



Department for  
Communities and  
Local Government

# Strengthening Local Government Transparency

Government response to consultation on changes to the  
Local Government Transparency Code 2015

DRAFT

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Department for Communities and Local Government

Fry Building

2 Marsham Street

London

SW1P 4DF

Telephone: 030 3444 0000

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# 1. Introduction

1.1 The government believes not only that transparency is the foundation of local accountability, the key that gives people the tools they need to hold their councils to account, but also that the availability and format of certain data can provide new opportunities for analysis of public spending and the management of public assets.

1.2 In 2011 the government issued the Code of Recommended Practice for Local Authorities on Data Transparency, to place more power in citizens' hands, to increase democratic accountability and to make it easier for local people to contribute to the local decision making process and help shape public services. The Government published a revised Local Government Transparency Code in October 2014, and further updated the Code in February 2015.

1.3 The original purpose of the Code was to place more power into citizens' hands, to increase democratic accountability by requiring local authorities to publish certain information about financial transactions and assets. Allowing the public to access this key data enables the public to more effectively engage with, and challenge, their local authority.

1.4 Local data is valuable. Making the best use of local data to ensure that public money and assets are being effectively managed requires going beyond the original requirements and intention of the Code, with its focus on the publication of local data on local websites for local use. Certain local data produced by authorities can be of more use if it is published in a manner that allows analysis not just at a local level, but at a national one too.

1.5 In May 2016 the government consulted on proposals to update the Transparency Code, to provide the opportunity for greater town hall transparency and also to enhance scrutiny of the use of public assets and resources, including through better comparison of data.

## 2. Overview

2.1 The Local Government Transparency Code 2015 applies to certain authorities in England, including local authorities, National Park Authorities and fire and rescue authorities. The Local Government Transparency Code 2015 is available at: <https://www.gov.uk/government/publications/local-government-transparency-code-2015>

2.2. The consultation on changes to the Local Government Transparency Code 2015 was published on 12 May 2016 and consultation closed on 8 July 2016. Respondents were invited to reply by email or to post written responses to the Department for Communities and Local Government.

2.3 The consultation sought views on updating the Transparency Code to:

- change the way that local authorities record details of their land and property assets;
- require local authorities to publish information about their procurement, their contracts and the delivery of some of their services;
- include in the Code new requirements about information on parking charges and parking enforcement;
- include in the Code new requirements about the way transparency data is published and presented; and
- include in the Code recommendations that local authorities publish information about their dealings with small and medium-sized enterprises.

2.4 The consultation also sought views on the added costs or savings to authorities of each of the proposals.

2.5 This consultation was open to everyone. We particularly sought the views of individual members of the public, of those bodies that are subject to the requirements of the Local Government Transparency Code, of those bodies that represent the interests of local authorities at all levels, and of those bodies that have an interest in transparency.

2.6 The consultation generated 159 responses, broadly consisting of the following groups:

<b>Respondent type</b>	<b>Number</b>	<b>%</b>
Principal authorities	110	69%
Parish councils	9	6%
Other authorities	2	1%
Organisations	15	9%
Business	14	9%
Charities	3	2%
Individuals	6	4%

*Principal authorities include councils such as district and borough councils, as well as London borough councils*  
*Organisations include representative organisations such as the Local Government Association*

2.7 The consultation asked if authorities could quantify the added costs or savings, or added or saved man-hours that would result from the implementation of the proposals. While many authorities were unable to quantify costs or savings, and some commented that there would be unspecified costs involved, others remarked that costs would be negligible, or that the proposals would be cost neutral. A small minority were able to quantify costs or savings.

2.8 Any change to the Local Government Transparency Code requires secondary legislation to revoke the existing Code and put a new, updated, Code in place.

## 3. Consultation responses

### Land

#### Proposal

3.1 The government considers that collecting data on local authority land in a central space would allow for a more strategic consideration of how public land can best be used and enable closer collaboration with central government and the wider public sector. This is important if we are to use land and property as enablers for local growth including housing growth, better services and to create efficiency savings that can be reinvested.

3.2 The consultation paper proposed that the Code be modified to require the annual publication of land and building asset data to the government's electronic Property Information Management System (e-PIMS), rather than to local authority websites.

3.3 This proposal would entail only the publishing of data to a different place, in a fixed format, rather than any new data collection requirement. As a consequence, this may not result in new burdens and may instead result in savings and wider benefits to authorities.

<b>Q1: Do you agree that authorities should record details of their land and property assets in a consistent way on e-PIMS?</b>
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#### Consultees' views

3.4 There were 116 responses to this question. 81 of those that responded supported the proposal that authorities should record their land and property assets in a consistent way on e-PIMS, with many respondents commenting that they already publish this information under the One Public Estate (OPE) programme. OPE is an initiative delivered in partnership by the Local Government Association and the Cabinet Office's Government Property Unit. It helps local authorities deliver property based programmes which boost local growth, generate income, reduce running costs and improve services.

3.5 It was suggested that publishing via e-PIMS would also make it easier to make comparisons, build regional/national pictures and make information easily accessible for taxpayers. In addition it was remarked that the publication of data in a consistent way will help to get a better understanding of what land is available for development.

