



ADVISORY PANEL
on Public Sector Information

ADVISORY PANEL ON PUBLIC SECTOR INFORMATION

Date: Wednesday 27 July 2011
Time: 11:00am-4:05pm
Venue: Steel House, Ministry of Justice

Attendees:

Chair	Professor David Rhind CBE
Members	Keith Dugmore, Expert Member John Ponting, Expert Member Phillip Webb, Expert Member Hilary Newiss, Expert Member Michael Nicholson, Expert Member Shane O'Neill, Expert Member Prabhat Vaze, Expert Member Patricia Seex, Expert Member Dean White, Expert Member Paul Longley, Expert Member Hugh Neffendorf, Expert Member Robert Barr, Expert Member
Non-members:	Oliver Morley, Chief Executive and Keeper, The National Archives Carol Tullo, Director of Information Policy and Services, The National Archives Jim Wretham, Head of Information Policy, The National Archives John Williams, Standards Manager, The National Archives Beth Brook, Business and Policy Manager, The National Archives Paul Edwards, APPSI Secretariat, The National Archives Ruth Ford Ruth Ford, Online Editor, The National Archives Rosie Jaffer, Office of Fair Trading Daniel Caistor, Office of Fair Trading Cass Chideock, Cabinet Office

1. Welcome, introductions and apologies

- The Chair welcomed members to the 31st meeting of APPSI.
- Apologies of absence were received from Michael Jennings, David Lammey, Hector MacQueen, Bill Oates, Neil Ackroyd, Peter Wienand, Duncan Macniven.
- The Chair welcomed the new members recently recruited to the Panel: Dean White, Paul Longley, Robert Barr, Hugh Neffendorf and Duncan Macniven.

2. Minutes and actions of the last meeting

- The Panel approved the minutes of the last meeting on 03 May 2011 as a correct record. Outstanding actions from the previous meeting were discussed:

Item 2.1 ACTION (from 16/09/2010 meeting): APPSI's statistical expert agreed to keep the Panel up to date on developments with Royal Mail and the Postal Address File.

Status: Francis Maude spoke to the Locus Association (27 May 2011), during which the issue of PAF was raised. The conclusion was that ‘addressing is unfinished business’ but this was not expounded upon. There is ongoing speculation regarding the privatisation of Royal Mail and the future of PAF. Ministers are aware of this, as well as the Transparency Board. This is a policy issue spread across many different areas of government.

Item 4.1 ACTION: The National Archives to circulate draft revised version of UK Government Licensing Framework to members following the meeting.

Status: Completed (circulated 6 May 2011).

Item 8.2 ACTION: Bill Oates to provide an update for Wales following the meeting.

Status: Ongoing.

Item 8.5 ACTION: The Chair, John Ponting and The National Archives Web Team to ensure incorporation of clear independence statement on APPSI web pages.

Status: Completed.

Item 8.6 ACTION: (Items for APPSI meetings 2011) APPSI members to email the Chair with issues considered important for future agendas.

Status: Ongoing. Chair to raise with members .

Item 9 ACTION: (public task documentation) APPSI members to submit any comments [on public task papers] to the Chair, who will collate and feed back to The National Archives.

Status: Completed.

3. Update from The National Archives

Carol Tullo, Director of Information Policy and Services, The National Archives, provided APPSI with an update on the following:

3.1 Transparency and Open Data

- Making Open Data Real: A Public Consultation and the consultation on a data policy framework for the Public Data Corporation will be published over the next few days (published 04 August 2011). The Transparency and Privacy Review will publish in August.
- Prime Minister’s second letter on transparency and open data was sent out to departments on 07 July 2011, committing to publishing key data on the National Health Service, schools, criminal courts and transport. This formed part the launch of the Open Public Services White Paper, (published 11 July 2011).
- Sector Transparency Boards are being set up. See William Perrin’s blog (26 July 2011) on the Crime and Justice Sector Panel and membership <http://talkaboutlocal.org.uk/local-crime-data-crime-and-justice-transparency-panel-terms-of-reference/>. The government is convening the boards in several areas of public policy to help drive forward work on open data in greater detail than the central transparency board could manage.
- Francis Maude held a launch event on Government Transparency to herald the letter and the Opening Up Public Services paper at an event at the Institute for Government (07 July 2011). Colleagues from The National Archives and several APPSI members attended this event. Government announced that this represents the most ambitious open data agenda of any government anywhere in the world.
- Organograms: the organisation data from across government have been harvested and made available through a visualisation supported by the Linked Data API. There is a press release and links from the Number 10 website.
- Protection of Freedoms Bill timing: Report Stage is expected later in year due to Parliament timings.

