

FAO Africover Eastern Africa

Guidelines for Custodianship

Approved by the Project Steering Committee during the 5th PSC/NCM

EXECUTIVE SUMMARY

The custodian principle has been adopted by the AFRICOVER Steering Committee as the means of ensuring accountability for the care and maintenance of information within the National Focal Point Institutions (NFPI) in each of the Participating Country. Custodianship is seen by the AFRICOVER Steering Committee as being at the core of efficient and effective management and access to the Multipurpose Africover Database on Environmental Resources (MADE)

The principle of custodianship assigns to each National Focal Point Institution certain rights and responsibilities for the management of MADE on behalf of the relevant national country and its agencies. A custodian is a recognised contact point for the distribution, transfer and sharing of the information and has responsibilities regarding the maintenance and quality of the information. The custodian ensure accessibility to the information , and has the right to apply market conditions provided that this does not significantly disrupt accessibility.

The overriding philosophy in the activities associated with custodianship is that NFPI manage the MADE information as trustees in a partnership to enable the integration of the environmental information at national, regional, continental and global level.

There are advantages in custodianship to be gained by each NFPI and its clients. In following the rules and responsibilities for custodianship as set out in these Guidelines, a custodian agency is most likely to become the preferred supplier for information under its custody. This is because it will have the most accurate and reliable information. Custodianship provides a means of accountability and reliability of source for designated information within government. There can be increased confidence that the information within government is accurate, complete, identifiable and accessible. Custodianship also eliminates unnecessary duplication of capturing and maintaining land information; which will in turn allow the monies previous spent on these duplicative activities to be reallocated to more worthwhile projects within government. For clients, custodianship lessens the confusion regarding sources of accurate information; they can also receive more accurate advice on the source, currency and completeness of the information.

1.0 INTRODUCTION

1.1 The need for Custodianship

The nature and uses of environmental information require the ability to access and integrate such information. To assist users in accessing information relevant to their needs, sources of information must be identifiable and accessible. There should also be consistency in responses to enquiries for information from users. The preferred sources should be those agencies which have the greatest need to guarantee the accuracy and integrity of the information and which have a knowledge of the collection, currency and completeness of the information. Consequently custodians are in the best position of being able to advise users of the information's fitness for purpose (i.e. its potential and limitations). In providing environmental information to others, there should also be a means of protection, which ensures that the national interest in its information asset is not compromised, and that privacy and confidentiality is protected.

Standards also need to be set to ensure that when information is collected it is in a form that can be understood, transferred and integrated with other information. As environmental information is used and integrated with information from other jurisdictions and within the public and private sectors, it is important that appropriate national or international standards be adopted.

The above activities cannot be undertaken for all environmental information by a single Institution. Equally, there should be little or no duplication of information held within Institutions. Environmental information is better managed by the individual Institution responsible for its collection and maintenance. There also needs to be a system that ensures accountability for the information.

Custodianship does not signify ownership. Information held within NFPI is part of each country information resource and is owned by both the individual country. A custodian NFPI looks after the information on behalf of her own Nation and the Africover Steering Committee.

1.2 Custodianship within Africover

Collectively the Africover NFPIs manage the MADE information as trustees in a partnership to enable the integration of environmental information for the benefit of national entities, the Eastern Africa community and the International Partners. Consequently, custodian activities, negotiations with other institutions and clients, and, information product development must take place for the betterment of the Africover national community (Africover Working Group) as well as the Africover Steering Committee, rather than an individual Institution. The overriding philosophy in all these activities should be one of a trustee for Government and a partnership relationship between Africover Institutions.

In addition to achieving accountability for certain environmental information within the Africover community, custodianship is also a means of:

- eliminating unnecessary duplication in the capture and maintenance of environmental information;
- managing information on behalf of others;

- providing a sound land related information infrastructure for Africover;
- assisting the production and management of environmental/land related information products; and
- facilitating the collection of fundamental datasets and environmental information.
- A re-aggregated product will be made freely available through the Internet, with FAO hosting a web server, co-managed with the NFPIs, at its HQs to facilitate rapid access to and downloading of data.

Custodianship is seen by Africover Steering Committee as being at the core of efficient and effective environmental information management.

1.3 Scope of Guidelines

These Guidelines have been produced to supplement the direction to be given for ensuring sustainable management of the Multipurpose Africover Database on Environmental Resources (MADE) at national and regional level as well as to address specific practical issues in improving access to African data protecting the national agency mandate for their custodianship.