3.6 There were arguments for and against also publishing the data locally, with the remark that the Code should not introduce an additional burden to local authorities by requiring the duplication of information that is already published elsewhere, and counter-argument that there are benefits of additionally publishing this information locally, ensuring that it can be used alongside other council

information, and be discoverable by residents ensuring trust in the data. A small amount of those who responded argued that some of this information is sensitive, both commercially and politically, and could become out of date if the requirement remained that it be published annually.

**Q2: What do you consider are the benefits/disbenefits of authorities recording details of their land and property assets in a consistent way on e-PIMS?**

### **Consultees' views**

3.7 Of the 114 responses to this question, 60 respondents considered there could be benefits to authorities publishing details of their land and property assets in a consistent way via e-PIMS, as it would allow for standardisation across local government, and the information would be presented all in one place. It was suggested that the public, and other interested parties, would be able to see the extent of publicly owned land, leading to better collaboration across local authority boundaries. This would enable identification of better cost savings, with more opportunities to make cost effective use of local land. The view was expressed that the public must be able to access e-PIMS, as they cannot currently (there is a public facing website, Government Property Finder). It was remarked that a benefit of recording details of land and property assets in a consistent way via e-PIMS would be to enable easier comparison of assets and build trust in the data across organisations. 25 respondents considered that there would be no benefit from publishing as proposed, as they already published this data on their own websites, which could mean the use of dual systems using different formats.

**Q3: Can you quantify the added cost or saving to your authority of publishing this data to e-PIMS rather than publishing it on your own authority's website?**

**Q4: Can you quantify the added or saved man-hours involved in your authority publishing this data to e-PIMS rather than publishing it on your own authority's website?**

### **Consultees' views**

3.8 There were, respectively, 107 and 108 responses to these questions about quantifying potential costs or savings and potential added man-hours or savings resulting from implementing this proposal. 76 and 56 respectively of those who responded could not make an estimate, but the majority of those considered that there would be unspecified added costs and man-hours. 13 and 39 respectively considered that they could quantify, with the majority of those saying the costs/man-hours would remain the same or were negligible. The remaining responses offered no clear opinion. No one who responded estimated any savings. In general it was felt that the added costs or man-hours would mainly consist of officer time.

### **Proposal**



3.9 The consultation proposed that in addition to the existing data on land and property assets already published by local authorities, local authorities also publish, on e-PIMS:

- the extent of the land in hectares for each piece of land
- whether that land is surplus to requirements
- whether there are current or future plans to release the land for housing development
- if there are plans to release the land for housing development, what is the current planning status
- if there are plans to release the land for housing development, how many homes can be accommodated, and
- for properties of 10,000 square foot or larger, the floor area of that property, the number of floors and the number of car parking spaces that property has.

**Q5: Do you agree that authorities should record the additional data proposed above, in a consistent way on e-PIMS?**

#### **Consultees' views**

3.10 There were 115 responses to this question, 41 responding in the affirmative, with 29 negative responses, the remaining responses offering no firm opinion one way or the other. In general the positive responses were a simple 'yes', agreeing to the proposal, despite any additional burden, that the information should be recorded on e-PIMS in a consistent way. Many of the negative responses argued that it appeared that the new requirement was simply to aid increased housing delivery, not for greater transparency, as this information was generally available locally. It was also pointed out that the information published in Brownfield Registers should be sufficient, and that the perceived benefits do not justify the extra burdens this would place on local authorities. It was suggested that some local authorities may only hold information such as the extent of authority land in hectares as paper records, and this information would have to be digitised.

**Q6: What do you consider are the benefits/disbenefits of authorities recording the additional data proposed above, in a consistent way on e-PIMS?**

#### **Consultees' views**

3.11 There were 108 responses to this question. 16 agreed that there would be benefits, 25 could not see any benefit, and a further 22 suggested there would be both benefits and disbenefits, with the remaining respondents not answering the question directly. The mixture of comments included that recording data on e-PIMS gives greater transparency and accountability, aids better planning and increases efficiencies between neighbouring authorities. Some considered that e-PIMS was not the right vehicle for this information. Others argued that the council may have earmarked property or land for future regeneration projects and then be expected to release it for housing instead. Concern was expressed that properties identified as being vacant might be targeted for vandalism, or squatting, and that information

should also be included about whether land might be held in a charitable trust or subject to covenant that would restrict the use the land might be put to. There was a concern that publishing information about land that is surplus to requirements may impact on the commercial interest to sell or lease the property in the future.

**Q7: Can you quantify the added cost, if any, to your authority of publishing this additional data?**

**Q8: Can you quantify the added man-hours, if any, involved in your authority publishing this additional data?**

### **Consultees' views**

3.12 There were 105 and 107 responses to this question. 62 and 66 respectively were unable to quantify the added cost of publishing this data, while 26 and 29 were able to quantify the added cost of publishing this data, with the remaining respondents not answering the question directly. Concerns centred mainly around the need for extra staffing, training in respect of e-PIMS, and making enhancements to local databases to accommodate the requirement to publish on e-PIMS, although some were of the view that the cost would be minimal/negligible or would only involve a one off cost as this data is already available and maintained. Estimates of annual costs for principal local authorities varied from a few thousand pounds to tens of thousands of pounds. Man-hours estimates also varied significantly. Only a small number of responses suggested that any increase in man-hours would be minimal.