3.2 Public Data Corporation

- “Mechanics” of Government changes were announced 18 July 2011: Ordnance Survey, the Met Office and HM Land Registry moved to the ministerial responsibility of the Department of Business, Innovation and Skills (BIS). [Include url to statement]
- 3.3 Licensing – UK Government Licensing Framework (UKGLF)
- UK Government Licensing Framework, Version 2.0 launches on 29 July 2011 [add url reference]. Government Computing magazine will be running an article. The revised framework will:
 - make it suitable for use to meet UK obligations under INSPIRE;
 - include a non-commercial government licence;
 - provide greater clarity on third party copyright issues;
 - provide detailed guidance on licensing where charges are applied;
 - advise use of open source licences for software and source code;
 - Next steps on the licensing front are:
 - Launch of Open Parliament Licence in August.
 - Drafting a developer licence for use in the context primarily of INSPIRE;
- 3.4 Open Government Licence (OGL)
- Over 214 local authorities have adopted the OGL.
 - Other governments adopting OGL as model:
 - Germany (Geographic Information Commission)
 - South Korea
 - Government of British Columbia - The Open Government Licence for Government of B.C. Information was adapted from the UK Government's Open Government License, with the permission of the UK National Archives. <http://www.newsroom.gov.bc.ca/2011/07/open-data-signals-new-direction-for-bc-government.html>
 - Regional Municipality of Waterloo, Ontario, in Canada - a municipality of approximately 500,000 citizens in the Province of Ontario, Canada- is establishing an "open data" webpage and sought permission to adapt Open Government Licence for use on their webpage with an acknowledgement recognizing that that license is adapted from the Open Government Licence.
 - Other adopters are Reegle, the Clean Energy Information Portal (based in Austria), and the University of Southampton Open Data Service.
- 3.5 Regulation
- Work with Regulatory Partners: The revised Memorandum of Understanding with the Office of Fair Trading publishes 29 July 2011. This reflects close cooperation between The National Archives and the Office of Fair Trading.
 - APPSI Complaints Report: The deadline for implementation of the recommendations made in Philip Webb’s review into the PSI complaints process is 1 October 2011. At that stage, The National Archives will publish the revised procedures, a summary of implementation and frequently asked questions.
 - Derived Data: OS provided a quarterly summary of derived data exemption requests. Six requests were received during the last quarter, one of which related to Royal Mail intellectual property. Of the others, exemptions were approved including those for Natural England, Cambridgeshire, Lewisham and Tower Hamlets.
 - Verifications: Ordnance Survey has been re-accredited to the Information Fair Trader Scheme and the verification report published 22 July 2011, <http://www.nationalarchives.gov.uk/documents/information-management/ordnance-survey-ifts-report.pdf>.
 - The IFTS re-verification of the Driver and Vehicle Licensing Agency took place from 19-21 July 2011. DVLA is no longer a Trading Fund but an Executive Agency.
 - Public Task: The principles and criteria were circulated to the practitioner group and key stakeholders the guidance has been revised and will be re-issued in August.

- Exceptions to Marginal Cost Pricing: The National Offender Management Service has been approved as an exemption to the marginal cost norm and has been granted a delegation of authority. The application was approved for software developed in house, for training services and consultancy.

