

Update on Transparency

Purpose

For information and discussion.

Summary

This report gives an update on transparency since the last report to the Improvement and Innovation Board in January 2014 and specifically includes:

- the regulations issued by the Department for Communities and Local Government (DCLG) to mandate the Local Government Transparency Code and how the LGA is supporting the sector with guidance for publishing the data
- a proposal for a transparency strategy led by the sector, to improve the understanding of transparency and open data and help authorities add value through its use
- the open data Breakthrough Fund and other funding programmes that support authorities in publishing data and making use of it.

Recommendation

The Improvement and Innovation Board is invited to:

1. note the updates on the LGA's transparency work over the last nine months, recent government announcements on the Transparency Code and other legislation
2. note progress on the open data Breakthrough Fund programme and other initiatives
3. give views on the proposed activities for developing and delivering a transparency strategy including approving an increase in focus on supporting local authorities to meet the needs and demands of open government and open data policies and help them make data more open and meaningful, and agree the outline strategy described in Annex 1
4. nominate a transparency lead from the Improvement and Innovation Board to support and advocate this transparency agenda.

Action

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

Contact officers: Dr Gesche Schmid
Position: Programme Manager – Transparency
Phone no: 020 7664 3290
E-mail: gesche.schmid@local.gov.uk

Update on Transparency

Purpose

1. This report gives an update on data transparency and policy developments since the Improvement and Innovation Board meeting in January 2014, and outlines key related work undertaken by the Research and Information Team over the last nine months. This report also seeks members' views on developing a transparency strategy.

Local Government Transparency Code

2. The Department for Local Government and Communities has reissued the Local Government Transparency Code 2014 (the Code)¹ under section 2 of the Local Government, Planning and Land Act 1980 (the Act).
3. The Code will make it mandatory for local authorities to publish the following data:
 - 3.1 expenditure exceeding £500
 - 3.2 Government Procurement Card transactions (not all procurement cards but specifically government ones, which local authorities rarely use).
 - 3.3 procurement information
 - 3.4 grants to voluntary, community and social enterprise organisations
 - 3.5 current waste collection contracts
 - 3.6 organisation charts
 - 3.7 senior salaries
 - 3.8 trade union facility time
 - 3.9 the pay multiple of the organisation
 - 3.10 fraud
 - 3.11 the council constitution
 - 3.12 the location of local authority land

¹ The Local Government Transparency Code 2014 <https://www.gov.uk/government/publications/local-government-transparency-code-2014>

- 3.13 parking revenues and controlled parking spaces.
4. For the code to come into effect as a legal requirement, two statutory instruments are necessary². One is already in place and the other will come into force in the next few weeks.
 5. The LGA has lobbied to reduce the mandate, seek clarification in the Code and make the case to reduce the burden to local authorities, with some successes. We are now preparing some practical guidance to help authorities to understand and meet the requirements of the Code. We are also encouraging authorities to publish their data in a consistent way, so that they (and citizens and business) can more easily get value from the data by comparing between different areas; to do this we will be developing some standards for local authorities to follow on a voluntary basis.
 6. In addition, following our lobbying, the Government made a grant payment in March 2014, under section 31 of the Local Government Act 2003, to eligible local authorities to help with the set-up costs associated with publishing the land and assets data set out in the Code. DCLG will release a further £2.6 million in new burdens payments this year. In 2015-16, the Government will make a total new burdens payment of £4 million to local authorities.

Consultation on the Re-use of Public Sector Information Regulation

7. The Government is consulting on proposals to amend the Re-use of Public Sector Information Regulation, triggered by changes to the European Directive on the re-use of public sector information (the PSI Directive). The PSI Directive was amended in 2013, with measures to increase the number of public sector bodies subject to the Directive (extending the scope to museums, libraries and archives) to introduce the principle that charges for re-use should be set at marginal cost instead of permitting a reasonable return on investment, with exceptions in certain circumstances.
8. The latter may have an impact on local authorities, who may want to charge for their data, and the LGA as a co-owner of GeoPlace that charges for public sector address and street information. The LGA is currently preparing a response to the consultation.

