Office of the Information Commissioner
Queensland

the Australia and New Zealand
School of Government

# Transparency in Practice

## The United Kingdom Experience

**Occasional Paper No. 4**

**Andrew Stott**

The Queensland Office of the Information Commissioner and the Australia and New Zealand School of Government are collaborating on a partnership to identify the ways in which transparency can augment quality public administration. The Occasional Paper series is part of the partnership program.

Report prepared for the Australia and New Zealand School of Government
August 2012

## About the Australia and New Zealand School of Government

ANZSOG is a world-class centre providing cutting-edge research and tailored learning opportunities for future leaders of the public sector. ANZSOG's purpose is to encourage improved public sector leadership, decision-making, policy outcomes and performance for the benefit of the community. ANZSOG plays a crucial role in promoting public service as a vocational profession of great social value to the public interest.

ANZSOG has three core functions –

(1) To provide executive education development including the Executive Fellows Program for senior executives and the Executive Master of Public Administration degree for mid-career government officials;
(2) To produce a high-quality teaching case study collection available for training and executive development (currently around 150 cases are available for use); and
(3) To undertake an active research program investigating topics of immediate relevance to public sector managers.

ANZSOG is pleased to be associated with endeavours to improve public sector governance at both the conceptual and practical level to benefit social outcomes. We welcome the contributions included in this occasional paper series as part of our mission to deepen knowledge and understanding of government and to disseminate that understanding throughout the community.

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## About the Queensland Office of the Information Commissioner

The Information Commissioner is appointed by Governor in Council and reports to the Legal Affairs and Community Safety Committee of the Queensland Legislative Assembly. The aim of the Office of the Information Commissioner is to be Queensland's independent, influential and practical authority on information rights and responsibilities. Its statutory functions are designed to foster an open culture in the public sector.

The key services of the Office are:

- Foster improvements in the quality of practice in right to information and information privacy in Queensland public sector agencies;
- Promote the principles and practices of right to information and information privacy in the community and within government;
- Independent, timely and fair review of decisions made under right to information and information privacy legislation;
- Independent and timely privacy complaint resolution service.

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## About the series

The Queensland Office of the Information Commissioner and the Australia and New Zealand School of Government are collaborating on a partnership that draws together a broad network of policy-makers, practitioners and leading academics.

The partnership is designed to build awareness of the impact of transparency and its utility as a public sector management tool. Drawing the connections between the new approach to information management brought about by the right to information reforms, research and practice we hope that the series will foster a more open public sector culture.

The Occasional Papers explore the available evidence base, point to areas that would benefit from more research and study, draw new insights and begin to define what transparency looks like as a tool. They also provide practical tips about when, where and how transparency can best be applied to current public administration challenges.

Written by academics, public servants or other experts, the papers bring together research and practice. All the papers have been critically appraised by a group formed for that purpose. The authors of the papers were included. Particular acknowledgement for their contributions go to Professor John Wanna, Professor Michael Di Francesco, and Office of the Information Commissioner staff Ms Rachael Rangihaeata, Mr Justin Toohey, and Mr Steve Haigh, who kept this project on track with great care and skill.

We trust that you find the Occasional Papers stimulating and thought provoking. All papers in the series are published on the ANZSOG and OIC websites.

Professor Allan Fels AO

Dean

The Australia and New Zealand School of Government

Julie Kinross

Information Commissioner

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## About the author

Andrew Stott was the UK's first Director of Transparency and Digital Engagement and created data.gov.uk. He was formerly the UK's Deputy Government Chief Information Officer and his public service career included policy, finance and strategic information technology roles in the UK Cabinet Office, Department for Social Security, Department for Transport, and Prison Service. He graduated from the University of Cambridge having studied Mathematics and Law. Since his retirement in 2010 he has continued to advise the UK Government as a member of its Transparency Board as well as advising other Governments bilaterally and as a senior consultant with the World Bank.

This paper has been written in a personal capacity.

The author wishes to thank Julie Kinross, Steven Haigh, Justin Toohey, Professor John Wanna, Dr Nicholas Gruen and Chris Taggart for helpful comments on earlier drafts.

## Information Commissioner's foreword

This paper is part of a series examining the impact of transparency and how it can be used as a strategic management tool. The utility of transparency as part of the public sector manager's tool-kit has not been clearly articulated. This is hardly surprising when confidentiality and anonymity have been ingrained in the public service culture. This series is aimed at objectively evaluating the available evidence as to whether openness can be a far more powerful tool than secrecy in serving the public interest. Where transparency can be used as a tool, the series also identifies the practical application and the lessons learnt so far.

One of the objectives of Freedom of Information legislation was to 'democratise' information held by government. FOI was an end in itself. The effective exercise of the entitlement to vote is dependent upon there being a free flow of information to the electorate about government decisions and activity. The Independent FOI Review Panel, chaired by Dr David Solomon, found that a major barrier to effective FOI implementation was the public sector's culture of secrecy. Recent national and international FOI reforms are designed to shift the public sector information management culture from 'closed' to 'open'. Public sector information is now commonly legislated as open to the public unless contrary to the public interest.

Public sector information is increasingly recognised in legislation as a community asset or national resource. Public sector information can also be a strategic asset. Public sector managers are charged with achieving important economic, social and environmental goals

effectively, efficiently, economically and ethically. This series of papers is designed to show how this strategic asset can be used as a means to the end: effective policy implementation while minimising costs to the taxpayer. In the series there are papers that show the impact of transparency in improving public sector performance, productivity, implementation, integrity and innovation.

This paper examines the United Kingdom experience of implementation of the UK Government Transparency Policy. The paper discusses a number of issues the UK Government encountered, such as development of standards for consistent and comparable reporting, accessibility of data and the role the community and industry can contribute to effective transparency implementation. The paper concludes that transparency has made a difference, and that publication of data is having a material effect on the behaviour and culture of public officials. Expense claims for senior civil servants dropped by 40-50% since they were first published in 2009. Energy consumption reduced by 15% as a result of publishing real-time energy consumption information. Being able to justify public sector behaviour and decisions to the community has become particularly relevant in the 'age of austerity'. As one councillor commented, "cost transparency helps all of us eliminate waste … only the reckless can see waste and do nothing".

In 2012 it is sometimes asked, "What is the next big thing in public administration?" I hope the answer will be "Transparency".

**Julie Kinross**
**Information Commissioner (Qld)**

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## 1. The UK Government transparency policy

In its Coalition Agreement[1] the United Kingdom government formed after the 6 May 2010 General Election made unprecedented commitments to transparency through the use of Open Data. There were specific commitments for public bodies to publish online the job titles of all staff, the salaries and expenses of senior officials, organisation charts, government and local authority contracts and tenders, individual items of spending by central government departments and local authorities, and local service and performance data. A letter[2] from the Prime Minister on 31 May 2010 set implementation dates for the release of specific collections of data - none to be longer than 8 months - and also committed the additional release of HM Treasury's COINS database, full information on all overseas aid/international development projects and crime data.

While many governments make a general pledge to "transparency", the specific nature of the pledges in the 2010 Coalition showed a detailed and systematic approach towards opening up data about the detailed transactions of government.

## 2. Origins of the policy

*2.1 The development of data.gov.uk*

The policy represented in the Coalition Agreement can be traced back to two distinct evolutionary paths. First, the growing movement for "Open Data".

*(i) The growing movement for "Open Data"*

In the UK this certainly can be seen as represented by the 2007 *Power Of Information* report[3]. This had been commissioned by the previous Labour government to "explore new developments in the use of citizen- and state-generated information in the UK" including "what can be done to improve the way government and its agencies publish and share the data they already have?", and to present an analysis and recommendations to the Cabinet Office Minister.

The authors were Ed Mayo, then Chief Executive of the National Consumer Council and Tom Steinberg, Director of MySociety[4], a not-for-profit organisation whose "mission is to help people become more powerful in the civic and democratic parts of their lives, through digital means." This report surveyed a number of the emerging issues and opportunities for the UK Government around "Web 2.0", in regard both to the use of social media and to the emerging capability among activists to use government data to make "mashups" and recommended: "To ensure the most appropriate supply of information for re-use,

[1] http://www.cabinetoffice.gov.uk/news/coalition-documents
[2] http://www.number10.gov.uk/news/letter-to-government-departments-on-opening-up-data/
[3] http://webarchive.nationalarchives.gov.uk/20100413152047/http://www.cabinetoffice.gov.uk/media/cabinet office/strategy/assets/power_information.pdf
[4] http://www.mysociety.org/about/

government should consistently apply its policy of marginal cost pricing for 'raw' information to all public bodies, including trading funds".

However by April 2008 only gradual progress had been made and a new Parliamentary Secretary at the Cabinet Office, Tom Watson, appointed a "Power of Information Taskforce"[5] to help him drive forward the recommendations of the original Power of Information report. Its chairman was Richard Allen, then the European Public Affairs Directors of CISCO and a former Liberal Democrat MP (and now a Liberal Democrat member of the House of Lords). The task force included both public officials in a personal capacity and external activists, including Tom Steinberg one of the authors of the original report. Among other activities the Taskforce ran one of the first ever "Application Contests" called Show Us A Better Way[6]. This asked for ideas about which government data should be released and how it could be used, and generated hundreds of entries[7]. Among the winners was a proposal[8] "Where does my money go?" from Jonathan Gray of the Open Knowledge Foundation. This in turn evolved into http://wheredoesmymoneygo.org/, covering UK public spending and providing a model which has been adapted by activists in other countries[9].

