

## **Update on Transparency and Open Data Measures**

### **Summary**

This report gives an update on recent developments and ongoing work on transparency, and the November announcement by government on open data measures published on <http://www.cabinetoffice.gov.uk/news/open-data-measures-autumn-statement>.

### **Recommendations**

The Improvement Programme Board is asked to confirm the continued need for us to address this newly emerging and expanding area of policy and agree the suggested work plan at **paragraph 10** should be a priority for the work of the Research and Information Team subject to sufficient resources being made available.

### **Action**

The Research and Information Team will continue to develop the programme in the light of the Board's views.

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## **Update on Transparency and Open Data Measures: January 2012**

1. This report gives a brief update on data transparency and policy issues since the last Improvement Programme Board in November, and outlines some key work priorities for the next 12 months.
2. The Local Government Association has submitted a response to the *Making Open Data Real* consultation and the *Public Data Corporation* consultation. In our response, we supported the principle of transparency, but set out clearly the need for transparency to be driven locally, based on local needs and demands instead of centrally-driven prescription of technical requirements.

### **Open data measures**

3. There is a continued push by the Department for Communities and Local Government (DCLG), Cabinet Office and the Information Commissioners Office (ICO) to make the release of open data mandatory, which was recently boosted by the decision in Europe to change the Public Sector Information Regulation in favour of more open data. As part of the autumn statement, government released further details on 'open data measures', without much consultation of the sector. These can be seen at:  
[http://www.cabinetoffice.gov.uk/sites/default/files/resources/Further\\_detail\\_on\\_Open\\_Data\\_measures\\_in\\_the\\_Autumn\\_Statement\\_2011.pdf](http://www.cabinetoffice.gov.uk/sites/default/files/resources/Further_detail_on_Open_Data_measures_in_the_Autumn_Statement_2011.pdf). The document indicates a range of measures for opening up data which affect local government and include:
  - 3.1 social care data in form of social care accounts to compare councils' social care provision
  - 3.2 road works, historic road conditions, and traffic management data held by local authorities
  - 3.3 bus timetable information
  - 3.4 releasing restrictions on public rights of way data easing open data use
  - 3.5 release address gazetteer data for testing and evaluation.
4. In response to the *Public Data Corporation* consultation, central Government will set up a Public Data Group consisting of the following trading funds: Land Registry, Ordnance Survey, Met Office and Companies House. A Data Strategy Board will be responsible for the commissioning and purchase of data for free release, leveraging expertise from customer groups such as the proposed

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Geographic Information Group. The Public Data Group will be made responsible for pursuing greater efficiencies in providing data and their pricing. Local government will have to play a vital role in the Data Strategy Board as they are a large user and purchaser of data, in particular related to Land Registry and Ordnance Survey.

**Impact on local government**

5. The measures place continued pressures on local authorities to publish data for free and ignore the cost to local authorities for making the data available. On several occasions, local authorities have expressed their concern at the cost implications of making the publication of data in open reusable formats mandatory, as proposed in the *Code of Recommended Practice on Transparency for Local Government*. Many documents and data are held in other than reusable formats, and converting them to meet requirements would add unnecessary burden to already severely strained local public resources. Requests for open reusable data have been limited, and in most instances they have come from organisations to further their commercial interest rather than from citizens in the wider public interest.
6. We continue to make clear that the decision to open data or to levy charges should be taken locally. In line with existing information regulations, local authorities should have the freedom to charge for data to cover minimal cost recovery. It is essential that the Government's policies avoid placing unfunded new burdens on local council tax payers while users elsewhere may benefit financially from such use. It is vital that local authorities preserve the right to decide on the balance between charging for local data, and providing data free of charge out of local taxation revenue unless open data is funded from elsewhere.
7. We are also working with the sector and central government to find adequate ways of publishing open data. We recently surveyed local councils' websites to see how far they comply with the *Code of Recommended Practice for Local Government on Transparency*, published by DCLG. A total of 88 per cent of authorities surveyed have updated their spending data in line with this code of practice and 67 per cent publish senior salary data. In addition, 46 per cent publish that data on data.gov.uk, and many more publish the data in line with the open government licence. Furthermore, Directgov is providing a link to local authority spending data without requiring lengthy searches of websites:  
[http://www.direct.gov.uk/en/HomeAndCommunity/YourlocalcouncilandCouncilTax/YourCommunity/DG\\_196382](http://www.direct.gov.uk/en/HomeAndCommunity/YourlocalcouncilandCouncilTax/YourCommunity/DG_196382).

**Transparency outside local government**

8. Much of the pressure for publishing data is falling on local authorities. However, it

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has become apparent that there is other useful public sector data available to which councils do not have access. For example, the Department for Work and Pensions (DWP) is restricting access to the performance data of the partners contracted to deliver the 'National Work Programme' (A4E, Serco *et al*). A number of authorities have expressed disquiet at this, as this is important information at a time in which authorities are striving for economic development and growth.

9. We feel it is important to be seen to be campaigning for the sector on open data, alongside our other work, much of which is defending the sector. Identifying useful public sector data, to which councils do not have access, will be a lobbying objective for the coming year; and the recently published document, *Information Principles for the UK Public Sector*, which is targeted at making government departments more open, should be a useful driver:  
<http://www.cabinetoffice.gov.uk/resource-library/uk-government-ict-strategy-resources>.

**Suggested work plan**

10. In response to the emerging data policy paper presented at the last Improvement Programme Board, we have identified the following key issues that need to be prioritised over the next 12 months:
  - 10.1 engage with government departments including DCLG, BIS, Cabinet Office and ICO to explain our position on transparency, lobby for local government representation on key strategy boards and to influence policy decisions in favour of local government;
  - 10.2 review existing guidance on salaries and spending and develop new guidance on community and voluntary services and public land and property assets;
  - 10.3 identify compliance with the *Code of Practice on Transparency for Local Government* and identify best practice;
  - 10.4 continuously review the Single Data List and ensure that the burden to collect data is minimised;
  - 10.5 engage with members to seek their views on transparency in collaboration with Cllr Cheetham, and develop an overarching transparency policy;
  - 10.6 work with the sector to identify best practice and promote open data where an overall local government approach may lead to benefits;

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10.7 lobby for access to other public sector data that councils would find useful;

10.8 continue work with DEFRA on an impact assessment of INSPIRE (European regulation that requires authorities to publish certain data with location/geographical information to specific standards, which are likely to have cost implications for councils), including working with councils to assess their readiness and identify best practice

11. Work is already in progress on some of the above recommendations, such as a meeting with Cabinet Office to explain our transparency position and seek more widespread support and understanding for the unnecessary burden placed on local authorities through centrally stipulated technical open data requirements and licensing.

**Financial implications**

12. As indicated previously this area of work has become much more significant for the sector over the last year and is likely to remain so for 2012/13 onwards. This will undoubtedly have an impact on the work of the Research and Information Team. We are considering how we can prioritise this work and will need to ensure we have adequate resources available through the business planning process for 2012/13 if we are able to deal with the ongoing and emerging data policy agenda effectively.