

Data and Local Transparency

Purpose

For information and discussion.

Summary

This document reports on progress with the local transparency programme since October 2014.

Recommendation

The Improvement and Innovation Board is invited to:

1. note Cllr Roy Perry is the lead for local transparency
2. note the proposal for a digital and data strategy and endorse the approach for Cllr Theo Blackwell (London Borough of Camden) to lead on the data vision and seek members' input through a summit
3. note and comment on updates regarding the existing programme, with reference to the Local Government Transparency Code and the open data funding programmes
4. note and approve the LGA approach to information sharing and the transfer of local land charges.

Action

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

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Data and Local Transparency

Purpose

1. This report gives an update on the data and transparency programme developments since the Improvement and Innovation Board meeting in October 2014, and outlines key related work undertaken by the Research and Information Team over the last seven months.
2. Since that October 2014 Board meeting, Cllr Roy Perry, Leader of Hampshire County Council, has now taken the lead for local transparency.
3. This report gives an update on the recent activities that relate to data and local transparency:
 - 3.1 a proposal for a digital and data strategy
 - 3.2 meeting compliance of the Local Government Transparency Code
 - 3.3 addressing the barriers to information sharing
 - 3.4 an update on the open data funding programmes 2014/15
 - 3.5 transfer of local land charges to Land Registry.

Digital and data strategy

4. In October 2014, members approved the proposal for a transparency and open data strategy. However, in further discussion within the LGA, with councils and stakeholders, officers are recommending that it is brought together with the work recently initiated within the LGA around a digital strategy. This is also referred to in the separate report on the agenda about our productivity programme. The wider digital and data strategy is likely to encompass a number of strands: data use, digital tools, connectivity, skills and business transformation. The data strand will be designed to promote new approaches in the use and sharing of data collected by councils and local public services.
5. Cllr Roy Perry has asked Cllr Theo Blackwell (London Borough of Camden) to lead on the data strand, which he will pursue as part of his Bruce Lockhart Award for digital leadership. We propose to hold a workshop during the summer to develop and test the objectives and desired outcomes of the strategic vision, inviting a range of councillors, leaders and members of external organisations to further develop and challenge our vision. We seek views from members on the proposal (**see Annex 1**) and to endorse the approach.

Local Transparency Code

6. The Department for Communities and Local Government (DCLG) has published a revised Local Government Transparency Code 2015, including a new provision for publishing social housing asset information. The revised Code came into force on 1 April 2015. Local authorities are required to have most publications of listed data updated by

30 April 2015, while the publication of the new provision for social housing assets is due on 1 September 2015.

7. The LGA is supporting councils to meet the requirements of the Code through the publication of [practitioner guidance](#), two regional workshops held in London and Manchester in November last year, and direct advice in answering e-mails and telephone calls. The practical guidance documents support local authorities in understanding and implementing the Local Government Transparency Code 2015. The guidance helps authorities to publish the data in a meaningful and consistent way using common standards developed by the LGA together with the sector. Since the publication of the original code in October 2014:
 - 7.1 105 authorities attended our workshops
 - 7.2 there were between 1600 and 2400 downloads for each of the various guidance documents
 - 7.3 we answered well over 100 enquiries from local authorities.
- 8 Local authorities received between £7,000 and £13,000 new burdens funding from DCLG to pay for the ongoing cost of publications depending on the type of authority. Our understanding is that authorities have published most of the data required by the Code, but have indicated that it costs them more to prepare the data for publication than is covered by the Code, especially for those councils that have data not readily available digitally.
- 9 It has come to our attention that DCLG are following up councils that have not published data as required by the Code. DCLG is threatening to withhold funding where authorities are not releasing the data in full and have done so in one case. We are working with authorities and DCLG to avoid future issues.

Open data funding programmes

- 10 The LGA received £1.64 million in grant funding in 2014/15 and £1 million in 2013/14 to support local authorities in releasing and making use of open data. The funding supported the open data breakthrough programme and the local open data incentive scheme.