3.6 International

- New Australian Government Open Access and Licensing Framework (AusGOAL) site is now online: <http://www.ausgoal.gov.au>. Baden Appleyard's My Blog post launching AusGOAL is at: <http://blog.ausgoal.gov.au/2011/07/07/launch-ausgoal-is-online/>. The AusGOAL YouTube Channel is here: <http://www.youtube.com/user/AusGOALgovau>.
- A summit between international PSI colleagues has been planned as a number of contacts are expected in UK and Europe in October.

3.7 Europe and PSI

- Danish Presidency point: Re-use of public data is a major theme of Denmark's Presidency of EU (starting 1 January 2012) and so briefing to UK ministers on PSI later this year will occur.
- It is anticipated that the European Commission will make an announcement in November as to whether the PSI Directive will be revised and its remit reviewed.
- The Commission launched a call for tenders for the implementation of a European Commission Data Portal www.data.gov.eu. The idea is to develop a portal as a single point of access to datasets produced and held by the Commission and other European public sector organisations. The closing date is 19 September. The link is: http://ec.europa.eu/information_society/policy/psi/open_data/call_tenders/index_en.htm.
- Curtis Cartwright study into re-use of public sector information in Europe's cultural sector. The final report has now been accepted and published by the Commission, and is available from: http://ec.europa.eu/information_society/policy/psi/docs/pdfs/report/cc462d011_1_1final_report.pdf

3.8 INSPIRE

- The Scottish Government hosted the INSPIRE Conference 2011 in Edinburgh, which was a success with 700 delegates. Nigel Shadbolt gave a well-received session. The National Archives also provided two workshop sessions on licensing and public task.
- 800 INSPIRE datasets are now on data.gov.uk.
- The EC is running tests on national data and have found a 90% error value in the UK metadata. It has transpired, however, that the EC testing process is invalid.
- The next INSPIRE deadline is November 2011, with stringent performance criteria. The next steps are to mobilise all Annex III data holders and providers. This in part should test how well one's own data sets are aligned with the INSPIRE data specifications, and help identify different methods and technical options for data transformation.
- The data specifications from the EC are less clear and are broader than the UK had hoped.
- The MyEnvironment web service business case is progressing. It needs to fit with data.gov.uk and the single government website work.

3.9 Legislation Services

- Legislation.gov.uk: New functionality continues to be released on legislation.gov.uk, such as blending in Explanatory Notes to legislation, draft legislation feeds, welsh language search, and themed lists to support Government's new Red Tape Challenge that is totally reliant on our statistics and content.
- Expert Participation Model: the Chancellor cited the first outputs from the Expert Participation project updating tool in his Treasury Select Committee evidence earlier this month on financial services.

3.10 Other policy activity

- Hargreaves Review: There are a number of recommendations arising from the review around including copyright limitations and exceptions, collective licensing and the setting up of a new Digital Copyright Exchange and orphan works and preservation copying. (<http://www.ipo.gov.uk/ipreview-finalreport.pdf>) The National Archives are working with the lead at the Intellectual Property Office.
- Digital Economy Act implementation: (against online piracy) and next steps for tackling online copyright infringement – watching brief. (<http://www.culture.gov.uk/images/publications/Next-steps-for-implementation-of-the-Digital-Economy-Act.pdf>)
- The Public Bodies Bill received its second reading in the House of Commons and the consultation paper on The National Archives and the public bodies bill has been published on the Ministry of Justice's website <http://www.justice.gov.uk/consultations/index.htm>.

3.11 Discussion

- The derived data section of the UKGLF recognises the need for agreement from all parties for the use and re-use of derived data. The National Archives are monitoring the issues arising around derived data and derived data re-use requests to IFTS members. The UKGLF provides high level guidance and a process is in place to ensure derived data is not a blocker to re-use.
- One member commented that the revised policies on derived data are very helpful and ‘drive a coach and horses’ through any superficial arguments relating to third party intellectual property which hinder re-use requests. However IPR issues have arisen around publicly-funded data (as opposed to publicly-owned data) and these need further exploration and clarification. One example of this is transport data where many public utility datasets are no longer in the public sector domain, but are arguably needed for public use. This was referenced recently in the Guardian (<http://www.guardian.co.uk/news/datablog/2011/aug/17/rail-fares-rise-revenue-data>) and some data is beginning to be opened up, such as that of Network Rail. The publicly-funded data and intellectual property rights issues have implications on contracts and public sector procurement.
- The Chair agreed that it would be very useful to cover the enhanced UKGLF policies at a future APPSI meeting, especially that on derived data.

