

Open Data White Paper

Unleashing the Potential

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Open Data White Paper

Unleashing the Potential

Presented to Parliament by
the Minister of State for the Cabinet Office and Paymaster General
by Command of Her Majesty

June 2012

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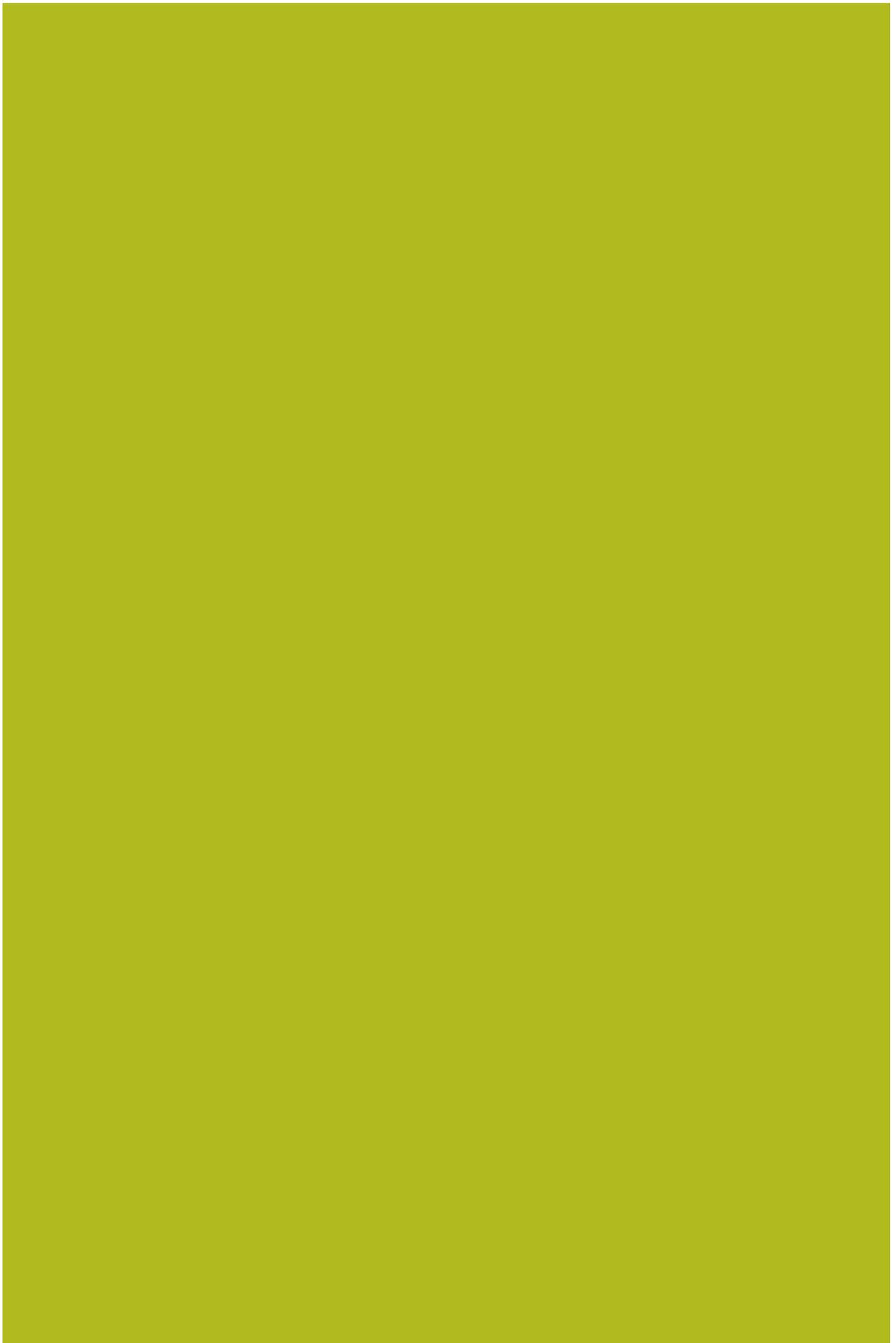
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Foreword by the Rt Hon. Francis Maude



Minister for the Cabinet Office
and Paymaster General

Data is the 21st century's new raw material. Its value is in holding governments to account; in driving choice and improvements in public services; and in inspiring innovation and enterprise that spurs social and economic growth.

In the last 20 years the world has opened up and citizens across the globe are proclaiming their right to data; this White Paper sets out how we intend to use that energy to unlock the potential of Open Data and for the first time the technology exists to make the demand for greater openness irresistible. We are at the start of a global movement towards transparency – and the UK is leading the world in making data more freely available. We are currently co-chairing the Open Government Partnership of 55 governments; the theme of our chairmanship is 'Transparency Drives Prosperity' – demonstrating the value of open governance to economic growth, inclusive development and improved citizen engagement and empowerment.

Transparency is at the heart of our agenda for government. We believe that opening up will empower citizens, foster innovation and reform public services. The regular publication of government spending is holding our feet to the fire all year round, not just at election time. We're creating an information marketplace for entrepreneurs and businesses; releasing valuable raw data from real-time transport information to weather data. Opening up data is underpinning our public service reforms by offering people informed choices that simply haven't existed before, exposing what is inadequate and driving improvement. So far we've released almost 9,000 datasets on our flagship

data portal www.data.gov.uk that cover health, education, transport, crime and justice. People can scrutinise local crime statistics, sentencing rates, school results, hospital infection rates and GP outcomes.

The transparency story by no means ends here. Today we're at a pivotal moment – where we consider the rules and ways of working in a data-rich world and how we can use this resource effectively, creatively and responsibly. This White Paper sets out clearly how the UK will continue to unlock and seize the benefits of data sharing in the future in a responsible way.

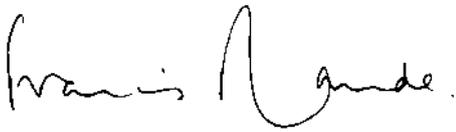
First, to ensure that there are no inequalities in the data market we will enhance access to data. We are unflinching in our belief that data that can be published should be published. As well as continuing to produce statutory publication schemes under the Freedom of Information Act, all departments have now published their first ever Open Data Strategies which include commitments to publish more data. People's rights to access data have been strengthened in legislation, vehicles for redress will also be enhanced and standards for higher data usability introduced.

Second, we will build greater trust in public data. The success of the information marketplace hinges on our ability to safeguard people's data from misuse and rigorously protect the public's right to privacy. We will ensure that privacy is not considered as an afterthought but at the beginning of all discussions concerning the release of a new dataset. We will ensure that we keep pace with the

latest technology so anonymised datasets remain anonymised and personal data remains personal.

Third, to ensure that our public services are more personalised and efficient in the future we must be much smarter with the data public bodies hold. In the past the public sector has not been clever or effective at sharing key data. We are determined to shift the culture of the public sector to improve data sharing where it is in the public interest and within legislative boundaries, and we will use the latest technology to deliver this.

There is nothing easy about transparency. The formative years of open government will be tricky, difficult and uncomfortable at times. But the prize is effective, personalised, 21st-century democracy. It's a more prosperous United Kingdom where the public services on which we all rely are strengthened and improved. We are determined to ensure that all of us can reap the benefits of transparency and data sharing in the future. The future will be Open.

A handwritten signature in black ink that reads "Francis Maude". The signature is written in a cursive, flowing style.

Francis Maude
Minister for the Cabinet Office
and Paymaster General

Glossary

We acknowledge that there are differences in the terminology used within the Open Data community. For the purposes of this document, the following terminology will apply. We hope to get a collective view on the definitions used in forthcoming Transparency and Open Data publications – and, as part of our drive to make policy making more accessible, will consult on those definitions through an open, online process.

Anonymised data	Data relating to a specific individual where the identifiers have been removed to prevent identification of that individual.
Core-reference data	Authoritative or definitive data necessary to use other information, produced by the public sector as a service in itself due to its high importance and value.
Customer insight data	Data or information recording users' accounts of their experience, with an assessment of public service providers.
Data	Qualitative or quantitative statements or numbers that are assumed to be factual, and not the product of analysis or interpretation.
Data sharing	The transfer of data between different organisations to achieve an improvement in the efficiency and effectiveness of public service delivery. This document assumes that data sharing will continue to operate in line with current domestic legislation and the UK's international obligations.
Dataset	As defined in the Protection of Freedoms Act 2012.
De-anonymisation	The process of determining the identity of an individual to whom a pseudonymised dataset relates.
Disclosive	Data is potentially disclosive if, despite the removal of obvious identifiers, characteristics of this dataset in isolation or in conjunction with other datasets in the public domain might lead to identification of the individual to whom a record belongs.
Information	Output of some process that summarises, interprets or otherwise represents data to convey meaning. Unless otherwise stated in this document, we will use the term data to include information.
Intellectual property	A set of property rights that grant the right to protect the materials created by them. Intellectual property comprises copyright, designs, patents, certain confidential information and trademarks.
Linked data	Described by an identifier and addresses to permit linking with other relevant data which might not otherwise be connected, improving discoverability. It may contain embedded links to other data.
Mosaic effect	The process of combining anonymised data with auxiliary data in order to reconstruct identifiers linking data to the individual it relates to.
Open access	Provision of free access to peer-reviewed academic publications to the general public.

Open Data	Data that meets the following criteria: <ul style="list-style-type: none"> • accessible (ideally via the internet) at no more than the cost of reproduction, without limitations based on user identity or intent; • in a digital, machine readable format for interoperation with other data; and • free of restriction on use or redistribution in its licensing conditions.
Open government data	Public Sector Information that has been made available to the public as Open Data.
Personal data	As defined by the Data Protection Act 1998, data relating to a specific individual where the individual is identified or identifiable in the hands of a recipient of the data.
Pseudonymised data	Data relating to a specific individual where the identifiers have been replaced by artificial identifiers to prevent identification of the individual.
Public data	Anonymised, non-core-reference data on which public services are run and assessed, on which policy decisions are based, or which is collected or generated in the course of public service delivery.
Public Sector Information	Information and data subject to the Freedom of Information Act 2000 and the Reuse of Public Sector Information Regulations 2005; data and information produced, collected or held by public authorities, as part of their public task.



Chapter 1

Building a transparent society

1.1 Transparency is already radically changing the way people live their lives and run their businesses in the UK. In the last two years, the UK has released the largest amount of government data of any country in the world, enabling people to make better choices about the public services they use and to hold government to account on spending and outcomes. Transparency is also providing the raw material for innovative new business ventures and for public service professionals to improve their performance.

1.2 For instance, commuters are using apps based on transport data released by rail and bus operating companies to plan their journeys – using real-time information to adjust their trip to take account of delays or congestion. Crime maps based on Home Office data are enabling communities to track crime in their area and work with local authorities to address it. And virtually all local authorities now publish spending transactions over £500¹ so everyone can understand and challenge the spending decisions that directly affect their lives.

1.3 So we're putting the data out there. And alongside this White Paper we are also publishing [online](#)² a large collection of case studies showing how Open Data released by government is being used and re-used by the public, private and civil society sectors. This material covers both suppliers and users of data, from local authority publishers and the companies that facilitate data publication and analytics, through to re-users of public data creating applications and data-based services.

1.4 Together, this material starts to form a living library of information, enabling people to

crowdsource further evidence of the impact of Open Data. So we know, for instance, that when we publish outcome measures for health providers, we see changes in behaviour that push those health providers to do a better job. And regular publication of spending data means that anyone in the country has the means to challenge government on how public money is being spent.

1.5 This is a completely different way of governing. We're choosing to be more open with our data – working on the principle that individuals will know how best to make the decisions that shape their lives or businesses, as long as they have all the information at their fingertips. But we need to get better at it. We need to make sure that people are getting the right data – data that's relevant to their lives and businesses, and updated frequently. And we need to make sure it's in the right format so it can easily be accessed and used.

1.6 So we are going to get more data into the public domain and make sure that data is trustworthy and easy to use. Each government department has now published its first ever [Open Data Strategy](#)³ setting out an unprecedented release of new data that will be published over the next two years. Departments will also set out how they are going to stimulate a market for its use.

1.7 All this new data will be accessible through a completely overhauled www.data.gov.uk site – which we're relaunching with better search facilities, simpler ways to access information, an advanced GIS data search (including map previewing) and better tools for developers, such as API access to the catalogue holdings.

1.8 We are also announcing a comprehensive and independently chaired review of the use, re-use, funding and regulation of Public Sector Information (PSI). It's right that we think about the use and re-use of PSI more broadly, given the pace of change and expanding opportunities in this area.

1.9 We can start by using the data we hold more effectively, and by pushing that data into the public domain. Then individuals, businesses and civil society can use it to vote on public services with their feet, to challenge government if they see inefficiencies and to drive prosperity by using data to do new and exciting things.

1.10 At the heart of making transparency a powerful agent of change in the UK is the right that citizens have to access and use public data. It is our belief that an effective right to data is neither a single nor static piece of legislation but a mix of existing laws that complement measures, such as those outlined in this White Paper, to embed a culture of openness in government. Therefore, while we take proactive steps to push more data out there, we are also aware that up-to-date legislation and common standards for the data we release are essential to support an effective Open Data ecosystem.

