HOW OPEN DATA CAN HELP TACKLE CORRUPTION

Policy Paper

Transparency International (TI) is the world's leading non-governmental anti-corruption organisation. With more than 100 chapters worldwide, TI has extensive global expertise and understanding of corruption.

Transparency International UK (TI-UK) is the UK chapter of TI. We raise awareness about corruption; advocate legal and regulatory reform at national and international levels; design practical tools for institutions, individuals and companies wishing to combat corruption; and act as a leading centre of anti-corruption expertise in the UK.

How open data can help tackle corruption

Policy Paper

Introduction

Within the last five years open data has gone mainstream: successive UK Governments have committed to making public data free to use, re-use and redistribute, and have put some measures in place to do this. Despite this torrent of open data, there has been limited research into how what is being published can be used to tackle corruption in the UK. Earlier this year, Transparency International UK (TI-UK) and its research partners published the findings of a year-long piece of work into how open data can be used to tackle corruption.[1] This paper outlines the findings of that research, makes 45 suggestions to the UK Government and other public bodies about how data provision in the UK could be improved to help tackle corruption, and three recommendations for change to be implemented as a priority.

Background

In 2009, the Labour Government launched a number of open data initiatives, including the data.gov.uk portal – the UK Government's official registry of public sector data – and made a number of commitments to make government data available as open data.[2] In 2010, the incoming coalition government made open data a key priority. One of the first initiatives of the new Prime minister, David Cameron, was to send a letter to ministers regarding data openness, in which he required government departments to publish a range of data and create departmental open data strategies.[3] An Open Data White Paper followed in 2012, and the government allocated £2million to re-develop the data.gov.uk portal. The UK is now regarded as one of the leading players in making public data more freely available, with the Open Data Barometer ranking the UK number one in world for open data in 2015.[4]

The coalition government promoted open data as a tool for achieving three goals:

1. Better government accountability
2. Improved public services
3. Enhanced economic activity, achieved by attracting greater investment and inspiring innovation

In October 2013, the government committed to produce an Anti-Corruption National Action Plan as part of its Open Government Partnership National Action Plan for 2013-15.[5] This was published in December 2014[6] and included recognition that "there [was] a lack of data on corruption [in the UK]".[7] It included an action that the Cabinet Office would work with other departments and civil society to identify what data Government could publish to help "improve transparency and reduce opportunities for corruption".[8]

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[1] Elizabeth David-Barrett, Paul M. Heywood, Nikolaos Theodorakis, Nick Maxwell and Thomas McGarvey, *TACOD: Towards a European strategy to reduce corruption by enhancing the use of open data*, (March, 2015) http://www.tacod.eu/wordpress/wp-content/uploads/2015/04/National_Research_UK_def.pdf

[2] HM Government, *Putting the frontline first: smarter government*, Action 1, Cm 7753 (December, 2009) p. 9 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228889/7753.pdf

[3] Prime Minister's Office, *Letter to government departments on opening up data*, (31 May 2010) https://www.gov.uk/government/news/letter-to-government-departments-on-opening-up-data [accessed on 05/06/2015]

[4] Open Data Barometer website, [accessed on 02/06/2015] http://barometer.opendataresearch.org/report/analysis/rankings.html

[5] HM Government, *Open Government Partnership National Action Plan 2013 to 2015*, Commitment 6 (October, 2013) p.19 http://www.opengovpartnership.org/sites/default/files/20131031_ogp_uknationalactionplan.pdf

[6] HM Government, *UK Anti-Corruption Plan*, (December, 2014) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/388894/UKantiCorruptionPlan.pdf

[7] HM Government, *UK Anti-Corruption Plan*, p.21

[8] HM Government, *UK Anti-Corruption Plan*, Action 4 p.21

This paper outlines our initial suggestions to the UK Government, which it should consider taking forward as part of its implementation of the UK Anti-Corruption Plan.

Our full list of suggestions can be found in the Annex I.

Alongside these suggestions we have three recommendations that should be taken forward by the UK Government as a matter of priority.

