



## **PRIMET: The Association of Private Meteorological Services**

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# **Response by PRIMET to the UK Government Open Data Consultation**

## **1. Do the definitions of the key terms go far enough or too far?**

*Most of the definitions are reasonable but the definition of "Open Data" is framed to exclude by executive decision any data that the Government chooses to charge for. This potentially defeats the whole concept of Public sector Information, paid from the public purse being freely available to the taxpayers who paid for it. There should be no exceptions other than for personal privacy and or State Security. All other PSI should be "Open Data".*

## **2. Where a decision is being taken about whether to make a dataset open, what tests should be applied?**

- *Has the data been paid for from the government's tax income? If so, the presumption should be that it should be "open data".*
- *Does the data compromise any individuals right to personal privacy? If so, it should not be presumed to be "open data" and should be restricted unless a wider public good is involved.*
- *Does the data prejudice National Security? If so it should not be "open data"*

## **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?**

*The requester should not be required to pay for any Public Sector Information beyond the marginal cost of redistribution or re-formatting if this is requested from and provided by the PSI Holder. Who shall judge the ultimate "value for money" when the return from the commercial exploitation of the data cannot be known before the data are released? It is this short term economic approach that has stifled the development of business in sectors such as meteorology to the serious medium and long term disadvantage of the economy. See for example the attached paper and it's references.*

## **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?**

*The simple solution to this is to make all PSI available within the criteria set out above. The decision about the range of organisations then becomes unnecessary.*

## **5. What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?**



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*Each Public Organisation should have within its Charter or Assumptions the clear statement that it has a responsibility to make available in a timely and accessible manner(having regard to the use to which the data are expected to be put) all of its PSI to any third party under the terms of an OGL.*

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1. How would we establish a stronger presumption in favour of publication than that which currently exists?

*See 5 above, But the Government should make a clear statement that it is National policy for all PSI to be made available other than that which is prejudicial to personal privacy and National security.*

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?

*Probably. It would also chime with the current thinking of the European Commission.*

3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?

*Probably, although we are not fully qualified to assess this.*

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?

*The resource implications will be dependent upon the particular sector and whether the bodies within that sector are traditionally well organised and managed with respect to the data they generate or control. In the case of the meteorological sector the additional costs would be trivial since all such data is extremely well ordered and managed. The costs of re-formatting and re-transmission would in any case be recoverable. But whatever these resource implications, the long term benefit to the national economy are likely to be massively positive.*

5. How will we ensure that Open Data standards are embedded in new ICT contracts?  
*This is outside our competence.*

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1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?

*This is not an issue in meteorology since all data are already in internationally accepted and understood formats. For other sectors this may not be the case but in any event, the re-formatting and handling of data is relatively easily done by digital electronic means. Costs for this would fall to the re-users of the data not to the PSI/H*



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2. Is there a role for government to establish consistent standards for collecting user experience across public services?

*Possibly but not at high cost or at the expense of swift and full implementation of a genuine "open data" regime.*

3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?

*Such a scheme could work under a similar system to the "Kite Mark" or ISO 9000 systems with a code of practice and periodic checks on holders of the accreditation to ensure that they are following it.*

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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.

*Enshrine the responsibility to make their data "open" in their governing Charter or Assumptions (or a statement of their Public Task which statements are currently lacking from most Public Bodies and, where they exist, are in some cases (e.g. The Met Office) simply statements of what the Body wants to do to preserve its position in an otherwise competitive market place).*

*Give the re-users the right to challenge the Public Body's decisions on this matter through the Information Commissioner (or similar) through a simple, low cost process.(no lawyers!)*

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?

*Chief Executives or other Heads of Departments should answer for this directly to their Minister or other elected representative (e.g. in the case of Local Government) and should be required to publish annually every complaint made against their department for transgression in this regard and the outcome of the resolution of the complaints.*

3. Would we need to have a sanctions framework to enforce a right to data?

*Not if the culture was changed so that Public Servants took the view that the data was not "theirs" but "the public's". Subject only to the exceptions referred to above, this should be the default position and Public Servants should be trained to think this way.*

4. What other sectors would benefit from having a dedicated Sector Transparency Board?

*Does any sector really need more bureaucracy in this (or any other) area? It is a matter of culture not Boards.*



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1. How should public services make use of data inventories? What is the optimal way to develop and operate this?

*They should simply be encouraged to use their ingenuity to increase their own effectiveness through such discovery and use. Especially innovative ideas that result in significant improvements in cost or effectiveness could be rewarded through the promotion or bonus payment processes.*

2. How should data be prioritised for inclusion in an inventory? How is value to be established?

*It is almost impossible to do this from first principles. Work from the easiest (or perhaps the most demanded) towards the most difficult or least demanded.*

3. In what areas would you expect government to collect and publish data routinely?

*Our area of concern is meteorology, climatology, oceanography and the environment generally and here we would expect the government to collect and publish the raw data and processed data (such as the outputs of computer analyses of real time data fields) routinely. There is no other body that can do this within the requirements of our international obligations and the need to ensure that life and property are safeguarded against natural forces. The data should then be made freely available so that it can be exploited cost effectively within the market place to the economic benefit of everyone.*

4. What data is collected „unnecessarily“? How should these datasets be identified? Should collection be stopped?

*We are not qualified to comment on this*

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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?

*It does not really matter. Portals are easy to find and access via the web. Such searches can be made easier by providing cross links – there is no need to assemble all the data in one place.*

2. What factors should inform prioritization of datasets for publication, at national, local or sector level?

*If all data are made available at the marginal cost of re-distribution, this becomes a non-question.*

3. Which is more important: for government to prioritize publishing a broader set of data, or existing data at a more detailed level?

*Existing data at a deeper level is probably likely to result in quicker economic returns through exploitation in the market place but in the end only the level of demand can inform this choice.*



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