

Open Data Consultation – Return by 27th October 2011

(Response from Thanet District Council – Sent 25th October 2011 – alan.martin@thanet.gov.uk)

Glossary of key terms (page 5)

1. Do the definitions of the key terms go far enough or too far?	Far enough.
2. Where a decision is being taken about whether to make a dataset open, what tests should be applied?	Pilot with organisations to test the feasibility of making the dataset open or list the organisations who already publish the dataset. This could also provide models of good practise for other organisations to follow.
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?	<p>Rather than a charge for the whole work at 18 hrs or £450, better value for money could be obtained through a rising cost scale. e.g. 1 day (8 hrs) free then £25 per hour after that. The jump from 17 hours work for free then 18 hours for £450 seems unfair.</p> <p>Redaction costs should be borne by the requestor over a set limit as above. We have had the situation where a requester wanted many years of planning enforcement complaints. To print these would take less than 18 hours, but to redact them would take significantly longer.</p> <p>There should be more recognition that answering requests requires resources. Our relatively small District Council received over 500 requests last year. Our records of staff time indicate that the cost of responding to these was approximately £73,000. Other public functions suffer because of the time taken to respond.</p> <p>It is important that we provide as much information as possible to enable the requester to clarify the information they seek, whilst maintaining limits on the time spent gathering and redacting. More powers should be given to public authorities to ask the requestor for a reasonable clarification of their information requirements.</p>
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?	-
5. What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?	<p>Public service providers are already keen to publicise data. The difficulty is having computer systems that can publish the data. Particularly by whatever criteria is specified by the requestor which often focuses on specific subject areas, only of interest to them.</p> <p>System providers would often charge extra for bespoke reporting functionality, so when considering datasets in item 2, the issue of how the publication of the data could be funded should also be considered.</p>

An Enhanced Right to Data (page 23)

1. How would we establish a stronger presumption in favour of publication than that which currently exists?	There is already a strong presumption of disclosure. The difficulty is the time it takes to disclose and the effect using the resources for this purpose has on the rest of the organisation.
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?	It should be more about support and assistance to help reduce the amount of FOI requests and disclosure times.
3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?	Time to redact should be included in cost estimates. This can often be the most time consuming element of responding and there is little recognition of this and the importance of it. The Data Protection Act is adequate to protect personal data.
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?	An enhanced right to data would require further resources from those bodies within its scope, which will have an affect on the delivery of front line services. Need to look for ways to reduce this additional burden. Nationwide requests could be logged centrally. There are many requests which are sent out to all councils. Save the requestor the time of finding the contact details of all the organisations. Have a preliminary assessment of the request performed once by a central organisation rather than once by every receiving authority. By this monitoring the requests in this way, the ability of organisations to successfully respond could be assessed. For example, organisations which have data in a format that does not enable disclosure could look at other organisations that have successfully responded.
5. How will we ensure that Open Data standards are embedded in new ICT contracts?	Provide new expected functionality: - Link to Local Government Navigation List - Redaction capabilities - Bespoke reporting - An inventory of what datasets should be available.

Setting Open Data standards (page 26)

1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?	Agree with the suggestions in the consultation paper: - merge information asset registers, publication schemes and other data lists over time into a single data inventory. - set the definitions of the data to be provided.
2. Is there a role for government to establish consistent standards for collecting user experience across	Yes. There needs to be a consistent approach to gathering feedback in order for it to be measured across all authorities. Improvements can then be

public services?	<p>targeted more effectively.</p> <p>A costing model should be developed so that each organisation can feedback how much dealing with requests is costing. As per our previous answer, responding to requests last year cost Thanet District Council approximately £73,000. Collating these figures for every organisation would help raise awareness of the significant cost of implementing the FOI Act.</p> <p>Provide a good practice guide to what should be available, in what format and a list of council's who are already providing it.</p> <p>Each local authority could add to the above list the stage they are at in providing such information.</p> <p>Customers could request through a national inventory the information they require.</p>
3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?	<p>Any scheme should be straightforward enough to not require an 'information intermediary' role. Managers of functions should be responsible for providing information. There could be more central support to assist managers. This could include a central information inventory, a central log of requests and a central preliminary assessment of each request.</p>

Corporate and personal responsibility (page 29)

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.	<p>As mentioned previously, time to redact should be included in cost estimates. This will help raise awareness that it takes time and resources to ensure that privacy is given the proper consideration.</p> <p>Provide online training that is accessible to all levels and can be provided to all staff. It would help if case studies of the more difficult requests could be provided.</p> <p>Provide clearer distinctions between FOI, EIR and DP information.</p> <p>Provide a central inventory which states what controls should be implemented to protect specify personal data. Managers in using this would then be able to assess their records and also similar data stored if necessary.</p> <p>Provide an easy to access central knowledge hub for any questions regarding disclosure.</p>
2. What could personal responsibility at Board-level do to ensure the right to data is being met include? Should the	<p>Board-level responsibility would help obtain involvement at all levels. It seems sensible to have the same person for ensuring the protection of</p>

same person be responsible for ensuring that personal data is properly protected and that privacy issues are met?	personal data.
3. Would we need to have a sanctions framework to enforce a right to data?	Ideally should focus on delivery not penalties. Sanctions would be fair if the adequate resources, training and support has been provided to staff that need to make “right to data” decisions.
4. What other sectors would benefit from having a dedicated Sector Transparency Board?	-

Meaningful Open Data (page 31)

1. How should public services make use of data inventories? What is the optimal way to develop and operate this?	The development of data inventories should be overseen by a specialised organisation, such as the Records and Information Management Society.
2. How should data be prioritised for inclusion in an inventory? How is value to be established?	For local authorities, start with the record collections covered by the Local Government Classification and Retention Scheme. A central request system would help the monitoring of requests and help assess value based on the number of requests. However, it is important to recognise that the majority of requests that come into our District Council would not be answered by providing datasets. This is because the requests received are very specific to the situation of the requestor.
3. In what areas would you expect government to collect and publish data routinely?	Financial Services
4. What data is collected “unnecessarily”? How should these datasets be identified? Should collection be stopped?	The assessment process for what is unnecessary would take a long time without clear cut guidelines and would result in inconsistencies between councils. Better to focus resources on the necessary datasets and try to start a culture of assessing datasets for their worth.
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?	Depends on the definition of high quality. High quality could be defined as records that are authentic, accurate, complete and unaltered. There could be sets of records which fall outside of this definition that could still be released. Such as a collection that’s had some years destroyed in a fire could still be released, even though they are incomplete. The custodian of the data should be accountable for any gaps and ensure they are reported with any release.

Government sets the example (page 33)

1. 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?	A central portal to achieve consistency.
2. What factors should inform prioritisation of datasets for publication, at national, local or sector level?	Interest is always high on how public money is spent.
3. Which is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?	Flexibility to manipulate data to answer requests is key. This probably comes under existing data at a more detailed level.

Innovation with Open Data (page 35)

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?	Provision of data inventory. Provision of training and advice. Examples of efficiency savings. Examples of good practice.
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