1.11 By recently amending the Freedom of Information Act (FOIA) 2000, we've put a failsafe in place to make sure that, where you are entitled to a dataset, you can ask for it in a format that is useful. The changes that we have made are going to be reflected in the upcoming development process for the FOIA Code of Practice and, as part of our drive to make policy making more accessible, we are going to open this up to the public and offer an opportunity to shape the guidance on datasets using a crowdsourced wiki.

1.12 In last year's [Making Open Data Real Consultation](#)⁴ we received nearly 500 responses from a variety of sectors, raising many diverse points about the work we are undertaking. [Annex A](#) lists these points and how they have been addressed. One recurrent theme was that the cost of data is hugely influential in determining

whether people access it or not. Our general principles for the use of PSI are that data should be provided free wherever appropriate and possible, or at a fair price where it is costly for the public sector to provide it, or where it is fairer to the UK taxpayer to secure value from it.

1.13 We also need to be smarter about how we use data within government. We know it can be frustrating when government develops policy that has unintended consequences or seems badly targeted. It is also tedious to have to inform different government agencies about simple changes instead of relying on the agencies to share that data with one another. A sensible approach to sharing data within government can help us get better at both those things.

1.14 It is essential that we are able to share data in order to answer some of the key policy questions of our time, such as the relationship between education and employment, as we develop policy to improve fairness in society and social mobility. So we're establishing a Social Mobility Transparency Board, chaired by the Minister for Universities and Science, which will look at linking anonymised data to generate greater insight in this area. And we are exploring the feasibility of a pilot project that links and shares anonymised Department for Work and Pensions data to demonstrate the potential value of this data for research purposes.

1.15 We don't underestimate how difficult this is. There are substantial benefits to be gained from sharing data within government – but obviously we need to be scrupulous in protecting individual privacy. So we will proceed with caution, setting ambitious goals but ensuring that we protect privacy at every step.

1.16 We are announcing the appointment of a privacy expert to the Public Sector Transparency Board to make sure we bring in the latest expertise on privacy measures. More broadly, we're making sure that privacy experts are brought into all sector panel discussions across Whitehall when data releases are being considered.

1.17 We don't want to use legislation too readily – that would sit at odds with our core principle to reduce bureaucracy – but we do recognise that clarification of the law or the creation of sensible measures to ensure data sharing can be helpful. We will consult ahead of bringing forward any legislative proposals.

1.18 All this is just the beginning. We want to move towards a truly transparent society in which relevant data is released, whoever holds it. We can't force this to happen. But by shining a light on forward-thinking businesses or organisations that are open about their practices and publish data on their outcomes we can use transparency itself to help drive this change.

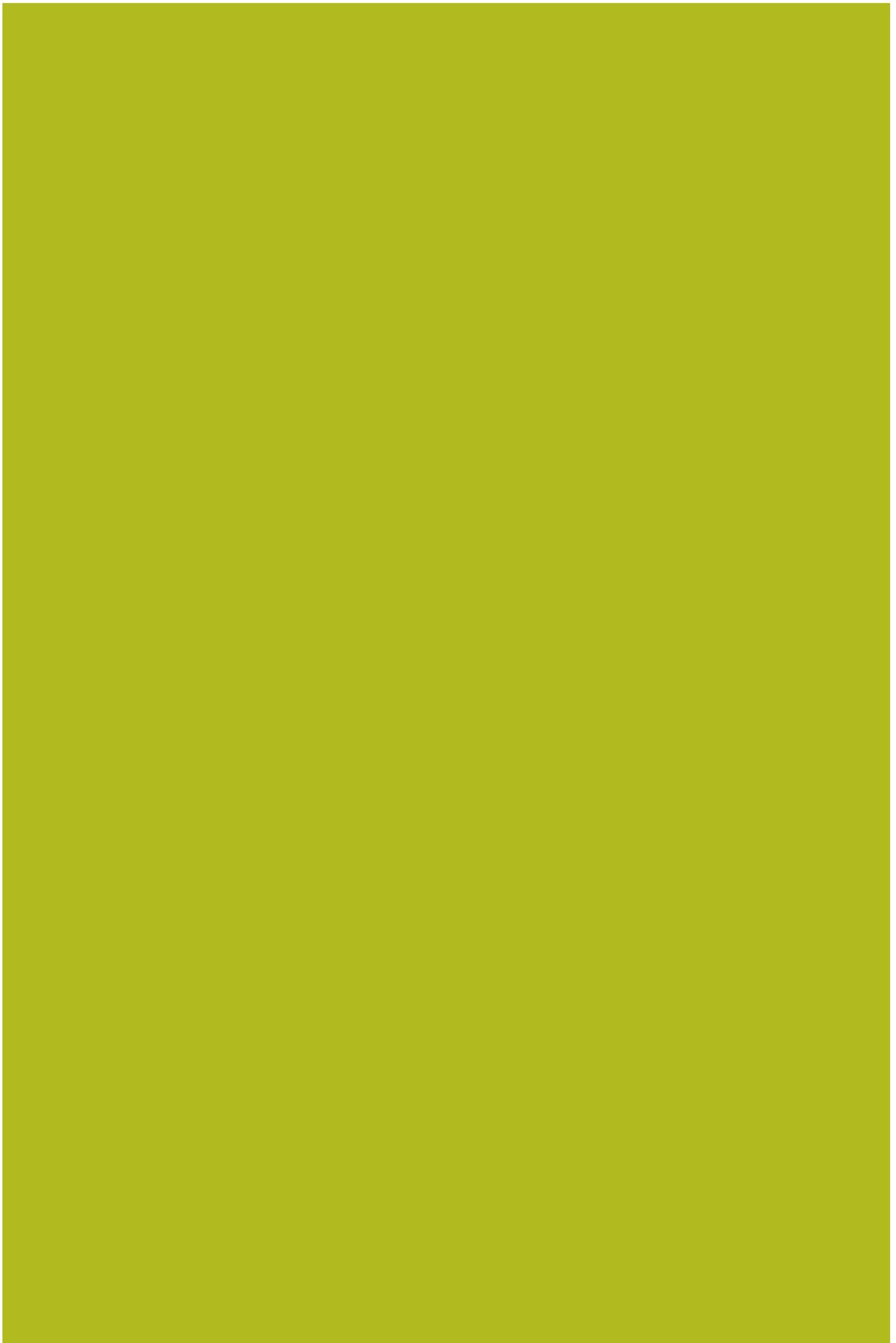
1.19 We're already making progress on this with partners outside government:

- From autumn 2012, those domiciliary and residential social care providers who signed up to the voluntary and industry-led Transparency and Quality Compact will publish a core set of relevant metrics. These metrics will enable the public to make more informed choices based on standardised quality indicators.
- We have also recently established the Open Business Forum, including representatives from 21 major corporations, who are working towards releasing metrics on corporate responsibility, such as community contribution and environmental impact, to inform consumers.
- Our work with energy providers has resulted in major companies, including ScottishPower, committing to releasing energy usage data, making it easier for consumers to compare prices and switch companies.

1.20 These are important changes where British businesses are joining us to transform the role that data plays in important, everyday decisions that impact on the public's wellbeing. Activity like this gets the data held by not only the public sector but also by businesses and charities out into the public domain. This is the shape of things to come – a truly transparent society, with the power where it belongs, in the hands of the people of this country.

Notes

- 1 To support local authorities in publishing data, the Department for Communities and Local Government published a *Code of Recommended Practice for Local Authorities on Data Transparency* in September 2011. All local authorities except one (Nottingham City) now publish spending transactions over £500.
- 2 <http://tinyurl.com/d7z9bkg>
- 3 www.data.gov.uk/open-data-strategies
- 4 www.cabinetoffice.gov.uk/resource-library/making-open-data-real-public-consultation



Chapter 2

Enhanced access



More Open Data

2.1 Over the last two years, we have made it significantly easier to access public data. In his [letter to departments in May 2010](#),¹ the Prime Minister commissioned an opening up of the inner workings of government to external scrutiny, releasing data on finance, resources, procurement and the estate in an open, regular and re-usable format. A [second letter in July 2011](#)² focused on data releases from key public services including health, education, crime and justice, and transport, exploring ways in which such transparency could boost economic growth.

2.2 We will be unrelenting in our efforts to get more data out. Typically, governments go cold on the idea of openness and transparency after a couple of years in office. We are determined that enhanced access to public data will be an enduring characteristic of this one.

2.3 This continued commitment is key as the data held by the public sector has the potential to transform lives. We believe that unfettered access to anonymised data should be extended to support improvements in the quality, choice and efficiency of healthcare, education, transport and a whole host of other public services.

2.4 Furthermore, the data held by the public sector provides important raw material for existing businesses and start-ups to use in opening up innovative new markets, driving economic growth and job creation. We have demonstrated in our [Open Data Innovation Community](#)³ how this data creates opportunities; we are committed to supporting growth by releasing more data.

Case study – ITO World

ITO World Ltd is a UK small to medium-sized enterprise (SME) that specialises in mapping and visualising transport data. Founded in 2006, the company has since worked with, for example, the Department for Transport, National Rail Enquiries, Guardian Media Group and Vodafone. ITO World has also worked with Google, supporting the provision of public transport journey planning for London using Google Maps. This service was based on official Transport for London data, released as Open Data. In April 2012, ITO World again worked with Google on integrating real-time information about disruptions on the London Underground into their service. In the event of any service interruption, travellers are presented with alternative route options and estimated travel times based on real-time data. ITO World has also been involved in [OpenStreetMap](#) (www.openstreetmap.org) for a number of years and provides a suite of editing tools to enable the collection of enormous amounts of crowdsourced data. ITO World processes over half a billion nodes of OpenStreetMap data each day to allow the community to remain abreast of ongoing edits and additions.

2.5 Transparency and Open Data also formed a key strand of the second phase of the [Government's Growth Review](#),⁴ published in

November 2011. In this, we outlined plans to release more aggregate data and boost the UK economy's capability to unlock its potential by announcing the creation of the Open Data Institute.

Case study – Open Data Institute

The **Open Data Institute** (www.theodi.org) will demonstrate the commercial value of Open Data and work closely with the public and private sectors as well as academia in developing its exploitation. It will be led by Sir Tim Berners-Lee and Professor Nigel Shadbolt. The **Open Data Institute** will have a number of facets, including:

- working with business in exploiting open government data;
- developing and mentoring start-up Open Data companies;
- training Open Data technologists and entrepreneurs;
- working with the public sector on making data available and accessible;
- assembling the evidence base on the impact and value of Open Data;
- promoting open standards and commissioning research relevant to Open Data exploitation; and
- developing the UK's standing as an international leader in Open Data.

The business plan for the Open Data Institute has been approved by the Technology Strategy Board and the implementation plan was published in May 2012. Sir Tim Berners-Lee and Professor Shadbolt have been engaging with the private and public sectors on how the Open Data Institute can work with them on the growth of Open Data. Work is under way on the development of an Open Data diploma, anticipating the first cohort to commence in early 2013. The Open Data Institute will be formally launched in the autumn of 2012.

2.6 After two years of being led by the centre of government, government departments are now taking a greater role in driving forward the Transparency Programme. Alongside this paper, each government department has published their first Open Data Strategy. Each strategy contains a department's commitments for proactively publishing data over the next two years and will complement their existing statutory publication schemes.

2.7 These strategies represent an important step forward in the way we are making data readily and systematically accessible and are a core requirement of each department's activity. Despite this, we should never be complacent and one year from now, and every year subsequent to that, all departments will be required to report on progress made on their commitments. Some of these high-profile commitments include:

- the **Cabinet Office** will increase transparency on grant funding by publishing data on which organisations receive public money from civil society programmes;
- the **Department for Work and Pensions** will release statistics on job outcomes and sustainment payments of the Work Programme from autumn 2012;
- the **Department for Education** will, for the first time, publish statistics on 'Educational destinations' in July 2012 showing the percentage of pupils progressing to further learning in a school, further education or sixth form college, an apprenticeship or a higher education institution at ages 16 and 19. These measures are designed to show how successful schools and other institutions are at preparing their pupils for the future;
- the **UK Border Agency** (UKBA) and the **Border Force** plan to increase the range of information about their activities and performance which is available to the public. UKBA and the Border Force will also explore whether it is possible to allow sponsors, employees and other citizens to interact with their systems. A steering group has been established to provide oversight of this work and the engagement of all relevant parts of the organisation; and

- **HM Treasury** will produce (in machine-readable format) data relating to the management and use of EU funds in the UK. An improved statement will be ready for release for the financial year 2013/14. This will improve accountability and encourage better financial management of EU funds.

2.8 These strategies are essential for making more public data openly available but, on occasion, there are data releases that cut across public bodies or whose release involves addressing complex copyright issues. Outlined below are three such high-profile data releases.