The Power Of Information Taskforce reported[10] in February 2009. Among its recommendations was:

> "The Government should ensure that public information data sets are easy to find and use. The government should create a place or places online where public information can be stored and maintained (a 'repository') or its location and characteristics listed (an online catalogue). Prototypes should be running in 2009."

Also in February 2009, Sir Tim Berners-Lee, the inventor of the World Wide Web, gave a TED Talk[11] which made the case for government to release "raw data now". Shortly after this, Berners-Lee attended a dinner[12] with then UK Prime Minister Gordon Brown. According to the Guardian newspaper, Brown asked Berners-Lee: "What's the most important technology right now? How should the UK make the best use of the internet?" When Berners-Lee replied: "Just put all the government's data on it." Brown simply said: "OK, let's do it."

At the same time UK politics was dominated in April and May 2009 by revelations about the expenses claims of British Members of Parliament. An unredacted copy of the database of expense claims was obtained by a British newspaper, the Daily Telegraph, and over a period of weeks details of individual MPs' claims were published. As a result, all the major party leaders pledged themselves to greater transparency and, in a statement to the House of Commons on 10 June 2009 Prime Minister Brown announced a package of measures to increase government transparency including looking at broadening the application of

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[5] http://webarchive.nationalarchives.gov.uk/20100413152047/http://www.cabinetoffice.gov.uk/newsroom/news_releases/2008/080401_taskforce.aspx
[6] http://webarchive.nationalarchives.gov.uk/20100807004350/http://showusabetterway.co.uk
[7] http://www.guardian.co.uk/technology/2008/nov/06/free-our-data-government
[8] http://webarchive.nationalarchives.gov.uk/20100807004350/http://www.showusabetterway.co.uk/call/2008/07/where-does-my-2.html
[9] And by the OKFN itself for Italy: http://blog.okfn.org/2011/04/19/where-does-italys-money-go/
[10] http://webarchive.nationalarchives.gov.uk/20100413152047/http://poit.cabinetoffice.gov.uk/poit/
[11] http://www.ted.com/talks/tim_berners_lee_on_the_next_web.html
[12] http://www.guardian.co.uk/technology/2010/jan/21/how-official-data-freed

Freedom of Information to include additional bodies to bring greater transparency and accountability to them. This would progressively reducing the time taken to release official documents for historical purposes, and:

> "….so that Government information is accessible and useful for the widest possible group of people, I have asked Sir Tim Berners-Lee who led the creation of the World Wide Web, to help us drive the opening up of access to Government data in the web over the coming months."[13]

This initiative led to the launch of data.gov.uk on 21 January 2010[14] with more than 2500 datasets. This was widely welcomed at the time[15]. The objectives of the data.gov.uk programme were threefold: transparency, the improvement of public services (see for instance the Smarter Government White Paper[16]) and economic and social growth. The economic and social growth arguments had been articulated since (at least) the Power of Information Report, and could indeed be traced back to the EU Reuse of Public Sector Information Directive 2003. However, the imperatives for greater transparency after the coverage of Parliamentary expenses provided substantial political impetus to increase pace and delivery into the project.

*(ii) The Conservative Party policy on Transparency*

The second evolutionary path can be traced to developments before the 2010 Election within the Conservative Party. At a local level a number of Conservative-led local authorities had radically increased the amount of "transparency" data published, including the Greater London Authority[17] and Windsor and Maidenhead Council. The Greater London Authority was the first to publish individual items of expenditure, down to £1000. In Windsor and Maidenhead Council Councillor Liam Maxwell, the Lead Member for Policy and Performance, had from early 2009 led a programme of increased transparency. This started with the publication of a quarterly statement of the total payments made to each supplier. By the end of 2009 this programme had expanded to cover: every piece of expenditure over £500 (subject to some exceptions); real time information on how much energy was being used in public buildings; information on which meetings Councillors attended and which they missed; and every expense claim by councillors. Writing in November 2009 Maxwell described[18] the objectives of this programme as:

- "By being open we will receive more open communication back from our residents, which means we can meet their needs more effectively."

[13] http://www.readwriteweb.com/archives/uk_launches_open_data_site_puts_datagov_to_shame.php
[14] http://webarchive.nationalarchives.gov.uk/20100304041448/http://www.cabinetoffice.gov.uk/newsroom/news_releases/2010/100121-data.aspx
[15] See for instance: http://www.guardian.co.uk/technology/datablog/2010/jan/21/government-free-data-website-launch?intcmp=239
http://www.readwriteweb.com/archives/uk_launches_open_data_site_puts_datagov_to_shame.php
[16] "Putting the Frontline First: smarter government" December 2009 http://www.official-documents.gov.uk/document/cm77/7753/7753.pdf
[17] http://www.london.gov.uk/who-runs-london/greater-london-authority/corporate-governance/gla-procedures/expenditure
[18] http://conservativehome.blogs.com/localgovernment/2009/11/windsor-and-maidenhead-has-nothing-to-hide.html#tp

- "Transparency of our systems helped people remember to turn off equipment every night. When we installed the energy smart meters our consumption went down by 15% overnight. *Our colleagues have told us that knowing the data is there is enough of an incentive."* (author's emphasis)
- "Cost transparency helps all of us eliminate waste – because if we can all see it we can all do something about it. Only the reckless can see waste and do nothing."

Also in mid 2009 George Osborne, the Conservative Party's finance spokesman, was reported[19] to have complained that he had been denied access to the Treasury's central database of public expenditure - although the Government said that he had not asked for it. This led to a number of others to request the COINS database under the Freedom of Information Act 2000[20], which the Treasury refused at the internal review stage and was potentially open to appeal at the time of the 2010 Election (see below).

In October 2009 the Conservative Party engaged Tom Steinberg, one of the authors of the Power of Information Report as an (unpaid) adviser and in March 2010 the party published a "Conservative Technology Manifesto"[21]. Among other commitments it said that a future Conservative government would require publication online of every item of central government and Quango (arm's length body) spending over £25,000 – including every contract in full; all government tender documents for contracts worth over £10,000; every item of local government spending over £500 – including every contract in full; the names and salaries of all central government and Quango managers earning over £150,000 per year[22] and the salaries of the 35,000 most senior civil servants; full details of expense claims and meetings with lobbyists by senior civil servants; and the salaries of senior officials in local councils and expenses claims by councillors.

An additional motivation for the Conservative Party would have been their objectives to improve civil service efficiency and to reduce the UK's fiscal deficit faster than the previous Labour government. In this view the Transparency commitments do not stand by themselves but need to be seen alongside other commitments, such as controls on senior pay, the tighter control of IT projects and the centralisation of purchasing, which were other parts of the emerging programme for government and which have been carried forward in parallel. Although publication of data was not strictly necessary to achieve implementation of these other commitments, publication would have been seen as a means of focussing internal and external attention on costs of government operations and on civil service pay. This was seen as helping create a climate which generated both self-restraint and greater self-questioning by the civil service and an evidence base against which specific control measures would be easier to justify.[23]

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[19] http://www.ft.com/cms/s/0/8b1da26c-65d5-11de-8e34-00144feabdc0.html#axzz1xV1l1Hjg
[20] http://www.legislation.gov.uk/ukpga/2000/36/contents
[21] http://www.guardian.co.uk/politics/2010/mar/11/conservatives-technology-manifesto-public-spending?intcmp=239
http://www.guardian.co.uk/politics/2010/mar/11/conservative-technology-manifesto,
[22] Then the official salary of the UK Prime Minister
[23] See for instance Francis Maude's article of November 2010:
http://www.guardian.co.uk/commentisfree/2010/nov/19/francis-maude-government-data-published

What is harder to see is any linkage between the development of the Conservative Party's Transparency Commitments and the preceding two decades of "classical" transparency policy in the UK leading to the Freedom of Information Act 2000 and its implementation. The UK was relatively late among the parliamentary democracies to implement a Freedom of Information Act, and both politicians and former civil servants have recently been regretting its extent[24]. It is notable that no attempt was made to link the Transparency commitments to the Freedom of Information Act or to say that they would be implemented by amending that Act. Indeed some of the architects of the policy seem to have concluded that the Freedom of Information Act had been ineffective in opening up data, including the data which they sought, and that different measures were required. Indeed The Conservative Technology Manifesto promised legislation without mentioning the Freedom of Information Act:

> "We will legislate to enforce the freedom of government data. We will create a powerful new "Right to Government Data""[25] (author's emphasis)

It is also hard to see much direct linkage between the Transparency policy and the 2009 MPs' expenses scandal - Ministerial, councillor and official expenses certainly featured in the Transparency commitments, but only as a relatively minor category of expenditure (for instance "salary and expenses") rather than as a centrepiece of the policy. The thinking behind the Transparency policy, and the early implementation of it in some local authorities in early 2009, appear to have pre-dated the media storm of April-May 2009 about the MPs' expenses.

## 3. Implementation of the new Government's commitments

*3.1 Overall implementation planning*

The earlier commitments were broadly carried into the Manifesto[26] on which the Conservative Party fought the May 2010 General Election. These in turn were incorporated into the Coalition Agreement which represented the programme for government for the Conservative-Liberal Democrat coalition formed on 11 May 2010.

