



**Open Kent Response to  
[Open Data Consultation](#)**

**Open Kent** is a trial commissioned by Kent Connects - the strategic technology partnership across the public sector in Kent – to enable countywide local public services to publish their data and create visualisations and for the residents of Kent to access this information in a single place.

The following is a Response from the Open Kent Project Board to the [Open Data Consultation](#).

- 1. An enhanced right to data: how do we establish stronger rights for individuals, businesses and other actors to obtain, use and re-use data from public service providers?**
- 1. How would we establish a stronger presumption in favour of publication than that which currently exists?**

To incentivise a stronger presumption in favour of publication, we propose that the Government mandates that all

- data that councils have to produce for Government are in an open data format
- data currently covered under the PMSA<sup>1</sup> can be re-used under the OGL<sup>2</sup>
- future requirements on local authorities to open up specific data focus on improving how new data is collected to enable better re-use

- 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?**

We propose that there needs to be an enhanced right of challenge against decisions not to publish data to the Information Commissioner. This should be accompanied by a power for the ICO to order not just the release of public datasets, but also the format, quality and regularity of publication.

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

We propose that open data is regulated at a local level by the same governance structures that regulate personal data. This would enable data guardians to protect personal data and privacy measures within the open data context.

- 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?**

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<sup>1</sup> Public Sector Mapping Agreement

<sup>2</sup> Open Government Licence

We have produced a systems analysis<sup>3</sup> of the resource implications of an enhanced right to data for the public service agencies. This shows that the key resource implications are affected by the

- level of understanding by staff of the open data standards
- clarity of the process of managing of requests of information

We would recommend that the LGA helps local authorities develop data architectures that focus on improving the collection and management of open data.

We also recommend that Government rationalises the different regulatory instruments<sup>4</sup> on the re-use of data to improve the process by which councils make it available. This could help reduce the incorrect application of exemptions of these different instruments which can lead to information being withheld inappropriately.

We would recommend that people requesting open data should evidence that they haven't been able to find the required datasets on the internet. This could help reduce the number of requests asking for data that has already been made available.

## **5. How will we ensure that Open Data standards are embedded in new ICT contracts?**

For all future tenders and contracts, it should be specified that any non-personal data produced by a service provider should, over time be collected in a way that meets open data standards.

Councils should make an inventory of "data that is held in a way that is too costly to release". This can provide lessons learned to define in the future procurement of technical systems that hold data that data can be opened without these barriers. This would reduce time and costs to open data and increase the value in contracts accorded to management of information.

## **2. Setting transparency standards: what would standards that enforce this right to data among public authorities look like?**

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

We would recommend the use of the W3C standard below to improve the quality of open data. This would enable local authorities to assess the path of travel they would need to take to move towards 4/5 star ratings.

★	Available on the web (whatever format), but with an open licence
★★	As one star, plus available as machine-readable structured data (e.g. Excel instead of image scan of a table for
★★★	As (two star) plus use non-proprietary format (e.g. CSV and XML)
★★★★	All the above plus, use open standards from the World Wide Web Consortium (W3C) such as RDF and SPARQL <sup>21</sup> to identify things, so that people can point at your stuff
★★★★★	All the above, plus link your data to other people's data to provide context

<sup>3</sup> See Annexe

<sup>4</sup> Open Government Licence, Freedom of Information Act, Environmental Information Regulations, Data Protection Act, Re-Use of Public Sector Information Regulations and the INSPIRE Regulations.

- 2. Is there a role for government to establish consistent standards for collecting user experience across public services?**
- 3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?**

The 4/5 star ratings require specialist expertise and new practices to local government. As such, it is difficult to identify how to assure the quality of the data from information intermediaries in terms of these ratings. Therefore a scheme for accreditation of information intermediaries would be welcomed, but only on the basis that there would be no additional costs at a local level.

As highlighted above, the “five star model” is useful. By moving local authorities towards the 4/5 star ratings would improve the ability for the public to compare information between datasets from different organisations.

Achieving the “four star” rating would require specialist expertise to turn the data into linked data (such as RDF and SPARQL). The majority of data wouldn’t be in linked data from the start, so resources would need to be freed up to implement this, not withstanding the potential lack of expertise in local authorities to know how to do this.

Achieving the “five star” rating would require other local authorities to already have achieved a “four star” rating to be able to link their data to each other. This dependency suggests that work should be focused on linking specific high value datasets between local authorities (i.e. within LEPs/Community Budget projects).

We would recommend that all public sector agencies open their data under the Open Government License so people re-using data can be more confident in being able to use the data appropriately.

The FoI publication schemes, non-personal information asset registers and any other non-personal data and information lists should be integrated into a unique information asset register which can be published in an open data format to show to the public what data is available and categorised in a standardised way.

Where data and information lists include personal data, it should be considered whether these should be anonymised for publication or whether work should be carried out to create separate personal and non-personal information asset registers.

### **3. Corporate and personal responsibility: how would public service providers be held to account for delivering open data through a clear governance and leadership framework at political, organisational and individual level?**

- 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**

To manage demand for open data – specifically in reducing the risk of citizens requesting data under FOI, we would recommend the following process for all local authorities to adhere to.

