

## Making Open Data Real: A Public Consultation

### Response from Slough Borough Council

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

The key terms go too far:-

- The description of “Dataset” refers to “data collected as a by-product of delivery”. Experience shows that the greater public interest is in having details of the name and cost of supplier, and length of contract awarded.
- The description of “Information” refers to “Interpretation” – the current guidelines state that as interpretation is not factual, it is not in scope of FOI. This would risk opening up a whole new avenue for the public which may then include opinion, which again does not necessarily represent true facts or reality and could therefore mislead.

2. Where a decision is being taken about whether to make a dataset open, what tests should be applied?

- Do standard definitions exist? – i.e. can the dataset be compared across the board in a meaningful way.
- Is the data already gathered for statutory returns?
- Is it in the genuine public interest (and not just for competing suppliers)?

3. If the costs to publish or release data are not judged to represent value for money, to what extent should the requestor be required to pay for public services data, and under what circumstances?

It will be counter-productive to levy any charges, as authorities will not be able to recruit a resource to deal with the additional overheads without a **guaranteed** income stream. If the costs do not represent value for money, the data should not be published.

Please refer to comment above about publishing datasets that are already gathered for statutory returns, which would therefore avoid additional effort and cost.

However if the public were to be allowed to request data outside of the standard, pre-agreed datasets, then a charge should be imposed.

4. How do we get the right balance in relation to the range of organisations (providers of public services) our policy proposals apply to? What threshold would be appropriate to determine the range of public services in scope and what key criteria should inform this?

This should apply to all organisations that deliver public services – to include any contracted external providers. The key threshold and criterion governing this should be the standard agreed datasets. It follows therefore that whichever organisation holds this data is obliged to disclose the same.

5. What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?

Identify the key datasets, establish an agreed format and launch a phased programme that introduces the publication of these datasets in an agreed, achievable timeframe.

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1. How would we establish a stronger presumption in favour of publication than that which currently exists?

By identifying the key datasets, standard formats and a programme of publication that is not overly resource intensive.

2. Is providing an independent body, such as the Information Commissioner, with enhanced powers and scope the most effective option for safeguarding a right to access and a right to data?

Yes

3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?

Yes

4. What might the resource implications of an enhanced right to data be for those bodies within its scope? How do we ensure that any additional burden is proportionate to this aim?

By focussing purely on datasets that are standard across the board, and genuinely in the wider public interest of informing choice, and switching off/disallowing the multiple spurious requests that come from commercially competing organisations.

5. How will we ensure that Open Data standards are embedded in new ICT contracts?

By defining a standard clause for this purpose, and issuing a dictat to this effect.

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1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?

Define a standard format and engage with suppliers to develop standard reporting plug-ins/APIs that enable IT systems to produce this.

2. Is there a role for government to establish consistent standards for collecting user experience across public services?

Yes – there are a lot of different methods/approaches; this needs to be standardised in order to be meaningful.

3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?

No, this is not necessary. It is dangerous to start making this into an industry of its own, especially at a time when frontline services are being cut, and in some cases stopped altogether. This needs to be encompassed into normal “business-as-usual” roles.

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1. How would we ensure that public service providers in their day to day decision-making honour a commitment to Open Data, while respecting privacy and security considerations.

Make it a statutory responsibility.

2. What could personal responsibility at Board-level do to ensure the right to data is being met include? Should the same person be responsible for ensuring that personal data is properly protected and that privacy issues are met?

Introduce a standard agenda item at the end of Meeting “Matters of Public Interest Raised”.

The same person should be responsible for data protection and privacy.

3. Would we need to have a sanctions framework to enforce a right to data?

This could be dangerous. It would be counter-productive to force an authority to release data where the quality, accuracy or completeness is in question, as it could mislead, and will cause false comparison against others and possible unfair judgements on the authority involved.

4. What other sectors would benefit from having a dedicated Sector Transparency Board?

None spring to mind.

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1. How should public services make use of data inventories? What is the optimal way to develop and operate this?

Was this not the original purpose of Publication Schemes?

It is worth revisiting these to get them expanded and written in plain English so that they are actually of use to the public.

2. How should data be prioritised for inclusion in an inventory? How is value to be established?

See earlier responses.

3. In what areas would you expect government to collect and publish data routinely?

Cost and Performance.

4. What data is collected „unnecessarily“? How should these datasets be identified? Should collection be stopped?

Collection of the new strands included under the revised Equality Act, sexuality and religion/belief, should be stopped as they represent an invasion of privacy which is counter to the principles stated within the consultation document. Further to this, as it is not mandatory to declare these, the data that is collected is not representative and cannot therefore be compared or used statistically in any meaningful way.

5. Should the data that government releases always be of high quality? How do we define quality? To what extent should public service providers „polish“ the data they publish, if at all?

Yes, government releases should always be of the highest quality, i.e. accurate and complete.

Data should not be “polished”. If the data is not complete and accurate it should not be published. However the reason for not publishing should be made public – i.e. name and shame for this reason, which should encourage compliance.

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1. How should government approach the release of existing data for policy and research purposes: should this be held in a central portal or held on departmental portals?

Data should be accessible via a central portal. Citizens should not have to search for this data in different places.

2. What factors should inform prioritisation of datasets for publication, at national, local or sector level?

- Genuine public interest
- Degree to which the data is already collected
- Ease of publication
- Resource implications
- Ability to make meaningful comparisons/choice
- FOI requests should be monitored to gauge levels of interest, i.e. survey all authorities to ascertain number of FOI requests in proposed dataset areas to affirm the “genuine public interest”

3. Which is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?

The government should prioritise publishing broader datasets, as the public can always come back and request more detail.

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1. Is there a role for government to stimulate innovation in the use of Open Data? If so, what is the best way to achieve this?

The stated purpose of Open Data is to help inform public choice and to hold the deliverers of public service to account. There is not an apparent role for innovation in this. If innovation is to occur, it will be generated by interested, responsible citizens or newspapers, without the need for any external stimulation.

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21 October 2011