The Prime Minister's letter[27] of 31 May 2010 essentially gave government departments their marching orders in terms of dates and specific commitments. Rather than allow individual departments, and individual commitments, to deliver within a given overall timescale there was a more directive programme which required each specific class of data to be released by a given date by all relevant departments. There appeared to be no great significance to this scheduling, except that overall it gave a steady news-flow of the delivery of transparency commitments over the first nine months of the Government's term of office. The cross-government transparency publication commitments were:

[24] See for instance Tony Blair quoted as describing the Act as an "imbecility": http://www.ft.com/intl/cms/s/0/5a787cf0-436c-11e1-8489-00144feab49a.html
[25] Conservative Technology Manifesto section 1.1: http://www.guardian.co.uk/politics/2010/mar/11/conservative-technology-manifesto
[26] http://media.conservatives.s3.amazonaws.com/manifesto/cpmanifesto2010_lowres.pdf, pp 27, 70.
[27] http://www.number10.gov.uk/news/letter-to-government-departments-on-opening-up-data/

*Central government spending transparency*

- Treasury central database of departmental expenditures (COINS)
- Central government tenders
- Central government itemised spending
- Central government contracts

*Local government spending transparency*

- Local government itemised spending
- Local government contracts and tender documents

*Other key government datasets*

- Names, grades, job titles and annual pay rates for Senior Civil Servants with salaries above £150,000
- Names, grades, job titles and annual pay rates for most Senior Civil Servants and Quango[28] officials
- Organograms for central government departments and agencies that include all staff positions

*3.2 COINS database*

The Treasury COINS - the Combined On-line Information System - "is used by the Treasury to collect financial data from across the public sector to support fiscal management, the production of Parliamentary Supply Estimates and public expenditure statistics, the preparation of Whole of Government Accounts (WGA) and to meet data requirements of the Office for National Statistics (ONS)."[29] Despite the political argument the previous summer, an explicit commitment to release the Treasury's COINS database was not included in the Technology Manifesto, in the main Manifesto or in the Coalition Agreement. However it had been promised in a speech[30] by George Osborne in January 2009; it was included in the Prime Minister's letter of 31 May 2010; and the database was released on 4 June 2010[31].

The fact that the COINS database was released so quickly and apparently easily may have come as a surprise to those who had been attempting for months to obtain the database by use of the UK Freedom of Information Act[32]. Indeed less than three months before the data was released an internal review by the Treasury had upheld[33] its refusal to release the data on refused the data on six different grounds - and, in addition to specific concerns about third-party information, intelligence and defence related data and future information

[28] Quasi-Autonomous Non-Governmental Organisation, in the UK also known as a Non-Departmental Public Body or, more recently, Arm's Length Body.
[29] http://www.hm-treasury.gov.uk/psr_coins_data.htm
[30] http://www.conservatives.com/News/Speeches/2009/01/George_Osborne_Creating_a_new_culture_of_financial_discipline.aspx
[31] http://www.guardian.co.uk/politics/2010/jun/04/coins-database-complete-public-spending-books
[32] http://www.bbc.co.uk/blogs/opensecrets/2010/03/coins_request_rejected_by_treasury.html http://www.whatdotheyknow.com/request/copy_of_the_coins_database
[33] http://www.bbc.co.uk/blogs/opensecrets/Coins.pdf

concerned with policy formulation (all handled in the release by limited redactions), upheld the view that releasing the "residual data" (in fact, almost all of the database) would be "prejudicial to the effective conduct of public affairs" under Section 36(2)(c) of the FOI Act 2000. The review had "affirmed that the public interest in disclosure would be minimal" and "the detail would by and large be inaccessible to an external audience". The prejudice to the effective conduct of public affairs was considered to be because:

> "misinterpretation of the 23 million lines of raw and unvalidated data and/or a high volume of follow-up requests and enquiries … would or would be likely to cause considerable disruption to the work of the Treasury ... [Although] additional context could be provided to seek to mitigate the risk of misinterpretation … it was unlikely to reduce the risk of multiple enquiries low enough not to disrupt the Treasury."[34]

The Treasury also refused[35] a FOI request for 23 sample, non-sensitive records from COINS - or for some dummy records - on "prejudicial to the effective conduct of public affairs" grounds.

In fact, some of the Treasury's fears about the difficulty of processing the data did appear to be founded during the first few days after the release of the COINS dataset. It was difficult for most people to interpret, even for those with computers powerful enough to process the 5 gigabytes of data provided. Even for experts outside government there were difficulties because some of the metadata and code tables were, strangely, supplied only on paper. However very quickly groups such as the Guardian data team built a query tool[36] to enable the data to be explored; the Treasury held a seminar[37] for users of the data on 2 July 2010 to explain how the data was coded and has subsequently published more "context" information[38] to help those trying to use the database[39]. There has been no suggestion that the volume of enquiries about COINS has "caused considerable disruption to the work of the Treasury".

Importantly the work of the Guardian newspaper showed[40] that real political interest stories could be found in the database. It also invited readers to query the COINS database themselves. The data has also been used by WhereDoesMyMoneyGo, and it was announced[41] in Spring 2012 that the Treasury itself would introduce a personal statement for taxpayers on how the Government spends the tax each individual pays.

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[34] http://www.bbc.co.uk/blogs/opensecrets/Coins.pdf, para 16
[35] http://www.whatdotheyknow.com/request/copy_of_the_coins_database#incoming-77865
[36] http://coins.guardian.co.uk/coins-explorer/search
[37] http://www.hm-treasury.gov.uk/d/coins_coding_seminar_020710.pdf
[38] http://www.hm-treasury.gov.uk/psr_coins_data.htm
[39] The 2012 Open Government White Paper (p24) says that an important principle of the UK's Open Data is that "public bodies … should [proactively] publish supporting descriptions of the format, provenance and meaning of the data."
http://data.gov.uk/sites/default/files/Open_data_White_Paper.pdf
[40] Coins database: what the Guardian's specialists think
http://www.guardian.co.uk/news/datablog/2010/jun/04/coins-combined-online-information-system-taxandspending
[41] http://www.hm-treasury.gov.uk/press_36_12.htm

*3.3 Spending transactions*

The new Government had two commitments to publish individual spending transactions: "full, online disclosure of all central government spending and contracts over £25,000" and "all councils to publish items of spending above £500, and to publish contracts and tender documents in full."

*(i) Origins of the thresholds*

The difference between the thresholds for central government and local government has never been publicly explained. The £500 threshold seems to have been set by reference to the existing practice in councils like Windsor and Maidenhead (£500) and the Greater London Assembly (£1000). Windsor and Maidenhead had reported[42] that "We were told it would be very difficult to get the data but our finance team produced it in under an hour." It seems likely that this practical experience was used to set a threshold for all councils, one which could be defended as striking a balance between cost and transparency.

The £25,000 threshold for central government had no obvious UK antecedents. However the US Federal Funding Accountability and Transparency Act of 2006[43] mandated a single searchable website, accessible by the public at no cost to access, of all federal payments except individual transactions below $25,000. The Act had been co-sponsored by (then Senator) Barack Obama and may have been used as a reference. It may also have been assumed that, because central government departments on average have larger budgets than the average for local authorities, a higher *de minimis* threshold would still cover the vast majority of the spending while reducing the costs of implementation. However this thinking appears flawed because, with substantial local purchasing, the individual purchase size in central government departments is similar to that in local authorities. Moreover the experience in leading local authorities was that, with experience and information technology and business process changes (for example, ensuring that personal details were not put into the payment description), the amount of individual line-item pre-publication scrutiny before publication could be reduced or eliminated.

During implementation several central government departments decided to implement spending transparency down to £500. These included the Department for Communities and Local Government, which was responsible for the implementation of the £500 threshold across local government. The Department needed to show that it was applying the same standard to itself. In addition HM Treasury guidance for central government implementation said[44] that £25,000 was the minimum requirement: individual departments could further choose to publish down to £500, or could publish all transactions regardless of size. It also said that the "current" minimum requirement of £25,000 may be changed in the future and that implementation of the £25,000 should be designed to be easily modifiable if there were to be a different threshold later. However since this guidance was originally issued in 2010

[42] http://conservativehome.blogs.com/localgovernment/2009/11/windsor-and-maidenhead-has-nothing-to-hide.html#tp
[43] http://www.gpo.gov/fdsys/pkg/PLAW-109publ282/pdf/PLAW-109publ282.pdf
[44] Para 2.5.

there appears to have been no further adoption of a £500 (or a nil) threshold for general expenditure items more widely in central government.

*(ii) Effects of the differing thresholds*

The effect of a £25,000 threshold (rather than a £500 one) on transparency and on the government's objective for internal pressure for efficiency was considerably weakened: in particular local discretionary spending on "away days", team building, entertainment and other costs attracting media attention was much more likely to be published with a £500 threshold than with a £25000 one.

There were some anecdotal reports about items of spending being pitched at just below the threshold to avoid having to publish them, or spending being disaggregated so that individual items were all below the threshold. It is not clear whether this is widespread. Other thresholds in procurement (such as the threshold for full EU procurement procedures at around £100,000 or departmental limits (generally £5000-£20,000)) for procurement from a single-source or by three quotations rather than formal tender - also affect behaviour. There are also risks associated with the interplay of delegated purchasing structures and the threshold - if individual offices can, for instance, order office supplies from a standard catalogue and if these are processed as individual payments then, certainly at the £25,000 threshold, very few of these transactions would be reported even though in aggregate the payments to the supplier would be a significant part of the agency's overall expenditure.

Publishing expenditure items from an agency's payment system also gave little information about the use of individuals' government credit cards ("Government Procurement Cards"). Expenditure items only included the settlement of monthly bills with the card provider, sometimes aggregated across all the cards used by an agency. So from October 2011 the UK Government introduced publication of all government credit card transactions over £500. While welcoming the move, the Taxpayers Alliance[45] argued that all transactions should be published - and pointed out that a payment of £258 to Puppets By Post, which had been quoted in the Government's own press release as an example of the need for the policy, would not actually have been published under the policy as implemented.

