



Information Fair Trader Scheme

Verification of commitment to information fair trading

Fire Service College

April 2007

Unlocking the potential of public sector information



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PART ONE: OVERALL ASSESSMENT

1. The Fire Service College (FSC) is still relatively new to information trading despite being verified as an Information Fair Trader for 2 years. FSC has made some efforts to implement the recommendations made at the last verification, particularly as regards developing a framework of policies and procedures which are in accordance with the principles of IFTS. However, more needs to be done to fully meet the principles of IFTS. In summary, our concerns are:
 - FSC needs to recognise that licensing will provide tighter control over the re-use of their material and increase the potential revenue.
 - FSC currently holds much information which could be made available for re-use, but due to an overly cautious approach is not being licensed. More action is needed to promote change and increase the licensing undertaken by the FSC.
 - Only one of the recommendations made following the first verification has been met and many continue to be placed on hold or are only partially met. OPSI has drawn a line under these recommendations. Due to the extent of key changes occurring at FSC the majority of recommendations made at the first verification are no longer relevant. The focus will therefore be on the recommendations made in this report.
2. Following the Re-verification OPSI has made a number of high priority recommendations signalling the importance of the actions FSC must take before their current licensing activities reach the required IFTS standard. FSC is assessed as being HIGH risk for the reasons set out above.
3. We have made a number of recommendations relating to both present practices and future developments, but recognise that FSC is committed in theory to developing its information business in line with its commitment to IFTS. FSC, in particular the Information Management Team, has introduced a number of initiatives to develop its licensing activities. These include some areas of good practice, particularly on the FSC website. The Information Management Team, while introducing some laudable procedures, appears to have minimal influence within the rest of FSC. It is essential for the Information Management Team to have support at a senior level if its procedures are to have maximum impact within FSC. OPSI will continue to work closely with FSC to ensure that policies and practices are put in place to meet the required standard.
4. **The FSC is re-accredited to the Information Fair Trader Scheme, on the proviso that all of our recommendations are implemented over the next 12 months.**

PART TWO: INTRODUCTION

Information Fair Trader Scheme

5. The Information Fair Trader Scheme (IFTS) is the best practice model for public sector bodies wishing to demonstrate compliance with the Re-use of Public Sector Information Regulations 2005. IFTS ensures that re-users of public sector information can be confident that they will be treated reasonably and fairly by public sector information providers.
6. The Fire Service College (FSC) has a delegation of authority from the Controller of HMSO to license the re-use of Crown copyright information. IFTS is the mechanism by which the Controller of HMSO regulates those Crown bodies with a delegation to administer their own licensing. All such bodies with a delegation must remain accredited to the Scheme. If a Crown body does not get accredited, then it is open for the Controller of HMSO to withdraw the delegation and make alternative arrangements for licensing the re-use of the organisation's material.

First verification

7. The FSC commitment was verified in 2005; our report on that verification was completed, and FSC accredited under IFTS, in May 2005. At its first verification, FSC demonstrated a commitment to fulfilling the principles of the Information Fair Trader Scheme. The recommendations made at the first verification and the progress FSC has made in meeting them can be found in Part Four.

Re-verification

8. Re-verification is important as organisations change and staff move on. It is also an opportunity for us to ensure that the recommendations of the last verification have been fully implemented. The frequency of re-verification is based on several risk factors including the complexity of the licensing system, how critical the information is and the standard of compliance at the first verification.
9. An additional factor adding to the importance of the re-verification is the plans that FSC has to develop its licensing activity. While it is relatively insignificant at the moment, we understand that FSC intends to expand its activities in this area. We believe that it is important that FSC should continue to put in place the missing IFTS-related policies and practices, in advance of any such expansion.

The Business of the Fire Service College

10. The FSC is a trading fund under the Department for Communities and Local Government (DCLG). FSC provides fire and rescue training for public services and private companies from the UK and abroad.

