



Open Data Consultation  
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27<sup>th</sup> October 2011

Dear Sirs

**Response to Consultation: 'Making Open Data Real: A Public Consultation'**

I am writing on behalf of The Market Research Society (MRS) in response to the above Cabinet Office consultation. No part of the MRS submission needs to be treated as confidential.

With members in more than 70 countries, MRS is the world's largest association representing providers and users of market, social, and opinion research, and business intelligence. All individual MRS members and MRS Company Partners agree to self-regulatory compliance with the *MRS Code of Conduct*. Full details regarding MRS and its activities can be found via: [www.mrs.org.uk](http://www.mrs.org.uk)

MRS has an advisory board, the MRS Census and Geodemographics Group (CGG), which recommends MRS policy in relation to geographic, demographic and census information and which has advised MRS in the formulation of this response. CGG has been operating continuously for the last twenty years and has been a leading voice representing business users. It includes members with experience in the creation and use of population statistics, census data and geographic information. MRS and CGG have worked with the UK Census Offices, via the Office for National Statistics (ONS), representing the needs of the research sector in consultations on the 1991, 2001 and 2011 censuses.

MRS and CGG welcome the commitment of Government to the principles of Open Data and transparency. We believe the commitment to improved accessibility of data will provide long term benefits to the wider economy. We support the concepts of an enhanced 'right to data' and 'a presumption of publication' and the view that the best way to make use of the tradition of creativity and invention is to 'give the data away'. We note the caveats of preservation of privacy and protection of personal data, which we fully support.

We have attached an Annex that contains our responses to the specific questions in the consultation document. We have only addressed questions which are relevant to our field of interest. In our responses we have primarily focussed on the aspects most relevant to the business interests that we represent, and less on the direct relationship between citizens and government. Our comments should be considered in conjunction with the MRS and CGG response to the more detailed Public Data Corporation consultation.

Below we have highlighted issues that MRS and CGG consider particularly important.

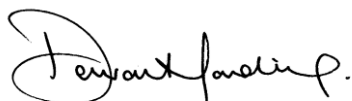
- Data produced for the public task should in principle be free. In cases where charging could be justified this should be fair and affordable, with simple licence conditions.

- We think that the scope of the Open Data initiative should take a top-down approach, questioning the way that existing data suppliers such as trading funds work and looking at solutions from a 'fresh start' perspective.
- We believe that the Open Data model should encourage development of products and services in the private sector. We believe that the competitive market provides an environment for the development and marketing of more efficient, innovative and relevant products. We do not believe that the public sector can so effectively achieve these aims.
- We believe that it is important to remove barriers to development that have existed, such as complex and restrictive licensing, excessive charging and unfriendly formats. Effective use of data is greatly enhanced in many cases by availability at low geographical levels, such as Output Area, with a well balanced and perhaps more realistic approach to disclosure control. Complete UK coverage is very important in many cases.
- We would stress the importance of supply of appropriate metadata with datasets, especially when data of imperfect quality is made available.

In summary, MRS and CGG believe that Open Data can supply benefits across all sectors of society and the economy. However, we think that it crucial that innovation and enterprise is allowed to flourish to fully reap those benefits.

Please do not hesitate to contact me if you require clarification regarding this submission.

Yours sincerely

A handwritten signature in black ink that reads "Debrah Harding".

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Enc. - Annex: The Market Research Society (MRS) and MRS Census & Geodemographics Group (CGG): Responses to the Consultation's questions

## **ANNEX**

### **The Market Research Society (MRS) and MRS Census & Geodemographics Group (CGG): Responses to the Consultation's questions**

#### **Questions for consultation (page 6)**

1. *Do the definitions of the key terms (on page 5) go far enough or too far?*

MRS and CGG believe these definitions provide clarity to the overall framework of the consultation and are a good starting point.

2. *Where a decision is being taken about whether to make a dataset open, what tests should be applied?*

MRS and CGG are of the view that the most important test should be an assessment of potential use and benefits to the economy and/or society, balanced against costs enabling the value for money to be measured. There should however be the presumption of publication, unless there are credible reasons against this.

3. *If the costs to publish or release data are not judged to represent value for money, to what extent should the requestor be required to pay for public services data, and under what circumstances?*

In principle, MRS and CGG think that data within the public task should be Open data and should be free.

However, if the area of interest is limited to a particular user (or small user base), then for existing data it could be acceptable for a small charge for the marginal cost of supply. If the data did not exist, it may be necessary to impose a reasonable charge for production and supply. This could work in a similar way to the Census commissioned tables following the 2001 Census.