ACTION: The National Archives to raise discussion on derived data monitoring processes and principles, as well as some real life examples of the process.

ACTION: APPSI to discuss new sections and wider policies added to UKGLF, particularly that on derived data, at future meetings.

ACTION: The National Archives to draw a distinction between a URL and URI definitions in UKGLF (Status: Completed: Jim Wretham Head of Information Policy at The National Archives, confirmed that they set out two distinct terms in the glossary;

URI

Uniform Resource Identifiers (URIs, also known as URLs) are short strings or characters that identify resources in the web: documents, images, downloadable files, services, electronic mailboxes, and other resources. They make resources available under a variety of naming schemes and access methods such as HTTP, FTP, and internet mail addressable in the same simple way.

URL

A Uniform Resource Locator (URL) is a type of URI that identifies a resource via a representation of its network location.

3A. Update from the Cabinet Office (extra agenda item)

Cass Chideock, Transparency Strategy and Culture, Cabinet Office

3A.1 Open data consultation

- The publication of the open data consultation, *Making Open Data Real*, is planned for the next few days. The consultation asks a number of questions around the levers government should use to move to a more open and transparent culture. The annexes in the document look at six benefits cases which cover: accountability, choice, productivity, quality and outcomes, social growth and economic growth. Cabinet Office will be engaging more closely over the next six weeks with stakeholders.

3A.2 Growth Review – Phase 2 – Open data strand

- The second phase of the HM Treasury Growth review was launched on 9 June 2011. It includes an open data strand of work which will assess the economics of open data and the opportunities for government. The review is due to report around the Autumn Statement.

3A.3 Discussion

- The Chair asked whether Cabinet Office regarded ‘open data’ as free (i.e. data made available at no cost). The Cabinet Office regards open data as that made available freely under the Open Government Licence. APPSI members raised the important point, that the definitions of what is meant by “open” or “free” needs to be absolutely clear.
- Government recognises that there will be a charge for some data (not ‘open’), but the balance is shifting to a presumption of open data. Where there are exemptions, these need a business case which balance short term costs and long term benefits. The emphasis should be about releasing value outside of government.
- Transparency and the use of data will not be at the expense of privacy or confidential data. It was recognised that a simple statement cannot address all the aspects and nuances of these concerns and data holders need to take responsibility for preserving privacy and confidentiality. The forthcoming independent Transparency and Privacy Review will discuss some of these issues.
<http://www.cabinetoffice.gov.uk/news/transparency-and-privacy-review-announced>
- One member raised concerns about equating open data with free. There are difficulties with getting ‘closed’ data released and the cost of doing so also complicates matters further.
- The health sector uses three tiers of definition for its level of accessibility and openness: public data, controlled data (paid for) and confidential data.
- The Public Data Corporation consultation document will focus on high level data policy rather than on any structure, governance or regulatory framework for a PDC. The Chair outlined some dialogue he had had with the Shareholder Executive which indicated that the particular nature of the PDC was yet to be confirmed although a Board was to be established. Many decisions were to be made before the end of the year.
- Those running the economic review of open data (the Growth Review work) are anxious to harness much user feedback from the industry. The Review had set up a number of industry groups for this purpose.
- An increase in open data may well damage a limited number of current business models and could remove current market opportunities based on ‘closed’ public sector information. The emphasis needs to be on significantly enhancing the citizen benefit from open data where the such commercial benefit is lost. Government should assess and consider damage to business models inside and outside of government in its review. It is however difficult to argue that the status quo should be maintained for any small group which benefits from the legacy position.