### **Government response**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

## Procurement

### Proposal

3.21 The consultation paper proposed increasing the consistency of local government procurement data, including contracts data, through the development of a national reporting mechanism. Increasing the standardisation and transparency of procurement and contract data, for instance by publishing to a central source,

designed for this purpose, would enable the data to be more easily interrogated for the purpose of detecting fraud, bribery and corruption.

3.22 The consultation paper also proposed that authorities publish their procurement data in a more prescriptive format. Publishing procurement and contract data from different local authorities in a fixed format would enhance comparability, enabling the data to be more easily interrogated.

**Q9: Do you agree that authorities should publish procurement data in a fixed format to a central source?**

### **Consultees' views**

3.23 There were 122 responses to this question, with 62 agreeing that authorities should publish procurement data in a fixed format to a central source, 38 disagreeing and 6 not expressing an opinion either way, with the remaining respondents not answering the question directly. Those in agreement were of the opinion that standardisation is key to ensuring real transparency, and remarked that publishing in a fixed format is more important than publishing centrally, as a fixed format allows for easier analysis of similar data. Concern was expressed that publishing procurement data to a central site may conflict with localism, and that most authorities would still publish the information on their own websites anyway, as all local data should be in one place locally for local perusal. Some considered publishing to a central source a departure from the aim of increasing accountability of local authorities. Concern was also expressed that central government will not fund the new burdens that would result from this requirement.

**Q10: What do you consider are the benefits/disbenefits of publishing procurement data in a fixed format to a central source?**

### **Consultees' views**

3.24 There were 114 responses to this question. 39 responded that they could see benefits in publishing procurement data in a fixed format to a central source, with 35 responding that they could not see any benefit, and 29 explaining that there were both benefits and disbenefits. The remaining respondents did not express a clear opinion one way or the other. Benefits suggested included accessibility, transparency, and useable quality data leading to ease of comparison and benchmarking. Some suggested a statutory schema, as this would give better links to data in order to get the bigger picture of local government procurement, which could in turn lead to the identification of suitable savings and analysis of public spending, as well as offering opportunities for collaboration. Others though maintained that the costs of the exercise would outweigh the benefits.

3.25 It was also argued that the proposal was leading away from transparency and accountability, and the level of data required could be onerous and too resource intensive to produce, with the information being more useful to central government and data mining companies than the public. It was again argued that publishing data locally ensures discoverability and trust in the data by local citizens and that existing reporting arrangements allow interested parties to access the data they want in a

machine readable format. It was also remarked that the criteria for judging the value for money of a contract is much wider than simply the cost of services, and includes quality, social value, anticipated outcomes for the service user and other local priorities that will differ between local authorities.

**Q11: Can you quantify the added cost or saving to your authority of publishing this data in a fixed format to a central source rather than publishing it on your own authority's website?**

**Q12: Can you quantify the added or saved man-hours involved in your authority publishing this data in a fixed format to a central source rather than publishing it on your own authority's website?**

### **Consultees' views**

3.26 There were, respectively, 108 and 102 responses to these questions, with 87 and 78 answering in the negative to Q11 and Q12 and 9 and 14 giving a positive response, with the remainder giving no clear opinion. Most respondents mentioned that it was difficult to quantify, or that it was unknown, what the added cost or saving was likely to be, due to insufficient information about exactly what would be required. Estimates from those who were able to provide information suggested an increase in costs which varied substantially, ranging from £1,000 to £10,000, although at least as many stated that there would be minimal or no extra cost involved. Estimates concerning man-hours suggested an increase in costs which varied from 20 man hours per month to 2 man weeks per annum. Other responses suggested that there would be no added or saved man hours.

### **Government response**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Contracts

### Proposal

3.32 The consultation paper proposed that the Code be updated to require local authorities with 'in-house' services to provide a one-off set of information for their local residents which sets out details of the in-house service and justifies to residents that the service is being delivered cost-effectively.

3.33 Specifically, a local authority should publish, within one month of taking such a decision:

- information on how it has 'tested' its in-house provision against the market to ensure the service is being delivered cost-effectively. Local residents should get the best possible value for money service
- assumptions of the operational costs of the service
- where appropriate, other relevant assumptions: for example, in a waste services context, those relating to household recycle sales and assumptions about future revenues from recycling and business waste collections.

3.34 The local authority should set out for how long the current in-house service is expected to be in place and should reassess the costs and benefits of in-house services against provision by private firms after an appropriate time period – for example, every seven years.

3.35 In order to minimise burdens for local authorities, the requirement could be limited to services above a certain threshold, for instance contracts with a value in excess of £500,000.

**Q13: Do you agree that authorities should publish information about the decision making process of retaining, or taking, a service 'in house'?**

### Consultees' views

3.36 There were 125 responses to Q13. 41 of those responding agreed that the decision making process for retaining, or taking a service 'in-house' should be published by authorities. 72 of those responding however thought that this should not be the case. The remainder offered no clear opinion. It was argued that this information was already available in published cabinet papers and reports, as the decision making process must be transparent to reduce risk of fraud. There was in-principle support for the publication of decisions on deployment of in-house services and comments that information of this nature is generally already available in the

public domain as a result of councils' existing transparency requirements arising from their governance and approval processes. It was also suggested that this measure could aid community groups who are considering the Right to Challenge. Some considered that there could be a conflict where an authority is operating its own trading services, an arrangement which may become more prevalent in the future, and that this would in effect be releasing commercially sensitive information. Others thought that, as there was still the Best Value duty, the proposal would be an additional bureaucratic requirement.

