Data Sharing Toolkit

CABI

Module 5

Sharing data through data licensing

Cheat Sheet

Sharing data through data licensing

This cheat sheet gathers all the key points from eLearning on Sharing data through data licensing

Value can be created from data when it is collected, accessed, used and shared. Data sharing agreements and data licenses provide ways to safely share data and maximise its reuse. Without them legal permission and restrictions can be unclear to potential users and innovation suffers as a result.

Agreements and licenses

Rights and permissions to access, use and share data are governed by a set of rules, policies, processes, legislation and community norms.
To the end user however, rights and permissions most commonly exist in the forms of data sharing agreements and data licenses.

Data sharing agreements are contracts between two or more named organisations sharing data. Data sharing agreements are necessary when the data being shared may need to be safeguarded, such as personal or commercially sensitive data. A data sharing agreement will:

- Establish in detail the specific purpose and legal basis for sharing the data, and the nature of the data in question

- State how, when, where and for how long data will be shared

- Usually be time limited and may impose additional restrictions or requirements on users

- Establish clear obligations and specific roles and responsibilities for those involved

- Be signed by both parties

Data licenses describe the ways that data can be used, granting generalised permission to use and reuse data providing the user complies with a specified set of conditions. A data license is more suited for generic terms that can cover the non-commercial restriction on data usage and the requirement for any user to give credit to the rights holder. A data license will:

- Grant permission in advance with no time limit

- Apply to everyone

- Indicate what must, can and cannot be done by the user

- Not typically be signed by the user

Building data sharing agreements and licences

It is important to balance the needs of data to be findable, accessible, interoperable and reusable (FAIR) and safeguarded when drawing up a data sharing agreement or choosing a data license. The additional learning module and materials on managing risk is a good starting point when considering this.

A **data sharing agreement** could include among its responsibilities the requirement for organisations to make a version of the dataset available openly for others to use, setting requirements to remove or suppress sensitive and personal data before doing so.

For more information please see the Designing Data Sharing Agreements guide in this module.

When choosing a **data licences**, the general rule is the simpler the license, the better. To maximise reuse, try to adopt a license standard that is already widely used – using an existing license can save you time and money and can help reusers understand what they can and cannot do. Creative Commons marks and licenses are widely used for open content. Some publishers choose to adopt in-country government licenses. This has the advantage of being created and backed by local regulations.

There are three Creative Commons marks and licenses that are open:

- **CC0** is the public domain mark that can be used by a copyright holder to waive all rights over a piece of data, including copyright.

- **CC-BY v4.0** gives users rights to access, use and share your content – even commercially. The only restriction is that the user must give credit to the data publisher.

- **CC-BY-SA v4.0** requires the company to share back any modifications or changes they have made to the data.

The **CC-BY-NC** is a non-commercial license that limits what can be done with the data and its ability to be enriched with other data and so it is not open, but can be beneficial where you want to allow access to data but don't wish others to make money from it.

You can choose a license or mark that works for you at the Creative Commons website, and the Data Sharing Toolkit contains a guide on how to choose a license for data.

Where can you find guides and tools to help?

The Data Sharing Toolkit contains a number of guides to help choosing the right approach to maximising reuse:

- Guide: Deciding how to provide access to data

- Guide: How to choose an open data license

- Checklist: Designing data sharing agreements

- Guide: Data principles & policy within investments

- Guide: Agriculture Data Spectrum

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