- Sport England has for a number of years maintained a database of sports facilities – ‘Active Places’ – which it uses primarily to support a number of business-to-business applications to guide new investment into, and rationalisation of, sports facilities. The Fitness Industry Association working with Sport England is developing a project utilising Active Places to drive forward change in the market place. Launching in beta this summer, www.spogo.co.uk is a new, simple, search-led service to help people find and (in the course of time) book sport and fitness facilities and services online as easily as finding and booking a train ticket or hotel room. Spogo will encourage the development of Open Data standards to enable greater sharing of data within the sport and leisure sector and the opening up of Active Places data, firstly in CSV format and then via API.
- Under the [UK Location Programme](#),⁵ we are committed to publishing a wide range of geo-spatial datasets held by public bodies within a consistent framework that allows sharing and re-use of data across the EU under the [INSPIRE \(Infrastructure for Spatial Information in Europe\) Directive](#).⁶ This will mean publishing more geo-spatial data on www.data.gov.uk; which provides tools to search for, view and download the data.
- In May 2012, HM Revenue and Customs (HMRC) introduced a [personal tax calculator](#)⁷ and a downloadable phone application showing how much income tax and National Insurance a UK worker can expect to pay and an illustration of how their taxes contribute to public spending.

The department identifies Open Data as a key enabler for tax transparency. HMRC already works closely with the software industry and will conduct a programme of engagement with software firms, civic-minded developers and related communities to enable wider uses of their published data.

Developer Engagement Strategy

2.9 But it is not enough to simply push out data and then absent ourselves from the debates and conversations that follow, not least because we cannot always predict with any degree of certainty how data is being used in all cases or how it is stimulating growth and innovation. As with all government digital services; we need to demonstrate a relentless focus on user need. As well as promoting better, flexible and more intelligent IT systems, supported by transparent contracts, we need to have a clear engagement strategy with those third parties that are often our primary data users.

2.10 Individual developers, SMEs, citizens, academics and large companies will all be users of government data and we need to ensure that we have robust engagement models in place to allow two-way conversations to happen. This way, a primary user can tell us what datasets they would like to see released as a matter of priority, inform us when there are anomalies or mistakes in our data to help us to serve them more efficiently, and keep us abreast of usage which in turn builds into our body of research.

2.11 We need to work collaboratively to ensure that developers are aware of what datasets are being released, in what timeframes, and to maintain relationships with those at the cutting edge of technology who can help government do things differently and in more agile ways. This kind of conversation between government and users facilitates capacity building both ways to great benefit for the public good.

2.12 The Cabinet Office has recently released its guidance on [the use of social media for civil servants](#)⁸ as an acknowledgement of the growing use and importance of these channels. In particular, data users, developers and SMEs are more likely to use social media channels to discuss and share

their work and any developer engagement strategy must take as its starting point open engagement on social media.

2.13 We will shortly publish a Government Developer Engagement Strategy setting out clear principles for how individual government departments are expected to engage with the development community, outlining minimum expectations for Service Level Agreements between developers and departments, and making recommendations on skills and competencies required for effective engagement with this community. The Developer Engagement Strategy will also set out how departments will embed the API principles, developed as part of the Government ICT Strategy, in this continuous dialogue with developers to support the key principles of robustness and consistency. This piece of work will be led by the [Government Digital Service](#).⁹

2.14 At present, the data gathered by the public sector is not always readily accessible and on occasion the quality of the data is too low for effective use. Intermittent publication and a lack of common standards are also barriers that can make it difficult for users to scrutinise activity or generate added value. This must change and one of the barriers to change is cultural.

Changing the culture in the public sector

2.15 To drive cultural change, many departments now have dedicated sector boards which are continuously challenging government to publish more data and ensure that departments understand the impact of each release. The sector boards provide an avenue for engagement with the wider community, with many boards active in inviting those from businesses, academia, civil society and the media to inform them of their experiences in using the data published by each sector. These boards are able to find out about the day-to-day issues around the practicalities of Open Data and work collectively to overcome barriers. Boards have already been established for health, crime and justice, transport, education, welfare and local government. HMRC has recently committed to setting up a Tax Transparency Sector Board,

which will facilitate discussions on the wide range of information that HMRC holds.

2.16 Effective cultural change is not just about releasing pre-existing data. Responses to last year's [Making Open Data Real Consultation](#)¹⁰ argued for a change in the ethos in the procurement and delivery of IT at the strategic level within government if enhanced access to data is to be realised. The data government holds is often locked into inflexible IT systems and retrieving the data is frequently a costly exercise requiring a detailed business case or contractual amendments.

2.17 Better, flexible and more intelligent IT systems supported by transparent contracts are central to responding to these arguments for change. The Cabinet Office is working with departments to ensure that future IT contracts allow for easy and uninterrupted access to data held on the behalf of government.

Case study – Contracts Finder

In February 2011, the Cabinet Office launched **Contracts Finder** (www.contractsfinder.businesslink.gov.uk) – a single website for business to identify government contracts for tender and the pipeline for future contracts. This site now has 97,000 viewings per week and the latest figures show that, of the contracts posted to date, over a third have gone to SMEs. In April 2012, new and updated data on £70 billion of potential future government contracts was released. Publishing data on future contracts allows government and industry to work together to spot any skills and investment gaps so they can act to safeguard UK competitiveness and growth.

2.18 Pushing out data is an entirely new way of conducting government business – one that is light touch and does not have to require lots of complex regulation, but instead operates by helping a greater number of people engage with data in a way that informs decision making. However, we also need to ensure that those who have a legitimate need for data are able to request it.

Strengthening rights to data

2.19 The main mechanism for requesting access to data are the [Freedom of Information Act \(FOIA\) 2000](#)¹¹ and the [Environmental Information Regulations \(EIRs\) 2004](#).¹² The FOIA and the EIRs provide the public with the framework to access information from a public authority and, providing the request is not covered by an exemption (including the public interest test where relevant) or ministerial veto, the information is released. Seven years on from coming into force, the FOIA is now undergoing post-legislative scrutiny (PLS) by the Justice Select Committee to explore whether it works effectively. The Government will respond to the Committee's recommendations in due course and will not make any decisions, beyond those already [announced in January 2011](#),¹³ on how the FOIA should operate going forward ahead of receiving the Justice Select Committee's report.

2.20 The Government has, however, been able to make important progress in parallel to PLS. The Datasets Section¹⁴ of the Protection of Freedoms Act,¹⁵ which received Royal Assent in May 2012, enhanced access to data. This new section pushes public authorities to consider disclosing data that is not already routinely published and sets out what is meant by a dataset – the raw, factual or source information behind a public function – to allow for a better understanding between the person requesting the dataset and the public authority holding the data of what is being sought.

2.21 The new section means that, where the FOIA requires release of a dataset, a public authority will now have a responsibility to release the dataset in a form that can be used and re-used by specifying the licence it can be used under and, where reasonably practicable, in a re-usable format. We have created the conditions for accessing raw, unmanipulated datasets and, by working to embed the release of the dataset in a public authority's publication scheme, we have taken an important step to give the public an enhanced right to data.

2.22 To ensure a comprehensive approach to the commencement of the Datasets Section in the Protection of Freedoms Act, we have amended [Section 45](#)¹⁶ of the FOIA and will be expanding

its accompanying Code of Practice specifically in relation to the new Datasets Section as set out above. The expanded Code of Practice will give guidance to applicants and public authorities on how to deal with requests such as: giving permission for datasets to be re-used; the release of datasets in an electronic form which is capable of re-use; the making of datasets available for re-use in accordance with the terms of a licence; standards applicable to public authorities in connection with the disclosure of datasets; and other administrative issues related to making datasets available for re-use.

2.23 The Code will be updated in a way that will support those it directly affects. We will open up the development process to the public and offer an opportunity to shape the guidance using a crowdsourced wiki. This will be launched shortly on www.data.gov.uk. In opening the revision for collaborative contributions, we expect the revised Code to be able to reflect the real-world experiences and first-hand knowledge of obtaining datasets capable of re-use. We are aiming for the revised Code to be in place by the commencement of the section early next year, when it will be issued after consultation with the Information Commissioner.

2.24 This legislative change is entirely compatible with the Code of Practice for Official Statistics¹⁷ which makes direct reference to making datasets available in forms convenient to users for their re-use. To support this, the National Statistician is preparing guidance that will stress the importance of opening up data, reinforcing the role that statisticians can play in delivering wider benefits. Statisticians across government departments are working together to free up more data for re-use.

2.25 The Government Statistical Service has also developed computer-based training to help statisticians and other civil servants to make the right decisions about how to make data available in open formats. The Office for National Statistics has developed considerable expertise in statistical disclosure control, including on how to prevent the identification of individuals through the comparison of different datasets, which is an essential facet of our Transparency Programme.

2.26 Legislation and codes of practice must, however, be matched by a culture that supports a presumption to publish. This presumption must involve a change of mindset to a position where data owners in the public sector look to release the data they hold, where it does not impact on the propriety of that data, as part of business as usual. In doing so, we will be able to support people, businesses and civil society representatives to obtain important information that can improve their outcomes. The Information Commissioner has an important role to play in ensuring that public authorities are complying with their obligations and providing accurate signposting of the data they release.

Case study – publication schemes

The **Information Commissioner’s Office** (ICO) has recently published an action plan to update its model publication scheme and supplementary sector guidance in a rolling programme during 2012/13. A publication scheme is a legislative requirement set out in the FOIA whereby all public authorities under the Act must set out their high-level commitment to proactively publish information.

A publication scheme sets out classes of information a public authority will publish, explaining the way they will publish the information and specifying any charges for making certain information available. Under the new Datasets Section in the FOIA, a public authority must consider, when releasing a dataset for access and re-use, whether that dataset should be incorporated into its publication scheme. Knowing what data or dataset a public authority holds in a transparent manner as part of their publication scheme can help to enhance accessibility to data.

The new ICO guidance will cover open standard formats, re-use of information published as part of a publication scheme and guidance on how a public authority can increase awareness and ‘findability’ of information as well as recommendations for monitoring and managing the scheme.

2.27 We do not pretend that it will be possible to change the culture overnight. It is essential that, when a user identifies a dataset that they are unable to access or re-use, they understand the mechanisms available to them to challenge a decision in line with the processes available under the FOIA or in respect of the re-use of Public Sector Information (PSI).

2.28 An overview of the process surrounding a Freedom of Information access request for data, including the complaints process, is outlined in Annex B ‘How to request data.’ This flowchart is not intended to be exhaustive but to give an overview of the potential steps involved from the perspective of the requestor.

2.29 Traditionally, providing access to information has not given an automatic right of re-use. Under the amendment to the FOIA, datasets that are accessible will be able to be re-used without needing to make an additional request for re-use.

2.30 The redress mechanism for the re-use of PSI is via the Office of Public Sector Information (OPSI), part of the National Archives. OPSI provides an effective complaints procedure under the [Re-use of Public Sector Information Regulations 2005](#)¹⁸ which offers a low-cost, fast alternative to action through the courts. If, having exhausted the PSI owner’s internal complaints procedure, the complainant is still dissatisfied, the complainant may ask OPSI to investigate. OPSI will publish its recommendations, set deadlines for them to be met and monitor compliance with them. OPSI may refer the matter to an [independent panel of experts](#)¹⁹ and ultimately to a Minister within the Ministry of Justice (Moj). This could result in the Minister writing to the appropriate Minister in a UK government department requesting that the PSI owner implements OPSI’s recommendations.

2.31 During any stage of this process, either of the parties has the option to take judicial action through the courts. While OPSI leads on re-use complaints, it involves other regulatory bodies such as the Office of Fair Trading, the Information Commissioner or the Office of the Scottish Information Commissioner in its investigations as appropriate. Although this full and robust mechanism is in place, the National Archives,

without prejudice to people's rights to formally complain, offers re-users a wide range of options from interventions to clarify the Government's information policy, through to convening brokered discussion between a PSI re-user and the PSI owner and structured mediation.

2.32 The amendment made to the FOIA introduced by the new section on datasets will mean that, in future, the requestor for a dataset (as defined by the section) will approach the ICO when seeking redress under an access request. Details of this change and the redress mechanism will be covered in guidance to be published by the ICO.

2.33 So we have outlined how legislation, culture and complaints are changing but we also want to harness users' experiences to drive the next phase of releasing public data. In effect, we want demand-led transparency to help us to be smarter in how we release data.

Harnessing user engagement

2.34 Earlier this year, we announced²⁰ the creation of the Open Data User Group (ODUG) to advise the Data Strategy Board (DSB) on public data that should be prioritised for release as Open Data. The data will be sourced primarily from the member organisations of the Public Data Group (PDG) – currently the Met Office, Ordnance Survey, Land Registry and Companies House – but the ODUG will be free to advise on the release of data from other public sector organisations. The ODUG will act as a strong mechanism for driving demand-led transparency in the public interest.

2.35 The DSB and PDG are both part of a larger public data architecture²¹ announced in the Chancellor's 2011 Autumn Statement²² to boost economic growth. In this new structure, set up to create opportunities for UK businesses to develop and grow through greater access to public data, the DSB will be tasked with advising on maximising the value of data from the PDG members for long-term economic and social benefit.

2.36 The DSB and PDG, together with the new ODUG, will be formally separate from the existing Public Sector Transparency Board, which will continue to offer the Minister for the Cabinet Office advice on Transparency policy.