Transparency Strategy

9. The transparency and open data agenda is maturing, and the majority of local authorities have set-up separate webpages for publishing their data openly as mandated. However, transparency is not only about accountability; it is also part of service transformation,

² The Local Government (Transparency) (Descriptions of Information) (England) Order 2014 which came into force on 29 July 2014, and Local Government (Transparency Requirements) (England) Regulations 2014, which we expect to be made and laid in Parliament in the near future.

publishing and using open data in innovative ways to increase efficiencies, engage with the citizen and communities and drive business opportunities in the digital industry in the local area. With the growing coverage of broadband, all parts of England will be reached digitally, which provides new opportunities both for identifying the needs and demands of people from rich data insights, and for providing services through apps so people help themselves (for example, from parking and public transport to health and well-being apps). Some local authorities are grasping these new opportunities and there are a growing number of good examples arising from the various funding programmes (see below), which help officers, citizens and business.

10. However, it appears there are still some authorities that are cautious about making information transparent, or who are missing the opportunities of making use of their data in an intelligent way.
11. The LGA Research and Information Team has been working with a number of government departments involved in different elements of transparency and open data, in order to represent local government. Over the last six months however, central government work on transparency has become increasingly fragmented and competitive, with departments seemingly competing to be seen as 'leading' local government initiatives. As a result it has become an increasingly confusing landscape for authorities.
12. Against this backdrop, we now propose to progress with our own work to help the sector make sense of the transparency agenda, not only as directed by various government departments, but also to drive the sector's own vision of transparency working for authorities and their residents. A panel discussion at the LGA annual conference in July 2014 with members and senior officers, chaired by Cllr Peter Fleming, endorsed the proposition that local government drive transparency through a strategic sector-led approach in order to increase the understanding of open data and to support local authorities in achieving this.
13. Annex 1 outlines our plans to supporting local authorities to meet the needs and demands of open government and open data policies and help them make data more open and meaningful. Members of the Improvement and Innovation Board are asked to review and comment on them, and agree the outline for our strategy.

Funded Programmes

14. The LGA has been involved in administering and influencing a number of funding programmes. See the LGA website³ for further information about which authorities have benefitted from these grants.

³ Open data funded programmes http://www.local.gov.uk/web/guest/local-transparency/-/journal_content/56/10180/3926733/ARTICLE

Open Data Breakthrough Funding

15. The Department for Business, Innovation and Skills, and the Cabinet Office offered funding through the Breakthrough Fund and the Release of Data Fund to support the wider release of public open data. £1 million of funding in 2013/14 and in 2014/15 has been made available specifically to local authorities, managed by the LGA. All funding has now been allocated for the 2014/15 programme, and many projects are now completed for the 2013/14 programme. Short case study reports of some of the projects have been published, which provide good examples of open data publishing practice for authorities to learn from.

Local Government Incentive Scheme

16. The Release of Open Data Programme, through the Public Sector Transparency Board, is funding £730,000 to local authorities for publishing data to certain standards. This funding is to meet the demands from the open data user community through the Open Data User Group (ODUG), to provide more consistent, reusable data from local government. The project encourages the delivery of three sets of local data, each to an agreed format and standards, to show how national views of local data can quickly and easily be pulled together as Open Data. The three public data themes were selected on a demand-led basis: public toilets, basic planning application information and local licensed premises data. Local authorities receive a cash incentive if they publish their data in this way. The programme is managed by the LGA, through LG Inform Plus.

17. All funding has now been allocated to local authorities. Over 90 authorities are taking part and are planning to publish over 240 datasets.

INSPIRE Funding

18. Following the LGA's impact assessment, Defra has paid £2.7 million in new burdens funding to local authorities to meet the Infrastructure for Spatial Information in the European Community Regulations 2009 (INSPIRE) obligations to publish geospatial data about the environment. The funding is based on evidence and sustained lobbying by the LGA. Local authorities are now engaged in the INSPIRE initiative and are starting to publish their data on data.gov.uk, the national portal for public sector information. Many authorities see INSPIRE as a driver for managing their data and making the data accessible and reusable through web services. Some authorities are using the principles of INSPIRE to publish other open data.