Licensing and trading in information

11. FSC is relatively new to trading in information and does not consider it to be a core activity. However, it has developed licensing and pricing policies which will apply to any request to re-use information. Most of the information produced by the FSC is training course material and currently much of this is not available for re-use due to strict Health & Safety standards, National Security concerns and issues surrounding third party copyright and IPR. The FSC has other categories of information which are available for licensing, including:

- data: text, graphics, software, audio-visual, database contents, other multimedia material;
- added value products: where there is complete or substantial re-use and the customer adds value by using it in a compilation or adding commentary, analysis, indexing etc; and
- bespoke products: developed to meet specific needs of customers
- photographs: since a new licensing policy was introduced, requests have mainly been for the re-use of photographs produced by the FSC

12. The anticipated customer base for re-using FSC information includes:

- fire and rescue services in the UK and throughout the world.;
- providers of courses to fire and rescue services; and
- members of the public interested in fire services and
- authors and editors of magazine articles on fire and emergency issues.

PART THREE: KEY CHANGES

13. Since our last verification there have been several key changes in FSC personnel, which has meant that a significant amount of knowledge of IFTS and copyright issues has been lost.
14. Another key change has been the demise of the Licensing & Franchising Steering Group and the Licensing and Franchising Unit (LFU). The LFU was started to enable the FSC to achieve IFTS accreditation and to develop its licensing policies. Further to this, once the licensing policies had become relatively established at the FSC, the L & F Steering Group was to make decisions about licensing and franchising issues where the standard licences did not apply and resolve complaints about licensing.
15. The FSC has no plans to re-convene the L & F Steering Group or LFU but they have now established a Portfolio Board to look at the range of products they currently trade in, (predominantly training products) and to see how they can be developed over the next 12-18 months. It is envisaged that part of the remit of the Board will be to look at how the FSC can develop their licensing activities, but this is not yet seen as critical to their business model and so will be a lesser priority to other product development plans.
16. Despite this, through the hard work of the Information Management team and as part of the FSC's plans to develop its licensing activities it has:
 - Introduced new services such as a feedback form for all Licensing customers and internally it has established a database of third party copyright holders in order to assist FSC staff identify the copyright in new products.
 - Introduced standard responses to all Licensing communications.
 - Added extensive copyright and IPR guidance for all staff to access on its intranet.
 - Improved the website to comply with IFTS standards and in doing so now provide an exemplar of Best Practice.
17. At the time of the last verification FSC had concerns about whether licensing information for re-use would be appropriate due to the nature of its business; fire and safety. It has sought clarification on this issue, and in the light of that advice, has now established a list of licensing exceptions which manage the Health & Safety risk implications. As part of this, FSC has started looking at what information can be made available for re-use.
18. FSC is currently in the process of developing a managed learning service (e-learning product) commissioned and paid for by its parent department, the Department of Communities and Local Government (DCLG). As part of this, the Product Development Team has started looking at how it can avoid past confusion caused by a lack of clarity over who has the ownership and licensing responsibility for Crown copyright products

developed jointly with DCLG. These discussions have also prompted the group to look at methods for dealing with breaches of Crown copyright.

PART FOUR: HIGHLIGHTS AND AREAS FOR IMPROVEMENT

Highlights and Areas for Improvement – Current Activities

General

19. As indicated above, we believe that FSC has made efforts to develop a framework of policies and procedures that are in accordance with the principles of IFTS. In particular we note the continued endeavours of the Information Management Team to raise awareness at the FSC through putting in place clear and practical procedures for those requesting re-use and also the development of detailed and clear guidance for staff which are available on the intranet. We also note the excellent development of the external website which provides FSC customers with transparent and open guidance on the FSC's licensing policy and commitment to IFTS. Through discussions with staff we note that considerable effort has been put into staff training and development in IFTS.

20. Despite these efforts, however, the Fire Service College currently licenses the re-use of very little information. There are several reasons for this:

Third Party copyright

21. Many of the courses produced by the FSC contain elements of third party copyright; this makes it difficult to ascertain who owns the IPR in these products and who should be responsible for licensing them and retaining the income from their sales. There is currently no procedure in place for staff to follow when faced with these issues.

