

Question	Evidence for conclusions	Implications and required actions for Higher Education Institution.
Are universities Public authorities?	<p>Evidence from INSPIRE Regulations 2009 Section 3, state that a body defined by the FOIA 2000 will be defined as an “INSPIRE Public Body”.</p> <p>University of Edinburgh, Records Management section have confirmed beyond doubt that Universities are indeed ‘Public authorities’ for purposes of INSPIRE and therefore the Regulations are in scope.</p>	<ul style="list-style-type: none"> <li>• Should have assessed data sets held within the Institution against its “Public Task” as per INSPIRE Regulations 2009. Any data that it produces, receives, manages or updates and is also the ‘reference version’ (definitive or unique version) of that data, would then need to be compared to the INSPIRE Annex Data Specifications.</li> <li>• Should have created compliant discovery metadata for any Annex I or II theme data sets and services identified in 1. above.</li> <li>• Should have made metadata, created in 2. above, available through discovery services (e.g. GoGeo) by November 2011</li> <li>• Should have created internal complaints procedure for appeals under INSPIRE Regulations (most likely via a universities records management section)</li> <li>• Should have made provision for data identified to be interoperable and exchangeable with other public bodies to allow them to complete their public task.</li> <li>• Could have made data sets and services available via view and download network services</li> </ul>
What is a university’s “Public Task”?	<p>Public Task has been defined for most public sector bodies in relation to the Re-use of Public Sector Information. But the PSI does not apply to Universities so there has been no need to create a statement of public task under that legislation.</p> <p>Guidance on public task places the onus on the Body to create the statement and it is reliant on both declared activities and “custom and practice” and it is open to challenge if outside parties disagree with the statement.</p> <p>The Scottish Information Commissioner (2011) has stated that:</p> <p>“I would question, however, whether it is possible to say that a university will never have public tasks for the purposes of [INSPIRE]....it is not unknown for EU Law to deal with universities on the basis that they do discharge public</p>	<ul style="list-style-type: none"> <li>• It is possible that Universities will have to produce a statement of “Public Task” that will be open to challenge.</li> <li>• Universities Scotland and Universities UK are assessing the implications of ‘public task’ as at October 2011</li> <li>• Open question - who will make the decision to produce/ not produce a statement?</li> <li>• Open question - Is the Department for Business Innovation and Skills the likely body to do this?</li> </ul>

## Question

Does my Research Group / Institution have data sets (or services) that fall under any of the INSPIRE Annex data themes?

## Evidence for conclusions

For university institutions it is unlikely that much of the geospatial data they hold would come under the Annex I & II Themes.

But:

- As the focus shifts to the Annex III datasets (opposite), it is possible that data held within universities might come within scope e.g. species distribution, habitats, atmospheric conditions.

- Studies of environmental change require an understanding of how phenomena change over time. This requires access to historic data and earlier editions of data which may be held only by universities (or rather researchers and research teams within universities)

Annex I and II data specifications are finalised.

Annex III data specification themes are not finalised and all are open to change until early 2012 when they are expected to be finalised. UK input into the definition of the Annex III Data Specifications has been minimal with very little academic representation.

Reasons to exclude data sets from INSPIRE regulations are:

1. IPR protection; a body cannot take any action over a data set without the consent of the IPR holder for any of the integral components of the data.
2. Must relate to the Institution's Public Task (see above)
3. Data do not fall under the INSPIRE Data Annexes.
4. Must not make data sets available to the public that may contravene data protection legislation or for reasons of security, international relations, on-going prosecutions etc.

Implications and required actions for Higher Education Institution.

Institutions may need to develop and train the role of FOIA and EIR compliance staff to include decision making over which data sets are to be made available under INSPIRE and the ramifications of being 'INSPIRE compliant'. Implies greater institutional knowledge of what research data is held and better research data management approaches in describing and sharing data.

**ANNEX III**

1. Statistical units
2. Buildings
3. Soil
4. Land use
5. Human health and safety
6. Utility and governmental services
7. Environmental monitoring facilities
8. Production and industrial facilities
9. Agricultural and aquaculture facilities
10. Population distribution
11. Area management/restriction/regulation zones and reporting units
12. Natural risk zones
13. Atmospheric conditions
14. Meteorological geographical features
15. Oceanographic geographical features
16. Sea regions
17. Bio-geographical regions
18. Habitats and biotopes
19. Species distribution
20. Energy resources
21. Mineral resources

## Question

Where can I find out more or get assistance in understanding what INSPIRE means?

**EDINA can advise/assist with the full INSPIRE compliancy life cycle**

Assess your data holdings against INSPIRE Annex III themes



Describe your data

Geodoc is an online metadata creator tool freely available for all members of UK HEIs to assist in the creation of INSPIRE compliant metadata



Publish the description of your data

GoGeo - On behalf of UK HEIs, GoGeo will publish geospatial metadata for harvesting by data.gov.uk for inclusion into the European discovery service



Create a view service of your data

GECO - As part of JISC's Geospatial Engagement and Community Outreach project, EDINA will offer infrastructure for UK HEIs to set up INSPIRE compliant view and download services.

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