

## **NBN Chief Executive's Report – November 2016**

By Jo Judge

### **Highlights**

- NBN Atlas Scotland has been shortlisted for an RSPB Nature of Scotland Award
- Microsoft Azure hosting extended until 12/06/17 with a further \$10,000 grant
- Prizes for the NBN Awards have been secured from Swarovski and Paramo
- BTO data testing completed satisfactorily
- NBN Annual Report published
- NBN Blogs launched
- Volunteers to provide data entry and basic programming assistance secured from the TDX Group
- Volunteer, Mike Smith, in place in Edinburgh will be assisting with NBN Atlas work and SBIF review two days a week

### **Chief Executive's objectives**

#### **Board actions:**

- a) **Note** the CEO's objectives for the rest of the financial year 2016/17

The following five objectives have been agreed with the Chair of the Board of Trustees and Andrew Wood.

1. Manage the development of the core NBN Atlas project with the aim of having a live system with at least the functionality to match the Gateway by the end of March 2017. Individual country portal development will start in early 2017 and continue into the 2017/18 financial year. Decommissioning of the NBN Gateway will occur once the core NBN Atlas has been tested and successfully launched.

There is a three stage plan for the NBN Atlas development:

- a. Short term - have a live version in place by end March 2017 (as above)
  - b. Medium Term - make sure it fits the needs of the Network including added functionality
  - c. Long term - development of aspects such as an education portal, consultants' portal, citizen science portal, focussed bespoke portals, e.g. the Cairgorms NP and Botanical Societies are both interested in having their own front page etc., investigate potential income generating functionality.
2. Draft an NBN Trust Open Data policy to be submitted to the board in February 2017 prior to stakeholder consultation (form TBC) to be completed by 31st March 2017. Policy to be implemented in the 2017/18 financial year.
  3. Formalise staff appraisal system including PMRs, contracts and pay procedures by 31st March 2017

4. Produce a refreshed medium term financial strategy by 31st March 2017, with the aim of identifying potential alternative funding streams to increase staff numbers in the secretariat and broaden in house technical experience.
5. Review progress against the strategic aims and objectives and update the NBN Action Plan to take account of internal and external developments since the Action Plan was launched.

### **Strategic Aim 1: Record, collect and mobilise data**

#### **1. BTO Dataset**

##### **Board Actions:**

- a) **Note** that the BTO data was uploaded to a test platform and assessed
- b) **Note** that the Scottish BTO data will be available on the NBN Atlas Scotland by the NBN Conference

##### **Overview**

At the request of the BTO, a temporary virtual environment was developed to enable BTO to test the transfer and validation process before the data went live on the NBN Atlas. This incurred a cost of just under £6000. Andy Musgrove from BTO rigorously tested the environment and on the whole was happy with the way it performed. He provided useful, detailed comments on the experience. Any issues that we did not already have logged were added for action.

#### **2. Improving flow and quality of biological data working group**

##### **Board Actions:**

- a) **Note** that three working groups Online Recording, Quality Control and Verification and Data Flow have been merged
- b) **Note** the February deadline for conclusions from the working group
- c) **Advise** on action to increase participation of group members and/or progressing NBN Secretariat proposals if member engagement is not forthcoming

##### **Overview**

After a review of the working groups it was decided to merge these three groups as any discussions from one of these groups would be needed to feed into the other two groups. The merged group has the objectives of developing:

1. A standardised suite of verification terms to be used across all online recording groups
2. A review of the current verification network
3. A proposal to speed up the verification process, including the creation of a national verification hub
4. An agreed simplified data flow model, including a proposal on how best to ensure data flows efficiently between online recording systems and the NBN Atlas (in both directions)
5. A set of standards for developers to adhere to when creating an online recording site

A tight timescale has been attached to these objectives as it would be useful to have the conclusions of the working group to inform decisions about development of the NBN Atlas. In order to try to drive this working group one of the NBN Secretariat, Rachel Stroud, has been leading rather than one of the Trustees which had been the original intention when the eight working groups were originally set up. Invitations to take part in the working group and five initial discussion papers were sent out on the 12<sup>th</sup> September. However, at the time of writing this report, only 3 out of the 10 invitees has responded.

The Secretariat has put a lot of time and effort into the papers and admin of the working group. The papers included some proposed ways forward suggested following discussions within the NBN Secretariat, for comment by group members. The lack of engagement, by parties who had expressed an interest in being involved previously, is likely to have an impact on delivering on the NBN's Strategy and Action Plan.

I am, therefore, seeking advice from the board on how to progress this work within a reasonable timescale and whether the board would support taking forward proposals deemed most appropriate by the NBN Secretariat, in the absence of input by the working group members.

### **Strategic Aim 2: Make biological data and information available to everyone**

#### **3. Open access data on the NBN Atlas**

##### **Board Actions:**

- a) **Advise** on requirement for the NBN Trust to facilitate capture resolution data transfer outside of the NBN Atlas

##### **Overview**

The decision not to include access controls in the NBN Atlas, as agreed at the Board Meeting in July, was communicated to the data partners and members in July. There was some adverse reaction to this announcement from a minority of the Network. The main concerns were (i) the potential for misuse of data by commercial enterprises and the impact that this may have on the business models of some partners, and (ii) there being no mechanism for supplying approved organisation, e.g. government agencies, with capture resolution data, if data were on the NBN Atlas at a lower resolution.