2.37 The Chair of the ODUG was recruited through a fair and open competition, and the Minister for the Cabinet Office made the appointment²³ in May 2012. The Chair will establish the ODUG and commence a work plan which contributes to the delivery of the government's wider policy objectives of economic growth, data transparency and Open Data. The Chair will lead the group in advising the DSB on how to spend the discrete additional funding the DSB holds for Open Data this Spending Review period. The Chair and group will also be responsible for providing the business case to the DSB setting out the priorities for further investment in Open Data at the next Spending Review.

2.38 We acknowledge that, at present, charging structures for public data remain a salient and emotive issue for many users but equally we must ensure that any changes to existing arrangements must be driven by the latest available evidence on the most appropriate use of public funds.

Regulating data

2.39 The UK is generally recognised by our European peers as being at the forefront of promoting the re-use of PSI and, since the introduction of the Re-use of Public Sector Information Regulations, we have put in place many initiatives to support and encourage re-use. Implementing the European Public Sector Information Directive in July 2005, the PSI Regulations have been successful in the development of:

- the UK Government Licensing Framework²⁴ and the Open Government Licence;
- a statutory complaints process in the UK Regulations;
- the Information Fair Trader Scheme regulatory framework;²⁵
- an annual report²⁶ on UK PSI;
- proactive releases of datasets through www.data.gov.uk; and
- existing charging policies for re-use.²⁷

2.40 Late last year, the European Commission published its proposals to amend the Directive,

Communication on Open Data: An engine for innovation, growth and transparent governance,²⁸ forming part of the EU's 2020 Strategy²⁹ to promote growth in Europe's economies.

2.41 The Commission believes³⁰ that adopting Open Data principles and removing barriers to re-use can generate economic benefits in the order of £33 billion a year. Following from the UK's example, the European Commission believes that opening up public data leads to greater transparency in public administration and promotes social and political engagement. The last key theme of the Commission's proposals centres around its strong belief that increasing the availability of EU-wide public data will lead to better evidence-based policy making across the public sector, resulting in more efficient and effective public services.

2.42 Currently, the UK is negotiating the revision to the Public Sector Information Directive and, while we firmly believe that greater openness and availability of data for re-use across Europe are essential, we are mindful that this must be done in a pragmatic and affordable way which doesn't add unnecessary burdens (or potential loss of revenue) on public authorities to whom the resulting revised Regulations will apply.

2.43 We intend to undertake a comprehensive and independently chaired review of the use, re-use, funding and regulation of PSI. We will publish details of this review in the autumn of 2012. In undertaking this review, we are able to guarantee that robust evidence is at the centre of decision making in this area and that it is focused on maximising the benefit of PSI to the whole of the UK, rather than just its use by government.

Strengthening data usability

2.44 It is vital that we publish data in ways which allow people to use it easily and reliably. Doing so enables data to be used widely, reduces the barriers to innovation and eliminates unnecessary costs for businesses using the data.

2.45 At the start of the Transparency Programme, we established the Public Sector Transparency Board and asked it to give advice on general principles regarding how to make published data

as useful as possible. In June 2010, we published the Board's *Public Data Principles*³¹ and these have, for the past two years, been a foundation stone to guide the public sector in publishing data. We have seen these draft principles, along with the *Information Principles*,³² embedded within departmental Open Data Strategies. Data users were also invited to comment on the principles and how they could be improved. Now is the right time to make sure that the principles have become a fundamental part of the process of data publication. The announcement that we've adopted these as government policy, and that the Cabinet Office is committing to providing a written ministerial statement four times a year to report on compliance, is evidence of this.

2.46 The principles, drawn up by the Public Sector Transparency Board and revised as the result of consultation, are as follows.

(1) **Public data policy and practice will be clearly driven by the public and businesses that want and use the data, including what data is released when and in what form**

This is at the heart of the Government's approach. Our proposals for delivering enhanced access to data are detailed throughout this chapter.

(2) **Public data will be published in re-usable, machine-readable form**

The definitions of re-usable machine-readable are covered by the Five Star Scheme outlined later in this chapter.

(3) **Public data will be released under the same open licence which enables free re-use, including commercial re-use**

For free UK Government data, this will be the Open Government Licence³³ prepared by the National Archives – the Open Government Licence will be used for free data throughout government.

(4) **Public data will be available and easy to find through a single, easy-to-use, online access point (www.data.gov.uk)**

This means that all government Open Data will be accessible through www.data.gov.uk –

although it may be hosted on departmental websites and may also be accessible through other access points (for instance the UK National Statistics Publication Hub), for example for service to a specialist community.

- (5) **Public data will be published using open standards, and following relevant recommendations of the World Wide Web Consortium (W3C)**

This principle applies to published Open Data but it is of course wholly consistent with the Government's overall policy approach on the use of open standards in government IT more generally, on which a consultation has recently concluded.

- (6) **Public data from different departments about the same subject will be published in the same, standard formats and with the same definitions**

The Government has already applied this principle in the formats used for the publication of key transparency data, including spending by central and local government and on organisational data, working with the individual data owners and the Local Government Association to agree standard formats which are easy and cost-effective to produce.

- (7) **Public data underlying the Government's own websites will be published in re-usable form**

This complements the Government's approach to digital services following the [report by Martha Lane Fox](#).³⁴ The Government should not have a monopoly on the provision of web services and mobile applications; it should instead make the data and APIs available so that others can produce alternative, innovative views of government data and access to government services.

- (8) **Public data will be timely and fine-grained**

The Government's approach to Open Data is not limited to the publication of aggregate data long after the events to which it relates. So, for instance, the Government is already

publishing individual spending items within 15 working days of the end of the month in which they were paid; and the Government is already publishing weather forecast data from the Public Weather Service for 5,000 UK locations on an hourly basis.

- (9) **Release data quickly, and then work to make sure that it is available in open standard formats, including linked data forms**

The Government's specific proposals on the Five Star Scheme and on adopting a linked data approach are outlined later in this chapter.

- (10) **Public data will be freely available to use in any lawful way**

The Open Government Licence already incorporates this principle. Applications are able to use the data in any lawful way without having to inform or obtain the permission of the public body concerned.

- (11) **Public data will be available without application or registration, and without requiring details of the user**

It is an important part of the Government's approach to Open Data that people should be able to use the raw data freely, and requiring application, registration or personal details militates against this. However, both the Government and the Transparency Board recognise that, in certain technical situations (such as APIs), developer keys would be needed in certain circumstances but that these must be readily and quickly available without discrimination, and that the data they access must be available under the Open Government Licence.

- (12) **Public bodies should actively encourage the re-use of their public data**

The Government regards it as important that individual departments encourage the re-use of their Open Data, including working with businesses to help grow new, innovative uses of data and to generate economic benefit. Departments are already doing this through the Sector Transparency Boards, by making information and support

available, by holding departmental 'hackdays' and through other means. In addition, the Government is establishing an Open Data Institute to promote the re-use of Open Data, to share knowledge and applications in the use of Open Data, and to develop links between government and businesses around Open Data.

- (13) **Public bodies should maintain and publish inventories of their data holdings**
- (14) **Public bodies should publish relevant metadata about their datasets and this should be available through a single online access point; and they should publish supporting descriptions of the format provenance and meaning of the data**

www.data.gov.uk already includes basic metadata about all its datasets, including timing and geographical scope, and will publish extended metadata about geo-spatially related datasets to which the

INSPIRE Directive applies. www.data.gov.uk also provides a link to a departmentally supplied description of the data and details of a contact point within the department who data users can ask for further details.

2.47 We recognise that these principles may not be immediately possible for all datasets in all bodies. However, we regard it as essential to have a clear, unqualified statement of principles to which all bodies can aspire. Individual government departments, working with the Cabinet Office Transparency Team, will produce plans to work towards these principles as part of the implementation of their Open Data Strategies.

2.48 We also regard it as essential that Open Data is as re-usable as possible. In 2010, Sir Tim Berners-Lee proposed a Five Star Scheme³⁵ for assessing the degree to which individual datasets are re-usable. An expanded version of his scheme for free data is as follows.

Level	Format		Licence
★	Make your data available on the web (in any format)	and	Open Licence
★★	Make it available as structured data (for example, Microsoft Excel instead of image scan of a table)	and	Open Licence
★★★	Make it available in an open, non-proprietary format (for example, CSV or XML instead of Microsoft Excel)	and	Open Licence
★★★★	In addition to using open formats, use Uniform Resource Locators (URLs) to identify things using open standards and recommendations from W3C, so that other people can point at your stuff	and	Open Licence
★★★★★	In addition to using open formats and using URLs to identify things, link your data to other people's data to provide context	and	Open Licence

2.49 The Government intends to adopt the Five Star Scheme as a measure of the usability of its Open Data. We know that not all our data is of the highest level of usability but, through using the Five Star Scheme for labelling datasets, we are working towards improving the data landscape. We are not setting targets for data usability; responsibility for evaluating the costs and benefits of enhancing data usability will be devolved to data owners in each public authority. Departmental engagement with users, a key requirement of the Open Data Strategies, will be essential in determining whether the benefits of improving data usability justify any associated cost.

2.50 That having been said, the Government's overall preference for open standards and the fact that the Open Government Licence already applies, means that it is expected that almost all datasets will reach at least Three Star standard.

2.51 However, there is a growing realisation of the power of linked data for exposing, sharing and connecting pieces of data and information using Uniform Resource Identifiers (URIs) to realise efficiencies in the public sector. Linked data underpins other initiatives, particularly those of a cross-cutting nature such as the aforementioned INSPIRE Directive.

2.52 Across the public sector, pockets of knowledge about the underpinning technologies of linked data and the benefits that they enable have been established. Over the last year, we have been reviewing what is required to encourage further data linkage in the public sector, following the success of some linked data working groups in specific domains and the growing interest that they have had from those outside those domains.

Case study – www.legislation.gov.uk

The availability of legislation as Open Data on www.legislation.gov.uk has enabled the National Archives to develop a new, transferable operating model for updating government databases. A high-quality data interface makes it easy for anyone to access legislation data by adding /data.xml or /data.rdf to any web page containing legislation, or /data.feed to any list or search results. Data can be re-used free of charge under the Open Government Licence.

This has enabled the development of several third-party applications, including two smartphone apps and a service for law lecturers to create and self-publish relevant extracts of legislation for their courses.

Through an expert participation programme, Open Data is helping to bring more expertise to bear, with people employed and funded by the private sector, to work on updating the Government's legislation database. Quality is maintained through training on editorial practice and a stringent process of review.

www.legislation.gov.uk gives businesses easy access to legislation data, which they can include in their own products and services. The public benefits from more up-to-date legislation, while business benefits from developing value-added products and services. All the data is of consistently high quality, remaining public, open and free.

2.53 A new cross-government Linked Data Working Group will be established over the coming months. This will lead the creation and maintenance of the underpinning technologies within the public sector and promote the benefits across the public sector. A key role for the group will be to work with data owners, data users and bodies such as the W3C Government Linked Data Working Group, to promote and set standards for the adoption of common URIs across government. This provision of a core of authoritative identifiers (for instance for businesses, contracts, postcodes

and geo-spatial entities such as roads and bus stops) will be the key to connecting data across the information economy and allowing businesses to add value and to exchange information reliably in the digital world.

Case study – Department for Communities and Local Government (DCLG)

DCLG is trialling a selection of its housing, local government finance and deprivation statistics in the Five Star form. The datasets are available in a new demonstration 'Open Data Cabinet' (<http://opendatacommunities.org>), which was launched in April 2012.

The Department is working closely with a small group of local authorities and voluntary organisations to test and demonstrate the power and potential of linking DCLG and third-party sources over the web, using open standards. Early results are highly encouraging.

Alongside the data cabinet, DCLG has launched a demonstration Local Authority Dashboard (<http://opendatacommunities.org/dashboard>). This has proved highly successful as a means to showcase and promote Open Data and standards to a non-technical audience. It therefore strengthens engagement with users, to help to shape the Department's move towards routinely releasing all data in open, accessible and re-usable forms.

2.54 Driving up the usability and consistency of data made available by public authorities is only beneficial if the user is able to find the data in the first place. In recent months, we have made important progress with www.data.gov.uk.

Better access to public data

2.55 We put much of our data on www.data.gov.uk – but we know that users have found the site hard to navigate. So we've completely overhauled it: www.data.gov.uk now has better search facilities, simpler ways to access information, an advanced

GIS data search (including map previewing) and better tools for developers, such as API access to the catalogue holdings. We've been testing the changes with users for some time now and feedback has been strongly positive, allowing us to launch the new site with this White Paper. We would welcome more views on how the site can be further improved; there is a facility on the site where users can give feedback.

2.56 The site's new structure will also facilitate the establishment of a government data inventory looking across published data and other departmental holdings, to facilitate future publication and provide an opportunity to allow for prioritisation of those datasets, in either raw or processed form, that are of most value to users.

2.57 As part of the development of a data inventory, we will explore how best the public can request data through the site, complementing the more formal route of Freedom of Information requests. Alongside this, departments will develop a framework that outlines the best methods for releasing and publishing requested data as part of their ongoing strategy to deliver on the presumption to publish.