*(iii) Lack of clarity about redactions*

A further weakness in the coverage of the spending data is that individual departments and local authorities can decide which records to redact entirely. Sometimes there are good reasons for redacting some of the data about individual spending items - for instance for national security or personal privacy. However the overall effect, together with the use of *de minimis* thresholds, is that the total of the individual spending items cannot be reconciled with published total spending, and there is a lack of transparency about the amounts being excluded. It would have been possible to provide some reassurance on this by always including, with the individual spend data, balancing items showing the total value of

[45] http://www.taxpayersalliance.com/bettergovernment/2011/10/civil-servants-credit-card-spending-revealed.html

spending below the *de minimis* threshold excluded from the file and the total value of spending items redacted for national security and other reasons (not in itself a risk because this can be estimated by comparing published totals with the calculated sum of the individual items which have been published). However this has not been done, although the local authority guidance does recommend that payments should not be completely redacted but the details replaced with standard terms of "Redacted: Personal Data" or "Redacted: Commercial Confidentiality".

*(iv) Use of common, open standards*

There was also an important commitment on the modality of publication: "We will ensure that all data published by public bodies is published in an open and standardised format, so that it can be used easily and with minimal cost by third parties." However for both central and local government the implementation model was that each public body was responsible for publishing its data; the data was not aggregated to give a whole of government view. Both HM Treasury[46] and the Local Government Group[47] issued "guidance", for central and local government public bodies respectively, on the implementation of the spending transparency commitments. This was done after consultation with the bodies concerned and, in the case of the Local Government Group, publicly with potential data users.

Standards are emerging for expenditure data where international compliance and comparability are important - for instance the International Aid Transparency Initiative. However as yet there is no recognised international standard for the publication of general expenditure data. So both the Treasury and the Local Government Group/Local Data Panel produced their own specifications for which data should be published and in what format. For local authorities the Local Government Group suggested that existing standards should be used for some of the attributes of each expenditure item, including the code for the authority itself, for the service within the local authority that spent the money, and for the category of expenditure. However even then the guidance acknowledged that there were several different standards in existence and did not mandate the use of any particular ones (or, indeed, any). For central government there appears to have been less emphasis on existing standards.

*(v) Identification of vendors*

A particular issue arose with identification of vendors. The UK does not have a unique business identifier along the lines of the Australian Business Number. The vast majority of businesses dealing with government would however have a Value Added Tax number. Both the central and local government draft guidance made provision for VAT numbers to be included and published, but this appears to have been withdrawn after consultation with HM Customs and Excise who administer the VAT system. The local government guidance says "The use of VAT registration numbers as identifiers is currently being reviewed as it could lead to fraudulent claims." The nature and modality of potential fraudulent claims has not been made public. Interestingly the Treasury guidance says that VAT numbers <u>should</u> be

[46] http://www.hm-treasury.gov.uk/d/government_spend280211.pdf
[47] http://localspending.readandcomment.com/files/2011/02/LocalSpendingData-APractitionersGuide-V7-10.pdf

extracted from the underlying financial system but then redacted from the expenditure dataset prior to publication. It is not clear whether this is preparation for future publication of VAT numbers or whether it is intended that a version of the data including VAT numbers should be created for internal use within government.

So the published information included company name but no unique identifier. At the press conference announcing the delivery of the first set of central government expenditure data Chris Taggart of OpenlyLocal reported the difficulty[48] of using the data to identify the largest suppliers to government, and Minister Francis Maude spoke about the difficulty that he had had getting information about the total amounts paid to large suppliers across central government. The usefulness of a business identifier thus seems to have been realised by government, and Prime Minister Cameron's annual letter[49] in 2011 promised that:

> "Unique reference indicators [would] be introduced by the Department of Business, Innovation and Skills[50] and HM Revenue and Customs beginning in December 2011. These will enable the public to track more easily the interaction between companies and government bodies."

*(vi) Compliance with standards*

There were also issues in compliance with the standard format in the issued guidance. Information[51] for February 2011 showed that, for local authorities, 353 out of 354 local authorities had published their expenditure details but only 231 authorities had published spending details in the recommended CSV format and 57 authorities had published in PDF format only (which means that the data is not easily reusable). There was also concern that only 179 local authorities were publishing under the Open Government Licence.[52] Not using an open licence meant, by default, that the data was not available for re-use, although some other local authority terms and conditions may have allowed limited re-use (for example for personal study).

The one local authority which did not publish data was Nottingham City Council. Defending its refusal to publish spending items below £25,000 the Deputy Leader Graham Chapman said[53] that the Council believed that publishing data down to £500 would be "confusing" and "not helpful" to the public. The Council vowed to resist publication unless and until the government legislated on its open data recommendations. Chapman is also reported as saying that the government Minister responsible, Eric Pickles, had become "very obsessed" with councils publishing spending over £500. In fact it has been reported[54] that faced with

[48] The difficulty Taggart had encountered led him to develop tools to help match text names of companies to legal entities, and formed the original basis of what has become the global platform OpenCorporates.Com.
[49] http://www.number10.gov.uk/news/letter-to-cabinet-ministers-on-transparency-and-open-data/
[50] The parent department of Companies House, the company registrars.
[51] http://data.gov.uk/blog/local-public-data-panel-%E2%80%93-eighth-meeting-23rd-march-2011
[52] The UK Open Government Licence http://www.nationalarchives.gov.uk/doc/open-government-licence/ is similar to Creative Commons Attribution which is the default licence in some jurisdictions in Australia under the AusGoal licensing framework.
[53] http://www.guardian.co.uk/government-computing-network/2011/nov/23/nottingham-council-spending-data
[54] http://constitution-unit.com/2011/05/24/we-can-work-it-out-eric-pickles-vs-nottingham-city-council/

the refusal to publish data Pickles himself had filed a right-to-information request to obtain it.

Similar data for central government compliance has not been published, although it appears that the UK government recognise it as a problem because Prime Minister Cameron's 2011 letter said:

> "In order to maximise the benefits of transparency, it is vital that data released by government are accurate, consistent and easily navigable. Over the next 12 months, we will take steps to improve the quality of data already being published, and ensure that it is updated on a regular basis. Every department, working with the Cabinet Office transparency team, to produce an action plan in November 2011 for improving the quality and comparability of data."

It seems unlikely that this would have found its way into a letter from the Prime Minister instructing departments on key transparency actions unless the government was aware that there was a problem. The promised "action plans" have not apparently been published and there are no published metrics on compliance by central government departments; the National Audit Office report[55] said that the Cabinet Office had deferred the requirement to produce data quality action plans to May 2012 "to incorporate them in the next versions of departmental business plans". The National Audit Office found that although the Treasury had urged departments to improve the quality of the spend data it had not required them to disclose the level of data quality to the public. The NAO found that the lack of common categorisation of spending, and late publication of data by many departments, hindered comparability.

However OpenSpending.Org have been attempting to collect the central government expenditure data into a single database to make it searchable, suitable for aggregation and more accessible to individual citizens. They reported[56] in June 2011 that the data was spread across 3327 files in 557 different dataset collections on data.gov.uk. They said:

> "We had to correct both file format and column names for most of the available data. In some cases, even the content of the fields … had to be corrected manually. Other departments had left out vital information such as … the government entity responsible for the spending."

The most striking word here is "most". Unofficial reports suggest it may have been as high as 80%. Non-compliance with the government's own guidance was common, even in central government, and this may explain why the Prime Minister himself was concerned. There is no suggestion that this non-compliance was deliberately introduced to frustrate the comparison and aggregation of the data (although that would have been the result without Openspending.Org's intervention). Indeed the detail in the Treasury guidance, and the inclusion of example files, show that the government's intention was that the data should be comparable and easy to aggregate, and that the guidance was relatively directive in that regard. The guidance was also intended to make each dataset easy to produce correctly by deliberately specifying a format which could be generated as a Microsoft Excel spreadsheet

[55] "Implementing Transparency", NAO, April 2012, para 7.

[56] http://blog.okfn.org/2011/06/16/opening-up-government-data-gov-uk-publishes-uk-all-central-government-spending-data-over-25k/

and then saved as a CSV file. However the non-compliance also cannot be explained by the need to re-work legacy IT systems or business processes: this was a new data flow, and it should have been as easy for a public agency to do it "right" as to do it "wrong". The divergence seems to have arisen from a combination of a lack of appreciation by staff working in individual departments on the importance of precise conformance rather than producing something which seemed to them close to the specification; the delegated, distributed, publishing model which did not give the Treasury or the Cabinet Office an opportunity to check individual files before publication; and the lack of automated "validators" to enable individual publishers to check conformance or to have non-conformance pointed out to them.

The National Audit Office, reporting in early 2012, found a seemingly more positive picture: of the 100 departmental spend data sets they reviewed, "78% *of the mandatory data fields* were fully compliant". (Emphasis added). The NAO did not explain their methodology or measure how many of the datasets *as a whole* were fully compliant. It may be that most datasets are still non-compliant as the OKFN found, but that most are compliant on most (but not all) of the individual mandatory data fields within them, which would still defeat automatic processing.

*(vii) Timeliness of publication*

While at the start of the publication of spending data (November 2010) all relevant central government departments met the target date for releasing information, it appears that timeliness has started to slip. The NAO found that 11 out of 17 main central department datasets relating to November 2011 had not been published by 31 December 2011 as they should have been, and 7 of 17 had still not published their October 2011 data by that time.

