

Annexe B

Survey of businesses that use public sector information

December 2006

A report prepared for the Office of Fair Trading
by FDS International Ltd

OFT861b

Foreword

This report details a research study carried out among businesses that make commercial use of public sector information (PSI), either directly as end users or by adding value and developing other products for onward sale to others.¹

As part of a broader-ranging investigation by the OFT into the commercial use of public information, FDS International conducted a survey among businesses buying or licensing information from Public Sector Information Holders (PSIHs) to explore the following areas:

- supply of raw information: identifying how the supply operates and how that operation is perceived by the businesses using the data
- supply of value-added information: businesses' onward supply of both raw and value-added information, and the potential overlap or conflict between those commercial operations and those offered by the originating PSIH
- views of businesses on the provision of supply: general views about the operation of this sector, especially where they expand on the topics above, and specific investigation of the need for businesses to raise complaints with PSIHs, and the ways any such complaints were handled.

The survey procedure

From a sample listing of PSI users supplied by the OFT, FDS was able to verify company addresses for 1,741 businesses and sent each an advisory letter about this online research. Of those, 517 agreed to take part in the survey but in the event only 289 actually completed it. This comparatively low level of uptake – one in six of those invited – is in itself a finding and may suggest that most PSI users do not have pressing issues with the processes of buying and licensing.

¹ The contents of this annex consist primarily of a report prepared for the Office of Fair Trading by FDS International Ltd. In a few places, however, qualifying commentary and explanations have been added by the OFT. Where these comments appear in the text, they have been placed inside boxes so that they are readily identifiable and separated from the main body of work.

Full details of the sample and survey method are given in the body of the report. A paper copy of the online survey questionnaire is included at Appendix A.

Supply of raw information

Among those businesses that responded, Ordnance Survey is the most widely used source of information, with over one-half of the businesses buying or licensing information from it. The next most popular are Companies House and the Office for National Statistics (ONS).

Across the sample of firms, the same three supplier organisations – Ordnance Survey, Companies House and ONS – emerged as being those that were most important to their business.

We found at the recruitment stage that many businesses registered as using the Office of Public Sector Information (OPSI) Click-Use scheme were unfamiliar with the term Click-Use, but were able to identify specific public sector bodies from which they obtained information.

The most widespread use of the information is to produce value-added products. Almost one-half use the information purchased to produce products for other businesses, three in 10 for consumers, while two in five respondents use it for their own businesses purposes only. However, this does vary by information source. For example, the majority who use Companies House use it for their own businesses purposes, whereas those using UK Hydrographic Office (UKHO) information generally use it for producing a value-added product or service.

Some businesses raised unprompted problems or issues in connection with the supply of information. The proportion doing so varied from one PSIH source to another but was typically around one-third for those sources that companies use for a value-added product of their own. Foremost among these were issues of:

- timeliness – responsiveness and speed of delivery, and in the time taken to reach licensing agreements
- cost – and particularly cost increases from the Environment Agency and Ordnance Survey
- companies' perception of unfair restrictive policies or conflicts of interest on the part of the supplying organisation.

Supply of value-added information

The most widespread use of the information supplied is to produce value-added products. As mentioned above, almost one-half of the companies surveyed use the information they purchase to produce products for other businesses, three in 10 produce products for consumers, while two in five respondents use it for their own businesses purposes only.

The information that they purchase is clearly very important to these businesses. Most say they would not be able to produce their full product without it. Furthermore, among the total sample of users only just over one-third of businesses claim there is an alternative source available for them to use.

Among the businesses that report they produce value-added products, one in five businesses say they are in direct competition with the PSIHs. Again, this incidence of competition varies by PSI source. For example, over one-half of Driving Standards Agency (DSA) users claim they are in direct competition with DSA. On the other hand, none of the Registry Trust Ltd customers say they compete with that source. There are four PSIH organisations that have at least one-third of their customers claiming to be in direct competition – Registers of Scotland, DSA, the UKHO and the Environment Agency.

A handful of responding businesses suggested that PSIHs were being unfair or unreasonably restrictive from a desire to safeguard their own revenues against commercial competitors, or because they chose to compete directly against companies they had already supplied with data.

Some also felt that a PSIH's licensing policy inhibits the client business' ability to provide the commercial products that it wants to and that the supplier retains certain information for its exclusive use. This inhibits the commercial firm's ability to innovate and deliver the products it feels its customers want.

The views of businesses

As noted above, the low level of response to the survey invitation suggests that many users might not have pressing problems in their interaction with PSIHs, so this survey might overstate the prevalence of such problems. But among those who did complete the survey, almost two in five claim to have had recent problems or issues with PSIHs. This ranged from no one who uses Registers of Scotland having problems, to almost four in 10 of those using UKHO reporting a recent problem. Three of the PSIHs had more than three out of 10 customers experiencing problems – UKHO, DVLA and Ordnance Survey.

Among those who reported problems with the supply of information or data, most had chosen not to complain. However, a small proportion, equating to around one in eight of the total sample, had raised formal complaints with the supplier. Most were unaware of guidelines telling them how to complain, but they were usually able to identify to whom they should address their complaint. Complaints were usually acknowledged but the PSIH often failed to give timetables or say who would be dealing with the complaint.

In general, fewer than one-half of all complaints appear to result in an outcome that the complainant deems satisfactory. Despite the unsatisfactory outcomes, complainants generally decided against taking their complaint further through other routes or channels, or were unaware that they could.

The incidence of actual complaints masks the real level of problems. More respondents felt they should complain but did not bother to, than actually made a complaint. The level of complaints is inhibited especially by a fear that the customer may face repercussions or else feel they were wasting time through complaining.

Much of the survey focused on problems and complaints but just as many users reported particularly positive experiences as reported problems. Their positive experiences often related to how staff in general, or a particular individual in an organisation, had proved extremely helpful to them.

Conclusions

The survey reveals a mixed pattern of views with many examples of happy customers praising good practices, but also customers frustrated by what they perceive to be delays, excessive prices and unreasonable terms and conditions in the supply of public sector information.

It suggests that the licensing policies of certain PSIHs tend to inhibit commercial firms' ability to innovate and supply value-added products that compete with the source bodies and that action in this area, and in costs and terms, would raise companies' satisfaction with the service and data provided.

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1 INTRODUCTION

- 1.1 Under the Enterprise Act 2002, the OFT has a general duty to review activities that may be detrimental to the economic interests of consumers and businesses.
- 1.2 In a press notice released on 28 July 2005 the OFT announced it was launching a market study into Public Sector Information Holders (PSIHs). Subsequently, the study was formally named as the market study into the Commercial Use of Public Information (CUPI). The objective of this study is to look at the way public bodies provide information that is used for commercial purposes.
- 1.3 Some PSIHs sell on information either in its raw data form or as 'value-added' information products involving further refinement of raw data.
- 1.4 Some compete with other private companies in the sale of value-added information. These competing companies have to buy the raw data on which their value-added products are based from the PSIH, which may benefit from an unfair competitive advantage.
- 1.5 So research was needed to explore the following areas:
- supply of raw information
 - unfair competition to supply of value-added information
 - views of businesses on the provision of supply.
- 1.6 The Office of Public Sector Information Guide to Regulations and Best Practice regarding re-use of public information includes sections on handling of complaints. PSIHs are expected to have established complaints processes in place which are transparent to potential complainants. The OFT also wishes to explore whether businesses using PSI:
- feel they have cause for complaint
 - actually make complaints
 - are satisfied with complaints handling and outcomes.

- 1.7 In summary, the study carried out for FDS International on behalf of the OFT aimed to determine if the current process is working well or if there are improvements that can be made for the benefit of consumers, businesses and the overall economy.

2 METHOD

- 2.1 The OFT provided a sample frame of businesses, ordered by the PSIH the OFT believed they used. FDS International was required to look up addresses and telephone numbers. To each organisation for whom we were able to find contact details we sent out letters to the CEO advising them of the survey.
- 2.2 The next stage was to contact these organisations by telephone to establish who the most appropriate person to speak to was and attempt to secure their co-operation to complete an online survey.
- 2.3 Having secured their co-operation, we sent the respondent an email with a unique web link to their online survey for them to complete in their own time. Our procedures were refined following a pilot exercise.

Table 2.1: Sampling frame details

Source of sampling list	Type	Population	Recruitment upper limit	Letters sent out	Recruits	Completes
HMSO/OPSI	Click-Use	5,924	100	999	246	111
	Core ²					
	Click-Use	143	50	111	12	9
	Value-Added					

² Click-Use is the term used to describe Office of Public Sector Information online licences for the re-use of Crown copyright information, Public Sector Information and Parliamentary copyright information.

There are currently three Click-Use Licences. These are the PSI Licence which covers core Crown copyright information and Public Sector Information, the Value Added Licence which covers value-added Crown copyright information and the Parliamentary Licence which covers Parliamentary copyright information. At the time of the survey, the PSI Licence was known as the Core Licence.

Click-Use is a registered trademark.

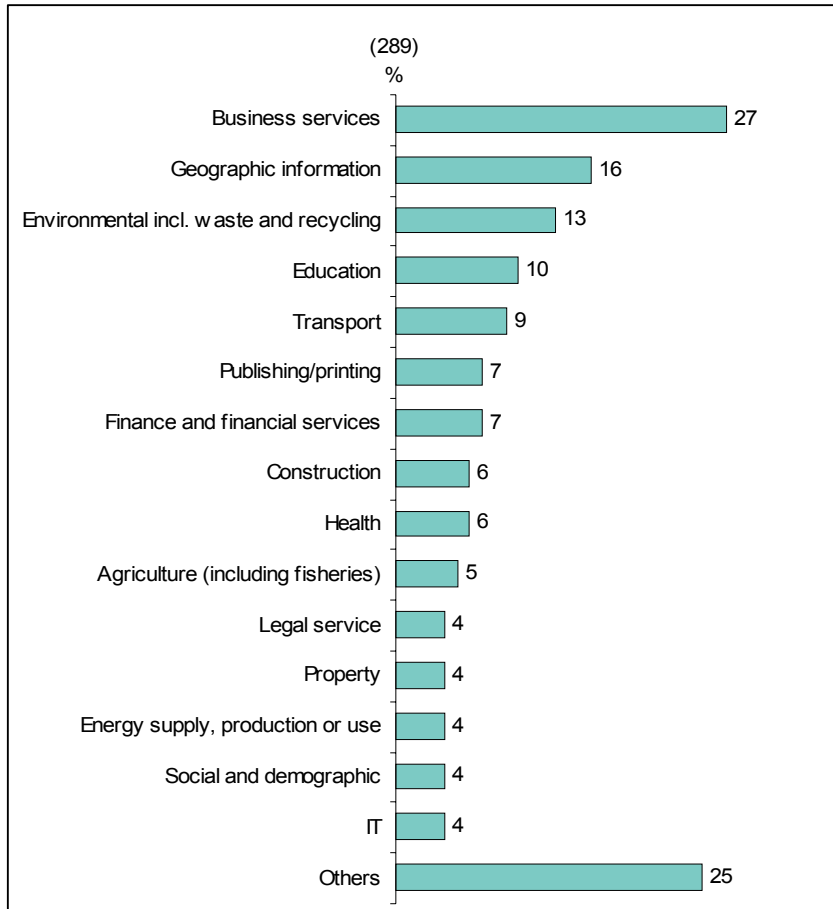
Locus association	Users group	20	20	20	7	5
Companies House		16	16	16	12	7
Driver and Vehicle Licensing Agency		17	11	17	7	6
Environment Agency		44	21	44	20	14
COI		2	2	2	0	0
Driving Standards Agency	Copyright	36	6	21	11	0
	Translate	27	5	8	1	1
UK Hydrographic Office		133	40	79	47	34
Ordnance Survey	Publisher	41	20	32	25	14
	Value added resellers	92	45	67	56	35
Met Office	Wholesaling	89	20	43	10	8
	Commercial < £10m	8	4	7	2	1
	Commercial < £1m	76	20	66	15	11
	Commercial < £100k	4,087	20	209	44	23
Total		10,755	400	1,74	515	289

- 2.4 Quotas were set for the sample types with large populations, such as Click-Use Core and the Met Office commercial groups, and based on experience and response rates from the pilot survey we over-recruited in order to achieve the target number of completed surveys. For some of the shorter sample lists, such as Companies House, it was necessary to send out letters to, and recruit, all available.
- 2.5 Although quotas were set by reference to the sampling frame, respondents were asked to name the main PSIHs that they use in practice – the results are outlined in Chapter 3.