2.58 We are also working actively to rationalise our data holdings and establish different avenues for government data that has been cleansed by external parties to return to the data owner for consideration. As new infrastructures for handling data are implemented across government, a mechanism to feed data back to its owner will be integrated into data.gov.uk in the coming months.

2.59 There are also various datasets which are regulated to ensure access; one of these is the Postcode Address File (PAF) produced by the Royal Mail. It is an important input to many private sector products and services, and its value now goes far beyond its original purpose as a tool to enable delivery of the mail. It is also a critical part of the National Address Gazetteer (NAG), which is the definitive single address register and is part of considerations to develop plans for a rolling census.

2.60 The PAF is regulated by Ofcom to ensure that it is maintained and made available to all

users on reasonable terms. Ofcom is currently reviewing this regulatory framework to ensure that it incentivises take-up of the PAF, that the data is made easily accessible on reasonable terms and that it also drives the efficient maintenance of the PAF. The review will consider the costs of maintaining the PAF and the associated licensing and pricing structures. Over the next six months, the Government will also look at options to ensure that the UK as a whole continues to get the best benefit from the PAF, and that the PAF continues to be a key part of the single definitive address register (the NAG).

2.61 Greater access to public data through data.gov.uk is an essential part of our strategy for making the most effective use of data. However, we must also consider how we open up publicly funded research data in a way that maximises public benefit.

Opening up access to research

2.62 The Government, in its *Innovation and Research Strategy for Growth*,³⁶ has committed to the principle that publicly funded academic research is a public good produced in the public interest and that, while intellectual property must be protected and commercial interests considered, it should be made openly available with as few restrictions as possible. In this way, we will more effectively realise the social and economic benefits of spreading knowledge, raising the prestige of UK research and encouraging technology transfer.

2.63 Funding agencies should have clear, enforceable open access arrangements for the dissemination of published research findings as well as ensuring that the associated data is also, where appropriate, made available and shared. An independent Working Group chaired by Dame Janet Finch has recently [reported](#)³⁷ on how we can ensure greater access to published research findings, while the Royal Society's *Science as an Open Enterprise*³⁸ [report](#) discussed how to improve the sharing and disclosing of research data, both within the research community and beyond.

2.64 For small businesses in particular, relevant research is often difficult to find and expensive to access, limiting the spread of knowledge and innovation. To address this, Research Councils

will invest £2 million in the Gateway to Research project which will launch in December 2013. This will provide a single point of access to all aspects of UK publicly funded research. It will serve as a networking tool for use by SMEs, entrepreneurs, intermediaries and other advisors in the field. Research Councils are currently on track to develop a prototype demonstrator portal by November 2012.

2.65 The concerns of universities that premature disclosure of research data might damage their ability to compete with international rivals and to collaborate with industry arose in our Making Open Data Real Consultation. Such concerns have also been raised in evidence to the Justice Select Committee during post-legislative scrutiny of the FOIA. The Government will consider the Committee's recommendations on the operation of the FOIA before bringing forward any proposals for future policy.

2.66 To further develop government policy on access to research, we are also establishing a Research Transparency Sector Board, chaired by the Minister for Universities and Science, which will consider ways in which transparency in the area of research can be a driver for innovation. Recognising that research data is different to other PSI, the Board will consider how to implement transparency measures relating to research in a manner which protects the integrity of the research and associated intellectual property, while ensuring access to research for those SME entrepreneurs vital for driving growth. This will help to realise the full benefits for society as a whole. The Research Transparency Sector Board will consist of government departments, funding agencies and representatives from universities and other stakeholders, and among the first of its tasks will be to consider how to act on the recommendations of the Royal Society report.

2.67 Government departments are also committed to opening up their own research data and placing it in the public domain as quickly and in as much detail as possible, subject to legal and confidentiality restraints. The Government Social Research Service is currently working on an initiative to put policy and practice in place that will enable routine archiving of research data and release to bona fide external researchers.

2.68 This chapter outlined our intentions to release more Open Data and also support Open Data users, as part of our drive to unlock the benefits of transparency. **As we reinforce the *presumption to publish* in the public sector through the measures outlined above, we must be vigilant that trust is retained at the same time as public data is made more open. The next chapter considers how we can strike the right balance.**

Notes

- 1 www.number10.gov.uk/news/letter-to-government-departments-on-opening-up-data
- 2 www.number10.gov.uk/news/letter-to-cabinet-ministers-on-transparency-and-open-data
- 3 <http://communities.maven-cast.com/pg/groups/3731>
- 4 www.hm-treasury.gov.uk/press_135_11.htm
- 5 <http://location.defra.gov.uk/programme/>
- 6 <http://inspire.jrc.ec.europa.eu/>
- 7 <http://esi2calculator.hmrc.gov.uk/hmrctaxcalculator/screen/Personal+Tax+Calculator/en-GB/summary?user=guest>
- 8 www.civilservice.gov.uk/news/lets-get-social
- 9 <http://digital.cabinetoffice.gov.uk/category/gds/>
- 10 www.cabinetoffice.gov.uk/resource-library/making-open-data-real-public-consultation
- 11 www.legislation.gov.uk/ukpga/2000/36/contents
- 12 www.legislation.gov.uk/uksi/2004/3391/contents/made
- 13 www.justice.gov.uk/news/press-releases/moj/press-release-070111a
- 14 www.legislation.gov.uk/ukpga/2012/9/part/6/enacted
- 15 <http://services.parliament.uk/bills/2010-12/protectionoffreedoms.html>
- 16 www.legislation.gov.uk/ukpga/2000/36/section/45
- 17 www.statisticsauthority.gov.uk/assessment/code-of-practice/
- 18 www.legislation.gov.uk/uksi/2005/1515/contents/made
- 19 The Advisory Panel on Public Sector Information (APPSI), www.nationalarchives.gov.uk/appsi/default.htm
- 20 <http://update.cabinetoffice.gov.uk/resource-library/data-strategy-board-public-data-group-and-open-data-user-group-resources>
- 21 www.bis.gov.uk/assets/biscore/growth/docs/12-673-terms-reference-data-strategy-board-and-public-data-group
- 22 www.hm-treasury.gov.uk/d/growth_review_phase1update_291111.pdf
- 23 www.cabinetoffice.gov.uk/news/chair-open-data-user-group-appointed
- 24 www.nationalarchives.gov.uk/information-management/uk-gov-licensing-framework.htm
- 25 www.nationalarchives.gov.uk/information-management/ifts.htm
- 26 www.nationalarchives.gov.uk/information-management/legislation/directive-and-regulations.htm
- 27 www.nationalarchives.gov.uk/information-management/ifts/cost-pricing.htm
- 28 http://ec.europa.eu/information_society/policy/psi/docs/pdfs/directive_proposal/2012/open_data.pdf
- 29 <http://ec.europa.eu/eu2020/>
- 30 http://ec.europa.eu/information_society/policy/psi/docs/pdfs/opendata2012/reports/Vickery.docx
- 31 <http://data.gov.uk/blog/new-public-sector-transparency-board-and-public-data-transparency-principles>
- 32 <http://www.nationalarchives.gov.uk/information-management/projects-and-work/information-principles.htm>
- 33 www.nationalarchives.gov.uk/doc/open-government-licence/
- 34 www.cabinetoffice.gov.uk/news/digital-default-proposed-government-services
- 35 www.w3.org/DesignIssues/LinkedData.html
- 36 www.bis.gov.uk/assets/biscore/innovation/docs/i/11-1387-innovation-and-research-strategy-for-growth.pdf
- 37 <http://www.researchinfonet.org/wp-content/uploads/2012/06/Finch-Group-report-FINAL-VERSION.pdf>
- 38 <http://royalsociety.org/policy/projects/science-public-enterprise/>



Chapter 3

Building trust



3.1 The UK Government is recognised as being one of the most open in the world. Alongside our commitments to unlock the benefits of Open Data we are currently co-chair of the [Open Government Partnership](#)¹ (OGP), a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance.

3.2 The member countries of the OGP all recognise that a lack of transparency diminishes public trust in the objectives and motives of government; transparency and trust are intrinsically linked. Over the last two years we have sought to build trust in the data being released, and make that trust a currency of everyday decision making by the public.

3.3 Trust in decision makers requires openness about the factual evidence that underpins the advice they receive. Where the propriety of data can be assured we will go further in opening up data available to the public.

Open policy making

3.4 There have been a range of views expressed on the degree to which policy advice to government is released as part of the process of post-legislative scrutiny of the Freedom of Information Act (FOIA) 2000. The Government awaits with interest any comment the Justice Select Committee might make on this issue. In the meantime, however, we are proactively releasing much of the underlying, objective data used by the public sector to arrive at policy recommendations

and in supporting policy decisions. In doing so, we become increasingly accountable for those decisions that we take.

3.5 The FOIA protects policy advice to Ministers from disclosure. This ensures that it is robust, open, honest and constructive. But the need to maintain a safe space for policy advice should not be used to prevent the maximum possible openness to new thinking or the gathering of evidence and insight from external experts.

3.6 However, where we can make progress in opening up policy without damaging the policy-making process, we will. One of these high-profile areas is the Government's Major Projects Portfolio consisting of all central government-funded projects and programmes which require approval by the Treasury during their life.

3.7 In future, the Major Projects Authority, based in the Cabinet Office, will meet regularly with Secretaries of State, Permanent Secretaries and lead non-executive directors to discuss progress; it will meet more frequently with departments with particularly challenging portfolios or individual programmes.

3.8 Ownership of recommendations set out by the Major Projects Authority will be taken forward by departmental boards. We are committed to ensuring that departments report on their top-delivery programmes and contribute to the production of the Major Projects Authority's annual report on project progress. In doing so, we are working to deliver greater transparency of the Government's major projects and programmes by publishing more information now and in the future.

3.9 Our objective is to achieve the right balance all governments need to strike between transparency – and all the benefits it brings in terms of positive incentives and public trust – and confidentiality, whether to protect the formulation of government policy or commercial interests where their protection is also in the public interest.

Getting the balance right

3.10 We fully support the responses to our Making Open Data Real Consultation, which voiced the opinion that government should do more to protect individuals' rights to privacy and the confidentiality of the data it holds. Despite the protections offered by existing legislation and regulation, and guidance produced by the Information Commissioner's Office (ICO), there remains public concern that ill-thought-through transparency can erode trust and compromise privacy.

3.11 For data held within health and care records, the Government commissioned a review of the current information governance rules and their application. This review is examining whether there is an appropriate balance between the protection of confidential and identifiable information within our health and care records and the safe use and sharing of information to improve the quality and safety of our own care and for the benefit of wider society. This independent review is being led by Dame Fiona Caldicott and will report later in the year.

3.12 The European Commission recently published new [proposals](#)² concerning the protection of personal data. We are taking a leading role in these negotiations with the aim of securing a framework that protects the civil liberties of individuals, while allowing for proper public protection, transparency and economic growth and innovation. The Government believes these goals can be achieved in tandem, not at the expense of one or the other. These negotiations will take time so we also want to reinforce the fact that there is an existing, robust framework in place to manage concerns about privacy and data protection. This is essential for maintaining public trust in the Transparency Programme.

3.13 To build our understanding of the interaction between transparency, privacy and data protection, we commissioned Dr Kieron O'Hara to conduct an [independent review](#)³ into this area. Dr O'Hara made it clear in his conclusions that transparency and privacy are compatible if the right governance structures are in place.

3.14 Therefore privacy is not to be considered as an afterthought. Privacy issues will be considered alongside transparency at the beginning of all discussions concerning the release of a new dataset, which is why we are appointing a privacy expert to the Public Sector Transparency Board. This appointment is one of the key recommendations of the O'Hara report.

3.15 This new member of the Transparency Board will uphold privacy interests as our programme progresses, further embedding the protection of privacy, in line with the well-established [eight data protection principles](#).⁴ The privacy expert will be able to provide informed opinion and guidance on the correct application of existing laws in instances where the opening up of more public data is recommended by the Transparency Board.

3.16 Furthermore, in the responses to our consultation, many of you supported taking a 'sector-specific' approach to transparency and Open Data, given the variety of sector-specific issues to be considered prior to the release of a new dataset. Building on the appointment of a privacy expert to the Public Sector Transparency Board, all external sector boards will be required to appoint someone with interests/expertise in privacy and data protection by September 2012. All sector panels will also be required to publish their meeting minutes shortly after each panel has met.

3.17 We have also seen with the Identity Assurance Programme Privacy and Consumer Advisory Group how a programme-specific approach to privacy can make progress in this area in spite of the inherent challenges. This group has recently published [Identity and Privacy Principles](#)⁵ for review and comment with a view to ensuring that user needs are put first as we re-create a digital relationship between users and government services.

3.18 We recognise that releasing greater quantities of anonymised data raises complex questions about how to guarantee that privacy is protected; particularly as increasing the availability of anonymised data has the potential to increase the possibility of identity disclosure through the mosaic effect. Appointing an appropriate privacy expert to sector boards represents another step towards building better capability across government to deal with these concerns by considering challenges if and when they arise.

3.19 Appointees with professional expertise are necessary if greater rights to data are to be delivered without compromising privacy; however, we must also ensure that those making decisions about the release of data do so in a rigorous and consistent fashion.