*(viii) Use of spending data*

The spending data does not appear to have been accessed intensely. However it has been used by pressure groups such as the Taxpayers Alliance to source stories for the press about profligacy in public spending, and some newspapers at both local and national level have clearly mined the data themselves for stories. This is not systematic, but has served to put pressure back on public agencies to ensure that their spending is justified - and, importantly, that it is correctly recorded. In one case the Audit Commission was criticised in the press[57] for spending £8000 at Newmarket Racecourse, although it later emerged that they had hired conference facilities there when racing was not taking place.

Several attempts have been made to clean up the data and present it in a consistent way for citizens, including "armchair auditors". The first attempt was by Chris Taggart with the OpenlyLocal.Com website which combined spending and other data from 163 local authorities into a consistent dashboard of transparency information and indicators, including both financial and other quantitative information and qualitative indicators about the transparency of council proceedings.

[57] http://www.dailymail.co.uk/news/article-1302872/Bonfire-quangos-continues-Cameron-privatises-Audit-Commission.html

The site had some interesting features. One was the ability to prepopulate a freedom of information request seeking more information on transactions in excess of £10,000. Another was the cleaning of supplier names and codes which enabled the data to be viewed not only by council but also by supplier[58] and see which other councils were making what payments to the same supplier. However, lacking a sustainable business model or funding stream, upload of financial information to this site has not happened since May 2011 because of the time commitment involved in manually finding and cleaning the data[59].

Another attempt in respect of the central government spending data was made by Openspending.org. Their difficulties in wrangling the data were described above. Opensending.org also ingests spending data of various types from 32 other countries, although few publish data as detailed as the UK. For the UK data they have used a service from Chris Taggart's new project, Open Corporates, to cleanse and link supplier details, and so obtain a supplier-based view of the data and the departments using that supplier[60]. However the ingestion of data appears to have ceased in summer 2011 and it is not known whether it is intended to update the data periodically or on a sustainable basis. OpenSpending.Org also ingests the cleansed spending data from OpenlyLocal.Com with acknowledgement, but this is limited by the fact that OpenlyLocal itself has ceased to ingest new data.

Unexpectedly the main sustained use of the spending data has turned out to be for business rather than transparency purposes. Spikes Cavell, an information processing firm, had established a line of business taking public purchasing data, cleaning it up (for example, applying standard supplier and type-of-goods codings), and selling the information as market intelligence to public sector suppliers. Prior to the Transparency programme they had had to negotiate access to local council data on a council-by-council basis on restrictive terms, and many council had declined to co-operate. The publication of detailed spending data therefore enabled them to increase the coverage of their database and sell more attractive information products and services - indeed such was the advantage of the transparency programme to them that they contributed to the public-facing communication of transparency with the "Spotlight on Spend" website highlighting overall levels of council expenditure and comparing it with others.

*3.4 Senior Civil Service Salaries*

*(i) Context of the commitment*

Another key component of the incoming government's Transparency commitments was the publication of the salaries of senior staff. Again it is not clear how this commitment originated. There were some precedents in the United States for the publication of all salaries of public officials, from the highest level to the lowest level - for instance by the state of New York[61]. Reforms to UK company law had required the publication of salary

[58] For example http://openlylocal.com/suppliers/152303-volker-fitzpatrick-ltd
[59] Taggart's main focus has subsequently been on OpenCorporates.Com, which arose from the issues of data cleaning in OpenlyLocal and which is both globally relevant and financially sustainable.
[60] For instance http://www.openspending.org/ukgov-25k-spending/to/carlson-wagonlit-travel/entries
[61] http://seethroughny.net/payrolls/executive/

details (to the nearest £5000, see below) for members of company boards, but in a way that did not allow individuals to be explicitly identified. For the Civil Service the commitment related to anybody paid more than the minimum of the lowest grade in the "senior civil service" (around £58,000).

There was however a clear policy linkage with the parallel pledge to control excessive public service salaries by requiring, for new appointments, any salary in excess of that of the Prime Minister to be approved by the Chief Secretary of the Treasury[62].

It is also not clear whether the commitments were intended, for the civil service, as an extension of existing obligations introduced during the previous administration or whether they did not take those into account. Many Departmental and Agency boards had already adopted the standards of reporting expected of company boards, including the publication of salaries of Board members in £5000 bands. In addition, and following the publicity about MPs' expenses in 2009, reporting of expenses of Board members had been introduced into the civil service.

*(ii) Approach to personal data aspects*

In the UK the publication of salaries was regarded as the publication of personal information. It is not clear whether this is the same in other jurisdictions (cf State of New York), and grade pay bands had long been published in the UK. Indeed in the 1970s and 1980s the pay of senior civil servants was a single-point band. For instance, the Whittaker's Almanac - a privately published handbook on government structure and other information - for 1970 lists all of the members of the senior civil service and gives their salaries. Indeed the Almanac listed the names and salary bands of individuals in the three levels below the then Senior Civil Service. Similar information was published in the Civil Service Year Book from 1973 onward. For the UK Civil Service, salary transparency had until the late 1980s been fairly normal - recognising of course that in that period the salary was entirely determined by the grade of the officer and the number of years he or she had been in it. This institutional memory appeared to have been lost - and attitudes to personal privacy have changed markedly since that time too.

The fact that salaries were regarded as personal information involved considerations under the Data Protection Act 1998. The UK Information Commissioner had issued some guidance on the publication of salaries[63]. The key points were that, since this was personal information, the publishing authority would need to strike a balance between the public interest in disclosure and the private interest in confidentiality, and that this would most likely relate to the level and visibility of the post rather than the absolute level of the salary. This was guidance in relation to responding to requests for information under the Freedom of Information Act, but the guidance was also persuasive for setting policy for proactive disclosure of salary information under the Transparency Initiative. While the Information

[62] http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition_programme_for_government.pdf on page 21.

[63] Freedom of Information Act: When should salaries be disclosed? ICO, February 2009 http://www.ico.gov.uk/upload/documents/library/freedom_of_information/practical_application/salaries_v1.pdf

Commissioner did not give a single rule, he set out some guidelines and three tests for public authorities to apply: would the disclosure be outside the reasonable expectations of the individual; was there a legitimate public interest in disclosure, and the disclosure was only to the extent necessary to meet it; and did the interest in disclosure outweigh any detriment to the individual's privacy. On reasonable expectations, he said that "more senior staff who are responsible for major policy and financial initiatives can expect greater scrutiny of their pay than more junior staff." The Information Commissioner specifically advised that the fact that an individual had not been warned that their salary could be disclosed would not necessarily be a bar to disclosure.

The Government seems to have adopted these principles in applying salary transparency to the "senior civil service". Although not all those roles are in the public eye, most such posts have a level of authority over public funds and public policy that would seem to meet the Information Commissioner's tests.

The Information Commissioner's guidance also specified that "disclosure [of individual salaries] should only be to the *extent* necessary to fulfil a legitimate public interest. This may involve narrowing down advertised scales, for example to the nearest £5000. Only in exceptional circumstances is disclosure of *exact* pay likely to be justified." (emphasis added). In other contexts - for instance in company and public agency board reports - the "£5000 band" seems to have been taken as a specification, whereas in the original guidance it was only an example. This also seems to have been the case for the Transparency programme. However the senior civil service pay bands were very wide (for example the Director/grade 3 pay band was £80,000 to £160,000, with more in exceptional cases), so applying £5000 bands had four somewhat perverse consequences. First, the use of bands differentiated the pay of individual senior civil servants within the same grade quite markedly. Second, the £5000 band gave a "cliff edge" which could differentiate staff who were in reality very close together. So for instance, two people earning £84,900 and £85,100 would be placed different bands, suggesting a pay difference of £5000. Third, when the press or commentators used the figures for individuals they generally "rounded up" to the top of the band. Fourth, at these salary levels it must be questioned whether there is really a privacy interest in protecting the precise figure *once the range to the nearest £5000 is going to be disclosed anyway*. It is hard to see what *additional* detriment to the individual would arise from the precise figure once the range has distinguished them from their peers and the public have been told what they are paid to within, at these levels, at least 10% and in most cases to within less than 5%.

The "band" approach was <u>not</u> adopted when the pay of "special advisers" was published. Special advisers are Ministerial aides who are appointed on a political basis as temporary civil servants. Their names and pay have been published every six months since 2010 and their precise pay has been given[64].

[64] See for instance: http://www.cabinetoffice.gov.uk/sites/default/files/resources/LIST-APRIL.pdf.
The fact that most of the salaries are in round thousands of pounds is because no pay increases have been applied since the original appointments.

*(iii) Limitations on implementation*

The original commitment was to publish details for all members of the senior civil service. However the threshold was raised during the course of implementation so that details were published only for members of the senior civil service in Grade 2 and above; details were withheld for staff in Grades 1 and 1A. The result is that salaries of only 941 of the most senior civil servants were published out of 4254 in the Senior Civil Service as a whole. So around 78% of the original senior civil servants within scope have been omitted from the transparency reports as implemented[65]. In fact because most permanent secretaries (chief executive officers) and Grade 3 (deputy secretaries) were already members of departmental boards, and some Grade 2s were members of Agency boards, they already had their (banded) salaries published as Board members.

The government has not really explained the change from the clear commitment within the Coalition Agreement. It appears that the change was made to head off union-organised resistance at a time when the senior civil service were also being subjected to a pay freeze, increased pension contributions and threats to the pension scheme as a whole. The First Division Association, the principal Trade Union representing the senior civil service reported in its October newsletter to members[66] that:

> *Following these representations [of members' concerns by the FDA], the Cabinet Office has now agreed that whilst ministers still intend to publish details for permanent secretaries, and those in SCS pay bands 2 and 3, the names, full-time equivalence and salary bands of those in pay bands 1 and 1A (deputy director equivalents) will no longer be published.*

The incident did also contribute to the understanding that there could be conflicts between transparency and privacy, and shortly afterwards the government commissioned research[67] on the wider issues of transparency and privacy.

