

Update on Transparency

Purpose of report

For discussion and direction.

Summary

This report gives an update on recent developments and ongoing work related to the transparency programme, which meets the objectives of the work plan agreed at the Improvement and Innovation Board in January 2012.

Recommendations

1. Note the progress made and ongoing work of the transparency programme, and comment where appropriate.
2. Comment on and support the proposed transparency policy and principles.
3. Support the formation of a Local Transparency Task and Finish Group to co-ordinate the LGA's input into the overall governance structure for transparency.
4. Endorse the LGA position in response to the Code of Practice on Transparency.
5. Support the proposal to consider a local government publishing service to meet INSPIRE regulation, funded through new burdens assessment by Defra.

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: November 2012

1. This report gives an update on data transparency and policy developments since the Improvement and Innovation Board in March, and outlines key work undertaken by the Research and Information Team over the last few months.
2. The report covers:
 - 2.1 shaping a policy position on transparency and reporting on the outcome from the workshop “Towards Local Transparency”;
 - 2.2 results of the local government transparency survey;
 - 2.3 Open Data Strategy update from government departments;
 - 2.4 LGA position for the consultation on the Code of Practice on Transparency;
 - 2.5 consultation on voluntary and community spending guide;
 - 2.6 update about LG Inform and the single data list; and
 - 2.7 INSPIRE publishing service for local authorities.

Towards local transparency

3. The LGA is working with the sector to formulate a local transparency policy to support councils in meeting open data and transparency requirements which will be put to the Improvement and Innovation Board in a future meeting. The LGA is in favour of local transparency and encourages councils to make data and information openly available based on local needs and demands to:
 - 3.1 foster greater accountability and scrutiny in support of democracy;
 - 3.2 support sector led improvement to provide better and more productive and efficient services;
 - 3.3 empower communities, citizens and business to choose or run services, improving lives in local communities;
 - 3.4 innovate through the better use of data; and
 - 3.5 drive economic growth.
4. The LGA proposes to make better use of data and to place it into context, promoting knowledge above data. More can be done than simply just publishing the raw data. The data needs to be presented so that it can be understood by citizen and community groups, reused in web and mobile phone applications to drive innovation and business growth, analysed and compared for sector led improvement, commented and consulted on in social media. We therefore want to encourage the use of open data so that it

benefits local citizens, business and communities. The emerging transparency principles for local transparency and open data are attached at **Appendix A**.

5. The policy will articulate our support for open data in local government, and argue for its implementation in a way that is most manageable for the sector, by:
 - 5.1 promoting a greater understanding and responsibility for the opening up of data within local authorities – this requires a transition to be led by senior members of local authorities in order to foster a culture change that moves from a compliance to an open culture;
 - 5.2 building skills and capabilities within authorities to publish and make better use of open data;
 - 5.3 identifying good practice in publishing and using the data in services and business applications and encouraging uses in the community;
 - 5.4 supporting the sector with guidance and development of data standards;
 - 5.5 fostering a collaborative approach to help authorities reduce costs in publishing their data;
 - 5.6 promoting the better use of data through existing and new online applications, tools and services (including Knowledge Hub, esd toolkit and LG Inform);
 - 5.7 advocating the opening up of key government datasets, in the interest of local authorities and local communities;
 - 5.8 continuing to lobby for ways to cover costs for collating, maintaining and publishing data to given standards where it is seen as an additional or new burden across the sector and where the publishing of the data adds further value; and
 - 5.9 developing a value case for local open data.
6. As part of the work to formulate a local transparency policy, the LGA held a workshop on 23 October, chaired by Cllr Tim Cheetham, to inform members and senior managers about local transparency, open data and its uses. It sought a mandate from councils for the LGA to develop a position on local transparency which will inform our lobbying and support for the sector.
7. Members of the workshop endorsed that a transparent and open government is vital to our local democracy. Councils are already the most open, transparent and directly accountable part of the public sector. Local authorities gave examples how open data provides evidence for policy, service planning and performance and is used to better inform, consult, engage and empower citizens, business and communities shaping local neighbourhoods and taking part in local services. Inspired by Tom Steinberg from my Society, councillors alongside officers discussed using data that people want rather than what officers decide to give. Opening data does not only make councils more transparent but fosters the way councils are transformed by using the data as evidence for what services people want, where the needs are, how and where money is spent. Councillors can help to champion a culture change in town halls to be more open and transparent by default.