3 PROFILE OF BUSINESSES COMPLETING SURVEY

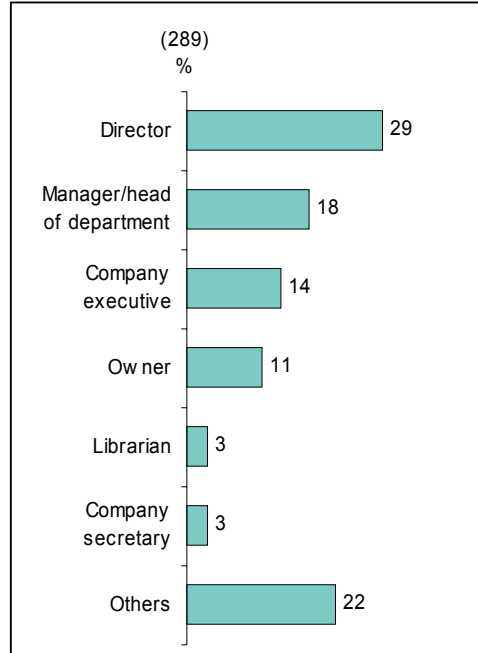
3.1 Businesses from a variety of sectors completed the survey detailed below (respondents were allowed to choose more than one relevant business activity from a list):

Chart 3.1: Business types covered



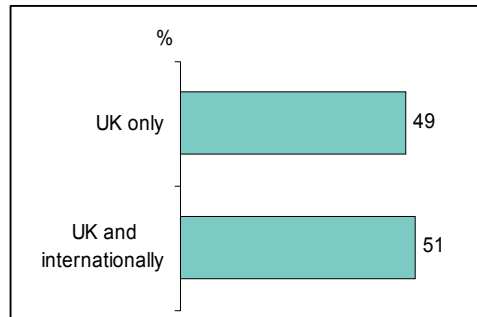
3.2 Job titles of individuals completing the survey are shown below:

Chart 3.2: Job function of respondents



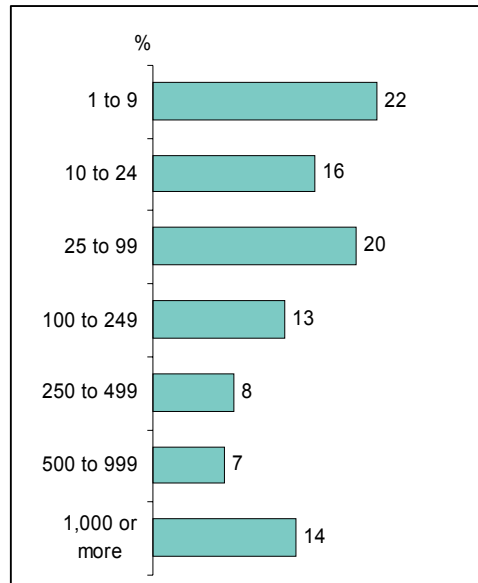
3.3 Chart 3.3 shows that a roughly equal proportion of businesses completing the survey operate in the UK and internationally.

Chart 3.3: UK versus global



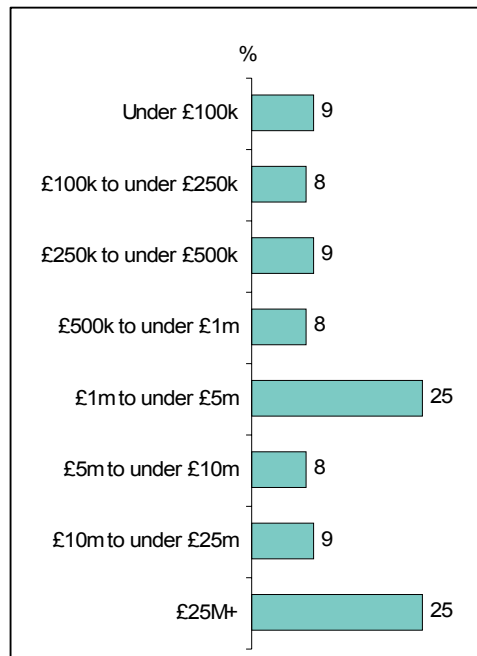
- 3.4 Unsurprisingly, in general the international businesses tend to have a higher turnover and make up the majority of the businesses with 250 or more employees.
- 3.5 The chart below shows the profile of number of employees at all businesses. Approximately one-fifth of businesses have under 10 employees and over one-quarter have 250 or more.

Chart 3.4: Number of employees



- 3.6 The annual turnover profile in Chart 3.5 illustrates that the businesses completing the survey tend to have a relatively large turnover. A small proportion (11 per cent) refused or were unable to give a figure but, among those who did, two-thirds (66 per cent) of businesses have a turnover of £1 million or more, including one-quarter with £25 million or more.

Chart 3.5: Annual turnover

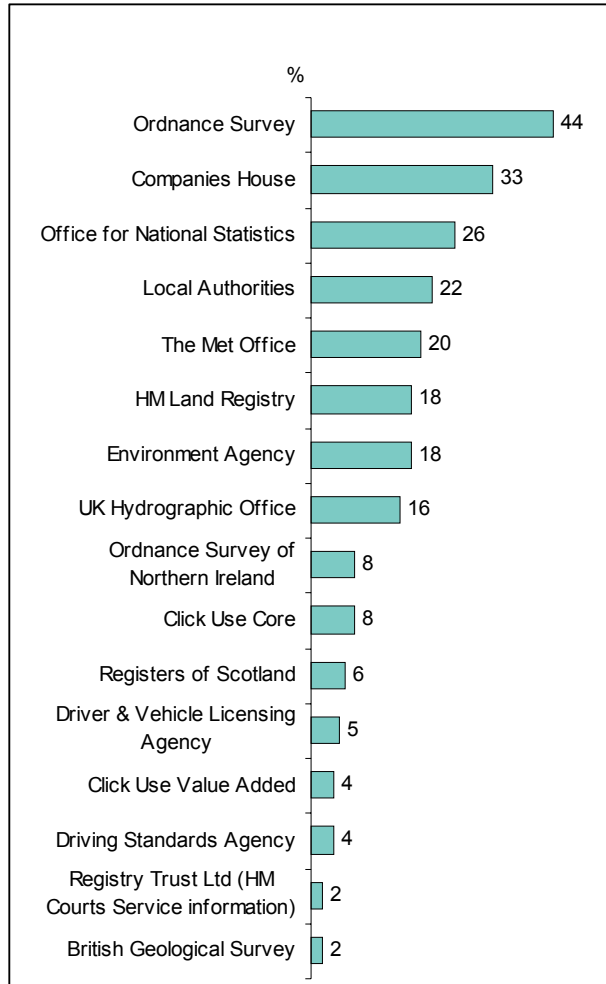


(Base: All 256 answering)

- 3.7 Chart 3.6 overleaf lists the PSIHs that businesses buy or license information from. Ordnance Survey is the most popular, with almost one-half of the respondents buying or licensing information from them (44 per cent), followed by Companies House (33 per cent) and the ONS (26 per cent).
- 3.8 During the initial recruitment process, many businesses that were approached because they were nominally Click-Use Scheme users, proved to be unfamiliar with the term Click-Use and instead identified other specific organisations whose information they used. Only a small proportion of businesses claimed to use the HMSO Click-Use schemes for Core Users and Value Added Users.
- 3.9 The Click-Use scheme is easy to join and is free for Core Users. It would appear that while many information businesses are members of the scheme, the businesses have low awareness of the scheme and their membership.
- 3.10 A number of businesses mentioned Registry Trust Limited, as a source of information. However, Registry Trust Limited is not a public body, but a not-for-

profit company which operates the Registry of Judgments, Orders and Fines for England and Wales on behalf of the Department for Constitutional Affairs.

Chart 3.6: PSIH usage³



(Base: All 289)

3.11 Respondents were asked to rank the PSIHs they use in terms of importance to their business. Forty one per cent of businesses either used only one PSIH or did not have a 'next most' important source. Ordnance Survey has the most

³ These results are not mutually exclusive, and are indicative of many businesses taking part in the survey using information from more than one source.

mentions as the source of greatest importance, followed by Companies House and the Met Office.

Table 3.7: PSIH of greatest importance

	Greatest importance	2 nd most important	3 rd most important	Total top 3 mentions
Base	289	170	106	289
	%	%	%	%
Ordnance Survey	25	21	12	42
Companies House	15	11	15	27
The Met Office	11	4	3	14
UK Hydrographic Office	9	6	3	14
Office for National Statistics	9	12	11	21
Local authorities	5	9	21	18
Environment Agency	4	9	6	11
HM Land Registry	4	5	8	10
Driver and Vehicle Licensing Agency	3	1	-	4
Driving Standards Agency	3	>1	1	4
Click-Use Value Added	3	1	-	4
Click-Use Core	2	3	2	5
Others	7	16	18	20

3.12 In total, 42 per cent of respondents mentioned Ordnance Survey in their top three most important sources and 27 per cent mentioned Companies House. ONS and local authorities move above the Met Office and UKHO in order of importance when we look at total top three mentions.

3.13 Table 3.8 below shows average spend in the past 12 months with each of the PSIHs. Spend with local authorities is the highest of all but this is distorted by

one company who reported spending £15 million. With this anomaly removed, the average spend on local authorities is £58,000.

Table 3.8: Average spend in last 12 months

Base:	289
	£'000
Local authorities (30)	556
The Met Office (36)	217
UK Hydrographic Office (33)	198
Ordnance Survey (96)	144
Environment Agency (25)	111
Others (30)	93
Driver and Vehicle Licensing Agency (9)	84
HM Land Registry (22)	45
Driving Standards Agency (10)	27
Companies House (62)	22
Office for National Statistics (33)	2
Click-Use Core (7)	2
Click-Use Value Added (5)	2

4 PUBLIC SECTOR INFORMATION USES

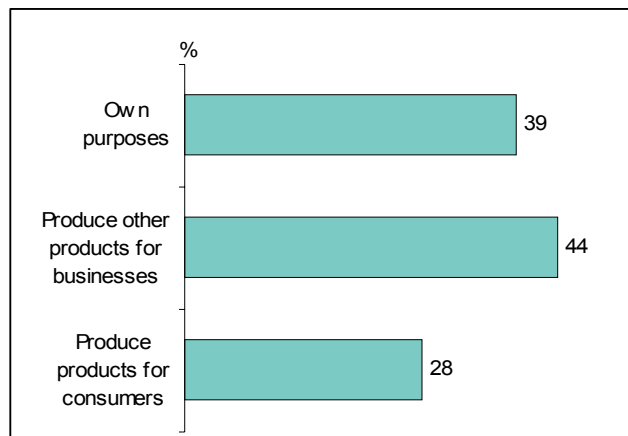
Uses

4.1 There are believed to be two distinct commercial uses of public information. The use of information for a business' own purpose and using it to create a 'value-added' product to supply to others (either business or consumer). During this study all respondents were asked which applied to their usage from their top three most important sources, with the ability for more than one use to be applicable. The question was as follows:

Q6a Which of the following applies to what the business does with the data or information you use from _____?

- we use the information for our own business purposes. It is not incorporated in our products
- we use the information to produce other products, goods or services that are supplied to other businesses
- we use the information to produce other products, goods or services that are supplied to consumers.

Chart 4.1: PSI uses



- 4.2 Overall, and again based on their three most important sources, two in five respondents (39 per cent) claimed to use information for their own business purposes, compared to a slightly higher proportion (44 per cent) who use it to produce other products for businesses. Twenty eight per cent of all respondents use it to produce products for consumers.
- 4.3 Companies House is a source where the greatest proportions use it for their own business purposes only. Over three-quarters of those using Companies House (78 per cent) claim this. Less than one in five (18 per cent) use the information to produce other products for businesses, and only one in 10 (eight per cent) for the supply to consumers.
- 4.4 Sources with more than two-fifths of businesses using the information for their own purposes are:
- Companies House (78 per cent)
 - Environment Agency (54 per cent)
 - Registers of Scotland (50 per cent)
 - HM Land Registry (48 per cent)
 - Met Office (43 per cent)
 - Local authorities (43 per cent).

4.5 The PSI sources used most to create value-added products are as follows:

- UKHO (62 per cent business, 64 per cent consumer)
- Ordnance Survey of Northern Ireland (67 per cent, 42 per cent)
- DVLA (70 per cent, 30 per cent)
- Ordnance Survey (53 per cent, 34 per cent)
- Driving Standards Agency (30 per cent, 50 per cent).

4.6 All three businesses using Registry Trust Ltd use the information to produce value-added products. A full breakdown of uses is shown in Table 4.2 below.