**Q14: What do you consider are the benefits/disbenefits of publishing information about the decision making process of retaining, or taking, a service 'in house'?**

### **Consultees' views**

3.37 There were 117 responses to this question. 27 agreed there would be benefits in publishing information about the decision making process of retaining, or taking, a service 'in house', with 67 suggesting there would be disbenefits. 12 responses considered there would be both benefits and disbenefits. The remainder offered no clear opinion one way or the other. Of those in favour of the proposal, some suggested that it would give the public greater confidence in decision making processes, and give assurance of the fidelity of the authority. Among the more doubtful some suggested it would bring unnecessary central involvement into local decision making, and that additional resources would be needed to manage the process.

3.38 It was argued that there is no standard method for accounting for back office and other rechargeable inter or outsourced departmental costs so comparisons with decisions made by other authorities will be flawed. It was also argued that authorities vary in size and how services are delivered. There was a concern that the proposal was a requirement to reassess services, rather than publish the result of any reassessment.

**Q15: Should the requirement apply to all services, or should it apply to specific key services - such as waste services, leisure services and human resources where a decision has been made to provide the service in-house?**

### **Consultees' views**

3.39 This question received 108 responses. 21 of those responding considered that the requirement should apply to all services, commenting that publication should follow the decision making process to retain or bring back a service in house. 36 considered that the requirement should apply to specific key services, with some arguing that where there is already an established market in areas such as waste collection. 35 argued that it should not apply to any services at all, with some using the argument that if a prescriptive list of specific key services was provided, then this could affect an authority's local ability to manage its own services in its own way. The remaining respondents offered no clear opinion one way or the other.

**Q16: If the requirement were to apply to all services, what should the threshold be for the value of these services?**

### **Consultees' views**

3.40 There were 90 responses to this question. 20 respondents felt that there should be a threshold but were unspecific as to what level it should be set at. 20 did not agree with the proposal. 4 of those responding suggested the threshold should be less than £500k. 17 of those who responded suggested the threshold should be £500k. 24 suggested that the threshold should be greater than £500k, for instance £1m and above. Some of those responding remarked that it was difficult to give a specific threshold because of the different sizes of authorities and the differing services that they undertake, or that the threshold should align with the Public Contracts Regulations. Many considered £500k an unrealistically low threshold.

**Q17: What aspects of this requirement will give rise to burdens for local authorities and how can these be minimised while still increasing transparency?**

### **Consultees' views**

3.41 There were 93 responses to this question. 45 of those who responded commented that they thought that the proposal itself was unnecessary, 10 commented that they publish such information already, but if the budget trigger was higher than £500k then the burdens may reduce. 20 of those who responded commented that they considered the proposal a regression to the 1980s Compulsory Competitive Tendering regime, which to them was a backward step, and also commented that the social value of contracts should be included in any measurement of the impacts of commissioning and contracting arrangements. It was also argued that the proposal should not be applied to contracts already awarded, but should only apply to any future in-house contracts, as to apply the requirement retrospectively would increase the burdens of publishing the information considerably.

**Q18: Can you quantify the added cost, if any, to your authority of publishing this data?**

**Q19: Can you quantify the added man-hours, if any, involved in your authority publishing this data?**

### **Consultees' views**

3.42 There were 99 and 94 responses to these questions respectively, with 79 and 78 giving a negative response to Q18 and Q19 and 10 and 6 able to give quantified figures. It was remarked upon that quantification was not possible without further detailed information about the publication requirement. Estimates from those principal authorities who did provide information suggest an increase in costs to publish the data which varied from a few thousand to tens of thousands of pounds per year. The estimates of the small amount of respondents who were able to



provide an estimate of man-hours varied significantly, from approximately 14 hours of senior staff time per year to three full-time posts.

**Government response**

[Redacted]

[Redacted]


[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



## Parking

### Proposal

3.50 The consultation paper proposed that existing requirements to publish data relating to a local authority's parking account be expanded to include greater detail about parking charges as well as statistics about the enforcement of parking restrictions by the local authority.

3.51 Specifically, that local authorities would be required to provide data on:

- total income and expenditure on the parking account kept under section 55 of the Road Traffic Regulation Act 1984, and Off-street parking charges and penalty charges which are not covered under section 55 Road Traffic Regulation Act 1984.

Breakdown of income:

- on-street parking charges
- on-street penalty charges
- off-street parking charges
- off-street penalty charges

Breakdown of:

- total surplus or deficit on the parking account
- action taken with respect to a surplus or deficit on the parking account
- details of how any financial surplus has been or is to be spent, including the benefits that can be expected as a result of such expenditure.
- breakdown of running costs of parking provision outside of the section 55 account

Statistics

- number of higher level penalty charge notices issued
- number of lower level penalty charge notices issued
- number of penalty charge notices paid
- number of penalty charge notices paid at discount rate
- number of penalty charge notices against which an informal or formal representation was made
- number of penalty charge notices cancelled following an informal or a formal representation
- number of penalty charge notices cancelled following an appeal made to an adjudicator.
- number of penalty charge notices written off for other reasons (e.g. an error by the civil enforcement officer or driver untraceable)
- number of vehicles immobilised
- number of vehicles removed

**Q20: Do you agree that authorities should publish further details of their parking finances and enforcement?**

### **Consultees' views**

3.52 There were 108 responses to this question. 54 considered that authorities should publish further details of their parking finances and enforcement. 21 considered no further details need be published, with many of those responding that this information was already within the parking report required by the Department for Transport. Many responded that they had no objections to providing the extra information, especially if there was a public interest, and the data would be easily extractable from the information they already hold. It was also suggested that publishing the information would help reduce the amount of Freedom of Information requests received by authorities.

