

# **Committee: Overview and Scrutiny Commission**

**Date: 30 April 2013**

Agenda item: 7

Wards: All

**Subject: Open Data and Transparency agenda**

Lead officer: Karin Lane, Head of Information Governance

Lead member: Councillor Mark Allison

Forward Plan reference number:

Contact officer: Karin Lane, Head of Information Governance

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## **Recommendations:**

A. That Members note the contents of this report.

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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1. To update the Overview and Scrutiny Commission on the council's progress with the government's Open Data and Transparency agenda, including the new requirement to publish datasets under the Protection of Freedoms Act 2012.

## **2 DETAILS**

2.1. The council already publish most of the information specified by the government's Open Data requirements. Work is in progress to publish the outstanding data of the council's organisation chart and a list of property assets. The current data published on the council's website includes:

- Spending over £500
- Senior employees salaries
- Job descriptions of senior staff
- Pay multiple
- Pay policy statement
- Payments to councillors – allowances and expenses
- Democratic data including the Constitution, minutes, decisions and election results
- The Business Plan, policies, performance, audit and inspections
- Finance data
- Link to Merton's contract register
- Payments to Voluntary Organisations

2.2. The Protection of Freedoms Act places a number of duties on public authorities with the aim to simplify the complex procedures around the

release of Government-held datasets so they can be requested and used by the public, and published on a regular basis.

- 2.3. Enabling open data release and ease of access to open data will support growth and innovation, contribute to local engagement with citizens, communities and business, and provide seed funding to create action.
- 2.4. To accompany the new dataset provisions the Information Commissioners Office will issue guidance on datasets and new fees regulations for the re-use of data sets to force. The guidance has not yet been published.
- 2.5. The guidance will also include information we are expected to routinely publish under the new model Publication Scheme, including a new eighth class of information for datasets. However compliance with this requirement is dependent on the outstanding guidance from the Information Commissioners Office.
- 2.6. Officers responding to Freedom of Information requests will be required to publish any dataset, in a re-usable format, on the council's website, that they disclose in a Freedom of Information request.
- 2.7. The DCLG Code of Recommended Practice for Local Authorities on Data Transparency recommends that publication should be in open and machine-readable formats and lists a 5 step journey to achieve this.
- 2.8. Merton Council has reached step 2 of the journey and step 3 should be reached by the summer. Benchmarking indicates that our progress is in line with other councils.
- 2.9. The new legislation suggests three licence options for charging for re-use, but strongly favours the open data licence, which enables free re-use.
- 2.10. With effect from April 2013, Merton Council now publishes an Information requests disclosure log. The disclosure log gives brief details of the requests received that week under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
- 2.11. The council's performance in responding to Freedom of Information requests is published on the council's website via the performance monitoring dashboard.
- 2.12. The number of page views on the council's website for the Open Data pages for 2012/13 are as follows:
  - Open data main page – 507
  - Open data spending – 474
  - Open data senior employees salaries – 583
- 2.13. The number of page views on the council's website for the Freedom of Information disclosure log since April 2013 is as follows:
  - Disclosure log – 24

### **3 ALTERNATIVE OPTIONS**

- 3.1. None for the purposes of this report.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. None for the purposes of this report.

## **5 TIMETABLE**

5.1. In line with the Information Commissioners Office guidance.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1. There may be an increase in workload for some officers in order to comply with the requirements to publish datasets on an on-going basis. This is likely to only affect a small number of officers and the benefit of publishing the datasets may lead to a decrease in related FOI requests.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. It is a requirement under the Protection of Freedoms Act 2012 to publish datasets.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. None for the purposes of this report.

## **9 CRIME AND DISORDER IMPLICATIONS**

9.1. None for the purposes of this report.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None for the purposes of this report.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

11.1. None for the purposes of this report.

## **12 BACKGROUND PAPERS**

12.1. The Code of Recommended Practice for Local Authorities on Data Transparency - DCLG

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