Table 4.2: PSI uses by source (%)⁴

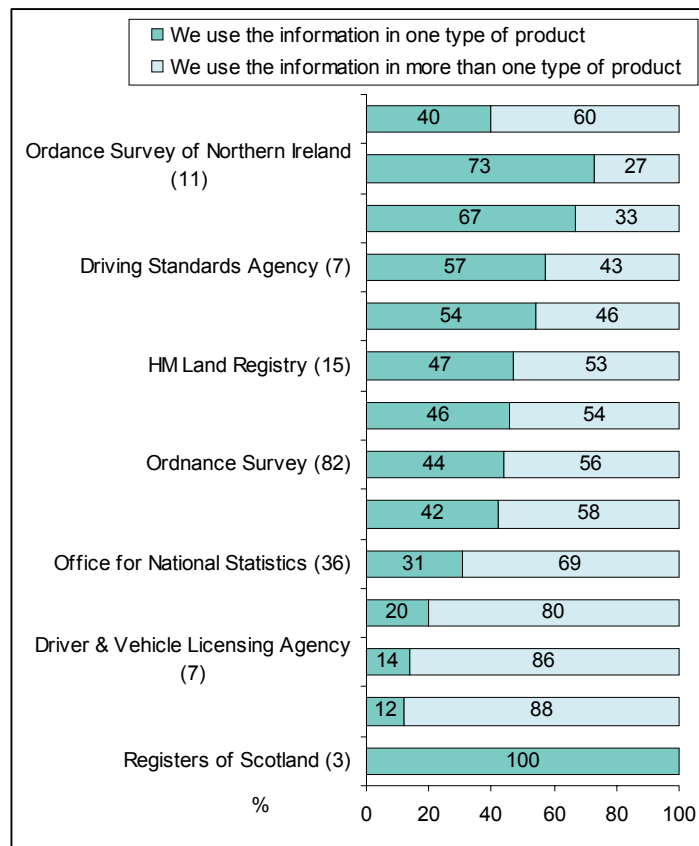
	We use the information for our own business purposes. It is not incorporated in our products	We use the information to produce other products, goods or services that are supplied to other businesses	We use the information to produce other products, goods or services that are supplied to consumers
Ordnance Survey (110)	26	53	34
Companies House (77)	78	18	8
Office for National Statistics (60)	40	52	18
Local authorities (52)	43	38	31
The Met Office (42)	43	38	31
HM Land Registry (29)	48	34	21
Environment Agency (33)	54	33	15
UK Hydrographic Office (39)	5	62	64
Ordnance survey of Northern Ireland (12)	8	67	42
Registers of Scotland (6)	50	33	33
Driver and Vehicle Licensing Agency (10)	30	70	30
Driving Standards Agency (10)	30	30	50
Registry Trust Ltd (3) (HM Courts Service information)	-	100	67

⁴ These categories are not mutually exclusive so percentages may sum to more than 100.

Q6a2 Using your own knowledge and understanding of the products goods and services your business supplies to others, which best describes your use of information from _____ ?

- 4.7 Overall, 40 per cent of organisations completing the online survey who use information to produce other products claim they use it to create just one type of product, with the remaining 60 per cent using it for more than one type.
- 4.8 Those using information from Ordnance Survey of Northern Ireland tend to use it for the creation of the fewest products, with three-quarters (73 per cent) using it for only one. All respondents who use Registers of Scotland use the information to create more than one type of other product.

Chart 4.3: Number of value-added products



Q6b If the data or information you use from _____ were no longer available, would the business still be able to offer the products in which it is used?

- 4.9 The table overleaf shows just how important the information is in producing businesses value-added products. For example, if the data or information from any source were no longer available, only in one-quarter of cases would businesses still be able to produce their product in full. Forty per cent would only be able to make a partial product, leaving one-third of businesses completely unable to create any part of their product.
- 4.10 This is highlighted starkly among those who source information from the DVLA, where of the seven respondents, five would not be able to make any product, and the other two would be able to create only a partial product.

Table 4.4: Would the business still be able to offer the product if information no longer available? (%)

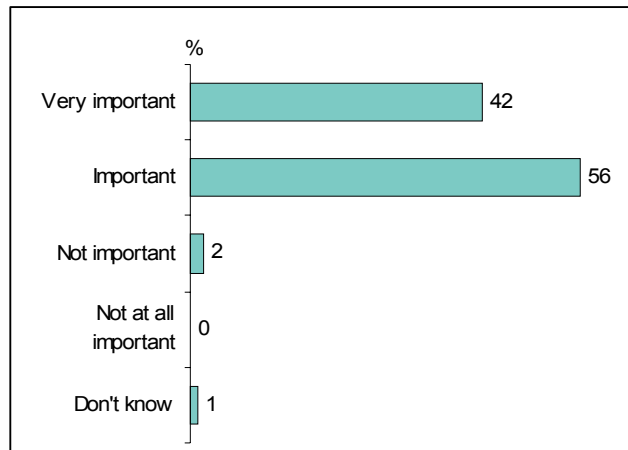
Source	Yes	Yes, but only a partial product	No, product(s) would not be viable without this information/data
Ordnance Survey (82)	26	41	33
Companies House (16)	19	50	31
Office for National Statistics (35)	20	51	29
Local authorities (31)	29	39	32
The Met Office (24)	50	12	38
HM Land Registry (15)	27	40	33
Environment Agency (15)	7	60	33
UK Hydrographic Office (37)	19	38	43
Ordnance Survey of Northern Ireland (11)	18	55	27
Registers of Scotland (3)	33	-	67
Driver and Vehicle Licensing Agency (7)	-	29	71
Driving Standards Agency (7)	29	29	43
Registry Trust Ltd ⁵ (HM Courts Service information) (3)	33	67	-

⁵ See Table 2.1 and accompanying footnotes.

Q6c Are you able to indicate the importance of the information obtained from _____ as an input to the product in question?

4.11 The issue of importance is made more resonant upon further questioning. Of those able to create only a partial product without PSI, 98 per cent believe the information is important or very important to the product in question.

Chart 4.5: Importance of PSI



(Base: 137)

Table 4.6: Importance of PSI by source (%)

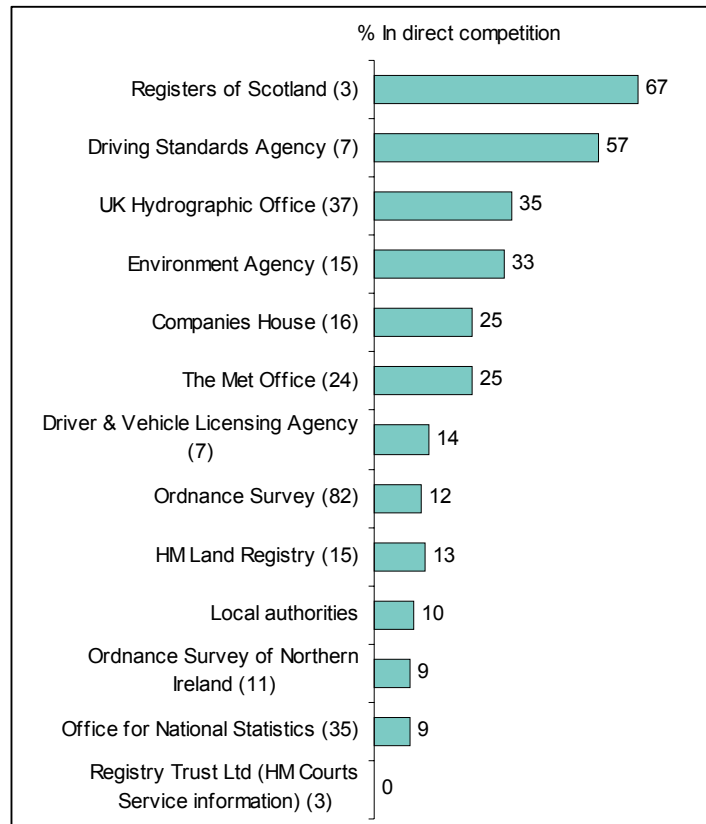
	Very important	Important	Not important	Not at all important	Don't know
Ordnance Survey (34)	44	56	-	-	-
Companies House (8)	75	25	-	-	-
Office for National Statistics (18)	28	67	6	-	-
Local authorities (12)	17	58	17	-	8
The Met Office (3)	-	100	-	-	-
HM Land Registry (6)	67	33	-	-	-
Environment Agency (9)	22	78	-	-	-
UK Hydrographic Office (14)	57	43	-	-	-
Ordnance Survey of Northern Ireland (6)	-	100	-	-	-
Driver and Vehicle Licensing Agency (2)	-	100	-	-	-
Driving Standards Agency (2)	100	-	-	-	-
Registry Trust Ltd ⁶ (HM Courts Service information) (2)	-	100	-	-	-

⁶ See Table 2.1 and accompanying footnotes.

Q6d As far as you are aware, does your business produce any products where you find yourself in direct competition with _____?

4.12 Organisations that produce value-added products from information obtained from public bodies are often not in direct competition with them – only 20 per cent claim to be so.

Chart 4.7: Value-added products in direct competition with PSIH

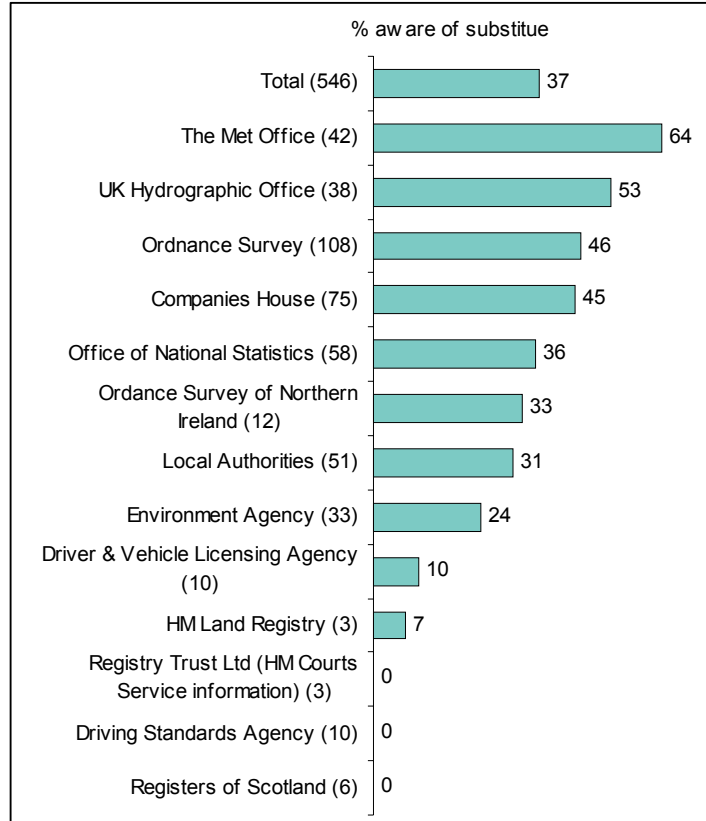


Q6f As far as you are aware, are there any other sources of data or information that you could use and that could substitute for that which you get from _____?

4.13 For just over one-third of all respondents (37 per cent), there is another source of information that could be used to substitute the public information currently obtained. This proportion increases to two-thirds of those using the Met Office, and over one-half who use the UKHO.

4.14 No one who uses Registers of Scotland, the DSA or Registry Trust Ltd feels that there exists a substitute information source.

Chart 4.8: Awareness of substitute sources



4.15 There are three main reasons why organisations do not use these alternative sources (when available). The main is that the alternative is poorer quality, mentioned by almost one-half of all with the option – 48 per cent. Just under one in three think the alternative is more expensive, and 17 per cent say the alternative is less timely.

4.16 Other comments (made by one-quarter of respondents) include:-

'Reputation.' (Met Office)

'Met Office most expensive.' (Met Office)

'Got used to using Met Office data.' (Met Office)

'Limited scale options.' (Ordnance Survey)

'Credibility/want the official source/more authoritative.' (ONS x2/Ordnance Survey)

Legal requirement to prove extension.' (Met Office)

Validates other sources.' (Environment Agency/Local Authorities)

Good communication with OS/local/national government use OS information.' (Ordnance Survey x3)

'Preferred by customers.' (Ordnance Survey)

'Alternative difficult to get hold of.' (UKHO)

'Alternatives derived from OS data/some restrictions on use.' (Ordnance Survey)

'Alternative not as comprehensive/may be incomplete.' (Companies House/Ordnance Survey)

'Data originated from National Statistics.' (ONS)

'Familiarity with current source.' (HM Land Registry/Companies House)

'Prefer to deal with UKHO/suits our requirements/charts popular with customers.' (UKHO)

'Requires IT development/extra processing/data modelling.' (Companies House/LA/DVLA)

'Less authoritative / not an official source.' (ONS)

'No requirement to check other sources.' (Met Office)

'Not UK focused.' (ONS)

'Different in character.' (UKHO)

'Inflexible.' (OSNI x2)

In process of switching.' (Ordnance Survey)

'Reviewing alternatives/reviewing again in 2006.' (Met Office)

'Various/we use several other sources.' (Companies House/ONS x2/OSNI x2/Other x3).

Joint ventures

- 4.17 The questionnaire included a number of questions concerning businesses working with public bodies as joint ventures. The questions were put to all respondents and can be seen by referring to the attachment below, from Q6h to Q6m.
- 4.18 We were interested to learn more about joint ventures but our interest was limited to those that strictly involved proper joint ventures. This interest did not extend to cases where the businesses were simply licensees, users of data, or developers of products that relied in the supplier's information.
- 4.19 However, the number of businesses reporting joint ventures was larger than we expected. Independent evidence both from other research and from stakeholders has convinced us that some respondents made a fairly informal interpretation of this question and included business arrangements that were not joint ventures in the strict sense that we wished to examine. After the event we were not able to distinguish between those actually involved in such ventures and those who might have misinterpreted our questions.
- 4.20 We have therefore taken the unusual step of removing this section of the report. We do not think it in the interests of either the businesses that replied to our questionnaire, the public bodies supplying information to those businesses or the veracity of this report to publish results which misrepresent the true situation.

