

Case Study

Public dialogue on open data

Vital statistics

Commissioning bodies:

Research Councils UK, the Royal Society, JISC

Duration of process:

7 months: December 2011 – June 2012

Number of public participants:

39

Number of stakeholders involved:

Stakeholder workshop = 33
Experts/steering group members in the public workshops = 7

Cost of project:

£58,800
Sciencewise funding = £28,800

Making data available for public use and scrutiny has been a key policy aim of the coalition government since 2010. The Cabinet Office has encouraged the open availability of a wide range of public datasets and established a Public Sector Transparency Board and Transparency Principles. The Open Access Implementation Group (OAIG), whose members include Research Councils UK and JISC, has made a commitment to open access to the outputs from publicly funded research. Open Data is also one of the themes within the Government's Growth Review as it is seen to promote innovation and growth by catalysing new markets, products and services.

Advances in technology are increasing the opportunities to re-use and combine public datasets to create new and innovative information services and products – both commercial and non-commercial. This includes re-use of data generated from publicly funded research. While there are clear moral, social and economic arguments for making research data open to others, there are also legal, ethical and commercial constraints on the release of research data. Though some progress has been made towards addressing the issues raised by open data and data re-use, many big questions remain to be answered. To address some of these questions, Research Councils UK, with the Royal Society, JISC and Sciencewise, co-hosted a public dialogue to provide public insight and feedback on how open data principles and policies around research should be developed and practised.

Key messages from the public

On balance, public participants believed that there should be active publication of publicly funded or public-interest data. Data were believed to be in the public interest when they provided a direct utility or benefit defined largely in terms of data that could help improve human health and, to a lesser extent, the environment, and did not impact on national security. In addition, the public were concerned that data should not be released too early or in a way that would be likely to promote poor decision-making or do harm. Consent and, in particular, confidentiality around personal data were also prominent public concerns.

The public outlined three broad governance arrangements that needed to be developed in relation to whether data is in the public interest:

- For research where data was not considered in the public interest: participants were content for 'self governance', where other researchers and funders, who have technical knowledge and understanding, would oversee open data practices
- For research where data had public interest implications: participants wanted a wider range of specialists (e.g. ethicists, lawyers, economists, Non-Governmental Organisations) to be involved in data governance

- For research where data had public interest implications that included personal information: in addition to other specialists, the lay public should also be involved. In certain instances (e.g. medical datasets) regulations should also govern this area.

The public identified eight key principles that could be used to promote more effective open-data policies:

Publicly funded data should be open, unless not in the public interest; with private or co-funded data there was a right not to disclose, unless in the public interest; researchers should be allowed a short period of exclusive access to data to create value; personal data should be



Background

Open data is an increasingly important issue in research and policy development. Arguments for supporting data being open include:

- the desire to seek better returns from scientific investment, related to the re-use of existing datasets and research
- improved transparency in the scientific endeavour
- improved quality assurance and accountability, through data consistency and peer review

At the same time, there are legal, ethical and commercial constraints on the release of research data, including intellectual property rights, such as:

- copyrights owned by science publishers and datasets owned by institutions
- issues of disclosure and personal privacy where medical, environmental or socio-economic data begin to reveal data about individuals
- concern that the research process is not damaged by the inappropriate release of data

The costs of administering open data protocols and managing collaborative arrangements are also issues.

This dialogue was designed to provide public insights and feedback on future data openness, data re-use, data management technologies and data management policies across the research councils and beyond. The focus of the dialogue was on the use of data in research (to include physical, biological, engineering, mathematical, health and medical, natural and social disciplines, and research in the arts and humanities). 'Data' included raw observational data, cleaned or processed data, meta-data, models, clinical trial data and Government records.

confidential, and consent gained for future use; anyone reusing public data should acknowledge the source; data openness should be governed through an independent group; data should be checked for inaccuracies before being made open; raw data should include full details explaining what the data relates to, how it was collected, who collected it, and how formatted.