**Q21: What do you consider are the benefits/disbenefits of publishing the parking data as set out above?**

### **Consultees' views**

3.53 There were 96 responses to this question. 10 stated that they already provided this information within their report to the Department for Transport, 37 considered there would be benefits to publishing the parking data as suggested, 25 considered there would be disbenefits, and 17 considered there were both benefits and disbenefits. It would appear from the responses that this data is frequently the subject of Freedom of Information requests to authorities, and so it is in authorities' interests to publish comprehensive parking data, so keeping the public informed and hence saving on resource used to reply to Freedom of Information requests. It was pointed out that some authorities do not charge for car parking, so therefore do not hold a parking account. Some authorities responding commented that greater transparency on this subject would help to dispel the myth that parking revenue is used primarily as a 'cash cow'. It was argued that it was possible publication of the data might generate spurious comparisons without regard to circumstances in individual authorities.

**Q22: Can you quantify the added cost, if any, to your authority of publishing this additional data?**

**Q23: Can you quantify the added man-hours, if any, involved in your authority publishing this additional data?**

### **Consultees' views**

3.54 There were 85 and 81 responses respectively to these questions asking for the costs and man-hours associated with publishing the proposed data. 41 and 40 of those who responded to Q22 and Q23 could not quantify costs or savings, but the majority of those argued that there would be added costs and man-hours. 30 and 21 considered that they could quantify, with 8 and 14 seeing an increase mainly in man-hours and 22 and 7 considering no increase in costs as a result of this requirement.

7 and 15 stated that this information was already contained in the report prepared for the Department for Transport and was already publicly available.

### **Government response**

[REDACTED]

[REDACTED]

### **Method of publication**

#### **Proposal**

3.57 The consultation paper proposed that local authorities should have a link to a common 'landing page' where the public can find all the transparency data required by the Transparency Code, as well as that transparency data that is published because the Transparency Code recommends it, and that authorities should use a common template web page that lists the data required by the Transparency Code, with links to that data that the public can click on to access the data.

**Q24: Do you agree that authorities should ensure that their transparency data is clearly signposted and easy to navigate?**

#### **Consultees' views**

3.58 There were 115 responses to this question, with 98 responding positively, 3 responding negatively and 2 commenting that their data was already clearly signposted. There was overwhelming support for this proposal. Many commented that it was important to find data easily. Many responding commented that they were committed to openness and transparency and already have landing pages to make finding information easy for the public. It was remarked that many local authorities have open data pages for publishing their data and have developed platforms for doing this in an efficient and consistent way.

**Q25: What do you consider are the benefits/disbenefits of prescribing a fixed format for local authorities to present their transparency data?**

### **Consultees' views**

3.59 There were 105 responses to this question. 35 considered there would be benefits to the proposal, 34 considering there would be disbenefits, with 25 of those who responded considering that there are both benefits and disbenefits. Benefits cited included that having data in one place and in a consistent format makes it easier to analyse and compare, this helps the public find information and allows debate to be better informed. Disbenefits suggested included that prescribing a fixed format may not take into account local needs and priorities. It was commented upon that without exact details of the fixed format proposed, there was difficulty in understanding what impact, if any, this might cause. It was remarked upon that there could also be additional costs if an authority needed to change software to enable publication in a fixed format. It was argued that the Code should be mindful that most citizens do not wish data to be in a flat file format, as this makes information difficult to interpret quickly, and places burdens on citizens to undertake their own analysis.

**Q26: Can you quantify the added cost, or saving, if any, to your authority of establishing a transparency page on your authority's web site?**

**Q27: Can you quantify the added man-hours, or saving, if any, to your authority of establishing a transparency page on your authority's web site?**

### **Consultees' views**

3.60 There were 92 and 120 responses respectively to these questions about the cost or savings associated with these proposals. 26 and 28 of those responding could not quantify costs or savings, while the majority of those attempting to quantify a cost implication suggested there would be no cost increase involved. Estimates of extra staff time ranged from 10 man hours to 4 to 5 days to initially set up the landing page, plus about 10 days a year to maintain it. Most respondents stated that they already have a transparency page on their website.

### **Proposal**

3.61 The consultation paper proposed the publication of authority's data on expenditure exceeding £500, housing asset values, grants to voluntary, community and social enterprise organisations, senior salaries, pay multiples and fraud in a standardised format and to a central source.

**Q28: Do you consider that the publication of certain local authority data in a standardised format to a central source will facilitate analysis, comparison and benchmarking of that data?**

### **Consultees' views**

3.62 There were 106 responses to this question. 66 of those that responded agreed the proposal would facilitate analysis, comparison and benchmarking of data while 29 of those that responded argued that it would not. Some respondents maintained that it would be more user friendly but others argued that it could be time consuming and costly to produce. The response was generally positive about accessing national data for comparison, with comments that it could help to build the trust, gain new ideas from feedback, lead to greater community engagement, and also improved debate.

