

## Making Open Data Real

### UNIT4 submission

#### Introduction

UNIT4 Business Software Ltd is one of the leading providers of application software to public sector organisations in the UK ([www.unit4software.co.uk](http://www.unit4software.co.uk)). As such, it is helping its customers to understand how to embed the principle that data should be Open by default, except where exemptions or exceptions apply. This includes encouraging proactive publication of data about the delivery of public services, without the need for further legislation.

UNIT4 is committed to supporting its customers in driving efficiency throughout their organisation. As part of this commitment, it is leading the way in providing solutions that allow organisations to meet and exceed their Transparency requirements. By way of example, UNIT4 worked with the Royal Borough of Windsor and Maidenhead and other 'pathfinder' organisations to provide data in 5 star linked open data format with a minimum of effort or cost.

UNIT4 has aligned itself closely with the progress of the Open Definition, Open Government Licence and more recently the Open Public Services White Paper as it seeks to help Government establish a stronger presumption in favour of the publication of data than currently exists.

UNIT4 is, however, concerned with public bodies continuing or starting to sell access to public data, and is keen to understand the emerging licencing regime, especially the role of The National Archives, the Information Commissioner and the Public Data Corporation. UNIT4 sees this type of charging for public data as potentially providing for the consolidation of existing commercial interest, creating more barriers rather than greater opportunities.

UNIT4 believes collaboration with the Transparency Board can assist in formulating a private sector point of view around Data Transparency and help UNIT4 explore issues such as licensing and what Open Data really means to its customers. UNIT4 seeks to enable its customers to become 'data prosumers' (both providers and consumers of data) whilst encouraging the Open Data developer community in adding value to its Data Services within its solution platform. This is important to ensure its customer's on-going agility to meet legislative changes, such as the mandating of the presumption to publish data and the citizens' rights to access and update their data.

A central reason for submitting a response to the Making Open Data Real consultation is to assist public sector service providers in maximising their gains from participating in the 'Data as a Service' agenda. UNIT4 would like to see Government enable market creation and define the scope of public activity around data provision. This would allow the private "Data as a Service" market to blossom.

## UNIT4 response to consultation questions:

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

The concept of Open Data, and more generally that of Openness, directly impacts UNIT4's customers in terms of what they do, what they spend and how their public services work. UNIT4's commitment to Open Data is derived from its shared interest with its customer in making public services better.

UNIT4 supports the aims of the Government strategy on Transparency and Open Data and believes that, "except in very specific circumstances", data about public bodies and services should be available for re-use under the Open Government Licence.

UNIT4 does not agree with public bodies charging for data held in relation to public services except when costs are extremely prohibitive and suggests a hardening of the caveat: *"it may be that some data held in relation to public services is made 'available', but is charged for"*, because it sees that this statement contradicts the Open Knowledge Definition which defines Open Data as, *"free to use, reuse, and redistribute - subject only, at most, to the requirement to attribute and share-alike."*

UNIT4 supports the ability of its public sector customer to publish large, non-personal datasets as Open Data that are routinely collected. Drivers for this include enabling the right of individuals to access and control their own service user records. Open Data should include the user feedback on services, such as comments and suggestions from users of health, personal or social care services.

UNIT4 agrees with the definition of a Dataset as "Factual data, structured or unstructured", but that the additional statements in the definition of the key terms: about when, how and why Datasets should be provided, go too far.

Generally, UNIT4 would like to see a larger set of key terms defined within the consultation.

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

UNIT4 already encourage its customers to place emphasis on releasing new data rather than old and release data 'as is' rather than spending time and resource on improving quality immediately.

UNIT4 work with its customers to undertake serious consideration of the legal implications of open data being regulated by the Information Commissioner's Office (ICO) and this body being proactive in its responsibility regarding the Freedom of Information Act (FoIA), Environmental Information Regulations (EIRs), Data Protection Act (DPA) and restrictions of access under the INSPIRE Regulations.

UNIT4 would like to see Government present a more joined up view for public bodies of relevant legislation, bringing together guidance around the re-use of Public Sector Information Regulations (RPSI), Managing Public Money (MPM) guidance, UK Location Coordination Unit (DEFRA), INSPIRE Regulations with the National Archives (TNA) using its regulatory responsibilities, including the investigation of complaints under the RPSI as well as managing Crown Copyright, and monitoring compliance against required standards under the Information Fair Trader Scheme (IFTS). Guidance should be clearer from TNA with regards to charging.

UNIT4 support the Government's commitment in moving to make more data freely available, "within the constraints of affordability and value for money". When considering whether or not to charge for data, a transparent business case setting out why, must be made, including any cost or value for money implications.

3) If the costs to publish or release data are not judged to represent value for money, to what extent should the requester be required to pay for public services data, and under what circumstances?

UNIT4 feel that, in most cases, the public body is responsible for the cost of publishing public service data. The cost benefit assessment should take into account that most of the value of the data is in its usage and not in its production. The cost associated with the process of making data available should continue to be reduced through the use of open source, affordable tools and best practice generated by collaboration between public bodies.

*There have been significant achievements without the need to charge for access to data in recent years.*

- More than 6,000 datasets can be found on data.gov.uk
- The Public Sector Transparency Board supports and challenges public sector bodies in the implementation of Open Data standards
- The new Open Government Licence has made it easier for public service providers to publish data
- COINS spending published
- Central government ICT contracts over £10,000 published online
- Local government contracts and tender documents for expenditure over £500 published online
- New items of central government spending over £25,000 published online
- Detailed crime data published

UNIT4 is committed to working with customers to promote Open Data principles and...