Policy influence

It is too early to assess long-term policy impacts of the open-data public dialogue. However, stakeholders identified a number of ways in which the results of the public dialogue were being used and were expected to impact on policy:

- The findings from the public dialogue have been used by Research Councils UK to inform its data policies which were revised in 2012. In particular, the work has had a direct influence on the work of the Research Councils' Research Outputs Network, which co-ordinates cross-council policy on access and use of research outputs and data (including across the Higher Education Funding Councils (HEFCs))
- In March 2012, the summary findings were also presented to the Administrative Data Taskforce, chaired by Sir Alan Langlands, to feed into the Taskforce report to ministers in December 2012 on the wider use of administrative data for research and policy purposes¹
- The public dialogue report was not published in time to influence the policy conclusions of the Science as an Open Enterprise Royal Society working group study. However, the findings are referenced in the Science as an Open Enterprise study final report and were being used by the Royal Society in the follow up to the publication of that report
- Stakeholders felt that the report of the public dialogue findings could be used as part of an evidence base to be used when making decisions about data policies. One stakeholder from the Welsh Government was in the process of gathering evidence to speak to a special advisor about data policies and thought the public dialogue findings would be helpful

¹ www.esrc.ac.uk/funding-and-guidance/collaboration/collaborative-initiatives/Administrative-Data-Taskforce.aspx

The dialogue activities

Specific objectives:

The aim of the open-data public dialogue was to provide public insight and feedback on how open data principles and policies around research should be developed and practised. The specific objectives of the project were to:

- Work with major UK research funders to provide public insight and feedback on future data openness, data reuse and data management policy options
- Engage key policy stakeholders to clarify the range of issues and options in policy going forward, related to the conclusions of the Science as a Public Enterprise (SAPE) Royal Society working group
- Build on previous studies and work alongside relevant working groups/task forces recently established by government, to help shape future research data policy within the UK's main funding institutions
- Explore wider ethical and moral issues related to open data and data reuse
- Engage business on some of the issues relevant to privately and joint-funded research

A steering group was established to agree the scope of the public dialogue. This group had representatives from the Department for Business, Innovation & Skills (BIS), Government Office for Science, HEFCE (HEFC for England) JISC (Digital Infrastructure), Academy of Medical Sciences, GlaxoSmithKline, the Wellcome Trust, Royal Society, Natural Environmental Research Council (Research Outputs Network), Research Councils UK and Sciencewise. It was chaired by Research Councils UK's Head of Strategy.

The workshops:

The public dialogue consisted of two public workshops, held in Oldham and Swindon, followed by two reconvened public workshops a month later in the same locations. Between the two sets of public workshops, a scoping stakeholder workshop was held to help develop materials for the reconvened public workshop. Steering group members attended the two workshops in Swindon as observers.

In total, 39 members of the public attended the public workshops. Participants were recruited to reflect the profile of the local area and, as such, were a mixture of ages, socio-economic groups, ethnicities, genders and were from urban and rural settings.

In the first public workshop, participants' views about openness, and how open they thought scientists were about their research, were explored. Participants were informed about data openness and they explored principles governing data openness. Participants developed a key list of principles around data openness, to be explored in the reconvened workshop. At the end of the workshop, participants were asked to speak to their friends and family about open data and to consider further when open data may or may not be helpful in relation to news or other items they saw.

In the reconvened workshops, participants discussed any questions which had arisen since the first workshop. Two experts, who were involved in privately and publicly funded research,

gave presentations about the current and future practices around open data in their work and participants discussed their views of these practices. Two actors role-played two case studies that illustrated the different moral, social and economic arguments for making data open. Participants discussed how these case studies related to their thinking so far on the principles of open data. The final session was a discussion about who should define whether opening up data is in the public interest.

The stakeholder workshop was designed to explore findings from the first public workshops and to develop the case studies and scenarios for the reconvened workshops. Stakeholders from 33 organisations attended the stakeholder workshop, representing a range of research funders, journalists/press and researchers. The organisations comprised a mixture of larger business, policy makers (from central government and science organisations), NGOs, charities, interest groups and universities.

Summary of good practice and innovation:

The evaluation found that participants in the public and stakeholder workshops were very positive about the group discussions in which they took part. Stakeholder participants enjoyed the 'cauldron of ideas' and the opportunity to discuss open data with representatives from a variety of organisations. Public participants enjoyed discussing issues which were new to them and hearing the other participants' responses to these issues – particularly when they differed from their own as this helped them to develop their own views on the subject.

