

## **‘Making Open Data Real: A Public Consultation’**

### **1. Introduction**

This is a response from Kirklees Council on the ‘Making Open Data Real’ consultation which was issued back in August 2011.

### **2. General Comments**

In order to provide as comprehensive a response as possible, we have concentrated the bulk of our efforts on the questions sets out under the six opportunities set out in the consultation paper. However, we would also like to add some general comments as well.

First of all we welcome the opportunity to comment on such a complicated but potentially significant area of work. Despite the contradictory and often repetitive nature of the consultation, we feel it is right that Government give people the chance to comment and shape the open data agenda, particularly from a local government perspective. Below are some general comments which may not be picked up under the six specific headings.

- We need to be careful in setting out what can be achieved through open data. There may well be significant opportunities particularly in improving local accountability and comparing service delivery but ‘powering economic growth’ may be more aspirational.
- There needs to be a level of realism in delivering open data – it will take time and money to achieve the openness desired. This has to be balanced in the current climate of financial restraint and potential service delivery cuts.
- Requiring public bodies to proactively publish data would help drive an enhanced right and openness but seems counterintuitive to the localism agenda. It is right that the government does set some standards but open data policies should evolve and be developed at a local level.
- From a performance management point of view, requiring publication of certain sets might enable comparison and benchmarking and therefore might help improvement but this could be perceived as a national performance framework, something the government has stated they are against.

### **‘Making Open Data Real: A Public Consultation’ – Policy Challenge Questions**

#### **A Enhanced right to data**

1. How would we establish a stronger presumption in favour of publication than that which currently exists?	The challenge is being able to demonstrate the advantages of publishing data to not only the public but crucially to the organisation which collects or publishes information. In many cases this will be a cultural change in working practises. There also has to be better use of current examples where publishing data has significant and specific advantages to both parties i.e. Ordnance Survey.
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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?	<p>Some kind of Open Data Commissioner is probably necessary to enforce transparency as long as they are given sufficient powers to carry out their role. The simple existence of such a person with such powers would focus the minds of people working with public data on the issues involved, and help to create a presumption of publication.</p> <p>On a practical level, organisation should try to build up a network of 'open data' specialist with a senior member of staff taking overall responsibility.</p>
3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?	<p>Most councils will already have processes developed from publishing expenditure over £500 which deals with the protection of privacy however these may well need to be developed further to take into account the increased number of data sets.</p>
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?	<p>For the majority of local councils this is the crux of the whole open data issue. At present FOI requests are increasing and in some case, becoming very onerous and time-consuming. However, by releasing more sets of data this may provide a large proportion of the population with the answers they seek thus reducing the amount of queries and formal FOIs. Conversely though it could further increase the burden and workload for organisations thus creating demand for further resources</p> <p>At this stage it is very difficult to predict what the precise resource implications will. This will be something each organisation will have to address over time as their open data policy develops.</p>
5. How will we ensure that Open Data standards are embedded in new ICT contracts?	<p>If the standards are set at a national level then as part of any procurement process they should be implemented at the local level.</p>

### Setting open data standards

1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?	<p>There isn't just one solution; the best way to achieve compliance is through series of interventions. One way is to promote compliance is to ensure that open standards are deployed across all government IT. This will make subsequent extraction of data far easier, and far more uniform thus reducing the</p>
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	<p>difficulty of making data available. That, in its turn, will reduce resistance by those who are tasked with providing the data since it will not be so onerous.</p> <p>The 5 star national rating is probably helpful and will encourage partners (worked in some part on Council's in publishing over £500 expenditure) but organisations would have to be clear on how they attain these levels internally.</p>
2. Is there a role for government to establish consistent standards for collecting user experience across public services? Is there a role for setting sector specific standards?	As stated above, government should set the standard by ensuring all departments comply with agreed standards. There is an argument for setting sector specific standards but it will take time to introduce due to different software and systems currently in use.
3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?	??

### Corporate and personal responsibility

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.	As stated in a previous answer, organisation need to understand the benefits of a strong open data approach and the advantages this has for both themselves and the public they serve. As for respecting privacy and security considerations, officers who deal with open data information on a regular basis tend to understand the implications of privacy and the need to remove personal data. However, there is a need for 'corporate responsibility' to ensure the commitment is being met and standards are being adhered too.
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?	As previously stated, each organisation would benefit from a senior member of staff taking responsibility for open data which would also include ensuring personal data protection is adhered too. This currently happens with publishing expenditure data.
3. Would we need to have a sanctions framework to enforce a right to data?	Although there are merits in having a national framework, it does contradict the Government's Localism approach. For certain statutory pieces of data a framework would be welcome and would

	enable comparison and benchmarking but it should still be down to each location to work out what's best for them and their partners.
4. What other sectors would benefit from having a dedicated Sector Transparency Board?	Performance sectors.

### Meaningful Open Data

1. How should public services make use of data inventories? What is the optimal way to develop and operate this?	As previously stated, public sector organisation should make more use of data inventories but there has to be an element of realism attached; there is already a huge amount of data in the public domain which is often in rough form and requires refining. This would be time consuming and require resources which may not currently exist. The approach to open data needs to be careful to contradict itself and increase the red tape and bureaucracy burden on public services.
2. How should data be prioritised for inclusion in an inventory? How is value to be established?	<p>Although the default position should be that data is available unless there are good reasons not to publish, it has to be realistic and take account of costs, resources required and the time constraints some sets of data may have.</p> <p>Apart from statutory, it should be down to each local area. Role of local strategic partnerships to leading on??</p>
3. In what areas would you expect government to collect and publish data routinely?	Again, we have to be careful to avoid duplication. Some sets of data which are already collected at a local level are often published at the national level. There needs to be a piece of work led by government which summarises the key areas that they EXPECT to collect data routinely thus creation a hierarchy of collection in one sense.
4. What data is collected unnecessarily? How should	Costs, resources, local requirements etc along with the proposed statutory requirements will determine

these datasets be identified? Should collection be stopped?	which sets are collected unnecessarily. However there may already be sets which are collected at different spatial levels leading to duplication that could be resolved straightaway.
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?	Organisations should aspire to produce data of high quality otherwise it may not be to be reproduced which defeats the object in the first place. It needs to be 'fit for purpose' as much as can be possible.  Data quality will remain something that will need examining throughout this process but it's hard to make general statements at this stage without knowing what is being produced and for whom.

### Government sets the example

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?	I think that a central portal allowing access is absolutely critical, otherwise people will always find it hard to locate material they are looking for - and impossible to come across things they weren't. However, that does not mean that data should be stored centrally, just a set of pointers to the data held throughout different government departments. Indeed some centrally collected data will have a greater use and impact if it is published at a local level.
2. What factors should inform prioritisation of datasets for publication, at national, local or sector level?	As previously stated this will be affected by a number of factors i.e. costs, resource implications, statutory duties, local requirements etc
3. Which is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?	Both! However we would like to see a prioritisation on existing data in order to set clear guiding principles for future sets.

### Innovation with 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?	The government should be doing this as a matter of course through its use of open data as part of its day-to-day operations. If it has to do this as a standalone project there is something wrong. In other words, the culture of open data needs to permeate the way government works, rather than for there to be a conscious and possibly short-term stimulation of business activity based on open data.
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