- An understanding of the impact of moving to open data is necessary through having metrics for identifying citizen benefit and wider market efficiency. The Growth Review should take this into account and acknowledge as complementary to indicators on short term market loss.
- The Prime Minister's letter on transparency and open data earlier in July concentrated on open data as a citizen benefit only and did not cover other dimensions of public sector information such as choice and accountability. The government needs to take the economic benefits and growth case into account.
- The Chair argued for the usefulness of a review of data.gov.uk and its effectiveness over the last 18 months as a learning exercise to tune future actions. Cabinet Office agreed that this will be forthcoming in the future.

4. APPSI website

Ruth Ford, Online Editor, The National Archives

4.1 Presentation

- The APPSI website has been decommissioned as part of the government web estate rationalisation. The APPSI pages have been integrated into pages on The National Archives website. Ruth Ford and John Ponting oversaw this transition. Ruth showed the new APPSI pages on the The National Archives site to the Panel in this session, explaining that main content had been migrated but content from the old site was still accessible through the UK Government Web Archive. Any links to the old site would automatically redirect to that content on the web archive. This means that APPSI has not lost any web content through the process and the new pages have simplified APPSI web content.

4.2 Discussion and questions

- Website visit statistics are available for the old and new web pages through a dashboard operated and maintained on a monthly basis. The APPSI Secretariat will circulate these monthly website statistics for APPSI sites to members regularly.
- The members' page and register of interests section has decreased in its number of pages but the content still requires editing to differentiate between current and previous members.
- The Chair thanked Ruth and John for simplifying and transitioning the new site, without losing anything of substance.
- Ruth requested that, if anyone had any questions, comments or feedback, to please contact her or Paul Edwards.

ACTION: Membership page content needs editing (previous members need putting into Alumni section) to reflect current membership.

ACTION: APPSI Secretariat to circulate website statistics (from TNA 'dashboard' published monthly) for APPSI site to members regularly.

ACTION: The National Archives and the APPSI Secretariat will review the delineation between The National Archives pages and APPSI pages in left hand side grey navigation box, and to consider making APPSI pages of the site more defined with use of logo.

5. Competition and the Office of Fair Trading regulation

Rosie Jaffer and Daniel Caistor, Office of Fair Trading
(PowerPoint presentation on APPSI website)

5.1 Presentation

- The purpose of this session was to provide clarity on Office of Fair Trading's (OFT) tools and legal framework and showcase some of OFT's recent publications and thinking in the public markets area that may be of interest and relevance.

- The OFT, the Office of Public Sector Information (OPSI) and The National Archives have a long and rich history of working together, which is underpinned by a Memorandum of Understanding, policy development (for example, with the Commercial Use of Public Information (CUPI) market study) and support with Information Fair Trader Scheme (IFTS) complaints. The relationships overlap and there is no clear delineation as to the most appropriate power or authority. A revised Memorandum of Understanding clarifies, strengthens and simplifies the process to recognise the most appropriate form of regulation for public sector information matters.
- OFT's mission is to make markets work well for consumers through a number of mechanisms. The benefits of competition are well recognised and chime with current economic and political climate. The dual competition and consumer remit allows OFT take a holistic approach to its work and the wide range of remedies at its disposal allows action in a flexible and proportionate manner.
- Tools used include:
 - Enforcement interventions (criminal action and imposing financial penalties and other sanctions on companies under competition law)
 - Market tools and analysis (market studies, responses to [Super-Complaints](#), referring possible market abuses to the Competition Commission for investigation, monitoring, enforcing and reviewing orders and undertakings)
 - Merger control (reviewing information and referring any relevant mergers to the Competition Commission for further investigation, monitoring, enforcing and reviewing orders and undertakings); and
 - Advocacy, advice and education (raising awareness and advising policy makers, informing consumers, business education and compliance, UK and international policy work).
- The [presentation](#) covered the following:
 - Integration of competition issues into the policy cycle at various stages, such as economic assessments and evaluation of impact in market change
 - Theory of Harm and OFT prioritisation principles
 - The competition law framework, including key aspects and terms of competition law (such as 'undertaking' and 'abuse')
 - Useful resources and relevant recent publications
 - Creating new markets from public information
 - Choices in public services markets and level playing fields
 - Activating consumer's key to competition.