Some public participants found the concept of open data quite abstract and, at times, a difficult issue with which to engage. However, they found the case studies and presentations by expert witnesses an effective way of communicating issues relating to data openness and data re-use. Stakeholders agreed that the case studies used were very good at illustrating the issues.

Given the complexity of the issues being discussed, stakeholders felt that the reconvened approach of the public workshop helped people unfamiliar with these debates to take on board new and complex information. This reconvened approach, and the time for deliberation, was seen as particularly important for the topic of open data. The immediate spontaneous response of the public to their personal data being shared can be negative – providing sufficient time for dialogue and accessible information to support this is particularly important to ensure that the issues are understood and considered.

Stakeholders were positive about the process of preparing materials for the public dialogue in the stakeholder workshop, which they felt was particularly well designed and facilitated. They felt that attending the workshop allowed them to contribute their views and ideas to the case study scenarios, and that their views were listened to and taken into account. Stakeholders felt well placed to comment on the materials due to their practical experience of when data might be made open.

Overall, stakeholders felt the public dialogue process was effective at tackling a difficult and esoteric issue. They felt the results were credible and would be used to inform policy decisions around data openness.

“The bottom line is, ministers are real people and have the same concerns as a member of the public. When it comes to data, they don't know much about it and to be able to reassure them that real people are reassured is invaluable. Anything which contributes to ministers and confidence and their certainty about this is incredibly important.”

Stakeholder

“It is risky to engage in anything other than a deliberative sense because the topline results might be negative... There is a lot of emotive examples out there that people latch onto... Worrying that this deliberative kind of approach isn't done more.”

Stakeholder

“This report demonstrates why it's so important to engage the public in policy development and shows a clear understanding of the issues surrounding use of research data. It will make an important contribution to the work being done by overnment, research funding bodies and other organisations on opening up access to research findings.”

David Willetts, Minister for Universities and Science

“(The best part of the workshop was) opening my mind to a topic I had not considered previously.”

Public participant

Lessons for future practice:

Some public participants struggled to understand the issues and were not able to discuss them in detail. There was a range of views among stakeholders as to what would have encouraged participants to have greater understanding of, and engagement with, the issues. Some felt that this was an inherently challenging topic for people not involved in research and others felt that more participants' understanding of the issues could have been improved. Some public participants felt that more case studies and real-life examples to ground the discussions could have better illustrated the issues being discussed.

Some public participants felt the process was rushed and they were pushed through the agenda to meet the objectives of the dialogue. Giving participants more time to explore complex issues at their own pace and more time to interact with the experts could have aided participants' understanding of the issues.

Some stakeholders were surprised that the public felt the issue of data openness was not relevant to them unless it related to personal or health data. Greater framing of the issues, so participants could make links to how these issues related to their lives, could have enabled greater engagement with the issues and for participants to feel these issues were of relevance to them.

Some stakeholders felt there could have been greater links between the SAPE Royal Society working group study and the open-data public dialogue. The timelines of the two projects meant that the conclusions of the dialogue were not able to shape the conclusions of the Royal Society study.

Impacts

Policy impacts are covered on the first page of this summary. This section examines the impacts on participants in the process.

Impacts on public participants:

The topics of data openness and data re-use for data arising from research were new to many of the public participants. All the public participants felt they had been informed about data openness and most of the participants (34 out of 38) agreed they had learnt something they did not know before.

Contact details

Commissioning bodies

Research Councils UK, The Royal Society, JISC

Sciencewise-ERC contacts:

Daniel Start (Dialogue and Engagement Specialist)
Email: daniel@danielstart.com

James Tweed (Projects Manager)
Email: james-tweed@sciencewise-erc.org.uk

Delivery contractor

Darren Bhattachary, TNS BMRB
Email: enquiries@tns-bmrb.co.uk

Project evaluator

Natasha Comber, Office for Public Management (OPM)
Email: ncomber@opm.co.uk

Reports

Full project and evaluation reports available from Sciencewise-ERC on www.sciencewise-erc.org.uk/cms/public-dialogue-on-data-openness-data-re-use-and-data-management/