

BRENT COUNCIL RESPONSE (VIA E-MAIL)

The current statutory regime which essentially comprises the DPA and the FOI appears to give a satisfactory amount of access to individuals in respect of not only their own personal information but also in relation to public sector information in general. The regime as it currently stands is wide and achieves the policy objectives which were published at the time by the legislature. There does not appear to be any demand for an extension in the legislative framework or additional legislation to increase the data subject access either individually or corporately based on our experiences of dealing with formal requests under existing legislation.

The DPA is already a complex set of statutory regulations, and there is a significant danger that extending the scope of either the DPA and/or the FOI will increase that regulation further. If the proposed new open data provisions are contained in further legislation, then there will have to be some thought given to consolidation provisions as both existing acts are complicated and therefore potentially unwieldy, and to add a further legislative layer into that which is already in existence, could result in confusion or even contradiction. On this basis, any proposed legislative changes should either be done by a consolidation provision or by considering the significant substantial amendment of existing legislation so as not to create a legislative framework which acts against the public or organisational interests.

Kind regards,

Mary Stein