5.2 Discussion

- Crown bodies cannot be treated in the same way as other bodies in respect of powers of the Competition Commission and the Enterprise Act. Crown bodies cannot be referred to the Competition Commission but the OFT can enforce under the Competition Act.
- There is an OFT interest in the Public Data Corporation and any potential monopoly issues. OFT intends to look more closely at this issue.
- The Cabinet Office's consumer empowerment strategy looks to address some of the questions around moving to a culture where the public want to provide information rather than having it imposed on them.
- Where the public sector acts commercially, it should be subject to a particular set of mechanisms and tools. An essential element of this is the definition and implementation of public task and public good. How these are done provides scope for differential treatment. In this context, there is clear need for accounting separation.
- The difference in enforcement powers between the public and private sector comes down to a question of SGEI (services of general economic interest) in competition law.
- The recommendations from the CUPI market study which were not directly implemented have been superseded. The public sector information landscape has changed so much that some recommendations would no longer imply. CUPI was groundbreaking and its recommendations have been signed off through a clear auditable process. The six-monthly progress reports from Department of Business, Innovation and Skills chart it being overtaken by a number of other

initiatives, papers and reviews, such as the Power of Information, the Cambridge Study and the Ordnance Survey policy options consultation.

- OFT provide intelligence and challenge to government and are beginning this process with Cabinet Office and HM Treasury with the ‘economics of open data’ strand of the Growth Review.
- The Panel was interested in where competition law applies to public sector information for non-Crown bodies (such as health bodies and NHS organisations) where the public sector is setting up pseudo-commercial undertakings to trade amongst each other and thereby excluding the private sector. Further work is needed in this area.

6. Roundtable discussion: Open Government, Transparency and PSI – APPSI engagement

6.1 There are numerous initiatives, reviews, papers and developments in public sector information policy, such as those relating to open government and transparency. Two relevant consultation papers, on open data in government and a data policy framework for the Public Data Corporation, will be published shortly. How best can APPSI engage and influence these developments and issues?

6.2 Discussion

- APPSI has a definite role to play in the public sector information landscape. The National Archives’ role been to provide expert opinion throughout the policy process. APPSI is well-placed to provide expert opinion and industry view throughout the process. Most recent papers and developments in this area have been fast moving. The key is making sense of it all and acting as a hub of knowledge and expertise. Specific (and sought) advice provided by APPSI on particular aspects would be more effective than offering general views.

6.2.1 Transparency and public data

- There is a concern and view that the emergence of all the many documents on transparency and public data will create a confused environment. APPSI should input and offer clarity on this and produce a coherent response to what may well be a not completely coherent view from government.
- The agenda of open data has moved so far towards transparency and beyond the scope of public sector information in some ways. APPSI should focus on the establishment and data policy framework of the Public Data Corporation and the Growth Review open data strand, as these initiatives are more specific to APPSI’s terms of reference.
- There is an illusion of transparency being created through the deluge of data. There needs to be well-documented and freely available core reference data sets to make sense of this deluge. Standards and metadata are needed and the next drive should be for standards, quality and meaning.
- APPSI should definitely input into the formative stages on consultation.
- Transparency is key – government is focussing on opening up management in government and performance information for the transparency agenda. This indicates that open data – seen from from the politician’s point of view - is opening up management data.
- Government should focus on achieving clear data format, quality and metadata standards across government and assess cost -benefit analysis of managing its information as well as possible.
- An increasing challenge comes from private sector information contributing to and being co-mingled with public sector information; there needs to be clear policy for managing that.
- The Management Boards set up under Lord Brown may be a route for feeding in evidence on better techniques in public sector information policy and management.

6.2.2 Growth Review – economics of open data strand

- APPSI members expressed concerns that there is no obvious way of contributing to the Growth Review open data strand and would wish to engage with this review. Five industry groups have been set up to focus on how money to be made from public data. The review needs a number of expert economists to set up a rigorous analytical framework for this area, so as not to displace other businesses.