22. **OPSI recommends that when the FSC is involved in collaborative projects it identifies who owns the IPR and who will be responsible for licensing the material. We suggest FSC investigate the possibility of using the model Lambert agreements, which set out who has the right to exploit the IPR in the outcome of collaborative projects. The model agreements are on the DTI website at: <http://www.innovation.gov.uk/lambertagreements/>**

Health and Safety Risk

23. The culture within the FSC promotes the idea that their material is not generally suitable for re-use in the wider market. We accept that the FSC needs to be extremely conscious of the Health & Safety implications of licensing their material, and that there are other valid constraints such as national security and data protection, but there still needs to be an openly published statement setting out clearly the criteria for meeting the FSC's strict Health & Safety standards. There should also be a published list of

material which under these exemptions will never be available for re-use. Aside from these necessary exemptions the FSC must recognise and identify material which does not fall under these exemptions and which would prove useful to the wider markets that it currently holds. **OPSI recommend that FSC becomes more pro-active by identifying all the material that can be made available for re-use. This material should be placed in an asset register.**

24. Once the FSC has in place the necessary procedures to lift these perceived barriers to the re-use of their material it will greatly enhance their position as an Information Fair Trader. **We recommend FSC develop a clear policy which openly explains why certain material can not be released, for reasons such as Health & Safety, Data Protection and National Security. The exemptions should be published with a detailed explanation.**
25. **We recommend that as the FSC starts to develop different licensing activities it ensures that every customer is charged fairly. This means that every customer should be charged the same price for re-using the same material in same way.**

Licence Review

26. We have reviewed the standard licence templates used by FSC. We noted that in general the standard licence used is acceptable but there were a few concerns, noted in detail in appendix 1.
27. One pressing concern is with clause 13.1. It was recommended in our first verification that this clause be removed from the FSC standard licence, and this recommendation has still not been met. The power to transfer licensing responsibility is vested with the Controller of HMSO and therefore should not be in this licence. It is a high priority that this recommendation be met.
28. We noted that there was an over reliance on legalistic language resulting in a lack of clarity in certain terms. This lack of clarity also means that certain terms could be left open to subjective interpretation by both the licensee and FSC and does not meet the transparency principle. See Section 1 of Appendix 1.
29. We also observed that there was an imbalance when it came to obligations, seemingly weighted unnecessarily unfavourably on the side of the licensee.
30. In regards to information on the practical arrangements such as around payments, renewal and termination of the licence, they were absent from the standard licence. See Section 5 of Appendix 1.
31. **We recommend that the FSC consider simplifying some of the terminology used in its standard licence template.**

32. **It is a requirement that FSC remove clause 13.1 as the power to transfer Licensing responsibility is invested solely with the Controller of HMSO.**

Website Assessment

33. We carried out a review of the website, taking as far as possible the stance of a potential licensee.
34. It is clear that the website has improved vastly since our first verification. We found several areas of the website to provide examples of best practice; we found the licensing information to be very clearly laid out with comprehensive guidance on how a potential re-user could apply for and re-use the FSC's material. It is particularly noted that there are numerous links to the OPSI website and other relevant legislation appropriate to your licensing activities such the 2005 Re-use Regulations providing customers with detailed and comprehensive guidance. **We also highly commend the publishing on FSC's website of FSC's pricing policy and also its standard licence.**
35. To improve transparency even more, we feel that further improvements are desirable. For example, as licensing becomes a more prominent aspect of the FSC's business we would also expect it to receive a more prominent position on the website. It is currently several clicks away from the homepage and not prominently displayed.
36. One further concern is that in the FSC published pricing policy there is no detailed mention of discounts offered, yet through discussions with staff it is apparent that FSC feels there are occasions when a discount is appropriate. For instance, free publicity would result from offering a photograph for free to a magazine, which could otherwise prove to be a costly expenditure. Discounts of this nature are permissible as long as they are applied fairly, consistently and that there is a publicly available explanation of when and for what reason they are applied to ensure transparency. OPSI will provide guidance on this issue. For a more detailed website assessment please see Appendix 2
37. **We recommend that, as licensing becomes a more integral part of the FSC's business model, information about licensing becomes more prominent on the external website. We suggest that the licensing pages are linked to the Crown Copyright notices.**
38. **We recommend that if the FSC decides it will offer discounts on its prices for non-commercial re-use that these discount prices must either be published or at least explained on the website. This must also be the case if the FSC decides to offer discounts in return for publicity.**