The mandate of the National Focal Point Institution is changing more and more in recent years from one of collecting information, to one of encouraging the widespread analysis and generation of information. As a result, issues such as marketing and cost recovery, handling integrated or value-added information products, access and charging need to be resolved and are addressed in these Guidelines.

2.0 PRINCIPLES OF CUSTODIANSHIP

Introduction

The principle of custodianship assigns to an Institution certain rights and responsibilities for the collection of MADE information and the management of these on behalf of the National Government and its agencies. The rights and responsibilities include the right to set marketing conditions for environmental/land information and responsibilities regarding the maintenance and quality of this information. Custodianship provides a means of accountability and reliability of source for designated information within government. It also ensures accessibility of the information and provides a recognized contact point for the distribution, transfer or sharing of the information.

Principle 1 - Trusteeship

Under this principle, custodian Institutions become the trustee, not the owner, of the information held in their databases. This results in an emphasis upon cooperation in sharing information amongst agencies, rather than competition.

Principle 2 - Standard setting

The setting of standards to determine how the information will be collected, described and used is the most important commitment that an Institution makes when agreeing to become a custodian. Custodians must seek input from user agencies to assist in defining appropriate standards for information in their custody, and propose standards to the national Africover Working Group and the regional Africover Steering Committee. These include standards for the collection, description, accuracy, quality, format and structure of the information. If an Institution is designated the custodian for MADE information but is not in a position to collect and maintain the information, it still has an obligation to establish the required information standards so that other agencies can commence collection of the environmental/land information according to these standards.

Principle 3 - Maintenance of information

Custodian NFPIs must maintain plans for information collection, conversion and maintenance in conformity with the needs of users. Consequently they must liaise with Africover Steering Committee or an equivalent regional body that helps coordinate standards implementation at the regional level, clients and other affected parties when making any significant information management or dataset changes, so that the impact upon the user community and its clients can be assessed. The custodian NFPI is also responsible for negotiating the terms and conditions under which other agencies collect and maintain the MADE information on its behalf.

Principle 4 - Authoritative source

In acting as the authoritative source for MADE information under their custodianship, the custodian NFPI becomes the preferred supplier of this kind of information. This lessens confusion for users and overcomes the accuracy and reliability problems that may be encountered when supposedly identical information is held separately by several agencies, where several agencies contribute information to a common database, or where information provided by different agencies is combined. The custodian is also likely to have more up-to-date information than other user agencies. As the Institution responsible for setting the standards, the custodian is also in the position of being able to advise the client on the source, currency and completeness of the information.

Principle 5 - Accountability

A custodian may delegate any or all of its responsibilities for a part of its information to another organisation. However it must still remain accountable for the integrity of the MADE information. The custodian must ensure that through any delegation, its full responsibilities can still be met. Where a custodian agency agrees to another agency marketing its information or producing a value added service or information product, it should draw up a formal agreement with the other agency.

Principle 6 - Information Collection

Custodians are not expected to collect information for which there is no requirement. They must justify the collection of information for which they are responsible in terms of their own needs. These will generally reflect either the agency's statutory responsibilities or Government priorities. If other agencies require more information, they may:

- wait until the custodian can justify the collection;
- contribute the required resources for the collection of the information on behalf of the custodian;
- contribute to a submission by the custodian for more funds for the collection of the required information; or
- collect it themselves and possibly make them publicly available.

If an agency collects or undertakes work on any environmental/land information which is the responsibility of another agency, it must do this according to the custodian's standards and provide the custodian agency with a copy free of charge and according to an agreed transfer standard.

Principle 7 - Maintain Access

Due to the potential impacts of outsourcing on information management within the Africover community, the Africover Steering Committee must be advised when a custodian NFPI outsources its information management. In doing so, consideration needs to be given to the ability of the outsourcing arrangement to maintain the same access and sharing of the MADE related information. If an agency outsources the collection of information for which they are an Africover custodian, they must ensure that the information continues to be collected according to Africover specifications.

It is also agreed that being FAO the implementing Agency and the Italian government the funding Donor, both of them can make unlimited use of the full database for internal related purposes. The Regional Centre for Mapping of Resources for Development (RCMRD) will act as repository for the vector and satellite data coverages of the Africover products and will not use the data for any commercial purposes. In cases where RCMRD needs to use national coverage, it will first contact and seek approval of the NFPI.