4. *How do we get the right balance in relation to the range of organisations (providers of public services) our policy proposals apply to? What threshold would be appropriate to determine the range of public services in scope and what key criteria should inform this?*

MRS and CGG believe that thresholds could relate to the size of the potential user base for public services; typical areas being health, crime, deprivation, income, transportation etc.

A key issue for many private sector users is national (UK) coverage – this may in some cases require co-ordination of Local Authorities.

5. *What would be appropriate mechanisms to encourage or ensure publication of data by public service providers?*

MRS and CGG are of the view that clear justifications for the data should be a requirement, supported by credible projections of usage and benefits, assuming that there is in place balanced mechanisms for assessing the merits of each case. This may require intervention by an empowered Information Commissioner or ministerial intervention.

#### **Policy Challenge Questions (Section 8, page 22 onwards)**

##### ***An Enhanced Right to Data Questions (Page 25)***

1. *How would we establish a stronger presumption in favour of publication than that which currently exists?*

MRS and CGG believe that this would require stronger Ministerial level of encouragement and enforcement of policy possibly via the Information Commissioner.

*2. Is providing an independent body, such as the Information Commissioner, with enhanced powers and scope the most effective option for safeguarding a right to access and a right to data?*

MRS and CGG are of the view that effective regulation to ensure safeguarding a right to access and a right to data is absolutely necessary and the Information Commissioner with enhanced power and clear independence seems to be a sensible way to do this. In MRS's response to the PDC consultation we have stressed the need for strong independent regulation to ensure delivery of Open Data objectives through the PDC.

*3. Are existing safeguards to protect personal data and privacy measures adequate to regulate the Open Data agenda?*

MRS and CGG believe that safeguards such as the Data Protection Act (plus disclosure controls where necessary) are sufficient. Indeed, government offices have perhaps in some cases been too cautious, focusing on small or obscure risks of disclosure, whilst giving much less weight to utility, benefits and value.

*4. What might the resource implications of an enhanced right to data be for those bodies within its scope? How do we ensure that any additional burden is proportionate to this aim?*

There could obviously in some cases be significant costs in making available further data – the additional burden being variable. In looking at the proportionality to aim, MRS and CGG believe that the 'right to data' is paramount in itself – in addition to benefits accruing.

In any case, there are some cases where data already exists with low resource implications (examples would be Land Registry and even Ordnance Survey).

We do not think that there is serious 'additional burden' from the production and supply of statistics Output Area level where the data already exists at higher geographical levels. There is investigation of many administrative sources along these lines carried out for 2011 Census Quality Assurance, and the Beyond 2011 project.

*5. How will we ensure that Open Data standards are embedded in new ICT contracts?*

MRS and CGG consider this question outside our remit.

### **Setting Open Data standards (Page 28)**

*1. What is the best way to achieve compliance on high and common standards to allow usability and interoperability?*

MRS and CGG believe that a Code of Practice based on the Public Data Principles would be an excellent basis for a formal framework. We think that the Government Statistical Service with their cross government presence could play a leading role in spreading good practice and maintaining the targeted standards.

However, we support the publication of imperfect data (particularly when there is no immediate improvement likely), but it is crucial that it is accompanied by metadata explaining the shortcomings in quality or coverage.

*2. Is there a role for government to establish consistent standards for collecting user experience across public services?*

In terms of individuals accessing their own records, MRS and CGG believe that this is outside our remit.

For non-personal datasets, we think that user engagement and feedback should be vigorously pursued even when it proves difficult. Consistent standards are useful, but should not be restrictive and preclude other methods.

*3. Should we consider a scheme for accreditation of information intermediaries, and if so how might that best work?*

MRS and CGG can see some merit in this proposal to ensure that intermediaries maintain the consistency in standards. There are precedents such as Census distributors.

However, it is important that resellers do not create barriers between suppliers and ultimate end-users but focus on production of value-added data.

### ***Corporate and personal responsibility (Page 30)***

*1. How would we ensure that public service providers in their day to day decision-making honour a commitment to Open Data, while respecting privacy and security considerations.*

MRS and CGG are of the view that ensuring balanced day to day decision making results from good top-down management. All involved should be aware of the wishes of the minister and top management for commitment to Open Data within the restraints and management control (and the Information Commissioner) must ensure on-going compliance.

*2. What could personal responsibility at Board-level do to ensure the right to data is being met include? Should the same person be responsible for ensuring that personal data is properly protected and that privacy issues are met?*

MRS and CGG believe that personal responsibility is acceptable, but good top down management must ensure that the 'right to data' principle is maintained.

We see merit in the Caldicott model of having one senior person responsible for both confidentiality and data sharing to provide more efficient operation, but would caution on the need to maintain the confidentiality safeguards.

*3. Would we need to have a sanctions framework to enforce a right to data?*

If this means regulation, MRS and CGG agree in strong independent regulation.