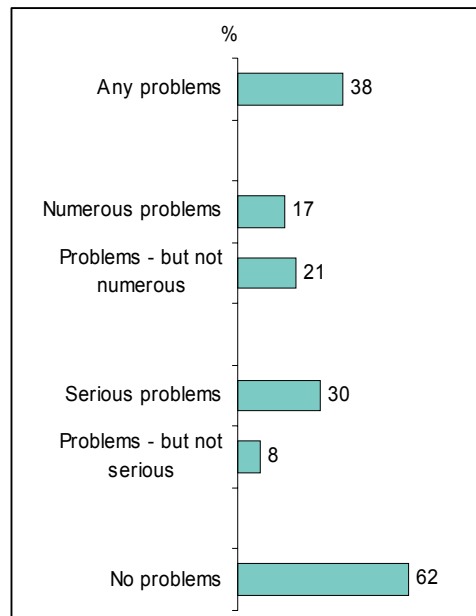
4.21 The OFT accepts responsibility for the design of the questions relating to these issues and wishes to make it clear that this action does not reflect in any way on the efficiency or ability of FDS International, the contractor that undertook the research work. In so far as the main report considers and comments on this issue it relies on research reported in other annexes, included some relating to case studies.

5 PROBLEMS WITH SUPPLIERS OF INFORMATION

- 5.1 About midway through their online questionnaire, participants were asked to consider whether they had had any problems or issues with suppliers of information or data in the last three years. Those responding positively were asked a detailed series of questions related to problems encountered while those asserting they had no problems at all were routed to the next section.
- 5.2 Almost two in five respondents claimed to have had problems or issues with suppliers of information or data within that three year period. Most of those encountering problems considered them to be serious and almost one-half of those with issues said they had been numerous.

Q7a Thinking about the public sector information and data which the business uses, have you had any problems or issues with suppliers of information or data in the past three years?

Chart 5.1: Problems/issues with information suppliers



- 5.3 In replying to the questions in this and subsequent sections respondents used fairly robust language. In places phrases were used that are legally defined within various acts relating to competition. For example, the phrase excessive price appeared in at least one reply. The use of such terms reflects opinion and does not imply any legal definition of the term in accordance with various chapters of the competition or any other act.
- 5.4 The OFT also makes no assumption that any of the answers made or critical comment provided by respondents are established facts. The material represents the views of the participants, and has been used by the OFT to identify potentially important issues that warrant detailed examination, in the light of the full range of evidence gathered in our research.
- 5.5 The initial invitations to businesses to take part in this research were made at random, but as reported above in the foreword the level of uptake was low. Such an outcome clearly gives rise to potential selection bias, with the result that there is an increased likelihood that those taking part have issues or grievances they wish to record.
- 5.6 This is fully appreciated by OFT, and we therefore avoid placing excessive emphasis on overall complaint levels. However, we do have increased confidence that in so far as the supply of information does create problems and issues for business, the responses will provide reliable guidance about business perceptions of the nature of those issues, which issues are relatively more and less common, when and where they occur and why they matter to the businesses in question.
- 5.7 The likelihood of encountering problems and perceived seriousness of these issues did not show any consistent variation by size of company in terms of turnover, with organisations whose turnover exceeded or was less than £1million equally likely to have encountered problems. However, there was an apparent difference by number of employees:
- among companies with one–nine employees, 48 per cent of respondents said they had problems
 - this figure declined to 40 per cent for those with 10 – 249 employees, and
 - to 29 per cent for those with 250 or more employees.

- 5.8 The initial questions to businesses about problems were phrased in terms of their overall experience. However, as some businesses were obtaining information from more than one supplier subsequent questions asking about problems were asked in relation to each business-supplier agreement. The 289 businesses involved had more than 750 links with suppliers, and subsequent tables in this section are based on these totals.
- 5.9 Two suppliers which respondents mentioned most frequently in relation to problems were:
- Ordnance Survey
 - UK Hydrographic Office.
- 5.10 These were also two of the three organisations with the highest proportions (over 30 per cent) of users experiencing problems. Those dealing with Companies House were much less likely to have encountered issues, and none of 17 respondents being supplied by Registers of Scotland had problems.
- 5.11 Fourteen individuals mentioned problems with public sector bodies, other than those specifically named. Although some respondents had encountered problems with more than one supplier, hardly any had problems with more than three suppliers.

Table 5.2: Problems/issues with specific suppliers

Q7b Which of the public sector bodies you obtain information from have you experienced problems or issues with over the past three years?

	Numbers using PSI	Numbers having problems	Proportion of users having problem
Ordnance Survey	127	40	31%
Companies House	95	5	5%
Office for National Statistics	76	10	13%
Local authorities	64	9	14%
The Met Office	58	14	24%
HM Land Registry	52	7	13%
Environment Agency	51	10	20%
UK Hydrographic Office	46	17	37%
Ordnance Survey of Northern Ireland	23	4	17%
Registers of Scotland	17	-	0%
Driver and Vehicle Licensing Agency	15	5	33%
Driving Standards Agency	11	3	27%
Registry Trust Ltd ⁷ (HM Courts Service information)	5	1	20%
OPSI Click-Use Scheme for Core Users	23	2	9%
OPSI Click-Use Scheme for Value Added Users	13	3	23%
Others	80	14	18%
All	756	111	15%

⁷ See Table 2.1 and accompanying footnotes.

5.12 The nature of problems and issues encountered varied but there were some common themes.

5.13 Slow response and delivery was a common source of annoyance as the comments below illustrate:

'There is a backlog of cases for X X because the [public body] are waiting for X X from [public body].'

'Inaccuracies in the data detected during our processing, then long delays whilst the errors are resolved and data reissued.'

'Late delivery of data and data errors.'

'Very slow to respond to customer requirements and deliver new services.'

'Timeliness of X X information.'

'The general experience was rather bureaucratic and there seemed no way to request a speedier service.'

'Late arrival of data.'

'Sometimes slow to supply information.'

'As a small company we were continually put at the bottom of the list for X X data, with the material eventually being run some two years after we commissioned it. Although we requested the data in good time, we were quite brazenly told that X X were more important to them. They shouldn't have said they would deliver it in the first place.'

'Very late delivery of requested data which jeopardised a project completion within tight deadlines.'

'Late delivery of data. The public body supplied their own third-party printer in advance of its licensees.'

'Delivery of information is too slow.'

'Speed of response for requests of X X.'

'Slow delivery with cumbersome written ordering process, then supply of data on CDs by mail, not online.'

5.14 Some of the problems concerning timings related to delays in obtaining licences and reaching agreements on how data could be used:

'Issues relating to annual licences which are far too complicated – took six months to resolve.'

'Untimely response/no response. Unable to get a clear clarification of licence agreements.'

'Time it takes to come to commercial agreements.'

'Getting a contract signed.'

'Extremely slow response when requesting licences.'

'Slow response. Long time to obtain licence. Licences extremely involved and long-winded.'

'All our work is for public sector bodies but the release arrangements for X X data are cumbersome.'

'We had a contract for a year. They were aware that we wanted to use data to write to people for X X purposes. However, the contract I signed included in the small print that I couldn't do that. Solicitors negotiated a new contract with the public body. The public body was slow, pedantic. I got the impression they were obstructive and didn't want me to have this information.'

'The public body requires an organisation to fit into one of a number of specific contracts. The negotiation and signature of these is a lengthy process – three months minimum.'

'Very rigid in terms of use. Slow in resolving licensing issues.'

5.15 Some respondents had concerns regarding the accuracy and/or formatting and hence usability of data. This was the biggest area of concern for those dealing with Companies House and DVLA, although in the case of Companies House at least, relatively few users had issues. Comments on these and a range of other bodies:

'Problems concerning ease of use on the ✂ ✂ system.'

'Inaccurate and out-of-date information on the ✂ ✂ file.'

'Inaccurate data and out-of-date information on the ✂ ✂ file.'

'Monthly provisions of public body data still unusable despite numerous complaints.'

'Wrong ✂ ✂ information coding list.'

'Erroneous data.'

'Inaccurate data with respect to ✂ ✂ information regarding ✂ ✂.'

'Data was not in the right format.'

'Format of the data.'

'Accuracy of ✂ ✂ information.'

5.16 Most of the issues outlined so far arguably relate more to competence and quality of service rather than perceived unfairness. But some participants had issues concerning:

- costs
- what they perceived to be unfair restrictive policies and/or conflicts of interest on the part of the supplying organisation.

5.17 Some (mainly Environment Agency and Ordnance Survey customers) customers were unhappy at price increases:

'Increased data supply charges from £~~100~~ ~~100~~ to £~~100~~ ~~100~~ per report.'

'Costs greater than those originally obtaining the data.'

'Increasing costs with some products meant having to use cheaper, inferior products from elsewhere. Our service is slightly less effective as a result.'

'Public body using its monopoly to impose price changes far above inflation.'

'Prices have gone up by a factor of about ten. Have recently made contact with Sales and Marketing Director who is now taking the issue seriously but we have been making the point for over a year before this happened.'

'The change to copyright rules concerning our holding data for ~~100~~ ~~100~~ using our systems has increased the total cost to ~~100~~ ~~100~~ clients by around £50k – £75k. We are not now allowed to hold the whole ~~100~~ ~~100~~ dataset. We have to take each ~~100~~ ~~100~~ dataset and process individually.'

'We get no advanced warning of price rises.'

5.18 Some argued prices were excessive, regardless of whether these had been increased recently:

'Price – the pricing level means that we are unable to use the data because we cannot afford national coverage of every dataset that might be useful. As a charity, pricing of national or specialist datasets can be prohibitive.'

'Charging system is absurdly complex and totally unsuitable for small/occasional uses.'

'Data is often overpriced. The [public body] have a monopoly so we cannot go elsewhere.'

'High cost.'

- 5.19 Some argued licensing terms were too complex and/or unnecessarily restrictive. These points were made primarily by customers of Ordnance Survey and the UKHO, but mention was made of a wide range of bodies:

'Difficulties licensing data for use by our end-users, despite the fact that they have statutory management responsibilities which rely on this data.'

'[Public body] have an existing licence that presupposes the commercial applicants of their data and will not contemplate modifying terms to make them appropriate for applications they had not previously thought of. They require repeat payment for every additional application of the data one has already purchased. The public body applies constraints to the use of their data, claiming data protection reasons, that ~~we~~ ~~we~~ sees no reason to apply.'

'The public body decided to deny us availability of ~~we~~ ~~we~~ information and keep it for their own direct customers, a decision that we regarded as tantamount to an abuse of their dominant power.'

'We cannot get licence terms that allow us as a licensee to compete with [public body's] direct sales.'

'Difficulties getting suitable and affordable licence terms for our end-users and their particular business needs.'

'Licensing/purchasing model too complex.'

'[Public body] have for many years had a wide reputation for being difficult to deal with. Their licence terms are obstructive and limit development of

services by licensees. Where we have no choice but to use [public body] we are unable to offer our clients the licences and service they request.'

'[Public body] licensing terms can be too restrictive. We wanted to license some data to incorporate in a consumer product we were producing with a particular company, but public body would not license the data to us.'

'Changes to licensing agreement and royalty structures to the benefit of the [public body].'

'Licensing terms were unreasonable and seemed designed to drive our company out of business.'

'We obtain [public body] data set ☒ ☒. The upfront costs of investing in data products are high, the quality of the products as a whole are not satisfactory and result in duplicating effort and costs, the restrictions on subsequent usage in our own products (especially digital products) are onerous.'

'The [public body] data we are licensed to use is of very limited accuracy. We find ourselves and our competitors are denied access to more accurate data which appears to be used exclusively by the [public body] in producing their ☒ ☒ product and their other ☒ ☒ product.'

'Customers seek more accurate results from ☒ ☒ products than we can offer but prefer not to purchase [public body] products, because they do not perform the ☒ ☒ processes.'

- 5.20 There were several suggestions that PSIHs were being unfair or unreasonably restrictive because they wished to safeguard their own revenues against competitors or because they chose to compete directly against companies it had already supplied with data:

'The problem is not with obtaining data, the problem is with [public body] actively encouraging distributors and licensees to develop services and markets and then undercutting with its own service whilst still charging royalties to distributors and VARs.'

'Misuse of being a monopoly supplier to ring-fence business for their own exploitation. Misuse of public funds for producing competitive products already in the marketplace.'

'Undermining of licensees through the introduction of competing 'direct to end-user' products.'

'Our business targeted those niches where [public body] had not provided a suitable product, the creep of [public body's] remit as it adds both extra products to its core product range and services to deliver products is an issue. [Public body] ability to leverage public funds to further its commercial objectives is essentially unfair. [Public body's] licensing and commercial terms and attitude towards partnering, actively restricts the wider use of X X information in the UK, thus hindering overall growth and development of this market.'

'[Public body] only provided the data to X X and they wanted to charge too much for their data which would then make our product more expensive than theirs. In reality, they were protecting their product from commercial competition.'

- 5.21 Two [public body] customers were unhappy that [public body] staff had appeared to criticise the customers' products:

'We understand (from a customer of ours) that a senior [public body official] used the opportunity of a conference X X to denigrate our product which presumably he saw as a threat.'

