

The Guide to INSPIRE regulations

ico.

Information Commissioner's Office

About the guide	3
What is spatial information?	4
Does it apply to me?	5
Making information available	6
Complaints	7
Complaints to the ICO	9


About the guide

About the Guide to INSPIRE

This guide is for those who work for a public authority that holds spatial data.

What is spatial information?

The information covered by the Regulations is spatial data. Spatial data is any data with a direct or indirect reference to a specific location or geographical area. Spatial data is often referred to as geospatial data or geographic information.

The ICO has limited responsibilities under INSPIRE, and DEFRA has the role of providing organisations with information about their responsibilities under the Regulations. For more information, visit the [DEFRA website](#) .

Does it apply to me?

The Regulations apply to all public authorities that are covered by the Environmental Information Regulations that hold one or more spatial data sets. They also apply to any organisation or person holding spatial data on behalf of a public authority.

Making information available

From December 2008, separate metadata rules came into force which placed obligations on those covered by INSPIRE to create full metadata for spatial data sets and data services by 24 December 2013.

For more information, visit the [DEFRA website](#) .

Complaints

Individuals and other organisations can complain under the INSPIRE Regulations in the following areas. In each case, organisations other than the ICO are responsible for giving guidance to organisations. We have provided links to the appropriate bodies below, depending on the type of complaint.

Complaints about the application of INSPIRE technical standards

Under regulation 6 (metadata) and regulation 7 (network services), a user can complain to a public authority if they believe the required standards have not been met.

For more information about how to deal with complaints in this area, visit the [DEFRA website](#).

Complaints about refusing access to data or services

Regulation 9 of the INSPIRE Regulations allows public authorities to limit access to spatial data sets or spatial data services in certain circumstances. If a user believes that information has been incorrectly withheld under regulation 9 they may make a complaint to the public authority. For more information about how to deal with complaints in this area, visit the [DEFRA website](#).

If the user remains dissatisfied after receiving the public authority's decision and reasoning for continuing to withhold the information under regulation 9 they may complain to the Information Commissioner's Office (ICO). See our page '[What should I do if a complaint has been made to the ICO](#)'.

Complaints about charging

The INSPIRE Regulations allow, under regulation 10, for public authorities to charge users for certain services in particular circumstances.

Guidance on charging under the INSPIRE Regulations is set out in [the UK Location Data Sharing Operational Guidance Part 2 – Licensing and Charging](#).


Complaints about re-use

Complaints about re-use are subject to the complaints procedures as set out in [the Re-use of Public Sector Information Regulations 2005 \(PSI Regulations\)](#).

Complaints from public authorities about your data sharing arrangements

Under regulation 12(1) a public authority must enable other public authorities or relevant bodies to access spatial data sets or services.

The provision does not mention personal data but the ICO advises that public must still comply with the provisions of the Data Protection Act 1998 when sharing personal data. Public authorities should follow the Statutory Code of Practice on Data Sharing to decide if personal data can be shared.

For more information about dealing with complaints from other public authorities, see the [DEFRA website](#)
.

Complaints to the ICO

If a user has complained to you about withholding information under regulation 9 of the INSPIRE Regulations and is not satisfied with your decision, they have the right to complain to the Information Commissioner's Office (ICO).

We deal with complaints under the INSPIRE Regulations in the same way we deal with complaints made under section 50 of the Freedom of Information Act and the Environmental Information Regulations.

Where we issue a decision notice in relation to a complaint, both the complainant and the public authority have the right to appeal that decision to the First Tier Tribunal (Information Rights).

 [How we deal with complaints](#) 

For organisations
PDF (119.35K)