Recommendation 1

To ensure the improvement of open data quality in the UK, we recommend that the UK Government should empower an open data authority to maintain consistent standards of proactive disclosure across the public sector and public services that are outsourced to the private sector. They should have a clear role, responsibilities and lines of accountability, and appropriate powers and sanctions to monitor and ensure compliance with open data standards.

Recommendation 2

To help deter and detect lobbying abuses, we recommend that the UK Government bring forward legislation to reform the statutory register of lobbyists to make it fit for purpose: it should cover both in-house and consultant lobbyists, and require lobbyists to disclose more information that could help the public examine the scope and nature of their activities.

Recommendation 3

To improve the detection and deterrence of lobbying abuses, and to reduce the need to deal reactively with Freedom of Information requests, we recommend the UK Government:

- Improves the timeliness and quality of data it publishes about meetings between lobbyists and Ministers, Permanent Secretaries and Special Advisers
- Extends this proactive publication process to include the minutes of meetings involving major decisions
- Publishes the details of all secondments to and from the private sector as open data

How open data can be used to tackle corruption

In 2014, the EU funded a major study to examine the potential of open data as an anti-corruption tool – Tackling Corruption through Open Data (TACOD). The UK part of this research was conducted by TI-UK, the University of Nottingham and the University of Oxford.[9] This research examined:

- How open data is provided for 'in law' and 'in practice'
- Public opinion on open data provision and anti-corruption enforcement
- The impact data could have had on specific instances of corruption

Specifically, it focussed on corruption[10] relating to:

- Bribery (see page 7)
- Corrupt insider fraud (see page 9)
- Undeclared conflict of interests and improper use of public funds (see page 11)
- Lobbying abuses (see page 13)

It drew evidence from a library of case studies of corrupt behaviour, a survey of open data and internet users, and a series of interviews with government officials, academics, international lawyers and representatives from civil society.

Understanding the impact of open data on corruption

Although successive UK Governments have embraced open data as a tool for promoting economic growth and accountability, there has been little research into how it can be used to tackle corruption. Our TACOD research helped to further understanding in this area by analysing 95 case studies of corrupt behaviour that have been revealed to the public.

The cases were selected from the following sources when a dataset was, or could be expected to be, a significant element in revealing corrupt behaviour:

- All case studies of corrupt behaviour used in TI-UK research from 2009 to 2014[11]
- All relevant UK case studies of corruption arising in the Daily Corruption News alert, produced by the Transparency International Secretariat, from 2012 to 2014[12]

Each case was categorised by the type of the corrupt behaviour (see Table 1) and the method of disclosure involved (see Table 2). Our analysis sought to identify the relative role and value of specific public datasets against specific types of corrupt behaviour, as well as how incidents of corruption are disclosed. From this analysis we were able to identify which datasets were most relevant to the disclosure of different types of corrupt behaviour (see Table 3). Details of the methodological limitations of this research can be found in Annex II.

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[9] Elizabeth David-Barrett et al, *TACOD* (March, 2015)

[10] We define corruption as the abuse of entrusted power for private gain. This can cover both illegal activities and behaviour that may be legal or compliant with a set of rules, but remains ethically questionable.

[11] Transparency International website, http://www.transparency.org.uk/our-work/publications [accessed on 08/06/2015]

[12] Transparency International website, http://www.transparency.org/news/dcn/ [accessed on 08/06/2015]

Summary of findings

Our analysis of the 95 case studies found that the highest number of corrupt incidents were disclosed by law enforcement (34 per cent), followed by investigative journalists (25 per cent), Freedom of Information (FOI) requests (14 per cent) and whistleblowing (13 per cent). Open data was only attributable as a method of disclosure for corrupt behaviour in 7 per cent of cases. This suggests that open data has not historically played a major role in uncovering incidents of corruption, and that uncovering incidents of corrupt behaviour requires dedicated resources. Nevertheless, it does show that open data should form a key part of the UK's anti-corruption toolkit, and that there need to be data intermediaries to interrogate and analyse the data to achieve anti-corruption outcomes.