3.0 RESPONSIBILITIES OF CUSTODIANS

To achieve the purposes behind custodianship, NFPIs designated as custodians are responsible and accountable for:

- proposing standards to Africover Steering Committee and national Africover Working Group for the management of the MADE information for which they have custody;
- consulting with the Africover community for input prior to developing or defining appropriate standards for information in their custody;
- ensuring that the information under their custodianship conforms to appropriate national, international or agreed standards;
- maintaining the quality of the MADE information assigned to them e.g. accuracy, integrity, currency and completeness;

- ensuring appropriate storage, maintenance, security and archival procedures for their MADE related information;
- safeguarding the Government's and FAO interest in the use of its information through licensing agreements or letters of understanding to protect privacy and confidentiality and interpretation of the information;
- acting as the authoritative source (and preferred supplier) for the information in their custody;
- ensuring data documentation (conforming to ISO standard) is available so that datasets can be discovered through a metadata clearinghouse mechanism (and also website)
- ensuring that MADE information under their custodianship is both accessible and readily available;
- encouraging the use of MADE information through appropriate marketing techniques;
- understanding their clients' needs for information;
- nominating the National Coordinator as well as a single point of contact for enquiries about the MADE information under their custodianship; and
- publicly declaring, through different facilities the status of MADE information concerning coverage, source and compliance with national and international standards.

4.0 RESPONSIBILITIES OF USER AGENCIES

User agencies also have responsibilities to custodian NFPIs and to the Africover community. For example:

- user agencies receiving MADE information from a custodian should advise the custodian of any errors or omissions detected in the information received;
- user agencies must advise the custodian of their future requirements for their information in order to assist the custodian in preparing collection and/or conversion plans;
- user agencies shall not release the supplied MADE information to a third party unless covered by a licensing agreement specifying release criteria;
- where a user agency collects specific information on behalf of a custodian it should do this according to the standard set by the custodian. User agencies are also obliged to pass this information back to the custodian for maintenance or storage free of charge;
- user agencies producing information products from information which is the responsibility of another custodian agency should consider the passing back

of the information product to the custodian as part of their agreement for the use of the information;

- user agencies shall not sell information if they collect it on behalf of a custodian without first obtaining the permission of that custodian; and
- user agencies must cite the source of the information when using the information in any way.

Once the user agency has covered its obligations to the custodian agency, it has **the right to use it** as it wishes. The user agency shall also pass on to the custodian information that has been improved or upgraded as part of this process. The custodian shall in turn ensure that the improved or upgraded information is made available to any other users.

5.0 MANAGEMENT OF FUNDAMENTAL DATASETS AND MADE INFORMATION

5.1 Criteria to determine the fundamental datasets requiring custodianship within Africover

The Africover community has a considerable amount of information available for use. Some of this information is very specialised and useful only to a small number of users, whilst other information such as land cover, rivers, roads information forms the fundamental base to Spatial Data Infrastructure. A fundamental dataset can therefore be defined as:

base layer, essential to the outcomes of a number of agencies.

The principle of a fundamental dataset provides a means of managing environmental/land information within the community managing geographic information, in that it ensures that important information is available to others through the allocation of fundamental datasets to custodian agencies.

Good information management practices dictate that all environmental/land information within agencies should be managed in a manner consistent with the responsibilities of custodians as per these Guidelines. This does not mean that all information within an agency should be managed together. For example, where information is used across programs or divisions within an agency, it is recommended that a different unit or division within the agency is designated as the custodian for that information.

To assist users to access information relevant to their needs and to lessen confusion regarding what datasets consist of, it is important that all datasets are precisely defined, documented and named by the custodian.

6.0 MANAGEMENT OF INFORMATION PRODUCTS

6.1 Information Products

Information products are also known as value added datasets, integrated datasets, value added information or derivative names of these. They consist of information which is value added in some form to make information products. This can

be by combining information to form new information products or by distributing information in such a way that value is added. The prevailing philosophy behind the value adding process should be one of maximising the use and market opportunities for MADE information in order to make this information more accessible and relevant to user/client needs.

