

# Making Open Data Real: A Public Consultation-Response Form

Organisation: Trafford Council

## Glossary of Key Terms

1. Do the definitions of the key terms go far enough or too far?	<b>Open data can be defined as ‘Non-personal or anonymised data in machine readable formats with no restrictions on its use,’</b>
2. Where a decision is being taken about whether to make a dataset open, what tests should be applied?	<b>If data are created in the course of delivering public services they should be proactively released. In the case of non personal or anonymised data; via online services (and printed off and posted if requested under a charging regime which does not disadvantage the requester). In the case of personal data, such as case or serviced based data about an individual via the development of secure log-in to the data subject only.</b>
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?	<b>There should be a policy move towards generating non personal or anonymised datasets in open, publishable formats at source, at the outset and making them available, to remove the need for charging. If data created in the delivery of public services are proactively open and available, there would be no need to charge, except within the charging regime in the Freedom of Information Act. Better to absorb small costs and make the data freely available.</b>
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?	<b>If publicly funded, the resulting data should be open within the parameters of exemptions in the Freedom of Information Act.</b>
	<b>A mandatory code of publication</b>

5. What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?	<b>should be developed which goes further than the publication scheme with time staged publication deadlines – the Inspire Directive would provide a good model.</b>
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**Theme 1: 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? (Pages 7- 10)**

1. How would we establish a stronger presumption in favour of publication than that which currently exists?	<b>Non personal and anonymised outcome, performance, location data should be created and published in open (csv, xml etc.) formats at source, at the outset rather than proprietary formats (pdf). Formally approved meeting minutes should be published according to organisational structure and accessed via an online calendar. There should be an aspiration towards public authorities publishing information systems and structure charts (organisational and computerised) detailing what data are produced by what systems, and an associated retention and disposal schedule should be published.</b>
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?	<b>Yes, the Fol regime is reactive – the publication scheme model should be extended to benchmark proactive publication and provide performance measurement. If there are consequences for a public body withholding data then an ombudsman role could be provided by the IC. This would not only encourage more openness but would ensure that open data as a subject area is given prominence and covers organisations that have never even heard of open data.</b>
3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?	<b>The distinction expressed in the Data Protection and Freedom of Information and associated legislation is clear and accessible - Personal, non-personal and in practice it is simple to establish a system of checks before a dataset is</b>

	<b>published to ensure any personal data are redacted. In the case of anonymised datasets, or aggregated datasets which, in conjunction, might disclose personal data, lines of responsibility should be clear within public sector organisations and a responsible person should be identified to check the datasets and approve publication.</b>
<b>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?</b>	<b>A presumption of open (once anonymised) at source, at the outset would generate significant efficiencies for public authorities although there would be transitional costs.</b>
<b>5. How will we ensure that Open Data standards are embedded in new ICT contracts?</b>	<b>Although it is not possible to contract out of FoI, a contractual openness clause would clarify the position and give public authorities and providers the opportunity to clear openness hurdles at the outset. A procurement process could include a higher score for open standards in contracts. All major projects need to have openness and transparency as a key consideration. Conditions of contract renewal for ICT systems state that open data and open access to systems is critical and not just IT contracts.</b>

**Theme 2: Setting transparency standards: what would standards that enforce this right to data among public service providers look like?**  
(Pages 10- 13)

<b>1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?</b>	<b>The star rating is a good model.</b>
<b>2. Is there a role for government to establish consistent standards for collecting user experience across public services?</b>	<b>Guide and inform – perhaps develop a star rating for this area also. A star rating system could work and give public bodies something to benchmark themselves against i.e. “We have 5 star data” is an aspiration and would encourage open data awareness and adoption.</b>

3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?	<b>Users of the data; the public, developers etc. should rate public authorities on their openness. Let the market decide about information intermediaries. People who have led open data initiatives in one organisation will move on to others and spread good practice that way.</b>

