

Report of the Director of Customer Business and Support Services

Transparency in local government

Summary

1. The purpose of this report is to update members on progress to meet the government requirement to publish on line details of salaries and spending by 31st January 2011.

Background

2. The Department of Communities and Local Government (DCLG) require publication of data on spend and salaries by 31st January 2011.
3. In support of this policy on the 7th October Council carried a motion, as follows:
 - This Council welcomes the proposals recently put forward by the Department of Communities and Local Government (DCLG) as part of its efforts to improve local transparency and accountability.
 - This Council therefore commits itself to complying with the DCLG recommendations and by 1st January 2011 at the latest will publish and continuing publishing online:
 - Details in full of total cumulative spending over £500;
 - Information on all posts paying over £50,000 per year (including details of benefits and expenses) and their job descriptions;
 - Councillor allowances and expenses in a real time rather than annual format.
 - This Council also pledges that this information shall be published at zero cost to the taxpayers, with its collation and presentation forming part of other processes already carried out by the Council.
 - With some of this information already available, the Council further pledges to make itself even more transparent by requiring that the various strands of information be collected and brought together on the Council website, with a link on the front page, under the heading 'www.york.gov.uk/transparency' to make it easy for residents to find.

Publication

4. All transparency data is published in the following location <http://www.york.gov.uk/opendata> (opendata) on the Council's website within 30 days of month end in both PDF and CSV formats, as recommended by the guidance.
5. The categories due to be published to date on the opendata page include the following:

Freedom of Information (Fol) Requests

6. Fol requests received and the outcomes or responses from the week commencing 6th December 2010 are included. Fol requests received, and the outcomes or responses, continue to be published on the same pages, in weekly batches, while direct access through the Documentum records management system is developed (as approved by the Executive in September 2010).

Payments over £500

7. Draft guidance was issued in September which set out a mandatory format. This guidance will be updated in 6 months time following feedback from local authorities. To supplement the draft guidance a practitioner guide was published by the Local Government Association (LGA).
8. Local authorities are required to publish items of spend over £500 online before 31st January 2011. The data must include all individual invoices to suppliers for goods or services, grant payments, payments to other public bodies, travel and subsistence payments. All credit notes and journals/recodings relating to the above will also be published. It does not include salary, pension costs or internal recharges.
9. The Council achieved publication some months in advance of the deadline, initially for September 2010 (included only payments relating to the CBSS directorate) followed by payments for the whole Council from November 2010.

Senior salaries and expenses

10. Salary details of senior management are required to be published by 31st January. It is up to each individual council how they define senior management but it normally only applies to chief officer posts. Details of individuals, job titles, department and salaries of all chief officers are now available on the opendata page. This information will be updated annually in April.
11. In order to provide details of the accountability and responsibilities of senior roles, the Council will publish job descriptions of the Chief Executive and first tier officer posts.
12. To put this information into context, organisational data is also included and links to the existing pages on the Council's website provide further details on directorate responsibilities and budget information.

13. In addition to the information provided on chief officer posts in accordance with the guidance, the council motion requires publication of salary details over £50,000, which includes some grade 12 posts.
14. To comply with the council motion we intend to publish all grade 12 posts as 'banded' data stating the salary range. Individual names will not be included. Although some grade 12 posts will fall below the £50k limit, it would be inconsistent from an organisational context if we do not publish all grade 12 posts.
15. We intend to publish the grade 12 data in April when the Organisation Review is complete and structures finalised. This also allows time to notify the individuals concerned.
16. The council motion also requires the publication of expenses. To minimise the cost of production chief officer expenses will be published annually in April.

Members expenses and allowances

17. Members expenses and allowances are already published annually on the council website. The 'opendata' page will include the existing annual publication and also publication on a monthly basis from December 2010.
18. Further information is available on this page explaining the type of allowances and expenses.