Significant Policy Area for Consideration

39. We noted from the extensive information provided to us prior to the re-verification that much of the necessary guidance, policy and procedures required to make the FSC an Information Fair Trader is in place due to the hard work of the Information Management team. Unfortunately through our discussions with staff we also noted that the culture of the FSC does not actively support licensing activity. This culture needs to change, and for this to be possible there needs to be support for a cultural change at Board level.
40. Licensing does allow the FSC to retain control over the re-use of its material. It is an issue for the FSC that training participants do take away their materials and re-use them without permission. Through clear licensing procedures this permission can be granted to those people who are suitable and qualified to re-use the material, thus minimising the risk of the FSC's material being re-used in ways that could cause harm. Currently when the FSC becomes aware of the unauthorised re-use of its material, it does not always act effectively.. If the FSC embraces a clear licensing policy and puts it into practice it will lead to a greater awareness of what is regarded as a breach of copyright and what the FSC's licensed rights are and how these rights should be enforced to ensure appropriate re-use.
41. The charging of royalties and fees for re-use of licensed material is an ongoing source of revenue for the FSC, potentially raising additional income for the FSC. The copyright remains with the Crown and is managed by the FSC and therefore it is entirely appropriate that a royalty is paid for its re-use.
42. **We recommend that there be greater authority and support for the Information Management Role to ensure that current written procedures and policies are cascaded to all relevant staff.**
43. **We recommend that a policy on handling copyright infringements is put in place in order to ensure that all Crown Copyright material is managed appropriately.**

Highlights and Areas for Improvement – Planned Developments

44. We welcome the current discussions taking place within FSC regarding its future licensing activities and we expect that they will encourage the re-use of public sector information. We note that FSC is taking considerable time and effort to put together the right framework for these developments, including careful consideration of the licensing model, particularly around the issues it struggles with such as ownership of IPR and third party copyright.
45. We fully support the moves under way; however we have made FSC aware of the need to work closely with OPSI whilst developing the policies and models, as we feel there are some potential issues longer term. FSC

have agreed to 6-monthly meetings. **We recommend that FSC should work closely with OPSI to ensure that the framework being developed for Commercial Services is fully in accordance with the principles of IFTS and that where possible its staff are made aware of the role played by OPSI and particularly in the area of investigating licensing complaints.**

PART FIVE: PROGRESS

46. We made a number of Recommendations in our first verification; we discussed progress on these with staff at FSC. We found evidence of progress in licensing policy development and the creation of procedures and databases with the purpose of tracking licences and the use of 3rd party copyright. We were also pleased to note that Transparency has been increased by the improved website information including the reasons for exemptions. Yet we were still disappointed to see that very few of the original recommendations have been met.

47. Although considerable efforts have been made by the Information Management Team it seems that the progress witnessed on our first verification has been slowed due to the disbandment of the Licensing and Franchising Steering Group. Discussions of products to be licensed within the Portfolio Board would be a positive step and OPSI looks forward to being included in future discussions with the Board as licensing activities develop at FSC.

APPENDIX 1: REVIEW OF STANDARD LICENCE TERMS AND CONDITIONS

REVIEW OF FIRE SERVICE COLLEGE STANDARD LICENCE

Some of the wording included in the licence is based on the OPSI standard template licence for valued added material.

Evaluation Criteria

1. Clarity of licence terms

Check for clarity of language, jargon, legalistic language, plain English

The FSC have added some legalistic language to their licence which makes a number of the terms difficult to understand. Please see below for specific examples.

The paragraphs 1.1 to 1.19 in clause 1 (Definitions and interpretation) contain numerous examples of difficult to interpret legalistic language, 1.1 for example refers to “innominate term”.

It would improve the clarity of the licence if some of the terms were revised into Plain English.

The language used for clause 2 Royalties on Schedule B is not easy to follow (see comments at 5 below). It includes words such as “bona fide” and “arm’s length”. The difficulty with such phrasing is that they are open to subjective interpretation.

2. Comprehensiveness of licence terms

Are there any significant omissions? Does the licence contain terms that you would not expect to find in a licence?

