

Annexe A

Survey of public sector information holders

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1 SUMMARY

- 1.1 This annexe reports a survey of public bodies to identify those obtaining income from the supply of public sector information, to quantify the income from that supply and to further understand the way public bodies operate in this sector.
- 1.2 Overall around 40 per cent of those bodies contacted completed and returned our questionnaire. However, our estimates of income are more reliable than might be supposed for two reasons. Firstly we obtained returns from all but one of those bodies with delegated authority to licence their own data, providing an almost complete picture of these important information providers.
- 1.3 Secondly, an overview of the activity of crown bodies licensing information through the Office for Public Sector Information (OPSI) Click-Use schemes was obtainable directly from OPSI. In each case therefore, exact or nearly exact results were available rather than estimates subject to sampling error.
- 1.4 Questionnaires were issued in the autumn of 2005 and results for most of the participants related to the financial year 2004-05.
- 1.5 For the public sector bodies selected to take part in this survey, it is estimated that in the annual income from the supply, sale and licensing of information – across all the different types and formats in which it is made available - amounts to £394 million. About half of this income came from businesses, 45 per cent from other parts of government and the remainder from the general public.
- 1.6 About 85 per cent of the income (roughly £340 million) was earned by those public bodies that license the re-use of material they originate under delegated authority from the controller of Her Majesty's Stationery Office (HMSO). Within this group earnings are concentrated among a small set of public bodies with the top five earners having combined income of about £295 million, about three quarters of the overall total.

- 1.7 Other crown bodies, ministerial government departments and their agencies earn modest amounts of income from data sales and licensing. Information is made available through 'Click-Use', HMSO's system for licensing the re-use of Crown, Public Sector and Parliamentary copyright information.
- 1.8 HMSO makes no charge for PSI Licences or for Parliamentary Licences. There are charges for Value Added Licences depending on the type and amount of Crown copyright information being re-used. Full details are provided on the OPSI website. Total income from the scheme for 2004-05 was recorded by HMSO at £519,000.¹
- 1.9 Among the remaining non-crown public bodies taking part in the survey about 85 per cent reported gaining no income from the supply of information. However, it is estimated that there would still be more than 50 bodies in this group obtaining income from the supply of information.
- 1.10 Excluding the high income earners noted in paragraph 1.6 above, many returns skipped or left blank large parts of the questionnaire, particularly in relation to questions about use of guidance, and financial record keeping.
- 1.11 It is difficult to draw firm conclusions, but we conjecture that where earnings from information supply are low – as they often are – devoting time and resources to financial record keeping or strict adherence to policy guidance may be awarded correspondingly low importance.
- 1.12 Overall, a very high proportion of the public bodies (94 per cent) had produced or contributed to a publication scheme. Fewer (19 per cent) reported having produced or contributed to an Information Asset Register

¹ This figure includes £131,000 for Parliamentary copyright. Charging for the re-use of Parliamentary copyright produced by the Westminster ceased on 11 August 2005.

(IAR). The importance of IARs is that they list data and information held by public bodies and that may be of interest to business, but which is not published. Where business is unaware that information is held there is a danger that information resources will be under utilised.

2 METHODOLOGICAL ISSUES

Coverage of public bodies

- 2.1 Using online and published directories provided by the Cabinet Office we identified a list of more than 1,100 public bodies that might be involved in the provision of information. The directories clearly indicated that a good proportion of these had either very few staff or similarly very limited annual expenditure. Many of these bodies did not have an independent address, but were wholly located within larger bodies or departments.
- 2.2 From the original list we therefore removed any bodies where the total annual expenditure fell below £500k and additionally where the total staff numbers fell below 20. It should be noted that several hundreds of these excluded bodies had no permanent staff and no reported expenditure. In addition, a small number of bodies were removed for reasons related to the remit of the study. These include certain broadcasters and GCHQ.
- 2.3 The remaining list, that is, bodies with total annual expenditure above £500k or 20 or more staff, numbered 410 bodies in all. All of these bodies were sent a copy of the questionnaire and invited to take part in the research. The research was therefore an attempt to conduct a full census of this group rather than a sample survey.
- 2.4 In the event, one government department returned a completed questionnaire covering itself and a number of its executive agencies on the form. One other umbrella body provided a return covering two related research bodies. Taking into account these adjustments the study could be considered as effectively covering 402 public bodies.
- 2.5 Questionnaires were sent initially to Freedom of Information officers within the public bodies or, in a few exceptional cases, to known contacts. This was followed up approximately four weeks later with a written reminder, and two weeks after that a series of email reminders.

Further specific reminders, sometimes numerous, were made in around a dozen cases where replies had been promised but had not appeared.

The types of information included

- 2.6 We were aware that public sector information exists in many forms, such as training material, forecasts, predictions and projections, technical standards, databases, designs, images, and reports as well as in its more obvious forms as raw data and processed data.
- 2.7 We were also aware that public sector information is delivered using many different media such as publications, on the internet, as electronic files, as paper copy, as images, sometimes as consultancy advice, and even as messages to mobile phones
- 2.8 Finally, the release of public information is subject to a wide variety of controls and regulations, some of which apply generally but some of which may be applicable only in specific circumstances. For example, while much public sector information is Crown copyright but some public bodies hold information in which others have intellectual property rights. Additionally, in different circumstances information may be subject to data protection regulations, re-use regulations, have its price set by statute, may have copyright waived, or even be given away free.
- 2.9 To allow full consideration of these issues we approached the research into information supply in a way that was inclusive of these variations.

Issues of questionnaire design

- 2.10 A copy of the questionnaire is attached to this annexe. The questionnaire was designed in sections with a view to minimising the burden on respondents and to encourage a high response rate.
- 2.11 Bodies that did not obtain any income from the sale of licensing of information were only required to answer a small number of questions, exploring their participation in either publishing or contributing to a

Publication Scheme, and similar participation in either publishing or contributing to an IAR.

- 2.12 Bodies that did derive income were asked to consider groups of questions relating to issues of copyright, value-added products, financial controls and record keeping, and price setting.

Approach to the statistical analysis of returns

- 2.13 A final total of 161 forms were completed and returned, an overall response rate of around 40 per cent. Calculating results from an incomplete set of returns such as this raises the risk of non-response bias. This is the possibility that those bodies providing returns may be different to those not providing returns.

Post-stratification

- 2.14 In order to minimise this risk, the results were analysed using post-stratification. This is a statistical technique that helps to minimise bias and also to make efficient use of data, especially when variation within each stratum is lower than the overall variation. In other respects, the returns have been treated as a random sample.
- 2.15 Post-stratification is essentially a two-step procedure in which there is a known set of 'control totals' for the population that the survey ought to match. It is then a straightforward matter to calculate weights to adjust the sample totals to the control totals. The control totals for this survey are summarised below. For the purpose of this research the data have been divided into three strata as defined below.

Stratum 1

- 2.16 This stratum was based mainly on a list of organisations that HMSO and the Office of Public Sector Information (OPSI) indicated license the re-use of material they originate under delegated authority from the controller of HMSO.

- 2.17 Additionally, this stratum included two important information holders (the Environment Agency and the British Geological Survey) that had undergone IFTS accreditation on a voluntary basis. For practical reasons, the list was amended to include the National Environment Research Council which is an umbrella organisation that submitted a return on behalf of the BGS. This stratum is referred to below as the 'delegated authority and voluntarily IFTS accredited' group

Stratum 2

- 2.18 This stratum includes those Crown bodies that license data for re-use under the authority of OPSI, through the Click-Use scheme. This group is predominantly made up of ministerial departments but also includes many of the largest executive agencies and non ministerial departments. For convenience, this stratum is later referred to in tables as the OPSI group'.

Stratum 3

- 2.19 This stratum covers all remaining public bodies not included above. For convenience, this stratum is later referred to in tables as 'Others'. These are non-Crown public bodies.

Stratification: general considerations

- 2.20 While these strata are based on existing distinctions, each stratum is subject to the general exclusions noted above in the methodology section. In addition, the combined return mentioned above linked bodies in Stratum 1 and 3, resulting in some minor re-allocations. These changes do not affect the validity of the approach. The strata were chosen partly because of prior knowledge that all the largest and most important providers already fell into Stratum 1, but also because for Stratum 2 OPSI was able to provide a number of overall results against which the study results could be checked. The number of forms issued and returned for each stratum are summarised in the table below.

