

TRANSPORT FOR LONDON

AUDIT COMMITTEE

**SUBJECT: DATA TRANSPARENCY**

**DATE: 7 MARCH 2012**

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**1 PURPOSE AND DECISION REQUIRED**

- 1.1 The purpose of this paper is to set out proposals as to how TfL will meet the requirements of the Data Transparency Code.
- 1.2 The Committee is asked to note the paper.

**2 BACKGROUND**

- 2.1 The Secretary of State for Communities and Local Government issued a Code of Recommended Practice for Local Authorities on Data Transparency on 29 September 2011. DCLG has indicated that it intends to commence a consultation exercise with a view to making parts of the Code enforceable by regulations.
- 2.2 The Code is expressed to apply to TfL and also the GLA and the other functional bodies. In a response to a Mayor's question last year, TfL has committed to comply by summer 2012.
- 2.3 The following section of this paper sets out the specific requirements of the Code, together with TfL's proposed approach to compliance.

**3 REQUIREMENTS OF THE CODE**

**Inventory of Public Data**

- 3.1 The Code requires that "Local authorities should build and maintain an inventory of the public data that they hold so that people are able to know what is available to them. If public data would be released under Freedom of Information it should be included in the inventory."
- 3.2 TfL will publish a high level inventory of the types of public data it holds. Where this information is already published, this will be made clear.

**Expenditure over £500**

- 3.3 The Code requires the publication of "Expenditure over £500, (including costs, supplier and transaction information). Any sole trader or body acting in a business capacity in receipt of payments of at least £500 of public money should expect such payments to be transparent."
- 3.4 TfL, Tube Lines and Crossrail publish this information each period in the required csv and pdf formats and have been doing so since January 2011.

This covers all suppliers save for a very few exceptions that were agreed on a case-by-case basis, for reasons of confidentiality etc.

- 3.5 We propose to continue publishing information in this way without change.

### **Senior Employee Information**

- 3.6 The Code requires the publication of “Senior employee salaries, names (with the option for individuals to refuse to consent for their name to be published) job descriptions, responsibilities, budgets and numbers of staff. ‘Senior employee salaries’ is defined as all salaries that are above £58,200; which is the Senior Civil Service minimum pay band. Budgets should include the overall salary cost of staff reporting to each senior employee.”
- 3.7 Currently, TfL publishes salary information in its Annual Report and Statement of Accounts. This information comprises employees’ remuneration by total numbers within £5,000 bands from £50,000 upwards. Crossrail and Tube Lines employees are included. In addition, and in accordance with the Accounts and Audit Regulations, more detailed information on senior employees is published. It is proposed that in addition to information currently published, we will publish on an annual basis all salaries of £58,200 and above, grouped in £5,000 bands. The lowest band will be £58,200 to £64,999. This information will be published at the same time as the Annual Report. This will be calculated on an FTE basis, and will not include higher duty pay, overtime or bonuses.
- 3.8 All affected staff will be contacted by email and given the opportunity to “opt out” of publication of their names but not other information. The opt out will not apply to those whose FTE base salary is £150k or more, because of the requirements of the Accounts and Audit Regulations.
- 3.9 The “Job Purpose” section from existing job descriptions will be published for each role and budget information and staff numbers will be presented in organogram form.

### **Organisational Chart**

- 3.10 The Code requires the publication of “An organisational chart of the staff structure of the local authority including salary bands and details of currently vacant posts.”
- 3.11 It is proposed that we will create an organogram showing the TfL Group structure (including Crossrail and Tube Lines) from Commissioner level down to director level or other direct Chief Officer/MD reports.

### **Pay Multiple**

- 3.12 The Code requires the publication of “The ‘pay multiple’ – the ratio between the highest paid salary and the median average salary of the whole of the authority’s workforce.”
- 3.13 It is proposed that the pay multiples for Crossrail and Tube Lines should be calculated separately to the remainder of the TfL Group.

### **Councillor Allowances and Expenses**

- 3.14 The Code requires the publication of “Councillor allowances and expenses.”

- 3.15 There is no exact TfL equivalent but Board members' remuneration is set out in TfL's Annual Report, which is already accessible through the TfL website. It is proposed that gifts, hospitality and expenses data should be published for Board members, the Commissioner and Chief Officers.
- 3.16 In addition, it is proposed that from Q4 2011/12 we commence publication of TfL's staff Gifts and Hospitality Register. The first publication would be available in May 2012.

