HMRC Tax Transparency Sector Board (TTSB)
Venue: 100 Parliament Street, London
Room 2/39 Chancellors Room

Date / Time: Friday 5th December 2014 – 10:30 to 12:30

Attendees:	Apologies:
HMRC	
Jonathan Athow - Knowledge, Analysis and Intelligence (KAI) **Chair**	Andrew Tucker - (Indirect Tax)
	Bill Elmore – KAI Data Policy & Co-ordination
Anthony Bottone - Specialist PT Charities	Chris Taggart – OpenCorporates
Cindy Bell – Central Policy	Colin Yeend - (VOA)
Darren Warren – KAI Data Policy & Co-ordination	Dominique Lazanski (Open Data User Group)
Daniele Bega – KAI Data Policy & Co-ordination	Fiona Armstrong - Economic & Social Research
Ian Parfitt – KAI Data Policy & Co-ordination	Council (ESRC)
	Ian Makgill – (Spend Networks (ODUG))
Executive agencies	Johanna Edwards – Equifax
Adrian Ball - Valuation Office Agency (VOA)	Jonathan Shaw (IFS)
	Keith Dugmore - Demographics User Group
Other Government Departments	(DUG)
Liam Murphy - Cabinet Office (CO)	Melanie Bond - (VOA)
Sam Roberts - Cabinet Office (CO)	Melanie Hosker – Equifax
	Paul Boyle - Economic & Social Research
External representatives	Council (ESRC)
Andrew Sheffield (Experian)	Paul Turton - Security and Information
Judith Jones – Information Commissioner's Office (ICO)	Steven Bond - Demographics User Group
Mark Nicholson – Equifax(EQ)	(DUG)
Peter Fanning - Chartered Institute of Taxation (CIOT)	Vanessa Cuthill- Economic & Social Research
James Knell - Chartered Institute of Taxation (CIOT)	Council (ESRC)
Rory Meakin - Taxpayers Alliance (TPA)	
Stephen Herring - Institute of Directors (IOD)	

1. **Welcome and introductions (Chair - HMRC Knowledge, Analysis and Intelligence)**

   - Jonathan Athow (Chair) welcomed everyone to the last HMRC Tax Transparency Sector Board of 2014 and thanked them for their support and in depth discussions during the year.

2. **Action Points/minutes from the previous meeting (Chair)**

   - AP15 03.02.14 - HMRC will invite the Head of Policy for Charities Policy to the next Tax Transparency Sector Board meeting – *Covered by agenda item 6.*
   - AP16 02.06.14 - HMRC will share their lines to take on the Department's position on data sharing with members of the Tax Transparency Sector Board - *Agenda item 3.*
   - AP17 02.06.14 - HMRC will consider CIOT's offer to organise a conference about data sharing early in the autumn – *Agenda item 3.*
   - AP18 02.06.14 - HMRC to continue updating the group on further developments (VAT registration data) and seek input as appropriate. TTSB members to advise if they are interested in attending a seminar to consider the extent of an open data release – *Agenda item 4.*
   - AP19 02.06.14 - HMRC to find out whether EU counterparts release registers of importers and exporters – *Information about exporters and their products, and to a lesser extent, importers, is*

made available by other member states via import/export directories/databases similar to the importers details facility that we currently provide through www.uktradeinfo.com.

- AP20 02.06.14 - HMRC to continue updating the group on the plans for the release of exporters' details – *Agenda item 5*.
- AP21 02.06.14 - The group will let HMRC have suggestions on organisations to invite to the next TTSB meeting – *Ian Makgill, from Spend Networks [1] will be joining the board, representing the Open Data User Group [2] (ODUG).*
- AP22 02.06.14 - HMRC to provide a short note on the current position of the board and plans for year ahead – *Agenda item 7*.

3. Chartered Institute of Taxation (CIOT) [3] round table event

<u>CIOT</u>

- On 31st October 2014, the Chartered Institute of Taxation held a roundtable event to discuss HMRC's Data Sharing proposals:
  - Participants were generally happy with the idea of sharing HMRC information for research and statistics purpose, with safeguards in place to protect anonymity;
  - The event highlighted the importance of considering data sharing requests on a case by case basis, balancing public benefit with privacy rights;
  - Concerns were expressed by some stakeholders about the proposals for controlled sharing of non-financial VAT Register information with qualifying parties, including Credit Reference Agencies, on the grounds that only a limited number of businesses would benefit from this initiative;
  - In this context, CIOT also completed a survey amongst its members on HMRC's data sharing proposals. Respondents raised various issues, including the need for accountability if any personal information was accidentally disclosed.

