The UK: open government, information enhancing performance?

When it took power in May 2010, the Cameron administration made transparent government a central tenet of its policy, within the broader commitment to "return power to the people"[1]. Besides the expected positive impact on growth of "open data", "freedom of information" is seen in the UK as the spearhead for improved, less wasteful and higher performance public management, as it is directly user-controlled. Two years on, what conclusions can be drawn from this policy?

Shifting the focus from transparency to competition

Direct accountability to users-taxpayers

The first initiative under the transparent government policy involved putting a large amount of public information and data online concerning the financial commitments of the Government and local authorities (salaries of senior civil servants, contracts concluded by Government departments, itemisation of public expenditure, etc.), available to all[2]. Information is released to the business sector, where it may foster innovation. It is also provided to taxpayers, to report on the use of public funds, which are primarily seen as coming from private sources. The legitimacy of public spending cannot be taken for granted and requires justification. Direct "scrutiny" by the public, which differs from the verification work for which MPs and relevant institutions, such as the National Audit Office (NAO) [3], are responsible, should also be an effective spur for public action and for combating waste.

Increasing competition to benefit users-customers

The policy underwent further changes as from mid-2011 with the publication of an Open Public Services White Paper[4] that sets out five principles, the first of which involves opening as many public services as possible to competition from the private sector. The first principle goes hand in hand with users' freedom to choose public service providers. In the White Paper, users are viewed as demanding customers and informed consumers who must have access to strategic information to make the best choice of "provider" (schools, hospitals, doctors, etc.).
The "Open Justice"[5] project includes online crime maps[6] listing offences committed by postcode and reporting on levels of crime.

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[1] In this respect, refer to RPM No. 33 of March 2011 on the principle of a "Big Society" as opposed to "Big Government": http://www.institut.minefi.gouv.fr/sections/recherche_publications/gestion-publique-a-l_internati/gpr/Gpr_BigSociety

[2] The dedicated website: http://data.gov.uk/ which, incidentally, provided a template for the French http://www.data.gouv.fr/ website, initially put online at the end of 2011: http://www.rslnmag.fr/post/2011/12/05/datagouvfr-la-plateforme-dopen-data-francaise-est-en-ligne.aspx

[3] The National Audit Office is the UK equivalent of France's *Cour des Comptes*

[4] http://files.openpublicservices.cabinetoffice.gov.uk/OpenPublicServices-WhitePaper.pdf

[5] Rick Muir's (Institute for Public Policy Research) report on "Open Justice": http://www.ippr.org/publication/55/9191/open-justice-empowering-victims-through-data-and-technology

[6] http://www.police.uk/

According to Tim Kelsey[7], the UK Government's Executive Director of Transparency and Open Data, the open government policy generates productivity for services subject to competition under pressure from users-customers. It also helps combat corruption owing to the release of information on public sector contracts[8].

In March 2012, the policy was bolstered with the updating of the White Paper which paved the way for the right to choice to be enshrined in law, by extending this choice to the most disadvantaged members of society and by making it easier to set up local public service "consumer" organisations "to champion and enforce choice and competition" and to break through the state monopoly[9]. With this in mind, and in the words of Prime Minister Cameron, the release of information is an instrument to be used by citizens to take back power from bureaucrats and politicians and to dismantle inherited Big State structures[10] "brick by brick, edifice by edifice".

Does too much information kill information?

In April 2012, the NAO published an initial review[11] of the UK's open government policy. With 8,600 datasets online, the data.gov.uk website left its US counterpart (data.gov) standing and is very probably the world leader in this respect. Nevertheless, public interest in this data has not been established and there is no systematic assessment of the advantages of the transparency initiatives, the cost of which is not known, still less published. This is seemingly at odds with the spirit of the policy. The NAO review draws attention to the low access rates to the data available in spite of sharp increases in visits when new databases are put online (including the crime map website) and the large volume of traffic on the data.gov.uk home page (four-fifths of visitors leave the website from here). Recently, he Public Accounts Committee fuelled this criticism[12] by highlighting, in addition to poor or incomplete data that hinders the ability of users to exercise effective choice, the difficulty in interpreting data that is dumped in the lap of users in its raw form.

The data.gov.uk website was however overhauled[13] both to provide clearer information and to transform it into a real vehicle for citizen-Government mediation. There is still the question of striking a balance between the initial project, geared towards provided data without intermediation (no filtering or interpretation) and the need for this data to be easily understandable by the widest possible audience[14]. According to Tim Davies[15], entitlement to exercise the Right to Information by submitting a freedom of information request to the relevant Government department, as provided for by the Freedom of Information Act (FOI)[16], could represent a way of reconciling these two requirements. Nevertheless, clear limits to the disclosure of government data should be established. Apparently this is not currently the case, as borne out by the recent criticism[17] of Prime Minister Cameron by the Information Commissioner (who is responsible for FOI implementation) concerning records of meetings between minsters and civil servants. What is more, as legislation currently stands, private-sector providers of public services can invoke trade secrets as grounds for withholding information.