Survey of local transparency

8. In September, the LGA carried out a survey on transparency and open data to find out in how far local authorities are able to meet transparency requirements and how it impacts on local government. Authorities largely comply with the Code of Practice on Transparency. In addition, they publish a wide range of datasets that go beyond the Code of Practice on Transparency. The variation demonstrates the flexibility of authorities to publish data in line with local needs and demands.
9. Respondents indicate that accountability is the main driver for transparency, followed by reducing FOI requests and greater access and openness. But there are also barriers and risks associated with open data. These include the need for skills and additional resources and the risks of opening up personal, security and commercially sensitive data leading to fraud and exploitation of privacy and national and local security risks. Local authorities overwhelmingly welcome the support from the LGA in developing a policy in support of local transparency. Local authorities reported little take up of open data and few saw opportunities for local business growth as a result of opening up the data. Further details about early results of the survey are available in the **Appendix B**.
10. Local authorities are increasingly making use of open data and many good practice examples are emerging, which the Research and Information Team plan to compile and publish to add to a value case for open data and transparency.

Update on transparency from government departments

11. The government has made data and the transparency of data a key priority. They believe that data allows citizens to hold government to account, drives improvements in public services by informing choice, and stimulates innovation and growth. As a result government policy promotes a presumption in favour of open data being made more freely available.
12. In June 2012, the Cabinet Office published a white paper on open data and transparency, [Unleashing the Potential](#). The paper identifies three areas for unlocking and increased sharing of data:
 - 12.1 enhanced access to open data;
 - 12.2 building trust (safeguarding personal and security data); and
 - 12.3 smarter use (improved sharing and use of data).
13. The paper applies to central government and each government department has published their own open data strategy detailing what datasets they will publish in the future.
14. The government has put in place some new structures to deal with the governance and user input into transparency – **Appendix C** sets this out, together with the structures we have in place within local government. The LGA is planning to coordinate the different

representations through a Local Transparency Task and Finish Group, chaired by Cllr Tim Cheetham. The Improvement and Innovation Board is asked to endorse this approach.

Code of practice on transparency

15. The Department for Communities and Local Government is consulting on the Code of Practice on Transparency, to make it mandatory. In addition, the code is proposing that additional data should be published, including:
 - 15.1 Trade Union Facility Time - authorities should publish the amount spent on providing support and facilities to trade unions within their workplaces, and specify which unions;
 - 15.2 Parking Charges - authorities should publish: revenue from off-street parking charges; revenue from on-street parking charges; the number of off-street parking places; the number of on-street parking places; the revenue from parking fines; and the number of free parking spaces available (in line with the Portas Review);
 - 15.3 To councillors allowances and expenses - we will add: "and any other payments made to councillors from the public purse"; and
 - 15.4 Corporate charge cards, credit cards or procurement cards - spending on goods and services made via these types of cards should be identified as payments to the underlying merchant/supplier, not spending on the card company itself.

The consultation is published on <http://www.communities.gov.uk/publications/localgovernment/makingthecode> and will close on 20 December 2012. We will be seeking views from the sector to respond to the consultation.

16. We propose to maintain our position in support of local transparency and access to open data where it meets local needs and demand. Local transparency has been long established in local authorities. Authorities have a strong record of publishing minutes from meetings, performance ratings, financial records and salaries on the web. However, we feel there is more to be done than simply publishing loads of data, as a box checking exercise in response to government exhortations. Therefore the LGA promotes information above data, and knowledge above information – by encouraging authorities to make data understandable and putting them into context so that they link to policy and outcomes.

Consultation on voluntary and community sector spending

17. The current 'Recommended Code of Practice on Transparency for Local Government' published by the [Department for Communities and Local Government](#) encourages local authorities to publish grants to the voluntary, community and social enterprise sector (VCS), amongst other datasets.
18. Following the development of a practitioner's guide to publishing local spending data, the

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LGA has worked with local authorities and the voluntary sector to extend it to include information on VCS expenditure. The LGA is now consulting on guidance to publish VCS spending data in a way that:

18.1 promotes local accountability by demonstrating to residents and the VCS how local councils spend their money;

18.2 consistent and comparable between authorities; and

18.3 proposes a practical solution to publishing the data that is cost-effective and does not create a new and unnecessary burden on councils.

19. The consultation is published on <http://www.local.gov.uk/vcs-spending> and closes on 14 December.

Single Data List

20. The single data list is the list of all data returns that local authorities must make to central government. The one published for 2012/13 contains 150 data returns across a range central government departments. This is a reduction from 196 in 2011/12.

21. The LGA is currently working with DCLG officials to set up a gateway process to challenge future additions to the single data list and, as importantly, review existing returns on the list with a view to reducing it further.