- 2.21 When surveys are used to study large populations the sampling error, for all practical purposes, depends only on the sample size. However, in this work the overall population being studied is comparatively small and the number of returned forms represents a substantial proportion of the total. The proportion of the total covered by the sample is known as the sampling fraction and where it is high has the general effect of reducing the estimation errors. When estimating the error about sample statistics, the calculations have allowed for both the sample sizes and the sampling fraction.
- 2.22 In looking at these results, the analysis has been tackled with emphasis on examining the three strata separately. The following important considerations apply.
- 2.23 For Stratum 1, the returns generally provide some useful insights. This is because the total population of this group is only 19 public bodies and returns usually represent a substantial proportion of the whole. It is also the case, despite the delegation, that several bodies in this group reported not obtaining any income from the sale or licensing of information. In places, the results represent a complete census of all income earning bodies in this group.
- 2.24 For Stratum 3, the returns provide some limited insights. From 131 returns in this group, 22 reported non-zero income. It can be estimated very roughly that the number of bodies obtaining income from these sources may be in the region of 56. The returns, even though at best numbering only 20 or so, are likely therefore to sometimes cover in the region of 30 per cent of relevant bodies.
- 2.25 For Stratum 2, the 16 completed returns were assessed to be too few to do any meaningful analysis. The aggregate material supplied directly by OPSI has been utilised wherever it has relevance and can be applied more widely to the group.
- 2.26 The numbers of returns is small by the standards of most surveys. Despite the benefits of high sampling fractions and the use of strata

many of the estimates have substantial levels of sampling error. In cases, the results reported here are accompanied with suitable caveats about their reliability.

Table 2.1: Stratum sizes: questionnaires issued and returned

Stratum	Issued	Returned	Rate
1 Delegated authority + voluntarily IFTS accredited	18	17	94%
2 OPSI group	48	16	34%
3 Others	336	130	39%
All	402	164	41%

- 2.27 The use of the strata described above and certain features of the data mean that there are also cases results are better estimated than might be supposed. Returns in Stratum 1 were for many purposes either complete or effectively complete. In such cases the results are not subject to any sampling error at all but known exactly.
- 2.28 While Stratum 2 provided very few returns, we have an aggregate income from an alternative source. Moreover, in so far as the results for Stratum 3 are subject to estimation errors, overall this group accounts for a modest proportion (10 - 15 per cent) of total income to government from data sales and licensing. The uncertainties therefore have a reduced impact on the overall estimation errors of total income.
- 2.29 Among the 164 returns, roughly 75 per cent reported obtaining no income of any type from the various types of data and information sales and licensing of interest to the study, leaving a maximum of only 39 respondents to complete the more detailed sections of the form.

3 RESULTS: ALL PUBLIC BODIES IN THE SURVEY

Income earning bodies

3.1 Excluding the OPSI group our results suggested there may be approaching 70 public bodies obtaining income from the direct supply of information. In the region of 50 additional Crown bodies make information available through the OPSI Click-Use scheme. As will be reported later most of these obtain modest amounts of income. Of the income earning bodies an estimated 50 or so fall outside the control regimes that would apply as part of the delegated authority group or as part of the OPSI groups.

Table 3.1: Division of the sample into strata

Stratum	Size	Results	
		Income earning	Actual or estimated total income earning bodies
1 Delegated authority + voluntarily IFTS accredited	18	14 out of 18	14
2 OPSI group	48	Not available	-
3 Others	336	21 out of 130	54
All excluding OPSI group	454		67

Publications

3.2 A very high proportion of the public bodies that provided returns had produced or contributed to a publication scheme, an estimated 94 per cent overall and consistently above 90 per cent in all strata. By comparison, lower proportions had either produced or contributed to an

IAR, but this activity was observably more common in the delegated group and the OPSI group than among the remaining public bodies.

Table 3.2: Public bodies’ production of publication schemes and information Asset Registers

Stratum	Publication scheme			Information Asset Register		
	Produced	Contributed	Either produced or contributed	Produced	Contributed	Either produced or contributed
1	75%	17%	92%	33%	25%	58%
2	75%	19%	94%	31%	6%	38%
3	89%	6%	95%	9%	4%	13%
All	86%	8%	94%	14%	6%	19%

- 3.3 Informal commentary provided by some respondents suggested they were perplexed about being approached to participate in the study. To some it appeared self-evident that the type of information they held was not suitable for sale or licensing for re-use. Even in these cases, however, there are potential advantages to having the nature of the information and its limitations as to use recorded and available.
- 3.4 This report does not provide for a full and systematic look at the contents of publication schemes and IARs. It might be beneficial to consider a cross section of these and to assess the extent to which they fully reflect both published and available information (publication schemes), and that held but not routinely published (IARs).
- 3.5 In order to facilitate this, the questionnaire requested either paper copies of publication schemes and IARs or internet addresses where they could be found. In this way a useful by product of the research was to build a resource that could be used to examine these documents. A work strand

of this type could increase our understanding of their typical structure and their usefulness.

Reported income

- 3.6 Total aggregate income to public bodies from the supply of information and data is estimated to total roughly £390 million each year. As set out above, this is inclusive of information supply covering a wide variety of subjects, using different media, and representing information in various formats. It is estimated that roughly 50 per cent of this income comes from business sources, about 45 per cent from other parts of government and the remaining five per cent from the general public.
- 3.7 The bulk of the income (86 per cent) is received by the group of bodies able to license the material they originate under delegated authority from the controller of HMSO. Most central government departments, including the main ministerial and non ministerial departments of state and their agencies sell and license their data through OPSI. This group generates little income.
- 3.8 The estimate derived from survey returns for those that license their data through OPSI has a large sampling error, but independent verification that the survey results for this stratum are of the correct order of magnitude may be found in OPSI's own direct measurement of income for this group at £0.52 million. This is in the region of one-tenth of one per cent of the overall total.
- 3.9 Data in analysed form including predictions forecast and projections makes up £310 million or 78 per cent of the total, with data in raw form a further £66 million or 17 per cent of the total. The remaining activities collectively generate £19.1 million or five per cent of the total.

Table 3.3: Income earned by public bodies for the supply of information: By information type - summarised for different types of public body

Data or information type	Stratum			Total	S.E of total
	Delegated + voluntary IFTS	OPSI	Others		
In raw form	62.6	0.5	2.9	66.1	9.0
Analysed form, including prediction, forecasts and projection	274.2	-	34.6	308.9	44.7
Consultancy or advisory	0.0	0.00	9.8	9.8	6.8
Support or help with information search	0.5	0.00	4.7	5.3	3.4
Designs, images, audio and visual materials	1.1	0.3	2.6	4.0	1.3
Total	338.5	0.8	54.6	394.0	42.3

- Denotes non-zero but less than half the final digit shown

The relative importance of major information providers

- 3.10 As has already been noted above, the bulk of income (86 per cent) is received by the group of bodies able to license the material they originate under delegated authority from the controller of HMSO (including the two additional bodies with voluntary IFTS accreditation).
- 3.11 The results provide further illustrations that a small number of major providers generate very high proportions of overall income. The effect is even more prominent when the results are restricted to data that is either raw or analysed but excludes consultancy, support and designs,

images and audio and visual materials. The charts below show the contribution to total income from the most important providers. Both these charts provide strong support for related research based on conducting detailed case studies among the major providers, where the examination of even a small number of providers will cover a substantial part of total income to government.

