

Being Open to Open Data

So you're an FOI Officer or Information Governance type in the public sector. You've been dealing with FOI requests for years now. You know your stuff. You listen to ActNow's podcasts, you've been on their training courses, you've maybe got an ISEB. Colleagues have just about got used to the idea that when you ask them for information to answer a request they should provide it within 20 working days. Even the Chief Exec has stopped complaining about having to disclose his expenses.

It's tempting to think you can slip into Auto-Pilot, or at least focus all your resources on trying to avoid data breaches and improving your records management (good luck with that).

But no. Along comes the coalition Government and puts forward amendments to the Freedom of Information Act. The Protection of Freedoms Bill, currently beginning its progression through Parliament, includes amendments which will require public authorities to disclose requested datasets in a re-usable format where practicable, to publish these disclosed datasets (the first time effectively that Disclosure Logs will have the force of law behind them, if only for a subset of FOI requests), and to pro-actively publish datasets as part of our Publication Schemes. We will even be obliged to allow re-use under conditions to be specified in the Section 45 Code of Practice.

This isn't coming out of nowhere. The Guardian Newspaper has been pushing for an open data policy from Government for years now with some success before, and especially since the election. Francis Maude gave a speech back in October at the Conservative Party Conference explaining the thinking behind the plans for dataset disclosures:

“Thousands of commercial and social entrepreneurs have been frustrated by their inability to obtain and reuse datasets. I'm sorry to say that some councils spend time and money deliberately making data unusable to anyone else.”

Whether you agree with his comments or not, the game is changing. We need to get to grips with these new requirements sooner rather than later. The Protection of Freedoms Bill may well take some time to become law, but expectations have been raised.

So what are these datasets? The Bill defines them as

“information comprising a collection of information held in electronic form where all or most of the information in the collection—

(a) has been obtained or recorded for the purpose of providing a public authority with information in connection with the provision of a service by the authority or the carrying out of any other function of the authority,

(b) is factual information which—

- (i) is not the product of analysis or interpretation other than calculation, and
- (ii) is not an official statistic (within the meaning given by section 6(1) of the Statistics and Registration Service Act 2007), and
- (iii) remains presented in a way that (except for the purpose of forming part of the collection) has not been organised, adapted or otherwise materially altered since it was obtained or recorded.”

In practice, datasets are your raw data. In many cases their content will already be on your website or in your publication scheme. But they may well not be easy for others to use in their present form.

For example, there may be contact details for different departments in your authority spread throughout your website. But if someone wanted to create a smartphone app that directed users to the right department at your authority, they would want all of that contact data consolidated into one spreadsheet that they can then easily manipulate and put together with other data.

It's not just the publication of these datasets that is important if you want to get ahead in Open Data. It's the licensing of re-use. Like me, you probably became a little disillusioned about the Re-use of Public Sector Information Regulations which came into force back in 2005. Without leadership from Government, it was difficult to make much progress with their implementation. But we now have that leadership and more importantly a ready-made licence to govern re-use of our organisation's data. The National Archives' Open Government Licence (OGL) is being promoted for this purpose. If your authority adopts it, you'll be allowing re-use of the data that you apply it to by anyone who wants to, as long as they acknowledge the source. If you find that the OGL doesn't suit your purposes, there will undoubtedly be other similar licences made available for use across the public sector in due course.

Many public sector bodies have made significant progress already. As well as the Government Datastore at data.gov.uk, public sector bodies have started to form consortia to establish regional datastores, such as those of London and Greater Manchester. Local authorities like Wigan and Camden have pages or even whole websites dedicated to publishing datasets. The Open University and the University of Southampton have pioneered the publication of open data in higher education.

What's slightly alarming is that the work on this so far seems to be bypassing FOI Officers. This shouldn't be happening – we've built up a vast knowledge of the information and data held by our organisations. We know, more or less, what data can be disclosed without concern. We even have an existing infrastructure – our Publication Schemes – through which we can make the datasets available. We should have an established role as the champions of openness and transparency within our own authority. But most open data projects seem to be led by others.

So my plea to fellow FOI Officers is this. If your organisation already has an Open Data project, get involved. Make sure your voice is heard. At the very least ensure that the Open Data pages on your website link to your Publication Scheme and vice versa. If your authority has not yet made moves in this direction, use the Protection of Freedoms Bill as an opportunity. Lead from the front. Make the case to your management. Obtain approval to use the OGL. Get those datasets online.

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