OPSI on the complaints that it was dealing with and an indication of which parts of the Regulations they related to. This would help identify trend analysis and would assist APPSI if it needed to make recommendations to Ministers.

Action Point: The Secretariat to summarise the issues that were raised in the meeting and take them forward with the Chair and Deputy who would agree requirements as to complaints workflow reports.

- 5.8 There was also a discussion about whether the scope of the work undertaken by APPSI would need to expand or whether it should be focused on specific areas. The view was that any review of the scope would have to wait until the publication of the CUPI Report.

6. First request for review under the 2005 PSI Regulations

- 6.1 The Chair set out how APPSI has responsibility for reviewing complaints under the 2005 Public Sector Information Regulations. APPSI can investigate complaints where it has been agreed that OPSI can be bypassed, complaints that relate to OPSI, HMSO or OQPS licensing activity and where OPSI has investigated a complaint but a party is dissatisfied with the OPSI recommendations.
- 6.2 The Chair was able to let members know that APPSI had received two formal requests for review. The requests had been considered in accordance with the published procedures and it had been decided that they fell within the APPSI remit and that both parties had been notified. It was explained that complainants are required to submit a 2,000 word summary, on receipt of the required fee by the complainant, the summary is submitted to the other party who is then invited to make a 2,000 word summary of their position which is then copied to the complainant who then has the opportunity to make a final 500 word response.
- 6.3 To avoid possible conflicts of interest, and to maintain confidentiality, the Chair was not able to give details about the substance of the complaints. The Chair said that the request had raised a number of complex issues for consideration by the Review Board which has not yet been appointed.
- 6.4 During the discussion that followed a member asked if other complaints were being investigated by OPSI. OPSI stressed that it needed to “ring fence” the complaints it was investigating in order to ensure confidentiality even if details about the complainant were released to others by those who were associated with the complainant.
- 6.5 The member representing the Trading Fund that is subject to a complaint review and who had made their own request for a review indicated to the Chair that he was comfortable with the range and scope of the issues discussed at the meeting in relation to the specific dispute.

7. Office of Fair Trading (OFT) Study of Commercial Use of Public Sector Information (CUPI) Report – update

- 7.1 The Chair explained that one of the main reasons why he had held back the writing of the APPSI Annual Report was because he wanted to include a detailed response to the OFT CUPI report. Given the further delays on publication of the CUPI Report he said that he could delay the APPSI Report no longer and would just include some general comments/observations on the CUPI study. APPSI would provide detailed comments once the report is published.
- 7.2 The Chair let members know that he and the Deputy Chair had both been sent copies of the draft report to check for factual accuracy. It was stressed that they had made an undertaking not to make the copies available to others or disclose the contents of the draft report. The Chair said that he had sent detailed comments to OFT.
- 7.3 There was a detailed discussion about the most effective and appropriate way for APPSI to respond to the CUPI Report. It was explained that the set process was to give the government three months to respond to the recommendations made in a market study. The collective response from government is to be co-ordinated by DTI. There was agreement that APPSI should consider holding an extra half day meeting in December to discuss the recommendations made in the CUPI Report. A member suggested that APPSI should consider adopting a media campaign to engender interest in the CUPI Report and the role of APPSI by issuing a Press Release. There was some support for this suggestion but others

had reservations about this approach as APPSI is an advisory NDPB and not a lobby group. There was also a suggestion that APPSI should identify the appropriate ministers and write to them alerting them of the CUIP report and setting out the key issues that ministers needed to consider. This would increase the profile of APPSI.

8. Meetings (with Ministers)

- 8.1 The Chair and the Deputy Chair would like to arrange a meeting with the DCA Ministers before the end of the year.

9. AKTive Initiative

- 9.1 Michael Allen went through his report about the OPSI presentation on the AKTive PSI project he had attended on behalf of APPSI [18 July 2006]. He set out how the development of improved methods of categorising and sorting data on the Web would help joined up government and lead to better services for the public. This fits in well with the Transformational Government agenda. The range of test applications involving various different kinds of PSI from Ordnance Survey, Camden Borough Council and the London Gazette have demonstrated the potential these technologies have for mapping PSI data.
- 9.2 John Sheridan's presentation gave members a further update on the AKTive PSI Initiative. He said that the University of Southampton was proving to be an excellent partner. During the presentation he spoke about the information cycle; how basic information could be described under the Resource Description Framework (RDFs) which divide information into the triples - subject, predicate and object. The SPARQL Query Language for RDF will transform the development of the Semantic Web. A member indicated that this work had parallels with what the publishing industry has been undertaking in relation to XML data.

10. Third Annual Report

- 10.1 The Chair set out his plans for the content of the Report and who would have responsibility for producing the text and the co-ordinating role of the Secretariat. This led to a discussion about the most effective way of arranging the content of the Report. An important discussion point was on the placing of the Case Studies. It was suggested that they be peppered across the report, have a limited number in one section of the report or include them as an appendix.
- 10.2 The outcome of the discussions was that arrangement of the Report would change from previous reports. The future work would be covered in the introduction and not in the final chapter. There would be no appendices and the highlights from 2005/2006 and the list of current members would be included in the front of the Report. The Case Studies will form the last chapter of the Report. It was agreed that it would be helpful to map out the layout of the report, the illustrations, graphics and pictures to be included in the report, especially in the Case Studies chapter to ensure consistency of style and appearance.
- 10.3 It is intended that the report will be published as a pdf on the APPSI website in December, with the printed copies distributed in January 2007.