Chart 3.4: Cumulative income – all public bodies

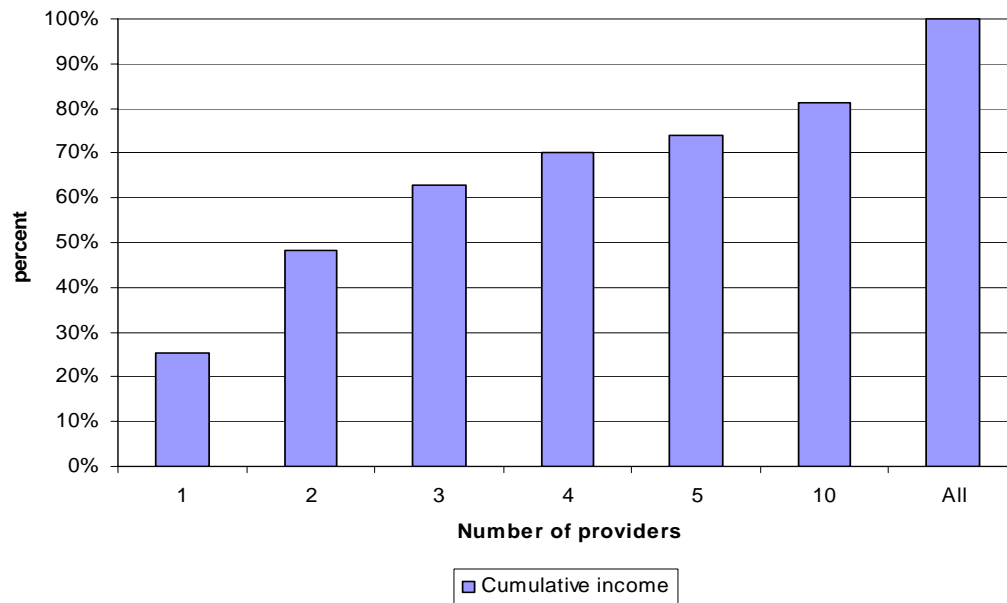
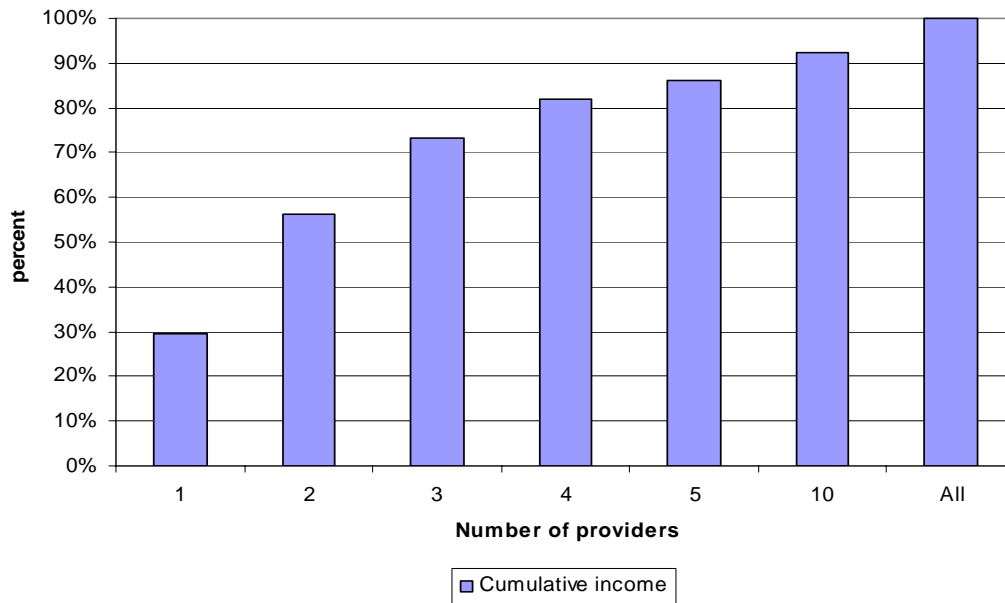


Chart 3.5: Cumulative income – public bodies with delegated authority + voluntarily IFTS accredited



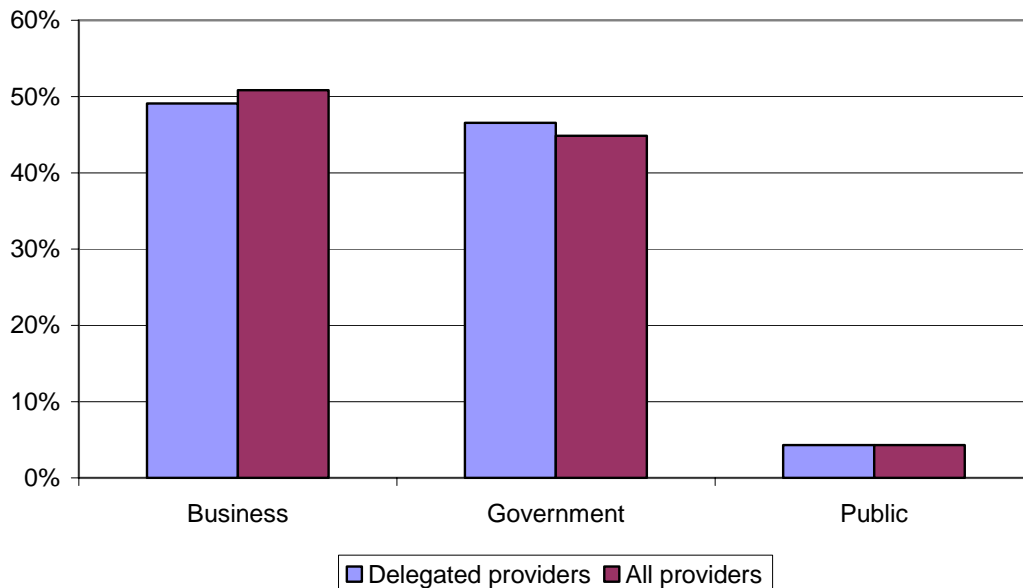
Income source

3.12 We asked respondent to estimate the proportion of their income that came from businesses, from other parts of government and from the general public. This question was only of relevance to those bodies reporting non-zero income, and as indicated above in the section on analysis this would have been limited to a maximum of 39 replies.

3.13 In the event, only 18 bodies out of the 39 provided an answer to this question. The results that can be generated from so few returns have limitations. The value of the results is somewhat increased because the answers tended to be provided by bodies with larger reported incomes and therefore covers a greater proportion of total income. While the number of bodies contributing to the estimates is small, they represent about 75 per cent of reported income.

- 3.14 Given the wide variation in the amount of income it would be inappropriate to take simple averages of the results, and the figures below were calculated by weighting the reported percentages by the level of income.
- 3.15 The results indicate that roughly 51 per cent of the overall income to these bodies came from business, 45 per cent from other parts of government and four per cent from the general public. Among the group of bodies with delegated authority the results were very similar with 49 per cent of the overall income to these bodies came from business, 47 per cent from other parts of government and four per cent from the general public.
- 3.16 Combining this result with those given earlier, weighted estimates suggest that income from businesses was around £200 million, from other parts of government £175 million and from the public about £20 million.

Chart 3.6: Source of income to public bodies – division between business, government and the public



4 RESULTS: STRATUM 1

Introduction

- 4.1 The stratum (as defined in the section above) originally included 19 public bodies. However, in response to our questionnaire the Vehicle Operator and Services Agency (VOSA) advised that they had declined to accept delegated authority due to the very low income they obtained from information sales, reducing the group to 18. VOSA continue to operate under the HMSO/OPSI Click-Use scheme.
- 4.2 Of the 18, four reported zero income from the sale and licensing of information, leaving 14 bodies with obtaining some income from information supply.
- 4.3 Despite numerous contacts reminders and requests, the Medicines and Healthcare Products and Regulatory Agency failed to provide a completed return.² The remaining 13 reported incomes ranging from £1,000 to £100 million in the latest financial year.
- 4.4 The results presented below are primarily based on the 13 out of the 14 income earning bodies that provided returns. Note, however, that two bodies reporting income at low levels were sometimes unable to provide answers to some questions.
- 4.5 The combined income of these two bodies was no greater than £15K and this represent only a very tiny fraction of the total income for this group.

² Although they did not provide a completed questionnaire, in December 2006 MHRA provided an estimate of total income from the supply, sale and licensing of information. This was too late to be included in our estimates, but, in any event, was not large enough to have any discernible effect on our estimates.

Questionnaire section D: Copyright and regulations issues

Control of copyright

- 4.6 The group divided into seven bodies that held purely Crown copyright information, five that held both Crown and non-Crown and just one that held purely non-Crown information. However, larger income earners were more likely to report that their information contained both Crown and non-Crown copyright material with just 15 per cent of the income accruing to bodies with exclusively Crown information, and about one per cent to purely non-Crown information holders.
- 4.7 In the cases of the body dealing exclusively with non-Crown information, control of copyright and licensing was done directly by the organisation. The bodies holding only Crown information all reported controlling copyright and licensing under delegated authority from OPSI. All those bodies holding both non-Crown data reported controlling copyright directly through the organisation.

Information held	Number of public bodies	Proportion of stratum income
Crown only	7	15%
Non-Crown only	1	1%
Both Crown and non-Crown	5	84%

Status under the Re-use of Public Sector Information Regulations 2005

- 4.8 All but one reported that their information fell within the Re-use of Public Sector Regulations 2005. The solitary exception was a body holding non-Crown information, by virtue of being a research establishment.

- 4.9 Only two of the bodies in this group reported having a standard definition of their 'public task' that existed as a **single document**. The remainder provided various additional comments, indicating that most bodies took activities defined by statute as the basis for deciding what was within the definition. Additionally, in some cases, respondents made reference to Framework documents, Trading Fund Orders and Statutory Instruments. One body pointed out that meeting its obligations under the Wider Markets Initiative was considered outside its public task.