Privacy Impact Assessments

3.20 In early 2008, the Cabinet Secretary commissioned a review of data-handling procedures within the public sector. The [subsequent report](#)⁶ introduced a mandatory requirement for Privacy Impact Assessments (PIAs) to be carried out by all government departments when developing new policies or initiatives, or amending existing work streams that involve the handling of personal data.

3.21 PIAs are now a key part of the process for identifying and managing risk. The existing PIA requirements mean that government is well placed to deal with any potential threats to an individual's privacy but we also need to combat disclosure risks when they are identified through a PIA, by addressing the potential risk appropriately.

3.22 We must build our capacity to understand the techniques for taking independently anonymous data and mashing it together with other data to identify an individual.

Case study – Ministry of Justice

In late 2011, the Ministry of Justice (MoJ), in partnership with a group of academics, students and professional data security consultants, delivered a [project](#)⁷ designed to ensure that the anonymity of individual re-offending and sentencing data would be as secure as possible. This multi-layered exercise incorporating unorthodox methods provided MoJ statisticians with a much greater understanding of the properties and potential break points of the data. The exercise demonstrated:

- that privacy and transparency are compatible;
- that methods for dealing with anonymised datasets can go beyond 'anonymise-and-forget';
- the value of precautionary testing for understanding the weak points of an anonymised dataset;
- the value of creative thinking as a complement to computing power in this field; and
- the respect for privacy shown by the officials tasked with delivering transparency.

3.23 As we embed the presumption to publish through the actions outlined in Chapter 2, we are already developing examples of best practice where pre-release screening has led to the removal of key identifiable attributes from datasets to reduce the potential risk of unintended identification of individuals. We must now embed understanding and raise awareness and capability across the public sector.

3.24 In instances where there are concerns regarding the potential unintended identification of individuals, all departments will – through PIAs carried out in accordance with the ICO's [PIA Handbook](#)⁸ – be required to conduct disclosure testing to explore the threats that could exist as a result of releasing a dataset.

3.25 As well as this new requirement, the ICO recently launched its [Anonymisation Code of Practice](#)⁹ for consultation. The main areas covered by the Code are the benefits/risks of anonymisation, anonymisation within the Data Protection Act, examples and explanations of techniques, and governance structures; the annexes contain tools such as penetration tests and standard research contracts.

3.26 PIAs and effective disclosure testing provide the infrastructure for government to pursue transparency and privacy simultaneously. The Government will respond to the consultation on the ICO's Anonymisation Code of Practice in due course. Some government departments are already working within this structure to provide outstanding and secure public access to the data they hold.

3.27 We committed in the *Open Public Services* White Paper to increase the choices citizens can make about the services they use. Access to high-quality information about the performance of public services is the foundation on which citizens can make informed choices. In the responses to the consultation, it was highlighted that, without access to quality data, informed choice will remain illusory and, more importantly, undermines public trust.

3.28 Through the commitments to **enhanced access** made in [Chapter 2](#) and the capability we are reinforcing to **build trust** in this chapter, we have laid the foundations for a more effective data ecosystem. We will now turn our attention to how we plan to deliver joined-up, personalised public services through smarter, secure use of government-held data.

Case study – Department for Work and Pensions (DWP)

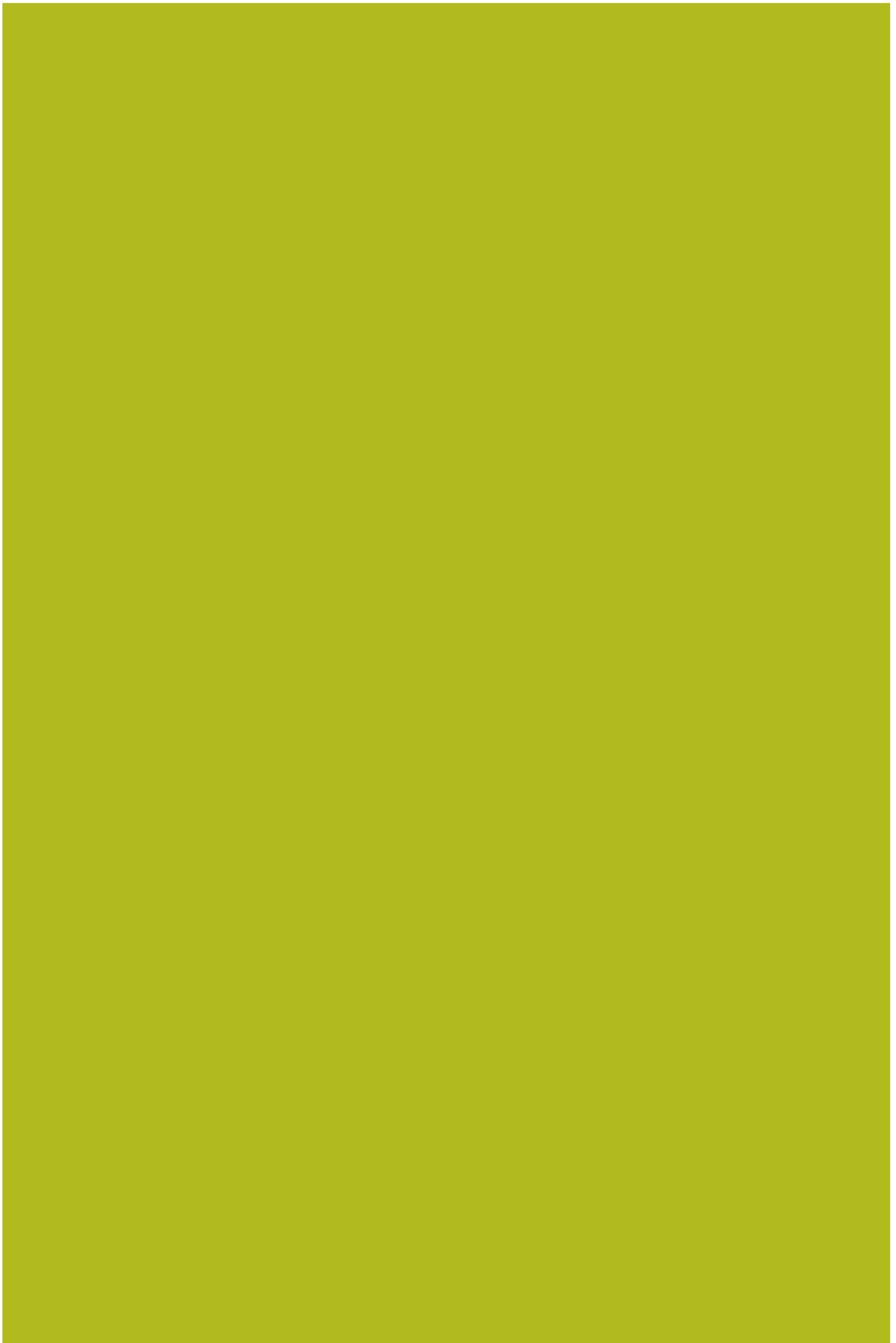
To improve the quality and accessibility of its data, DWP provides an online [Tabulation Tool](#)¹⁰ which allows users to download national statistics to their own requirements. This facility is available for national statistics on:

- DWP benefit caseloads;
- DWP benefit on and off flows;
- employment programmes;
- National Insurance contributions and qualifying years and second tier pension provision (taken from the Lifetime Labour Market Database or L2); and
- National Insurance number allocations to adult overseas nationals entering the UK.

Key out-of-work benefit statistics have recently also been available via Google [Public Data Explorer](#)¹¹ which includes user-friendly visualisation and mapping of the statistics. The replacement (called Stat-Explore) will build in more flexibility than the current Tabulation Tool and allow users to obtain more detailed data than is currently available. Data will be more easily re-used and built-in visualisation of the data will provide a more user-friendly experience. The privacy of individual claimants will be protected by the application of complex disclosure control methods when users request specific data breakdowns.

Notes

- 1 www.opengovpartnership.org/
- 2 http://ec.europa.eu/justice/data-protection/index_en.htm
- 3 www.cabinetoffice.gov.uk/resource-library/independent-transparency-and-privacy-review
- 4 www.ico.gov.uk/for_organisations/data_protection/the_guide/the_principles.aspx
- 5 <http://digital.cabinetoffice.gov.uk/2012/04/24/identity-and-privacy-principles/>
- 6 www.cabinetoffice.gov.uk/resource-library/data-handling-procedures-government
- 7 <http://eprints.soton.ac.uk/273072/>
- 8 www.ico.gov.uk/upload/documents/pia_handbook_html_v2/index.html
- 9 www.ico.gov.uk/news/latest_news/2012/ico-consults-on-new-anonymisation-code-of-practice-31052012.aspx
- 10 <http://research.dwp.gov.uk/asd/index.php?page=tabtool>
- 11 www.google.com/publicdata/explore?



Chapter 4

Making smarter use of data

Enhanced
access

Building
trust

Smarter
use

4.1 Transparency and Open Data are often grouped together as the end and the means respectively. This Government believes strongly in the transformative impact of Open Data, but there are circumstances where sharing data between public bodies is in the public interest but Open Data is an inappropriate means to achieve it.

4.2 This chapter outlines our plans for the public sector to become more effective at:

- **Sharing data between public authorities and with research bodies** under strict licensing and legal protections to guarantee privacy and confidentiality. An example of this is datasets composed of anonymised personal data that are shared in a secure way to allow linking of records from different datasets to create some kind of aggregated dataset for non-operational purposes, e.g. the Ministry of Justice, the Department for Work and Pensions (DWP) and HM Revenue and Customs shared record levels of data on offenders, benefit claimants and employees to produce analysis of the employment and benefit outcomes for offenders; and
- **Making personal data records available to the individual they relate to** through a secure online portal.

4.3 Improving and opening up public services requires data and research to be placed at the heart of delivery. This does not involve creating new databases or compromising privacy and confidentiality; it is about using new technologies and techniques to analyse and access data safely and securely.

4.4 The way in which government uses data is always under the spotlight, and rightly so. In 2008 the [Walport-Thomas Review](#)¹ made 19 recommendations as to how departments could strengthen safeguards and other measures that would allow for more data sharing, such as 'fast-tracking' the sharing of data between departments. The legal landscape surrounding data sharing is undoubtedly complex: in some instances specific legislation is required, but we should be alive to the possibility of using the considerable existing common-law powers that are often available to government and the wider public sector to share data, where appropriate. The Government has made it clear that however personal data is shared, we will ensure that robust safeguards are in place and we will never share data without transparent and rigorous adherence to the existing legal framework and the [Data Sharing Protocol](#).²

4.5 More recently, the Law Commission announced that, later this year, it will be taking a comprehensive look at the current legislative landscape for data sharing. It is expected to report in late 2013 and this will help to inform the Government's view as to whether or not comprehensive legislative changes need to be made. In the meantime, we are clear that, where it is in the public interest and within legislative boundaries, we will challenge outdated and unhelpful perceptions of data sharing in order to deliver better and more efficient public services. The benefits from making smarter use of Public Sector Information are too large to ignore.

Smarter use – anonymous data

4.6 In serving the most vulnerable communities we need to understand the multi-dimensional challenges they face; a central precondition for this is for public bodies to share data and insight with one another securely. Our plans focus on improvements to sharing data securely between public authorities and with research bodies in order to improve insight and inform better policy making.

Case study – East of England Transport Information

East of England Transport Information³

is a collaborative exercise between the public and private sectors and academia to improve network operation and information to end users by bringing together, merging and disseminating existing data sources. Key players are Cambridge University, BT, local government, the Highways Agency and Isotrak, together with the Department for Transport, logistics companies and the port of Felixstowe. Key target outputs are reducing the duration, impact and consequences of incidents, providing better information to road users, notably logistics companies, and providing highway operators with better decision making models. Initially focused on the A14 corridor between Felixstowe and the M1, the consortium aims to develop a methodology and business process that is scalable and could be applied to any corridor, transport mode or geographical area.

4.7 Over the last decade the private sector has increasingly used data analytics to target the delivery of their goods and services. In many cases this has now become business as usual – for example, the advertisements presented to us on websites may be for goods and services we have shown an interest in through the websites we have visited. To achieve this level of personalisation our public services must consider the use of the latest technology to unlock the potential insight of data coming from multiple sources, in line with the latest guidance on the use of cookies. This is a key

part of delivering the modern, targeted services that the public now expect. In some instances we believe this can best be achieved through the use of **data ‘safe havens’** – a platform for data to be momentarily and securely linked without the need to create vast new databases.

4.8 There are areas of public service delivery where we can make this essential progress immediately. One of these areas is addressing the deep and intractable barriers faced by those whose ill health limits their ability to remain in work. It is one of the key challenges facing the Government and we need to ensure that Jobcentre Plus and the NHS are given the insight necessary to design effective and appropriate early interventions which we know are crucial in preventing long spells out of work.

4.9 Data that is underutilised not only limits the effectiveness of public services but also represents a significant inefficiency. The failure to intelligently link or share data between disparate parts of the public sector results in the collection of more data than is necessary, keeping collection costs high and placing an unnecessarily high burden on citizens.

