Chapter 7 User Education and Legal Issues of Spatial Database Systems

1. Introduction

human & non-technical factors sometimes play a more crucial role in making a spatial DB

2. User education in spatial DB implementation

2.1 The nature of user education from a project management perspective

four categories of users

a. project sponsors

b. systems staff

c. production & professional users

d. occasional users

Table 7-1. Types of user education

Types of User Education	***Description/ Purposes***	***Target Audience***	***Methods of Delivery***
Organisational	To secure long-term commitment and support of corporate executives and senior managers by keeping them up-to-date on the relevance of emerging technology to the mission and goals of the organisation	Project Sponsors	Regular briefing notes and presentations at management meetings
Occupational	To provide or enhance short and long-term skill requirements to support the operation	Systems staff, and production and professional end users	Educational and technical training programs and courses at tertiary institutes, product-specific training, conferences, seminars and workshops, on-the-job training and mentoring
Individual	To provide or enhance immediate skill and knowledge requirements of individual members of systems staff and professional users	Systems staff, and production and professional end users	Educational and technical training programs and courses at tertiary institutes, product-specific training, conferences, seminars and workshops, on-the-job training and mentoring
Popular	To keep the general public aware of the availability and potential use of existing spatial databases	The general public	Mass communications media including broadcasting, brochures, spatial data clearinghouses, Internet portals

2.2 The concept of training needs assessment

central concept of needs-based user education is : training needs assessment (TNA)

2.3 The method of training needs assessment

a. pre-assessment phase : scoping & background information gathering
b. assessment phase : data collection
c. post-assessment phase

2.4 Implementing a user education strategy

several important factors to consider :

a. prioritisation of user training needs
b. time frame of training programs
c. location
d. method of delivery
e. train-the-trainer
f. education & continuing improvement