All of the terms that you would expect to find in a licence are included in the template licence. As a template it is intended to cover a range of different licensing arrangements. The Schedules are tailored to meet specific types of re-use and reflect whether or not the re-use is subject to payment by the licensee.

As already stated the use of plain English would provide clarity and reduce the length of the licence.

3. Fairness

Does the licence contain terms that are unfair or unnecessarily discriminates between different user groups?

The Licence sets out the obligations for the Licensee at clause 3 and clause 4. It does not include a section for FSC obligations. The Licensee also has to comply with the Standards included at Clause 2 of Schedule A. This is blank on the draft.

Under 4.4.1 the Licensee is required to “provide samples” and under 4.4.2 provide “detailed descriptions of all Products”. The licence does not state a response time for the FSC to give its approval/clearance.

It does not seem fair that the FSC “is under no obligation to provide Updated Material” or to grant a “licence” for Updated Material.

4. Consistency

Does the licence contain any terms which are inconsistent and contradictory?

The second sentence of clause 4.1 seems to contradict the first sentence. The reason being that clause 3 sets out general Licensee obligations and clause 4 applies to those Licensees who are re-using the Material in Products. What clause 4.1 seems to be saying is that clause 4 does not grant the right to re-use the Material.

OPSI suggests that the grant clause and schedule A are revised to make the extent of the rights granted clearer.

Clause 3.6 states what the licensee “shall not do” and clause 5 of Schedule A what the Licensee is permitted to do – this is likely to cause confusion due to a lack of consistency.

5. Practical Arrangements

Is it clear what the process is for making payments, amending terms for example?

Schedule B is included on licences where the licensee makes payments to the FSC. Clarity would be improved by the use of plain English. The definition of “Sales Value” provided “means the invoiced sales value of the

Material (or, as the case may be, Products) in an arm's length transaction exclusively for money" – is not particularly clear.

Under clause 2.1 the Licensee is required to pay an advance against royalties. The licence does not make clear whether the advance is deductible from the first royalty payment or if it is refundable if the licensee asks to end the licence having not made any sales.

The language used for clauses 2.3, 2.4 and 2.5 is difficult to interpret.

Clause 4 covers Standard charges. The licence does not set out the amount due. How does the licensee know what they are required to pay FSC? When they receive the invoice?

The licence itself does not set out the arrangements for renewing, or extending the term of, the licence.

6. Restrictiveness of terms

Are any of the terms unnecessarily restrictive?

Clause 3.6 includes restrictions but they do appear unnecessarily restrictive.

Clause 10 covers **Termination**. The licence does not contain a provision for the Licensee to request to terminate the licence.

Clause 1 of Schedule C enables the Licensee to cancel the Licence Agreement. This schedule seems to be included only in agreements where the Licensee is purchasing something from the FSC, e.g. magazines, computer software. It would appear not to be included in licence agreements when a Licensee is re-using FSC material in its own product/service.

It is acceptable to include a clause about confidentiality as the FSC may license material that they would not want getting into the wrong hands, for example information on how to deal with particular types of fire.

7. Additional Comments

Clause 3.2 and 4.3 sets out the copyright notice. This follows the suggested wording included in the delegation but with the addition of "England" after "College". The reason for this is unclear. Scotland has its own "Scottish Fire Service Training School". It is my understanding the FSC is for England and Wales. The inclusion of England may cause sensitivities for the Welsh. Recommend that this is not included in the notice.

Clause 13 Assignment

Clause 13.1 should not be included in the licence agreement. The FSC are not allowed to transfer their licensing responsibility to any other organisation.

It is unlikely that the Controller of HMSO would give permission for this and so it should be excluded. 13.2 should be retained.

The licence sent for review included the Fire Services College Intellectual Property Conditions – Copyright Ownership. These conditions are not appropriate for a “re-use” licence. The terms are suitable for where the FSC is paying an individual or organisation to undertake research on its behalf. The terms cover the assignment of copyright to the Crown in the results of the research.

It would not be acceptable for a licensee who is re-using material created by the FSC in a product to be expected to assign copyright in the product to the Crown.