Once a specific dataset has been requested by more than 20 people, the council should commit to publishing that dataset onto their open datastore within 20 working days of the request being received by the unit responsible for the data. Where

publication is not possible the council would need to commit to providing a detailed response explaining why, with references to the exemptions in the FOI Act or other relevant legislation, the data cannot be published. This response should then be posted on the local authority's datastore.

Local authorities should

- Develop statements of required practice that provide an agreed approach to collecting, organising and publishing data
- Share data across partners through governance structures that manage the use of data and through ICT infrastructures such as local PSNs<sup>5</sup>

**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?**

We propose that open data is regulated at a local level by the same governance structures that regulate personal data. This would enable data guardians to protect personal data and privacy measures within the open data context.

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

Yes. This should be regulated by the ICO.

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

We would recommend the development of local transparency boards in each local area via existing mechanisms, given the benefits of mutualising the management of open data in a "place-based" way and risks of duplication without this.

**4. Meaningful Open Data: how should we ensure collection and publication of the most useful data, through an approach enabling public service providers to understand the value of the data they hold and helps the public at large know what data is collected?**

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

We recommend public services should

- publish open data at the point of where the customer interacts with the service to provide context around it
- Syndicate web content to facilitate opening of data

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

Based on evidence from the Kent Connects Open Data project we would recommend that local authorities prioritise high value data based on the

- council's strategic priorities and the datasets required in those areas
- most popular requests for information to the council<sup>6</sup>

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<sup>5</sup> Public Service Networks

<sup>6</sup> Top 10 FOI requests, press enquiries, research and most visited pages on corporate websites

- “top tasks” as recommended by SOCITM

Given the constant release of open data by the government on areas for which local government may be required to provide information on, councils should develop a schedule of release for high value datasets every quarter. This should take into account any parallel release of open data by the government, to avoid duplication.

How councils define and prioritise high value data should be clearly stated to the public to manage expectations. This, accompanied with the schedule of release will help reduce the burden of information requests.

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

We would expect local authorities to publish data on the performance of their services as well as on the information on how to access and use those services.

**4. What data is collected ‘unnecessarily’? How should these datasets be identified? Should collection be stopped?**

**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?**

Public service providers should enable the public to view visualisations of data that decision makers have created to manage performance, but the underlying data should not be “polished”.

**5. Government sets the example: in what ways could we make the internal workings of government and the public sector as open as possible?**

**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?**

Any online publication (such as financial, research, policy or performance reports) or visualisation which includes uses of non-personal data and information should include a weblink to the dataset/s used in such a way that the customer can identify where and how the data was used.

Any web application which makes use of data should include a weblink to the dataset/s (and APIs where they exist) in such a way that third party developers can access and re-use them.

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

As highlighted above in *“How should data be prioritised for inclusion in an inventory? How is value to be established?”*

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

It is important to prioritise how future broader data should be collected in ways that it can be used (including making it accessible for re-use). It will be therefore be important to prioritise the opening of new data that has been collected using this new standardized approach so that new open data is of a recognized quality.

The key driver should be to rationalise what data is collected so that a focus can be improving the way it is collected (rather than increasing how much data is collected)

## 6. Innovation with Open Data: to what extent is there a role for government to stimulate enterprise and market making in the use of open data?

### 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?

We would propose that local authorities stimulate developers to use data to enable users to visualise in a user friendly way.

When opening up their services, councils should ensure new service providers open up data on performance of their service and other digital assets (like APIs)

Local authorities should stimulate service improvement through

- Opening up relevant data for groups to use as part of the “right to challenge/bid”
- Opening up not just personal budgets but providing service users with associated data that can help them make more informed choices
- Prioritise opening of databases and systems to stimulate innovation on services/areas where there is priority to shift citizens online behaviour

We would recommend the stimulation of innovation with open data should be directly linked to stimulating innovation in the key strategic drivers for local authorities. This would maximise the impact of the use of open data and encourage commissioning of applications of it.

Objective	Strategic Drivers for local authorities	Needs the driver will stimulate on objective	Opportunities the driver will stimulate	Incentives the driver will stimulate	Recommendations
<b>Enable the public to access and re use raw open data online</b>	Move people to online services	Stimulate need to engage people online about the new opportunities available to them (from personal budgets to the “right to challenge/bid”)	Stimulate opportunities to shift people to find information online to make choices themselves	Incentives for services to open data that is driven by demand from their customers	<b>Publish open data at the point of where the customer interacts with the service<sup>7</sup> to provide context around it</b>  <b>Syndicate web content<sup>8</sup> to facilitate opening of data</b>
<b>Enable stakeholders to visualise performance data to make</b>	Move place-based commissioning	Stimulate need for data to be collected, managed and visualised	Stimulate opportunities for place-based stakeholders to find benefit	Incentivise partners that hold place-based data to open their non-	<b>Open data used to inform place-based commissioning to ensure transparency</b>

