

A The National Archives



Public Task

Developments in the UK

Matthew Pearce

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Legal Context – The PSI Directive

2. This Directive shall not apply to:

(a) documents the supply of which is an **activity falling outside the scope of the public task** of the public sector bodies concerned as defined by law or by other binding rules in the Member State, or in the absence of such rules as defined in line with common administrative practice in the Member State in question;

Why 'public task' matters

- There are a number of reasons why understanding a PSI Holder's public task is important. In particular:
 - it helps to establish whether the terms of the PSI Regulations apply
 - it establishes whether complaints about re-use can be made under the PSI Regulations
 - it helps to establish what criteria for charging for re-use should be applied

European Commission consultation

- The European Commission ran a consultation on revision of the PSI Directive:
 - 585 responses
 - closed in November 2010
- Identified the need to clarify the term 'public task'.
- In particular, re-users desire greater transparency from PSI Holders on which information is 'public task'.

Key term in PSI policy debates in the UK

- The term 'public task' is frequently connected with questions around pricing:
 - Typically, whether marginal cost pricing should apply to 'public task' data.
- We found that the question of whether material is 'public task' does not fully determine the appropriate charging policy.

Vital to effective handling of complaints

- Complaints are handled in the UK under the Re-use of Public Sector Information Regulations 2005.
- On receiving a complaint, one of our first questions is: was the document supplied as part of the PSI Holder's public task?
- This can take extensive research to determine, involving legislation, official documents and statements from the organisations concerned.

UK work on Public Task

- The UK is introducing a system where PSI Holders draw up statements of their public task with respect to information. This will help by:
 - Increasing transparency for re-users
 - Improving the complaints process
- Statements of public task should be drawn up in accordance with a set of Principles developed to ensure clarity and fairness.
- Documentation for PSI Holders on how to complete this process was [published](#) in August 2011.

The Principles

Public Task statements should:

- Clarify the PSB's functions in relation to information it collects, creates, holds and disseminates
- Be open to challenge
- Be current
- Be written in Plain English

What Next?

- Disseminating guidance
- Working with key public sector bodies to develop statements
- Embedding public task within the Information Fair Trader Scheme

Questions?