

Open Data Consultation
Transparency Team
Efficiency and Reform Group, Cabinet Office
1 Horse Guards Road
London
SW1A 2HQ

1 November 2011

By email

Dear Sir/Madam,

Consumer Focus is the statutory consumer champion for England, Wales, Scotland and (for postal consumers) Northern Ireland.

We operate across the whole of the economy, persuading businesses, public services and policy-makers to put consumers at the heart of what they do.

Consumer Focus tackles the issues that matter to consumers, and aims to give people a stronger voice. We don't just draw attention to problems – we work with consumers and with a range of organisations to champion creative solutions that make a difference to consumers' lives.

Response to the open data consultation

Consumer Focus recognises and supports the benefits that can accrue (i) from opening up public data for scrutiny by citizens and bodies acting in their interest; and (ii) for advancing the consumer interest in instances where this data is reused and 'remixed' by intermediaries in the developer community. We are pleased that Government has accepted these principles in its consultation paper. We hope that its next steps taken will build on progress to date and further realise the benefits of open data.

Since our creation in 2008 Consumer Focus has undertaken work across a range of public services. Our analysis has indicated a number of instances where the full disclosure of performance and satisfaction metrics by service providers would assist both scrutiny of the provider and analysis of service level quality over time.

Our research into people's experiences of policing¹, for example, found that public awareness of what standards to expect of local forces or how to find out how well they were performing is very low, even though this data is collected at local force level and by the inspectorate. A study by the London School of Economics Public Policy Group into the availability of data about public service performance concluded that this is partly because of the fragmented way in which data is provided which renders it less visible².

¹ <http://bit.ly/poHbD0>

² Consumer experiences – information in the Public sector: A discussion paper, LSE Public Policy Group for Consumer Focus, 2010; The importance of information from audit and regulation for consumers, a forward looking paper, LSE Public Policy Group for Consumer Focus, 2011

In addition, the data is not presented in a format that makes it easy to use and understand; and there is no attempt to join up related information collected by individual bodies³ which makes it difficult to find or interpret.

Similarly, Jobcentre Plus records and releases information on performance and service standards but it is provided in a format that is difficult to use, includes language designed for internal use and only gives regional figures. This means it is not possible to find data on an individual office and the format makes the data inaccessible to people outside the organisation.

Making data available to the public is only a first step. The data also needs to be easy to access, interpret and compare, so that people can make sense of it in their own context. Introducing much needed consistency into the way performance is measured and reported will play an essential role in advancing the usefulness of data. It will also allow for more meaningful monitoring and accountability. Our Public Services Satisfaction index illustrates how this could be achieved⁴.

In some instances, ensuring widespread access to performance metrics would – either directly or through applications and accessible ‘info-graphic’ representations developed by intermediaries – assist consumer choice, as well as help consumers determine whether their experience is in keeping with service level commitments. This can help empower consumers by reducing the barriers to redress and any compensation that might be due, which in turn could create a further impetus towards service improvement. The wider availability of performance metrics would also assist interested parties in better contextualising the spending data that Government has already obliged public bodies to open up. Value for money can be difficult to determine unless spending data is accompanied by a full and accurate picture of service performance and how this varies over time. The drive towards open data should apply to all pertinent performance data held by service providers, regulators and relevant Ombudsman at both central and local government levels.⁵

Consumer Focus is currently working on, or taking an interest in two areas where adherence to open data principles could provide information that could be used to enhance the consumer experience in these sectors:

(i) Rail data:

During the last 18 months, Consumer Focus has worked with Passenger Focus to explore the ways in which the opening up of performance data held by Network Rail could help empower passengers; and to work towards identifying and addressing barriers that currently stand in the way of this happening. To demonstrate the kind of consumers facing tools this data could support, our online arm CF Labs created a prototype website which demonstrated how access to this data could be used to enhance the passenger experience. Demonstrations of the prototype website have been well received by key stakeholders, including Passenger Focus and Office of the Rail Regulator Board members.

