

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	25 July 2011
Title:	Transparency
Reference:	3146
Report From:	<i>Chief Executive</i>

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1. Executive Summary

- 1.1. The purpose of this report is to update Cabinet on the progress made in relation to Open Data and Transparency in the last year. The paper outlines the information that the County Council has published to date including for example, spend data over £500, and outlines further areas that are under review or being developed.
- 1.2. The report also seeks Cabinet approval to a County Council policy statement (see Appendix 1) on Transparency.

2. Contextual information

- 2.1. Cabinet received a report on 25 October 2010 outlining the County Council's immediate priorities for the publication of open and transparent information in line with the Government's proposals for increasing Local Transparency.
- 2.2. Since October 2010 a number of statements have been made by Government ministers outlining their expectations of the types of information to be published and their content. The County Council has responded positively to these initiatives.
- 2.3. For example, in November 2010 the County Council began to publish details of its spend to suppliers over £500. This was three months in advance of the target date set by Government for publishing such details, i.e. end of January 2011.
- 2.4. Earlier this year the County Council consulted with its District Auditor on the approach to transparency it is taking and the information it has published to date.

3. Policy Statement on Transparency

- 3.1. The County Council recognises that by publishing more of the data that it holds, it will provide better information to the public about what it is doing.
- 3.2. The Policy that has been drafted outlines the County Council's approach to transparency and its commitment to openness.
- 3.3. The Policy is designed to ensure that future publication is undertaken in a consistent way, according to sound principles.
- 3.4. The key elements of the Policy are
 - a) A commitment to the principles of transparency and publication of information in a format that is meaningful and can be used and shared by others.
 - b) A recognition that accountability and transparency are two different things and that information requires context to be useful.

4. Publication to date

- 4.1. A number of key information sources have been published as open data in line with the direction set by Cabinet on 25 October 2010.
- 4.2. The County Council already published important information in respect of the democratic running of the local authority including the Constitution, election results, committee minutes, decision-making processes and records of decisions.
- 4.3. A dedicated page on the County Council's website has been provided that allows the public easy access to the data published (<http://www3.hants.gov.uk/opendata>). In addition, all data is also accessible through the government's open data website.

5. Member Information – Attendance and Register of Interests and Gifts and Hospitality

- 5.1. Details of Councillor attendance at meetings for 2009/10 (from the beginning of the new administration) were published straight after the October 2010 Cabinet meeting. Attendance data for the first half of 2010/11 followed soon thereafter and from January this year updates are now happening on a quarterly basis. Very few issues have arisen and Member confidence in the accuracy of the information is high.
- 5.2. Members Register of Interests and Gifts and Hospitality was also published immediately after the Cabinet meeting in October 2010. This information is available through the government's open data website and 2010/11 data will be updated within the next two months, following the annual review by Members.

6. Payments to suppliers over £500

- 6.1. Details of payments to suppliers over £500 were published in November 2010. This was well in advance of the government's deadline of January 2011. This information has been regularly and openly published on a month by month basis since November and has been the set of data that has been the most regularly visited by the public, the press and other interested agencies/organisations.

7. Senior officer salaries

- 7.1. Information on senior officer salaries has been available through the County Council's Statement of Accounts, which is published annually. Additionally, extracts from the Statement concerning Chief Officer remuneration and officer and school related salaries (by number) over £50,000 have been published on the open data section of the County Council's website, making the information more easily accessible. The District Auditor has been consulted regarding the adopted approach.
- 7.2. The adopted approach is consistent with the Government's stated transparency aims and will allow interested parties to both compare remuneration levels of our most senior managers with those of other Authorities, and compare year on year staffing levels at the County Council.
- 7.3. To improve the context further for senior salaries a pay policy statement has been drafted and was considered by the Employment in Hampshire County Council Committee at their meeting on 20 July 2011. The statement provides a clear outline of the County Council's approach to senior officer and all other staff remuneration.

8. Contracts

- 8.1. On 1st April 2011, the County Council began publishing summary details of the County Council's live contracts valued at £100,000 through the South East Business Portal's contract store (www.businessportal.southeastiep.gov.uk). The details of each contract which have been published includes: contract title, contract value, start and end dates and name of supplier(s). The first upload of data has resulted in over 400 separate contracts being published and made publically available through the Business Portal, with a link to the Portal available on the transparency page on Hantsweb.
- 8.2. Contract information is still being collated and checked for the County Council's remaining contracts managed by the Culture, Communities and Business Services and the Economy, Transport and Environment Departments. It is planned that all of these remaining live contracts and any new contracts which were let in April or May 2011 will be published on the portal within the next month. In order to keep the portal as up to date as possible, details of any new contracts let in the preceding period will then be published in the portal every six weeks.