The research also identified particular types of integrity data that could be more relevant to specific types of corrupt behaviours (see Table 3), and found that open data's role in tackling corruption can differ dramatically depending on whether the behaviour is illegal or not. Typically, law enforcement is the primary method of disclosure for illegal corrupt activity. Open data may constrain criminals seeking to carry out certain types of activity, and open data reporting requirements may force individuals to lie – which in itself may be an offence – in order to avoid reporting illegal acts. However, investigators will almost certainly still rely on covert techniques to build a criminal case against the suspects, with open data playing a supportive role. In contrast, open data and proactive disclosure can play a more powerful role in informing public debate about activity that is not technically illegal or a breach of certain rules, but nevertheless ethically questionable.

We have provided further information below about the different types of corrupt behaviour we examined as part of this work, and included some case studies to illustrate how data could have been used to detect or deter these types of corrupt behaviour.

Bribery

Definition: The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations etc.).

Characteristics: Illegal. Prosecuted primarily under the Bribery Act 2010 for all relevant criminal conduct after 1 July 2011, with the Criminal Law Act 1977 offence of misconduct in public office used in many cases. Variations in practice include: direct cash payments as bribes; excessive hospitality as bribery; favours; small bribes and facilitation payments; bribes disguised as charitable donations; bribes masked as commissions; and corrupt hiring practices.

Most relevant datasets: Interests, gifts and hospitality registers.

Our analysis: From our library of case studies, law enforcement statements were the overwhelming form of disclosure for bribery incidents. The majority of bribery cases (64 per cent) were revealed to the public following either a police or Serious Fraud Office (SFO) investigation.

Whistleblowing accounted for a significant proportion of disclosures (15 per cent), and 13 per cent were uncovered through investigative journalism. Not a single bribery case we analysed was uncovered using an FOI request.

Beyond law enforcement statements, bribery cases tended to be revealed through unofficial sources, such as whistleblowing. This may reflect the fact that, for this very serious form of corruption, efforts to conceal bribery are well developed. Where offenders have any control over the reporting of data, for example reporting financial gifts or hospitality received, it is highly improbable that they will intentionally report anything that will implicate them in criminal wrongdoing. Therefore, it is highly likely that unofficial disclosure routes will prove important in tackling criminal corruption.

However, from our analysis of bribery cases, it was apparent that the provision of some datasets could have facilitated the detection or deterrence of bribery. In over two-thirds of cases, we found that the data in gifts and hospitality registers (69 per cent) and registers of interests (67 per cent) were relevant to the bribery cases we identified. These registers may have either deterred such behaviour, limited the scope for it to be conducted, or forced the perpetrators to lie, which could have been used against them in any criminal investigation or enforcement action. Therefore, while the criminally corrupt may seek to lie in their disclosures for gifts and hospitality registers, having the requirement in the first place can still help tackle corrupt acts.

Note that our case studies included foreign bribery by UK companies, and our analysis refers to the relevant foreign government's registers of interests and gifts for its own public officials and politicians.

Lobbying meetings data (51 per cent) and open contracting data (41 per cent) could also have played a role in deterring or detecting corruption in the cases we analysed.

Case study: Bribery

In 2012, two senior Ministry of Defence (MoD) civil servants pleaded guilty to receiving corrupt payments in order to show favour for the tendering and continuation of CCTV contracts in Northern Ireland valued at £16.2 million.

In this case, the activity could have been deterred or detected by a number of different datasets, including:

- A publicly available register of gifts and hospitality for civil servants: even if the payments were not reported by the civil servants involved, non-compliance with the rules could have helped form part of the eventual case against them.

- Information about staff pay, roles and responsibilities: this could have provided either greater evidence to prove corrupt payments, or evidence of deception for investigating officers or whistleblowers.

- A combination of lobbying meetings data, minutes of official decision-making meetings, transparency over the decision to award the contract, and spending and performance data: this could have allowed interested individuals or competitors of the winning firm to identify foul play and hold decision-makers to account.

