

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

15 December 2010

Report of the Director of Finance

Part 1- Public

Matters for Information

1 TRANSPARENCY AGENDA

The purpose of this report is to inform Members of what this Council has or is doing in meeting the Government's Transparency Agenda.

1.1 Introduction

1.1.1 The Secretary of State for Communities and Local Government wrote to local authorities in June 2010 committing them to publishing items of spending over £500 on-line by January 2011 with the letter encouraging councils to publish as soon as possible. The Government has also committed to publishing certain information on salaries and contracts on-line by this date.

1.2 Items of Spending over £500

1.2.1 At Tonbridge and Malling we took the 'spirit of the letter' received in June on board and published our spend data for the quarter ended June 2010 on-line in mid July. Guidance was subsequently issued setting out, amongst other things, both the content and format of the data files to be published on-line and given below is some of the key points for members' information. It is recommended that where possible data is provided from 1 April 2010 as this will add value to the user and demonstrate commitment to complete transparency.

- Data is to be published on the internet with a licence that allows open reuse.
- Data will be published monthly, no later than 30 days after month end, in individual files.
- There should be a single web page which contains links to the individual files.
- There should be a wider open-data initiative, and a dedicated open-data section on the website.

- Personal information that falls under the Data Protection Act should be redacted.
- Additional, supporting data should also be published such as supplier details and the chart of accounts.
- The guidance is expected to be reviewed in six months' time.

1.2.2 What have we done to meet the request to publish items of spending over £500 on-line? We have created a dedicated open-data (Transparency) section on the Council's website of which this data will form a part with a link from the home page to this section. We have also published individual monthly data files on the Transparency web page for the period April to October in a format consistent with the guidelines and will look to upload future monthly data files no later than 30 days after month end. Over the coming months we aim to also publish a supplier list and chart of accounts.

1.2.3 The dedicated open-data (Transparency) web page can be found by following the transparency link from the Council's website homepage www.tmbc.gov.uk

1.2.4 The purpose of requiring councils to publish their spending data is to enable greater transparency, greater engagement and greater efficiency by allowing inspection by residents, and reuse of the data in innovative applications and analysis.

1.3 Spotlight on Spend

1.3.1 A company called Spikes Cavell have been working with Improvement Efficiency South East to produce data to support the Transparency agenda. The initiative is called Spotlight on Spend. Spotlight on Spend is a web-based platform providing an easy way for councils to publish information on overall spend on goods and services being purchased above £500, and in addition, information on which private sector companies are doing the supplying.

1.3.2 Published spend information can be compared against standardised metrics. Metrics include per full-time employee, spend with small and medium size enterprises and spend relative to the number of households. It contains information on how much the Council pays for services such as street cleaning and leisure.

1.3.3 Tonbridge and Malling Borough Council recently deployed Spotlight on Spend which also forms part of the dedicated open-data (Transparency) section on the Council's website. The Spotlight on Spend data is for the last full financial year, 2009/10, with annual updates currently paid for by Improvement Efficiency South East. Monthly data files can be produced, but at a cost to the Council. For this reason we intend to continue to prepare the monthly items of spending above £500 data files.

1.4 Remuneration of Senior Officers

- 1.4.1 Guidance has also been received to assist local authorities in the preparation and publication of senior salary information. In line with the Transparency agenda, councils should have their salary information published by 31 January 2011 providing a snapshot as at 31 October 2010. Councils are also asked to publish data on the scale of their authority in terms of employment, expenditure and service responsibilities.
- 1.4.2 Senior salary information again forms part of the dedicated open-data (Transparency) section on the Council's website.

1.5 Contracts and Tender Documents

- 1.5.1 In addition, a figure of £500 has been referred to as the threshold to publish future contracts and tender documents in full on-line. There is a degree of uncertainty however, over whether this is for contracts subject to a competitive tendering exercise or is to also cover where quotes are obtained and an order placed. We are currently working on the assumption that it is in respect of future contracts subject to a competitive tendering exercise where in accordance with our Contracts Procedure Rules the threshold is set at £75,000 over the life of the contract. To include quotes/orders would in our view be impractical, create additional work and add little or no value.

1.6 Legal Implications

- 1.6.1 The drive to publish items of spending over £500 and senior salary information on-line is not as far as we can gather currently a statutory requirement. It is however, deemed to be good practice and demonstrates a commitment to openness and transparency.
- 1.6.2 There is the potential for conflict between the Transparency agenda and, for example, the Data Protection Act and we will need to be mindful that when and if this is the case legal obligations take precedence.

1.7 Financial and Value for Money Considerations

- 1.7.1 There are resource implications in gathering and publishing this data on-line which in the current financial climate will be met from within existing resources.
- 1.7.2 Publishing data may lead to a greater scrutiny of the Council's spending which, in turn, may result in an increase in Freedom of Information requests and or enquiries with consequent resource implications.

1.8 Risk Assessment

- 1.8.1 There is a risk that Improvement Efficiency South East will not continue to fund indefinitely the annual update in respect of the Spotlight on Spend product. If and

when funding was withdrawn the Council would then have to decide whether to continue to fund the product from its own resources

1.9 Equality Impact Assessment

1.9.1 See 'Screening for equality impacts' table at end of report

1.10 Policy Considerations

1.10.1 Communications

Background papers:

contact: Neil Lawley

Nil

Sharon Shelton
Director of Finance

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	Following guidance of CLG.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	Following guidance of CLG
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.