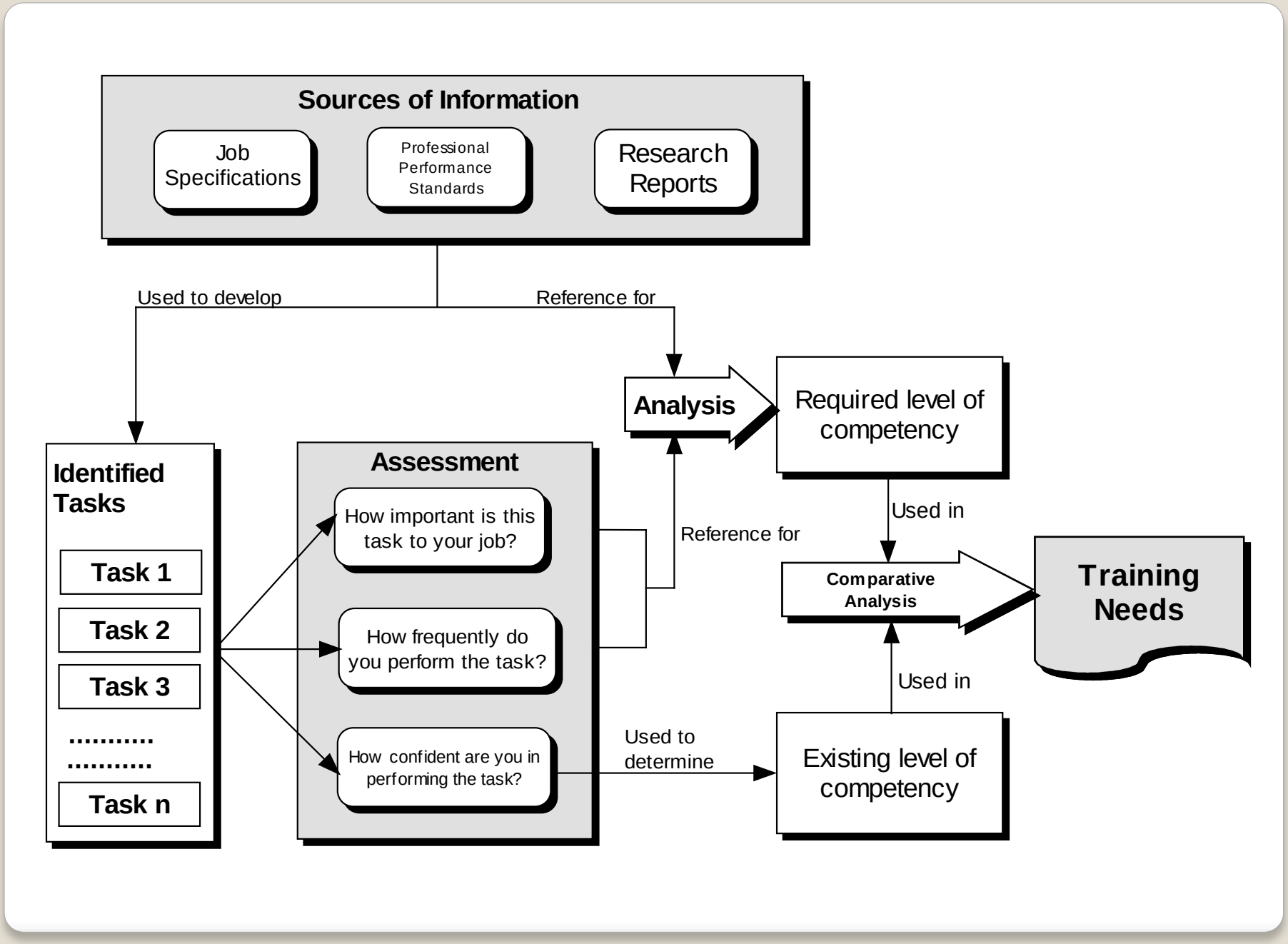


Fig 7-1 A three-phase approach to training needs assessment

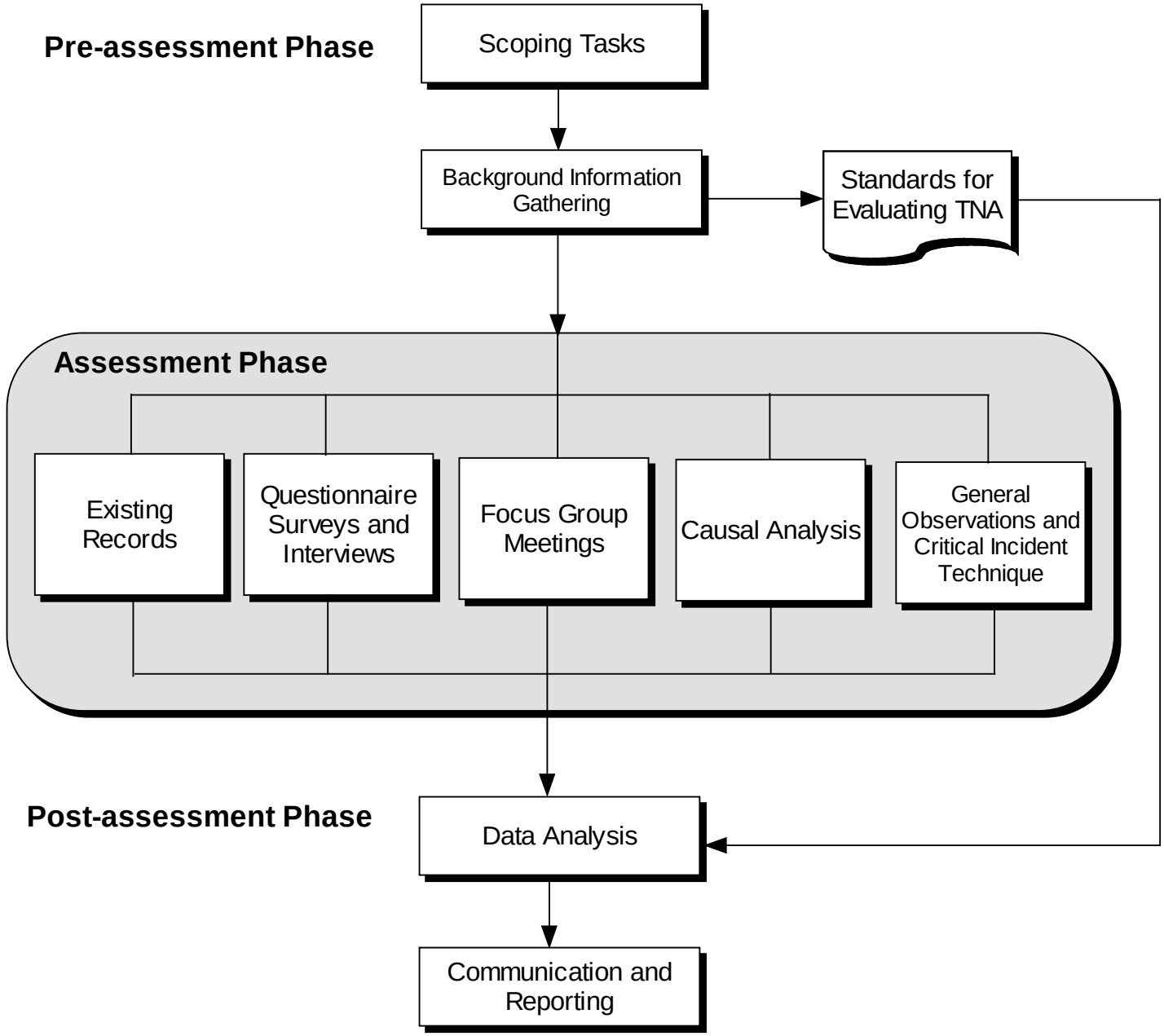


Fig 7-2 A three-phase approach to training needs assessment

Table 7-2. A three-phase approach to training needs analysis

	Training Needs Assessment Phases		
	Pre-assessment (Scoping and Planning)	***Assessment (Data Collection)***	***Post-assessment (Data Analysis and Communication***
Major Activities/tasks	o Scoping general purpose of TNA o Identify major areas of needs and issues o Researching existing information regarding identified areas of need and issues o Identify data to be collected, sources, sampling methods and potential uses of data o Summarise findings of the above tasks in a TNA plan	o Collect data on needs using one of the methods shown in Figure 7.1 o Perform preliminary data analysis	o Refine expected level of competency o Determine training needs o Prioritise training needs o Explore causes of training needs o Develop action plans o Consider alternatives o Communicate results to project sponsors and other stakeholders
Outcomes	o Preliminary plan for Phases 2 and 3 o Proposal for the required level of competency	o Competency model o Preliminary action plan to implement user education according to identified priorities	o Action plans to implement a needs-based user education and support structure o Write TNA report