Questionnaire section E: Raw and value-added, use of guidance when charging for information

- 4.10 Three bodies skipped this section entirely, indicating that they did not believe that issues relating to use of guidance on charging and distinguishing between raw and value-added information were relevant for their organisation. These bodies had combined income of around 55 per cent of the stratum total.
- 4.11 The remaining respondents were asked if their organisation could clearly distinguish between raw and value-added data (see Appendix A, question 20). Only one body felt this was not possible, although one felt it was only possible sometimes.
- 4.12 Respondents were asked to provide the names of guidance documents used to guide the sale of information, and comment on its ease of use. A list of all documents mentioned is given below.

Table 4.1: Use of guidance – range of documents used

Document	Mentions
Charges for Information: When and How. HM Treasury. July 2001	2
Competition Law	1
Competition Act	1
Environmental Information Regulations Fees Guidance. Defra 2004	1
Fees Regulations(Freedom of Information Act 2000)	1
Guidance from HMSO/OPSI website	1
HMSO / OPSI Information Fair Trading Scheme Guidance	2
HMT Fees and Charging Guidance	6
HMT Wider Markets Guide	2
Internal Pricing Policy	1
OPSI Guidance on the re-use of PSI	2
Principles and Practice of Sharing and Trading Government.	1
Re-use of Public Sector info Regulations 2005	1
Registers of Scotland Fee Order and Amendments	1
Statutory guidance	1

4.13 Comments about the usefulness of these documents tended to polarise to some degree, and the same document was described as both easy and very easy to use by some respondents and difficult to use by others.

4.14 On balance the guidance was judged easy to use more often than difficult, but the view seemed to be frequently case specific. One comment stated directly that guidance was often easy to use in most areas but could be difficult in cases that were somewhat outside its coverage.

'No hard and fast rules'

'Too general and non specific'

'Can but too detailed, yet still difficult to locate or relate advice to particular cases'

'In some highly difficulty, but straightforward for most situations though'

Questionnaire section F: Value-added products

- 4.15 Three bodies skipped this section indicating that the production of value-added products was not part of their activities. These three bodies had combined income amounting to around five per cent of stratum income.
- 4.16 Overall bodies reported that income from products they considered to be value-added amounted to about £195 million or 62 per cent of stratum income. More detail is provided in the table below.

Table 4.2: Income from value-added products

Income from value-added products	Number of public bodies	Total income (£ million)
None or nearly none (less than 5%)	7	£0.5
Up to 1/3 of income	2	£33.0
Up to 2/3 of income	2	£4.2
All or nearly all (more than 95%)	2	£157.2
All	13	£194.9

- 4.17 Respondents were asked to provide further information on up to five of their major value-added products. This generated information on 30 different products, related to £175.4 million of income.
- 4.18 In the view of the public body, for 16 out of these 30 products there were similar or competing products available from other suppliers, 11 with no alternative and five where the no information either way was

provided. These groups accounted for 49 per cent, 32 per cent and 19 per cent of income respectively.

- 4.19 By far the most common approach to price setting was reported as involving 'market prices', 'market factors' or 'market demand', which was reported for about half of all products.
- 4.20 One or two responses indicated that the price setting decision was constrained by statutory instrument, fee orders or fee legislation. Others indicated pricing to cover costs and research and development, and in cases to cover costs plus returns on capital employed.
- 4.21 Additionally, there were individual mentions of pricing determined by statistical code of practice, OPSI guidelines and by reference to HM Treasury guidelines.
- 4.22 The overall impression was that in about half of cases pricing appeared very variable, with a variety of different models being employed by different information suppliers.

Questionnaire section G: The keeping of financial records relating to data sales and licensing

Table 4.3: Are financial records kept?

		About data licensed for re-use		
		Yes	No	All
About data sales	Yes	9	1	10
	No	0	1	1
All		9	2	11

4.23 The one body reporting keeping no financial records did however monitor income in total and from different products and companies.

Table 4.4: Summary of financial records kept

Type of financial records	Overall	Category of data		
		Data sales	Data licensed for re-use	Data for which no charge is made
Revenue earned	10	8	8	4
Costs incurred	8	6	7	4
Profit and loss account	8	4	4	2
Balance sheet	7	2	2	1
Cash flow statement	7	2	2	1
Cash flow forecasts	5	2	2	1
None of above	0	0	1	1

Additional financial records

4.24 All respondents being considered in this section kept additional detailed financial records. Nine out of 10 reported extra detailed records relating to separate product categories, and a similar nine out of 10 reported extra detailed records for specific products. The level of detail varied but most described holding records for each product and most as a matter of correct management and book-keeping had transaction data.

4.25 The questionnaire enquired further about recording information about costs, but allowing respondents to use descriptions appropriate to their own accounts keeping system. The descriptions used do not reduce to convenient groups so it is not possible to generate a simple table of results. However, several respondents were recording direct costs in one form or another and a variety of other records were being kept including overheads, administrative costs, distribution costs, general and IT costs.

One provider mentioned development costs and one system of recording time and daily rates to assist cost estimation for value-added services.

- 4.26 Mostly these cost records were being kept on an overall basis, but only in about half of these cases did the recording extend to product category, and individual products.

Allocation of common costs

- 4.27 The group was divided evenly into five bodies that did attempt to allocate common costs across different activities and products and five that did not. In each case where costs were allocated, the respondent described some form of allocation based on activity, often specified as related to measures of staff time, and other facilities. One indicated that this was a senior management decision but without explaining the principles involved.

- 4.28 Comments provided by a couple of bodies suggested that the allocation of common costs in a large organisation was potentially very complex and could not be fully summarised within the limitations of a questionnaire.

Transfer prices

- 4.29 The survey wanted to specifically explore certain issues where a body was involved both in the production of raw information and in the production of value-added products from the raw information. This did not apply to all the bodies in this group but answers were provided by eight bodies that thought this was relevant to them.
- 4.30 Just three of the eight reported a cost representing a transfer price (that is, an internal charge between different parts of the organisation) charged to the value-added activity. For one body (the Met Office) this charge was made both in a business plan and actual accounts. However, despite the apparent existence of a transfer price, neither of the other

two bodies reported this being in either the business plan or actual accounts.

- 4.31 On this basis, among all the public bodies involved, only the Met Office appears to have achieved a clear financial separation of its information supply between raw and value-added operations.

Target rates of return

- 4.32 Six of the bodies had a target rate of return that applied to its activities selling and licensing data and information. These bodies were highly concentrated at the upper end of the income levels. In fact, the six were made up of the top five income earners plus the seventh highest income earner.
- 4.33 In each case the target was based on a return on capital employed, though with some reporting particular features in relation to the measurement of capital and, again in certain cases, some variation in the target rate of return. The questionnaire had allocated space to explore differentiation in target rates where they existed but in the event these questions did not apply to any of the group.
- 4.34 Six of the bodies reported producing a business plan for new products when applicable. In all cases where such business plans were produced the plan would include a sales revenue forecast.

Questionnaire Section H: Partnership arrangements

- 4.35 The questionnaire included a section asking about partnership arrangements. The interest was limited to those partners involved in helping to market or commercialise information products.
- 4.36 One of the bodies reported a partnership with a company that appeared to be a service provider to the organisation for IT systems. Such an arrangement appears too remote from the direct development or commercialisation of data to be counted.

- 4.37 It was observed that a majority of the bodies in this group reported having no partners. A small group that did report partners suggested that they had large numbers of such partners. The implications of this cannot be discerned from these survey results alone, but may be worth exploring further in other research.
- 4.38 They suggest the possibility that most of the bodies here sell or license data and then adopt a hands-off approach to what the private sector body does in the further development of products and services. They do not consider themselves to be direct partners of their clients in the private sector.
- 4.39 One or two bodies seem to have a different business model and see themselves as direct partners with their private sector clients in the further development of products and services. This distinction may be of importance and is worth exploring further elsewhere.

5 RESULTS: STRATUM 2

Introduction

- 5.1 This stratum includes the major government departments and agencies that license data for re-use under the authority of OPSI. This list is predominantly made up of ministerial departments but also includes many of the largest executive agencies and non-ministerial departments. These bodies make information available through the OPSI Click-Use Core and Value Added schemes.
- 5.2 In many cases, consolidated information about this stratum available directly from OPSI provides more reliable results than could be estimated using the limited number of completed questionnaires returned to the OFT. The results below are mainly those provided directly by OPSI, supplemented when appropriate by information from survey results.