30 March 2007

APPENDIX 2: WEBSITE ASSESSMENT

IFTS Website Assessment

Organisation: Fire Service College

Site available at: <http://www.fireservicecollege.ac.uk/>

Date assessed: Monday 26th March

Score: 227

- 1.1 Does the website have an Information Asset Register? **Yes**
- 1.2 If yes, how many clicks is it from the homepage? **3**
- 1.3 How long did it take to find? **2-4 minutes**
- 1.4 If there is no IAR, is there other guidance on what information is available? **N/A**
Please provide a link for the IAR page, along with comments on how easy it was to use.

<http://www.fireservicecollege.ac.uk/About+Us/Access+to+Information/InformationAssetRegister.htm>

The IAR was easy to use and fully explained in terms of its history and reason for being. There was a link to OPSI and an option for feedback on IAR.

- 2.1 Does the PSB use standard licences? **Yes**
- 2.2 Are these published in full on the website **Yes**
- 2.3 If yes, how many clicks are they from the homepage? **4**
- 2.4 How long does it take to find? **2-4 minutes**
- 2.5 How many standard licences are there? **1**
- 2.6 Is there an explanation of what different licences are for and is it clearly understood? **Yes**
Please provide a link to the standard licences here. If there are a large number of standard licences, are they proportionate to the volume of licensing carried out?

<http://www.fireservicecollege.ac.uk/NR/rdonlyres/1A959A56-D042-4D7A-AE12-BE789FCD2F3A/0/Examplelicence.pdf>

There is one standard licence which is proportionate to the amount of Licensing conducted by the Fire Service College.

- 3.1 Is there any charge made for licences? **Yes**
- 3.2 Is there an explanation of the charges? **Yes**
- 3.3 Is there an explanation of how charges are drawn up? **Yes**
Please provide a link to the charges here, along with any explanation of the way they are drawn up.

<http://www.fireservicecollege.ac.uk/NR/rdonlyres/8E24D788-A068-405C-88BE-51917827A9B5/0/LicensingFranchisingPricingPolicyEdited.pdf>

The charges are explained in a fully published and detailed Licensing and franchising policy document.

- 4.1 Is there an IFTS commitment on the website? **Yes**
- 4.2 How many clicks is it from the homepage? **3**
- 4.3 How long does it take to find? **1-2 minutes**
Please provide a link to the IFTS commitment

<http://www.fireservicecollege.ac.uk/NR/rdonlyres/EAE357CC-60C1-40F3-95D0-AFB6EC749EB5/0/IFTSCommitment.pdf>

- 5.1 Is there clear and precise information on how to apply for a re-use licence? **Yes**
- 5.2 Are there a variety of methods for applying for licences? **Yes**
- 5.3 Is it possible to apply online for a licence?(Including emailing a form) **Yes**
- 5.4 Does it specify a timescale to grant licences? **No**
- 5.5 If yes, what is that timescale (in working days)? **N/A**

There is a deadline for a decision on whether or not a licence will be granted, this is 20 days, but there is not a deadline for the actual completed licence agreement.

- 6.1 Does the PSB have a procedure for complaints regarding licensing decisions? **Yes**
- 6.2 How many clicks is it from the homepage? **2**
- 6.3 How long does it take to find? **1-2 minutes**
- 6.4 Does it mention that if the complainant is unhappy they can refer to OPSI or APPSI? **No**
Please provide a link to the complaints page. If there is no separate licensing complaints page, please link to the general complaints section.

<http://www.fireservicecollege.ac.uk/About+Us/Licensing/>

- 7.1 Does the website explain what information is not available? **Yes**
- 7.2 If Yes, does it explain why? **Yes**
- 7.3 How many items are listed? **N/A**
Please provide a link to the page with this explanation. What is the nature of the unavailable items? Please comment if the nature of the PSB's activity would require a larger/smaller number of exceptions than would be expected. Are the exceptions listed specific, or cover a category?

<http://www.fireservicecollege.ac.uk/About+Us/Licensing/ReuseLicenceRefusal.htm>

Most of the exceptions listed on this page are regarding Health and Safety issues which I believe to be particularly relevant due to the dangerous nature of the Fire Service Colleges work.