Corrupt insider fraud

Definition: Abusing a public position with an act of intentional deceit in order to gain an unfair or illegal advantage (financial, political or otherwise).[13]

Characteristics: Illegal. Prosecutable under the Theft Act 1968, whereby a person is guilty of the basic offence of theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it. Also prosecutable under the Fraud Act 2006, which creates three categories of fraud: fraud by false representation, fraud by failing to disclose information, and fraud by abuse of position.

Most relevant datasets: Registers of interest and performance information on services.

Our analysis: The corrupt insider-fraud cases we analysed were most commonly revealed to the public through police/SFO investigations (58 per cent). As with bribery cases, the behaviour is likely to be illegal and carefully concealed, which means it is more difficult for the public or media to uncover these kinds of activity.

Whistleblowers have also played a role in disclosing this form of corruption, accounting for 25 per cent of case disclosure. The remaining cases were uncovered through public audit mechanisms. It must be noted that audits and whistleblowing may have been responsible for identifying the original suspicion in some cases listed as police or SFO disclosures.

Registers of interest were found to be the most significant dataset for mitigating insider fraud risk – data from these registers could have been relevant in 67 per cent of cases. Performance information on services were relevant in 58 per cent of cases, typically because corrupt insider fraud seeks to divert funds intended for public service.

Efforts to conceal the misallocation of funds may become more difficult with more transparent accounting practices, which could curb fraudulent behaviour. The disclosure of other types of financial information, such as published receipts and project budgets, could have been relevant in a significant number of cases, particularly those where the taxpayer had been charged for a service not provided.

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[13] Adaptation of the Transparency International *Anti-Corruption Plain Language Guide* (July, 2009) http://www.transparency.org/whatwedo/publication/the_anti_corruption_plain_language_guide

Case study: Corrupt insider fraud

In 2014, four heart specialists were convicted of a £430,000 fraud against an NHS trust as a result of billing for hours they spent moonlighting at other hospitals. In this case, our analysis is that the following data could have helped prevent or detect this activity:

- A register of interests for the specialists

- Performance information on the relevant services

In 2009, three contractor staff from a private company were found guilty of defrauding Cumbria County Council of £100,000 by presenting records which exaggerated the amount of waste they had collected.

Our analysis suggests the following could have helped deter or detect this kind of activity if they were made publicly available:

- Staff pay, roles and responsibilities (covering private sector contractors providing public services)

- Financial statements for projects, budgets and variance reports

- Performance information on services and public spending records

Undeclared conflict of interest and misuse of public funds

Definition: Undeclared conflicts of interests occur when a public official fails to declare a situation in which they have a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties. Misuse of public funds is open to interpretation but can be characterised by excessive or unjustified use of public funds, which may or may not further a private interest or prestige of a group or individuals.

Characteristics: Normally considered a code of conduct breach. In reality, conflicts of interest breaches can also border on criminal conduct. However, the cases assigned to this category in our research were not enforced as criminal offences. As a result of difficulties in defining the activity, misuse of public funds typically has no associated sanction to it apart from officials facing the court of public opinion at elections.

Most relevant datasets: Registers of interest and minutes of official meetings.

Our analysis: Breaches of rules around conflicts of interests are typically not criminal offences, and are more likely to be a breach of a code of conduct. As a result, law enforcement played no role in disclosing this activity in any of our case studies.

In the UK, there is a strong culture of scrutinising the conduct of government ministers, politicians and officials, and the media respond to this public demand for scrutiny with investigative reports, including 'sting' and entrapment operations. This might explain why investigative journalism was the most common form of disclosure for undeclared conflict of interest cases, accounting for 35 per cent of the cases revealed. Undeclared conflict of interest cases frequently involved a minister or a public official that seemingly allowed business interests to influence their official duties.

Registers of interests (71 per cent) and minutes of public sector meetings (53 per cent) were the most relevant datasets for these case studies. A number of additional datasets, particularly those related to decision making and lobbying, could also have had helped tackle undeclared conflict of interest cases if they had been available.