Description of Click-Use scheme

- 5.3 Most of the Crown copyright material that HMSO licenses relates to core/public task information. This is licensed by means of the Click-Use Licence for core information. Click-Use is a generic online licence that enables users to register and access a wide range of information across government.
- 5.4 Under the Click-Use Core Licence no charges are made, although if a licensee wished to obtain the data in a specific format (other than that in which it was already made available) the licensee would be directed to the department that originated the material. In such cases, the department in question could charge for supplying the data in the requested format.
- 5.5 HMSO also licenses the re-use of value-added material under a separate Click-Use Licence. There is provision under the Click-Use Licence for value-added material to charge for the re-use of this type of material.

- 5.6 Any charges made are reallocated to the originating department. The main exception covers the income received from the Copyright Licensing Agency (CLA) through which Crown copyright is allowed to be photocopied and re-used in digital form by CLA licensees.
- 5.7 Finally there is also a Click-Use Licence covering the re-use of information produced by the Westminster Parliament. Re-use is permitted at nil cost to the re-user unless data supply is involved.

Questionnaire section C: Information supply that generates income

- 5.8 This topic is mainly covered above in section 3 above, but it may be useful to further note that most Crown copyright material is licensed at nil charge under the Click-Use Licence. Since August 2005 this includes making no charge for the re-use of Parliamentary copyright information.
- 5.9 OPSI only charge in cases where the material is of a value-added nature. This generated income of £388k for Crown copyright and £131k for parliamentary copyright information in financial year 2004-05. OPSI estimate that 90 per cent of this income derived from businesses and 10 per cent from the general public.

Questionnaire section D: Copyright and regulations issues

Control of copyright

- 5.10 Given the make up of this group – including ministerial and non-ministerial departments and agencies – substantial proportions of the information held is Crown copyright but, across all the bodies covered, both Crown and non-Crown information is held.
- 5.11 Issues of delegation are not appropriate to this group as OPSI is the controlling body and the bodies in this group allow OPSI to look after control of copyright and licensing on their behalf.

Status under the Re-use of Public Sector Information Regulations 2005

- 5.12 OPSI considers that both OPSI itself and the bodies within this group fall within the Re-use of Public Sector Information Regulations 2005. OPSI take the view that all Crown copyright information (other than that excluded by exemptions under Freedom of Information) is potentially available for re-use. OPSI distinguish between core and value-added information in order to determine whether to charge for the information.
- 5.13 OPSI consider core information as being synonymous with public task. The definition of core information is that material likely to satisfy the following conditions:
- it is essential to the business of government
 - it explains government policy
 - it is the only source of the information
 - it sets out how the law, in both UK and EU, must be complied with
 - the citizen will consider the information to be key to their relationship with government
 - there is a statutory requirement to produce or issue such information.

Questionnaire section E: Raw and value-added, Use of guidance when charging for information

- 5.14 On the basis of the information above, OPSI considers that it can clearly distinguish between raw and value-added data.

Questionnaire section F: Value-added products

5.15 Given its overview of activity in this group, OPSI is ideally placed to provide information on value-added products from within this group. These are numerous, with no single product generating high income. The top five are listed in the table below. OPSI report that for items A, B and E below, private sector suppliers provide similar products.

Table 5.1: Value-added products available under Click-Use scheme – by income

Nature of information for which charges are made	Annual income
A Health and Safety value-added products: Safety guidance series	£76K
B Seismic data from DTI	£56K
C Nutrient Databank material originated by Foods Standards Agency	£33K
D Material originated by the Office of Government Commerce such as PRINCE and ITIL	£23K
D Fire Service Manuals via ODPM ³	£4K

³ Since this survey was undertaken, the ODPM has become Communities and Local Government (CLG).

Questionnaire section G: The keeping of financial records relating to data sales and licensing

- 5.16 OPSI keep financial records about both data sales and about data licensed for the re-use of others. These involve measures of revenue earned but do not extend to any greater level of detail. Of course, this does not provide any direct evidence about the keeping of financial records within the public bodies themselves.
- 5.17 For their own activities, OPSI attempts to allocate common costs across different products and activities. This does not imply any parallel activity within the bodies from which the information originates.
- 5.18 No attempt is made to use any transfer price charged to the value-added activity. OPSI does not have any target rate of return that applies to its activities, nor by implication do the bodies operating under its control within the Click-Use scheme.

Questionnaire Section H: Partnership arrangements

- 5.19 OPSI has no partnership arrangements with businesses helping to market or commercialise information products.

6 RESULTS: STRATUM 3

Introduction

- 6.1 This final stratum includes 341 public bodies and in response to our questionnaire this group generated 130 returns, which is about a 38 per cent response rate. Of these, 21 reported earning income from the sale or licensing of information. That is about 16 per cent of returns and from which we may roughly infer the existence or around 54 income earning bodies in this group.
- 6.2 Results presented below relating to those parts of the questionnaire in section D are typically based on a sample in the region of 20 returns, representing a sampling proportion of roughly 40 per cent. These data can only provide estimates that are very approximate. Typically there may be an error margin of + 15 per cent around estimated proportions. Though this may be lower in some circumstances, even at best estimates would have error margins of + 10 per cent. This uncertainty is easily forgotten if actual estimates are provided. For this reason the results below will be presented as ranges rather than point estimates.

Questionnaire section D: Copyright and regulations issues

Control of copyright

- 6.3 The majority of the bodies in this group held material that is a combination of both Crown and non-Crown (observed 57 per cent, estimated for group 40 per cent to 70 per cent). The smallest proportion held Crown information only (observed 19 per cent, estimated for group 10 per cent to 35 per cent), but this was only a little smaller than the group holding non-Crown information (observed 24 per cent, estimated for group 10 per cent to 40 per cent).
- 6.4 It was clear that a large majority of bodies took the view that their licensing and sale of Crown information was done under delegated

authority from OPSI (observed 83 per cent, estimate for group 70 per cent to 95 per cent). In fact this cannot be strictly true, as formal delegation only applies to the group already discussed in section 4.3 above.

- 6.5 In a similar fashion, a minority reported that that their licensing and sale of non-Crown information was also done under delegated authority from OPSI (observed 40 per cent, estimate for group 25 per cent to 55 per cent). The remainder (observed 60 per cent, estimate for group 45 per cent to 75 per cent) reported that for non-Crown information the body itself was directly responsible for copyright control. Results are summarised in the table below.

Table 6.1: Copyright and control of copyright: Stratum 3

Copyright of material held		Control arrangements	Crown data	Non-Crown data
Base	21	Base	16 (12 + 4)	17 (12 + 5)
Crown	4	Delegated authority	10	6
Not Crown	5	Directly by organisation	2	9
Both Crown and non-Crown	12	No answer provided	3	1
		Operate through HMSO	3	
		Other	1	1

Status under the Re-use of Public Sector Information Regulations 2005

- 6.6 The observed results suggested that the group divided into roughly one third (observed 33 per cent, estimate for group 20 per cent to 50 per cent) that considered they were outside the above regulations, and two

thirds that considered they fell within the regulations (observed 66 per cent, estimate for group 50 per cent to 80 per cent).

- 6.7 Those believing they were outside the regulations were almost unanimous in reporting that their exclusion was as a result of fulfilling an education or cultural function. The solitary exception was one body that took the view that it was not a public body within the meaning of the regulations.

Questionnaire section E: Raw and value-added, Use of guidance when charging for information

- 6.8 Four of the 21 income earning bodies provided some information on these topics.
- 6.9 Three bodies provided answers to questions about their use of guidance, though only one body made reference to the types of guidance commonly used by others, namely 'HM Treasury Fees and Charges guidance'. Other references were to in-house documentation regarding data disclosure, statistical codes of practice and to fee setting based on statute.

Questionnaire section F: Value-added products

- 6.10 Two of the 21 income earning bodies completed this section of the questionnaire.

Questionnaire section G: The keeping of financial records relating to data sales and licensing

- 6.11 Four of the 21 income earning bodies in this group reported that they kept financial records relating to data sales, with one of those bodies also reporting the keeping of financial records in relation to data licensed for re-use.

- 6.12 There was no particular evidence that keeping records was more likely among the larger income earners than the smaller. These four accounted for roughly 10 per cent of reported income in this group.