There is some question over whether the NBN Trust should facilitate the transfer of capture resolution data between data providers and approved data users through a mechanism outside of the NBN Atlas. It may be possible to provide some form of offline data transfer via the Biological Recording Centre. One argument is that as we have been providing this service through the NBN Gateway for many years, and, as this will cause some inconvenience to, and incur additional costs for, some of our partners we should continue to facilitate transfer during a transition period. The counter argument is that as an organisation we aspire to the free and open sharing of data, as evidenced by the lack of controls on the NBN Atlas, and that by enabling data to be transfer at capture resolution offline we are undermining the NBN Atlas and going against our strategic aims.

I am, therefore, seeking advice from the board on the position the NBN Trust should take on this matter.

#### 4. Action in the event of a breach of Creative Commons licence

**Board actions:**

- a) **Note** the advice from lawyers
- b) **Agree** the inclusion of a fixed charge, with the option to pursue damages, for breach of terms within the NBN Atlas Terms and Condition

**Overview**

Many data providers are unsure of the benefit of using a Creative Commons licence, especially the CC-BY-NC, non-commercial use licence, as they feel that there is no recourse if the conditions are breached. It is not possible for, nor is it suggested that, the NBN Trust polices use of data downloaded from the NBN Atlas. However, advice was sought regarding whether it was possible to take any action against data users for breaching the terms of a Creative Commons licence on behalf of the data owners, if the data owners made the Trust aware of a breach of licence conditions.

DLA Piper produced a detailed report, which can be circulated to the board if required. In summary, the NBN Trust may take action for breach of contract or infringement of database right, or both. If the Trust were to succeed in court proceedings, the court would usually order that the user pays damages to compensate the Trust for any loss it has suffered as a result of the breach/infringement.

Alternatively, the Trust may state a fixed charge for any breach, provided it is proportional to the legitimate interests which the Trust is seeking to protect (e.g. the purpose of providing a centralised environment for sharing data in a way which allows data providers to retain value in that data). The ability to make this kind of charge relates to a recent change in the law.

The lawyers advise that if the Trust wishes to include a fixed charge in its licence terms, it is recommended that the terms expressly reserve the right to pursue damages for unauthorised use instead of levying the fixed charge.

Any monies the Trust receives from either the fixed charge or damages could be passed on to the data owner/provider to cover their financial loss.

#### 5. Transfer of data to GBIF

**Board actions:**

- a) **Note** issue relating to submitting data to GBIF.org
- b) **Note** timescale for submitting data to GBIF.org

**Overview**

It came to our attention in mid-September that no data had been transferred from the NBN Gateway to GBIF.org following the development of a strategy for this in conjunction with JNCC in 2015. It appears that no processes had been put in place for executing the transfer after the implementation of the NBN Gateway V. As such no new data transfers or updates have been provided to GBIF.org since 2013.

Discussions have been held between the NBN Secretariat and JNCC to make processing and submitting data to GBIF a high priority. JNCC have indicated that they will be in a position to start transferring data in early November.

GBIF.org included a requirement for all datasets to have an associated Creative Commons licence in 2014. The NBN Secretariat contacted all data providers with datasets on GBIF to determine what licence should be used for their datasets. Unfortunately, many data providers simply did not respond. This, and the issue detailed above, led to 72% of records provided by the NBN being removed from GBIF.org earlier this year.

It will be a requirement of the NBN Atlas that every dataset has a Creative Commons or Open Government licence. Furthermore, the new Data Partner Agreements will include a request for permission to share data with GBIF. This should make transferring data to GBIF.org more straightforward in the future.

We are confident that the number of records on GBIF.org will increase significantly before the end of this financial year.

### **Strategic Aim 3. Captivate and engage people about wildlife**

#### **Board actions:**

- a) **Note separate paper Comms Report TTE16-03 P11 prepared by Mandy Henshall**

### **Strategic Aim 4: Data Management Infrastructure**

#### **6. Development of Atlas Platform**

#### **Board actions:**

- a) **Note** the change in name and URL for the NBN Atlas
- b) **Note** the reaction to the announcement that the NBN Atlas would not support access controls
- c) **Note the separate paper TTE16-03 P02 NBN Atlas update**

#### **Overview**

In August the decision was taken to rebrand the current and proposed NBN Atlas country portals as NBN Atlas Scotland, NBN Atlas Wales, NBN Atlas England and NBN Atlas Northern Ireland. Furthermore, the URL for the landing page of the NBN Atlas will be *nbnatlas.org* and the country portals will be *nbnatlas.org/[country name]*. These decisions were taken in order to strengthen the link between the NBN and the Atlas. If the names and URLs continued in the same format as for the pilot in Scotland, i.e. Atlas of Living Scotland and *als.scot.org*, there was a risk that there would be a disconnect between the NBN and the Atlas platforms in the British Isles.

Anecdotally, we were made aware that many people did not know that the Atlas was associated with the NBN. Furthermore, as many think that the NBN Gateway **is** the NBN, once the Gateway was no longer in use, they may assume that the NBN no longer exists either. A situation we obviously do not want to occur. This change has been supported by our partners and members.

Development work on the NBN Atlas Scotland recommenced in September 2016. Dave Martin from CSIRO has been addressing issues highlighted by user feedback and prioritised by the NBN Secretariat. Development of the core NBN Atlas and the underlying components for all country portals will begin in mid-November, with the aim of having a soft launch and testing period in January 2017. Data Partner Agreements are being processed concurrently with development, to ensure that sufficient data will be available for upload to the NBN Atlas for testing and launch on this timescale.

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