LG Inform

22. The next version of the LGA's data service, LG Inform, is currently being built and will be launched in the spring. Later in 2013 it will be launched to the public, thereby helping authorities publish performance information and giving them the option to add contextual information and explanation should they so choose.

Business Case for INSPIRE

23. At the May Improvement Board, the LGA reported on the impact of the European INSPIRE regulation on local authorities to publish certain location/geographical information to specific standards. Address and street data collated by GeoPlace from local authorities will soon meet publishing requirements. However, there are considerably more data held by authorities, in particular related to planning, which are currently not published to the given specification.

24. Following on from the Impact Assessment, Defra have acknowledged that INSPIRE places a burden on local authorities, which goes beyond the standard approach of publishing data under transparency. Defra is developing a business case for supporting local authorities in publishing their data. Although initially a burden, in the future it is anticipated that local authorities will benefit from INSPIRE because it will lead to better internal data management, easier access and reuse of data to meet their own needs, better decision making from that data, and fewer burdensome data requests as data are more easily accessible.

25. Jointly with Defra we held four regional workshops to inform local authorities about their legal obligations and to seek views how best to implement INSPIRE. About half of all local authorities attended the workshops in Bristol, Birmingham, Leeds and London. We received positive feedback from authorities and continue to engage with them via Knowledge Hub to support them to improve data management and consider options for publishing their data.
26. Some authorities are developing their own publishing solution, however the majority favour a local government centralised approach. We are now working with Defra to develop a business case for a local government publishing service, in particular for those datasets such as planning data which are currently not published to standards but will have to meet INSPIRE requirements in the future.

Financial implications

27. There are likely financial implications which are estimated to be of the order of £3 million to procure and manage the implementation of a local government publishing service for INSPIRE. The LGA would need to consider the business case and all the options if it was to proceed along these lines and clearly would only go ahead if Defra meets the costs through the new burdens assessment.

Next steps

28. Depending on members' views at the Improvement and Innovation Board, we will carry out further steps to:
- 28.1 develop a local transparency policy;
 - 28.2 compile and publish good practice examples which promote the value of open data to citizen, communities and business;
 - 28.3 respond to the consultation on the Code of Practice on Transparency;
 - 28.4 review spending guidance considering the outcome of the consultation on voluntary and community spending; and
 - 28.5 work with Defra and the local government advisory group to develop a business case for a local government publishing service to meet INSPIRE requirements.

Appendix A: Principles for a local transparency

The local transparency policy will be based on a presumption in favour of

- All data created by local government as part of its statutory duty should be open, unless certain restrictions apply for the protection of personal data, national security, policy advice, commercial confidentiality and third party intellectual property rights.
- The pace of this transition should be driven based on local needs and demand.
- Data should be presented in ways that are understandable to citizen and community groups and placed into context so that they link to policies and outcomes.
- Data should be published in formats that are reusable by machines, non-proprietary, standardised and linkable to common reference data so they can be compared.
- Data and information should be easy to find on local websites and signposted on data.gov.uk. The data should be made freely available under the Open Government Licence.
- Data is an important asset and should be efficiently and effectively managed so that the burden of data publishing is reduced.
- Small data is as important as big data. Start small and publish data that is of relevance locally; standards and linkages will follow.
- Encourage use of data locally by getting developers, data providers and policy makers, community leaders, service providers and users together to develop meaningful applications that focus on what users want and need.

The principles will be reviewed in line with a revised Code of Practice on Transparency and discussion with the sector.

Appendix B: Transparency in Local Government: current practice

The LGA carried out a survey¹ to examine how far local authorities are able to meet transparency requirements and how it impacts on local government. Over 100 local authorities responded to the survey (The response rate of 37 percent means that these results should not be taken to be more widely representative of the views of all officers with responsibility for open data/transparency, but they provide an indication of the views of this particular group of respondents). The responses reveal that:

