

Response to Cabinet Office Consultation: Making Open Data Real October 2011



Introduction

The [County Councils Network](#) (CCN) is a cross-party special interest group of the Local Government Association which speaks, develops policy and shares best practice for the County family of local authorities, whether unitary or upper tier. CCN's 38 member councils, with over 2,500 Councillors, serve 24 million people over 45 thousand square miles or 87% of England. CCN is a Special Interest Group of the Local Government Association.

CCN welcomes the opportunity to respond to the [Making Open Data Real](#) consultation. In submitting this response may we also direct the Cabinet Office to the responses made by our individual member authorities, and also to the responses submitted by the Local Government Association, LARIA¹ and other public sector organisations. CCN feels that this is of particular importance given the cross-cutting nature of the subject and the impact that they will have not just upon CCN member councils, but also upon their partners, other public organisations and those commissioned to provide services on their behalf.

Rather than answer all the specific questions outlined in the Consultation document, CCN is responding to the wider points of principle and wishes to highlight that some of the proposals are, to a greater or lesser degree already being delivered by CCN member councils.

CCN supports the move to greater public transparency across the whole of the public sector and recognises the key role that CCN member councils have to play in both implementing and promoting further openness and opening up data. CCN would like to highlight the work already undertaken by many CCN member authorities to further transparency, promote greater openness and improve data sharing with partner organisations and feels that this work should be considered alongside the proposals as examples of how all this can be achieved².

CCN welcomes the assurances given previously that the [Single Data List](#) is the only set of data that member councils will be required to collect and submit to central government. We would urge the Government to consider the wider implications of the 'Open Data' proposals to ensure that there is not a significant increase in the burden placed upon local authorities or partners. We also welcome the decision to undertake a full impact assessment of the costs and benefits of Open Data when the response to the consultation and full strategy is set out.

CCN recognises that Open Data and greater transparency present a wide range of opportunities for the public sector and CCN member councils in particular. We would however urge Government to consider the proposals for Open Data against the background of greater decentralisation and community involvement considered in

¹ Local Authorities Research and Intelligence Association <http://laria.gov.uk/laria/core/page.do?pageId=1>

² See: <http://www.kentconnects.gov.uk/home> and <http://www.staffordshireconnects.gov.uk/>

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the Open Public Services White Paper and the CCN submission to the Cabinet Office (q.v.).

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Of particular concern is that the move to commissioned and personalised services and the possibility of a customer-led approach to accountability (e.g. Trip-Advisor style searches for services etc.) being adopted raises concerns and assumes that all customers – especially the most vulnerable, have the capacity and ability to undertake such research. CCN recognises that local authorities may have a role to play in ensuring the quality of data, accountability and consistency in an open market, whilst at the same time protecting individual privacy when more data will need to be shared across agencies and suppliers.

In view of this, CCN supports the calls for increased clarity from the Data Commissioner on what can and cannot be shared across public sector organisations. We also welcome the assurances given in the consultation document about the safeguards that will put in place to protect personal and other sensitive data and that transparency will not be extended at the cost of privacy.

Quality and Outcomes

The increase in the availability of data, particularly relating to costs and quality, will help CCN member councils to deliver outcomes and improve commissioning. It is also recognised that it will help to improve accountability, scrutiny and continuous service and organisational improvement. CCN members already engage in a great deal of benchmarking but would welcome further information being available from a range of sources. CCN would ask that Government considers the work of the LGA in the development of the [LG Inform](#) data tool and supports this as a means of sharing data and improving benchmarking; particularly in the area of customer satisfaction and perceptions.

Further consideration will also need to be given to the issues of Data Quality, the timeliness of data and the acceptability of data that has yet to be fully verified. This is an ongoing issue for the local government sector as a whole and one that the LGA could take a lead in clarifying further. CCN notes the proposal to encourage the publication of lower quality data whilst at the same time seeking to improve the quality of data overall. The reasoning behind this is understood, though it may cause issues at the local level and the issue of data quality has in the past, made it difficult for partners to cooperate on the release of data.

Cultural Change

The move to a commissioning model across many of CCN member councils has required a massive cultural change – on the part of both elected members and of officers. CCN believes that there also needs to be a change in culture across the whole of government and among partner organisations. CCN member councils have been working in partnership across the wider public and third sectors for some time now and one of the major obstacles that has had to be cleared is the issue of trust. This has been particularly true when discussing and sharing data – often for very legitimate reasons given the sensitivity of the data in question.

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A wider cultural change that encourages greater trust, openness and transparency will take time to achieve, however the use of common terminology and standardisation of data would help to build up greater trust across partnerships as well as deliver efficiencies and improve access to the data.

On a practical level (and again reflecting some of the comments made quite widely across the sector in response to the Open Public Services White Paper) further cultural change could be brought about by changes to the current procurement legislation and to ICT licensing. Furthermore, cultural change will take time and cannot be achieved 'overnight'.

Transparency and Accountability

CCN recognises the improvements to accountability and transparency that Open data will bring about and that this is going to be a key part of the delivery of the proposals outlined in the Open Public Services White Paper. The proposals for the introduction of corporate responsibility at Board-level need to take the role of elected members into consideration however – a key part of maintaining accountability at the local level. Open Data will also allow locally elected members to hold third party organisations such as those commissioned to provide services to account for their performance.

There also needs to be an understanding of the amount of technical, legal and specialist support (e.g. for FOIA requests and in the form of county-wide Observatories³) given by CCN member authorities to district and borough councils in two-tier areas. Consideration may also need to be given to the issue of who is responsible for any data relating to services commissioned by a local authority but delivered by a third party?

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³ e.g. <http://www.staffordshireobservatory.org.uk/IAS/> and <http://www.hertslis.org/> are examples of county-wide observatories