Questionnaire Section H: Partnership arrangements

- 6.13 Among the completed questionnaires, very few contained answers to the questions in these sections. Typically replies were provided by three, four or five bodies. No general conclusions can be drawn from so few results. The commentary below describes a limited number of observations that may be of interest.
- 6.14 Where partnership arrangements were mentioned, all the partners mentioned were publishers, usually of printed material but in one case also including a publisher with web based operations, and one other also including the ability to promote exhibitions.

General comments on the results for this stratum

- 6.15 It is important to consider if there is anything that can be learned from the absence of answers to the questions in the above sections. We do not attempt to draw conclusions about incompleteness in sections F (about value-added products) and H (about partnership arrangements), where there may be full justification for skipping these sections.
- 6.16 However, all bodies earning income from the supply of information should have been able to attempt sections D (about copyright issue and the re-use regulations), E (about the use of guidance) and G (about the keeping of financial records).
- 6.17 It may be reasonable to assume that participants did not leave these section unanswered due to an unwillingness to provide the information, given their willingness to participate and further willingness to complete some parts of the questionnaire.
- 6.18 The survey was not mandatory, and it would have been a simple option for any organisation that did not wish to provide the requested

information not to participate at all. It can therefore be hypothesised that the absence of answers is due, at least in part, to an inability to provide them.

- 6.19 There is a disparity between section D where all the 21 income earners attempted some questions, and E and G where many did not. We posit that had the income earning bodies in this group been actively addressing the issues covered in sections E and G they would have had no great difficulty considering and answering the questions, even if in the negative. Such answers that were provided in section E did not signal widespread awareness of standard guidance.
- 6.20 The impression created is that many public bodies in this stratum are not fully engaged with the subject of information supply and related issues, especially in relation to use of guidance and financial record keeping.

7 COMPARISONS WITH OTHER PUBLISHED RESEARCH

- 7.1 The overall results presented above in Table 3.3 may be compared with other research into government activity in this sector. This chapter compares results from our own survey with those found in two other reports, namely the 'Cross-cutting Review of the Knowledge Economy - review of government information: HM Treasury: December 2000' and the 'Commercial exploitation of Europe's public sector information: Final report' prepared by PIRA International for the European Commission in October 2000.
- 7.2 The comparisons are made or on the basis of income to government from the sale or licensing of information.

Cross-cutting review

- 7.3 The Cross-cutting Review of the Knowledge Economy - review of government information: HM Treasury: December 2000 estimated that total income from publishing Crown copyright information, including information available only under licensing arrangements, in 1998-99 was around £340 million.
- 7.4 The report notes that 'there were a few non-respondents amongst the smaller departments, but it is unlikely returns from them would have significantly increased this figure'. The report also found that 'some 53 per cent of income was from sales to non-government customers but this varied widely between different bodies'.
- 7.5 These figures compare with our own findings of income in 2004-05 of £394 million and with an estimated 55 per cent of income from sales to non-government customers. Within the £394 million, roughly £340 million was to Crown bodies, which allowing for sampling errors in both studies appears unchanged in nominal terms since 1998-99.
- 7.6 The figure given in above does not include income to local government for property search information. The OFT report into property searches (OFT810) estimated the value of the market for local property searches

in 2004 at £190 million for England Wales and Scotland. As a result of limitation in the data this estimate did not include Northern Ireland.

PIRA report

- 7.7 In section 2 of the PIRA report mentioned above, the report presented a series of country studies including France, Germany, Portugal, Sweden and the United Kingdom. Estimated receipts from PSI sales for the UK in the year 2000 were presented in Table 2.8.2 totalling £934 million, of which local government land search charges for England and Wales made up £259 million, and that to departments and agencies £675 million.
- 7.8 This £675 million is observably different to both the results of the cross-cutting review and is therefore explored further. Due to the different timings exact comparisons between this and the other reports are not possible. However, the main part of the disparity appears to arise from a number of specific agencies where income from information supply as reported in response to our survey differs considerably to those figures used by PIRA.
- 7.9 In general these differences arise in situations where the total income of the public body includes both income from data sales and fee income for registration and statutory and other services.
- 7.10 In three cases in particular, HM Land Registry, UK Patent Office and Companies House, the PIRA report appears to include a figure representing total fee income that may considerably overstate the income from information supply. For example, in 2004-05 HM Land Registry report a total fee income of £397 million. However, a substantial proportion of this income derives from fee income for registration of title and rather less than 10 per cent derives from data sales and licensing.

- 7.11 The UK Patent Office obtains almost all its income from fees or charges for the registration of copyright, designs, trade marks and patents and its various databases can be searched online by any individual.
- 7.12 Given that searching for existing patents or trade marks can be a complex task, help can be obtained by using the office's Search and Advisory Service. This is a commercial operation, but quite distinct from the regulatory duties of the Patent Office, and charges are made for the support services it provides and not for information as such.
- 7.13 Similarly, for Companies House, income divides so that more than two thirds is obtained from fees for the statutory activity of registration of companies and provision of company financial returns and under one third from information sales and licensing.
- 7.14 The three cases above provide sufficient evidence to re-allocate perhaps £270 million of PIRA's reported receipts from income for data sales and licensing to fee generated income. There may be other, smaller, disparities of a similar nature in other departments and agencies.
- 7.15 PIRA themselves acknowledge (page 44 of their report) that their table includes both receipts from income supply and from charges for actions required by statute, but that 'the main substantive argument for including all the sources of income in the count is that it is almost impossible to separate out the different income streams for non-statutory and statutory activity'.

Conclusions

- 7.16 We make no attempt at an exact reconciliation of the three sets of results. Given the discussion above, the discrepancies appear to be explained to a sufficient degree by the identified differences in timing and approach.
- 7.17 We conclude that, subject to some degree of sampling error, the results obtained from our survey have produced suitably reliable estimates of income to government departments and agencies.

7.18 Independently of these estimates, we commissioned research by economic consultants to examine assess the economic value of Public Sector Information (PSI) in the UK, and estimate the possible consumer detriment that may be caused as a result of the current PSI framework and the behaviour of public sector information holders. This research is reported separately in Annexe G to the main report.

APPENDICES

A QUESTIONNAIRE

To obtain an electronic copy of this questionnaire please email xxxxxxx@oft.gov.uk.

Your message will be acknowledged and you will receive a copy of the questionnaire in the form of a WORD document. You may prefer to complete it in this form rather than by hand. The email address can also be used to make enquiries, alternatively contact the telephone number below.

Please read the covering letter before completing this questionnaire. In any event, it would be helpful to acknowledge receipt of the questionnaire by email to xxxxxxx@oft.gov.uk.

When completing the questionnaire please read the notes at the beginning of sections carefully. They are intended to help you and will identify if the section applies to your organisation. In some cases you may be able to skip whole sections making the task of completing the questionnaire much easier.

If your answers exceed the space available please continue on separate sheets and attach them to your reply.

If you have any questions about the survey please do get in touch. You may call the number below, or use the email address xxxxxxx@oft.gov.uk to make enquiries. Alternatively you may prefer to email directly to xxxxxxx@oft.gsi.gov.uk.

Derek Jones - Tel: 020 7211 XXXX, E-mail: xxxxxxx@oft.gov.uk

The questionnaire is laid out as follows:

Section A: Your contact details

Section B: About data and information that your organisation holds

Section C: What sorts of information does your organisation supply that generates income?

Section D: About the status of your organisation, copyright issues and 'The Re-use of public sector information regulations 2005'

Section E: The use of guidance on charging for information generally, and for distinguishing between 'Raw' and 'Value-Added' data

Section F: Value-added products

Section G: About your financial records, income and costs for data sales and data licensed for the re-use of others

Section H: Partnership arrangements

Section J: Have you any comments?

Section A: Your Contact Details

Question 1: Your organisation:	
Question 2: Your name:	
Question 3: Your job title:	
Question 4: Your e-mail address:	
Question 5: Your telephone number:	

If you are not the most appropriate person to contact in future, please tell us who is:

Question 6: Their name:	
Question 7: Their e-mail address:	
Question 8: Their telephone number:	

Section B: About data and information that your organisation holds

Note: *The easiest way for us to find out about data and information held by public bodies is for us to examine their **Publication Schemes and Information Asset Registers**.*

If your organisation has produced either of these then it may be both simpler and easier for you to submit copies of these documents. We would be happy to download documents in PDF or other suitable format if such documents exist on line.

*Similar considerations apply if your organisation has not produced its own **Publication Scheme** or an **Information Asset Register** but has contributed to such documents produced by another body or department.*

But if your organisation has neither produced nor contributed to such documents please complete section B in full. If completing questions 11 and 12 note that the phrase 'data and information that your organisation holds' is not strictly defined but should be interpreted in terms of your organisation's responsibilities. It is not necessary to include trivial matters.

