



HM Government Consultation on Making Open Data Real - August 2011

PCS response, 27 October 2011

Summary

1. The Public and Commercial Services union (PCS) represents staff whose employment is affected by the Public Data Corporation (PDC) proposals, staff who work on data collection and provision and those who use data in designing and delivering services. In line with our campaign for an alternative to the Government's cuts, the union holds a principled democratic position against the transfer of public assets into private profit and against the outsourcing of public sector jobs.
2. PCS is not responding to the individual questions listed in the consultation document. However we urge the Government to give attention to the following factors:
 - Ensuring that principles of freedom of information, transparency, co-ordination and improved access are balanced with safeguards for personal information and identity protection
 - Using the opportunity created by ICT developments to develop better co-ordination and accessibility of data, but resisting an approach where ICT advances drive the data policy
 - Promoting the importance of transparent and accessible information in encouraging accountability and scrutiny of elected representatives and public bodies
 - Recognising the potential economic and social value of publically collected data, but not giving private sector growth pre-eminence as a driver
 - Retaining licensing and regulatory oversight as public sector functions
 - Retaining data ownership, specialist expertise and jobs within the public sector
 - Making full use of civil servants' specialist expertise and understanding, particularly in developing detailed policies and appropriate structures and procedures to support Open Data aims
 - Subjecting any machinery of government changes that arise as a result of the proposals to full and detailed consultation with the trade unions in the organizations affected and

protecting terms and conditions of service in line with statutory and contractual agreements.

Introduction

3. PCS is the largest civil service trade union in the UK, representing over 285,000 members working in government departments, non-departmental public bodies, agencies and privatised areas.
4. The union represents staff in a number of the organisations, including the Land Registry, the Ordnance Survey and The National Archives, which are directly affected by the Public Data Corporation (PDC) proposals contained in this and related consultations. We also represent staff working in data collection and provision across the central government sector and those who use data in designing and delivering services.

Our response is based on the views of our members in the following categories:

- Government sector workers creating public data resources
 - Government sector workers using public data resources
 - Our members in their role as citizens and taxpayers.
5. This consultation is closely linked to a number of other recent and current consultations. The views expressed here should be read in conjunction with the PCS responses to the Open Public Services White Paper (September 2011) and to the Data Policy for a Public Data Corporation proposals (October 2011).
 6. PCS holds a principled democratic position in line with our Campaign for the Alternative against the transfer of public assets into private profit and against the outsourcing of public sector jobs. In light of this our comments, whilst supportive of the principles of transparency and wide access to information, highlight the importance of safeguards to protect personal data and of the retention of expertise and assets in the public sector. This is especially relevant to areas of data collection and publication where statutory requirements apply.

General comments

7. PCS is not responding to the individual questions listed in the consultation document but has the following general comments on the aims and proposals that it contains.
8. The union agrees with the premise of the proposals that “Open Data may be the most powerful lever of 21st century public policy: it can make accountability real for citizens; it can improve outcomes and productivity in key services...; it can transform social relationships – empowering individuals and communities; and it can drive

economic growth”. Indeed we would say that accurate and well presented information and data is essential in underpinning all these outcomes.

9. We support the principles of freedom of information, transparency, co-ordination and improved access but believe that these principles must be applied within the limits imposed by safeguards for personal information and identity protection.
10. Full advantage should be taken of the opportunity that ICT developments bring for better co-ordination and accessibility of data and full use should be made of modern technological methods of data collection and publication. However, the data policy should not be solely governed by what is possible technologically.
11. Transparent and accessible information is especially important in encouraging and enabling accountability and scrutiny of elected representatives and public bodies, and this should be the prime drivers of the improvements being proposed.
12. Whilst the union appreciates the potential economic and social value of publically collected data, we question whether private sector growth should be given such prominence as a driver in the government’s proposals.
13. PCS is concerned about the emphasis that is placed on free access to public data for re-use in an “information market” appears to be predicated on using public information to create opportunities for private profit. There appears to be a move away from the current emphasis on income generation for government from the intellectual property collected at public expense.
14. We have grave concerns that valuable publicly owned assets will be transferred to the private sector and believe that the suggestion that the Government should take a role in promoting the growth of such a market should be subject to very robust challenge and consideration.
15. We would therefore encourage the Government to retain licensing and regulatory oversight as public sector functions and to retain data ownership, specialist expertise and jobs within the public sector.

Potential machinery of government changes

16. As the representative of the employees who will be affected by the setting up of a new body or changes to existing bodies, PCS will expect that any machinery of government changes that arise will be subject to full and detailed consultation with the trade unions in the organisations affected and that our members’ terms and conditions of service will be protected in line with statutory and contractual agreements.