Case study – the Census

The decennial **Census**⁴ is an example where data is collected primarily from individuals for the purpose of counting the population; this cost nearly £500 million for the 2011 Census. Several administrative data collections already have partial coverage of the population and, if these were brought together and the data re-used, could provide an alternative count to that from a traditional enumeration at a reduced cost.

4.10 A further inefficiency can be found in the use of data to tackle lack of social mobility in the UK. An important measure of dynamic and successful communities is that children from the most disadvantaged backgrounds attend the best universities and enter the top professions. To fully understand the barriers blocking greater mobility, we need further collective work on integrating data across different parts of the public sector.

Case study – Health and Social Care Information Centre

From April 2013, the [Health and Social Care Information Centre](#)⁵ will take on its new status and functions and provide a ‘safe haven’ for health and social care data – collecting, linking securely and publishing a wealth of core data. This will enable it to become the national focal point and key resource for health and care information. The provisions in the Health and Social Care Act 2012 are designed to strengthen and clarify the role of the Health and Social Care Information Centre so that information can be collected, held securely and made readily available to those who need it in safe, anonymised formats, with crucial safeguards in place to protect the confidential data it holds.

The Health and Social Care Information Centre will publish (subject to certain exceptions) the information it collects. It will have a role in quality assuring that information. While the Health and Social Care Information Centre will be able to hold and link confidential data drawn from our own health and care records, the information based on that data which is made publicly available will be aggregated and anonymised so that we, as individuals, cannot be identified.

The Health and Social Care Information Centre’s secure data linking service and the complementary new secure data service, the Clinical Practice Research Datalink, will be available to health and care organisations, managers, commissioners, public health specialists, researchers, and industry and others. The ability to draw on a wealth of linked, anonymised data from these invaluable services to improve health and care – when coupled with other resources such as the [UK Biobank](#)⁶ – will serve to reinforce this country’s reputation as a global centre for health and care data and research.

4.11 To support our commitment to tackling this problem, we are establishing a [Social Mobility Transparency Board](#),⁷ chaired by the Minister for Universities and Science, to pursue smarter use of data between the Department for Education, the Department for Business, Innovation and Skills (BIS) and HM Revenue and Customs. The Board will address one of the themes that cut across the Fair Access to Professions report (2009) – notably that better data *‘[should be developed] to assess the progress that pupils make between starting school, leaving school and their destinations after school’*.⁸

4.12 The Social Mobility Transparency Board will focus on identifying the possibilities for informing citizens and government of opportunities to enhance social mobility through making more data available. The Board’s work will include looking at how datasets held in different parts of government could be utilised and, where appropriate, brought together and analysed to enrich the value of information available. The Board will be complementary to the Social Mobility and Child Poverty Commission.

Your access to your data

4.13 The use of, and access to, personal data evokes great differences of opinion. To its proponents, access to personal data through portals such as internet banking websites has proved hugely popular, benefited customers and boosted productivity. In contrast, to its critics, these services introduce new risks to privacy and fraud and, as the private sector aggregates more and more data on individuals, people may feel that this is a one-sided deal, and they do sometimes find barriers to obtaining the data held on them in spite of the mechanisms in place under the [Data Protection Act 1998](#).⁹

4.14 This Government wants to do things differently. We have already seen pilot programmes for giving patients and students direct access to their own data, and these have proved popular. We have announced our plans to extend this further as outlined in the Autumn Statement: Second Phase Growth Review, where we set out our intention to give all NHS patients direct access to their GP records by the end of this Parliament.

4.15 These and further initiatives provide citizens with the ability to engage with their public services, enable them to take greater ownership of the choices they make and offer a more sophisticated two-way relationship between the Government and the citizen.

4.16 While making smarter use of personal data is important for citizens engaging with public services, we also believe that there is an ever-growing responsibility on the business community to provide customers with a fair deal for accessing and interpreting their personal data and consumption habits. For this reason, BIS is running a programme, [midata](#),¹⁰ with leading businesses to provide customers with access to personal data held about them in an electronic re-usable format; often referred to as smart disclosure. We are starting to

see the fruits of that programme with the energy sector (see Chapter 5). This opens up the exciting prospect of data from both the private and public sectors being brought together with the customer's permission to provide greater insight and the potential development of powerful new services.

4.17 The goal of midata is to empower the individual to make better decisions. Transparency is at the heart of the programme, but it also seeks to improve consumer access to and control over their data and ultimately give the power to transfer it to business partners of their choice in exchange for services and other benefits. Naturally, the principles behind the Government's vision for midata have much in common with those that underpin public data.

Case study – troubled families

Obstacles such as data protection laws are often cited by agencies that wish to help troubled families and that want to share information and work together closely. Many local authorities have also expressed concern for years, particularly about the difficulties of finding out whether individuals are out of work and on benefits. As a general rule, in the absence of a specific statutory gateway, DWP shares data on benefit claimants only with their informed consent. As local authorities reported that it would not be practical to seek the informed consent of every potential troubled family, DWP initiated a data sharing solution for the purpose of helping councils to identify troubled families.

As part of its Whitehall 'troubleshooting' role, the **Troubled Families Team**¹¹ in the Department for Communities and Local Government has been working with DWP to come up with a solution. New Regulations made under the Welfare Reform Act 2012, in force from 2 July 2012, will provide a specific power to allow DWP to share data with local authorities in order to identify their troubled families. This will help local authorities to pull together the names and addresses of the families in their area whose children are missing school, who are involved in crime and anti-social behaviour, and who are also on benefits, so they can start work with them to tackle all of their problems.

This information will only be shared for the purpose of identifying troubled families. Once identified, informed consent should be sought by local services in order to gain fuller information about a family's needs. A number of key protections will be put in place to ensure that personal data is not shared with other bodies or for other purposes. For example, information between local authorities and job centres will only be shared via a secure email account which will be set up exclusively for the purpose of identifying troubled families.

Case study – HM Revenue and Customs

The Government is committed to improving the transparency of the personal tax system so that individual taxpayers know how much tax they are paying and how government spends it. To meet this aim, Budget 2012 announced that from 2014/15, around 20 million individual taxpayers will receive a new personal **Tax Statement**.¹² The Tax Statement will show clearly and in individualised terms exactly what the Government collects from the taxpayer in terms of personal taxes, and illustrate how this contributes to public expenditure. Drawing this information together in one place for taxpayers is the best way of making the public better informed and the Government more accountable for its decisions on both tax and public spending.

Breaking down the barriers

4.18 The barriers to greater data sharing within and across public bodies can be administrative, legal and cultural. In the past it was essential to respond to high-profile losses of data by strengthening measures to ensure its safe storage and transfer. This has, however, led to public bodies becoming increasingly risk averse with respect to data leaving their direct locus of control. While this may have been a well-intentioned attempt to reduce risk it has also compromised the benefits of sharing data.

4.19 It is increasingly clear that evidence-based research and policy are fundamental to understanding and responding effectively to the challenge of assuring the health and social and economic wellbeing of people. Administrative data, routinely collected and carefully used, has the potential to drive research that improves lives. We wish to grasp this opportunity. Using data to build strong evidence will also support deficit reduction as policy makers and commissioners will be able to base their payment regimes on a clear

understanding of what works – driving better service outcomes and lower costs.

4.20 Good progress has been made to ensure the safe storage, transfer and management of data in confidential, secure environments, but these practices have yet to be adopted uniformly.

4.21 The Administrative Data Taskforce, established in December 2011, is working to ensure high standards, the consistent application of access conditions and properly managed stewardship of data linkage centres to enable the effective use of administrative data for research in the public interest. It will provide recommendations to government about how these can be resolved and will report by the end of 2012. The initial findings of the taskforce focus on:

- the requirement for a consistent legal and ethical framework governing data sharing for research and policy purposes which oversees the process of data anonymisation to protect individual confidentiality, reinforces internationally agreed security standards and streamlines procedures for accessing and linking administrative datasets;
- the importance of a sustained programme of engagement and involvement which brings the public into the decision making process, clarifying the purpose of data linkage and explaining the safeguards that can be implemented to protect against the abuse of personal data;
- new models of access to data that build on the existing work of some government departments and research funders which already operate state-of-the-art 'safe havens', allowing research access to data in a secure environment. While respecting the law governing the use and security classification of data, the aim will be to provide a highly professional research environment which promotes transparency, efficiency and high standards of quality assurance based on a strong analytical capability and improved data management procedures; and
- the establishment of an independent ethics and governance group to oversee the policies and procedures for improving the use of

administrative data, providing a single gateway for researchers which ensures high standards, the consistent application of access conditions, and linkage centres and the active involvement of the public in the improved use of data.

4.22 Effective realisation of these interdependent requirements will place a responsibility on both the holders of administrative datasets and the research funding agencies to reach agreement about the provision of resources needed to ensure progress. The Administrative Data Taskforce will make recommendations to this effect, and it will be essential that any new model of data access is properly resourced.

4.23 To help inform this work, DWP proposes to identify and conduct a pilot data sharing and linking project with at least one other government department. The project would be of genuine research interest to demonstrate the potential value. It would also be challenging, pushing hard to see what can legitimately be achieved within current legislation. It would seek to explore the taskforce's proposals where relevant and inform their future development. DWP is currently considering options for the pilot.

4.24 The *Open Public Services White Paper*,¹³ published in July 2011, stated that the Government does not believe that central government should micro-manage public service delivery and that we want to support all those dedicated public sector staff who want to make a difference. Following on from the White Paper, the Cabinet Office launched the [Tell Us How](#)¹⁴ programme in October 2011. Tell Us How is based on the idea that those people working hard to deliver public services every day are best placed to provide invaluable insights into innovative ways to improve how we can better design and deliver those services. These ideas can lead to more effective services through improving ways of working, productivity and efficiency.

4.25 We believe that many of the cultural and administrative barriers to data sharing are best addressed through engaging with and crowdsourcing the experiences of those who work with data both on the front line and in central government. We will, through a dedicated Tell Us How challenge, invite public servants to tell us how we can remove those barriers and misconceptions which they come across on a day-to-day basis. The Tell Us How 'Better Use of Data' challenge will invite ideas on how we can use data more efficiently and effectively across government and will commence later this year.

4.26 It is the Government's intention to identify any necessary legislative measures that will enable the public sector to keep up with the pace of change to the digital economy and opportunities to make better use of public data. Measures to strengthen data sharing arrangements will be directly informed by the recommendations of the Administrative Data Taskforce, the review by the Law Commission and the Tell Us How programme.

Notes

- 1 www.connectingforhealth.nhs.uk/systemsandservices/infogov/links/datasharingreview.pdf
- 2 www.justice.gov.uk/information-access-rights/data-protection/data-sharing
- 3 www.damtp.cam.ac.uk/user/pul/transport_information.pdf
- 4 www.ons.gov.uk/census/index.html
- 5 www.ic.nhs.uk
- 6 www.ukbiobank.ac.uk
- 7 www.dpm.cabinetoffice.gov.uk/sites/default/files_dpm/resources/HMG_SocialMobility_acc.pdf
- 8 <http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/227102/fair-access.pdf>
- 9 www.legislation.gov.uk/ukpga/1998/29/contents
- 10 <http://webarchive.nationalarchives.gov.uk/+http://www.bis.gov.uk/policies/consumer-issues/personal-data>
- 11 www.dwp.gov.uk/newsroom/ministers-speeches/2012/25-04-12.shtml
- 12 www.hmrc.gov.uk/budget2012/avoid-admin-simp.htm
- 13 <http://files.openpublicservices.cabinetoffice.gov.uk/OpenPublicServices-WhitePaper.pdf>
- 14 <http://tellushow.cabinetoffice.gov.uk/>



Chapter 5

The future – a truly transparent society

5.1 It's not just about what we can do to drive a more transparent society. It's also about how others participate – whether that's businesses and organisations becoming more transparent themselves and pushing data out into the public domain for others to use, or individuals taking that data and using it to make better decisions or press for different types of services. So we're doing our bit, but we're also working with others to champion what they're doing.

5.2 From autumn 2012, those domiciliary and residential social care providers who signed up to the voluntary and industry-led Transparency and Quality Compact will publish a core set of relevant metrics. These metrics will enable the public to make more informed choices based on standardised quality indicators. They will also allow providers to demonstrate where they are doing well by reporting data already collected for internal or regulatory purposes. The forthcoming Care and Support White Paper will set out further plans for improving information about provider quality to support people in the choices they make about care and support.

5.3 Some of the UK's leading companies are among the 21 participants in the Open Business Forum, announced by the Prime Minister in the spring. They have started work on creating accessible and comparable measures of businesses' corporate responsibility performance in areas such as support for their workforces, contribution to local communities and environmental impact. We will report the results of this work later in the summer.

5.4 We will start working with two leading social care providers – Barchester Healthcare Ltd and Saga – to pilot a 'Friends and Family Test'

in residential and domiciliary care respectively. Barchester and Saga have committed to sharing the lessons of their three-month pilot with other providers looking to adopt a 'Friends and Family Test'. The Government will then work with those providers to consider how to incorporate their real-time customer and staff feedback into meaningful comparable measures of social care quality.