3. Legal issues in spatial DB implementation

3.1 The legal regime of using spatial information

various aspects or components of a legal regime

a. international conventions & treaties

b. statutes

c. administrative regulations

d. common law

e. civil law

f. standards for goods & services

3.2 The legal issue domains

intellectual property & copyright

access to information legislation

liabilities of supplying & using spatial data

evidentiary standards of spatial data in courts of law

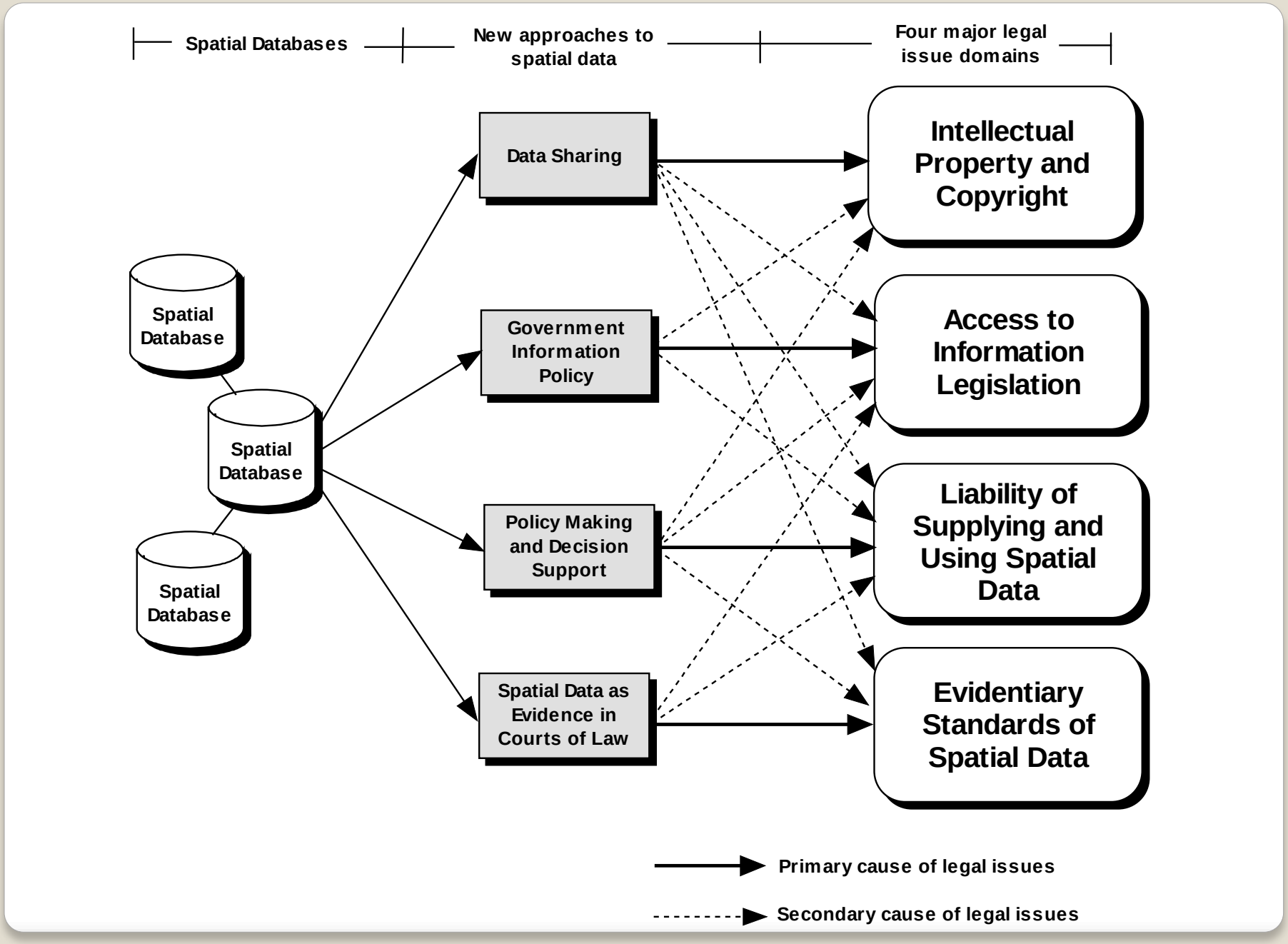


Fig 7-3 The legal issue domains of spatial DB implementation

Table 7-3. Intellectual property rights commonly used in association with spatial database implementation

Type of Right	*Characteristics/Comment*	*Applicability to*		
		Data	*Software*	*Databases*
Copyright	o Protects literary, artistic, musical and dramatic works o Does not protect ideas o Does not require registration o Respected across jurisdictions	No	Yes	Yes
Patent	o Protects novel inventions that must be capable of industrial application o Requires registration in individual countries	No	No	Yes
Database Protection	o Protects the content of a database o Does not require registration o Available in a relatively small number of countries only	Yes	Yes	Yes
Trademarks	o Names given to signs, symbols and logos used to distinguish individual goods and services from one another o Requires registration in individual countries o Do not apply to software itself but to software names, software companies and company logos	No	No	Yes
Trade Secrets	o Right relating to confidential information, including spatial information, ideas and other commercial know how that need not necessarily be inventive o May arise when one party (e.g. an employer) imposes a contractual obligation of confidentiality on to another (e.g. an employee)	Yes	Yes	Yes