- **Drive down costs:** resulting from historic ICT procurement and data management such that information is held in ways that makes it costly to release
- **Promote privacy:** Answers are required to complex questions about how to reliably redact and anonymise personal data from open datasets to ensure personal data protection
- **Encourage re-usable formats:** Often if data is collected, it is often difficult to use and re-use
- **Correctly apply exemptions:** leading to information being held appropriately, avoiding appeals
- **Minimise the cost and difficulty of publishing data online:** Currently, data requests are often refused because the data is stored in a fashion that makes it difficult to extract. Procurement rules for ICT systems could be reformed to ensure that new systems are designed in ways that make data extraction easier and cheaper

**4) How do we get the right balance in relation to the range of organisations (providers of public services) our policy proposals apply to?**

UNIT4 will work with its public sector customers to ensure that valuable data and data which serves the public interest is more readily available from a wider range of bodies. UNIT4 believes that all public service providers should make data available and would like to see better definition of what constitutes creative works (copyright) and what is factual data.

Open Data-related technologies of interest to UNIT4 include Population data mining; Risk profiling; Consumer technologies; New media sectors; Comparative analytics; and Information presentation.

**5) What threshold would be appropriate to determine the range of public services in scope and what key criteria should inform this?**

Public service providers should make data available subject to the tests outlined in 2.

UNIT4 sees a broad scope in terms of the range of public services and sectors in which the application of the Open Data principle would be beneficial. Data Services are helping public sector customers set an example and show how Government can make its internal workings as open as possible.

UNIT4 supports citizens' demand to monitor value for money spent on public services; to acquire the sort of data on local authority spending and delivery that would be required to challenge the body on value for money grounds. Giving people access to their data and changing the way in which services do business presents opportunities for public service transformation.

Open data is needed so that key performance indicators for cost effectiveness, service efficacy and outcomes data can be compared across regions. Local government transparency also highlights the variation in procurement costs within and across public service providers and enables government to identify cash-able savings, as such, local services such as these should be within the scope.

UNIT4's Health sector customers know we take seriously the effective use of data and information. Open data supports the move to real-time data monitoring which can help health care professionals deliver a high quality of care to service users by allocating limited resources most effectively, reducing waste and enabling more to be done with the same or less. In particular, publicly sharing performance and outcome data encouraged the communication and dissemination of best practice across Hospitals, PCTs and GP Consortia.

Open data is especially important in the emerging health informatics economy where efficiency is a major issue. There is a need to increase automation of transactions, enable greater self-care and make diverse, proprietary, legacy systems interoperable. Areas that would benefit from open data include billing automation, e-prescribing and online records.

As a leading provider to Education, UNIT4 believes that Open data will greatly empower Higher and Further Education organisations and is working with it's customers to leverage the benefits in areas such as research and operational efficiency.

The demand from public sector customers for location-based data and services and real-time feeds present a significant growth opportunity which will be enabled if the organisations which hold this data fall within the scope of the Open Data principles. As such, it is important for UNIT4's business models and applications that the scope of Open Data principles covers Geo-spatial information such as that held by the Association for Geographic Information (AGI).

Technological, environmental and economic initiatives for Open Data can help customers' with greater energy efficiency in particular in highlighting variation in the industry to identify best practice.

## 6) What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?

A legal mandate for public services providers, which also seeks to minimise cost of enforcements and make enforcement transparent to citizens.

### *Enhanced Right to Data*

UNIT4 believes that citizens should have a legally enforceable right to easily access, use and re-use data held about any publicly-funded service. This data should be readily available with low technology barriers to usability.

Furthermore UNIT4 see the role of Government as being to:

1. Help businesses access data currently difficult or impossible to acquire
2. Ensure the quality of published online data is high rather than poor and intermittent
3. Champion standards that build bridges between different Government departments and wider public bodies that make comparisons possible;
4. Ensure data is always published with a clear explanation of context that makes it easy to use
5. Ensure bodies provide continued access to datasets when published where appropriate
6. Work to change the culture within the public sector and public service providers to make data available if a all possible
7. Be clear which government department or public body data is available from, and the process required to obtain it
8. Make boundaries clear so that people know when public service data is held by non-government or quasi government service providers and not subject to FoIA legislation
9. Help champion the release of data that is currently collected but not published
10. Help find ways to assist local public services publish the data they have collected and not yet made available
11. Show how to prioritise the collection and publication of the most useful data in a way that helps the public understand what is, and what is not, available, and why
12. Embrace the self-serve agenda, driving a change in the relationship between users and providers;
13. Ensure privacy is preserved and that personal data is protected
14. Help make data available in accessible public formats in innovative new ways (e.g. use location identifiers to foster more insightful analysis)

### **Concluding Remarks**

While UNIT4's customers see Open Data as a great opportunity to identify best practice, it believes that the data required to hold public bodies accountable to public scrutiny should never be charged for because it is essential for empowering individuals and local communities with the information to support their needs. Ultimately UNIT4's commitment to helping UNIT4's public sector customer with Open Data is about providing the data people need to make choices and to help improve public services.

UNIT4 hopes this submission helps the the Transparency Team in the Cabinet Office to refine and develop their proposals when confirming the Government's policy approach.

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