- APPSI should input into the Growth Review by communicating important principles which should be heeded, for example, on the use of consumer economics to drive public policy and on benefits of revenue creation.

6.2.3 Conclusion

- APPSI should be actively involved in and respond to both of the consultations. APPSI's responses should be coordinated for the September APPSI meeting. Members should each submit their top ten themes (high level and across the board) emerging from both papers to the Secretariat by 31 August 2011, who will collate and pass to the Chair. Sub-groups should then be created to draft short papers on each theme ahead of next meeting.
- Between this meeting and September, APPSI should try to feed in to the Growth Review.

ACTION: APPSI Secretariat to send links out to all papers and documentation coming out across government over next few weeks.

ACTION: APPSI members to consider two consultation papers (*Making Open Data Real: A public Consultation* and *A Consultation on Data Policy for a Public Data Corporation*) and to submit their views by top ten themes emerging from both papers by 31 August 2011. Members should feed into APPSI Secretariat to collate to pass to the Chair. (Views are to be kept high level and across the board).

ACTION: The Chair will propose sub-groups on each major theme emerging from APPSI views of the consultations. The sub groups would then draft short papers ahead of the next meeting and send to the Secretary for wider dissemination. NB It is recognised that this is a tight timetable but these papers should be regarded as focusing our discussions on 13 September; since we hope to have both Cabinet Office and Shareholder Executive present we may change our views as a result of discussions before finalising our submissions.

7. APPSI Updates

7.1 Items for next agenda

- The Chair and Panel put forward the following suggestions as items for the next agenda.
 - Consultation responses to *Making Open Data Real: a Public Consultation* and *A Consultation on Data Policy for a Public Data Corporation* (for next meeting, 13 September 2011). Chair to invite Cabinet Office and Shareholder Executive officials to take part.
 - Derived data monitoring processes and policy and enhanced UKGLF policy elements.
 - Statistics and the Office for National Statistics – outputs from the review of skills and needs in the Government Statistical Service. Could it herald a move to openness?
 - Beyond 2011 census project

ACTION: APPSI members to discuss consultation documents at next meeting. This should be raised with Cabinet Office and Shareholder Executive and representatives invited to take part in the discussions.

7.2 News from the Minister

- The appointment of new members to the Panel was agreed by the minister, Lord McNally.
- Lord McNally's responded to the letter sent by the APPSI Chair following the last meeting. The minister received the letter very positively and found it informative and helpful.

ACTION: APPSI Chair to continue to brief Minister on major issues raised in APPSI meetings and correspondence.

7.3 PSI in Scotland, Wales and Northern Ireland

- All representatives from Scotland, Wales and Northern Ireland were absent from the meeting with apologies. David Lammey representative for Northern Ireland kindly provided a written update for members, as per annex A.

ACTION: Scotland, Wales and Northern Ireland representatives to circulate any relevant updates on PSI issues in their administrations to Panel members.

8. Any other business

8.1 Health and Social Care data provisions

- The Health and Social Care Bill, currently passing through Parliament, contains data provisions. The next stage is the House of Commons Report Stage in early September 2011. APPSI should review the provisions and any potential significance to the PSI agenda.

ACTION: Hilary Newiss and Dean White to investigate data situation in the Bill with APPSI Secretariat and to come back to APPSI with a note or proposal for a discussion if appropriate.

8.2 data.gov.uk

- News from the user front for the data.gov.uk website was offered by a Panel member. Keith Dugmore has had a useful meeting with Antonio Acuña, the new Head of data.gov.uk in Cabinet Office. The site has 6000 datasets, some of which are useful. Some of those datasets previously unused are now being used, and some which were previously charged for are now available free of charge. There have been concerns raised about finding datasets, which will be addressed by more geotagging. The idea of using Google to search the datasets on the site has been rejected due to licensing issues, although the specifics of these issues are not clear. Much value could be added to data.gov.uk through greater feedback from the user community and PSI contacts.