6.2 Responsibilities between custodian agencies and value adding agencies

It is the responsibility of the custodian agency to set the marketing conditions for their information, within the prevailing policy framework set by Government and FAO Africover Steering Committee. Institutions wishing to use MADE information from another NFPI (the custodian) to develop a value-added service or information product must draw up a formal agreement with the custodian before entering into any commercial contract for that value added service or information product. This agreement should describe the:

- terms and conditions under which the use of the MADE information is permitted, including those related to privacy, confidentiality;
- requirement to protect copyright;
- term or period of the agreement;
- definition and scope of liability for the use and accuracy of the information, and any subsequent modification of the information;
- responsibilities of all parties for the ongoing maintenance of the information;
- format, presentation, performance criteria and quality of information supplied; and
- monetary or other compensatory considerations where applicable.

6.3 Multiple contributors

Institutions can only claim royalties where they have collected the requested information or contributed reasonable resources to its collection and maintenance. If an Institution has not been involved in these activities it is not in a position to receive income from the value added product.

7.0 ACCESS INFORMATION

7.1 Custodian's responsibilities

By virtue of their responsibilities, custodian NFPIs are the preferred supplier of the MADE information held under their custodianship, but they may not necessarily be the exclusive supplier. Examples of circumstances where custodians could allow others to disclose their MADE information include situations where:

- segments of the market may not be accessible to the custodian; or
- Specific distribution activity is to be handled elsewhere.

It is the Africover Steering Committee and the custodian NFPI's responsibility to establish the marketing/access conditions for the MADE information under their custodianship. The custodian is the only entity that can decide whether to allow another source to market and/or distribute its information on its behalf. However in deciding this, there are certain policy requirements that must be taken into account.

For the custodian, this means the negotiation of a formal agreement that includes:

- the terms for sharing any revenue with their distributors;
- methods for ensuring that the distributors advise clients of any differences in the quality of their information as compared with that obtainable from the custodian;
- continuity of copyright residing with the custodian agency; and
- determining the licensing rights for distributors, together with their use of licensing agreements.

In all situations, the authoritative point of contact should remain clear and be documented as part of the conditions of use, even when distributed to third parties.

7.2 Distributor's responsibilities

A distributor is a third party who distributes information on behalf of the custodian, or who adds value to information and distributes it to others. The responsibilities of the distributor in distributing the MADE related information are that it must:

- acknowledge who the custodian is on every distribution of information or information product and ensure that the acknowledgment is also passed on by the user/client in any subsequent dealings; and
- identify for the client or user the impact of using the information from the non-custodian source, i.e. its loss of accuracy or guarantees.

With respect to charging for the MADE information, there should be parity of pricing (at the cost of transfer) if the information is distributed for non-commercial use without charge. Distributors should not undercut the custodian agency on price, and agencies should not compete with one another with the same or similar environmental/land information products. This policy avoids the possibility of agencies becoming a source of information for which they have no expertise or statutory responsibility because they are prepared to make the information available more cheaply or easier.

National Treasury Instructions determine the business rules with respect to revenue retention.

7.3 Negotiations with other parties

Agencies shall not negotiate unilaterally with any party either on an exclusive basis or for the exclusive use of Africover information. Africover Steering Committee needs to be informed of any potential exclusive agreements that could affect other Africover NFPIs prior to negotiations taking place. Agreements should wherever possible

be negotiated according to these Guidelines; that is, to benefit the Africover community as a whole, not any individual agency.

7.4 Single point of contact

There should be a single National Coordinator and single point of contact for specific MADE information within each Participating Country, which should normally be within the custodian NFPI.

7.5 Special conditions

- It is also agreed that being FAO the implementing Agency and the Italian government the funding Donor, both of them can make unlimited use of the full database for internal related purposes.
- No further restrictions on the free dissemination of raster data in raw form, wherever no copyright restrictions apply. Such copyright laws cover the raw data emanating from Landsat 5 or before, while geo-corrected raster data, having no copyright restrictions, will be freely distributed.
- The Regional Centre for Mapping of Resources for Development (RCMRD) will act as repository for the vector and satellite data coverages of the Africover products and will not use the data for any commercial purposes. In cases where RCMRD needs to use national coverage, it will first contact and seek approval of the NFPI.

8.0 CHARGING

8.1 Charging policies

In accordance with the marketing of Africover information products, information should be transferred between public institutions for non-commercial use at the cost of transfer (extraction and distribution). The definition of extraction and distribution costs as follows:

The cost of extraction and distribution is the cost actually incurred in transferring the information. It will generally include consumables, extraction and distribution staff costs (plus 60% to cover staff overheads) and associated overhead costs which would have been avoided had the transfer not taken place.

