



Information Commissioner's Office

A consultation on Data Policy for a Public Data Corporation Response from the Information Commissioner

Introduction

The Information Commissioner has responsibility for promoting and enforcing the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR), the INSPIRE Regulations 2009 and the Data Protection Act 1998 (DPA). He is independent from government and upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Commissioner does this by providing guidance to individuals and organisations, solving problems where he can, and taking appropriate action where the law is broken.

General comments

If the PDC is created it will be important that it is added as a body under the Freedom of Information Act, in the same way as government trading funds (such as OS) are accountable under the Act.

The Information Commissioner has made a limited response to this consultation as many of the questions lie beyond his jurisdiction. The focus of his role is access rather than re-use, and he has limited experience of many of the issues raised.

He welcomes the concept of the PDC and the opportunity it offers to provide a consistent approach and create a centre of excellence.

In general the Information Commissioner would want to stress the importance of a clear and transparent system for charging and licensing. Recent advances in opening up certain datasets should be preserved. The Information Commissioner welcomes the fact that all options proposed on charging in the consultation should result in more data being provided free at the point of use.

The Information Commissioner has provided a detailed response to the companion consultation, "Making Open Data Real".