5.5 The major energy suppliers, through their participation in midata,¹ have committed to releasing downloadable usage data to customers in the first half of 2012, which will greatly improve the ease and accuracy of switching supplier. ScottishPower is [taking the lead](#)² here by ensuring that customers will no longer have to use their energy bills to manually enter information into switching sites in order to calculate their energy usage and tariff options, which we know some people find time consuming and difficult.

5.6 We will continue to work with others, seeking opportunities to facilitate greater openness across society as a whole and to champion those that are making progress. This is the shape of things to come – a truly transparent society, with the power where it belongs, in the hands of the people of this country.

Notes

- 1 <http://webarchive.nationalarchives.gov.uk/+http://www.bis.gov.uk/policies/consumer-issues/personal-data>
- 2 www.ctrl-shift.co.uk/about_us/news/2012/05/17/scottish-power-leads-on-midata/



Annex A

Making Open Government Real: Consultation checklist

Introduction

Key ‘asks’ for government highlighted in responses to the Consultation	Government response
Define meanings and implications of key terms such as Open Data and datasets.	The Government intends to host a wiki-glossary which will look to define key terms referenced in this White Paper and the overall Transparency Programme. This crowdsourcing tool will be available during autumn 2012.
Clarify the position of research data within Open Data requirements.	The Government will establish a sector board to engage with universities to identify and consider possible measures to release the full benefits of research data for the wider public. In respect to the application of the Freedom of Information Act (FOIA) 2000 in higher education research institutions, the Government will consider any recommendations of the Justice Select Committee on the operation of the FOIA before bringing forward any proposals for future policy in this area.
Define the range of organisations that proposals apply to – should this just be organisations that receive public funds, or organisations currently covered by the FOIA, or bodies covered by the Statistics Act, etc.	The scope of the FOIA is an issue that has been raised in evidence to the Justice Select Committee during post-legislative scrutiny of the Act. The Government will consider any recommendations of the Committee before bringing forward any proposals for future policy in relation to the FOIA. With regard to transparency outside the FOIA, the <i>Open Public Services</i> White Paper of July 2011 highlighted the need to strike the right balance between greater service provision in collaboration with private and civil society organisations and continuous transparency. The Government is mindful that transparency should be proportionate, bearing in mind potential burdens on provider organisations (especially small businesses and charitable organisations). In taking forward transparency and open government, we will, by the end of this year, set out how best we can achieve greater transparency by providers.
Look at charging implications, especially whether or not it is fair for organisations to cover their costs when processing data for publication.	In respect of charging for FOI requests to cover costs, the Government will consider any recommendations of the Justice Select Committee on the operation of the FOIA before bringing forward any proposals for future policy in this area.
Look at how the legislative landscape can be harmonised.	The Government will consider any recommendations of the Justice Select Committee on the operation of the FOIA before bringing forward any proposals for future policy in this area.

Enhanced right to data

<p>Take steps to mitigate the risks of aggregated datasets disclosing individuals' personal information. Take steps to guarantee that recommendations of the Kieron O'Hara review¹ will be taken forward.</p>	<p>The Government has announced that it will require departments to undertake disclosure testing – where deemed necessary – as part of their Privacy Impact Assessments to explore threats that could exist from releasing a dataset.</p> <p>The Government has announced the appointment of a privacy expert to the Transparency Board and reaffirmed the Government's commitment to the existing data protection protocols.</p> <p>The Government has announced the appointment of data protection and/or privacy experts to the transparency sector boards to ensure that all privacy and de-anonymisation issues are considered and addressed throughout the Transparency Programme.</p>
<p>The civil society sector and voluntary organisations should be equipped with skills to make the most use of Open Data.</p>	<p>The Government will consider how best to engage with civil society and voluntary organisations. Departments will have their own plans for engagement with stakeholders including those from this sector.</p>
<p>Look at whether or not the Information Commissioner's Office could regulate a right to data.</p>	<p>The Government has outlined the regulatory framework where the Information Commissioner will, as is the case with all FOI requests, have a role to play in relation to complaints about the handling of requests in respect of the new datasets clause inserted into the FOIA by the Protection of Freedoms Act 2012.</p>
<p>Ensure that free data is released under the Open Government Licence in formats that are easy to use.</p>	<p>New section 11A(2) of the FOIA (to be commenced) requires public authorities, when communicating a dataset which constitutes a relevant copyright work, to make the dataset available for re-use in accordance with the terms of the specified licence. This licence will be prescribed by the Controller of Her Majesty's Stationery Office and specified in the Code of Practice. For datasets outside FOI requests, the use of the Open Government Licence for free data is embedded within the Public Data Principles which the Government has announced as policy.</p>
<p>Develop Open Data standards clauses to be included in all ICT contracts.</p>	<p>The Government Procurement Service (GPS) will ensure that government Open Data standards will be specified within the GPS ICT Framework agreements and call-off contracts where relevant, proportionate and appropriate.</p>

¹ O'Hara, K (2011) *Transparent Government, Not Transparent Citizens: A report on privacy and transparency for the Cabinet Office*. <https://update.cabinetoffice.gov.uk/sites/default/files/resources/transparency-and-privacy-review-annex-b.pdf>

Develop a mechanism to check that Open Data does not become a burden on public bodies.	A range of views has been expressed on the burden of the FOIA as part of the Justice Select Committee's post-legislative scrutiny of the FOIA. The Government will consider any recommendations of the Committee on the operation of the FOIA before bringing forward any proposals for future policy in this area. The Open Data Institute will also help government departments to improve internal capabilities for the development of cost/benefit impact assessment of data releases.
Any Open Data measures must reflect copyright law.	The Government will ensure that, where this becomes an issue, we work with the relevant government departments such as the Intellectual Property Office.
Government must make clear the impact that proposals will have on devolved areas.	The Government has ensured that during the passage of the new section on datasets in the FOIA, the devolved administrations were engaged. As we progress the transparency agenda, we will ensure that they will continue to be informed.
Carry out a comprehensive assessment to fully understand the cost implications of proposals.	The Open Data Institute will be carrying out a range of work to look at the economic evidence base of transparency. Impact Assessments are undertaken at departmental level when deciding on the release of data as per Open Data Strategies.

Setting Open Data standards

Provide clarity on what is needed to achieve a five-star rating for Open Data and how to harmonise Open Data standards.	The Government has announced its intention to adopt the Five Star Scheme as a measure for usability of its Open Data.
Government to coordinate development of robust and comprehensive data sharing models and best practice guidance for use by the public sector.	The Government has reaffirmed its commitment to the adherence of the Data Sharing Protocol.
Government should seek to increase its capability and understanding of processing data and invest in the training of staff who will be able to analyse Open Data for release.	The Government has outlined work which is under way, for example the HM Revenue and Customs Data Lab.
Government should lead work in data linking.	The Government has announced the creation of a cross-government group to look at linked data within the public sector.

Corporate and social responsibility

Government should publish clear guidance on how Open Data should become part of day-to-day activity, especially for the wider public sector.	The Government has announced several measures to set out the cultural change required to embed a presumption to publish. Departmental Open Data Strategies have outlined plans for engagement.
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Develop a framework to have a board-level individual to ensure that Public Data Principles policies are followed through.	The Government has announced that it will embed the Public Data Principles as policy. Departmental Open Data Strategies and further application of the principles through the sector panels are the key mechanisms for their implementation.
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Meaningful Open Data

Firm up plans for what a data inventory will look like and look into the pros and cons of www.data.gov.uk being a suitable platform to host an inventory. Or look at whether or not public service providers will have common, consistent data inventories.	www.data.gov.uk will be refreshed over summer 2012 and the improvements will also facilitate the establishment of a government data inventory looking across already published data and other departmental holdings.
Set up a clear long-term strategy for improving the quality of data.	The Government has announced how it will work towards improving data quality, primarily through the Public Data Principles.
Conduct research into what data is most needed by individuals and the private sector.	The Government has announced that the Open Data User Group will advise the Data Strategy Board on public sector data that should be prioritised for release as Open Data, to the benefit of the UK.
Data released must be accompanied by metadata.	The Government will continue to develop, alongside the Government ICT Information Principles, the necessity to publish metadata for datasets. The planned refresh of www.data.gov.uk will also provide additional metadata and context with data releases.

Government sets the example

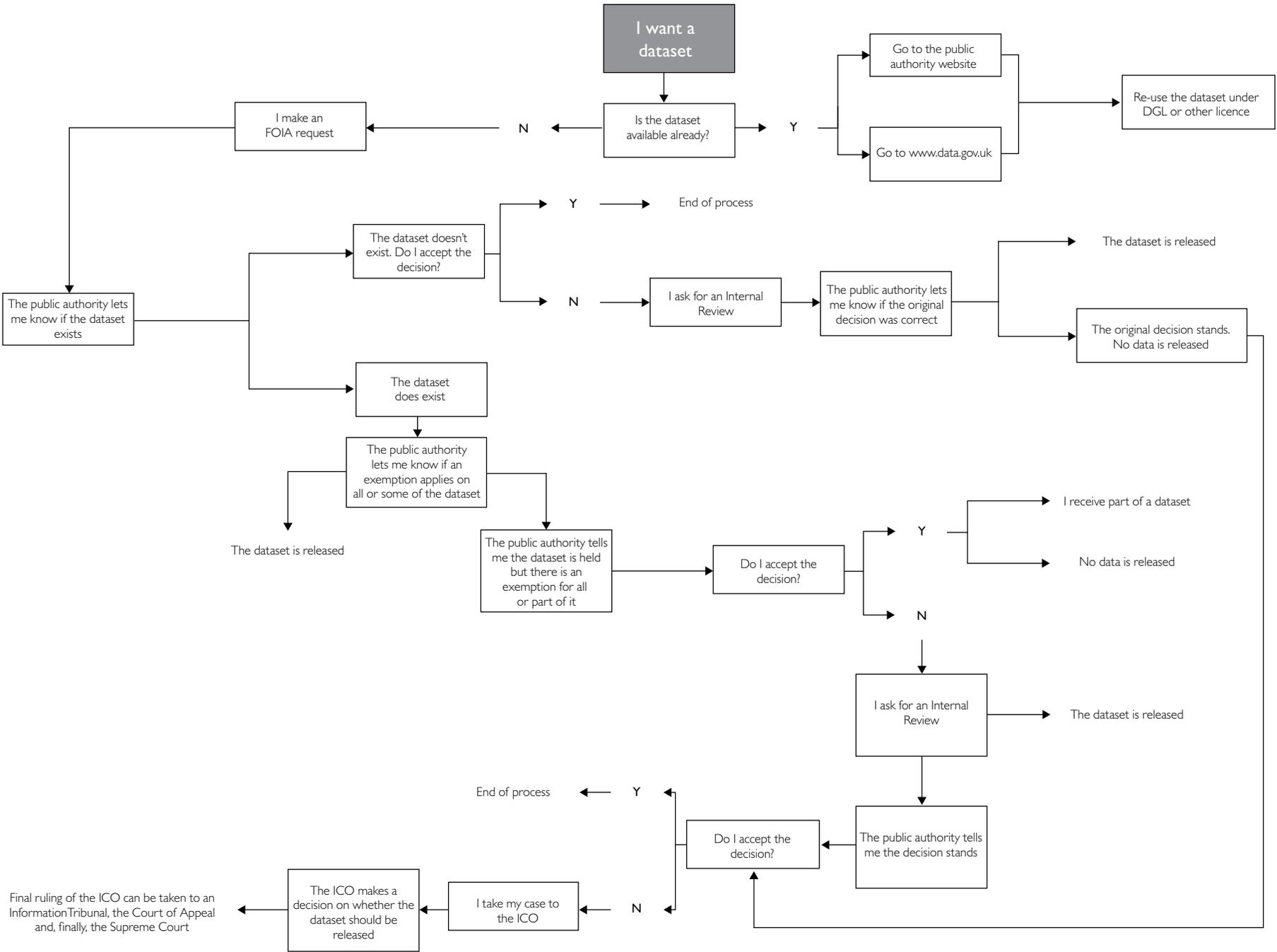
Undertake work to look at what constitutes unnecessary data collection; build on the government data review.	This work may be taken up by the Open Data User Group.
Weigh up the feasibility of placing data on one portal or sector-specific portals such as health.	The Government has announced its intention on the data inventory workstrand. We may look at the 'one portal' or 'sector-specific portals' options as part of the future development of this work.

Innovation with Open Data

Think of an incentive scheme that rewards organisations.	The Government will consider how best this can be achieved using the existing instruments in place such as www.data.gov.uk , the Open Data Institute and the Information Fair Trader Scheme.
Government should consider encouraging partnership schemes to stimulate the use of Open Data.	The Government has announced, through departmental Open Data Strategies, how each department can encourage the market. Also, the Open Data Institute will link up with businesses to help them use public data for their advantage.

Annex B

How to request data



Final ruling of the ICO can be taken to an Information Tribunal, the Court of Appeal and, finally, the Supreme Court



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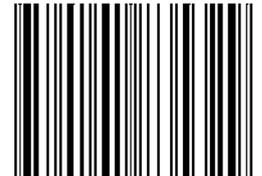
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