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Simplifying PSI re-use in the United Kingdom:
the UK Government Licensing Framework and
the Open Government Licence

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The National Archives is the UK government's official archive, and is the central advisory body on the care of records and archives. The National Archives brings together the Public Records Office, Her Majesty's Stationery Office, the Office of Public Sector Information and the Historic Manuscripts Commission.

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Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

Table of Contents

1. Executive Summary	4
2. European context	4
3. Emerging UK strategies	5
3.1 Transparency Agenda	5
3.2 Public Sector Transparency Board	5
3.3 Public Data Principles	6
3.4 data.gov.uk	6
4. A New approach to Licensing	6
4.1 The UK Government Licensing Framework	7
4.2 The Open Government Licence	7
5. Reaction to the launch	8
6. What next?	9
6.1 Developing a suite of licence solutions under UK Government Licensing Framework	9
6.2 Extend usage across public sector	9
6.3 Developing data sharing licence solutions for spatial data	9
7. Conclusion	10

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

1. Executive Summary

Increasingly, information is seen as the lifeblood of developed economies across the world. It underpins a wide range of subject areas, including education, public administration, leisure and commerce. The utilisation of web based technology presents massive opportunities, both economic and social, for using and re-using information and data in new and innovative ways beyond the capabilities most people thought possible even five years ago. Information which is created, collected and held by the public sector is arguably the single largest and most significant information source. The effective use of public sector information (PSI) not only stimulates economic growth, but is at the heart of democratic engagement. The challenge for the public sector is to remove the barriers which prevent people from using public sector information. However, it is not just about the removal of obstacles and barriers; it is about ensuring that processes are in place which proactively encourage and facilitate re-use.

In this report, we focus from a UK perspective on the UK Government Licensing Framework¹ and the Open Government Licence.² However, public sector information is not confined to national boundaries; it is an international phenomenon. We place recent UK developments within an international context to show how this initiative fits into the European legislative framework and helps to take forward the European public sector agenda. In addition we cite some of the exciting projects which have been launched in countries such as Australia and New Zealand.

Things do not stand still in the world of information. In the UK, information is seen as being at the heart of the UK Government's Transparency Agenda³. There is a real sense of momentum and progress in the world of PSI. In this report we show how that energy is being harnessed and how the agenda is being taken forward.

¹ <http://www.nationalarchives.gov.uk/information-management/government-licensing/the-framework.htm>

² <http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

³ <http://www.cabinetoffice.gov.uk/transparency>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

2. European context

The European Directive on the Re-use of Public Sector Information⁴ provides an effective legislative framework to promote re-use across Europe. The Directive was implemented in the UK through the Regulations on the Re-use of Public Sector Information⁵. The development of the UK Government Licensing Framework and the Open Government Licence is consistent with the aims of the Directive and the need for transparent and clear licence terms.

3. Emerging UK Strategies

The last year has seen a number of significant initiatives in making public sector information available. Many of these policies stem from the UK Government's Transparency Agenda and the development of public data principles.

3.1 Transparency Agenda

There has been an increasing awareness across the UK of the key part that information plays in society both from an economic and social perspective. In particular, promoting the use of public sector information feeds into the UK Government's Transparency Agenda. By giving the public, developers and business access to an unprecedented amount of information we can:

- **Make government more accountable and approachable** - replacing bureaucratic accountability with democratic accountability by making the information about the workings of government available to the public and enabling the public to hold government accountable.
- **Create better value for money** - providing an unparalleled insight into how government spends taxpayer's money, encouraging departments to improve controls on public spending and further reduce their costs.
- **Stimulate growth** - by enabling businesses to develop innovative new information-based products and applications using public data.
- **Reform public services:**
 - **Providing choice:** giving citizens the information they need to make informed decisions about the public services they use and incentivising providers to improve the quality of their services.

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0098:EN:HTML>

⁵ <http://www.legislation.gov.uk/ukxi/2005/1515/contents/made>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

- **Opening up public sector contracts:** giving companies, social enterprises, charities and employee-owned co-operatives the opportunity to compete to offer people high quality services by giving them access to public sector contract and procurement data.

