

Agenda for NBN Terms and Conditions Review workshop

Thursday 20 November 2014
Natural History Museum

Purpose of the workshop:

To critically analyse the current Terms and Conditions and establish a proposal for refreshing the Terms and Conditions.

Time am	Time pm		Session		Lead
10.20	1400	10 min	Introductions		
10.30	1410	20 min	The NBN Terms and Conditions Background	<u>Presentation:</u> <ul style="list-style-type: none"> • What is the current situation • What are the problems • Ways to move forward • Aims of the day 	Rachel
10.50	1430	20 min		Group session to: <ul style="list-style-type: none"> • Identify principles for Terms and Conditions which are compatible with new NBN Strategic Aims. • What do we need from the Term and Conditions to make sure we realise these Strategic aims? 	Rachel and Oli
11.10	1450	40 min	Breakout	Break out session to examine: <ul style="list-style-type: none"> • Key purpose of each clause within the 'Use of material, data and/or information' section of T&C • Identify weaknesses • Identify strengths • Identify whether the clause complies with NBN Strategic Statement • Brainstorm suggested changes 	Oli
11.50	1530	10 min		Presentation <ul style="list-style-type: none"> • Mechanism is important, not just clauses. • Presenting current model of access control. 	Oli
1200	1540	10 min	Break		
1210	1550	30 min	Breakout	Breakout session to examine for each customer: <ul style="list-style-type: none"> • What would we want to do facilitate the access and use of these data • What are the common themes required for each customer 	Rachel
1240	1620	30 min	Discussion	Feedback discussion	Rachel
1305	1650	10 min	Sum up of day		Rachel

NBN Gateway Terms and Conditions Review – Discussion Paper

Background

The NBN Trust is, together with wider NBN partners, reflecting on nearly 15 years of experience in sharing data and information about wildlife. Given the review of strategic direction and technical vision refresh, it is timely to review and consider recasting the NBN Gateway Terms and Conditions which govern onward sharing and use of NBN data.

Undoubtedly, the first key milestones which the NBN reached has been the development of both the NBN Gateway and also a change in behaviour with regards to data providers willingly putting data in the internet for use.

Two types of control were introduced to address the heightened concerns of sharing data over the Web, at the time a very new and untested media. The first were a set of physical controls, allowing providers the ability to restrict the level of access to their own data. In parallel, work was undertaken to manage the transfer of rights and permissions associated with data collated and shared by NBN partners. The latter culminated in a model agreement between data providers and data users via the NBN Gateway; the Gateway Terms & Conditions.

Need for a review

The NBN is now entering a second phase of development with a focus on improving access to data and visualisation, application and use of data on the NBN Gateway. In practice, physical sets of controls have been favoured by providers over the legal Terms and Conditions as a means of restricting onward use. NBN Gateway Access Controls have just undergone a major revision, introducing a finer level of flexibility and control.

A review of the NBN Terms and Conditions for use is required because;

- it is the NBN ambition for open and free access to as much data as possible and the current Terms and Conditions conflict with this ambition.
- the current Terms and Conditions are complicated for users to understand and interpret
- in particular, the mechanism for deviation from the standard terms is complicated and impractical to follow.
- there is no mechanism for data providers to grant specific users more open permission to use their data.
- the current Terms and Conditions are being regularly broken, both by users authorised by data providers but with no mechanism to affirm it, and potentially by others using ambiguity as justification.

Objectives of this review

This review is being undertaken to achieve the following objectives:

- to ensure that the Terms & Conditions reflect, and are compatible with, the ambitions of the NBN strategy to *“Make all biological records freely and easily available to everyone”*
- introduce a clear mechanism allowing data providers to grant specific users more open permission to use data
- simplify the NBN Terms and Conditions to aid interpretation and adherence by users
- develop a way of supporting people to understand the Terms & Conditions.