**Theme 3: 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? (Pages 13-14)**

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?	<b>An organisational top-down approach seems to be working at Trafford. Empower directors, senior managers and politicians with the knowledge and understanding and have policy disseminate from there down to the bottom of the organisation. Publication of data would enable public authorities to understand fully and be open about what data they produce and then publish according to the distinction between non personal and personal data as with <a href="http://infotrafford.org.uk">infotrafford.org.uk</a>. They could then manage publication of non personal data in open formats in a structured and accessible portal. An open data risk assessment, as developed at Trafford, could be used to ensure aggregation would not create Data Protection, or FoI exemption risks.</b>
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?	<b>A responsible person at Board level could champion open data, oversee and obtain buy in for a managed programme of openness and oversee the risk assessment.</b>
3. Would we need to have a sanctions framework to enforce a right to data?	<b>Openly local provides a helpful means for publicly promoting open public authorities, however, there is little public interest at the community level. FoI disclosure logs are a measure of</b>

	good practice, but they are not common and should be mandatory. The Information Commissioner could Order publication in open formats according to a code of publication, which would generate bad publicity for defaulters.
4. What sectors would benefit from having a dedicated Sector Transparency Board?	<b>Central government, local government, non public sector organisations delivering functions of a public nature.</b>

**Theme 4: 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? (Pages 15-16)**

1. How should public services make use of data inventories? What is the optimal way to develop and operate this?	<p><b>There should be an expectation of public authorities to proactively detail what data are produced in the course of their functions and an associated retention and disposal schedule should be published.</b></p> <p><b>This would enable public authorities to understand fully and be open about what data they produce and then publish according to the distinction between non personal and personal data. Formal meeting minutes should be published according to organisational structure and accessed via an online calendar.</b></p>
2. How should data be prioritised for inclusion in an inventory? How is value to be established?	<p><b>Broad categories, such as functional/operational/services inventory, income, spend, salaries, expenses, register of interests, risk registers, inspections, press releases, contracts and procurement, outcome, performance, retention and disposal schedule, organisational structure, formal meetings calendar and minutes, consultations, customer traffic statistics, external meetings of the Board/Executive, decisions, complaints, assets and location data. These categories should be managed within the parameters of Data Protection and Freedom of Information legislation.</b></p>

	<p>Value could be established via applying structure as described which would be directed at presenting a full picture of a public authority, the discharge of its functions and the cost, value generated.</p> <p>Initially in Trafford, as project coordinators of DataGM, we've published the easy stuff first and have found that value is derived most from where emotive datasets are presented. Subjects such as crime or transport get a lot of public support which helps to move the open-data agenda along. Perhaps more important might be the sharing of information by other public bodies to inform future service provision.</p>
3. In what areas would you expect government to collect and publish data routinely?	Please see Theme 4, Answer 2
4. What data is collected 'unnecessarily'? How should these datasets be identified? Should collection be stopped?	<p>Predominantly in the area of duplication, it would be easier for data efficiencies to be realised if a structural approach to transparency was adopted so that public authorities could understand the full picture of their activities and the public could engage with this picture via publication in this proposed format. Advocate Data Observatory models such as <a href="http://infotrafford.org.uk">infotrafford.org.uk</a> which bring public sector data together across Partnership boundaries and make much more efficient use of it.</p>
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?	<p>It is more important that publication be timely, although it is necessary not to mislead. The majority of collections and releases are of approved data and routinised publication will inevitably improve quality and timeliness.</p>

**Theme 5: Government sets the example: in what ways could we make the internal workings of government and the public sector as open as possible? (Pages 16-17)**

1. How should government approach	<a href="http://Data.gov.uk">Data.gov.uk</a>
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the release of existing data for policy and research purposes: should this be held in a central portal or held on departmental portals?	
2. What factors should inform prioritisation of datasets for publication, at national, local or sector level?	<b>Please see Theme 4, Answer 2</b>
3. What is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?	<b>Why can't they do both?</b>

**Theme 6: 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? (Pages 18-19)**

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?	<b>Broadly, innovation should largely be market-driven. There are a lot of developers, businesses and even individuals out there that are eager to use public data – it just needs to be out there. Government could help with awards and ‘Application of the year type prizes’ funded by industry. Government’s role could also be to understand and address blockages to innovation, such as assess the value generated from charging as opposed to not charging. For example, it would be of significantly greater value to be able to use polygon based open asset data in open formats to show extent, curetlage, and square footage of our physical assets to help local authorities be more strategic about asset management and disposal, apply greater efficiency to the establishment; improve consultation about managing assets in communities; promote better heritage and natural asset management and planning; realise better environmental outcomes and ultimately, link with local NHS, Police and voluntary sector physical assets for planning co-location, than to</b>
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	<p><b>continue with the restriction applied to certain Ordnance Survey data. One local authority reports that to ensure that this data was made available openly, officers went into Google Street View and literally plotted asset extents from there on Google maps - hugely time consuming and expensive - just to get round the licensing restrictions.</b></p>
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