

<b>Response from South Central (part of South of England SHA Cluster) Informatics and Information Services Teams to “Making Open Data Real” Consultation</b>	
Do the definitions of the key terms go far enough or too far?	<p>“Dataset” is normally understood as a collection of data items relating to each ‘member’ of the data set. It has a structure.</p> <p>Whist data relating to the real world for the purposes under consideration should be factual, datasets do not have to be factual – test data could be synthetic.</p> <p>Pseudonymised data is somewhere in between – it may be factual but the identifiers of the individuals to whom it refers have been replaced by fictitious pseudonyms.</p> <p>Unstructured data e.g. text data is not a data set although fields in a data set could contain unstructured text e.g. a ‘comments’ field.</p> <p>It may be better to use the terms structured data (including data sets) and unstructured data.</p>
Where a decision is being taken about whether to make a dataset open, what tests should be applied?	Given that the presumption is to publish data, one set of tests should rather be about criteria for not disclosing it e.g. that individuals cannot be identified from it or by combining with other published data; or that it is not covered by an FoI exemption.
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?	Where data is not published as a matter of routine (and the assumption should be that whether at national or local level such data is published) then costs and circumstances could be judged according to the current FoI rules.
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?	<p>Range should be all organisations commissioning or providing services funded by the taxpayer.</p> <p>The size of the organisation and proportion of taxpayer funding should be taken into account.</p> <p>Consideration should be given maintaining the independence of organisations playing a role in regulating industry either directly or by advising government.</p>
What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?	<p>FoI levers.</p> <p>Contractual requirements to become standard.</p> <p>Laid down in licences to practice e.g. part of CQC Registration</p>

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?	<p>Legislation, including penalties for non-compliance.</p> <p>Contractual conditions for providing and commissioning public services.</p> <p>Clear rules and definitions for use and re-use.</p>
Setting transparency standards: what would standards that support an enhanced right to data among public service providers look like?	<p>Maximum lag between collection and publication of data for routinely published data plus FoI timescales for ad-hoc data supply.</p> <p>Standard data definitions/ formats for data items common across government services including organisation codes.</p>
Corporate and personal responsibility: how would public service providers be held to account for delivering Open Data through a clear governance and leadership framework at political, organisational and individual level?	<p>Make it a director responsibility with personal liability, with large organisations having delegated responsibility/ accountability.</p>
Meaningful Open Data: how should we ensure collection and publication of the most useful data, through an approach that enables public service providers to understand the value of the data they hold and helps the public at large know what data is collected?	<p>Standardised metadata for all data sets.</p> <p>Searchable catalogues of data held by each organisation and nationally (like Choose &amp; Book Directory of Services).</p> <p>Ability for users of data to indicate on catalogues what data have been used for and what other data sets they've been combined with.</p> <p>Ability of data users to describe provenance of data and demonstrate how they have used it</p> <p>The most well-used public facing government web sites and other appropriate media to sign post to searchable catalogues</p> <p>Requirement placed on providers to signpost to searchable catalogues on their public facing websites and other appropriate media</p>
Government sets the example: in what ways could we make the internal workings of government and the public sector as open as possible?	<p>Continuing to require public board meetings.</p> <p>Periodic publication of roles and responsibilities of director level posts</p>
Innovation with Open Data: to what extent is there a role for government to stimulate enterprise and market making in the use of Open Data?	<p>Currently available funding for encouraging innovation as well as inward investment could be opened to organisations which could demonstrate innovation in this area, with this fact being appropriately advertised. Additional funding could be identified if affordability and value for money was demonstrated.</p> <p>To stimulate the market, current and new bodies in the NHS such as commissioning boards could</p>

	be set an expectation demonstrate active consideration of products based on open data.
How would we establish a stronger presumption in favour of publication than that which currently exists?	Clear legislation
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
Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?	Where data is derived from PID, the ability to combine disparate datasets increases the risk of making individuals identifiable.
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?	<p>Start with publication of all datasets routinely used as part of the commissioner/ provider process.</p> <p>Identify for each sector data and data sets already commonly included in organisations' publication schemes and set baselines for each sector.</p> <p>Take forward at pace initiatives to shorten the time lag between data entry at source and publication, and 'produce once, use many times', and improve data quality at source</p>
How will we ensure that Open Data standards are embedded in new ICT contracts?	
What is the best way to achieve compliance on high and common standards to allow usability and interoperability?	<p>Ensure standards are well publicised and easy to implement.</p> <p>Embed in contractual requirements</p>
Is there a role for government to establish consistent standards for collecting user experience across public services?	Yes
Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?	Yes – needs to include professional and ethical practices (e.g. Royal Statistical Society?) and any relevant national/ international standards
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.	Develop a Code of Practice that all suppliers of public services would be expected to adhere to as part of contractual requirements, and that system suppliers could refer to.
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	Personal responsibility makes consequences for breaches more 'real' than corporate responsibility where cost/ benefit judgements come into play.

protected and that privacy issues are met?	Doesn't necessarily have to be the same person – compare with Caldicott Guardian and Senior Responsible Risk Owner in NHS.
Would we need to have a sanctions framework to enforce a right to data?	Probably
What other sectors would benefit from having a dedicated Sector Transparency Board	I would like this to apply to all sectors of the economy, not just public service.
How should public services make use of data inventories? What is the optimal way to develop and operate this?	Standardised metadata for all data sets. Searchable catalogues of data held by each organisation and nationally (like Choose & Book Directory of Services).  Ability for users of data to indicate on catalogues what data have been used for and what other data sets they've been combined with.
How should data be prioritised for inclusion in an inventory? How is value to be established?	
In what areas would you expect government to collect and publish data routinely	
What data is collected „unnecessarily“? How should these datasets be identified? Should collection be stopped?	For the NHS this process has already begun through the Fundamental Review of Data Returns. The agreed principles for this can be widely applied.
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?	Every 'polishing' of data adds time delays, and data cleansing by external organisations reduces ownership by the provider organisation in resolving data quality issues, so early publication is to be encouraged. In a significant number of cases, the majority of information relating to a patient episode will be available before some final data items. For example pathology results relating to an admission may not be available until after discharge, but which then change the assigned diagnosis. When publishing data closer to real time, 'health warnings' about such data issues may need to be published alongside the data.
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?	The main requirement for users is to be able to go to one place and search easily, and a central portal would support this. The data itself could be held anywhere, so long as it was held to a standard structure.
What factors should inform prioritisation of datasets for publication, at national, local or sector level?	A combination of ease of publication and demand.
Which is more important: for government to prioritise publishing a broader set of data, or	

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existing data at a more detailed level?	
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?	

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