Question 9: Please tell us about any Publication Scheme or Information Asset Register that your organisation has produced or contributed towards. Please tick the appropriate answer

	Publication scheme	Information Asset Register
	(✓)	(✓)
This organisation has produced its own		
This organisation has contributed to such a document produced by another body		
This organisation <u>has not</u> produced or contributed such a document		

Question 10: If your organisation has either produced or contributed to any Publication Scheme or Information asset register please tell us how we can obtain copies by completing the table below. Then go to section C.

	(✓)	Source
Copies will be enclosed with this reply		
Copies are available on line at the address given to the right		
Copies can be obtained from the body named to the right		

Section B (Continued): About data and information that your organisation holds

Question 11: What data and information does your organisation hold? Please tick all the categories that apply. **Only complete questions 11 if you have been unable to complete question 10. If you are providing (or telling us where we can find) copies of your Publication scheme and Information Asset Register omit this question and go to section C.**

Type of information Examples	(✓)	If held, please provide a brief description
Economic information Economic statistics, Employment statistics		
Business information Company and financial information Patent and trade mark information Public tender information		
Environmental information Environmental quality data Other environmental information		
Geographic Information Address information Aerial photos Cadastral information (having reference to the extent, value and ownership of land) Geological information Geodetic networks Hydrographical data Information on buildings Topographic information		
Meteorological Information Weather forecasts Climatological data (including models)		
Agricultural and fisheries information Cropping and land use Farm incomes and use of resources Fish harvests Fish farming information		

<p>Energy Information Information relating to the production and use of energy</p>		
<p>Scientific Information Research produced within universities, publicly funded research institutes and research carried out within departments of government</p>		
<p>Legal information Figures on crimes and convictions Decisions of international and foreign courts Decisions of national courts National legislation Treaties</p>		
<p>Social information Demographic information Attitude surveys Census data Health statistics Public administration statistics Other social data</p>		
<p>Transport information Information on traffic congestion Information on work on roads Public transport information Driver registration Vehicle registration Information on road accidents and road safety</p>		
<p>Political information Government press releases Green and white papers Proceedings of local and national governments</p>		
<p>Cultural information Materials within museums and archives Library resources</p>		
<p>Other, please describe</p>		

Question 12: In what formats does your organisation supply or make available data and information? Please tick all the categories that apply. **Only complete questions 12 if you have been unable to complete question 10. If you are providing (or telling us where we can find) copies of your Publication scheme and Information Asset Register omit this question and go to section C.**

Formats used	(✓)	If provided, please mention any important features. Please also indicate if the availability is limited in any way, for example, provided to other parts of government but not to businesses or the public.
Guidance on regulations		
Statistical publications and reports		
Other publications and reports		
Data or information in raw form		
Data or information in analysed or processed form		
Projections, forecasts or predictions		
Consultancy or advisory services		
Support or help in searching for information		
Other please describe		

Section C: What sorts of information does your organisation supply that generates income?

Question 13: Does your organisation obtain any income from the supply of data or information among the categories described below? In the table below, please tick all categories that provide income, and if you are able please provide estimates of annual income. Results for the most recent financial year would be preferred. Data may be rounded to the nearest £1000, but please be very clear if you are providing data in thousands or millions of £s.

Format of data or information	(✓)	Annual income
Data or information in raw form (* Links to question 14 below)		
Data or information in analysed or processed form		
Projections, forecasts or predictions		
Consultancy or advisory services		
Support or help in searching for information		
Designs, images, audio and visual material, documents and manuscripts		
Total income from all the above types		

If your organisation does not obtain income from any of the above sources, **but has plans to begin supplying information** within the next two years in ways that would generate income please complete question 14, then go to section J
If your organisation does not obtain income from any of the above and has no plans to do so please go directly to section J

Question 14: For data or information in raw form that provides income (* above in question 13), please provide in the table below more details about the nature of information for which charges are made. Mention here any products of this type that it is planned to introduce in the future. Please provide a separate entry for distinct data sets or products. Please provide income for separate data sets or products if available or enter n/a if this is not possible.

The nature of information for which charges are made	In general terms what is the basis for the setting of any charges	Annual income

Question 15: If available, please provide a breakdown of the proportion of total income from the supply of data and information by source, identifying separately income from businesses, the general public and other parts of government. IF exact figures are not available estimates are acceptable.

Source of income	Percentage split of annual income
Income from businesses	
Income from other parts of government	
Income from the general public	
Total (Please ensure your percentages sum to 100%)	100%
	(✓)
UNAVAILABLE: If further income breakdown of this type is unavailable please tick the box to the right	

Section D: About the status of your organisation, copyright issues and 'The Re-use of public sector information regulations 2005'

Note: The supply of information by public sector bodies is subject to certain regulations, and other controls. This section is intended to provide a basic understanding of your organisation in relation to those regulations and controls. The section covers some aspects of copyright, and its control, and the applicability of 'The Re-use of Public Sector Information Regulations 2005'. These regulations include the concept of a 'public task', and this section of the questionnaire also asks about the use of this concept in practical situations.

Question 16: Is the information held by your organisation Crown copyright or do other parties have copyright and intellectual property rights in the information? Please tick the appropriate box. Note that Crown Copyright applies to material which is produced by employees of the Crown in the course of their duties, so that most material originated by ministers and civil servants is included.

Please tick the statement that best describes your data	(✓)
Our information is Crown copyright	
Our information is not Crown copyright	
We hold both Crown and non-Crown copyright information	
Not known	

Question 17: What are the arrangements in your organisation for the control of copyright and licensing of information? Please tick where applicable

	Crown copyright information	Non-Crown copyright information
Type of control	(✓)	(✓)
We have delegated authority to look after this type of information		
We operate through HMSO for this type of information		
Controlled directly through the organisation		
Controlled by a private sector partner on your behalf		
Other, please explain		

Question 18: Does your organisation fall outside the scope of The Re-use of Public Sector Information Regulations 2005?

Please tick the appropriate the boxes that apply	(✓)
This organisation falls within the Re-use of Public Sector Information Regulations 2005	
This organisation does not fall within the Re-use of Public Sector Information Regulations 2005, because it performs an educational or cultural function.	Now go to section E
This organisation does not fall within the Re-use of Public Sector Information Regulations 2005, for other reasons please enter in the space immediately below.	Now go to section E

Question 19: This question is directed at organisations whose activities are covered by 'The Re-use of Public Sector Information Regulations 2005'. If this does not apply, go to the next question. *The Re-use of Public Sector Information Regulations 2005* includes the concept of a 'public task'. This concept is used to help establish the range of applicability of the regulations. Does your organisation have a standard definition of 'public task' that exists as a single document for use by your staff in the course of their work?

	Yes	No
If yes, please provide us with a copy		
If no, please can you explain on what basis your organisation might decide whether an activity falls within its 'public task'?		

Section E: The use of guidance on charging for information generally, and for distinguishing between 'Raw' and 'Value- Added' data

Treasury guidance (Charges for Information: When and How HMT July 2001) provides definitions of 'raw' and 'value-added' data. Briefly, raw data is information collected, created or commissioned within government which is central to government's core responsibilities. Value-added Information is defined as information where value is added to raw data by enhancing and facilitating its use and effectiveness for the user. The guidance provides examples of 'adding value' that include manipulation, compilation, summarisation, editing, analysis, interpretation and commentary beyond that required for policy formulation by the relevant government department.

IF THE USE OF GUIDANCE ON CHARGING AND DISTINGUISHING BETWEEN RAW AND VALUE-ADDED INFORMATION ARE NOT ISSUES THAT CONCERN YOUR ORGANISATION PLEASE TICK THE BOX BELOW THEN GO DIRECT TO SECTION F

This section is not relevant and is being skipped

Question 20: Does your organisation find that it can clearly distinguish between raw and added value data (with reference to its statutory duties and defined public task if relevant)?

Please delete answers that do not apply
Yes / No / Sometimes

It would help if you could provide examples of how you make the distinction, explaining the basis on which the distinction is made in the space below.

Question 21: Please provide the names of any guidance documents that you use to guide you in the sale of information (considering both raw and added value products). Enter none in the first box if none is used.

Guidance Documents	How easy do you find it to use this guidance? Please tick one box.				Please explain your rating
	Very easy	Easy	Difficult	Very difficult	
a)					
b)					
c)					
d)					

Section F: Value-Added Products

Note: Section E has already touched on the subject of distinguishing raw and added value information. This section is concerned with your organisations involvement in the production and licensing of value- added information products.