*(iv) Use of salaries data*

The published salaries data seems to have been mainly used by journalists, first as stories about high pay in the civil service as a whole[68] and then as collateral for other stories about the civil service and particular civil servants. The data does not seem to have been significantly adopted for re-use. However the publication of the data and the press coverage of that do seem to have supported the government's wider policies of civil service pay restraint by bringing out facts about the pay of the most senior civil servants. The data also gave a baseline, and raised awareness and sensitivities, about civil servants paid more than the Prime Minister. A separate initiative had required departments to get the approval of

[65] http://www.dailymail.co.uk/news/article-1321037/Labours-data-protection-laws-protect-fatcat-civil-servants.html
[66] http://www.fda.org.uk/MembersArea/News/Newsletters/Senior-Civil-Service-salary-disclosure.aspx
[67] Dr Keiron O'Hara 2011 https://update.cabinetoffice.gov.uk/sites/default/files/resources/transparency-and-privacy-review-annex-b.pdf
[68] See for instance "Government reveals 172 civil servants earn more than PM" http://www.bbc.co.uk/news/10200387

the Chief Secretary of the Treasury to any new civil service appointment with a salary in excess of that of the Prime Minister, and the public attention to such salaries undoubtedly had an effect on damping down applications for approval from departments - and, perhaps, salary expectations.

There was also concern that the publication of salary data would highlight inequities in the senior pay system. The Normington Report[69] had already drawn attention to the "twin track" pay system which had emerged as those joining the civil service at senior levels from outside - whether from the private sector or even from other parts of the public sectors - were able to negotiate higher starting pay (and in some cases exceptional arrangements[70]), while those who had advanced through the civil service were started in senior civil service grades at the bottom of the normal pay scale. There was certainly surprise in many places that the highest paid civil servant[71] was not the Head of the Civil Service; and that senior specialists (for instance the Chief Information Officer of the Department for Work and Pensions (£249,999)) were sometimes paid more than the heads of their departments (£184,999). In fact only around 25 of the 172 civil servants paid more than the Prime Minister were heads of department. While it is hard to prove causality, it certainly seems that political and top management attitudes to pay, and to exceptional employment arrangements such as personal service contracts[72] seem to have hardened.

*(v) Conformance*

Because published senior civil service salaries data has not been analysed across the whole of government in the way which has applied to spending data there has been little attention to the format of publication. As with spending data, a standard template appears to have been issued by the Cabinet Office. However since the published data has been largely manually collated by the Human Resource units of departments from different data sources it appears that there has been less deviation in format.

*3.5 Senior Civil Service expenses*

The Coalition Agreement had committed that publication would include "the salaries *and expenses* … of senior officials paid more than the lowest salary permissible in Pay Band 1 of the Senior Civil Service pay scale". In fact the Head of the Civil Service had introduced publication of the expenses of permanent secretaries and Pay Band 3 Directors-General (formerly known as Deputy Secretaries) in 2009 at the time of the MPs' expenses scandal. The implementation model has been guidance and a suggested document template issued by the Cabinet Office, which individual officers complete and then the results are collated and published by each department on their website.

[69] Sir David Normington, Senior Civil Service Workforce and Reward Strategy: Report of the Steering Group to the Cabinet Secretary, November 2008.
[70] http://www.guardian.co.uk/education/2012/feb/01/student-loans-company-tax-row
[71] http://www.guardian.co.uk/news/datablog/2011/aug/03/civil-servants-quango-chiefs-paid-150000
[72] http://www.guardian.co.uk/education/2012/feb/01/student-loans-company-tax-row

Most of the expenses data is published in Microsoft Word format or as a PDF file created from a Microsoft Word document. Although there appears to have been a standard pattern issued as a guide, there are variations in layout and content between departments. There is no standard location for the data on departmental websites and, unlike New Zealand for Chief Executives[73], the published information is not catalogued on data.gov.uk. All this makes it very difficult for anyone to aggregate and analyse the information across government or to track trends over time. However in 2011 it was reported that someone had rekeyed the information and performed some basic analysis. Other coverage has suggested that the amount of expenses claimed by senior civil servants subject to expenses transparency have fallen sharply.

The government appears to have taken the view that the established transparency of expenses met its requirements. However because it does not cover most Director-level staff the implementation of senior civil service expenses transparency falls even shorter of the Coalition Agreement commitment than the salaries transparency. In fact only about 200 out of 4254 staff in the senior civil service are subject to formal expenses transparency.

*3.6 Organisation charts*

An important element of the Coalition Agreement transparency commitments was to publish "organograms" of public bodies. These were intended to cover not only the structure of departments but also the numbers of staff and their job titles - for "all positions" and not just the senior civil service.

Although this was announced - and seen by the civil service - as a new initiative, some of the information on the organisation of departments including the names of people in senior roles and their job descriptions had in the past been published. From around 1973 the government had published a "Civil Service Yearbook" showing the structure of each department and with the names, brief role descriptions (not just job titles) and contact details of the senior civil service and, for some departments, one or two levels below that. The Civil Service Yearbook was published irregularly - sometimes once, sometimes twice a year. It was produced manually by departments submitting amendments to the texts from the previous year, and because of its editorial and printing cycle it was already four to five months out of date by the time it was issued.

As with senior civil service salary data, there was no available data source in individual departments for the organisational data, and a template was issued by the Cabinet Office for the organisational details in reusable format, plus guidance on instructions for representing the organisation in a more accessible but less machine processable form - generally as a Powerpoint drawing.

However for the second issue of the organisational data, there seems to have been a stronger push to make the data more reusable. Data was published in linked data format and the government sponsored the development of an interactive "organisational navigator" which allows any user to drill down the organisational structure of a

[73] http://data.govt.nz/search/SearchForm?action_doCustomSearch=&x=0&y=0&Search=Chief%20Executive

department[74] within a web browser. The UK Government has released the source code of this organisational navigator as open source[75]; while some of the coding is specific to the nature of the senior civil service posts the overall approach could be applied to other jurisdictions.

There is no published data on the use of the organisational data, and although there is a value-added market in information about who does what in government (for instance for lobbying organisations) it is not clear to what extent they are yet mining this data as they did with the Civil Service Yearbook. In addition, perhaps because the organisational transparency commitment prompted officials to reconsider some of the privacy and operational considerations of publishing contact details for individual members of the senior civil service, the organisational data is rather less useful than the Civil Service Yearbook as it has less complete coverage of telephone contact numbers and email addresses[76].

*3.7 Local Authorities Senior Officers' salaries and expenses*

Although the Coalition Agreement commitment set a threshold for salary and expenses reporting based on the civil service, the commitment applied to all public bodies, including local authorities. The implementation of senior salary transparency in the local authority sector has however proceeded separately, and somewhat differently, from central government. It started along similar lines, and the Local Government Group published guidance on salary transparency in November 2010[77] which appears to have been closely modelled on the (unpublished) guidance by the Cabinet Office on civil service senior salary transparency. It specified formats and processes in considerable detail, and cited guidance from the Information Commissioner (both directly and via the Cabinet Office). Some local authorities appear to have implemented this guidance and released salary data in that format in January 2011[78]. However compliance with the requirement to publish salaries data or with the recommended format does not seem to have been tracked by the Department of Communities and Local Government in the same detail as spending data. So there is no published data on the extent of compliance in the minutes of the Local Public Data Panel for instance.

The requirement to publish local authority salary data also seems to have been overtaken by Chapter 8 of Part 1 of the *Localism Act 2011*[79]. This requires local authority to publish "pay *policy* statements" (author's emphasis) including the level and elements of remuneration for each chief officer, the use of performance-related pay and bonus for chief

[74] See for instance: http://reference.data.gov.uk/gov-structure/organogram/?dept=bis. There does not seem to be a whole-of-government tree.
[75] http://code.google.com/p/linked-data-api/source/browse/#svn%2Ftrunk%2Fexamples%2Fvisualisations%2Fgov-structure%253Fstate%253Dopen
[76] For sensitive departments, such as the Prime Minister's Office, a generic enquiry email address and switchboard number are now given in the same way as before. However for most departments most members of the senior civil service had a phone number and, in about 30% of cases, an email address.
[77] http://localsalaries.readandcomment.com/files/2011/01/Salary-Disclosure-Guidance-v7.2.pdf. The document is actually dated September 2010.
[78] See for instance: http://www.sevenoaks.gov.uk/documents/Senior%20salary%20info%20Jan11%20MTHOS(1).csv
[79] http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/8/enacted

officers, the approach to payments on departure and "[the authority's policies] on the publication of and access to information relating to remuneration of chief officers."

Interestingly, although there was a legislative opportunity to do so the central government appears to have chosen not to embed the Coalition Agreement commitment into legislation as a requirement for the otherwise constitutionally independent local authorities. The Department of Communities and Local Government's formal guidance on Openness and Accountability in Local Pay[80], to which local authorities are statutorily required to have regard, states[81] that "The Act does not require authorities to use their pay policy statements to publish specific numerical data on pay and reward. However, authorities should consider how the information in their pay policy statements fits with that data on pay and reward that they publish separately. This includes that data required to be published under the Code of Recommended Practice for Local Authorities on Data Transparency and by the Accounts and Audit (England) Regulations 2011." The Code of Recommended Practice[82] in turn provides that[83] "As a minimum, the public data that should be released are … Senior employee salaries, names (with the option for individuals to refuse to consent for their name to be published), job descriptions, responsibilities, budgets and numbers of staff. …" In summary there is a clear expectation that senior salaries data will be published, but the legislation and guidance falls short of mandating it. While this may be explained by the Coalition Government's policy of "localism", it is notable that the publication of a pay policy statement, which was not a Coalition commitment, has been made a statutory requirement whereas the publication of the actual pay data has not been made a statutory requirement even though it was an explicit Coalition commitment.

