

Audit Committee – 27th August 2009

6. Publishing Financial Transactions on SSDC Website

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Purpose of the Report

A motion was made to full Council on the 21st May 2009 that greater disclosure be made of transactions made by or paid to the Council. This report investigates the feasibility of doing so.

Recommendation

To consider the report and findings below and recommend to full Council any course of action that the Council should take in this matter.

Background

A motion was put to full Council in May as follows:

That this Council believing in accountability and transparency to our residents and others, notes the recent campaigns by the Taxpayers Alliance and other organisations to ensure greater disclosure of public finance. The Council therefore follows the best practice examples in resolving to publish as much data of transactions over £500.00 as is legally possible.

Council resolved "that this matter be immediately referred to the Audit Committee to consider the ethical, legal and cost constraints and the matter be referred back to full Council."

It therefore falls to the Audit Committee to consider whether it would recommend publication of details and if so what details should be published.

Findings

Income Information

The number of records that would have to be produced to show all transactions would be unwieldy. SSDC collects payments from all residents for council tax as well as business rates and other fees and charges. The number of transactions exceeds 700,000 annually. In addition to this we could not produce the names of individuals under the Data Protection Act. The public is also not as interested in who pays SSDC but what SSDC spends public money on.

Payments Information

In terms of payments made, SSDC's main payments are to staff, suppliers, and recipients of housing and council tax benefits. There are data protection issues with releasing housing benefit and staff payments because of the publishing of individual's names. This leaves supplier payments i.e. what goods and services does the council buy and from whom.

AC

I have contacted Windsor and Maidenhead Borough Council (WMBC) who already provide the information on their website. They produce a list each quarter to show the supplier and how much the payment is for. A sample will be available at the meeting, which gives an indication of the information that would need to be produced.

The Council found that they had 120 hits to that part of the website in 3 months but only one enquiry was made about the information published. The Council is now reviewing whether the issue is with their website, interest in the subject amongst the general public, or the information made available.

The officer also noted that they did not provide much in terms of who spent money on what and were looking at some general categorisation of type of work that a supplier undertakes and some relatively high level analysis of departments who spent with a supplier.

Advice on Data Protection Issues from SWAP

Advice was sought from SWAP on any data protection issues. The views of the SWAP Group Auditor David Hill are as follows:

Following your request at Audit Committee please find my advice on any Data Protection issues with regard to the publication of payments made to suppliers in excess of £500;

"WMBC are only listing payments to suppliers so Housing Benefit payments shouldn't figure. WMBC appear to have taken the approach that I would recommend i.e. any supplier that is a private individual (such as a sole trader) is hidden with just a reference to a "Named Individual".

If an enquiry was made around a particular payment, we could then either apply a personal data exemption or, and this is my preference, we contact the supplier and offer the opportunity for them to consent to disclosure. If no consent gained, the S40 exemption is applied. This would be a fair approach.

Long term, it may be advisable to make a specific clause in a contract stating that names will be disclosed for all payments over £500. This would satisfy Schedule 2 of the DPA in terms of fair processing and unless there is a major need for privacy, names will be disclosed. The problem with this is that we don't always have a form of contract with every supplier although if an order was produced and sent for every supply it could be on the terms and conditions".

You will see from this advice that by publishing this information we are potentially setting ourselves up for an awful lot of work when I am not sure that the publication adds to the transparency of the Council. The details are sparse and they are also aggregate payments, which would mean further work if additional details were required from a member of the public. We should also consider whether by publication there is a conflict with seeking best value in that there is a potential that some suppliers may opt out of trading with the Council.

I am a great believer in transparency but am bound to say that I am really struggling with what is being achieved in publicising this list and it is not something that I have come across before. I have seen many Councils that publish a detailed list of who they have long-term contracts with etc, but never anything of this detail.

Advice overall is that we do not publish this list.

Costs of Provision

There is a once off cost of approximately £300 to write the report that would be required to provide the information. If, as with WMBC, there is as little as one enquiry per month the annual cost of provision would be as little as £76 per year. However if enquiries escalated to 40 per week this rises to £8,010 per annum and would take up the time of two days per week of a member of staff. The scheme will only be successful if there is a high number of hits to the information and it generates public interest and enquiries.

Background Papers: *None.*