3.4 Access to information & protection of privacy legislation

3.4.1 Access to information legislation

3.4.2 Protection from privacy legislation

3.4.3 Processing a Freedom of Information (FOI) request

3.5 Legal liability of spatial data services

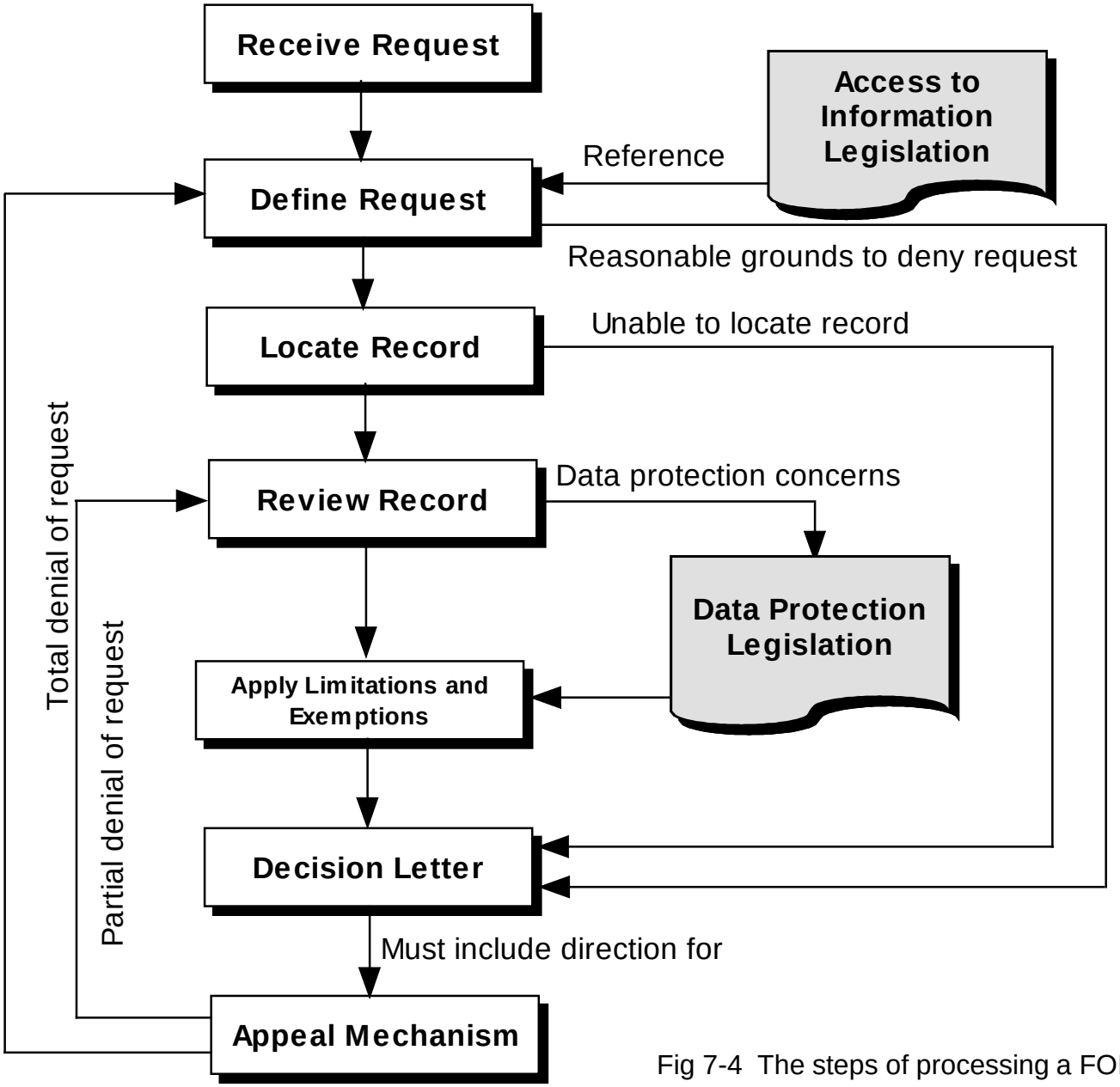
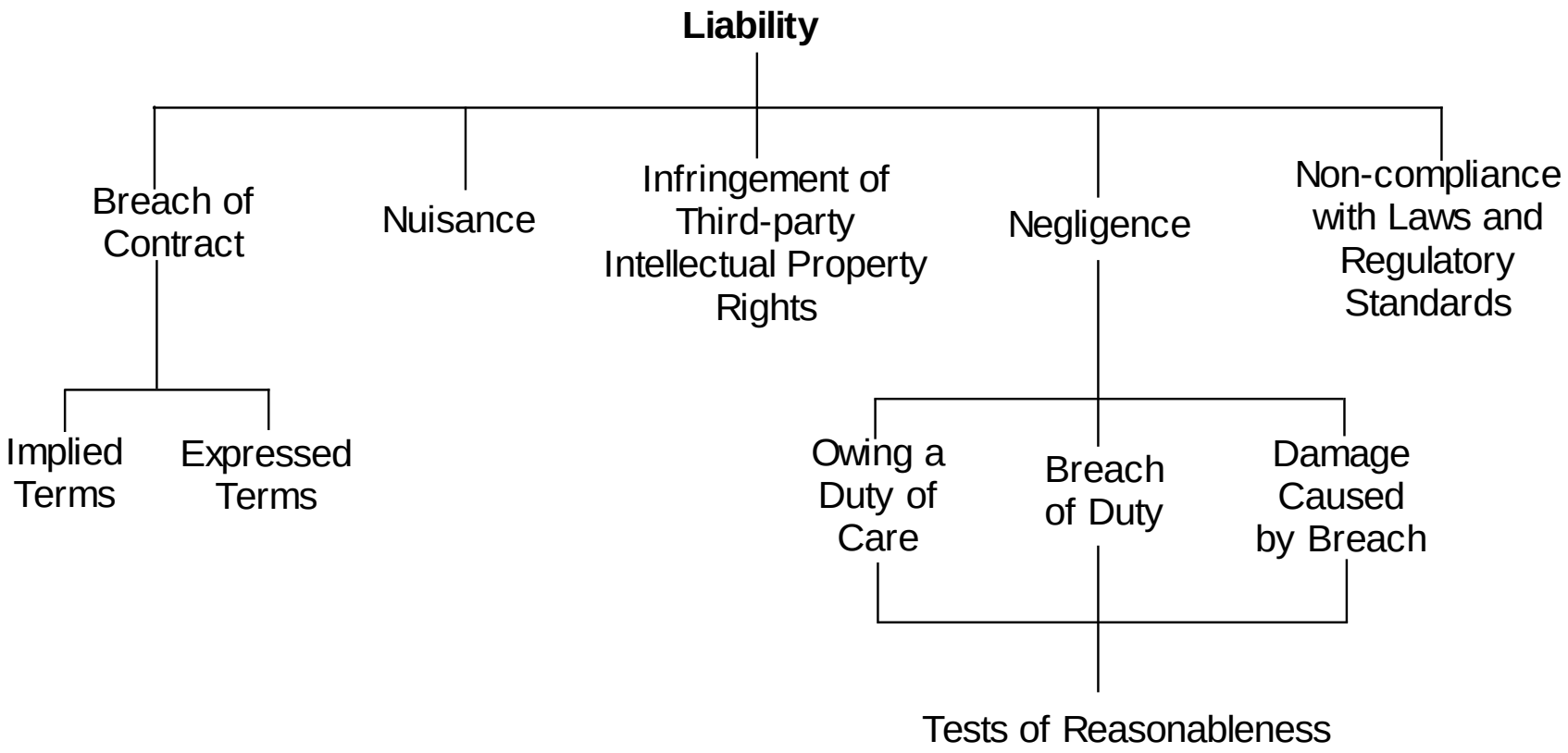


Fig 7-4 The steps of processing a FOI request


Liability
Breach of Contract
Nuisance
Infringement of Third-party Intellectual Property Rights
Negligence
Non-compliance with Laws and Regulatory Standards
Implied Terms
Expressed Terms
Owing a Duty of Care
Breach of Duty
Damage Caused by Breach
Tests of Reasonableness