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[7] http://www.nuffieldtrust.org.uk/talks/videos/tim-kelsey-transparency-public-services

[8] The NAO review referred to below states that the publication of contract-related information also led to new types of fraud (redirecting payments intended for private suppliers): http://www.guardian.co.uk/news/datablog/2012/apr/18/uk-open-government-data-national-audit-office

[9] http://www.telegraph.co.uk/news/politics/david-cameron/9171481/Brick-by-brick-were-tearing-down-the-big-state.html

[10] In this respect, refer to David Cameron's declaration of 6 July 2011: http://www.telegraph.co.uk/news/politics/david-cameron/8621560/David-Cameron-We-are-creating-a-new-era-of-transparency.html

[11] http://www.nao.org.uk/publications/1012/implementing_transparency.aspx

[12] http://www.publications.parliament.uk/pa/cm201213/cmselect/cmpubacc/102/10203.htm

[13] http://data.gov.uk/blog/the-new-datagovuk

[14] Initial open data experiments by French local authorities seem to be coming up against the same problems and the appropriate data release format has still to be found: http://www.lagazettedescommunes.com/113394/open-data-la-transparence-democratique-demeure-virtuelle/

[15] http://data.gov.uk/blog/laying-the-foundations-for-open-data-engagement
NB: Tim Davies' blog: http://www.timdavies.org.uk/

[16] http://www.direct.gov.uk/en/Governmentcitizensandrights/Yourrightsandresponsibilities/Freedomofinformationanddataprotection/DG_4003239

[17] http://www.guardian.co.uk/politics/2012/jul/16/david-cameron-freedom-of-information

Outside these boundaries, it is perhaps essentially the difference between data (which is inherently raw) and information which is causing the problem. Whilst open data may benefit firms which use and restate certain data to expand their business activity, the average user looking for information probably expects the transparent government initiative to help him understand the ins and outs of Government policies. Providing information involves mediation, translation and framing in a context that gives it meaning. As a result, in blurring the distinction between data and information, the goal of total transparency could be hindered by the actual situation as regards individual data processing capacities and motivation. This processing necessitates both work and time[18].

The outlook

In light of the foregoing, the strategy of relinquishing historical top-down public action control methods, which was introduced in 2010[19] by, principally, reviewing Public Service Agreements (PSA)[20] and abolishing the Audit Commission for Local Authorities[21] (with the work now being carried out by private firms[22]), seems to be a gamble that is paying off: the Government wants to replace these control methods, seen as being centralised and bogged down by red tape[23], with direct control by the public and communities through transparency, competitive tendering and freedom to choose[24]. In this respect, the proposal to name and shame civil servants who fail to deliver on their targets, in departmental business plans[25], demonstrates this lessening of control from the top in favour of scrutiny, and even judgment, by the public.

The effectiveness of this type of open government may be in doubt, especially at a time when the resources of Government departments are being cut back. The researcher Anuradha Joshi[26] notes that there are currently few generally-applicable assessments of the effect of transparency policies on the quality of public services. Moreover, the aims of these policies are not always clearly identified. That said, a determining and material condition for the success of such policies is that services are able to adapt, in-house, so as to be able to meet both demand and expectations. Good communication between "providers" and users is also essential as it allows for requirements and constraints to be better understood by both parties. This in turn fosters a more shared notion of what quality means.

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[18] To pursue this line of thought further, Bertrand Duperrin's article on information overload is interesting: http://www.duperrin.com/2007/02/23/la-surcharge-informationnelle-est-un-mythe/

[19] http://www.telegraph.co.uk/news/politics/david-cameron/7884681/David-Cameron-and-Nick-Clegg-Well-transform-Britain-by-giving-power-away.html#

[20] Public Service Agreements (PSA), first introduced in 1998, made Government departments accountable to the Treasury through overlaid performance targets related to indicators: www.parliament.uk/briefing-papers/SN03826.pdf

[21] Indeed, the thinking behind setting up the Audit Commission in 1982 and the NAO in 1983 was to improve accountability with the onus being placed on performance: http://www.crefige.dauphine.fr/recherche/histo_compta/carassus.pdf pp 8-9

[22] http://www.audit-commission.gov.uk/aboutus/future/Pages/default.aspx

[23] This sentiment also applies to the implementation of the French Constitutional Bylaw on Budget Acts (LOLF): http://www.ccomptes.fr/Publications/Publications/La-mise-en-oeuvre-de-la-loi-organique-relative-aux-lois-de-finances-LOLF (p. 19)

[24] Introducing local elections was also part of the package to give the public more say but this has only been partly successful: http://www.publicservice.co.uk/news_story.asp?id=19652

[25] http://www.publicservice.co.uk/news_story.asp?id=19915

[26] http://www.dfid.gov.uk/R4D/PDF/Outputs/Mis_SPC/60827_DPRJoshi_Preprint.pdf