Cabinet Office Minister and member of the Transparency Board, Frances Maude said that:

*“By freeing up public sector datasets for others to reuse, inventive people will be able to build innovative applications and websites which will bring significant economic benefit.”*⁶

3.2 Public Sector Transparency Board⁷

The Public Sector Transparency Board was established to drive forward the Government’s Transparency Agenda, making it a core part of all government business, ensuring that all central government departments meet the new tight deadlines set for releasing key public datasets. In addition, it is responsible for setting open data standards across the whole public sector, listening to what the public wants and then driving through the opening up of the most needed data sets. The Board is itself transparent and publishes its minutes and papers, these can be viewed on data.gov.uk

3.3 Public Data Principles⁸

One of the main priorities for the Transparency Board has been defining a set of clear standards for the implementation of the Government’s transparency commitments across the public sector. The Public Data Principles are designed to facilitate the free use of public sector data to realise social and economic benefits by enabling the growth of new, innovative information-based businesses, which in turn will make the UK an attractive location for the global service and software business sectors.

The Principles focus not only on making sure that data is easy to find and easy to re-use, but also to ensure that it is published in a timely fashion. In addition it is imperative that data is made available in easy to use formats and that re-use can be encouraged by means of simple standard licence terms. The Principles acknowledge that the quick release of data may result in inaccuracies, but these can be remedied in subsequent releases. The emphasis is on ensuring that the data is publically accessible and re-usable. The role of data.gov.uk is highlighted as the focal point for public sector data

3.4 data.gov.uk⁹

⁶ <http://www.cabinetoffice.gov.uk/news/cabinet-office-minister-opens-corridors-power>

⁷ <http://data.gov.uk/blog/new-public-sector-transparency-board-and-public-data-transparency-principles>

⁸ http://data.gov.uk/wiki/Public_Data_Principles⁸ <http://data.gov.uk/>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

Data.gov.uk is the single point of access to local and central government data for free re-use currently with almost 6,000 individual datasets. All data are in a format that can be re-used by any individual or business to create innovative new web tools, such as applications about house prices, local amenities and services, or access to local hospitals.

It is not sufficient simply to publish public sector information. It is essential that publication of data should be supported by a streamlined and enabling licensing process. To meet this need The National Archives developed the UK Government Licensing Framework and the Open Government Licence.

4. A new approach to licensing

The UK government has been at the cutting edge of online licensing since 2001 when it launched the Click-Use Licence. This licensing model was highly successful, with over 20,000 Click-Use Licences in place, opening up PSI re-use to a global audience.

In light of the increased emphasis of opening up data for re-use through the Transparency Agenda it was necessary to develop an overarching licensing policy framework. This resulted in the development of the UK Government Licensing Framework that established best practice and licensing principles for public sector information.

4.1 The UK Government Licensing Framework

The UK Government Licensing Framework (UKGLF) provides a policy and legal overview for licensing of public sector information both in central government and the wider public sector.

The Framework has been created to meet the needs of:

- The public including community groups and social organisations;
- The information re-user community, both in the public and private sector; and
- The public data developer community.

The development of the UK Government Licensing Framework also had input from colleagues in Australia and New Zealand. Both countries have launched policies designed to open up government and make public sector information more readily available for re-use, so it was of great benefit that we were able to draw on their experiences. Unlike the UK however, both the Australian Government's Gov 2.0 Taskforce Report, *Engage: Getting on with Government 2.0* (launched December 2009),¹⁰ and the New Zealand Government's NZ Government Open Access Licensing Framework (NZGOAL, launched August 2010),¹¹ focus on adopting Creative Commons Licences rather than developing a new model

¹⁰ <http://gov2.net.au/about/draftreport/#ch42>

¹¹ <http://www.e.govt.nz/library/NZGOAL.pdf>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

4.2 The Open Government Licence

At the heart of the UK Government Licensing Framework is the Open Government Licence.

The challenge in developing the Open Government Licence was to create a licence that would:

- be interoperable with other internationally recognised standard attribution licence models such as Creative Commons and Open Data Commons¹²
- cover copyright **and** database right
- be more enabling by avoiding the need for re-users to register and apply for a licence
- be machine readable
- be simple and legally robust
- be sufficiently flexible so it could be adopted across the public sector, such as local government and health bodies.