Council contracts and tenders above £500

19. All Council contracts and tenders for expenditure over £500 are required to be published by 31st January 2011.
20. All contracts let after the 31st January will be published and include the specification, terms and conditions and associated schedules.

Data protection and redacted entries

21. There are limited exceptions surrounding personal information that falls under the Data Protection Act, mainly when dealing with payments to vulnerable people (e.g. payments to foster parents). The data to be published will in most instances not disclose price and therefore is unlikely to be commercially sensitive. The payee name is replaced with the word 'redacted' where any payments are deemed to fall under the Data Protection Act or are commercially sensitive.
22. It should be noted that payments to individual consultants, sole-traders or other supplying individuals would not normally be redacted.

Process for Queries

23. It is hoped that the publication of transparency information will reduce the number of queries received because the information is readily available. To date there have not been a significant amount of queries in relation to 'over £500 payments'. We are currently using the same process as FOI requests for any queries we receive and the relevant section on the opendata page of the website includes the contact details for queries.

Consultation

24. To keep costs to a minimum we informed our main suppliers (which constitute 80% of our spend) by email.

25. In addition, to notify any remaining suppliers we have updated our terms and conditions on our website at <http://www.york.gov.uk/procurement> and made a reference to this update on our remittance advice.

26. Directors and Assistant Directors have consented to the first phase of the publication of salary information and Grade 12 staff will be notified in due course.

Options

27. As a minimum, we have complied with the government requirement to publish the mandatory data set out in the guidance.

28. However, the Council may choose to publish additional data in addition to the mandatory requirements as we have elected to do in the Council motion.

29. Any future decision to publish additional data should weigh up the cost to produce and publish the data compared to the benefits of publication.

30. Types of transparency data the Council may opt to publish in the future could include:

- Details of Council's major projects
- Additional Performance or Financial information

Corporate Priorities

31. Publication of this information contributes to all areas of the corporate strategy as it encourages the Council, its members and staff to be accountable for their spend and decision making.

Implications

32. The implications are

- Financial – Production, review and publication of the data requires staff resources and therefore has a cost implication. However, in order to reduce officer time the process is automated where possible and manual intervention is

kept to a minimum. It is anticipated that publication will reduce the number of Fof requests, which would offset the additional resources required to produce the data.

- Human Resources – The Council already has in place established data protection policies surrounding personal data, which will apply to these publications. Where individuals may be identified through the publication, this will be only done in accordance with established policy and the transparency guidelines, and the officers concerned will be reminded of those policies prior to publication. This has already taken place with regard to senior officer salary details. The publication of the data will also reduce the amount of Officer time spent responding to Fof enquiries
- Equalities - there are no equality implications to this report
- Legal - there are no legal implications to this report
- Crime and Disorder - there are no crime and disorder implications to this report
- Information Technology - there are currently no information technology implications to this report as only current IT available is being utilised.
- Property –are no property implications to this report
- Other - there are no other implications to this report

Risk Management

33. The 'payments over £500' report is distributed to assistant directors to review or forward to budget managers. The purpose of this review is to identify any transactions which should not be published under the Data Protection Act or to highlight any significant issues.
34. The data on members expenses and allowances is distributed to all members before publication to ensure that there are no significant errors.

Recommendations

35. That Audit & Governance Committee note the progress contained in this report and recognise the continuing work being undertaken.
36. Reason: That those responsible for governance arrangements are updated to ensure that the implementation of the transparency agenda is achieved in accordance with the recommended guidance.

Contact Details

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Report approved Date

Specialist Implications Officer(s) None

Wards Affected: *List wards or tick box to indicate all* **All**

For further information please contact the author of this report
Background Working Papers:

DCLG draft guidance: <http://data.gov.uk/blog/local-spending-data-guidance>.

Practitioner's guidance: Publication of senior salary information
<http://lgtransparency.readandcomment.com/introduction-2/>

Practitioner's guidance: Publication of local spending data
<http://lgtransparency.readandcomment.com/1-introduction-2/>