

NEWCASTLE CITY COUNCIL RESPONSE (VIA E-MAIL)

Whilst Newcastle City Council support the need for transparency we have a number of points to raise

1. Paragraph 4.2 suggests that open data is about finding the best teachers, doctors and an individual's own records. It also states that it is about seeing justice done. It is not. People already have access to such data through already published and as such should not form part of the consultation. Rights for accessing your own data are already clearly spelled out in the Data Protection Act 1998 which itself was amended to include electronic data which was not present in the DPA of 1986. We should not be using transparency to repeat legislation that already exists. By definition it should be about providing data which is suitable for public consumption (unclassified, non-personal data sets) but has not previously being published
2. Paragraph 5.2 and 5.3. 2 is already covered by the Data Protection Act 1998 and is there for superfluous to the proposals. User feedback should not be classed as transparent data unless it is grouped together in such a way as to make the user unidentifiable otherwise they would in fact put all organisations in breach of the Data Protection Act
3. It would be beneficial to understand what government actually means by emerging markets that will be assisted by a robust data transparency regime.
4. An enhanced right to data seems unnecessary given the current legislation such as the Data Protection Act 1998 which enshrines in law peoples right to access their data.
5. Freedom of Information time limits should not be increased. FOI requests have become increasingly complex and relate to research. In addition the legislation is frequently used, and arguably mis-sued in some instances, by the press and may inevitably to lead far more in-depth and unnecessary requests been issued.
6. There is a concern that providing data will become an industry itself. Converting quantities of data will require staff during a time period where jobs are being cut and services are being reduced in order for public bodies to maintain essential services. There is a question as to whether or not transparency will be high on the public agenda or be seen as unnecessary expense. There may well need to some sort of charging regime agreed nationally to allow this service to be funded.
7. Data released should be accurate and of high quality. Public authorities should not be publishing incorrect information as this will lead to errors and inaccurate reporting.
8. Another body to monitor release of information appears unnecessary when the ICO is in existence. It would be better to concentrate on making the ICO a more practical organisation that gives consistent advice.

regards

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