'Their X X falsely characterised and therefore discredited our product.'

- 5.22 Those who had had any problems at all with any supply of data or information from PSIHs were asked to state which of a number of specific problems they had encountered. If respondents had asserted earlier in the questionnaire that they had no problems or issues with any supplier, we did not then prompt them with problems. (When we had done this on the pilot, sometimes prompting repeatedly on each of five issues for each supplier this had caused considerable irritation

among those who asserted they had no issues.) It was observed that where prompting did take place, some respondents registered greater numbers of issues than they had previously indicated.

5.23 Firstly businesses were asked about problems in relation to how information is made available to them. Numerically, the suppliers with whom respondents were most likely to encounter problems with data provision were:

- Ordnance Survey (28 mentions)
- ONS (15)
- UKHO (13).

5.24 As a proportion of all customers, the suppliers most likely to have customers encountering problems with how information was made available were:

- DVLA (47 per cent)
- HMSO Click-Use for Value Added Users (38 per cent).

5.25 However, base sizes for both organisations were very small.

5.26 Common issues generally reflected those that had been mentioned without prompting, especially:

- tardiness/unnecessary delay (mentioned in 70 out of 135 cases or 52 per cent of all supply issues raised)
- lack of transparency about what is available (63 out of 135 or 47 per cent)
- lack of transparency about why information or data is/ is not supplied (48 out of 135 of 36 per cent).

It should be noted that issues are not mutually exclusive and so any business may register more than one issue in relation to each topic.

- 5.27 Included within 'any supply problem' are a small number of other issues typed in by participants, including data, format and licensing issues and dissatisfaction or concerns regarding price.

Table 5.3: Problems encountered regarding how information is made available

	Any supply problems	Tardiness or unnecessary delay	Lack of transparency about what info is available	Lack of transparency about why info/data are not supplied	Data only available at aggregated level
Ordnance Survey (127)	28 (22%)	15 (12%)	10 (8%)	12 (9%)	6 (5%)
Companies House (95)	6 (6%)	2 (2%)	4 (4%)	4 (4%)	1 (1%)
Office for National Statistics (76)	15 (20%)	6 (8%)	7 (9%)	2 (3%)	5 (7%)
Local authorities (64)	11 (17%)	7 (11%)	7 (11%)	3 (5%)	2 (3%)
The Met Office (58)	10 (17%)	8 (14%)	5 (9%)	5 (9%)	2 (3%)
HM Land Registry (52)	5 (10%)	1 (2%)	2 (4%)	3 (6%)	-
Environment Agency (51)	8 (16%)	3 (6%)	5 (10%)	1 (2%)	-
UK Hydrographic Office (46)	13 (28%)	10 (21%)	5 (11%)	6 (13%)	2 (4%)
Ordnance Survey of Northern Ireland (23)	4 (17%)	2 (9%)	1 (4%)	-	-
Registers of Scotland (17)	1 (6%)	-	1 (6%)	1 (6%)	-
Driver and Vehicle Licensing Agency (15)	7 (47%)	3 (20%)	3 (20%)	-	2 (13%)
Driving Standards Agency (11)	3 (27%)	2 (18%)	1 (9%)	1 (9%)	-
Registry Trust Ltd (HM Courts Service information) ⁸ (5)	-	-	-	-	-
OPSI Click-Use Scheme for Core Users (23)	3 (13%)	1 (4%)	1 (4%)	2 (9%)	1 (4%)
OPSI Click-Use Scheme for Value-Added Users (13)	5 (38%)	1 (8%)	2 (15%)	2 (15%)	-
Others (80)	16 (20%)	9 (11%)	9 (11%)	6 (8%)	5 (6%)
All (756)	135 (18%)	70 (9%)	63 (8%)	48 (6%)	26 (3%)

⁸ See Table 2.1 and accompanying footnotes.

Problems regarding prices/pricing

5.28 Numbers of issues people mentioned concerning prices and pricing were very similar to the numbers mentioned in connection with supply of information.

5.29 Ordnance Survey and the UKHO received numerous criticisms about pricing:

- excessive⁹ pricing
- lack of transparency in price setting
- issues with royalty payments.

5.30 The Met Office was also criticised on the first two measures. Base sizes for customers of other suppliers are low but there were also suggestions that DVLA and DSA charged excessive prices.

5.31 Across different suppliers there were also isolated mentions of:

- complexity of costs/difficult to understand true costs
- differential pricing/some pay more than others.

⁹ The word excessive as used here in respondent's replies reflects opinion and does not imply any legal definition of the term in accordance with Chapter II of the competition act.

Table 5.4: Problems encountered regarding prices and pricing

	Any supply problems	Excessive prices	Lack of transparency in price setting	Issues with royalty payments
Ordnance Survey (127)	37 (29%)	29 (23%)	18 (14%)	17 (13%)
Companies House (95)	3 (3%)	3 (3%)	2 (2%)	1 (1%)
Office for National Statistics (76)	2 (3%)	2 (3%)	-	-
Local authorities (64)	4 (6%)	3 (5%)	2 (3%)	1 (2%)
The Met Office (58)	14 (24%)	10 (17%)	8 (14%)	-
HM Land Registry (52)	4 (8%)	3 (6%)	2 (4%)	-
Environment Agency (51)	6 (12%)	3 (6%)	2 (4%)	2 (4%)
UK Hydrographic Office (46)	14 (30%)	10 (22%)	6 (13%)	6 (13%)
Ordnance Survey of Northern Ireland (23)	4 (17%)	3 (13%)	2 (9%)	-
Registers of Scotland (17)	-	-	-	-
Driver and Vehicle Licensing Agency (15)	4 (27%)	4 (27%)	-	-
Driving Standards Agency (11)	3 (27%)	3 (27%)	1 (9%)	2 (18%)
Registry Trust Ltd (HM Courts Service information) (5)	2 (40%)	1 (20%)	1 (20%)	-
OPSI Click-Use Scheme for Core Users (23)	1 (4%)	-	1 (4%)	-
OPSI Click-Use Scheme for Value Added Users (13)	3 (23%)	3 (23%)	2 (15%)	2 (15%)
Others (80)	7 (9%)	5 (6%)	4 (5%)	3 (4%)
All (756)	108 (14%)	82 (11%)	51 (7%)	34 (4%)

5.32 Reflecting responses to unprompted questions on issues encountered, customers of Ordnance Survey and UKHO were most likely to mention problems with licence terms/conditions.

5.33 Of these listed problems the most common was uncertainty of continued supply of information. This was closely followed by:

- copyright or intellectual property rights disclaimers
- licences of too short or long duration.

5.34 Additionally, there were several mentions of two other issues concerning terms and conditions:

- agreement/contract too restrictive
- too complex/difficult to understand - particularly in relation to Ordnance Survey.

Table 5.5: Problems encountered with terms and conditions of licence

	Any concerns with licence terms/ conditions	Uncertainty of continued supply of information	Licences of too short or long duration	Copyright or intellectual property rights disputes
Ordnance Survey (127)	34 (27%)	12 (9%)	9 (7%)	7 (6%)
Companies House (95)	3 (3%)	2 (2%)	1 (1%)	1 (1%)
Office for National Statistics (76)	7 (9%)	3 (4%)	-	2 (3%)
Local authorities (64)	6 (9%)	2 (3%)	1 (2%)	3 (5%)
The Met Office (58)	8 (14%)	3 (5%)	2 (3%)	2 (3%)
HM Land Registry (52)	4 (8%)	2 (4%)	-	-
Environment Agency (51)	5 (10%)	-	-	1 (2%)
UK Hydrographic Office (46)	15 (33%)	6 (13%)	6 (13%)	5 (11%)
Ordnance Survey of Northern Ireland (23)	4 (17%)	1 (4%)	1 (4%)	1 (4%)
Registers of Scotland (17)	1 (6%)	-	-	-
Driver and Vehicle Licensing Agency (15)	1 (7%)	-	-	1 (7%)
Driving Standards Agency (11)	3 (27%)	1 (9%)	-	-
Registry Trust Ltd (HM Courts Service information) ¹⁰ (5)	1 (20%)	-	-	-
OPSI Click-Use Scheme for Core Users (23)	3 (13%)	1 (4%)	-	-
OPSI Click-Use Scheme for Value Added Users (13)	3 (23%)	1 (8%)	1 (8%)	1 (8%)
Others (80)	9 (11%)	4 (5%)	1 (1%)	3 (4%)
All (756)	107 (14%)	38 (5%)	22 ((3%)	27 ((4%)

¹⁰ See Table 2.1 and accompanying footnotes.

Issues concerning suppliers moving into same market as customers

- 5.35 Some customers, particularly those concerned by UKHO, DVLA and DSA, had issues related to the information holder moving into the same market as themselves.
- 5.36 The main two concerns were:
- suppliers moving into markets developed by the customer
 - concerns about cross subsidy.
- 5.37 Reflecting several unprompted comments, it appears to be a particular concern of organisations supplied by the Hydrographic Office that UKHO is moving into markets developed by the companies to whom they supply data.
- 5.38 There were also a few unprompted comments about information holders providing the same product as the customer, sometimes free of charge.

Table 5.6: Issues concerning the information holder moving into the same market as respondent

	Any issue in this area	Concerns about cross-subsidiary	Moving into markets developed by the business
Ordnance Survey (127)	13 (10%)	8 (6%)	8 (6%)
Companies House (95)	8 (8%)	7 (7%)	6 (6%)
Office for National Statistics (76)	3 (4%)	-	1 (1%)
Local authorities (64)	4 (6%)	3 (5%)	2 (3%)
The Met Office (58)	7 (12%)	3 (5%)	4 (7%)
HM Land Registry (52)	3 (6%)	2 (4%)	2 (4%)
Environment Agency (51)	2 (4%)	1 (2%)	2 (4%)
UK Hydrographic Office (46)	11 (24%)	6 (13%)	10 (22%)
Ordnance Survey of Northern Ireland (23)	2 (9%)	1 (4%)	1 (4%)
Registers of Scotland (17)	2 (12%)	-	1 (6%)
Driver and Vehicle Licensing Agency (15)	3 (20%)	1 (7%)	3 (20%)
Driving Standards Agency (11)	4 (36%)	3 (27%)	-
Registry Trust Ltd (HM Courts Service information) ¹¹ (5)	-	-	-
OPSI Click-Use Scheme for Core Users (23)	1 (4%)	-	-
OPSI Click-Use Scheme for Value Added Users (13)	2 (15%)	2 (15%)	-
Others (80)	8 (10%)	2 (2%)	5 (6%)
All (756)	73 (10%)	39 (5%)	45 (6%)

¹¹ See Table 2.1 and accompanying footnotes.

Issues concerning consistency of treatment

- 5.39 Consistency of treatment of users proved to be an issue for numerous users, although fewer had concerns in this area than the more general areas of pricing, and how information is made available.
- 5.40 Three issues concerning consistency of treatment were each mentioned on around 30 occasions in total in our survey:
- information delayed compared to other suppliers (30 mentions)
 - information supplied at different prices (30)
 - information supplied under different terms and conditions (28).
- 5.41 At a much lower level, there were a few unprompted mentions of:
- incompetence in terms of supply/levels of permitted detail (5)
 - lack of transparency regarding other users' terms and conditions (3).
- 5.42 The UKHO received most mentions from customers concerned at information being supplied at different prices.

Table 5.7: Issues encountered concerning consistency of treatment of all users

	Any issues related to consistency	Info delayed compared to other suppliers	Info supplied under different terms and conditions	Info supplied at different prices
Ordnance Survey (127)	18 (14%)	7 (6%)	10 (8%)	7 (6%)
Companies House (95)	2 (2%)	-	1 (1%)	1 (1%)
Office for National Statistics (76)	5 (6%)	3 (4%)	1 (1%)	1 (1%)
Local authorities (64)	6 (9%)	6 (9%)	2 (3%)	1 (2%)
The Met Office (58)	5 (9%)	3 (5%)	-	1 (2%)
HM Land Registry (52)	3 (6%)	-	1 (2%)	1 (2%)
Environment Agency (51)	4 (8%)	2 (4%)	2 (4%)	2 (4%)
UK Hydrographic Office (46)	10 (22%)	3 (7%)	4 (9%)	7 (15%)
Ordnance Survey of Northern Ireland (23)	3 (13%)	-	1 (4%)	1 (4%)
Registers of Scotland (17)	-	-	-	-
Driver and Vehicle Licensing Agency (15)	3 (20%)	1 (7%)	1 (7%)	-
Driving Standards Agency (11)	1 (9%)	-	-	-
Registry Trust Ltd (HM Courts Service) ¹² (5)	-	-	-	-
OPSI Click-Use Scheme for Core Users (23)	2 (9%)	1 (4%)	1 (4%)	1 (4%)
OPSI Click-Use Scheme for Value-Added Users (13)	2 (15%)	1 (8%)	1 (8%)	2 (15%)
Others (80)	7 (9%)	3 (4%)	3 (4%)	5 (6%)
All (756)	71 (9%)	30 (4%)	28 (4%)	30 (4%)

¹² See Table 2.1 and accompanying footnotes.