Open data breakthrough funding

- 11 Over 30 local authorities received grant funding to support the release and use of open data over the last two years. The programme is providing a range of good practice examples for:
 - 11.1 developing systems, platforms and processes for publishing data
 - 11.2 seeking buy-in and improving the understanding within organisations for opening up data
 - 11.3 fostering the better use of data in helping to transform public services and meeting efficiencies

- 11.4 engaging with local people and business to make use of the data.
- 12 While some early benefits start to emerge from the programme, it is still too early to evaluate the full outcome from the programme but we will gather this over the coming months.
- 13 We are holding two learning events in London and Leeds in May 2015 to celebrate the successes of local authorities and share the good practice with the sector. Both events were fully booked, with 160 delegates, within a couple of days. The learning and outcomes from the programme will feed into the digital and data strategy. The programme is coming to a close at the end of May 2015. A full list of projects is available at http://www.local.gov.uk/web/guest/local-transparency/-/journal_content/56/10180/3926733/ARTICLE.

Incentive Scheme

- 14 The LGA managed the local open data incentive scheme, funded and sponsored by the Open Data User Group, to encourage local authorities to publish data in a consistent way to common standards. The sector has been too often criticised for its fragmented approach to publishing data, which makes it difficult to use the data across a region or to form a national view. LG Inform Plus tools were used to publish the data in a consistent way so that they can be combined and compared for use in larger applications. The data themes covered planning applications, public toilets and licensed premises. The programme served as a test to learn about take-up, issues, barriers and benefits. More than 90 authorities took part in the scheme and 210 datasets were published. The LGA is currently carrying out a survey to seek feedback from the project. The outcomes will feed into the digital and data strategy.

Information Sharing

- 15 Information sharing is one of the challenges local authorities are facing in transforming public services. It affects services such as health and social care integration, troubled families, interactions with the Department for Work and Pensions such as universal credit, and other local public services that are working in a multi-agency context.
- 16 There are clearly complex public policy objectives that hold twin aims of protecting the privacy of individuals whilst needing to target resources more effectively and improve the delivery of services by encouraging the sharing and linking of information and in some cases re-identification of those individuals. In many cases this can serve to cause confusion amongst officers both at a local and national level. We also recognise and understand the concerns of Civil Society regarding privacy.
- 17 The Data Protection Act is the main legislative driver for handling personal information but it is too often used as an excuse for not sharing data. However, there are also other legislative barriers to information sharing. The Cabinet Office has therefore set-up an open policy making approach to identify the policy context for sharing information and where legislative changes are required.

18 This data sharing programme is proposing new powers in three areas¹:

- 18.1 **Research and statistics** – improving the quality of statistics and enabling the activity of better evidence to inform policy and service delivery. This would enable data to be linked and de-identified in a secure access facility (although we understand that health and social care are intended to be excluded due to separate arrangements covered by the Health and Social Care Information Centre).
- 18.2 **Fraud, error and debt** – saving taxpayers' money on fraud and error by aiding better targeting and risk profiling of potentially fraudulent individuals, streamlining processes and being able to act more quickly on fraud and error.
- 18.3 **Tailored public services** – improving the tailoring of public services so that the right services are offered and provided to the right person at the right time. We understand that this would be a permissive power for defined public bodies to support the delivery of public services better tailored to individual need. It would not be a punitive power and would only be used where it is not realistic to use consent or sharing of anonymised data.

19 These proposals have been developed with the following agreed principles:

- 19.1 proposals should not consider the building of new large and permanent databases or collecting more data on citizens
- 19.2 proposals should avoid the indiscriminate sharing of data within Government
- 19.3 proposals should not amend the Data Protection Act.

20 This policy paper has cross-party support and may be turned into a White Paper for consultation post May 2015. Civil Society contributed to the paper and agreed the principles. On behalf of the LGA, we will be keen to make a continued contribution to this, and welcome the opportunity to help define the objectives under which Tailored Public Services would take effect.