The Information Sharing Principles that can be incorporated in the calculation of the cost of transfer, include:

- administrative processing of the order, the agreement, and the accounting;
- retrieval of the information from a file;
- subsetting the information in preparation for distribution;
- preparing and processing the information into the format required;
- hardcopy reproduction costs; and
- packaging, media and distribution costs.

The application of the charges is at the discretion of the Principle Representative of the NFPI, but the maximum that can be charged for non-commercial use is the cost of transfer (extraction and distribution costs). Other suitable compensatory considerations, applying appropriate supply/demand principles, may be levied when information is transferred for a commercial purpose.

The cost of transfer has been chosen as a means of ensuring access to information without penalising the agencies supplying large quantities of information to others as the result of demand. The inclusion of other costs, such as capital and historical costs is not currently advocated as it is considered unreasonable to charge a second time for the collection, maintenance and storage of information when these costs have already been funded through international cooperation. The charging of costs other than those directly involved in the transfer of the information can also defeat the cost saving objective of sharing public information.

8.2 Management of agreements for non-monetary returns

Some agencies regularly exchange information between each other without charge on a goodwill basis. This situation fits within the Africover ethos of being a partnership between agencies. Agencies wishing to draw up their own agreements for the exchange of land information for non-monetary gain should do so within the following guidelines:

- as far as possible the agreement should focus on increasing exchange of data and ensuring the NFPIs in receiving back updates and value added data if they are derived from data under their own custodianship
- the agreement shall as far as possible be negotiated to benefit the Africover community, supporter and partners as a whole, not an individual agency; and
- the emphasis of the agreement should be on custodianship not ownership.

8.3 Boundaries of Commercial and Non-commercial Activities

The levying of charges is based upon the purpose and use of the information. It is sometimes difficult to distinguish whether a request to supply information is for commercial or non-commercial use. Commercial use has been defined as 'for a purpose relating to trade and the buying, selling or exchange of information commodities for profit'. It covers situations where a request for information is received where the intention is to use the information to:

- arrive at a commercial decision based upon this information;
- gain competitive advantage over others;
- provide a third party with a competitive advantage over others; or
- create a value-added information product for commercial purposes.

Consultants working exclusively for FAO or governmental agencies, government or private sector organisation for non-commercial purposes should either request the employing agency to obtain the information on their behalf under the non-commercial

arrangements, or obtain the information on behalf of the agency. The employing agency should advise the consultant of their preferred approach.

9.0 CONCLUSION

These Guidelines have been written with the intention of assisting Africover NFPIs implement and manage the principles of custodianship in order to better integrated information for the benefit of the National, Regional and International community of users.

10.0 GLOSSARY

Agency

Any department, instrumentality, statutory authority, commission or such organisations established by or under legislation and/or subject to government financial and accountability legislation.

Collection

The initial acquisition of information, and the subsequent addition of this to the same specification, including quality assurance processes.

Commercial purposes

The use of information for a purpose relating to trade and the buying, selling or exchange of information commodities or services for profit.

Copyright

The exclusive right to reproduce, publish, broadcast or adapt a work.

Cost of supply or transfer

The cost incurred in supplying or transferring the information, which would not have been incurred had the transaction not taken place.

Custodian Institution

A National Focal Point Institution assigned accountability and responsibility for MADE information sets by the Africover Steering Committee.

Custodianship

The act of ensuring appropriate care and maintenance of the information.

Distributor

A third party who distributes information on behalf of the custodian, or who adds value to information and on sells it to others.

Fundamental dataset

A dataset that its use is essential in a number of agencies and for a number of users; or

A dataset that cannot be derived from another dataset and other agencies derive significant benefit from using it.

Information

Any data or information processed, organised or classified into categories to serve a useful purpose. It can be presented in voice, digital, printed, pictorial, image, graphical or numerical form.

Information products

Information which has been combined, enhanced or provided in a form in which value is added. They are also known as value added datasets, integrated datasets, value added information or derivative names of these.

Land and environmental Information

A generic term used to incorporate both land/environmental and geographic information as well as datasets.

MADE

The Multipurpose Africover Database on Environmental Resources, geographic information datasets on detailed land cover, rivers roads, administrative boundaries and relevant software tools for maintaining datasets, develop them and browse and extract data.

Maintenance

A process that ensures that the information conforms to a specification.

Users

End consumers of the information resource; those who use information as input to solve problems and/or make decisions.