**Q29: Can you quantify the added cost, or saving, if any, to your authority of publishing the proposed data in a standardised format to a central source?**

**Q30: Can you quantify the added man-hours, or saving, to your authority of publishing the proposed data in a standardised format to a central source?**

### **Consultees' views**

3.63 There were 89 and 84 responses respectively to these questions about the costs or savings, and added or saved man-hours, associated with this proposal. 65 and 60 could not quantify costs or savings. 16 and 17 felt they were able to quantify. Estimates of extra cost that were provided ranged from a few thousand to tens of thousands of pounds per year, and between 0.5 and 37 man hours per week.

### **Government response**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Compliance with the Code

### Proposal

3.67 The consultation paper sought views, particularly from those who use the Code, on how compliance with the Code might be measured and enforced.


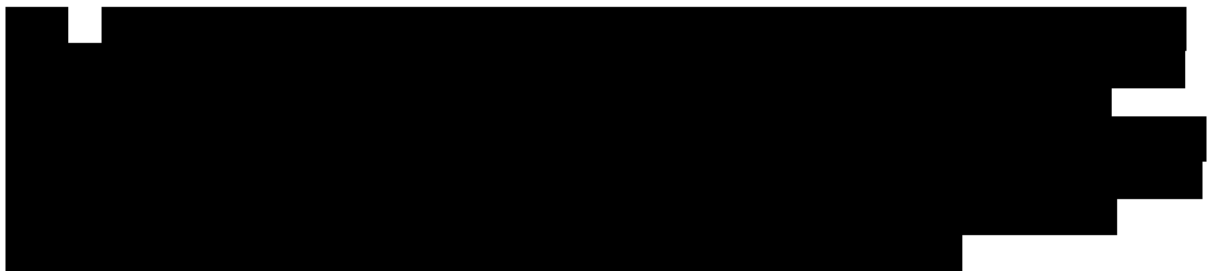

**Q31: How should compliance with the Code be measured and enforced?**

### Consultees' views

3.68 There were 91 responses to this question. 28 of those responding considered that there was no need for additional enforcement or central government control as this would be unnecessary and costly. 54 replied positively. Among the suggestions received were that there could be a role for the Information Commissioner's Office who could deal with complaints from the public who consider that an authority is not complying with the requirements of the Code. Other suggestions included a self-certification scheme, certified by an internal auditor, or self-assessment of compliance with DCLG spot checking compliance with the Code, and that information could be measured and enforced by local residents and external auditors as at present. There was argument in favour of a light touch approach to measuring compliance, through self assessment and improvement, underpinned by central support and guidance to minimise costs and resource demands.

### Government response

[REDACTED]



## Small and Medium-Sized Enterprises

### Proposal

3.73 The Code already requires local authorities to identify where contracts over £5,000 are awarded to small and medium-sized enterprises.

3.74 The consultation paper proposed that the Code be modified to recommend that local authorities publish, on an annual basis, what percentage of their procurement spend goes to small and medium-sized enterprises, and that authorities publish data on the time taken for local authorities to pay undisputed invoices from small and medium-sized enterprises.

**Q32: Do you agree that the Transparency Code should recommend that authorities publish information about their dealings with small and medium-sized enterprises?**

### Consultees' views

3.75 There were 93 responses to this question. 51 of those that responded considered that the Transparency Code should recommend that authorities publish information about their dealings with small and medium-sized enterprises, supporting the increased transparency that publishing this data would bring. 23 of those who responded considered that they should not publish this data. A common remark was that in the main local authorities are committed to increasing spend with small and medium-sized enterprises, but guidance would need to be clear about the definition of these enterprises if data was to be published about them. Others considered that contracts should be awarded on the basis of value for money, not the size of the company and expressed the concern that targets for awarding contracts to small and medium-sized enterprises could mean that contracts were awarded that were not best value.



**Q33: What do you consider are the benefits/disbenefits of authorities publishing details about their dealings with small and medium-sized enterprises?**

### **Consultees' views**

3.76 There were 85 responses to this question. 24 of those who responded considered there would be benefits, with 25 considering there would be disbenefits. 13 of those who responded considered that there would be both benefits and disbenefits. Among the benefits identified were greater transparency, more clarity, that authorities can better be held to account, and that it would encourage more working with small and medium-sized enterprises. It was also suggested that publishing this data would demonstrate a commitment to social value and local procurement. Additionally, it was suggested that publishing this data would show the public, and government, the impact that the authority is having on the local economy in its procurement spend. The disbenefits centred mainly on the definition of a small and medium-sized enterprise, and the added burdens that might result from the proposal.

**Q34: Do you think that publishing this data should be a requirement rather than a recommendation?**

### **Consultees' views**

3.77 There were 90 responses to this question. 14 replied that publishing this data should be a requirement rather than a recommendation, because it would mean greater transparency. However, the majority of 67 responses suggested that it should only be a recommendation, as authorities already publish this information voluntarily. Further, it was suggested that the proposal should not need to be provided retrospectively. It was also argued that local residents should be able to determine the information that is useful to them, and that for smaller authorities there could be significant costs attached to producing this information.

