How to request data from third parties

You may find this video helpful: [Data Dilemmas-Requesting Data.mp4](https://defra.sharepoint.com/%3Av%3A/r/sites/WorkDelivery1311/WP4/Data%20Dilemmas/Data%20Dilemmas-Requesting%20Data.mp4?csf=1&web=1&e=IvKjS0)

Contents

[Requesting data from organisations](#_Toc98853461)

[Requesting data from individuals eg landowners](#_Toc98853462)

[Guidance for NE staff](#_Toc98853463)

# Requesting data from organisations

This is a template email/letter which you can adapt for your project’s purposes (completing the yellow highlighted blanks as appropriate).

**Background**

Dear xxx

[Introduce self and project] and I’m writing to ask if I can obtain your most up-to-date data [description of data].

**Data use**

Natural England will store your data securely and is committed to abiding by best practice in the management of your data in accordance with the permissions you give us to use it. We will acknowledge you as the source data owner in our output.

We need to use your data until [end project date]. Our file format and requirements are: [See the “Data requirements and standards” section in your project’s [Data Management Plan](https://defra.sharepoint.com/teams/Team910/SitePages/Managing-Data.aspx)]

[Delete if not applicable] We’d like to update the data every x years, so will contact you again for your latest data in future.

[Describe end product. Attach an example of your derived dataset where it is important to the data provider that their original data can’t be extracted or reverse engineered.]

[Delete if not applicable] Natural England will consult you on the draft output *[eg District Level Licensing says: we will consult you on the draft maps where you have important information which may affect outcomes. Risk zones identify the areas where great crested newts are most likely to be present and Strategic Opportunity Areas identify appropriate locations for compensatory habitat and where benefits to the species can be maximised.*

As a public sector body we have a duty to publish [our end product] under the Open Government Licence. However, if there are any sensitivities within your data I will happily discuss our end product and its licensing with you.

**Licensing your data to Natural England**

Before sending your data, we need to ensure we have the appropriate rights to use the data and any terms and conditions of use that you have (known as a licence).

To save on the significant amount of time and staff resource that is required when we obtain and license data, Natural England prefers to receive data with an open licence, or with a licence which otherwise permits us to retain your data and use it for other purposes in future. However, if your organisation has its own licence and you prefer to release data on a case by case basis, you can license it for use only by the xxx project.

I have attached a Public Sector End User Licence to cover any non-open Ordnance Survey data (eg boundaries from Mastermap) in the data. [Download, complete the blanks and attach the [ OS end user licence (public sector).docx](https://defra.sharepoint.com/%3Aw%3A/r/teams/Team910/GuidanceLibrary/Intellectual%20Property%20and%20Data%20Licensing/Data%20Licence%20Templates/Licences%20for%20sharing%20non-publishable%20data%20with%20third%20parties/OS%20end%20user%20licence%20%28public%20sector%29.docx?d=wdf54687bdaa74102af98195f3ebf4849&csf=1&web=1&e=l9J9kp) ]

**Open licences**

If you are willing to license your data to us as open, you may send me an email as follows:

* If you are a public sector organisation please use the following wording and link:

*[Organisation name] agrees Natural England may use the [dataset name] under the* [*Open Government Licence*](https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/)*. Please use the following attribution statement to acknowledge us as the source of the information: [insert]*

* If you are not a public sector organisation please use the following wording and link:

*[Organisation name] agrees Natural England may use the [dataset name] under the* [*Creative Commons — Attribution 4.0 International — CC BY 4.0*](https://creativecommons.org/licenses/by/4.0/legalcode) *licence. Please use the following attribution statement to acknowledge us as the source of the information: [insert]*

**Your organisation’s own licence / terms and conditions**

If your organisation has its own terms and conditions which you need or want to use, please issue me with your paperwork and I will get it reviewed by our legal team and, once approved, signed by one of our authorised officers.

**Natural England’s standard licence**

If your organisation can’t provide one of the above data licences, we can use Natural England’s standard third party data licence. This permits Natural England to use the data in perpetuity for any purpose, not just my project.

It can only be used when you don’t have a licence of your own, and where the data are provided for use by the whole of Natural England in perpetuity, there is no charge for the data, and neither of us is providing additional goods or services.

[Delete the following two paragraphs if not applicable i.e., the data owner has no choice as only the ‘reproducing the data’ licence will serve your purposes.]

We have two versions; one where our intention is to reproduce the data directly, such as placing it on one of our map layers, and one where we may only use your data in our derived works which usually means users’ ability to identify or reverse-engineer your original data is restricted.