9. Impact of Publication

- 9.1. A dedicated email for queries associated with the open data was put in place following the establishment of the Open Data and Transparency web page. This allows queries to be responded to in a consistent manner and improvements made as a result of queries. Since the publication of the first data set in November, we have received 17 queries on our open data.
- 9.2. The County Council tracks the number of times the web pages containing the different information sources is accessed. The number of visits to the open data pages of the website from launch on 1 November until the end of May was 9,609. The most frequently viewed information was the supplier payments information with 2506 “hits”. The information on Councillor allowances was the next most popular, with 775 “hits”, followed by Councillor gifts and hospitality, with 335 ‘hits’, and Councillor attendance data, with 308 “hits”.
- 9.3. One of the main drivers for increased publication of data was that the number of Freedom of Information requests that the County Council receives would reduce. It is difficult to gauge the impact that the publication to date has had on the number of requests but against a backdrop of year on year increases in Freedom of Information requests since 2007, there is no evidence to suggest that the publication of more information via the web is helping to decrease demand.
- 9.4. Whilst the overall Freedom of Information request trend to the start of this financial year showed an average year on year increase of 25% over the past 4 years, the number of requests for April and May were significantly up on the same period last year (142 v's 69) with demand from media and commercial organisations more than doubling. Although the publication of information has made responding to some queries easier and a number of process efficiencies have been implemented, central and departmental resources are being stretched to the limit, compromising our ability to deal with requests within the statutory deadlines.

10. Future direction

- 10.1. In addition to the work that has been highlighted in the report e.g. the pay policy, contracts disclosure etc, work is continuing to improve the exploitation of the data that the County Council holds in order to improve the targeting of services, enable management decisions to be made based on solid evidence, and help residents of Hampshire to be better informed about their area. A review of web pages in Hantsweb is also in train aimed at reducing the number of different web pages and ensuring those that remain continue to be clear and helpful.
- 10.2. It is important to remember that the County Council will also be a consumer of open data. It is expected that the use of data published by other organisations, set alongside that which the County Council already holds, will help inform decision making and service prioritisation.
- 10.3. In terms of Government, the Prime Minister and the Secretary of State for Communities and Local Government have both made recent

announcements about making further open data and transparency progress across the public sector in the coming 12 months. It is clear that some expectations expressed may require significant change of process and a subsequent resource burden, for example the publication of all contracts over £500. However, the County Council will continue to respond positively to the aims of such initiatives, whilst recognising the need to balance resources proportionately.

- 10.4. Although Local Government has largely shown the way in the past year, we will be expected to continue to increase data and information that can be used by the public and other stakeholders for the purposes of choice regarding services, and holding authorities and other public sector organisations to account in terms of performance and improved outcomes.
- 10.5. Lastly, the protection of Freedom Bill going through Parliament will have implications for the County Council. It links publication of open data to the Freedom of Information Act and adds provisions to publish open data as a result of requests from the public. Cabinet will be suitably apprised of the Bill's progress and its implications as appropriate.

11. Recommendation(s)

- 11.1. That Cabinet note the positive progress being made in relation to the disclosure of Open Data and Transparency in the past year.
- 11.2. That the Policy on Transparency appended to the report be approved.
- 11.3. That the rise in Freedom of Information requests is noted and that Cabinet is reappraised of the situation early in 2012 together with any associated changes in management arrangements that will have been recommended as part of the Corporate Service review outcome.
- 11.4. That Cabinet is apprised of any open data implications arising from the protection of Freedom Bill that is currently going through Parliament.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Local Transparency - Cabinet	<u>Reference</u> 2211	<u>Date</u> 25.10.10
Direct links to specific legislation or Government Directives		
<u>Title</u> Links to the Government's drive for Local Transparency	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. This has no direct impact.

2. Impact on Crime and Disorder:

2.1. This has no direct impact.

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

This has no direct impact.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

None

Hampshire County Council's Transparency Policy Statement

1. Transparency promotes accountability by providing the public with information about what the County Council is doing.
2. The greatest public benefit will accrue when information is provided in forms that can be easily accessed, understood and analysed. However, it is appropriate to take steps to reduce the risk that public trust will be undermined by inaccurate data or deliberate distortion.
3. The presumption of openness does not preclude the legitimate protection of information whose release would invade personal privacy, breach confidentiality or damage other genuinely compelling interests.
4. The starting point for all decisions to publish is the principles of the Freedom of Information Act 2000. The County Council recognise that the it has a responsibility to provide a right of access to the information that it holds. It also recognises that it has a duty of care towards the public, clients and staff where it holds information on them, including duties contained within the Data Protection Act.
5. In deciding whether to publish information the County Council will take into consideration whether it is lawful to release that information and whether the public interest in publishing that information outweighs the public interest in withholding it.
6. The publication of data is not a substitute to existing democratic scrutiny, it is a valuable addition. Information will be published subject to any relevant statutory consultation requirements.
7. Wherever appropriate, the County Council will provide background information alongside the data it publishes to put the information into context and aid understanding.
8. The County Council maintains a Publication Scheme that outlines the documents that it publishes. The County Council's website will be the prime site for publication of documents, with the current versions of documents maintained on its web site.
9. The County Council will make information as freely available as possible and make it available to reuse under the Open Government Licence for public sector information. Where information is considered confidential, its status will be regularly reviewed and published as soon as it is appropriate.
10. The County Council will aim to publish information in an open format that can be retrieved, downloaded, indexed and searched by commonly used Web search applications. In addition, it may also publish the information in easily printable versions. It will use its internet site as the method of publication.
11. The County Council will consider the government's Public Data Principles when making decisions on when and how to publish:
http://data.gov.uk/wiki/Public_Data_Principles

Further information can be found in the County Council's "How we Handle Information" fact sheet:
<http://www3.hants.gov.uk/factsheets/f3foi-dp.htm#foi>