

CHARNWOOD BOROUGH COUNCIL RESPONSE (VIA E-MAIL)

Dear Sir/Madam

Charnwood Borough Council welcomes the chance to comment on the Making Open Data Real consultation. The Council has the following general comments on the consultation. Where these comments relate to a specific question or section in the consultation these have been highlighted.

The Council supports the wider public benefits of transparency and the re-use of public sector information and it does not currently put in place barriers to the re-use of information it provides and makes available. There are however costs associated with making information available and these need to be considered in deciding whether to do so or not, especially where the demand for that information is uncertain. Costs could be reduced in the future if proactive release formed part of the planning for data collection and the procurement of IT systems, as the consultation identifies. This has not always been the case in the past and therefore applying any new requirements retrospectively could cause an undue burden.

Care should be given in considering the implications of greater transparency on privacy. There should be a clear expectation that where subsets of data are small and this can result in the identification of individuals then that data will either be aggregated or not released.

There is an opportunity for the research community to identify what datasets would be of most use to them in informing what information authorities make available.

1. Glossary of key terms

Q1 Do the definitions of the key terms go far enough or too far?

Some of the data held by public authorities will not be in a structured form nor held electronically. It could involve considerable effort to convert this in to a publishable form. It would therefore be helpful to define further the point at which pieces of information become a dataset within the terms of the proposals in the consultation based on the quantity and importance of the information.

8. Policy Challenge Questions

Q1. An enhanced right to data: how do we establish stronger rights for individuals, businesses and other actors to obtain, use and re-use data from public service providers?

So as not to create further regimes for making information available it would be helpful if any new requirements were incorporated into existing ones such as the publication scheme required by the Freedom of Information Act and the Re-use of Public Sector Information Regulations. An example of this approach is the requirement within the Protection of Freedoms Bill relating to the format of information provided in response to requests under the Freedom of Information Act. This approach would also enable any new requirements to sit within existing regulatory powers, such as those of the Information Commissioner's Office.

Q8.6(2) Would change in the following areas assist in this aim? Introducing a new requirement that all public bodies and providers of public service proactively publish data about the services they deliver. An approach based on this requirement would be helpful as it would establish the general principle of openness. If the requirement were a general one it would also enable authorities to meet that duty through responding to local demands and needs.

Q8.6(4) Exploring whether the current fees regulations and cost limits under the FoIA should be amended to facilitate the release of more data.

The regulations and limits could be made more tiered as described but consideration should also be given to including time taken to prepare data for release (including redaction of non-disclosable personal data) in such calculations as this is often takes a significant amount of time.

Yours faithfully
Michael Hopkins