



# North Ayrshire Council

## Comhairle Siorrachd Àir a Tuath

### Open Data Strategy

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#### Document Control Guidelines

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V1.0	28/03/2017	IGM	
V2.0	21/06/2017	IGM	Amended to include Data Project comments
V3.0	22/03/2017	IGM	Format changes
V4.0	23/11/2017	IMO	Amended to reflect legislation changes 3.6.1 – amended 4.1 – publication plan link updated
V5.0	10/01/2023	IMO	Accessibility checks and minor updates

## 1. Background

1.1 The [Open Knowledge Foundation](#), a non-profit organisation dedicated to the open and transparent sharing of information, defines open data as:

*“Open data and content can be freely used, modified, and shared by anyone for any purpose”*

1.2 The Scottish Government [Open Data Strategy](#) defines Open Data as:

- Non-personal and non-commercial data;
- Accessible to anyone, via the internet, free of charge and restriction on re-use;
- In a machine readable form across a wide spectrum of technologies.

1.3 Making data open will support:

- Accountability and transparency of delivery of public services;
- Delivery of improved public services through public bodies making use of the data;
- Wider social and economic benefits through innovative use of the data;
- Civic Engagement.

1.4 As part of North Ayrshire Council's commitment to greater accountability and transparency we already publish information about how the Council operates, the services we provide and the money we spend. Our aim is to improve accessibility and the potential to re-use information by publishing in open data formats.

1.5 The purpose of this strategy is to set out how North Ayrshire Council will implement open data within the Council.

## 2. Legislation

2.1 There are several laws and regulations that provide access to a range of public information and include requirements to actively publish information and data.

2.2 The INSPIRE (Scotland) Regulations 2009 – from the EU INSPIRE Directive of May 2007 that established an infrastructure for spatial information in Europe – create a right to discover and view spatial datasets (e.g. map data) held by Scottish public authorities.

2.3. The Freedom of Information (Scotland) Act 2002 gives anyone the right to ask for any information held by a Scottish public authority.

2.4 The Environmental Information (Scotland) Regulations 2004 gives anyone the right to ask for environmental information held by a Scottish public authority and some other bodies.

2.5 The Re-Use of Public Sector Information Regulations 2015 permits the re-use of public sector information. Where a document is covered by the 2015 Regulations, then it is the Regulations and not the Freedom of Information (Scotland) Act 2002 which will govern the use of such dataset information and their entry on a publication scheme. The majority of information released as open data by the Council will be published under the Open Government License (OGL) which does not require a request for re-use under these regulations.

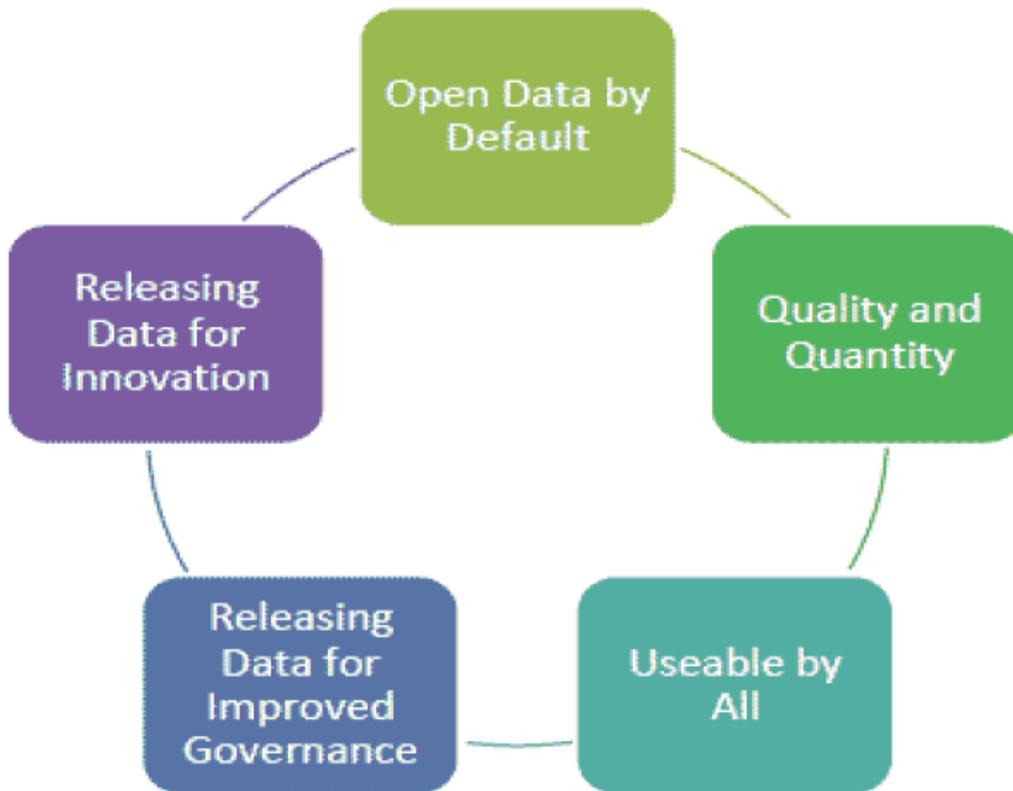
2.6 The UK General Data Protection Regulation (UK GDPR) sets out the key principles, rights and obligations for the processing of personal data. It governs the fair and proper use of personal information. The regulation states that datasets containing personal data can only be published as open data by controllers or processors with the consent of the data subject or published as anonymised data.

