

## REPORT TO CABINET

Title: **COUNCIL INFORMATION & DATA TRANSPARENCY**

Date: 27 May 2010

Member Reporting: Cllr Maxwell

Contact Officer(s): Anthony Kemp (Ext.6484)

Wards affected: All

### 1. SUMMARY

1.1.1 This report is asking Cabinet to note the progress being made in the Authority's moves towards greater transparency of information.

1.1.2 The report asks Cabinet to endorse a commitment to publish all information unless;

- The information relates to a commercial arrangement in negotiation.
- It is not publishable under the data protection act.
- It relates to the protection of vulnerable adults and children.

To be transparent is to be candid, open, obvious, understandable, and frank. RBWM believes that the act of transparency is a key condition and driver for the delivery of council services. Information would be published as supported by an RBWM policy on transparency, set out below:

- RBWM will provide access to the public for all appropriate information in order that they can use, investigate, interrogate and to use, usually but not exclusively within a web based environment.
- RBWM will not spend tax payers' money on presenting or collating this data. It will often be presented in a raw state with a relevant introduction as to its origins and purpose - to allow the user to understand where this data has come from, when it was posted and what it actually represents.
- If RBWM hasn't already provided the information that the public were asking for, RBWM will provide this information upon request, unless there is a substantive reason as to why we are not able to. By substantive reason we mean if there are direct, reasonable legal implications that would lead the council to break a statutory confidence, issues over personal information (especially medical or

safeguarding issues) or information about contracts in negotiation. The presumption will always be to disclose.

- For the avoidance of doubt all commercial information, including contracts, information around contracts and spending associated with bought in goods and services that is not currently in negotiation is to be transparent.
- RBWM will continue to look at new ways to ascertain how information is used by residents and what information is considered to be value by residents. This analysis will enable RBWM to target specific information at residents and others whilst not excluding information that may have a minority interest.

1.1.3 As a public funded organisation, the council has a duty to the residents that it serves to be transparent in its business operations and outcomes. RBWM recognises that the very act of transparency forces those employed at the council to question whether they are delivering value for money and are being effective in the provision of services to residents of the borough.

## 2. RECOMMENDATION:

2.1.1 **That a move to publishing all information within the conditions set out in 1.1.2 be agreed.**

What will be different for residents as a result of this decision?
Transparency is a core value of our organisation and we believe it will sustainably improve the delivery of services. Our residents will ensure our accountability.

## 3. SUPPORTING INFORMATION

### 3.1 Background

3.1.1 RBWM is endeavouring to place as much information in the public domain as possible. We were the first to publish all our spending over £500 online and recent work with partners Spikes Cavell means we are now in a position to make available detailed information via our website on how the council spends money and how we compare with other authorities. Furthermore this new service will allow local businesses and future suppliers to look at where we spend money enabling them to make decisions on whether to bid for work with the Council.

3.1.2 We publish online data from energy consumption meters <http://tiny.cc/s3q2y> to expenses <http://tiny.cc/8d39l> to our complete expenditure (Spikes Cavell pilot).

3.1.3 All our service units are continuing to publish information on RBWM's website in a structure that has been provided by the Information Commissioner's Office.

3.1.4 The Information Commissioner's structure sets out classes of information that we make our own information available under. These are:

- Who we are and what we do.
- What we spend and how we spend it.
- What our priorities are and how we are doing in achieving these.
- How we make decisions.
- Our policies and procedures.
- Lists and Registers.

This remains a work in progress and we continue to publish more information in this way.

3.1.5 Requests for the publication of information through the Freedom of Information Act have steadily grown. In 2009 RBWM received and processed 677 requests – early indications for 2010 already suggest the figure will be exceeded. Our ultimate aim is to be able to exempt (i.e. not have to process) as many information requests as possible by ensuring the information is readily available already.

## 4. OPTIONS AVAILABLE AND RISK ASSESSMENT

### 4.1 Options

	Option	Comments	Financial Implications
1.	<b>Recommended:</b>  The agreement to publish all information as set out in the report is approved.	This will ensure a clear overview of how published information will be managed.  This would support and give confidence to residents around transparency	None
2.	Do nothing		None

### 4.2 Risk assessment

4.2.1 N/A

## 5. CONSULTATIONS CARRIED OUT

5.1.1 N/A

## 6. COMMENTS FROM THE OVERVIEW AND SCRUTINY PANEL

6.1.1 Noting the Panel's previous concerns about the possible use or publishing of data provided by residents for purposes other than those understood when the

data was provided, Cabinet should be encouraged to support the recommendation, including the presumption that data will be published, provided that doing so does not contravene the restrictions identified in the paper, including the requirement to be fully compliant with data protection legislation.

## 7. IMPLICATIONS

7.1.1 The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	N/A	N/A	N/A	N/A

Background Papers: None