IF YOUR ORGANISATION IS NOT INVOLVED IN THE PRODUCTION OF VALUE-ADDED PRODUCTS PLEASE TICK THE BOX BELOW AND GO DIRECT TO SECTION G

This section is not relevant and is being skipped

Question 22: Please list below the top five value-added information products for which you charge. Please provide income for separate products if available or enter n/a if this is not possible.

The nature of information for which charges are made	In general terms what is the basis for the setting of any charges	Annual income
a)		
b)		
c)		
d)		
e)		

Question 23: Using the same product categories as question 22, for which do private sector suppliers provide similar products?

Product	Please indicate if a product also has a similar product provided by private sector suppliers? If 'no', please say so. If 'yes', please list the names of those other suppliers
a)	
b)	
c)	
d)	
e)	

Question 24: What is the total annual income from your value-added products?

£

Section G: About your financial records, income and costs for data sales and data licensed for the re-use of others.

Note: This section includes questions that are specifically concerned with the use of cost information as the basis for sale and licensing of the re-use of information by external users. It also concerns internal charging where this exist between parts of the organisation providing raw information and parts providing value-added information products.

IF THESE ISSUES DO NOT CONCERN YOUR ORGANISATION PLEASE TICK THE BOX BELOW AND GO DIRECT TO SECTION H

This section is not relevant and is being skipped

Question 25: Do you keep financial records about data sales?

Please delete the answer that does not apply

Yes / No

Question 26: Do you keep financial records about data licensed for the re-use of others?

Please delete the answer that does not apply

Yes / No

If you have answered no to both these questions, please go directly to section H. If yes please continue with the next question.

Question 27: Which, if any, of the following records are kept? Please delete the answer that does not apply.

	Overall	Separately for these categories		
		Data sales	Data licensed for re-use	Data for which no charge is made
Type of financial records				
Revenue earned	Yes / No	Yes / No	Yes / No	Yes / No
Costs incurred	Yes / No	Yes / No	Yes / No	Yes / No
Profit and Loss Account	Yes / No	Yes / No	Yes / No	Yes / No
Balance Sheet	Yes / No	Yes / No	Yes / No	Yes / No
Cash flow Statement	Yes / No	Yes / No	Yes / No	Yes / No
Cash Flow Forecasts	Yes / No	Yes / No	Yes / No	Yes / No
None of the above	Yes / No	Yes / No	Yes / No	Yes / No

If you have indicated 'None of the above' in each case please go directly to section H.

Question 28: Are financial records of the type described in questions 27 kept at any greater level of detail?

	Yes	No
Level of detail		
For separate product categories		
For separate products		
What is the most detailed level for which meaningful financial information is available? Please use the space below to record your answer.		

Question 29: What level of information is recorded about costs? For example, direct costs (such as printing), direct staff costs (such as sales force, data processors) overheads etc. Please use headings appropriate to your own accounts and indicate with a tick the categories for which they are kept.

	Overall		For product categories		On a product by product basis	
	Yes	No	Yes	No	Yes	No
Level of information: Please enter Please use suitable headings from your own accounting system						

Question 30: Do you attempt to allocate common costs across different activities or products?

Please delete the answer that does not apply
Yes / No

Question 31: If yes, please explain how common costs are allocated between (i) activities for which no charge is made, (ii) for data sales and (iii) for data licensed for the re-use of others. That is, where a given expenditure affects more than one activity, what methods and principles are used to allocate the expenditure between the relevant activities?

Question 32: If your organisation is involved both in the production of raw data or information and in the production of value-added products from the same raw information sources, please answer the following otherwise skip forward to question 33.

Is there a cost representing a transfer price (that is an internal charge between different parts of the organisation) charged to the value-added activity?

Please delete the answer that does not apply Yes / No

If no, please skip the next question.

Question 33: If yes, is this transfer price charge made in a Yes / No
business plan, Yes / No
actual accounts,

Question 34: Does your organisation have a target rate (or rates) of return that applies to its activities selling and licensing data and information?

Please delete the answer that does not apply
Yes / No

If no, please go to [question 39](#)

Question 35: If yes, how does your organisation define its target rate (or rates) of return? For example, returns on capital employed, or returns on sales, etc. Please provide an explanation in the box below.

Question 36: Is there a single rate of return or do target exist that differentiate in any way between different activities or products? Please tick

	(✓)
Single rate of return	
Targets that differentiate	

Question 37: If targets are differentiated could you tell us in what way?

Question 38: Does your organisation have further information about target and achieved rates of returns that could be provided if necessary? Please tick appropriate boxes to indicate what could be provided.

	(✓)
No further information about rates of returns is available	
Further information could be provided as follows (please tick all that are available)	
Target rates of returns differentiated as in question 36 above for the most recent financial year	
Target rates of returns differentiated as in question 36 above for earlier financial years	
Achieved rates of returns differentiated as in questions 36 above for the most recent financial year	
Achieved rates of returns differentiated as in questions 36 above for earlier financial years	

Question 39: Does your organisation produce a business plan for new products?

Please delete the answer that does not apply.

Yes / No / No recent or planned new products

Question 40: If yes, does the business plan include forecast sales revenues?

Please delete the answer that does not apply.

Yes / No

Section H: Partnership arrangements

Note: Some organisations have business partners involved in helping to market or commercialise information products. These partners are not customers as such, but for completeness we wish to be aware of such arrangements where they exist. If your organisation has no such partners please skip this section. Do not include businesses that are simply facilitating the process by, for example, providing computer hardware.

IF YOUR ORGANISATION HAS NO PARTNERS OF THIS TYPE PLEASE TICK THE BOX BELOW AND GO DIRECT TO SECTION I

This section is not relevant and is being skipped

Question 41: Do you have any private sector partner or links with other businesses designed to assist your organisation in providing information to other business or end consumers? Please provide details of any current partners (or no longer current but that existed within the last two years) in the table.

Name of your partner	Please describe the arrangement with your partner
a)	
b)	
c)	
d)	

Section J: Have you any other comments?

Question 42: Is there anything else you would like to add, or to bring to our attention?

**THIS IS THE END OF THE QUESTIONNAIRE
THANK YOU FOR YOUR TIME IN COMPLETING THIS SURVEY
NOW PLEASE RETURN THE COMPLETED QUESTIONNAIRE (MAKING SURE YOU
INCLUDE ANY RELEVANT ENCLOSURES) TO:**

**FREEPOST
The Office of Fair Trading
Fleetbank House
2-6 Salisbury Square
London**

**ALTERNATIVELY RETURN THE COMPLETED FORM BY EMAIL TO:
xxxxxxx@[oft.gov.uk](mailto:xxxxxxx@oft.gov.uk)**

**REMINDER: POSSIBLE ENCLOSURES (OR DOCUMENTS TO BE ATTACHED TO AN
EMAIL REPLY) MAY INCLUDE**

**COPIES OF PUBLICATIONS SCHEMES AND INFORMATION
ASSET REGISTERS (Q10)
DEFINITION OR STATEMENT OF PUBLIC TASK (Q26)**

Annexe – How we use the information we gather for Market Studies

We may choose to refer comments received in response to this questionnaire in our report on this study. In deciding whether to do so, we will have regard to the need for excluding from publication, so far as that is practicable, any information relating to the private affairs of an individual or any commercial information relating to a business which, if published, would or might, in our opinion, significantly harm the individual's interests or, as the case may be, the legitimate business interests of that business ('confidential information'). If you consider that your response contains such information, that information should be marked 'confidential information' and an explanation given as to why you consider it confidential.

The Office of Fair Trading ('OFT') must reserve the right to disclose any information provided by you (including confidential information) for the purpose set out in sections 170 and 240-243 of the Enterprise Act 2002, where it considers such disclosure to be appropriate. In particular, the OFT may choose to put information provided by you to third parties, such as other Government Departments, other contributors to this study and/or consultants engaged by them, for the purpose of facilitating the carrying out of this study.

The OFT is also bound by the Freedom of Information Act 2000 (the 'FoIA'). Where a person makes a request in accordance with the FoIA the OFT may have to disclose whether it holds the information sought and the information itself (including confidential information). The FoIA contains exemptions (including one which may exempt confidential information) and the OFT will not have to make those disclosures if an exemption applies. If you consider that any information you provide may be exempt from such disclosures you should say so and explain why.

Similarly, to the extent that information you provide constitutes personal data under the Data Protection Act 1998, the OFT will process such data in accordance with that Act.