Please let me know which version you would prefer and I will complete a template and issue it to you for signing.

**What happens after agreeing the licensing terms and conditions**

After the licensing terms and conditions have been agreed (and signed by both parties if required), we can arrange to receive your data.

Please attach a metadata file with your data so we can easily understand what the dataset is and whether there is OS data in its lineage, and therefore ensure its licensing and attribution is applied correctly.

If you don’t have metadata, please complete the two sheets with the word “Incoming” in their names in the spreadsheet I’ve attached.

[Download and attach our Metadata template – <http://trim/HPEContentManager/?uri=2992602&t=record&lang=ln_english&mbd=false>]

**Thank you in anticipation of your support.**

I’d be pleased to set up a ‘phone call or Teams videoconference if you want to discuss the work further.

Thank you,

[NAME]

[JOB TITLE]

# Requesting data from individuals e.g., landowners

This is the approach used in NCEA for PHI - Priority Habitats Inventory. It’s recommended you contact data.services@naturalengland.org.uk to discuss your situation and check the same methods are appropriate for you.

PHI need to be able to use and publish land parcel mapping submitted in application for the Rural Payment Agency's Countryside Stewardship Scheme. We couldn't amend RPA’s application/contract wording to change or clarify data ownership, and the PHI team is too small to take on any additional workload.

Legal Services determined that the best course of action was to use Natural England’s template licences to allow the applicant to license Natural England to hold and use the data in any way we need.

We amended RPA's guidance (which we did have the ability to do) to advise applicants about our processes, and when they email the mailbox, they get an autoresponse with the licence attached for signing.

Their autoresponse wording includes:

*The attached document is only for use by people and organisations where you don’t have a data licence of your own. A typed signature is acceptable for the attached document.*

*Data licences give Natural England the legal right to use and publish your evidence publicly in the PHI and, in the case of the attached document, in other areas of Natural England’s work.*

*If you work for an organisation, please ask your licensing or legal department if your organisation has a licence, and if so, have that signed by an authorised person and send it to us to sign and return to you.*

*If we do not receive an appropriate signed licence we will be unable to add your evidence to the PHI.*

# **GUIDANCE FOR NE STAFF**

**– to be deleted**

**OS data**

Download, complete the blanks and attach the [ OS end user licence (public sector).docx](https://defra.sharepoint.com/%3Aw%3A/r/teams/Team910/GuidanceLibrary/Intellectual%20Property%20and%20Data%20Licensing/Data%20Licence%20Templates/Licences%20for%20sharing%20non-publishable%20data%20with%20third%20parties/OS%20end%20user%20licence%20%28public%20sector%29.docx?d=wdf54687bdaa74102af98195f3ebf4849&csf=1&web=1&e=l9J9kp) to your request.

If the metadata shows there is OS data in the data, use the “Additional Notes” field of your [Data Tracker](https://defra.sharepoint.com/teams/Team910/SitePages/Data-Catalogues.aspx) to record this by entering: “Contains OS derived data; EUL issued”. Save the EUL in TRIM and put the TRIM link in your Tracker in the co-deliverers section.

**Organisation has a request form or uses its own licence**

If you receive an organisation’s data request form, or own data sharing agreement or data licence, follow the [ Process for Licensing Data from Third Parties.docx](https://defra.sharepoint.com/%3Aw%3A/r/teams/Team910/_layouts/15/Doc.aspx?sourcedoc=%7B5382116E-CC8B-41D2-8CDF-AAF08CE73362%7D)

**Sensitive data**

If the data owner has concerns about sensitivities in their data, options available to the project include ‘blurring’ the data or licensing us the data for non-commercial use, and we publish our output under the Government Non-commercial Licence instead of the open licence.

**Organisation won’t use our licensing options**

If the data owner can’t license their data to us using any of the options in the letter, and can’t use the Government Non-commercial licence/Creative Commons Non-Commercial licence, you should find an alternative data source or not use this data.

If this data is critical to your work, you can discuss the cost (c.£1000) and benefits with Data Services of commissioning our external lawyers to create a bespoke licence for the data.

**For support on data licensing:**

**See**

[Data Licensing (sharepoint.com)](https://defra.sharepoint.com/teams/Team910/SitePages/Data-Licensing.aspx)

**Contact**

data.services@naturalengland.org.uk

(NCEA staff can contact alison.wainwright@naturalengland.org.uk)