<sup>7</sup> I.e. schools data on schools page for parents

<sup>8</sup> Such as through RSS feeds

<b>better decisions</b>		at a much more localised level <sup>9</sup>	from the data and visualisations <sup>10</sup>	personal data to enable better comparability across sectors by locality <sup>11</sup>	<p><b>Ensure providers collect data of an agreed quality and open standard</b></p> <p><b>Improve data quality to enable comparability between datasets through linked data</b></p>
<b>Enable local authorities to take forward their open data and transparency objectives</b>	Performance and delivery assurance	Stimulate need to consider how the public interpreting the data will be able to hold to account the management of performance and service delivery	Stimulate opportunities for better involvement of public and frontline staff in scrutiny of services	Incentives for services to provide regular (moving to real time) and reliable data for performance	<p><b>Ensure performance and service data is released to decision makers and public at the same time</b></p> <p><b>Enable public to view visualisations of data that decision makers have created to manage performance</b></p>
	Personalisation of services	Stimulate new needs for data, such as performance data on service providers so users can make more informed choices <sup>12</sup>	Stimulate new data such as performance and spending data on personal budgets	Incentives for users of personalised services to visualise this “unique customer view” so they can make personal choices <sup>14</sup>	<p><b>Agree principles of anonymising customer data</b></p> <p><b>Open relevant data to enable users to make informed choices</b></p> <p><b>Stimulate developers to</b></p>

<sup>9</sup> MSOA, LSOA, Ward, Postcode and Point Level

<sup>10</sup> Such as community groups and micro SMEs

<sup>11</sup> i.e. Margate Taskforce

<sup>12</sup> As well as a timepiece, each device contains a GPS chip, a Bluetooth chip and sensors for noise and ozone. As the wearer goes about his daily routine the sensors periodically sample the surroundings for signs of pollution. The readings are then sent via Bluetooth to a mobile phone supplied by SFR which in turn sends the data to a central database, the CityPulse portal (either as the data is gathered or at a preset time - just like synchronizing an iPod). The user can see real-time results of the readings on the screen of the mobile phone in the form of an eye where the colour of the pupil varies according to the amount of ozone present in the air and the iris indicates the level of noise.



		Stimulate need for providers across sectors to share anonymised data <sup>13</sup> to create “unique customer views”			use data to enable users to visualise in a user friendly way
Support community development	Stimulate need to open data on public service assets that could be transferred to the community <sup>15</sup>	Stimulate opportunities for community groups to have more informed evidence for “right to challenge/bid”	Incentives for services transferring assets or support <sup>16</sup> to assess groups’ business models based on use of evidence/data	Ensure agreed approach to providing groups with data on public service assets	Stimulate service improvement through use of evidence/data by community on “right to challenge/bid”
Liberalise the market	Stimulate need to open up the databases & systems that manage the data, so that developers can build applications using them	Stimulate opportunities for third party developers to build online services that benefit local communities	Incentives to reduce costs on ICT commissioning by stimulating market of online services where there is a customer need	Prioritise opening of databases and systems to stimulate innovation on services/areas where there is priority to shift citizens online behaviour	

The time - and geolocation - stamped sensor readings are stored on the CityPulse portal and analyzed. Software has been developed to overlay the readings on a top-down street map. <http://www.gizmag.com/la-montre-verte-portable-environment-sensor/13052/>

<sup>14</sup> LIFE: 47 Family members, £760K saved, £275K actual savings & £485K prevention. **LIFEboard** is a closed, secure social network that enables a new form of communication between families and workers and acts as a system of self-reporting, capturing not only basic data, but also making visible ‘softer’ progress, such as well-being, as well as crucial data on the capabilities and resources that are being nurtured and expanded in these families to build sustainability.

<sup>13</sup> As the Government has done with the National Pupil Database

<sup>15</sup> Person to Person connects up volunteers and carers to self-organise online. Creation of on-line marketplace to allow family carers to connect to volunteers for low level services – such as shopping, walking, and other leisure activities. Currently there is no market place to do this; this supports both the creation of safe market places and the smarter management of volunteers’ time.

<sup>16</sup> Kent Big Society Bank

## ANNEXE

## Systems Analysis

Objective	Output	Short term impact	Mid term impact	Long term impact	Recommendation
<b>Enable local authorities to take forward their open data and transparency objectives</b>	Improved data quality	Increase in time taken by staff to learn how to collect, manage and publish open data  Need to adapt related policies this impacts on <sup>17</sup>	Reduction in costs by improving and rationalising data quality, standards, availability for public to access	Reduction in time by staff and the public looking for and requesting data	<b>Develop data principles and architecture for all data to ensure quality and clarity on purpose and use</b>
<b>Enable the public to access and re use raw open data online</b>	Increased number of raw open data sets	Increase in time taken by staff in publishing the data online	Reduced number of requests for information <sup>18</sup>  Increased need to engage public on questions they have regarding the data on service performance	Less time needed for staff to deal with these requests  Better understanding by the public of the data, the services and how they can scrutinise them	<b>Prioritise high value datasets to ensure direct impact on reducing number of requests for information</b>

<sup>17</sup> Such as on master data management, information sharing and open data standards in contracts when opening up services

<sup>18</sup> Such as FOI, research or press enquiries