³ These include the Home Office, National Police Improvement Agency, HM Inspector of Constabulary, the independent Police Complaints Commission and Police Authorities

⁴ For more detail see <http://bit.ly/tGXExZ>

⁵ Consumer experiences - information in the Public sector: A discussion paper, LSE Public Policy Group for Consumer Focus, 2010

In October 2011 Consumer Focus and Passenger Focus held a joint workshop with members of the developer community to explore the future of open rail data and its potential benefits to consumers.

Through our work with Passenger Focus, we have found considerable scope for improving customer information, satisfaction and redress through the provision of both real time data on rail journeys, as well as localised performance data. We believe rail data should be public as it is both in part largely funded through central Government and because of the public nature of the service train operators provide.

We would point you to the example of TFL, which has provided a relevant precedent by opening its data, spurring the development of a considerable bank of applications to support consumers' access to and use of TFL's services as a result. We have had sight of, and support fully, the response to this consultation by Passenger Focus, which details further the potential benefits to consumers opening rail data may bring.

(ii) The Care Quality Commission (CQC) and performance data in the care sector:

There is limited open data on performance in this sector, with which consumer choice and transparency can be supported. As the limits of digital exclusion are pushed back and as more consumers are able to access digital media, the scope for developing useful tools for people who need to access care services (and for relatives and others with care responsibilities) will grow. Open data on the services they can access would help develop this market and provide consumers with greater choice and transparency, ultimately delivering fairer access to quality services. CQC collects a large amount of data on service providers which is released publicly in the form of a 'score', along with more detailed inspection reports, which are not always easy to interpret and compare. Although the inspection reports provide some feedback from 'experts by experience' who are often involved in inspections, there is very little data about people's experiences of choosing or using individual services. CQC does collect this kind of information, on an ad-hoc and self-reported basis, but does not provide data on how many people contact them, or on what topic. We believe the full range of performance and satisfaction data held by CQC could form the basis of more responsive tool that – if it also supported user generated feedback – could be of much greater public value as well as generating useful intelligence for the CQC, which would in turn help it target its activities. We also feel the new licensing regime must enable greater transparency to improve confidence and satisfaction in this sector.

As highlighted above, Consumer Focus believes the quality and usability of data will become increasingly important as Government releases a wider range and greater quantity of data. Data must be useable for the developer community, if it is to mould the digital tools that will have the greatest utility for consumers. In order to achieve this, Government should create a format standard that data should seek to adhere to on its release. The standard should look to ensure completeness, consistency and usability. In order to ensure that such a standard does not become a bar to releasing data, it should be formulated in such a way that public bodies are expected to declare the extent to which data being released is compliant with the standard. There should also be an expectation that all public bodies will be fully compliant within a realistic timeframe.

Response to the Public Data Corporation (PDC) consultation

Consumer Focus believes the proposals outlined in this consultation create the impression that a decision has been reached and that the status quo arrangements for the respective data holders will remain. The only substantive change is the creation of the PDC umbrella, which the relevant data holders will be brought together under. This represents a missed

opportunity for a meaningful public conversation on how far Government should extend the principles of open data. It also risks undermining engagement with this consultation.

Consumer Focus believes the establishment of the PDC could be an important area of consumer interest. The consultation should have therefore sought to establish a greater understanding of what 'personal use' means for digital consumers before determining the optimal funding mechanism(s).

Many consumers wishing to use data originating from the proposed PDC will inevitably access it through digital intermediaries, either through convenience or because of the usability that the intermediaries bring to the data. As things stand, intermediaries will face a cost for access to and use of this data, which they are likely to seek to recover from the consumer. Such a scenario risks negating the intent of this data being free for personal use. While recognising the complications that could attach to ensuring free access via intermediaries, a proper consideration of the options by, or instances in which this could be achieved is merited. Wider terms of reference for this consultation would have enabled a fuller public debate and allowed alternative solutions which took into account new and likely ways of accessing data for personal use to be considered and developed.

Consumer Focus is also aware much of the data already used by consumers has multiple intermediaries and we would urge the Government to ensure the creation of the PDC does not result in changes to the free access to data consumers in some instances already enjoy.

Where consumers are to have access to data, just as with open data we believe it should be complete, consistent and in a useable format.

Notwithstanding the concerns raised here, Consumer Focus look forward to the response from Government to both of these consultations; and to seeing it take the steps that will further entrench the culture of open data across government and public services.

Yours sincerely