

LOCAL GOVERNMENT TRANSPARENCY CODE 2014

Cabinet – 15 January 2015

| | |
|---------------------|---|
| Report of | Chief Executive |
| Status: | For Consideration |
| Also considered by: | Strategy and Performance Advisory Committee – 2 December 2014 |
| Key Decision: | No |

This report supports the Corporate Plan Promise to provide value for money

Portfolio Holder Cllr. Peter Fleming

Contact Officer(s) Lee Banks Ext. 7161

Recommendations to Strategy & Performance Advisory Committee:

- (a) Members note the requirements of the Local Government Transparency Code 2014, and
- (b) Advise Cabinet on the publication of any further data, as recommended by the Local Government Transparency Code 2014 and as set out in Appendix B of this report.

Recommendation to Cabinet:

- (a) Members note the requirements of the Local Government Transparency Code 2014, and
 - (b) Advise Officers on the publication of any further data, as recommended by the Local Government Transparency Code 2014 and as set out in Appendix B of this report.
-

Reason for recommendation: To ensure Members are informed about the range of data the Council is required to publish under the Local Government Transparency Code 2014 and associated Regulations and seeks that Members advice on the extent of any enhanced data to be published in accordance with recommendations made in the Code.

Introduction and Background

- 1 On 31 October 2014 the Local Government (Transparency Requirements) (England) Regulations 2014 came in to effect. These Regulations make it a legal requirement for local authorities to publish a range of data as specified in Part 2 of the Local Government Transparency Code 2014.
- 2 This report sets out for Members a summary of the Local Government Transparency Code 2014 and details the data that the Council is required to

publish. The Code also sets out a range of further information that is recommended to be published (which is not a legal requirement) and Members views are sought on what elements, if any, of the recommended information the Council may wish to publish.

Local Government Transparency Code 2014

- 3 It is the Government's stated desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. This Code is issued to meet that desire.
- 4 The Government has set out that:

"Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets".
- 5 In Part 2 of the Code, which is available as background information to this report, the Government has set out 13 data sets which the Council is required by legislation to publish on either a quarterly or annual basis. A full record of each of these data sets is provided at Appendix A to this report, but can be summarised as:
 - i. Expenditure exceeding £500
 - ii. Government Procurement Card transactions
 - iii. Procurement information
 - iv. Local authority land
 - v. Grants to voluntary, community and social enterprise organisations
 - vi. Organisation chart
 - vii. Trade union facility time
 - viii. Parking account
 - ix. Parking spaces
 - x. Senior salaries
 - xi. Constitution
 - xii. Pay multiple' and
 - xiii. Fraud.
- 6 Of these 13 data sets the Council currently publishes four to the required standard and format. These are expenditure exceeding £500, senior salaries, Constitution and the pay multiple. These can be accessed from a single page on the Council website at www.sevenoaks.gov.uk/transparency.

- 7 The Code requires that the remaining 11 data sets are published in by 31 December 2014 in the case of procurement information and by no later than 2 February 2015 for all other remaining data sets.
- 8 The Code requires that each of these data sets is published in a format and under a licence that allows open re-use, including for commercial and research activities, in order to maximise value to the public. In practice this means data will be published under the Open Government Licence published by the National Archives and placed on the Council website as a PDF document, a Word or Excel document (as appropriate) and as a CSV or XML file. Publishing in multiple formats is in accordance with recommendations made within the Code.

Information recommended for publication

- 9 Part 3 of the Code sets out additional data that Government would recommend that local authorities publish as standard but there is no legal requirement to do so. Members are requested to consider each of the following suggested areas for further data transparency and recommend any which they would wish the Council to publish on a regular basis. Set out below is the title of each of the data sets with further information provided at Appendix B to this report.
 - i. Expenditure exceeding £250
 - ii. Enhanced information on procurement
 - iii. Enhanced information on local authority land
 - iv. Enhanced information about parking spaces
 - v. Enhanced organisational chart
 - vi. Enhanced community grants data
 - vii. Enhanced fraud data

Other Options Considered and/or Rejected

- 10 None. The Council is required by Regulations to publish a range of data published at Part 2 of the Local Government Transparency Code 2014. The Council has discretion on whether to published enhanced information under Part 3 of the Code and these categories of data are set out for Members consideration.

Key Implications

Financial

- 11 The Government has set out that it will make a new burdens payment in 2014-15, to eligible local authorities, totalling £2.6 million across the country. This is intended to enable the Council to publish two sets of quarterly data (the first needs to be published by 31 December 2014) and the first set of annual data which needs to be published by 2 February 2015. Payments to individual local authorities will again be made under section 31 of the Local Government Act 2003 during November.

- 12 In 2015-16, the Government has committed to make a total new burdens payment of £4.0 million to local authorities.

Legal Implications and Risk Assessment Statement

- 13 The Council has a legal duty to publish the data sets detailed in Part 2 of the Local Authority Transparency Code 2014. Failure to publish the data in the correct format and in the required timescales would place the Council at risk of intervention.

Equality Impacts

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|------------------------|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | None required. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | No | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | |

Conclusions

- 14 The Local Government Transparency Code 2014 and the associated Local Government (Transparency Requirements) (England) Regulations 2014 placed a legal requirement on the Council to publish a range of data sets in an open and reusable format on its website. The Regulations came in to effect on 31 October 2014 and place a requirement on the Council to ensure the first data sets are published in full by 31 December 2014 with more complex data sets made available by 2 February 2015.
- 15 The Code also sets out a range of enhanced data that the Council may choose to publish and these are set out for Members consideration and decision.

Appendices

Appendix A – Part 2 data sets (Legal requirement to publish)
Appendix B – Part 3 optional data sets

Background Papers:

Local Government Transparency Code 2014

www.gov.uk/government/publications/local-government-transparency-code-2014

Pav Ramewal
Chief Executive