2.7 Any information that can be released under the above legislation will be considered when identifying potential datasets to be published as open data.

2.8 Compliance with data protection legislation will also be strictly monitored in relation to the selection of open datasets to ensure the privacy of individuals is acknowledged.

### 3. Implementing Open Data in North Ayrshire

3.1 The Scottish Government Open Data Strategy (launched in 2015) adopted the G8 Open Data Principles to encourage open data in the public sector.



G8 Open Data Principles (Source: [Scottish Government](#))

3.2 The principles support the identification, preparation, publication and review of open data. North Ayrshire Council will use these principles as follows:

#### 3.3 Open Data by Default

There will be an assumption that data likely to be useful to the public or other users will be published as open data by the Council, unless there are exceptional reasons not to and provided:

- The data is non-personal data and aggregated or anonymised data which cannot be used to identify individuals;
- The publication of open data has been authorised formally by the relevant data owner;
- All data will be published under the [Open Government Licence \(OGL\)](#).

### 3.4 Data Quality and Quantity

The Council is committed to publishing high-quality open data.

To support the reuse of data it is important to consider the different formats that can be used to present it. Tim Berners-Lee, founder of the World Wide Web, suggested a 5 Star Open Data Model which organisations can aspire to:

★ = data available online with open license permitting re-use, e.g., tables and charts in PDF or scanned images

★★ = data available online in a machine-readable format with open license permitting re-use, e.g., EXCEL tables and charts

★★★ = data available online, in non-propriety machine readable format, with open license permitting re-use, e.g., CSV, XML

★★★★ = data available online, in non-propriety machine readable format, with open license permitting re-use. Data is described in a standard way and uses unique reference indicators, so that people can point to your data

★★★★★ = data available online, in non-propriety machine readable format, with open license permitting re-use. Data uses unique references and links to other data to provide context

### 3.5 Useable by All

Unless otherwise indicated, North Ayrshire Council's open data will be offered under the Open Government Licence (OGL) for public sector information.

Under the OGL, the 'Licensor' grants a worldwide, royalty-free, perpetual, non-exclusive licence to use the information subject to specific conditions. Further details on the Licence can be found at [Open Government Licence](#).

Spatial data, where required, has been put through the [Ordnance Survey Derived Data Exemptions](#) process. Once this has been done we are then able to publish the datasets under the Open Government Licence as per the non-spatial datasets.

As part of this process, we have also agreed to publish the metadata for these datasets on the [Scottish Spatial Data Infrastructure Metadata Catalogue](#) and include the OS attribution statement on the Open Data Portal wherever relevant.

### 3.6 Improved Governance

Open data will contribute to improved governance and service delivery in the Council through:

- Promoting the release of more information, improving transparency and increasing knowledge of how the Council operates;
- Encouraging better information sharing, reducing the risk of information 'silos' within individual services.
- Encouraging collaborative working
- Promoting co-design

### 3.7 Data for Innovation

The Council will engage with external partners and local business to identify further opportunities to support innovation and re-use of information.

## 4. Publication Plan

North Ayrshire Council has published an [Open Data Publication Plan](#) to list datasets released and any additional information about those datasets. The Plan is published on the Council's Open Data website and will be regularly reviewed and updated.