19. Successful implementation of INSPIRE publishing services will mean that environment data from public sector organisations can be more easily combined, for example, when planning and responding to recent flood or other emergency events. The LGA has been actively promoting the release of funding, and supported local authorities by providing practical guidance, arranged learning days across the country and provided case studies demonstrating good practice examples. The learning days offered local authorities the

opportunity to share their knowledge, technical skill and capacity and to develop some shared services.

Financial Implications

20. Activities for managing the Local Breakthrough Fund and the local government incentive scheme are funded from the programmes themselves. Funding of other work, including the proposed transparency strategy and accompanying support will be funded within the existing LGA budget for 2014/15.

Annex 1: Outline for transparency strategy

1. The principle that will underpin our strategy is that the drive for local government to be increasingly transparent and make more data and information widely available is upon the sector already, much of it mandated. This requires a culture change within organisations and a better understanding what can be achieved through transparency and how to be able to benefit from it. Although there is a cost to doing this for authorities, there are also real benefits to be gained from doing it well, in terms of the efficiencies resulting from good information management and insight. The LGA's role is to help authorities benefit from this, specifically in four areas, which also links to the LGA's vision of funding, growth and service reform:
 - using data for insight, service improvements or targeting of resources, which can lead to increased productivity
 - reducing unnecessary contact with citizens, which can lead to reduced costs (reducing interaction or shifting to cheaper methods)
 - being open and accountable to citizens in how services are provided, and engaging with citizens, business and communities to provide services in the future
 - providing opportunities for growth for local business and communities.
2. The vision for this work is that all local authorities will be taking advantage of better information management to improve their local services, and making better use of data and data services that are available to improve their insights and make efficiencies.
3. Our short-term objectives are to develop resources to help authorities with the following, identified barriers to effective information management, transparency and insight:
 - improving senior-level understanding of the transparency agenda, the legislative landscape, the need to respond to it and the value that can be gained from it
 - providing reassurance and examples about impacts of publishing data (for example, the public reaction) and evidenced benefits where the use of open data adds value
 - developing a culture change in organisations to look outward, which includes opening up data and linking to other data, organisations and people
 - developing the strategic leadership in organisations to take forward the transparency agenda and the necessary culture change
 - acquiring and sharing skills and knowledge to publish open data and make use of it
 - overcoming fragmentation and promoting a more consistent approach to publishing data so data become useful to others
 - improving customer and business insight about needs, demands and performance by analysing data from internal and increasingly external sources as a basis for better commissioning and sharing of services and other service transformations - for example authorities can gain additional value from their data by benchmarking or comparing with others (this will also make use of our existing assets of LG Inform/LG Inform Plus where they can support this work)
 - improving their governance and accountability internally and externally by opening up information about the organisation and finances
 - engaging with, and fostering the sharing and use of the data within and across other the organisations, communities and business.

The tasks required to deliver this include:

- establishing a taskforce to inform and advise on the openness/transparency programme of work, and to give a strategic direction from a sector-led perspective
- producing a simple outline of the issues for senior staff and members to understand
- engaging with local authorities to seek sector views, understand their needs and collate existing good practice examples
- producing guidance and case studies, as well as sharing lessons learned and the benefits from authorities who are leading in this area
- directing authorities to existing resources, sourcing information about platforms, tools and standards that authorities will need to use in order to enhance the knowledge and skills of their staff (the resources will include technical guidance, case studies, opportunities for sharing skills and training offered through a central government voucher scheme)
- supporting the local open data user group in coordinating an information infrastructure across local government to improve the usability of data
- engaging with government departments with the aim of ensuring that policies and guidance are aligned
- communicating the outcomes to local authorities, government and other stakeholders (campaign).