- 8.1 Does the website outline any exceptions to normal licensing policy? **Yes**
8.2 If Yes, does it explain why that exception has been made? **Yes**
8.3 How many exceptions are there? **4+**
What is the nature of the exceptions? Are the exceptions specific? Please provide a link to the page

<http://www.fireservicecollege.ac.uk/About+Us/Licensing/ReuseLicenceRefusal.htm>

Most of the exceptions listed on this page are regarding Health and Safety issues which I believe to be particularly relevant due to the dangerous nature of the Fire Service Colleges work.

- 9.1 Does the website have a Crown Copyright notice? **Yes**
9.2 Is it linked to from every page? **Yes**
9.3 How many clicks is it from the homepage? **0-1**
9.4 How long does it take to find? **<1 minute**
9.5 Is OPSI/HMSO mentioned, with contact details? **Yes**
- 10.1 Does the website have an electronic search facility? **Yes**
10.2 If yes, how many clicks is it from the homepage? **0-1**
10.3 How long did it take to find? **<1 minute**
*Please provide a link for the search page, along with comments on how easy it was to use. If it is not present, does it say why? **N/A***

<http://www.fireservicecollege.ac.uk/>

The electronic search facility was very easy to use and it is linked to on every page.

- 11.1 Is the material available by electronic means? **Not stated**
11.2 Is it possible to download direct from the website? **No**
11.3 If data is not available electronically, is there an explanation of how to obtain it? **Yes**
11.4 If data is sent via email, is there a specified timescale for delivery? **N/A**
11.5 If yes, what is the timescale (In working days)? **N/A**
Please state any other methods of receiving data. If a timescale is published, to what extent do they meet that commitment?

The material is sent to the Licensee once a Licence agreement has been signed and returned to the Fire Service College. No time scale is given in regards to how long this will take.

- 12.1 Does the PSB outline its responsibilities under IFTS on their website? **Yes – all**
- 12.2 Does the website explain what IFTS is aiming to achieve? **Yes**
- 12.3 Are the benefits of IFTS explained? **Yes**
- 12.4 Is the PSB using IFTS logos on their website and actively mentioning they are a member of the scheme? **Yes**
- 13.1 Does the PSB outline its policy towards its trading of PSI? **Yes**
- 13.2 Does the PSB explain how it arrives at decisions? **Yes**
- 13.3 Does the website have an explanation of what re-use is? **Yes**
- 13.4 Does the website explain what Crown Copyright is? **Yes**
- 13.5 Does the website explain why licences are sometimes needed to re-use information? **No**
- 13.6 Does the website explain the difference between FOI and re-use? **Yes**
- 13.7 Does the website explain what a trading fund and delegated authority is? **Yes**

Please provide a link to any explanations here.

<http://www.fireservicecollege.ac.uk/About+Us/Licensing/>

Please enter any comments that you may have about the website, and how it promotes re-use of PSI, explains the processes of licensing and what it says about IFTS.

I found this website to be extremely compliant with the requirements of the Information Fair Trader Scheme. All licensing information was published in full and there were several really useful links to relevant licensing legislation.

There was an Information Asset Register published on the website but it was fairly sparse. This may need more looking at unless there is no further information available for re-use.

I also felt that the licensing information was a little hid away from the main pages. This may be reflective of the relatively small amount of licensing work the Fire Service College actually conducts.

APPENDIX 3: SUMMARY OF RECOMMENDED ACTIONS

This is a summary of the recommended actions to:

- remedy the weakness identified; and,
- strengthen the commitment to Information Fair Trading.

Principle	Ref	Recommendation	Priority
Openness	22	OPSI recommends that when the FSC is involved in collaborative projects it identifies who owns the IPR and who will be responsible for licensing the material. We suggest FSC investigate the possibility of using the model Lambert agreements, which set out who has the right to exploit the IPR in the outcome of collaborative projects. The model agreements are on the DTI website at: http://www.innovation.gov.uk/lambertagreements/	High
	23	OPSI recommend that FSC becomes more proactive by identifying all the material that can be made available for re-use. This material should be placed in an asset register.	High
Fairness	25	We recommend that as the FSC starts to develop different licensing activities it ensures that every customer is charged fairly. This means that every customer should be charged the same price for re-using the same material in same way.	High
	43	We recommend that a policy on handling copyright infringements is put in place in order to ensure that all Crown Copyright material is managed appropriately.	Medium
	31	We recommend that the FSC consider simplifying some of the terminology used in its standard licence template.	Medium
	32	It is a requirement that FSC remove clause 13.1 as the power to transfer Licensing responsibility is invested solely with the Controller of HMSO.	
	37	We recommend that, as licensing becomes a more integral part of the FSC's business model, information about licensing becomes more prominent on the external website. We suggest that the licensing pages are linked to the Crown Copyright notices.	Medium