- 10.4 The member who has been putting together the text of the Case Study chapter said that he would make contact with a representative from those organisations selected for a Case Study as a matter of courtesy. It was agreed that some contributions would need to be sub-edited to ensure consistency. A member agreed to edit the text on personal identity cards. The Secretariat will e-mail an electronic copy of the text to the member. There were differences of view on the text about the INSPIRE (Infrastructure for Spatial InfoRmation in Europe) Directive. It was agreed that the author of the piece and the member who has concerns with the text would revisit the text and that a third member chosen by the Chair would “arbitrate”.

Action Point: The Secretariat to send an electronic copy of the Identity card text for sub-editing.

Action Point: The text on INSPIRE for the Annual Report to be revised.

- 10.5 It was agreed that all draft contributions should be sent to the Chair and Secretariat within two weeks of the Meeting.

Action Point: Draft contributions to be sent to the Chair and Secretariat by close of play 20 November 2006

11. Interesting Reading

- 11.1 Mike Clark stated that his paper “*Fee or Free*”, which is to be published in Business Information Review, was written in a personal capacity and it would contain a disclaimer stating that it did not represent the views of Government or APPSI. This led on to a discussion about the accuracy of the figures used to compare the EU and US PSI markets that were included in the PIRA Report on PSI for the EC in 2000. If the figure for the size of the US PSI market is incorrect it could have a significant bearing on the arguments that have been used to comment on the UK government’s approach to PSI and on other studies that use the figures cited by PIRA. A member suggested that APPSI should consider publishing a bibliography created by Mike Clark on its website with useful PSI references. Another member suggested that the bibliography could be linked to the actual articles.

- 11.2 Members were in agreement with the general thrust of the CEBR final report “*It makes life easier...A Study to evaluate the benefit of the Local and National Land and Property Gazetteers*”

- 11.3 During the discussion on *MEPSIR (Measuring European Public Sector Information Resources) Final Report of Study on Exploitation of public sector information – benchmarking of EU framework conditions* (Executive Summary) members queried the low position of the UK in this report compared with other studies. It was also pointed out that the report referred to UK in some graphs and to GB others. A members said that OPSI should be asked if they considered this a plausible piece of research.

12. Government Advertising

- 12.1 The Chair asked the members what they thought of the response he had received from OFT to the query a member had raised at a previous APPSI meeting [7/12/05] on whether government advertising, particularly recruitment advertising fell within the remit of the CUIPI study. The OFT response stated that government recruitment advertising is public sector information but that there is no fundamental difference between the recruitment

advertising undertaken by the private sector and that by government. For all organisations, public or private sector, the incentive is to ensure that their advertisements are cost effective. This type of information is therefore not being considered by OFT. Members were in general agreement that this was a good response to the query although one member did raise concern about one of the paragraphs in the response which could be taken to imply that the private sector was more efficient than the public sector.

13 Any Other Business

- 13.1** There was a discussion about updating the website. A member said that his biographical information was no longer current as he now had a different job title. The Chair said that the website is going to require refreshing over the next few months to reflect the changes brought about by the transfer to DCA and that some of the content will need updating to take account of lessons learnt from investigating complaints.

Action Point: The Secretariat to review the content of the website and set up a timetable for updating it. All members will have the opportunity to update their biographies.

14 Dates of next meetings

- 14.1** The Chair asked the Secretariat to arrange full APPSI meetings in February and May 2007. It was confirmed that the APPSI meeting that had been scheduled for 7 December would not take place. A meeting may need to take place in December to discuss the recommendations made in the CUPI Report.

Action Point: The Secretariat to arrange meetings in February and May 2007 and to check room availability in December for a meeting to discuss the recommendations made in the CUPI Report.

15. Action Points:

The following actions were agreed in the meeting:

- Hector MacQueen to complete his research on the copyright status of student theses.
- The Chair and Secretariat to finalise the wording of the FOI statement for the APPSI website.
- The Chair to reply to the letters from the Chancellor of the Duchy of Lancaster and the Lord Chancellor.
- The Secretariat to arrange for the Chair and Deputy Chair to meet DCA Ministers.
- The Secretariat to summarise the issues that were raised in the meeting and take them forward with the Chair and Deputy Chair who would agree requirements as to complaints workflow reports.
- The Secretariat to send an electronic copy of the Identity card text for sub-editing.
- The text on INSPIRE for the Annual Report to be revised.
- Draft contributions to be sent to the Chair and Secretariat by close of play 20 November 2006
- The Secretariat to review the content of the website and set up a timetable for updating it. All members will have the opportunity to update their biographies.
- The Secretariat to arrange meetings in February and May 2007 and to check room availability in December for a meeting to discuss the recommendations made in the CUPI Report.

Minutes compiled by Andrew Eeles
Secretariat, Advisory Panel on Public Sector Information