<u>HMRC</u>

- HMRC felt that CIOT's roundtable provided a good, open and constructive debate on data sharing.
- The Department re-iterated its continuing commitment to the principle of 'taxpayers' confidentiality'. This is reflected in the safeguards applied in HMRC's data sharing initiatives, such as the Datalab, currently providing accredited researchers with access to anonymised data for purposes that benefit HMRC's functions.
- Privacy groups suggested that it would be helpful for external stakeholders to be made aware of what data (existing link) [4] is actually held in the Datalab. HMRC agreed to make sure that the key data fields held in the Datalab are publicised. (Additional document now published) [5] .
- A key issue raised in connection with the controlled sharing of VAT registration data was whether small businesses should be allowed to 'opt out'. This will be a key consideration in discussions of the proposal to release a subset of non-financial VAT registration data as public data.

Discussion

- The Chair explained that the CIOT event had only scratched the surface of a sensitive issue that will carry on being debated into the next administration and where both cultural and legislative changes may be needed;

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[1] https://spendnetwork.com/
[2] https://www.gov.uk/government/groups/open-data-user-group
[3] http://www.tax.org.uk/
[4] https://www.gov.uk/hmrc-datalab-datasets-available
[5]
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/391925/141208_HMRC_Datalab_Datasets.pdf

- CIOT pointed out that HMRC is currently engaging with a limited number of informed stakeholders and the real test for the future would be to engage with the general public. HMRC should be prepared to be challenged by the media.
- IOD emphasised the need for public to be consulted and any changes to be publicised in an official and controlled manner.
- Experian explained that, to reassure the public, there is a need to discuss issues around anonymisation of data and how to protect potentially identifiable information.
- ICO reminded the group of the controls that apply to organisations who share data. In particular, the Data Protection Act has been created to protect individuals' confidentiality and privacy, with the ICO responsible for enforcement.
- HMRC warned against the risks of rushing through changes in the data sharing landscape. The Government should adopt a gradual approach, engaging with the public and taking careful steps.
- CIOT suggested involving the general public and members of Parliament more proactively in this debate.

4. Update on the VAT register consultation [6] / publication

Legislative provisions
- The Small Business, Education and Employment (SBEE) Bill has now passed through the Commons, with clauses on enabling a controlled release of non-financial VAT registration data generating relatively little debate.
- The Bill had a second reading in the House of Lords at the beginning of December and was passed unopposed. The clauses on VAT data were not raised.
- This draft legislation will enter the Lords committee stage on 7th January 2015.

Implementation
- HMRC have entered detailed discussions on the potential use of the information both internally and with organisations interested in acquiring data. These discussions mainly focused on security and the uses of data.
- HMRC have also started to consider audit requirements for post-implementation and will be seeking views from the TTSB on these in due course.

> AP23 05.12.14
> - HMRC to share a note on progress on the VAT Register data release

5. Update on the Exporters' data release consultation [7]
- HMRC's Customs Directorate (CD) conducted a consultation between 25th June and 19th September 2014, considering options for the release, as open data, of a list of traders exporting goods outside the EU.
- The release of exporters' data would be similar to the information that HMRC is already publishing on their website for importers (Traders names, addresses, commodity traded and month of export) under the Finance Act 1988.
- The consultation only received around 11 responses, which broadly welcomed the proposal.

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[6] https://www.gov.uk/government/consultations/sharing-and-publishing-data-for-public-benefit
[7] https://www.gov.uk/government/consultations/sharing-and-publishing-export-data-for-public-benefit

- HMRC is currently discussing issues around implementation of these proposals, including considering the suppression of information for 'sensitive goods'.

Discussion
- IOD asked whether TTIP ([Transatlantic Trade and Investment Partnership](#)) [8] negotiations would have an impact on HMRC's proposals.
- HMRC explained that TTIP might have an impact on the future release of data, which will be looked at.
- ICO highlighted the need to keep this disclosure under review, to ensure that information is used responsibly.

> **AP24 05.12.14**
> - HMRC to consider whether the Exporters' data release, would be impacted by the Transatlantic Trade and Investment Partnership (TTIP)

6. Personal Tax Specialist Charities presentation
- In [Oct 2013](#) [9] [see item 7 (AOB)] and [Feb 2014](#) [10] [see item 6 (Charity data and HMRC)], the Board discussed the possibility of releasing Charities Gift Aid data.
- Since April 2013, HMRC had provided an [online system](#) [11] for charities in England and Wales to claim relief, in order to improve gift aid declarations. As part of this new system, Charities are asked to provide the following information on donors in a spreadsheet:
  - Title (optional)
  - First name (or first initial)
  - Last name
  - House name or number
  - Postcode
- Donors must be UK taxpayers and pay at least as much UK tax (Income Tax and/or Capital Gains Tax) as the amount of Income Tax that is reclaimed by the Charity.
- Currently HMRC does not have a legislative vehicle to share this information, but there has been some interest for this data from some organisations from this sector and general public.