### **Contracts and Tenders**

- 3.17 The Code requires the publication of "Copies of contracts and tenders to businesses and to the voluntary community and social enterprise sector."
- 3.18 The Code requires the publication of copies of contracts and tenders to business and to the voluntary community and social enterprise sector but gives very little detail as to how this should be done. However, a document published by the Local Government Group: "Local Transparency – A Practitioners Guide to Publishing New Contracts and Tenders Data" in March 2011 gives some guidance to local authorities in respect of this requirement.
- 3.19 The following actions are proposed:
- (a) Publication of the TfL Contracts Calendar every period. The Contracts Calendar shows details of contracts awarded and in the process of being let and includes basic data such as the operating business, client, title, reference number, estimated value and start and end dates. This will be published externally on the existing "London Contracts Register."
  - (b) Crossrail will continue to publish the contracts it lets on its own website. Tube Lines will do the same.
  - (c) TfL will continue to run procurement through the European Dynamics system, which shows details of current competitions over £150K and is available for anyone to view on the TfL website until such time as pre-qualification ends.
  - (d) The Euro Dynamics system is proposing to introduce a feed to Contracts Finder in early 2012. Contracts Finder is a web-based portal established by the Government to make it easier for suppliers – in particular SMEs – to find and apply for public sector contracts. It is the main source of Government opportunities worth more than £10K.
  - (e) Crossrail already produce a list of awarded contracts and current procurement opportunities. Tube Lines will do the same.
  - (f) Contracts, with redactions or confidential schedules as necessary, of a value of £10m or more will be published. For the TfL Group (excluding Crossrail and Tube Lines) this would be around 20 – 25 contracts per year. The same threshold will be applied to Crossrail and Tube Lines contracts. Applying a threshold of £150K (which is just under the procurement threshold) would entail publication of 250 to 300 contracts each year, which would be too onerous.
  - (g) Publish TfL's standard form contracts. Similarly, Crossrail and Tube Lines will publish their standard form contracts.

## **Grants**

- 3.20 The Code requires the publication of “Grants to the voluntary community and social enterprise sector should be clearly itemised and listed.”
- 3.21 Grants are already included in the information published on expenditure over £500 and this will continue.

## **Policies, Performance, External Audits etc**

- 3.22 The Code requires the publication of “Policies, performance, external audits and key inspections and key indicators on the Authorities’ Fiscal and Financial Position.”
- 3.23 A lot of information is already published. It is proposed that we prepare a consolidated list of all the information currently published, make it more readily accessible and undertake a review of whether there is more that could be published and the format that is used.

## **Public Land and Building Assets**

- 3.24 The Code requires the publication of “The location of public land and building assets and key attribute information that is normally recorded on asset registers.”
- 3.25 Information on TfL property assets is already published on the Communities and Local Government website that shows Public Sector Assets in England – see <http://publicassets.communities.gov.uk/> . This includes Crossrail and Tube Lines assets. It is proposed that a link is created to the existing information from the TfL website.
- 3.26 There is no definition as yet as to what is considered to be key attribute information. The TfL information published on the DCLG website includes name of asset, full address, owner, use, tenure (e.g. freehold or leasehold), unique property reference number, Ordnance Survey National Grid references and boundary information presented in visual form.

## **Data of Democratic Running**

- 3.27 The Code requires the publication of “Data of democratic running of the local authority including the constitution, election results, committee minutes, decision - making processes and records of decisions.”
- 3.28 TfL currently publishes Standing Orders, Members’ biographies and declarations of interests, open papers for all Member level meetings (Board, Committees and Panels) and the minutes from those meetings. Under the Localism Act 2011, the TfL Board and our Committees will meet in public (as the Board currently does) and the agendas and papers will be published in accordance with the requirements of the Local Government Act 1972.

## **3.29 Format for Publication**

The Code sets out a recommended five step approach to a fully open format. TfL is currently able to comply with steps one to three. The Code states that compliance with all five steps is aspirational rather than a requirement and indicates that compliance with steps four to five is unlikely to be made mandatory. The five steps are:

\* Available on the web (whatever format) but with an open licence;

\*\* As for one star plus available as machine-readable structured data (e.g. Excel instead of image scan of a table);

\*\*\* As for two star plus use a non-proprietary format (e.g. CSV and XML);

\*\*\*\* All the above plus use open standards from the World Wide Web Consortium (such as RDF and SPARQL21) and;

\*\*\*\*\* All the above plus link your data to other people's data to provide context.

## **4 FINANCIAL**

- 4.1 These proposals can largely be incorporated into business as usual processes and are not anticipated to result in significant additional expenditure.

## **5 RECOMMENDATION**

- 5.1 The Committee is asked to NOTE the paper.

## **6 CONTACT**

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