This may have been the result of push-back from local authorities, including not only Labour but also Conservative and Liberal Democrat authorities, reported in 2012[84]. Among the reasons reported by the Daily Telegraph that local authorities were resisting the publication of salaries data were that "[costs] could run into hundreds of thousands of pounds", "staff safety would be at risk", "taxpayers lacked the 'evaluation skills' to decide whether spending was good value for money", "publishing the data … represents an onerous burden on already stretched resources.", "could lead to harassment and questions of a perceived worth of an individual as opposed to a specific post", and "disclosing salaries could breach the council's intellectual property rights".

[80] http://www.communities.gov.uk/documents/localgovernment/pdf/2091042.pdf, made under s40 of the Localism Act 2011.
[81] Para 18.
[82] http://www.communities.gov.uk/documents/localgovernment/pdf/1997468.pdf
[83] Para 12.
[84] http://www.telegraph.co.uk/news/politics/council-spending/9063034/Councils-admit-we-cant-reveal-our-top-earners-its-too-costly.html

## 4. General observations and conclusions

The preceding paragraphs have described in some detail the objectives and implementation of the 2010 Transparency Programme, and specific observations have been made about the implementation of individual items of the programme. In this final section however this paper attempts to draw some general observations and conclusions:

**(i)** The UK programme, whatever one's opinion about the desirability of transparency, and whatever the shortcomings in its detailed implementation, has effectively "raised the bar" for other jurisdictions, particularly given the UK's current chairmanship of the Open Government Programme.

**(ii)** While there is a symbiotic relationship between Transparency and Open Data, they are not the same, and to some degree it is possible to have one without the other.

**(iii)** In Transparency "the devil is in the detail", not least as bureaucracies both interpret and adapt to the letter of the requirements without adopting their spirit.

**(iv)** Simply publishing masses of detailed operational data, while necessary, is not sufficient to achieve the full objectives of a transparency programme. The engagement of other actors, the establishment of an "ecosystem" of technical and non-technical resources and skills, and the active engagement of citizens are all important to achieving those objectives.

**(v)** While this case-study has described a significant programme of transparency of the "what" of government, the UK programme is weaker on the "why" of decisions.

**(vi)** Although proactive publication is often intended to be part of Right To Information regimes, too often (as in the UK) the reality turns out to be driven by requests for information and an adversarial relationship between requester and government. A much greater degree of proactive publication may therefore itself start to re-shape the operation of Right To Information regimes themselves. Finally the paper asks whether Transparency is actually making a difference to public service performance.

### *4.1 Setting the standard for operational transparency*

The UK Government programme of Transparency is one of the leading examples of a comprehensive approach to "operational transparency" of public agencies. The transparency of individual items of expenditure, salaries and expenses of individual senior civil servants, organisational structures and roles, and contracts and tenders constitutes a conceptually comprehensive framework for transparency of the inputs of public agencies. Coupled with the publication of data about the performance of services at local level, as proposed in the Open Public Services White Paper[85], there should be a wealth of detailed data which would allow the scrutiny of individual services at local as well as national level. Moreover the stated determination that this information should be published by all public

[85] July 2011 http://files.openpublicservices.cabinetoffice.gov.uk/OpenPublicServices-WhitePaper.pdf

agencies, and in the same formats and to the same standards, gives a consistent framework for comparing inputs and performance across different services.

Although some other jurisdictions have also implemented transparency of some of this information, the UK programme has been exemplary both in its comprehensiveness and the political weight given to it. It is suggested that the commitments in section 16 of the Coalition Agreement could serve as a checklist of operational transparency policies elsewhere. Indeed given the UK Government's domestic stand on this transparency it is rather surprising that more of its approach is not seen in the expectations of transparency built into the Open Government Partnership, of which the UK is a founding member and the current co-chair.

*4.2 Transparency and Open Data are not the same, but they complement each other*

Similarly the commitment to open formats and to the use of open licences demonstrated a willingness, at least at the heart of government, that the information should be freely used. For the UK this fits closely with the wider Open Data policies which have released over 8000 datasets under an open licence for free re-use - not just for transparency but also for public service improvement and for economic growth and social value. This has been through the data.gov.uk open data catalogue[86], and the symbiotic relationship between data.gov.uk and the transparency programme has been seen in the way that the existing, "beta" data.gov.uk was leveraged as a publication platform for transparency information and that data.gov.uk itself has been enhanced to provide better access to and visualisations of transparency information. The cross-over between the open data and transparency initiatives is also visible in the way that spending information, which the government clearly released for transparency reasons, has been taken up by Spikes Cavell[87] which has built a business out of improving and selling the data for commercial, and not transparency, reasons.

*4.3 The detail of design and of implementation are important for transparency to be fully effective*

There are learning points in the design of the UK transparency programme for those planning transparency initiatives in other jurisdictions, in particular for political leaders and for activists trying to design requirements in ways which cannot be undermined by the bureaucratic establishment in implementation. For instance the creation of de minimis thresholds below which items are not reported can create "blind spots" of major suppliers accessed through local purchasing, create significant mismatches between individual transparency records and published totals, and lead to perverse behaviour by officials.

Although some limits may be well intentioned to reduce assumed administrative effort while ensuring a high proportion of the most significant items are published, the evidence from the UK suggests that the marginal cost of publishing extra items is extremely low, particularly once up-stream business process and IT changes have been put in place to create a sustainable solution (for example, ensuring that business rules prohibit placing

[86] Australia has a similar open data catalogue, data.gov.au, the AusGOAL licensing framework and jurisdictions using Creative Commons Attribution as a default, open, licence.
[87] http://www.spikescavell.net/

personal information in unapproved text fields, flagging sensitive records when first created). In the UK, having a sustainable solution led some local authorities to dispense with a threshold for spending transaction altogether - it was simpler to publish all transactions than to apply a filter.

Fine-grained detail is also important to enable it to be queried for and analysed by local areas, specific programmes, particular suppliers - or any other factor which media, activist groups or citizens themselves may want to pursue. Aggregate figures can be largely meaningless in pursuing individual issues, and can prevent proper accountability for individual decisions. The emphasis in the UK transparency programme on individual payments, salaries of individuals and individual contracts showed an overall intention to expose this fine-grained detail. However its effectiveness was blunted by some high *de minimis* thresholds, particularly for central government, and limiting individual transparency to the highest tiers of civil service posts.

There are also issues about the quality and timeliness of operational delivery. The key learning point is to ensure relevant and accurate management information about the timeliness and quality of the compliance, and to manage agencies against that. Of course, under transparency principles that should be published too. This can be complemented by automated tools to validate formats and timely publication. Beyond that other jurisdictions might wish to consider whether the data should be validated and ingested into a jurisdiction-wide system for publication. This would of course require resourcing at the "centre" and blurs the accountability for timely publication; it also risks the central repository moving at the speed of the slowest contributor, and so reducing internal peer pressure to conform. Even more significantly the centre may not be able to assess the completeness of the data supplied: in the case of spending data each agency would be expected to supply one file a month. But in the case of contracts there would be no way for the centre to know how many contracts a particular agency has issued and so to know whether all of them have been supplied for publication. In short a central publication system would still be dependent on the supply of accurate, complete and up to date information from operational agencies.

*4.4 Who should make the data accessible to non-technical citizens?*

The UK Government has generally not provided visualisation or its own web-based tools to allow individual citizens to interpret the data. The model has been, in most cases, to allow developers and "data journalists" to download the data and either build access tools (such as OpenSpending.Org) or to interpret the data for others (for instance in journalism). There have been exceptions, such as the organisational navigator which was funded by the government to enable navigation of the linked data form of the organisation information; and, most significantly, the police.uk national crime maps website. Local authorities have followed the same model, although there is a development of "LG Inform" which uses transparency and other data to give councillors a dashboard of their council and how it compares to others, and which may be released for public use.

There are obvious risks if a government provides its own visualisations of its data. It may, consciously or unconsciously, give or prefer a certain "view" of the data which only serves

some of the wider public interest in transparency. Alternatively, without a range of specific views in mind, the enquiry tool may be so full of options and selections that it could be difficult to use effectively. In addition there is the possibility that a government solution would crowd out innovation in the commercial or voluntary sector. It is notable in the UK that the organisational navigator was introduced for the second release of the data after the first release had not led to any third party visualisations - an example of market failure. Similarly the police.uk site was developed as a national solution for the second data release after individual police forces had not succeed in providing compelling local solutions for the first data release.

One possibility for visualisations is for the government to sponsor third parties to produce visualisations but to do so in a way which allows innovation and independence in the view of the data. In the UK this has been done to an extent for the organisational navigator and for data about real time energy consumption. There is scope for further funding along these lines - one complaint from developers is that although they are prepared to put their own time into a proof-of-concept the time commitment to turn a proof of concept into a robust, sustainable, application is too great to rely on individual and voluntary efforts. In other jurisdictions funding may come from the charitable foundations increasingly active in this area as well as, or instead of, from the government.

