

Data and Local Transparency

Purpose

For information, discussion and direction.

Summary

This report informs and updates members about current activities in the data and local transparency programmes and seeks views and input.

Recommendation

The Improvement and Innovation Board is invited to:

1. note the activities of the data and transparency programme around the data vision, LG Inform, data standards, transfer of local land charges and information sharing, in line with the improvement programme and provide any comments;
2. comment on the issues raised in the call for evidence from the Independent Commission on Freedom of Information and authorise the Lead Members to approve the LGA's submission (paragraphs 17 to 21).

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 informs and gives an update on the data and transparency programme developments since the Improvement and Innovation Board meeting in May 2015.
2. Cllr Roy Perry, Leader of Hampshire County Council, who previously led the data and transparency programme, has moved to lead on the Children and Young People's Board.
3. This report gives an update on the recent activities and future work that relate to the data and transparency programme, including:
 - 3.1. Background to the data and transparency programme
 - 3.2. Progress on a digital and data strategy
 - 3.3. Coordinating and leading the data standards programme
 - 3.4. LG Inform
 - 3.5. Information sharing
 - 3.6. Transfer of local land charges.
4. We are also seeking views from members about the call for evidence from the Independent Commission on Freedom of Information.

Background to the data and transparency programme

5. 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. For the public, data also increases transparency and accountability, and gives deeper perspectives on value for money and effectiveness.
6. While releasing data in its raw form makes it accessible and reusable, the value of data as an enabler for digital transformation and informed decision making can be enhanced by better quality and use of data. More consistent and standardised data allows wider use in common service platforms, tools and apps, in data sharing and in big data analytics. Good quality data can also be more readily used to potentially drive efficiencies and better services within authorities, for example, in comparing and understanding spending, improving procurement, realising the value of property assets, providing information to customers such as home care availability, streamlining business processes and improving service delivery.
7. More can be done within the sector to exploit the potential of data use and sharing in this way, so that services are designed around user needs, engage and empower citizens, drive efficiencies, promote economic and social growth, and support transparency and public accountability. In particular, opening up, improving the quality and making better use of data can support many of local government's priorities for increasing efficiency. It can help support health and care integration, empower communities through

neighbourhood planning, support services for vulnerable people with complex needs such as troubled families and promote jobs, growth and digital technology and innovation.

8. The Government is actively promoting an ‘open government’ approach and encouraging (and, in some cases, requiring) local authorities to do more in this area. The LGA’s aim, through the data and transparency programme, is to help improve the quality and use of local data within the sector. This work forms part of our sector-led improvement and innovation work.
9. Over the last two years the data and transparency programme has:
 - 9.1. supported councils in publishing data to meet the requirements of the local government transparency code, to make them more transparent and accountable to the public on what they spend and give deeper insights on value for money and effectiveness
 - 9.2. funded over 30 councils, through the open data breakthrough programme, to release data and make better use of it, fostering empowerment and collaboration with local communities
 - 9.3. set up a learning network and support for councils to share and learn from good practice in making transparency and open data work – we have provided guidance, case studies, facilitated knowledge groups and held events across the country, which have reached a community of around 1000 interested participants
 - 9.4. worked with authorities to promote a more joined-up approach to making data available in consistent ways, in order to overcome fragmentation and data silos and make information about services more comparable through the use of standards
 - 9.5. engaged with government departments and non-governmental organisations to influence data policies, represent the sector’s views on transparency, information sharing and successfully made the case for new burdens funding, and promoted the sector’s innovation on open data use
 - 9.6. launched and developed LG Inform, the LGA’s data benchmarking service, to make transparent and comparable open data available to the public and to councils, both to be accountable and to help authorities with their performance management.
10. Members’ views are invited on the following activities listed below, which it is proposed will form the main elements of our proposed work for 2015/16.

Data strategy and vision

11. At the Improvement and Innovation Board meeting in May, we presented an outline for a data strategy to complement the digital agenda to make better use of data. Since then we have made submissions for the Spending Review, outlining our proposal to support councils in making better use of data and improving productivity across local government and more widely. We are currently working on:

- 11.1. developing an overarching vision and 'value case' (evidence of the benefits of better data use) for local government about the use of data in the sector
- 11.2. promoting the wider understanding and appreciation of the value of data by engagement with authorities and learning activities (innovation case studies, guidance and workshops)
- 11.3. coordinating a joined-up approach for local data standards that improves the quality of data and meets the needs of local digital services
- 11.4. maintaining, further developing and hosting local open data standards to improve data quality
- 11.5. working with the Economic and Social Research Council (ESRC) data and research centre to explore the opportunities of local government data in big data analytics to support vulnerable people and local economic growth.

Data standards

- 12. The value of data as an enabler for digital transformation, shared services and insight can be enhanced substantially if it can be compared and combined with other information through the development of basic standards and proven best practice¹.
- 13. The LGA is working in collaboration with istandUK (formerly the Local eGovernment Standards Body) to coordinate and lead on a sector-led approach to developing standards, rather than being centrally imposed by government or developed in a piecemeal approach. We are seeking endorsement from members to lead on this approach.