6 MAKING COMPLAINTS

- 6.1 Those experiencing problems with the supply of information or data from organisations were asked how often, if at all, they had made formal complaints in the last three years. Most declined to make formal complaints but 37 respondents (around one in eight of the total sample) had complained.
- 6.2 Respondents mentioned Ordnance Survey and the UKHO most frequently in terms of organisations they had issues with, and the same two suppliers received the most complaints from our sample.
- 6.3 Of greatest concern was the UKHO to whom one in five of the customers surveyed said they had made formal complaints in the past three years. This included six individuals making three or more complaints, two of whom claimed to have complained at least a dozen times.
- 6.4 Twelve respondents made complaints to Ordnance Survey, including five doing so more than once in the past three years, one of whom had complained more than 12 times.
- 6.5 The Met Office received complaints from four respondents, two of whom complained on two separate occasions.
- 6.6 The ratio of complaints is also relatively high for DVLA and Registry Trust Limited but numbers are small so this finding must be viewed with caution. Only one individual had made a formal complaint to a local authority but they had done so over a dozen times in the past three years. In contrast, the individual making a complaint to Companies House had done so on only one occasion in the past three years.

Table 6.1: Problems/issues with and complaints made to specific suppliers

Q7d How often, if at all, in the last three years, have you made a formal complaint about the supply of information/data from _____?

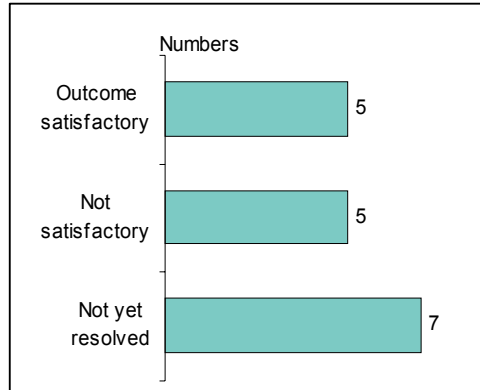
	Numbers using PSI	Numbers having problems	Numbers making complaints	Numbers making three or more complaints	Proportion of users making complaints
Ordnance Survey	127	40	12	4	9%
Companies House	95	5	1	-	1%
Office for National Statistics	76	10	1	-	1%
Local authorities	64	9	1	1	2%
The Met Office	58	14	4	-	7%
HM Land Registry	52	7	1	-	2%
Environment Agency	51	10	2	1	4%
UK Hydrographic Office	46	17	9	6	20%
Ordnance Survey of Northern Ireland	23	4	-	-	0%
Registers of Scotland	17	-	-	-	-
Driver and Vehicle Licensing Agency	15	5	2	-	13%
Driving Standards Agency	11	3	-	-	-
Registry Trust Ltd (HM Courts Service information) ¹³	5	1	1	1	20%
OPSI Click-Use Scheme for Core Users	23	2	-	-	-
OPSI Click-Use Scheme for Value Added Users	13	3	1	1	8%
Others	80	14	3	2	4%
All	756	111	38	16	5%

¹³ See Table 2.1 and accompanying footnotes.

Making complaints

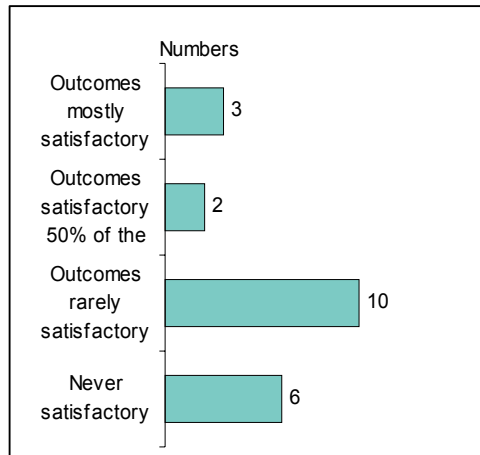
6.7 Individuals' experiences of making a complaint varied across and within organisations. As a generalisation, fewer than one-half of all complaints appear to result in an outcome satisfactory to the complainant.

Chart 6.2: Outcome of single complaints to PSIHs



(Base: Those making a complaint to a specific PSIH on only one occasion - 17)

Chart 6.3: Outcome of multiple complaints to PSIHs



(Base: Those making more than one complaint to a PSIH - 21)

6.8 Not only were complainants often disappointed with the outcome, they usually felt their complaints were dealt with too slowly and that the PSIH failed to deliver a clearly reasoned decision:

- in most cases (19 out of 33 answering) complainants said it was clear to whom they should address their complaint
- few (only seven out of 32) said the PSIH provide guidelines on how to complain
- three out of four complainants (24 out of 32 answering) remembered their complaints being acknowledged
- fewer (only 12 out of 29) said they were told who would be investigating their complaint
- very few (only four out of 32) were given a clear timetable for the decision, and this timetable was met in three out of four instances
- only five out of 26 felt the actual timetable was reasonable
- very few (only two out of 30) felt they received a clearly reasoned decision.

Making complaints to Ordnance Survey

6.9 Six of the seven individuals making a single complaint to Ordnance Survey said their complaint had not yet been resolved, the seventh received a satisfactory outcome. Of the five individuals making multiple complaints, two said they rarely received satisfactory outcomes while three never did so. Some said the issue was still outstanding, mentioning 'ongoing negotiations' or having been told issues are 'non-negotiable'.

6.10 Those who had made a single complaint were asked about that complaint while those making multiple complaints were asked about the most recent. Of those making complaints:

- only four out of 12 making complaints said it was clear to whom they should address their complaint

- only one said Ordnance Survey provided guidelines on how to complain, nine said they did not, while two were unsure
- three remembered being told who would investigate their complaint, seven said they were not told while two were unsure
- only one remembered being given a clear timetable for the decision and this individual confirmed that the timetable was met
- two said the timetable for decisions was of reasonable duration, five said it was not and five were unsure
- only one said they had received a clearly reasoned decision, 10 had not and the twelfth was unsure.

Making complaints to Companies House

6.11 The complainant said the final outcome was satisfactory, but:

- it was not clear to whom the complaint should be addressed
- Companies House did not provide guidelines on how to complain
- the complaint was not acknowledged and they were not told who would be investigating their complaint, although they did receive a clearly reasoned decision
- they were not given a timetable for the decision.

Making complaints to the Environment Agency

6.12 The individual making just one complaint to the Environment Agency did not consider the outcome satisfactory, and the person making several complaints rarely received a satisfactory resolution:

- both complainants said it was clear to whom complaints should be addressed even though no guidelines were provided
- the Environment Agency was said to have acknowledged both complaints but told only one complainant who would be investigating
- both complainants asserted that they were not provided with a clear timetable and neither said the time taken to reach a decision was reasonable
- both denied receiving a clearly reasoned decision.

Making complaints to HM Land Registry

6.13 The individual who made a formal complaint to HM Land Registry said the outcome was satisfactory but was unable to recall details of the process.

Making complaints to Local Authorities

6.14 The respondent who made over a dozen complaints rarely achieving a satisfactory outcome said no guidelines were provided on how to complain and it was unclear to whom these complaints should be addressed:

- the respondent claimed they were not generally acknowledged but they were told who would be investigating – as complaints were made through the National Land Information Service (NLIS) regulator, Local Government Information House Ltd (LGIH)
- no definite timetable was given, decisions took too long and clearly reasoned decisions were not received.

Making complaints to the Met Office

6.15 Both those making single complaints to the Met Office received unsatisfactory outcomes. However, those making two complaints each received satisfactory outcomes on one occasion (despite making only two complaints one said they received 'mostly' satisfactory final outcomes):

- none of the four complainants said the Met Office provide guidelines on how to complain, but two said it was clear to whom they should address their complaint
- three said their complaint was acknowledged, the fourth could not remember
- two were not told who would be investigating their complaint
- none were given clear timetables for the decision, one said the time taken was not reasonable and three were unsure
- three asserted that they did not receive a clearly reasoned decision, the fourth was unsure.

Making complaints to Office for National Statistics

6.16 Despite claiming to have made two complaints, the individual complaining to ONS said they received 'mostly' satisfactory final outcomes.

6.17 The respondent complaining to ONS said they did provide guidelines on how to complain.

6.18 No timetable was given for a decision but the respondent was unable to answer other questions, such as whether they received acknowledgements of their complaints and clearly reasoned decisions.

Making complaints to Registry Trust Limited (HM Courts Service information)¹⁴

6.19 The person making several complaints to Registry Trust Limited rarely received a satisfactory outcome. The complainant said:

- Registry Trust Limited provided guidelines on how to complain
- their complaints were acknowledged and they were told who would be investigating
- a clear and reasonable timetable was given and met
- however, they did not receive clearly reasoned decisions.

Making complaints to UK Hydrographic Office

6.20 Of the three individuals making just one complaint:

- one received a satisfactory outcome
- one felt the outcome was not satisfactory
- one said the complaint was not resolved.

6.21 Of the six multiple complainants:

- five rarely received satisfactory outcomes
- one did so one-half of the time.

6.22 Four of the nine complainants said the UKHO provided guidelines on how to complain, and seven said it was clear to whom they should address their complaint:

¹⁴ See Table 2.1 and accompanying footnotes.

- eight received acknowledgements of their complaints, one claimed not to have done so
- four said they were told who would be investigating their complaints
- only two said a clear timetable of reaching a decision was given and met, one of whom felt the timings were reasonable. The other seven said no timetable was given
- only one of the nine received a clearly reasoned decision.

6.23 One individual observed:

'At the operational level they will generally acknowledge and rectify the problem. When more substantial changes are sought in response to customer demand, their response is bureaucratic, protracted and often inconclusive.'

Making complaints to the Driver and Vehicle Licensing Agency

6.24 The respondent making one complaint only said the outcome was satisfactory. However, the person making two complaints failed to receive a satisfactory outcome on either occasion:

- both complainants said it was clear to whom they should make their complaint but they disagreed on whether DVLA provided guidelines on how to make their complaint
- both confirmed that their complaint was acknowledged and they were told who would investigate
- however, they were not given a timetable for the decision, they did not feel the time taken to reach a decision was reasonable, and the decisions reached were not accompanied by clear reasoning.

Escalating complaints

6.25 Despite the fact that several complainants received unsatisfactory outcomes, they generally decided against – or were not aware of the option of – pursuing their complaints through other routes or channels.

6.26 There were a few instances of dissatisfied complainants:

- referring their grievance to the OFT or other appropriate regulator/ombudsman
- taking the issue to their own MP
- filing a Freedom of Information Request.

6.27 However, most chose not to escalate their issue, possibly hoping to resolve with the PSIH or feeling escalation would be time-consuming.

Cost of complaining

6.28 Few respondents were able to give an indication of time and money spent on making complaints although some gave the impression it was a time-consuming process that could take longer the more the complaint was escalated.

6.29 Costs varied, however, as illustrated by two complainants that had different experiences regarding costs and resources to pursue complaints:

'Travel expenses. General contributions about £2,000.'

'Probably only a few hours of email and telephone exchanges.'

6.30 Some of those complaining argued it was an unequal struggle:

'We are a small company and do not have the time to resource to take on a monopoly. One issue has been resolved (pricing). The issue of using public funds to develop non-data products to directly compete with us has not been. This is a public organisation acting like a commercial company to grab market share using public funds. We cannot compete with this.'

'Our company had multiple meetings and voluminous correspondence regarding licensing terms, prices and basis of imposing costs. The reaction was largely stonewalling and extraordinary inflexibility. The outcome of the procedure was largely predetermined by the [public body].'

Choosing not to complain

- 6.31 Participants who had problems or issues with suppliers were asked to state how often, if at all, in the last three years they felt they should have made a formal complaint about supply of information but had not actually done so.
- 6.32 For almost all information supplies, the numbers of customers with problems/issues who decided against making a formal complaint, despite feeling they should do so, exceeded those actually complaining.
- 6.33 Furthermore, the number of occasions when customers feel justified in complaining but decline to do so is sometimes far greater than the number of times a formal complaint is made.
- 6.34 Only four customers made three or more formal complaints to Ordnance Survey but 16 said there were at least three occasions when they decided against making a justifiable complaint, including three who said this happened over a dozen times.
- 6.35 One individual made over a dozen complaints to local authorities, but four people declined to make legitimate complaints on at least 12 occasions.
- 6.36 Of the PSIHs with over 20 customers surveyed, those with the highest proportions of customers making complaints were:
- UKHO (20 per cent)
 - Ordnance Survey (nine per cent)
 - The Met Office (seven per cent)
 - Environment Agency (four per cent).

6.37 The same rank order was found when customers were asked whether they had declined to complain to an organisation when they felt they should:

- UKHO (26 per cent)
- Ordnance Survey (15 per cent)
- The Met Office (12 per cent)
- Environment Agency (10 per cent).