APPSI members noted a circulated blog from Jonathan Raper, a well-known developer, complaining that much of the open data to date was static and that much better use could be made by enabling access to real time (e.g. transport) data.

8.3 Data quality

- There should be more focus and debate on the Sir Tim Berners-Lee view about ‘raw data now’ and the balance in benefits between publishing raw data immediately and producing documented and standardised quality data later.
- There is a need for a publishing schedule setting out where and when updates for specific data and datasets are to be released. Another user ideal would be to have access to change logs for particular data sets. The PSI community and key players in the public sector need to think about the whole spectrum, from raw data to published, and to quality assured data. There are also apparently hurdles to overcome for the public sector in releasing data where public policy relies on it. Often it needs ministerial clearance before its release. Quasi-public, quasi-private data are especially contentious in this respect.
- APPSI members were concerned that various different terminologies were now emerging (e.g. Open data, PSI, raw and derived data). Some were synonyms, some not. It was argued that we needed a coherent and robust conceptual model of PSI and its types plus appropriate and widely accepted terminology – or at least some underlying broader principles.

ACTION: The Chair asked Robert Barr to draw up some thoughts on such a typology and terminology.

8.3 Extension of Freedom of Information

- One member commented that it might be useful to look into the extension of scope of FOI bodies and how it relates to the PSI Directive and Regulations. Access is separate to re-use but the two areas can easily be (and have been) blurred. In the government consultations there seems to be a move back to clarity and separation and this needs to be monitored.

8.4 Internet Governance Forum (IGF) PSI workshop, 30 September 2011

- An on-line workshop on ‘Public Sector Information online: towards a Global policy framework’ will take place at the Sixth Annual meeting of the Internet Government Forum (IGF) in Nairobi (27-30 September 2011). The workshop will take place on 30 September 2011 (09:00-10:30 (Nairobi Time)). Its aim is to develop and address the conclusions reached at IGF5 Workshop 120 (‘Public Sector Information Online: democratic, social and economic potentials’). Remote participants are invited to attend. The workshop outline and proposal was included in members’ papers for the meeting. The Head of Information Policy at The National Archives will participate remotely and feed back to APPSI members. Further information can be found at: <http://www.intgovforum.org/cms/>.

Date of next meeting

The next meeting will be held 13 September 2011 at Room 1.26, Steel House, Ministry of Justice, 11 Tothill Street, London, SW1H 9LJ.

APPSI 27 July 2011

NORTHERN IRELAND UPDATE

Policy developments: the Protection of Freedoms Bill

1. Building on the requirement for public authorities to maintain Publication Schemes under the Freedom of Information (FOI) Act 2000, the Bill introduces a right to request datasets; it also commences the FOI provisions in the Constitutional Reform and Governance (CRaG) Act 2010 regarding the reduction of the '30-year rule' to 20 years. Both matters are of cross-departmental interest in Northern Ireland. The purpose of the provisions is to extend FOI rights by requiring datasets to be available in a re-usable format; and to reduce the point at which official records are released into the public domain from 30 years to 20 years - the measure to be phased in over ten years.
2. Earlier this year following correspondence with Lord McNally, the First Minister and deputy First Minister agreed to use the opportunity provided by the Protection of Freedoms Bill to extend the FOI Act amendments contained in the CRaG Act 2010 to Northern Ireland public authorities, ie, the provisions to reduce the '30-year rule' to 20 years. Under the Memorandum of Understanding between the UK Government and the Northern Ireland Executive a positive Legislative Consent Motion (LCM) is necessary for these provisions, as they apply to Northern Ireland, to be included in the Protection of Freedoms Bill.
3. Following correspondence with Francis Maude, the First Minister and deputy First Minister agreed in principle to bringing forward a LCM in order to adopt the 'right to data' provisions in the Protection of Freedoms Bill. A final decision was dependent on sight of the relevant clause (92). The clause and associated documentation were obtained; however, there was insufficient time to consult further with Executive colleagues and with the OFMDFM Committee prior to the dissolution of the Assembly.

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