LG Inform

- 14. Over the last year, LG Inform has been modified to work on tablet devices and the data is now available as a direct data feed which authorities can use to automatically update their performance management or other corporate systems. Work proposed for the coming 18 months includes:
 - 14.1. ongoing training to help authorities make the most of LG Inform
 - 14.2. promotion work to raise awareness of LG Inform to councillors and senior managers and encourage use by them
 - 14.3. developments to help authorities use LG Inform in different ways (improvements to how they can export data and embed data into their own websites)
 - 14.4. increase the number of metrics in LG Inform, as guided by local authorities (particularly more financial information)
 - 14.5. increase the number of ready-made reports within LG Inform, to give easy access to a range of data in one report

¹Why standards are essential to connect data and services:

<http://publicservicetransformation.org/media-zone/news/872-unlocking-data-2-why-standards-are-essential-to-connect-data-and-services>

Data and 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 for Universal Credit, and other local public services that are working in a multi-agency context. Several initiatives are under way to address information sharing issues (see also the May 2015 agenda) and a range of organisations are involved:
- 15.1. information sharing between health and social care is being taken forward as a matter of urgency through the Department of Health
 - 15.2. the Cabinet Office is pursuing an open policy making approach to identify the policy context for sharing information and where legislative changes are required
 - 15.3. the Centre of Excellence for Information Sharing is working with local authorities to address cultural and organisational issues.
16. The LGA is contributing and representing local authority interests in these various initiatives to ensure that the programmes are linked and the needs of local authorities are met. 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 to support the LGA's approach.

Transfer of local land charges

17. The Infrastructure Act 2015 paves the way for the transfer of local land charges registers and services from local authorities to the Land Registry. The LGA, as a key stakeholder, represents the interests of local authorities in the transfer of local land charges and is engaging with member councils to seek their views and to foster a collaborative atmosphere, promoting the transfer while meeting the sector's needs especially around new burdens. Consultation on the secondary legislation, which will specify the details of the transfer and a full cost assessment, is expected in January 2016.

Independent Commission on Freedom of Information: Call for evidence

18. The Independent Commission on Freedom of Information was established on 17 July 2015 to review the Freedom of Information Act 2000. Its terms of reference are as follows:
- "The Commission will review the Freedom of Information Act 2000 ('the Act') to consider whether there is an appropriate public interest balance between transparency, accountability and the need for sensitive information to have robust protection, and whether the operation of the Act adequately recognises the need for a "safe space" for policy development and implementation and frank advice. The Commission may also consider the balance between the need to maintain public access to information, and the burden of the Act on public authorities, and whether change is needed to moderate that while maintaining public access to information."

19. The Commission has published a call for evidence and invited feedback by 20 November. The call for evidence questions are **attached** at Appendix 1. The first four questions relate to the current protection of information related to pre-decisional internal deliberation of future public policies and the role of Cabinet Office to veto any release. The latter two questions affect all public bodies and relate to the enforcement and appeals process and the burden imposed on public authorities under the Act. Further details are provided at: <https://www.gov.uk/government/organisations/independent-commission-on-freedom-of-information>.
20. The LGA's member authorities are fully committed to the Freedom of Information Act and the purpose for which it was intended. However, over the past few years some authorities have raised concerns about the inability to exempt information about internal deliberation of policy decisions in local authorities, the cost and length of the appeals process, the increasing volume of requests submitted especially by companies for commercial purposes and the increasing amount of time and resources spent on processing requests and redacting exempted information.
21. The LGA proposes to make a submission to the Commission on behalf of authorities. We are asking authorities to let us know any concerns they have and changes they would like the LGA to include in its submission, on their behalf, having regard to the questions in the "Call for Evidence" document found here and in the appendix: https://consult.justice.gov.uk/foi-commission/call-for-evidence/supporting_documents/callforevidenceenglish.pdf.
22. The Board is invited to give comments to inform the LGA's position, and the final submission will be sent to the Board's Lead Members for approval.

APPENDIX 1: Independent Commission on Freedom of Information – Call for evidence

Questions

Question 1: What protection should there be for information relating to the internal deliberations of public bodies? For how long after a decision does such information remain sensitive? Should different protections apply to different kinds of information that are currently protected by sections 35 and 36?

Question 2: What protection should there be for information which relates to the process of collective Cabinet discussion and agreement? Is this information entitled to the same or greater protection than that afforded to other internal deliberative information? For how long should such material be protected?

Question 3: What protection should there be for information which involves candid assessment of risks? For how long does such information remain sensitive?

Question 4: Should the executive have a veto (subject to judicial review) over the release of information? If so, how should this operate and what safeguards are required? If not, what implications does this have for the rest of the Act, and how could government protect sensitive information from disclosure instead?

Question 5: What is the appropriate enforcement and appeal system for freedom of information requests?

Question 6: Is the burden imposed on public authorities under the Act justified by the public interest in the public's right to know? Or are controls needed to reduce the burden of FoI on public authorities? If controls are justified, should these be targeted at the kinds of requests which impose a disproportionate burden on public authorities? Which kinds of requests do impose a disproportionate burden?