*4. What other sectors would benefit from having a dedicated Sector Transparency Board?*

This sounds like a good idea, but MRS and CGG would stress that it should have a strong driver of users' needs - rather than the supplier organisations.

Areas relevant to market research might include sectors such as Land and Property and Social Statistics.

### ***Meaningful Open Data (Page 31)***

*1. How should public services make use of data inventories? What is the optimal way to develop and operate this?*

The meaning of this question is not entirely clear. However, MRS and CGG think that it is crucial that public service data suppliers creating inventories of data available, but these must be designed to help end-users (with user friendly search capability), particularly avoiding too much complexity for new users. We think that there should be a centralised inventory with links to individual datasets.

*2. How should data be prioritised for inclusion in an inventory? How is value to be established?*

MRS and CGG believe that a central portal is the best approach so that data discovery happens in a single place with links to the actual location of datasets. We think that data should be prioritised by the extent of potential use and benefits, and hence value. It should be possible to grade topics (and datasets) on a scale such as wide application through to minority interest.

It may be sensible for government to partially prioritise data (at least initially) based on policy drives and measurements of public service performance, but user demand must be a strong driver.

We think that the development of data.gov.uk is a good start to the process.

*3. In what areas would you expect government to collect and publish data routinely?*

The areas of interest to MRS members and MRS Company Partners would include address registers, mapping data, transportation data and data from organisations such as Land Registry, VOA and Companies House. It is important that data be available at the lowest geographical level possible (such as Output Areas). Specifically the National Address Register should be available free or at reasonable cost.

We would also point out the importance of data maintenance and updates for up-to-date information and the benefits that can often be achieved from the revelations of time series data.

*4. What data is collected "unnecessarily"? How should these datasets be identified? Should collection be stopped?*

MRS and CGG consider this question outside our remit.

*5. Should the data that government releases always be of high quality? How do we define quality? To what extent should public service providers "polish" the data they publish, if at all?*

MRS and CGG believe this is a very important issue; 'fitness for purpose' and timeliness should guide the level of quality required. 'Polishing' of data may often in this context be an unnecessary and costly luxury, unless meaningful benefit results.

As we have mentioned previously in response to other consultation questions, in cases where it was sufficiently fit for purpose we support the publication of imperfect data (without waiting for what may be small improvements), but it is crucial that it is accompanied by metadata explaining the shortcomings in quality or coverage so that users can make a decision as to the data usability.

We would again state that a good maintenance and update regime is important to ensure the quality of data.

**Government sets the example (Page 33)**

*1. How should government approach the release of existing data for policy and research purposes: should this be held in a central portal or held on departmental portals?*

MRS and CGG believe that it is important to consider that the majority of users are likely for many purposes to consider 'government' as a single entity. As we have said in response to other consultation questions, we support the idea of a central portal as the best approach so that data discovery happens in a single place with links to the actual location of datasets. This supplies a consistent high profile user interface. A good, imaginative search engine is essential and all datasets should include comprehensive metadata.

Again, we think that the development of data.gov.uk is a good start to the process. The development of a new central portal must not delay the release of data.

*2. What factors should inform prioritisation of datasets for publication, at national, local or sector level?*

As mentioned in response to other consultation questions, MRS and CGG believe that data should be prioritised by the extent of potential use and benefits, and hence value. For the private sector, publication of data at the lowest possible geographical level (such as statistics at Output area level) will very often produce a significant upgrade of effectiveness. Much of the potential value of data is destroyed if information is only available at high levels (such as Region or Local Authority).

As stated, it should be possible to grade topics (and individual datasets) as having wide application through to minority interest and in terms of benefits achievable.

*3. Which is more important: for government to prioritise publishing a broader set of data, or existing data at a more detailed level?*

MRS and CGG would judge that it is a higher priority to publish as much as possible of existing data at a more detailed level (we have mentioned statistics at Output Area level).

We also think that it is a priority to review the charging for some of the data that is currently charged with a view to making it free or marginal cost. Specific cases would be to extend the Open Data range of Ordnance survey products and to make the National Address Register available free (or at affordable cost) to the private sector.

### ***Innovation with Open Data (Page 36)***

*1. Is there a role for government to stimulate innovation in the use of Open Data? If so, what is the best way to achieve this?*

MRS and CGG believe that the best way to encourage innovation and increased data use is for raw data to be free and easily accessible. It is generally accepted that private sector developers in a competitive environment, with free or reasonably priced data, will produce innovative, market driven and efficient products and value-added services appropriate to the needs of end-user applications. The efficiency of development is enhanced by good data quality, appropriate metadata and removal of barriers such as complex licensing and excessive charges.

Innovation will also be stimulated by available of new technology data, such as real-time transportation data.