

KNOWSLEY METROPOLITAN BOROUGH COUNCIL

RESPONSE TO GREEN PAPER

PUBLIC SECTOR INFORMATION
A KEY RESOURCE FOR EUROPE

29th May 1999

1. Which definition of public sector is the most appropriate in your view?

Of the 3 definitions provided, the financial approach best describes the method for indicating public sector organisations in the UK. This would therefore include Central and Local Government as well as police, health and other publicly funded organisations. A fourth definition, which may be more appropriate, could include any organisation that is accountable to elected representatives.

What categories of public sector information should be used in the debate?

Legislative, administrative, regulatory and informative should all be included in the discussion. Despite the categories for storage of information the key issue is the categories of access. Each category of person accessing data could be allocated a 'view'. This would have the advantage of organising the correct data in a format suitable for the access session. So, for instance a business would have a view of the information pre-formed into related categories.

2. **Do different conditions for access to public sector information in the Member States create barriers at European level?**

Undoubtedly different conditions for access to information create barriers.

If so, what elements are concerned: requirement of an interest, exemptions, time, format, quantity?

National requirements in terms of time, format, exemptions and quantity should be consistent across all Member States. Exemptions for none access to information must continue: -

- when in the interest of the state
- when in the interest of third parties, however the concept of commercial confidentiality is often used too freely and needs to be reviewed; and
- to protect the decision making process, however more consideration needs to be given to this definition before relevant consideration can be given.

Although in some cases still valid, less of a case can be made for none provision of information due to unreasonable costs or workload. As the Information Society expands this argument will reduce further.

Regardless, all decisions to withhold information should be justified and clearly communicated to the citizen or organisation making the request.

There is still the barrier of language of course but in the future there will probably be on-line real-time interpreters to deliver international information in the correct language at the delivery point.

These facilities will become part of every organisations normal operation and as such becomes a change in culture, a change in operational activity that will not, in the long-term increase costs. Indeed it should lead to a vastly more efficient and cost effective service for all.

- 3. Could the establishment of European meta-data (information on the information that is available) help the European citizens and businesses in finding their way in the public sector information throughout Europe?**

Information may as well not be available if it is not accessible. Any tool that assists the citizen/business in locating relevant information will add value.

What categories of content should directories of public sector information resources contain?

Catalogues, lists and navigation-trees will be necessary to allow clients to find the information required. These are already being established through 'portals and search engines on the Internet. The future should allow for this process to be integrated into the process of publishing information.

- 4. What impact do different pricing policies have on the access to and exploitation of public information? Does this create differences in opportunities for citizens and businesses at European level?**

Public information should, in general, be accessible free of charge. However, Public Authorities should still reserve the right to charge for the provision of certain types of public information, if this can be justified. For example, when providing detailed information which is available in summary form and which results in significant additional cost to the public organisation.

Clearly, significant variations in policies and charges would create differences in opportunities for citizens and businesses at a European level.

- 5. To what extent and under what conditions, could activities of public sector bodies on the information market create unfair competition at European level?**

If we take for granted that EU member states will adhere to the regulations then there should be limited unfair competition. However, there are 'grey' areas where at the margins there could be national or even local preference. This could be in terms of contracts, labour markets or business support for instance.

6. Do different copyright regimes within Europe represent barriers for exploitation of public sector information?

There are many issues regarding copyright especially for the publication of information electronically and a single copyright regime for all Member States would go some way to reducing these issues.

The rate of technological change has rendered the legislative process for copyright law incapable of keeping up. Therefore, there has developed a de-facto understanding for users of electronically delivered information. There are mechanisms that can be used to minimise copyright fraud such as encryption and secure identity technologies. Information generally available and certainly that publicly available should not necessarily fall into these categories.

7. Do privacy considerations deserve specific attention in relation to the exploitation of public sector information?

In what way could commercial interests justify access to publicly held personal data?

Clearly, the citizen's right to privacy should be protected. In only a few cases, if any, would commercial interests justify access to personal data. In the UK the Data Protection Act requires a high degree of accountability from holders of personal information. This restricts the use of personal information to the purpose for which it is registered.

8. To what extent may the different Member States' liability regimes represent an obstacle to access or exploitation of public sector information?

The accessibility of public information between Member States will be influenced by the liability regimes. This is an area where legislation at a European level is required.

Where there is a case of liability following the access to information which is sourced outside a member state then there probably needs to be an overarching legislation. This could then be used to moderate in international cases. This is less likely to arise when information is accessed electronically. For example hyper-links could be included on an Internet page leading to information access in another country – unknown to the client.

9. To what extent are the policies pursued by the EU institutions in the field of access and dissemination of information adequate?

In what way can they further be improved?

The EU is to be congratulated on its open approach and for providing facilities that are generally and publicly available. The broad dissemination of the actions of the EU can only serve to encourage further and wider participation and acceptance. The use of the Internet as a methodology for dissemination and the use of a 'portal' site are also in keeping with the ongoing technological developments. In Knowsley we are committed to developing a new level of participation amongst our citizens and we provide excellent opportunities for the exploitation of the Information Society.

10. Which actions should be given priority attention at European level?

Joined –up information (i.e. linking organisations and services; particularly within the public sector as a first step.

Integration of information to enable easy navigation through authorities, departments, governments.

Access

Catalogues or lists to enable people to find their required information.

Publicity

Raising the public's awareness of what is available, where and how it may be accessed.

Education and training

The public need to have literacy and IT skills to allow them to access information especially for computer based information. Initiatives are required beginning in school and continuing throughout the spectrum of academic commercial and business life.

The development of a system of high speed private networks to overcome the responsiveness limitations of the World Wide Web.

CONTACT:

Joe Daniels
Community Information Manager
Knowsley M.B.C.
Computer Centre
Westmoreland Rd
Huyton
L36 9UX

joe.daniels.df@knowsley.gov.uk

URL: www.knowsley.gov.uk

tel 0151 443 3823
fax 0151 443 3814