Discussion
- HMRC highlighted that some care should be taken on the data, if deciding to release information at postcode level, as this might be potentially disclosive.
- CIOT pointed out that the Charities sector is very diverse and influential and there is a need to consult with various organisations on any proposed changes/disclosure plans.
- Members of the Board agreed that HMRC will need to tread carefully to minimise the impact on charitable giving, taking into considerations privacy and taxpayers' confidentiality issues.

> **AP25 05.12.14**
> - HMRC will discuss the implications of sharing Gift Aid information l with the [Charities Tax Group](#) [12] (CTG)

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[8] https://www.gov.uk/government/collections/transatlantic-trade-and-investment-partnership-ttip

[9] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/264841/HMRC_Tax_Transparency_Sector_Board_Minutes_Oct_13.pdf

[10] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/286195/HMRC_Tax_Transparency_Sector_Board_Minutes_Feb_14.pdf

[11] http://www.hmrc.gov.uk/charities/online/index.htm

[12] http://www.ctrg.org.uk/home

7.   HMRC's Tax Transparency Sector Board [13] **review**

- HMRC provided a short overview of the achievements of the Tax Transparency Sector Board since its implementation in December 2012.
- The role of Board has been key in:
    - Understanding and promoting the debate on Data Sharing
    - Fostering discussions around the data HMRC is currently sharing (such as via the Datalab)
    - Gathering ideas from external stakeholders on data sharing initiatives (e.g. VAT Register, exporters data)

Discussion
- IOD agreed with the achievements from the Board and suggested to also include examples of outcomes from this group.
- CIOT felt the TTSB should continue keeping abreast of data sharing issues, as debate on what should be open/private is shifting. For example, recent decisions about the 'right to be forgotten' will have an impact on future discussions.
- TPA was also supportive of the board, but they enquired whether it was doing enough to open more data and whether there should be other routes for data requests.
- ICO emphasised that the board should follow a risk based approach.
- Experian highlighted that there should be a debate around open data and a case should be presented to the general public.
- CO praised the work of this sector board and its members so far and would like to use it as a sounding board for the development of future CO initiatives, such as the National Information Infrastructure.

8.   Cabinet Office progress updates

Cabinet Office

National Information Infrastructure
- CO is currently working on the second iteration of the **National Information Infrastructure** [14] **(NII)** [15] , to define 'core reference datasets' held by the UK Government.
- In September 2014, CO organised three workshops with government and external representatives to discuss key definitions and implementation of this initiative.
- CO is developing a policy paper on the NII, which is currently available for comment. HMRC has been invited to provide information on the Tax Transparency Sector Board as an annex.
- The intention is to gather information from Government Departments during Jan/Feb/Mar 2015 and publish the National Information Infrastructure during June.
- A pilot exercise is currently being conducted with the Departments of Health and Transport.

[For information : During January 2015, the Open Data User Group (ODUG) published a report [16] on the National Information Infrastructure (NII)]

Open Data User Group
- Cabinet is currently processing a number of **Open Data Requests** [17] from the **ODUG (Open data User Group)**. New guidance and a reworked site within Data.gov.uk [18] are being developed to help better manage the system in the future.

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[13] https://www.gov.uk/government/groups/tax-transparency-sector-board
[14] https://www.gov.uk/government/publications/national-information-infrastructure
[15] http://data.gov.uk/blog/government-data-get-involved-0
[16] http://data.gov.uk/library/odug-national-information-infrastructure-nii
[17] https://www.gov.uk/government/news/open-data-user-group-issues-call-for-open-data-requests
[18] http://data.gov.uk/data-request

Data Sharing Policy Paper
- CO are currently finalising a joint policy paper on **Data sharing in government** [19] , with the aim to publish in February 2015.
- One of the lessons learnt from open policy-making process was the need for constant engagement with stakeholders, as opinions on data sharing have changed throughout the process.

9. AOB & Summary

- The Ministry Of justice (MOJ) have launched a triennial review of the Information Commissioner's Office. Members of the Tax Transparency Sector Board were encouraged to take part in the consultation [20] which closes on 16th January 2015.
- Details for board's next meeting date will be released in the New Year

Next meeting: **(TBC) March 2015**
(100 Parliament Street London SW1A 2BQ)

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[19] http://datasharing.org.uk/
[20] https://www.gov.uk/government/consultations/information-commissioners-office-triennial-review-2014