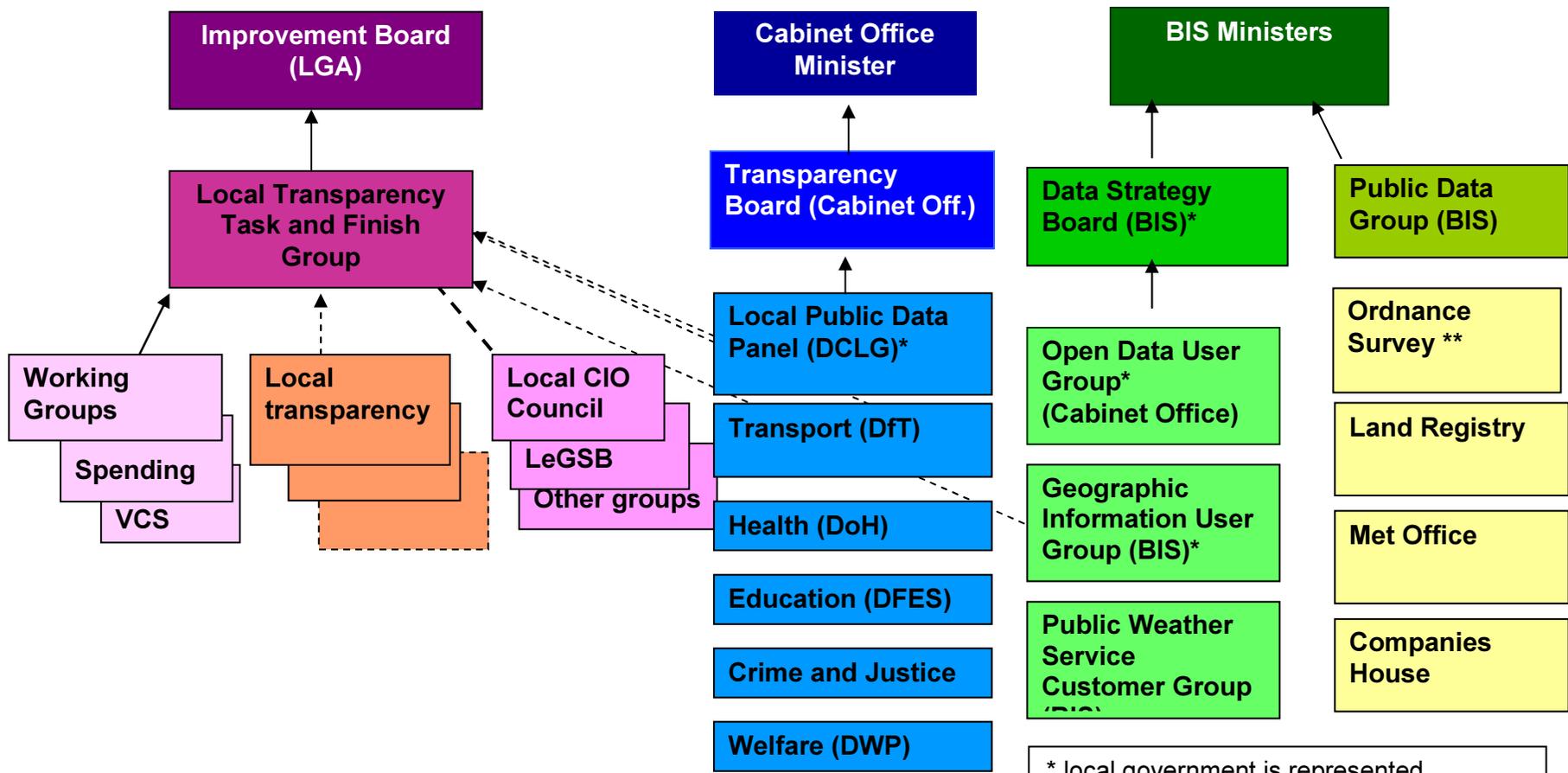
- All authorities are publishing spending data. Almost all have published information about the democratic running of the local authority (98.2 per cent), senior salaries (96.5 per cent) and councillor allowances and expenses data (96.5 per cent). An increasing number of authorities are making data - listed in the code - openly available.
- More than 60 per cent of authorities publish their data in machine readable format, with another third planning to improve the publishing format to make the data comparable as set out by government.
- Two thirds of respondents publish open data on a dedicated page, but few publicise their data on data.gov.uk or other websites where they can be more easily found.
- The type of data published locally varies greatly between authorities and ranges from schools-related data and geographical data to additional financial and workforce datasets. The variation demonstrates the flexibility of authorities to publish data in line with local needs and demands.
- An overwhelming majority of the respondents perceive accountability as the main benefit to local transparency, followed by access and openness combined with reduction in FOI requests, improved local decision making and internal data management.
- Few see opportunities for local business growth, social inclusion and environmental sustainability.
- Over two thirds indicated a lack of resources for making open data available – mainly due to lack of technical skills and the burden of redacting datasets in line with privacy.
- Local authorities reported little take up of local open data, with local community groups showing the greatest interest.
- There is an overwhelming mandate for the LGA to provide a transparency strategy, publishing, good practice examples and guidance on publishing, with just over half wanting support for data standards, definitions and linkage between data sets and raising awareness amongst senior managers and members.

¹ Survey to be published in November 2012

Appendix C: Transparency Governance

Local Government

Central Government



* local government is represented
 ** GeoPlace is represented