



## Open data consultation

### Response of the Association of School and College Leaders

- 1 The Association of School and College Leaders (ASCL) represents over 15,000 members of the leadership teams of maintained and independent schools and colleges throughout the UK. This places the association in a unique position to consider this issue from the viewpoint of the leaders of both secondary schools and colleges.
- 2 ASCL welcomes the desire to increase the openness of government and public services. A presumption of openness, rather than the presumption of secrecy which has been the norm in the UK for generations, does indeed have the capacity to improve our public life.
- 3 However, the association has a number of concerns about the detail of what may follow from this aim, and the manner of its development.
- 4 It has to be remembered that schools and college are relatively small organisations, and the burden of devising and implementing a publication schedule that is maximally open whilst respecting individual privacy will be proportionally greater the smaller the unit. In the education world the publication of data should wherever possible be a task for central government or its agencies; 25 thousand schools and colleges each inventing its own system to do this would not be cost effective or provide consistency.
- 5 The consultation document contemplates stopping the collection of some data sets. This would be welcome, but experience suggests it will be difficult in practice; there is or has been a reason for most data collections, and government has to be ready to accept that it will have to give up some knowledge (and some power) in order to reduce data collection. Further, there are significant datasets already in the public domain issued by or pertaining to schools and colleges that need careful case by case scrutiny before decisions are made whether to abolish, keep or extend them.
- 6 ICT systems are then needed to support the collection, maintenance and harvesting of the data.
- 7 ASCL would on balance support the idea that responsible bodies such as school governing bodies and college corporations should have a duty to prefer

openness to secrecy, and to make the greatest amount of information available subject to privacy and other constraints. However, note the point above about requiring them to do so without advice or consistency. To facilitate informed customer choice there should be a view of the minimum that each organisation should publish. This should include some data sets collected and presented in a consistent manner across all relevant types of establishment, so that different and misleading figures are not presented from different sectors and so that some groups are not given an advantage by being able to stand aside from the publication of data sets that are obligatory for others. At present, for example, there are a number of systematic and unhelpful differences in both these respects between schools and colleges, and between schools and academies.

- 8 For these reasons openness should be a requirement as much for private and third sector organisations that receive public funding as for equivalent public organisations. “Commercial confidentiality” should not be an acceptable excuse for a lack of openness from any organisation of any kind that is in receipt of public funds.
- 9 The selection of data to be published, the manner and consistency of its collection, its processing and aggregation, and the way in which it is presented, all bear upon how valuable it can be to the citizen who wants to make choices or to understand how public funds are being spent. If the wrong data sets are selected, if there is no consistency in the collection, or if the presentation is inappropriate, then the extra data may be useless or even actually misleading.
- 10 It is important that the privacy of members of the public, clients and customers of public services should be respected. But it is also important for the privacy of those who work in the public sector to be appropriately safeguarded too. Without that the public service will become less attractive and its quality decline. The document talks of helping people to find the best doctor or teacher for their needs. In the abstract that is entirely laudable, but it should not mean giving every onlooker unfettered access to all records of individual doctors and teachers.
- 11 A distinction needs to be made between making data available and requiring it to be circulated or distributed. For example, at present local councils are obliged to circulate a great deal of information with council tax bills about how money is spent that in most households is not wanted and never examined. Such information should be made available, but this approach is wasteful; in the modern age it is far more efficient to draw attention to a web site, which can also be set up to make it possible for the citizen to seek more specific information, presented in a variety of ways.
- 12 There is always a tendency for central government to exempt itself, or at least significant parts of itself, from requirements such as those considered here. ASCL is pleased to see that that is not the intention, but would suggest that there is a need for central government to lead by example before introducing new duties for, or imposing new burdens on, smaller units of the public service.
- 13 If the open publication of more data reduces the number of Freedom of Information (FOI) requests that would be a good thing, as servicing such requests is inherently inefficient and expensive. However, to that end further guidance, related to the present or any future system about what is a reasonable FOI request would be welcome. Some requests are essentially

vexatious, or simply require more resource than can reasonably be devoted to meeting them; and deciding that that is the case and defending the decision is proportionately more of a burden for smaller organisations such as schools and colleges.

- 14 As stated at the start, ASCL warmly welcomes the fundamental policy point here; that there should be a greater degree of openness in public life (not just in government and the public service), with a presumption of openness rather than secrecy. However, there is ample scope for the policy to be implemented in ways that would not achieve its objectives, and that could be very damaging. It therefore needs to be introduced over time with very careful consideration of each step.
- 15 In particular, it is worth restating that it is imperative, at a time of financial stringency, that any changes should reduce rather than increase the bureaucratic burden on schools and colleges (and indeed on other parts of the public service).
- 16 I hope that this is of value to your consultation, ASCL is willing to be further consulted and to assist in any way that it can.

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