21 The Open Policy Making approach by Cabinet Office excludes legislative changes in the area of health and social care integration. The Health and Social Care (Safety and Quality) Act 2015 received Royal Assent in March 2015. The Act is seeking to make a provision, amongst other aspects, to the integration of information relating to users of health and social care and sets the needs for a common identifier for health and adult social care services. However, we believe that there is a case for legislative change that effectively enables local health and social care commissioners to share personal data for secondary purposes.

¹ <http://datasharing.org.uk/wp-content/uploads/sites/2/2015/02/Conclusions-of-civil-society-and-public-sector-policy-discussions-on-data-use-in-government.pdf>

- 22 In addition, barriers to information sharing are not solely legislative. A complex mix of cultural, technological, administrative issues, as well as lack of training or support, can serve to restrict information sharing between services and organisations. The Centre of Excellence for Information Sharing has been set up to work with local places to address some of the issues. The Centre is providing tools and guidance and some impressive case studies to overcome some of the barriers: www.informationsharing.org.uk.
- 23 The LGA is contributing and representing local authority interests in the debate, but we recognise that further evidence gathering may be required to support progression of this agenda. We invite members to tell us what the issues are and to support the LGA's approach.

Transfer of Local Land Charges to Land Registry

- 24 Parliament gave Royal Assent to the Infrastructure Act 2015 in February which paves the way for the transfer of local land charges register and services from local authorities to Land Registry. The LGA opposed the transfer and lobbied for government to meet the full transitional costs under the new burdens doctrine and all ongoing costs based on an independent cost assessment. Consultation on the secondary legislation, which will specify the details of the transfer and a full cost assessment, will follow in the autumn. The LGA will be working with Land Registry, local authorities and government on the transitional arrangements and the new burdens assessment to:
- 24.2 represent the interests of our member councils
 - 24.2 advise and influence the implementation plan, secondary legislation and impact assessment that will determine details of the transfer and future responsibility of local authorities
 - 24.3 negotiate new burdens funding to cover costs associated with preparatory and ongoing work to support the development and delivery of a Central Land Charges Register
 - 24.3 engage with member councils to seek their views and to foster a collaborative atmosphere promoting the transfer while meeting the sector's needs.
- 25 We seek endorsement from members for this approach.

Annex 1:

Data and local digital government leadership
Draft Proposal, April 2015

“Places should be more ambitious about how they approach information sharing, make better use of data and use digital technology to enable better outcomes.”

Bolder, Braver, Better: Service Transformation
Challenge Panel Report, November 2014

“Open Data has the power to transform productivity and outcomes in public services, as well as drive enterprise value in the broader economy.”

Open Data Institute Business Plan 2012-2017

Purpose

This paper proposes to develop as part of the wider digital and data strategy a specific strand to promote new approaches in the use and sharing of data collected by councils and local public services.

Rationale

Spurred by a new generation of digital technologies, there is growing recognition in the public sector of the rich value of data as a resource to save money and target stretched resources where they are needed most. To the public, data has also increased transparency and accountability on what councils spend, and gives deeper perspectives on value for money and effectiveness. Data has also been used to promote economic and social growth by understanding which interventions make the most difference or are a direct source of revenue. Despite this, only a small proportion of local authorities have developed approaches to ‘open’ or ‘smart’ data.

Through the work of the Open Data Institute (ODI) and Government Digital Service (GDS) the focus on data and technology will continue as a priority whatever the shape of the next government. The focus is now shifting increasingly from Whitehall and government agencies towards consideration of the better use and sharing of data by local public services.

Local authorities have asked us to support digital leadership and promote the understanding of the opening up, smarter use and sharing of data to improve services and drive efficiencies within current financial constraints.

We therefore propose to develop a new strategic vision geared towards the better use of data in the local context. It will be placed in the context of a digital and data strategy alongside, digital skills, enabling technology and business transformation.