From the early stages of development, the UK Government worked closely with Creative Commons and Open Data Commons.

The Open Government Licence encompasses all the requirements for enabling simple re-use in that it:

- takes the form of a simple, but legally robust, set of terms and conditions;
- explains in clear terms, how people can use and re-use government and public sector information;
- interoperable with any Creative Commons Attribution 3.0 Licence and the Open Data Commons Attribution Licence for database rights;
- removes the need for users to register for a licence making it non-transactional;
- is machine readable drawing on Creative Commons vocabularies which means that the licence is presented and coded in such a way that applications and programs can access and understand the terms and conditions too.

5. Reaction to the launch

The UK Government Licensing Framework and the Open Government Licence were launched on 30 September 2010.

The UK Government Licensing Framework and the Open Government Licence have been welcomed broadly across government and in the re-use community as an important innovation which takes the public sector agenda forward:

¹² <http://creativecommons.org/> and <http://www.opendatacommons.org/>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

“The National Archives isn't simply a repository of our nation's history, its task is to bring information to life, make it accessible and enable its re-use. This innovative licence gives everyone the opportunity to create products and services which benefit society”

Lord McNally, Minister for The National Archives and Public Sector Information¹³

“The Open Government Licence [...is...] one element of the UK's position at the forefront of the worldwide open data revolution. It's great to see a simple and straightforward licence for people to re-use government data in any way they want. It will enable inventive people to build innovative new applications and websites which help people in their everyday lives”

Sir Tim Berners-Lee, Inventor of the World Wide Web and member of the Transparency Board¹⁴

“The UK Government went about drafting their new licence in the right way – by consulting many people in the open licensing community and gathering input from experts – the resulting licence is an excellent example of how to go about this process.”

Jordan Hatcher from the Open Knowledge Foundation¹⁵ and one of the guiding lights behind the Open Data Commons licences¹⁶

6 What next?

6.1 Developing a suite of licence solutions under UK Government Licensing Framework.

The launch of the UK Government Licensing Framework and the Open Government Licence is not the end of the re-use story in the UK. However, the Framework is designed to be developed and built upon in future, in order to keep the UK at the forefront of public sector information re-use.

6.2 Extend usage across public sector.

As explained earlier, one of the measures of success was the extent to which the Open Government Licence would be adopted by the wider public sector. In developing the Open Government Licence we worked closely with the Local Government Association and since the launch of the Open Government Licence, over sixty local authorities have opted to make their information available under the terms of the Open Government Licence. In addition a

¹³ <http://www.nationalarchives.gov.uk/news/498.htm>

¹⁴ <http://www.telegraph.co.uk/technology/news/8034134/Open-Government-Licence-promises-unlimited-use-of-government-data.html>

¹⁵ <http://okfn.org/>

¹⁶ <http://www.osbr.ca/ojs/index.php/osbr/article/viewArticle/1216/1164>

Simplifying PSI re-use in the United Kingdom: the UK Government Licensing Framework and the Open Government Licence

number of other public sector bodies that have decided to adopt the Open Government Licence. This includes BECTA, the Scottish Funding Council, Audit Scotland and the Parole Board.

6.3 Developing data sharing licence solutions for location data.

The National Archives is working with stakeholders across government on licensing solutions for the use of spatial data¹⁷ which will sit within the UK Government Licensing Framework. This includes the development of the UK Location Data Sharing Operational Framework, to guide data providers and publishers on licensing and charging under the INSPIRE Regulations 2009¹⁸, which implemented the 2007 EU Directive on establishing an Infrastructure for Spatial Information in the European Community (INSPIRE).¹⁹

7. Conclusion

The National Archives believe that advances made in public sector information re-use over the last year reinforce the UK's reputation as a front runner in the field of PSI in both a European and international context. Re-use has become a topic of significant public interest and importance. The UK Government Licensing Framework and Open Government Licence serve to emphasise the real sense of momentum behind the PSI agenda and the potential of unlocking PSI.

¹⁷ <http://location.defra.gov.uk/>

¹⁸ <http://www.legislation.gov.uk/uksi/2009/3157/contents/made>

¹⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:108:0001:0014:EN:PDF>