

**DERBY CITY COUNCIL**

<b>Question</b>	<b>Response</b>
Do the definitions of the key terms go far enough or too far?	The definitions are about right
Where a decision is being taken about whether to make a dataset open, what tests should be applied?	Regular requests for the datasets – frequency, ability to provide in specified format, cost neutral
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?	The rules should match those for Freedom of Information.
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?	Any organisation that works in partnership with or works on behalf of a Public Authority should be subject to the same regime.
What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?	The mechanism needs to ensure that public service providers are not burdened with excessive costs that would prohibit publication.
<b>An enhanced right to data Page 25</b>	
How would we establish a stronger presumption in favour of publication than that which currently exists?	Embedding the principle of open data is the key to achieving this. However, it needs to be achieved without the need for additional resources and costs. Clearly a review of the current fees regulations and cost limits under the FoIA should be carried out with a view to amending them in order to facilitate the release of more data. There will be a role for the Information Commissioner in achieving this, but this will depend on what additional powers are given to the ICO.
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- there has to be a central body with powers to sanction against organisations that don't comply.
Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data	Yes

Question	Response
agenda?	
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>The implications are more work for public service providers, it is often not seen as core business, and that the culture of the organisation is seen as a barrier to open data.</p> <p>There is a need to ensure that public service providers are sufficiently resourced to meet any additional requirements of the open data framework.</p>
How will we ensure that Open Data standards are embedded in new ICT contracts?	This can be achieved through the procurement process and either through the publication of a Code of Recommended Practice or defined principles for public service providers to sign up to.
<b>Setting Open Data standards page 26</b>	
What is the best way to achieve compliance on high and common standards to allow usability and interoperability?	
Is there a role for government to establish consistent standards for collecting user experience across public services?	Sector specific issues around data might negative such an approach.
Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?	It will only work if it is a recognised best practice accreditation by industry
<b>Corporate and personal responsibility page 29</b>	
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.	
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?	This will depend on the framework that supports the open data exercise.
Would we need to have a sanctions	Yes

Question	Response
framework to enforce a right to data?	
What other sectors would benefit from having a dedicated Sector Transparency Board?	Any sector that provides a service to the public – eg voluntary
<b>Meaningful Open Data page 31</b>	
How should public services make use of data inventories? What is the optimal way to develop and operate this?	Public Authorities currently have to publish a Publication Scheme – this could be extended for this purpose
How should data be prioritised for inclusion in an inventory? How is value to be established?	This would assume that data is consistent across all Public Authorities. It will also depend on how the priorities are assessed.
In what areas would you expect government to collect and publish data routinely?	Any information not already covered by a non-disclosure exemption
What data is collected „unnecessarily“? How should these datasets be identified? Should collection be stopped?	Anything that is proactively published but never accessed
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 to avoid poor or incomplete information being used to make decisions. It needs to show accuracy & timeliness.
<b>Government sets the example page 33</b>	
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?	Through a central portal.
What factors should inform prioritisation of datasets for publication, at national, local or sector level?	While open data is seen as a way of managing down freedom of information requests, prioritisation of datasets will blur the issue. FOI requests do not always fall into categories that mirror datasets that can be easily published.
Which is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?	Broad set but with the ability for people to ask for more detail if they need it and it wouldn't be resource intensive
<b>Innovation with Open Data page 35</b>	
Is there a role for government to stimulate innovation in the use of Open	It will depend how innovation fits in with the legislation that already exists.

Question	Response
Data? If so, what is the best way to achieve this?	