Table 6.4: Occasions when declined to complain to specific suppliers

	Numbers using PSI	Numbers having problems	Numbers making complaints	Numbers who should have complained but did not	Numbers who should have complained but did not on at least 3 occasions
Ordnance Survey	127	40	12	19	16
Companies House	95	6	1	2	1
Office for National statistics	76	10	1	5	3
Local authorities	64	9	1	4	4
The Met Office	58	14	4	7	3
HM Land Registry	52	7	1	1	-
Environment Agency	51	10	2	5	2
UK Hydrographic Office	46	17	9	12	10
Ordnance Survey of Northern Ireland	23	4	-	1	-
Registers of Scotland	17	-	-	-	-
Driver and Vehicle Licensing Agency	15	5	2	1	-
Driving Standards Agency	11	3	-	2	1
Registry Trust Ltd (HM Courts Service information)	5	1	1	-	-
OPSI Click-Use Scheme for Core Users	23	2	-	-	-
OPSI Click-Use Scheme for Value Added Users	13	3	1	2	2
Others	80	14	3	5	3
All	756	111	38	66	45

6.38 Reasons for not pursuing formal complaint included:

- concern about repercussions/that the customer's position will be made more difficult
- not wishing to damage relationship
- expectation that complaining will prove to be too time-consuming/be a waste of time
- preference for making lower-level, informal complaints
- sympathy/appreciation for problems of PSIH in supplying data.

6.39 Most of these reasons reflect negatively on the supplier, especially the fears that the customer may face repercussions and/or feel they were wasting time through complaining.

6.40 Some specific comments made:

'There would be repercussions. Information can be withheld, meetings can be arranged to exclude business. Also, the law can be changed easily without any problem within a month.'

'The belief that it would not have achieved anything without making our position more difficult.'

'It might jeopardise our next request for data – it might take them longer to provide it.'

'Because our business is dependent on the data and we are concerned about damaging what is already a fragile relationship.'

'We are part of \propto \propto and making a formal complaint may be detrimental to our business relationship.'

'Because the [public body] are the sole suppliers of most of the data and it would have serious consequences for our business if they refused to supply us. The wording of the licences does nothing to reassure us on this point.'

'Because we depend on a positive relationship with the [public body] to achieve our own commercial ends. There did not appear to be any room for change and, therefore, a complaint was futile and potentially damaging to the relationship.'

'Our business depends almost entirely on data from [public body]. A good relationship and avoidance of conflict is therefore extremely important. We have to weigh up the aggravation and work caused by raising formal complaints against maintaining a healthy relationship where a solution is essential to ongoing customer satisfaction.'

'Our company has mentioned this issue to our account manager but not made a formal complaint. [Public body] are too bureaucratic and slow to respond to any complaint. We felt it would not expedite matters. Also, did not know who to make a formal complaint to.'

'Could never get to speak to the right person, too much time involved with no guarantee of a solution.'

'Informal complaint had been dealt with and a formal complaint was unlikely to deliver anything further.'

7 CONTINUING PROBLEMS

- 7.1 All 289 participants were asked to state at the end of their questionnaire whether they had any continuing major negative issues or problems in obtaining information or data from a PSIH.
- 7.2 One in four (25 per cent) claimed to have such issues or problems, and they were asked to provide further details. In many instances, the problems had been raised in response to earlier questions. Comments generally related to similar areas covered in previous unprompted or prompted questions.
- 7.3 Several respondents commented that they had serious ongoing issues with Ordnance Survey that they were still trying to resolve. In addition, several customers had been critical of the UKHO earlier in the questionnaire and there were further serious criticisms at this stage.
- 7.4 In presenting this evidence many respondents were entirely candid about their own business plans and the issues involved. While taking proper recognition of the issues we have decided not to reproduce this verbatim material in full to avoid revealing any information that might be detrimental to the interests of the businesses taking part.
- 7.5 Some participants reiterated dissatisfaction with issues that had emerged previously including being dependent on a monopoly supplier who did not always deliver to their satisfaction, and issues about fees and charges.

'The fees charged by [public body] are grossly excessive, and in our particular case make no allowance for our own input in the products we produce.'

'We are a minor user of this information, and the bureaucratic procedures are far too cumbersome for us. They probably take up more value in time to us than the value of the products we use.'

'[Public body information should be free! It is in the United States.]'

- 7.6 There was also dissatisfaction regarding the difficulty of accessing public information. Sometimes this dissatisfaction focussed on restrictions caused by

licensing constraints, but sometimes public bodies were criticised for not delivering data fully in readily usable formats, or formats appropriate to business needs.

'We would like more packages of documents to be available rather than having to download lots of individual documents. This is why we spend more money with a commercial provider.'

'It seems difficult to discuss issues. [Public body] is extremely secretive, and although all products are those of a public service all products are subject to commercial confidentiality. Future developments are being communicated on the day they are being put into place. There is no co-operation, however. In the past, surveys have been used to move into a market.'

'In the past it was always thought that information ~~was~~ was validated. I was surprised to hear that documents recording changes ~~are~~ are not validated. I believe there are other data that are not validated as true and correct.'

'[Public body] only make their ~~data~~ data of ~~available~~ available to a restricted number of licensees. The [public body] want us to use ~~so~~ so why don't they allow anyone to download the raw data – ideally, free?'

'Very rigid in terms of use. Slow in resolving licensing issues. Expensive in licensing of data which should be in the public domain. A monopoly on this type of data. For ~~the~~, the resolution on licensing with the [public body] is still ongoing after many years.'

- 7.7 Some respondents made general comments, and a recurring theme was that public bodies have too little understanding of the needs or budgetary and time pressures on private companies.

'Most suppliers do not release information in a manner which is conducive to publishing on the Internet.'

'In general it is easier to obtain public data from the Scottish and Welsh authorities than the English.'

'The emergence of technology and new business models is moving at a pace to which the current PSIHs have not responded. These information holders need to respond to the emerging market requirements in a quicker time frame.'

8 POSITIVE EXPERIENCES WITH PSI SUPPLIERS

- 8.1 Many of the questions covered in this study focused on problems, complaints and negative issues. Near the end of the questionnaire, respondents were asked whether they have any experiences dealing with a PSI supplier which they were particularly happy with or which they believed represented best practice.
- 8.2 Participants (73, or just over one in four) that said they had particularly positive experiences were identical in number to those that said they had major negative issues or problems. Comments often related to how staff in general or a particular individual in an organisation had proved extremely helpful.

✂ ✂ are the most improved public body, providing a high-quality service. They are transparent, responsive to questions, clearly identify available data and a named individual to contact about that data. If issues arise, they actively help companies prepare requests and documentations necessary to obtain approval for access to data.

- 8.3 In balance to criticisms made by other customers, some participants were very complimentary towards their public sector information suppliers.

'The [public body] has been an excellent partner.'

'Very helpful in access to and the supply of information.'

'World leader maintaining quality, with efficient processes to deal with third parties.'

'The vast majority of our contact with [public body] is positive. I feel that we work well together.'

'[Public body] are fantastic in how they supply data. Our only issue is the cost. [Public body] are accommodating, helpful and timely.'

'[Public body] is generally a model of good practice in customer service, product quality and fair information trading.'

'[Public body] have been very understanding and helpful in our first attempt at dealing with their specific data.'

'[Public body] very helpful and supportive in helping us to promote our derived products.'

8.4 Some organisations were praised specifically for their online service. Comments related to other suppliers included:

'Generally the [public body] has worked hard to develop partnerships with research bodies like ours that use its data.'

'The [public body] – search and advisory service – excellent service, affordable prices, clear communications, good information about their records in conjunction with individual ~~XXXX~~ information.'

'We obtain the bulk of our public body information via a reseller, ~~XXXX~~. They have invested heavily in translating the information supplied to them into accurate and user friendly format, have exemplary customer service, transparent ordering and pricing structure and fast turnaround time for product supply.'

8.5 Therefore, the picture overall is mixed, with many examples of happy customers praising good practices, but also of customers frustrated by what they perceive to be delays, excessive prices and unreasonable terms and conditions in the supply of PSI.

8.6 However, comments from an individual who has experience of obtaining information from public sector bodies overseas suggests the UK still has scope for improvements:

'Obtaining free information from public sector bodies in the USA (for example, NOAA or NavOceano) is a pleasure. Similarly, free information is available from other governments (for example, LINZ in New Zealand). This ensures the taxpayer does not pay twice for the same thing and encourages a proper national data infrastructure which results in growth and development of the economy and also prevents artificial cross-subsidising.'

A APPENDIX A: ON LINE BUSINESS SURVEY

ATTACHMENT
ONLINE QUESTIONNAIRE

Use of Public Sector Information (OFT)

On-line Questionnaire

Thank you for agreeing to help FDS and the Office of Fair Trading by completing this on-line questionnaire about your business' use of information sources held by public sector bodies. The information which you, and individuals from other companies like yours, give by completing the survey is extremely important. It will provide the Office of Fair Trading with the best possible factual evidence to inform their market study.

It should take between 20 and 45 minutes to complete the survey. You may stop at any point and come back to complete the remaining questions at a later stage. To do this, simply click again on the survey link within the survey invitation email which was sent to you by FDS and you will be taken back to the point at which you stopped.

Please be assured that the answers you give will remain confidential. All information provided will be held on our secure servers. Results will be shared with the Office of Fair Trading but will not identify your organisation. Findings will be used for statistical purposes and published in aggregate form.

Part 1: Some general information about your business

Q1 Which of these categories best describes the business activity of your business? You may tick more than one answer. **MULTICODE**

Agriculture (including fisheries)	1	
Business Services	2	
Construction	3	
Energy supply, production or use	4	
Education	5	
Entertainment including culture	6	
Environmental including waste and recycling	7	
Finance and financial services	8	
Freight and logistics	9	
Geographic information	10	
Health	11	
Hotels & Restaurants	12	
Legal services	13	
Leisure	14	Do not need answer
Manufacturing	15	to go to next question
Meteorological	16	
Mining	17	

Political	18
Property	19
Retail	20
Transport	21
Social and demographic	22
Wholesale	23
Other (SPECIFY)	24
Not stated	25

Q1A Which of these best describes your position?

Owner	1
Director	2
Company secretary	3
Company executive	4
Other (WRITE IN)	5

Q2 Does the business operate...

Just in the UK	1
Or in the UK and internationally also?	2

Q3 How many employees are there in total in the business at all sites within the UK?

1 to 9	1
10 to 24	2
25 to 99	3
100 to 249	4
250 to 499	5
500 to 999	6
1000 or more	7
----- Not stated	

Q4 What is your business's approximate UK annual turnover in the most recent financial year?

0-£55,999	1
£56,000-£99,999	2
£100,000-£249,999	3
£250,000-£499,999	4
£500,000-£999,999	5

£1m or more but less than £5m	6
£5m or more but less than £10m	7
£10m or more but less than £25m	8
£25 million or more	9
Don't know-----	10
Not stated	11

Part 2: The Public Sector Information which the business uses

ADVICE TO RESPONDENTS

The questions below deal with issues that may arise when your business is currently buying or licensing information from a public sector body. Where your business has attempted to buy or license data unsuccessfully these issues are covered later from question 10 onwards.

Q5a From which of the following sources of data or information does your business buy or license information? PLEASE INDICATE ALL THAT APPLY

- Companies House
- Driving Standards Agency
- Driver and Vehicle Licensing Agency
- Environment Agency
- HM Land Registry
- Local authorities
- Met Office
- Office for National Statistics
- Ordnance Survey
- Ordnance Survey (Northern Ireland)
- Registers of Scotland
- Registry Trust Ltd (HM Courts Service information)
- UK Hydrographic Office

Using the HMSO 'Click-use' scheme for CORE USERS. If known, please specify the public body from which the data or information originates

Using the HMSO 'Click-use' scheme for VALUE ADDED USERS. If known, please specify the public body from which the data or information originates

Other public bodies (Please say which)

IF MORE THAN ONE ANSWER AT Q5a ASK

Q5b1 Which of these sources is of greatest importance to your business?

IF MORE THAN TWO ANSWERS AT Q5a ASK

Q5b2 Which of these sources is of next greatest importance to your business?

IF MORE THAN THREE ANSWERS AT Q5a ASK

Q5b3 Which of these sources is of next greatest importance to your business?

ASK FOR TOP 3 SOURCES

Q5b4 Approximately how much did your organisation spend with in the last 12 months?

£: _____

ASK Q6a-g FOR EACH OF TOP 3 USED

Q6a Which of the following applies to what the business does with the data or information you use from _____ (BODY AT Q5b)? CODE ALL THAT APPLY

We use the information for our own business purposes. It is not incorporated in our products

We use the information to produce other products, goods or services that are supplied to other business

We use the information to produce other products, goods or services that are supplied to consumers

IF INFORMATION NOT INCORPORATED INTO PRODUCTS SKIP TO Q6f

Q6a2 Using your own knowledge and understanding of the products goods and services your business supplies to others, which best describes your use of information from _____ (BODY AT Q5b)?

We use the information in one type of product

We use the information in more than one type of product

Q6b If the data or information you use from _____ (BODY AT Q5b) were no longer available would the business still be able to offer the products in which it is used?

Yes

Yes, but only a partial product

No, product(s) would not be viable without this information/ data.