**Q35: Can you quantify the added cost, if any, to your authority of publishing this data?**

**Q36: Can you quantify the added man-hours, if any, involved in your authority publishing this data?**

### **Consultees' views**

3.78 There were 81 and 100 responses respectively to Q35 and Q36 about the potential costs and man-hours of implementing this proposal. 57 and 69 of those responding could not quantify potential costs or man-hours. 12 and 22 of those responding were able to quantify the costs and man-hours. The majority of respondents qualified their responses by remarking that the cost would be difficult to quantify, and could be substantial, and were also unable to quantify the added man hours involved in publishing the data. Estimates that were provided by respondents

ranged from costs of £1k per annum to £50k per annum. Similarly, estimates of the amount of man-hours required varied from seven hours to 34 hours per annum, to at least 200 hours, with one estimate mentioning approximately 4,500 hours of work being required. However, 3 authorities reported that there would be no increase in their costs, as they already published this data.

**Government response**

[REDACTED]

[REDACTED]

[REDACTED]

# 4. Summary of consultation responses

Q1: Do you agree that authorities should record details of their land and property assets in a consistent way on ePIMS?

Responses to this question: 116

Yes: 81 (70%)

No: 11 (9%)

No clear opinion: 24 (21%)

Q2: What do you consider are the benefits/disbenefits of authorities recording details of their land and property assets in a consistent way on ePIMS?

Responses to this question: 114

Consider there are benefits: 60 (53%)

Consider there would be no benefit: 25 (22%)

No clear opinion: 29 (25%)

Q3: Can you quantify the added cost or saving to your authority of publishing this data to ePIMS rather than publishing it on your own authority's website?

Responses to this question: 107

No or negligible increase: 13 (12%)

Unspecified added costs: 76 (71%)

No clear opinion: 18 (17%)

Q4: Can you quantify the added or saved man-hours involved in your authority publishing this data to ePIMS rather than publishing it on your own authority's website?

Responses to this question: 108

No or negligible increase: 39 (36%)

Unspecified added costs: 56 (52%)

No clear opinion: 13 (12%)

Q5: Do you agree that authorities should record the additional data proposed above, in a consistent way on ePIMS?

Responses to this question: 115

Agree: 41 (36%)

Disagree: 29 (25%)

No clear opinion: 45 (39%)

Q6: What do you consider are the benefits/disbenefits of authorities recording the additional data proposed above, in a consistent way on ePIMS?

Responses to this question: 108

Consider there would be benefits: 16 (15%)

Consider there would be no benefit: 25 (23%)

Consider there would be both benefits and disbenefits: 22 (20%)

No clear opinion: 45 (42%)

Q7: Can you quantify the added cost, if any, to your authority of publishing this additional data?

Responses to this question: 105

Able to quantify: 26 (25%)

Unable to quantify: 62 (59%)

No clear opinion: 17 (16%)

Q8: Can you quantify the added man-hours, if any, involved in your authority publishing this additional data?

Responses to this question: 107

Able to quantify: 29 (27%)

Unable to quantify: 66 (62%)

No clear opinion: 12 (11%)

Q9: Do you agree that authorities should publish procurement data in a fixed format to a central source?

Responses to this question: 122

Agree: 62 (51%)

Disagree: 38 (31%)

No clear opinion: 22 (18%)

Q10: What do you consider are the benefits/disbenefits of publishing procurement data in a fixed format to a central source?

Responses to this question: 114

Consider there would be benefits: 34%

Consider there would be no benefits: 35 (31%)

Consider there would be both benefits and disbenefits: 29 (25%)

No clear opinion: 11 (10%)

Q11: Can you quantify the added cost or saving to your authority of publishing this data in a fixed format to a central source rather than publishing it on your own authority's website?

Responses to this question: 108

Able to quantify: 9 (8%)

Unable to quantify: 87 (81%)

No clear opinion: 12 (11%)

Q12: Can you quantify the added or saved man-hours involved in your authority publishing this data in a fixed format to a central source rather than publishing it on your own authority's website?

Responses to this question: 102

Able to quantify: 14 (14%)

Unable to quantify: 78 (76%)

No clear opinion: 10 (10%)

Q13: Do you agree that authorities should publish information about the decision making process of retaining, or taking, a service 'in house'?

Responses to this question: 125

Agreed: 41 (33%)

Disagreed: 72 (58%)

No clear opinion: 12 (10%)

Q14: What do you consider are the benefits/disbenefits of publishing information about the decision making process of retaining, or taking, a service 'in house'?

Responses to this question: 117

Consider there would be benefits: 27 (23%)

Consider there would be disbenefits: 67 (57%)

Consider there would be both benefits and disbenefits: 12 (10%)

No clear opinion: 11 (9%)

Q15: Should the requirement apply to all services, or should it apply to specific key services - such as waste services, leisure services and human resources where a decision has been made to provide the service in-house?

Responses to this question: 108

All services: 21 (19%)

Specific key services: 36 (33%)

Not apply to any services: 35 (32%)

No clear opinion: 16 (15%)

Q16: If the requirement were to apply to all services, what should the threshold be for the value of these services?