*4.5 A transparency eco-system?*

The engagement of developers and data journalists is also an important element of the overall transparency "ecosystem". An effective eco-system of intermediaries, interpreters and end users is an essential part of any transparency initiative and a data-based one is no different. The UK open data community initially were active in using the data and creating fresh visualisations and analysis of it - together with, in the case of OpenlyLocal, other information about public bodies to give citizens an overview view. However this has proved less sustainable than the UK Government hoped: the resource requirements of cleaning the data month after month have proved too much for voluntary and community efforts to maintain. This is particularly unfortunate as the government's approach relied on civil society intermediaries to make the data more accessible and interpretable to a wider range of citizens. It is by no means certain that the community efforts would have been sustained even if the government had ensured that the data was all in the promised format and in predictable locations, but those engaged in the community efforts have indicated that their frustration was about the need to repeat, month after month, data cleaning which the government could have avoided by getting it right in the first place.

*4.6 Where are the Armchair Auditors?*

The government's policy also envisaged an "army of armchair auditors"[88]. It is hard to see that such an army yet exists, and so far the government has not done much to encourage it. While there has been some support for and engagement with developers and, to a lesser extent, businesses reusing data themselves, there has not been a similar programme of engagement and development of "armchair auditors". The transparency information

[88] http://www.communities.gov.uk/newsstories/corporate/1685058

certainly serves as ammunition for those already active in holding public bodies to account. It will also be helpful to those who have a particular cause and look for information to support their case. However the envisaged model seemed to be a cadre of people who would keep watch on each public body on a regular and sustained basis. There are of course limits to what a government could do to create this model, given that the policy intention is that should come from outside government. However in the use of open data it is increasingly recognised that governments need not only to publish their data but encourage and support the wider "ecosystem" of developers and users. It is suggested that there is more that the UK government should have done in a similar way to encourage the development of "armchair auditors", perhaps using established civil society organisations as intermediaries to provide training, tools and mentoring to individual citizens with time and aspiration to take on this role, and to promote networking and knowledge sharing between them. Of course, it may be that some civil society organisations would be reluctant to play this role as the "armchair auditors" could become *competitors*.

*4.7 Transparent "what", opaque "why"?*

The UK Transparency programme only covers what might be termed "operational transparency" - information about what the government is spending and about the performance of public services. It largely does not cover how or why policy and spending decisions are taken. Indeed in its decisions on, for instance, the release of the risk register for the reform of the National Health Service[89], the UK Government has given a greater weight to protecting the "private space" of Government even outside inherently political areas. This paradox is perhaps best seen in the introduction of some transparency of the meetings held by Ministers and top officials: seemingly comprehensive logs of the *occurrence* of formal meetings are now being published[90], but the description of the *content* of the meetings is terse in the extreme, and minutes of those meetings where they exist are often being withheld. (Like some other releases of information the meeting logs are not being published as re-usable data either, making it harder to construct automated alerts about meetings or to analyse patterns of lobbying across government.) Moreover the government seems to be making haste slowly in the implementation of the commitment in the Coalition Agreement for a register of lobbyists[91].

*4.8 Freedom of Information Act implications*

There has been no reported significant change in FOI right-to-information requests as a result of the publication of the transparency data. Although some FOI requests were previously for data which is now published, the number was not a significant proportion of the overall FOI traffic. (Although the number of FOI requests in the USA was reported to have dropped after the launch of data.gov direct causality was never established). Conversely, and despite earlier fears, the release of transparency data has not led to a significant increase in the number of FOI requests, for instance seeking additional

[89] http://www.bbc.co.uk/news/health-18071681

[90] http://www.cabinetoffice.gov.uk/resource-library/cabinet-office-permanent-secretaries%E2%80%99-meetings-external-organisations

[91] p21 of:
http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition_programme_for_government.pdf

information on contracts or on payments. This is also despite specific functionality being included in OpenlyLocal which would semi-automate the submission of an FOI request through WhatDoTheyKnow.com asking for further details of any payment over £10,000. It appears that in most cases the published information of which department made the payment, who the supplier was, what the purpose of payment was, what type of goods or services were involved and so on has been sufficient for people to make use of the information.

More generally, there has been some public musing in the UK about whether a step change in the transparency of government might lead to a "FOI 2.0". The UK *Freedom of Information Act 2000* envisaged that agencies would normally publish information proactively. Agencies were encouraged to have a "publication scheme" setting out what information they would publish and when, based on a model publication scheme[92] endorsed by the Information Commissioner. In this context the right-to-information request was a safeguard to obtain information which should have been published but had not been. However in practice many agencies publish little information beyond statistics and annual reports as part of their publication scheme, and citizens have to obtain information through requests. In some cases regular data is obtained through regular right-to-information requests, with substantial processing overhead.

While the Coalition Commitments and Prime Minister Cameron's letters have not yet been turned into a publication scheme for transparency information they could be. There may be advantage in doing so. One advantage would be that it would allow use of mechanisms already in the Act to put the commitments onto a sustainable footing. These include, thanks to amendments introduced as part of the Right To Data initiative, formal guidance about formats and licensing[93]. However for public agencies it would also have the important advantage of being able to cite their degree of transparency when defending decisions not to release additional information in response to a right to information request.

In short, in jurisdictions where the boundaries of a Right To Information are still being tested by individual requests, a clearer and more expansive definition of what should be proactively published ("transparency") may also help to develop a more settled polity of what it is in the public interest to withhold ("privacy" - in the non-personal as well as personal sense). If this develops then the "Right to Information" would be largely automatic, with the "Right by Request" only necessary to test the efficacy of proactive transparency and to handle new situations as they arise.

*4.9 Is Transparency making a difference?*

The final, and most significant, issue is whether the Transparency Initiative in the UK is actually making a difference. The 2010 Transparency Programme seems to have been driven by a vision of how government should operate and less by specific and quantified objectives. The National Audit Office report criticised the government for not tracking the benefits of transparency. While the economic benefits of releasing useful and "interesting" data are

[92] http://www.ico.gov.uk/for_organisations/freedom_of_information/guide/publication_scheme.aspx
[93] http://www.legislation.gov.uk/ukpga/2012/9/section/102/enacted

well known[94], past examples have shown a considerable lead time from initial publication to tangible results. In any case the cross-government transparency information is not generally "interesting" in this economic sense[95].

Where transparency touches on matters that are of direct concern to citizens in their daily family lives and the data is easily accessible, there is certainly a high degree of interest. Information on the performance of those public services which matter to people is very popular: the police crime map website had an estimated 47 million visits in 2011[96] and since the data on the comparative performance of schools was made more accessible usage has increased by 84% over a year[97]. These numbers suggest that there is greater citizen engagement in issues of local policing and greater willingness to think about choice of schools, although engagement does not of course directly lead to improve outcomes. However most of the core cross-government transparency information does not attract much direct internet traffic - although the information does of course reach a wider public through direct media reports[98], through factual background for other media reporting and through third-party websites.

Conversely there is no substantive evidence of a negative impact. Precisely because the transparency programme has focused on factual and objective data about decisions already taken, there has been no suggestion that it has soured relationships between Ministers and officials or has inhibited robust policy debate in advance of decisions in the way sometimes ascribed to other parts of Right To Information programmes. A number of possible pathways to other negative effects have been postulated - such as the effect on crime maps on the value of houses[99] - but these may be promoted by the self-interest of those who have previously benefited from asymmetries in the availability of information.

Most powerfully, there is anecdotal evidence that the publication of transparency data - or the threat of it - is making a material difference to the behaviour and culture of public officials. Half the departments told the National Audit Office that benefits had materialised, although they could not quantify them. They cited for instance expenses spending, which from other reports has fallen 40-50% for senior civil servants since the expense claims of individuals were first published in 2009. There is also the evidence of the 15% reduction in energy consumption in Windsor and Maidenhead Council as a result of publishing real-time energy consumption information. What is more, it seems that sometimes - as in the cases of civil service expenses and of energy consumption - the publication of the data leads to internal changes of behaviour and tighter control of expenditure *even before the data has been analysed and reported externally*. It seems that transparency is influencing behaviour

[94] See for instance Newbery, Bently and Pollock (2008) Models of Public Sector Information Provision via Trading Funds. Cambridge University, commissioned jointly by the Department for Business, Enterprise and Regulatory Reform (BERR) and HM Treasury in July 2007. http://www.berr.gov.uk/files/file45136.pdf; Vickery (2011) http://ec.europa.eu/information_society/policy/psi/docs/pdfs/report/psi_final_version_formatted.docx

[95] Although Spike Cavell's business based on expenditure data is a notable exception

[96] NAO report, para 12

[97] NAO report, para 12

[98] See for instance: http://www.dailymail.co.uk/news/article-1282999/172-civil-servants-paid-PM.html

[99] http://www.dailymail.co.uk/news/article-1221604/Online-crime-maps-wipe-thousands-house-prices-overnight.html

within the New Public Management paradigm at a time of austerity: transparency increases the *perceived* probability that managers will be held to account for their individual decisions, and this requires them to think more carefully about how they use their resources and whether they can defend it in public. In an "age of austerity" this effect alone is the direct, and tangible, value of the transparency programme - the greater restraint by public servants in the knowledge that their spending, pay, organisation and purchasing behaviours have been more open to inspection and criticism than ever before. Generally it will be difficult to separate this effect from other, more direct, efficiency programmes and spending reductions (although the expenses and energy cases actually predate the formalisation of spending cuts). However if as suggested, the effect has been to achieve more of the required austerity through internal economies and efficiencies and less through reductions in services to the public then there would have been public value in doing so.