IF 'ONLY PART' AT Q6b ROUTE TO Q6c. OTHERS ROUTE TO Q6d:

Q6c Are you able to indicate the importance of the information obtained from _____ (BODY AT Q5b) as an input to the product in question?

Very important

Important

Not important

Not at all important

Don't know

Q6d As far as you are aware, does your business produce any products where you find yourself in direct competition with _____ (BODY AT Q5b)?

Yes

No

IF YES AT Q6d ROUTE TO Q6e. OTHERS SKIP TO Q6f

Q6e Please type in the name of your business's product(s) and the directly comparable, or competitive alternatives offered by _____ (BODY AT Q5b) in the boxes below. You may use a general description or generic name if you do not wish to provide any product name that could be linked to your business. (MAXIMUM OF 2 PRODUCTS)

Your Product	Is comparable to	(BODY AT Q5) Product
	→	
	→	
	→	
	→	
	→	
	→	

Q6f As far as you are aware, are there any other sources of data or information that you could use and that could substitute for that which you get from _____ (BODY AT Q5b).

- Yes
- No

IF YES AT Q6F

Q6g Why are you using _____ (BODY AT Q5b) as the source rather than using this alternative? You may tick more than one answer.

- Alternative is poorer quality
- Alternative is less timely
- Alternative is more expensive
- Other (WRITE IN)

ASK ALL

Q6h Does your business work with any public bodies as a joint venture?

Yes 1 Q6hi

No 2 Q7a

Q6hi With which public body or bodies does your business work as a joint venture?

Q6j Did you go through a tendering process in order to secure your position in the joint venture?

Yes

No

Don't know

Q6k Is your deal exclusive?

Yes

No

Don't know

Q6l Is your deal time limited?

Yes 1 Q6li

No 2 Q7a

Q6li When does it expire or is subject to renewal?

Part 3: The Business's Experiences Using Public Sector Information

Q7a Thinking about the public sector information and data which the business uses, have you had any problems or issues with suppliers of information or data in the past three years?

Yes 1 Q7ai
No 2 Q10a

Q7ai Were these numerous? Yes / No

Q7aai Did you consider them to be serious? Yes / No

IF NO ISSUES ROUTE TO Q10a
IF ANY ISSUES EXPERIENCED ROUTE TO:-

Q7b IF MORE THAN ONE DATA SOURCE USED
Q7C IF ONLY ONE DATA SOURCE USED.

Q7b Which of the public sector bodies you obtain information from have you experienced problems or issues with over the past three years?

IF MORE THAN 3 MENTIONED

Q7bi Which 3 public sector bodies have you experienced the most serious problems?

DISPLAY ALL MENTIONED AT Q5a
FOR EACH SUPPLIER IDENTIFIED AS HAVING PROBLEMS ROUTE
THROUGH Q7C TO Q7E, THEN Q7F TO Q7G5 SINGLE PROBLEM OR MULTIPLE
PROBLEM AS APPROPRIATE

Q7c Please describe the problems or issues you have experienced recently with obtaining information / data from _____ (BODY AT Q7b or Q7bi)? OPEN RESPONSE QUESTION.

Q7d How often, if at all, in the last 3 years have you made a formal complaint about supply of information/ data _____ (BODY AT Q7b or Q7bi)?

Once

Twice

3-6 times

7-12 times

12+ times

Have not made a formal complaint in last 3 years Route to next section

Q7e When you have made a complaint to _____ (BODY AT Q7b or Q7bi) about supply of information/ data please describe their response. OPEN RESPONSE QUESTION

Q7f&g - alternate wording depending on whether one or multiple complaints made.

IF ONE COMPLAINT MADE

Q7f Was the final outcome satisfactory to you or not?

Yes - satisfactory

No - not satisfactory

Not yet resolved

Q7g1 Thinking just about the complaint handling process (rather than the outcome) (for your most recent complaint)

Was it clear to whom you should address your complaint? Y / N / DK

Did the body in question provide guidelines about how to complain? Y / N / DK

Was the complaint acknowledged? Y / N / DK

Were you told who would be investigating your complaint? Y / N / DK

Were you provided with a clear timetable for the decision? Y / N / DK

Did you consider that the timetable was of reasonable duration? Y / N / DK

Was that timetable met? Y / N / DK

Did you receive a clearly reasoned decision? Y / N / DK

Q7g2 Thinking just about the complaint handling process (rather than the outcome), were there any other features about the process that you wish to comment on? (WRITE IN)

IF COMPLAINT NOT RESOLVED TO SATISFACTION BY BODY AT Q7f ROUTE TO Q7g3 OTHERWISE ROUTE TO PART 4

Q7g3 Did you escalate your complaint to THE OFFICE OF PUBLIC SECTOR INFORMATION (OPSI) or THE ADVISORY PANEL ON PUBLIC SECTOR INFORMATION (APPSI)?

Yes – after failing to resolve with the body in question, it was escalated to OPSI:-

who issued a recommendation to your satisfaction	1
who did not issue a recommendation to your satisfaction	2
Or are they still considering this issue	3

Yes – OPSI issued a recommendation, then a review by APPSI was requested:-

who issued a recommendation to your satisfaction	4
who did not issue a recommendation to your satisfaction	5
Or are they still considering this issue	6

No – did not escalate through these channels 7

Q7g4 Did you pursue your complaint through other routes and channels?
If so, in what way did you pursue it?

No, did not pursue complaint through any of these	1
Ombudsman scheme	2
Court action	3
You had a complaint that related directly to OPSI or another public body that allowed you to refer it directly to APPSI	4
The Office of Fair Trading	5
Mediation or arbitration	6
Office of the Information Commissioner	7
Office of the Scottish Information Commissioner	8
Other (WRITE IN)	9

Q7g5 If possible, please describe the costs and resources used to pursue any complaints reported above – regardless of the channels used.

Factual information would be preferred if it is available, but in its absence general indications of time and effort would still be useful. OPEN RESPONSE QUESTION

IF MULTIPLE COMPLAINTS MADE

Q7f Thinking about all the times in the last 3 years you made a formal complaint about supply of information/ data to _____ (BODY AT Q7b)? how often, if at all was the final outcome satisfactory to you?

- Always
- Mostly
- About 50/50
- Rarely
- Never

Q7g1 Thinking just about your experience of complaint handling processes (rather than the outcome) on balance which of the following were true?

- Was it clear to whom you should address your complaint? Y / N / DK
- Did the body in question provide guidelines about how to complain? Y / N / DK
- Was the complaint acknowledged? Y / N / DK
- Were you told who would be investigating your complaint? Y / N / DK
- Were you provided with a clear timetable for the decision? Y / N / DK
- Did you consider that the timetable was of reasonable duration? Y / N / DK
- Was that timetable met? Y / N / DK
- Did you receive a clearly reasoned decision? Y / N / DK

Q7g2 Thinking just about your experience of complaint handling processes (rather than the outcome), were there any other features about the processes that you wish to comment on? (WRITE IN)

IF ANY COMPLAINTS NOT RESOLVED TO SATISFACTION BY BODY
ROUTE TO Q7g3 OTHERWISE ROUTE TO PART 4

Q7g3 Did you escalate any of your complaints to THE OFFICE OF PUBLIC SECTOR INFORMATION (OPSI) or THE ADVISORY PANEL ON PUBLIC SECTOR INFORMATION (APPSI)?

- Yes - one Q7g3ii
- Yes - more than one Q7g3iiia
- No, none Q7g4

Q7g3iiSo which of the following applies to the complaint that you escalated to THE OFFICE OF PUBLIC SECTOR INFORMATION (OPSI) or THE ADVISORY PANEL ON PUBLIC SECTOR INFORMATION (APPSI)?

After failing to resolve with the body in question, it was escalated to OPSI:-

- who issued a recommendation to your satisfaction 1
- who did not issue a recommendation to your satisfaction 2
- Or are they still considering this issue 3

OPSI issued a recommendation, then a review by APPSI was requested:-

- who issued a recommendation to your satisfaction 4
- who did not issue a recommendation to your satisfaction 5
- Or are they still considering this issue 6

Did not escalate through these channels 7

SKIP TO Q7g4

Q7g3iiia Which of the following applies to the most recent of these complaints that you escalated to THE OFFICE OF PUBLIC SECTOR INFORMATION (OPSI) or THE ADVISORY PANEL ON PUBLIC SECTOR INFORMATION (APPSI)?

After failing to resolve with the body in question, it was escalated to OPSI:-

- who issued a recommendation to your satisfaction 1
- who did not issue a recommendation to your satisfaction 2
- Or are they still considering this issue 3

OPSI issued a recommendation, then a review by APPSI was requested:-

- who issued a recommendation to your satisfaction 4
- who did not issue a recommendation to your satisfaction 5
- Or are they still considering this issue 6

Did not escalate through these channels 7

Q7g 3iiib And which of the following applies to the second most recent of these complaints escalated to THE OFFICE OF PUBLIC SECTOR INFORMATION (OPSI) or THE ADVISORY PANEL ON PUBLIC SECTOR INFORMATION (APPSI)?

After failing to resolve with the body in question, it was escalated to OPSI:-

- who issued a recommendation to your satisfaction 1
- who did not issue a recommendation to your satisfaction 2
- Or are they still considering this issue 3

OPSI issued a recommendation, then a review by APPSI was requested:-

- who issued a recommendation to your satisfaction 4
- who did not issue a recommendation to your satisfaction 5

Or are they still considering this issue 6

Did not escalate through these channels 7

Q7g4 Did you pursue any of your complaints through other routes and channels?

If so, in what way did you pursue it?

No, did not pursue complaint through any of these 1

Ombudsman scheme 2

Court action 3

You had a complaint that related directly to OPSI or another public body that allowed you to refer it directly to APPSI 4

The Office of Fair Trading 5

Mediation or arbitration 6

Office of the Information Commissioner 7

Office of the Scottish Information Commissioner 8

Other (WRITE IN) 9

Q7g5 If possible, please describe the costs and resources used to pursue any complaints reported above – regardless of the channels used.

Factual information would be preferred if it is available, but in its absence general indications of time and effort would still be useful. OPEN RESPONSE QUESTION

Q8a (Apart from times you have made a formal complaint) how often, if at all, in the last 3 years have you felt you should make a formal complaint about supply of information/ data _____ (BODY AT Q7b) but have not actually done so?

Once

Twice

3-6 times

6-12 times

12+ times

Have not felt I should make a formal complaint in last 3 years

IF EVER FELT SHOULD HAVE COMPLAINED, BUT HAVE NOT DONE SO
ROUTE TO Q8b

Q8b Please explain why you did not actually make a formal complaint when you've felt you should about supply of information/ data from _____ (BODY AT Q7b). OPEN RESPONSE QUESTION.

Q 8a-b REPEATED FOR EACH BODY MENTIONED AT Q7b

ASK ALL

REPEAT FOR UP EACH OF THE MAIN BODIES USED

Q9a Now some questions about specific issues or problems you may have experienced with supply of information or data from (BODY AT Q5). First thinking about how information is made available to you, which, if any, of these issues have you ever experienced?

Tardiness or unnecessary delay	1
Lack of transparency about what is available	2
Lack of transparency about why information or data is not supplied	3
Data Only available at aggregated level	4
Something else to do with how data is made available to you? (WRITE IN)	5

Q9b Now thinking about Prices and Pricing, which, if any, of these issues have you ever experienced with (BODY AT Q5)?

Excessive prices	1
Lack of transparency in price setting	2
Issues with royalty payments	3
Something else to do with pricing? (WRITE IN)	4

Q9c Moving on to Terms and Conditions of Licence, which, if any, of these issues have you ever experienced with (BODY AT Q5)?

Uncertainty of continued supply of information	1
Licences of too short or too long duration	2
Copyright or intellectual property rights disputers	3
Something else to do with Terms and Conditions of Licensee? (WRITE IN)	4

Q9d And now thinking about issues related to the information holder moving into the same market as you.....

Concerns about cross subsidy	1
Moving into markets developed by the business	2
Something else to do with information holder moving into your market. (WRITE IN)	3

Q9e Now thinking about consistency of treatment of all users

Information delayed compared to other suppliers	1
Information supplied at different terms or conditions	2
Information supplied at different prices	3

Something else to do with consistency of treatment for all users (WRITE IN)

4

Good practice

Q10a Do you have any experiences dealing with Public Sector information supplier which you were particularly happy with or which you believe to represent best practice?

Yes 1
No 2

IF YES ROUTE TO Q10b

Q10b Please describe these positive experiences in as much detail as possible. Please make sure you identify the public body, and the information or data involved. OPEN RESPONSE QUESTION

Major issues

Q11a Do you have any continuing major negative issues or problems in obtaining information or data from a Public Sector information supplier?

Yes 1
No 2

IF YES ROUTE TO Q10b

Q10b Please describe these issues or problems in as much detail as possible. Please make sure you identify the public body, and the information or data involved. OPEN RESPONSE QUESTION

Thank you very much for taking part in this survey. As stated at the beginning, all responses will remain confidential. However, the Office of Fair Trading may wish to contact some businesses to seek further opinions on the issues raised.

Would you be willing for your name and contact details to be passed to OFT for this purpose?

Yes 1
No 2

End