Responses to this question: 90

Do not agree with proposal: 20 (22%)

Agree but do not specify threshold: 20 (22%)

Threshold should be less than £500k: 4 (4%)

Threshold should be £500k: 17 (19%)

Greater than £500k: 24 (27%)

No clear opinion: 5 (6%)

Q17: What aspects of this requirement will give rise to burdens for local authorities and how can these be minimised while still increasing transparency?

Responses to this question: 93

Proposal is unnecessary: 45 (48%)

Publish information already: 10 (11%)

Do not agree with proposal: 20 (22%)

No clear opinion: 18 (19%)

Q18: Can you quantify the added cost, if any, to your authority of publishing this data?

Responses to this question: 99

Able to quantify: 10 (10%)

Unable to quantify: 79 (80%)

No clear opinion: 10 (10%)

Q19: Can you quantify the added man-hours, if any, involved in your authority publishing this data?

Responses to this question: 94

Able to quantify: 6 (6%)

Unable to quantify: 78 (83%)

No clear opinion: 10 (11%)

Q20: Do you agree that authorities should publish further details of their parking finances and enforcement?

Responses to this question: 108

Agree: 54 (50%)

Disagree: 21 (19%)

No clear opinion: 33 (31%)

Q21: What do you consider are the benefits/disbenefits of publishing the parking data as set out above?

Responses to this question: 96

Already provide this information: 10 (10%)

Consider there would be benefits: 37 (39%)

Consider there would be disbenefits: 25 (26%)

Consider there would be both benefits and disbenefits: 17 (18%)

No clear opinion: 7 (7%)

Q22: Can you quantify the added cost, if any, to your authority of publishing this additional data?

Responses to this question: 85

Able to quantify: 30 (35%)

Unable to quantify: 41 (48%)

Information already available: 7 (8%)

No clear opinion: 7 (8%)

Q23: Can you quantify the added man-hours, if any, involved in your authority publishing this additional data?

Responses to this question: 81

Able to quantify: 21 (26%)

Unable to quantify: 40 (49%)

Information already available: 15 (19%)

No clear opinion: 5 (6%)

Q24: Do you agree that authorities should ensure that their transparency data is clearly signposted and easy to navigate?

Responses to this question: 115

Agree: 98 (85%)

Disagree: 3 (3%)

Already clearly signpost data: 2 (2%)

No clear opinion: 12 (10%)

Q25: What do you consider are the benefits/disbenefits of prescribing a fixed format for local authorities to present their transparency data?

Responses to this question: 105

Consider there would be benefits: 35 (33%)

Consider there would be disbenefits: 34 (32%)

Consider there would be benefits and disbenefits: 25 (24%)

No clear opinion: 11 (10%)

Q26: Can you quantify the added cost, or saving, if any, to your authority of establishing a transparency page on your authority's web site?

Responses to this question: 92

Able to quantify: 8 (9%)

Unable to quantify: 26 (28%)

Already have transparency page: 44 (48%)

No clear opinion: 14 (15%)

Q27: Can you quantify the added man-hours, or saving, if any, to your authority of establishing a transparency page on your authority's web site?

Responses to this question: 120

Able to quantify: 4 (3%)

Unable to quantify: 28 (23%)

Already have transparency page: 39 (3%)

No clear opinion: 49 (41%)

Q28: Do you consider that the publication of certain local authority data in a standardised format to a central source will facilitate analysis, comparison and benchmarking of that data?

Responses to this question: 89

Able to quantify: 16 (18%)

Unable to quantify:

Q29: Can you quantify the added cost, or saving, if any, to your authority of publishing the proposed data in a standardised format to a central source?

Responses to this question: 89

Able to quantify: 16 (18%)

Unable to quantify: 65 (73%)

No clear opinion: 8 (9%)

Q30: Can you quantify the added man-hours, or saving, to your authority of publishing the proposed data in a standardised format to a central source?

Responses to this question: 84

Able to quantify: 17 (20%)

Unable to quantify: 60 (71%)

No clear opinion: 7 (8%)

Q31: How should compliance with the Code be measured and enforced?

Responses to this question: 91

Enforcement in some form required: 54 (59%)

No need for additional enforcement: 28 (31%)

No clear opinion: 9 (10%)

Q32: Do you agree that the Transparency Code should recommend that authorities publish information about their dealings with small and medium-sized enterprises?

Responses to this question: 93

Agree: 51 (55%)

Disagree: 23 (25%)

No clear opinion: 29 (20%)

Q33: What do you consider are the benefits/disbenefits of authorities publishing details about their dealings with small and medium-sized enterprises?

Responses to this question: 85

Consider there would be benefits: 24 (28%)

Consider there would be disbenefits: 25 (29%)

Consider there would be benefits and disbenefits: 13 (15%)

No clear opinion: 23 (27%)

Q34: Do you think that publishing this data should be a requirement rather than a recommendation?

Responses to this question: 90

Should be a requirement: 14 (16%)

Should be a recommendation: 67 (74%)

No clear opinion: 9 (10%)

Q35: Can you quantify the added cost, if any, to your authority of publishing this data?

Responses to this question: 81

Able to quantify: 12 (15%)

Unable to quantify: 57 (70%)

No opinion: 12 (15%)

Q36: Can you quantify the added man-hours, if any, involved in your authority publishing this data?

Responses to this question: 100

Able to quantify: 22 (22%)

Unable to quantify: 69 (69%)

No clear opinion: 9 (9%)