



Access to Geospatial Data

INTRODUCTION


Many organisations hold data that could be valuable to others but choose not to publish because of concerns about risks that may or may not exist. In the absence of a standard assessment process, data stewards are frequently left to make the call and end up publishing datasets that should not be released and not publishing datasets that should. An assessment process, consistently applied, would mitigate both these issues and protect publishers, data users and the public from the inappropriate release of data. Where a genuine risk exists that prevents data from being released, for a richer user experience, the reasons for not publishing a dataset can be stated in the data catalogue.

WHAT WE DID

Data Sharing considerations: A data sharing assessment should start from the point of view that the data should be shared unless there are sound reasons not to. It should ensure publishers consider the most important risk factors associated with publishing their geospatial data. Following a number of workshops, the factors were identified as:

- *Personal data:* Does this dataset contain personal data as defined by the General Data Protection Regulation 2018?
- *Third party intellectual property:* Would sharing this dataset result in a third party supplier agreement or third party intellectual property rights being breached?
- *National security:* Does the dataset contain information, that if shared, would pose a national security risk?
- *Anti-competition legislation:* Does sharing this data impinge on anti-competition law?
- *Existing licence infringement:* Have you published the dataset already under a licence or agreement that would constrain you from licensing again?
- *Commercial interests:* Would releasing the dataset potentially damage the commercial interests of the data publisher or a third party supplier?
- *Data quality:* Is a dataset quality caveat required for end-users?
- *Ethics:* Are there any ethical issues that need to be managed? For example, is it likely to result in fraudulent activity?

Data Sharing Assessment tool: The factors above were built into a simple, freely available tool to help data publishers responsibly publish data. Guidance is available as how to mitigate any issues as identified as part of the assessment. The images below show an extract of the DSA tool.



Geospatial Commission

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Data Sharing Assessment Tool

[Reset Form](#)

DSA Status

NO

Mitigation not possible for 'Public access'. Dataset may be shareable within Government pursuant to agreements being in place.

Check	Question	Guidance	Your response	Decision tool response	Public Statement (data catalogue)
1	Does the dataset contain personal data?	Consider if sharing this dataset infringes the <i>General Data Protection Regulation (the GDPR)</i> or the <i>Data Protection Act 2018</i> . [1] Note: Additional guidance is available from the Information Commissioner's Office (ICO). [2]	Yes, but mitigation in place	Capture evidence and reason for mitigation in the 'Supporting information' tab and proceed to next check.	
2	Would sharing this dataset result in a third party supplier agreement or third party intellectual property rights being breached?	Consider if sharing this data will result in the Terms and Conditions of an agreement with a third party supplier potentially being breached. This may range from checking that acknowledgements are made in user documentation, to ensuring the data is licensed appropriately for sharing. Consider also whether third party data has been used to derive the data in any way and whether terms are in place allowing this.	Yes, mitigation required	Undertake mitigation assessment using the guidance in the 'Supporting information' tab. If mitigation is not possible, capture the reason in the 'Supporting Information' tab and	Not publicly available as 3rd party data rights preclude it. Restricted access may be possible if a legal justification to do so exists.
3	Does the dataset contain information, that if made available publicly, would pose a national security risk?	Consider whether sharing this dataset could negatively impact the work of bodies dealing with national security matters pursuant to Freedom of Information Act 2000 (FOIA 2000). [3] [3] <i>National Security - Information supplied by (directly/indirectly), or relating to, bodies dealing with security matters e.g. SOCA, Security Service, Secret Intelligence Service (by conflicts signed by a Minister of the Crown in conclusive proof that this exemption is justified). Security bodies listed in Annex 1(2)(3) of the Freedom of Information Act 2000.</i>	No	Proceed to next check.	

Supporting Information

Check	Question	Your response	Mitigation considerations	Evidence of mitigation or reason for decision not to share
1	Does the dataset contain personal data?	Yes, but mitigation in place	Seek guidance from your Data Protection Officer about: • Anonymising the data. A number of tools exist to do this [1] • Consider whether to seek consent from the named individuals to share the data.	
2	Would sharing this dataset result in a third party supplier agreement or third party intellectual property rights being breached?	Yes, mitigation required	• Review the IPR licence contained in the Terms and Conditions of the 3rd Party data supplier agreement. • Determine whether the dataset can be released under appropriate licensing terms, with the consent of the third party. • If practicable, consider removal of any data that contains 3rd party intellectual property.	
3	Does the dataset contain information, that if made available publicly, would pose a national security risk?	No		

RECOMMENDATIONS

- The DSA process and tool should be used whenever a new dataset is conceived. It is preferable to use the process to identify risks and take appropriate action at the design stage.
- Create and maintain data sharing metadata to understand and document:
 - whether a dataset has been risk-assessed;
 - when the assessment was run and when/if it is due for review;
 - what, if any, mitigation has been put in place; and
 - what the outcome of the assessment is.
- To maximise the value of this process it should be integrated with data publisher's internal data cataloguing solutions. This may result in the process being converted from Excel into an environment that supports dynamic update of the data catalogue and links to machine-readable licences.

BENEFITS

- The tool is a framework that provides a consistent, robust method for confirming that data has been assessed and any possible concerns have been addressed.
- Data publishers wishing to share data but who don't have relevant expertise or governance in place can use the tool as a starting point, providing guidance and an audit trail.
- More datasets will be published where the assessment finds no reason to restrict access. Also, datasets that have been published but later fail the assessment, will be restricted.
- Drives a culture of sharing data responsibly.