Transparency	38	We recommend that if the FSC decides it will offer discounts on its prices for non-commercial re-use that these discount prices must either be published or at least explained on the website. This must also be the case if the FSC decides to offer discounts in return for publicity.	Low
	4	The FSC is re-accredited to the Information Fair Trader Scheme, on the proviso that all of our recommendations are implemented over the next 12 months.	High
Compliance	24	We recommend FSC develop a clear policy which openly explains why certain material can not be released, for reasons such as Health & Safety, Data Protection and National Security. The exemptions should be published with a detailed explanation.	High
	42	We recommend that there be greater authority and support for the Information Management Role to ensure that current written procedures and policies are cascaded to all relevant staff.	Medium
	45	We recommend that FSC should work closely with OPSI to ensure that the framework being developed for Commercial Services is fully in accordance with the principles of IFTS and that where possible its staff are made aware of the role played by OPSI and particularly in the area of investigating licensing complaints.	High

Appendix 4 -Summary of Recommendations and follow up action after IFTS accreditation 2004

Reference	Summary of Action	Priority	Progress	Status
Openness				
	Produce a considered justification of the current policy of refusing to licence course material	High	Exemptions are in place but need further clarification in publicly available statements	Ongoing
	Be clear about what material is Crown copyright and falls under its responsibility. Where joint projects and funding arrangements are concerned, it is important that IPR is made an integral clause in contracts and agreements. It is recommended that such a clause is made mandatory in all agreements which involve working with non-college staff and that any informal agreements are	High	Procurement contracts include a clause about IPR & Crown copyright. Agreements/contracts with visiting lecturers, etc. include a clause about IPR and crown copyright.	Ongoing

	formalised.			
	Carry out a full information audit across the whole organisation to make it clearer to staff and the public what is available and to help populate the Information Asset register.	Medium	This has not been started	Ongoing
Fairness				
	Ensure that staff are aware that fire and rescue services and other groups should not receive preferential treatment.	Medium	There has still not been a satisfactory discounts policy established	Ongoing
	(If franchising is established) Seek advice on competition law	Medium	Franchising has not yet been established	Ongoing
	(If franchising is established) Develop objective criteria which concentrate on justifiable safety concerns and not the protection of the college's business.	High	Franchising has not yet been established	Ongoing
	(If franchising is	High	Franchising has not yet	Ongoing

	established) Ensure that any supply or licence fee which applies to competitors is charged internally on College products so as to maintain a level playing field		been established	
Transparency				
	Explain what type of information is available for re-use (eg photographs, reports) on the website	High	The current information available is explained but there is further information which needs to be available and further clarification on exemptions is needed.	ongoing
	Amend the timescale for response on the 'Requesting a licence' web page, to 20 working days so that it is consistent with the Re-use of Public Sector Information Regulations 2005	High		Completed
	Link the Crown copyright notice on the website to the terms & Conditions and licensing	Low	This is under consideration at the moment	Ongoing

	arrangements			
	Consider simplifying some of the terminology used and removing unnecessary clauses in the standard licence	Low	The licence is still found to be overly legalistic in terms of the language used	Ongoing
	Amend the standard licence, taking comments made into account	Medium	There are still concerns with the standard licence	Ongoing
Compliance				
	Include the role of, and plans for, the LFU in the college's Business plan in order to illustrate a commitment to government policy on the re-use of information	Medium	The LFU has been disbanded with no plans to re-convene	Superseded
	Provide a more visible link to the information about Crown copyright and licensing on the intranet	Low	The intranet has not been updated since the first verification. It will be a further 6 months before this project is started.	Ongoing