Case study: Undeclared conflict of interest and misuse of public funds

In 2004, former leader of Lincolnshire County Council, Jim Speechley, was imprisoned for 18 months for misconduct in public office after seeking to influence the council decision on the route of a new bypass so as to divert it through his own land, increasing the land's market value. He failed to publicly declare his personal interest in the route until the police were brought in to investigate some 18 months later.

The requirement for him to declare his private interests was highly relevant to this incident. However, the following could have also helped identify his wrongdoing:

- Minutes of official decision-making meetings

- The publication of public consultations, submissions and conclusions about the evidence base for the decision

In 2011, the Managing Director of Mayflex alleged that his firm had been treated unfairly when bidding for a Birmingham City Council library contract. Birmingham's hospitality register recorded that the council Chief Executive, Stephen Hughes, had accepted extensive hospitality from the winning bidder, Capita-led Service Birmingham, including dinner and overnight accommodation at Billesly Manor hotel, tickets for a concert at Symphony Hall and a dinner at Cardiff City Hall. However, Birmingham City Council dismissed the complaint that it broke procurement laws and the following investigation, which was led by the Chief Executive himself, concluded that the council had acted properly.

This kind of activity can be made more detectable and transparent by:

- Registers of gifts and hospitality, and related financial interests

- Lobbying meetings data

- The minutes of official decision making meetings

- Financial and performance information

Lobbying abuses

Definition: There is no accepted definition of lobbying abuses however the activity can be closely related to 'trading in influence', which is defined as either:

- The promise, offering or giving to a public official or any other person, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority an undue advantage for the original instigator of the act or for any other person.

- The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for themselves or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority an undue advantage.[14]

Characteristics: Unless it is considered bribery, the vast majority of lobbying activity is permissible or, at the most, considered a breach of code of conduct on the part of the public official/politician.

It can include buying access to politicians through large political donations; working as an adviser for a political party / minister while simultaneously being employed as a lobbyist; former civil servants lobbying their previous employer within a prohibited, cooling-off period; government providing certain groups with preferential access to policy-making processes; former ministers selling access and influence to lobbyists; and private sector secondees being brought into public sector roles that oversee their private sector interests.

Most relevant datasets: Lobbying meetings data and minutes of official decision-making meetings.

Our analysis: From the case studies we analysed, investigative journalism and FOI requests both played a key role in uncovering corrupt lobbying practices. In the UK, the media holds parliamentarians and public officials to account for their conduct perhaps more so than most countries. This may explain the high number of cases exposed in this manner as the motivation of investigative journalists to detect these cases is particularly high.

Although some information is recorded about lobbying activity – evidence may be found in multiple documents, such as the minutes of meetings or emails – these are not proactively disclosed or released. This means investigative journalists and interested individuals have had to use FOI requests to uncover lobbying abuses. The vast majority of lobbying information is not recorded or required to be disclosed. As a result, there is very little open data and very little transparency around lobbying.

It is important to note that putting forward a point of view – whether it is understood as lobbying, participation, advocacy or engagement – is an essential part of the democratic process. Government and politicians require information from interested parties in order to understand the potential effect of their actions and to make well-informed decisions. However, lobbying can also become corrupt and distortive of the democratic process.

Lobbying abuses can create a situation of 'capture' in which a politician or public servant, who should be acting in the public interest, advances the commercial or concerns of one interest group to the exclusion of others. Corruption occurs more blatantly when a public official or politician benefits personally from

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[14] United Nations Office on Drugs and Crime, *United Nations Convention against Corruption*, Article 18 (New York, 2004) p.18 https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

supporting a lobbying position, or when they become lobbyists themselves, in breach of the trust bestowed through their role.

Our 2015 'Lifting the lid on Lobbying' report identified three key areas in which the corruption risks are particularly acute

- **Transparency gaps:** the ability of lobbyists to conceal their interests and activity, and the role of big money in political donations
- **Integrity gaps:** misconduct by public officials and politicians, and the revolving door employment between the public and private sectors
- **Access gaps:** the prevalence of unequal opportunity of access and influence in politics and decision-making, and the roles of external and unaccountable 'expertise' brought in to inform government policy

When looking at public sector data on lobbying, and not private sector information about lobbyist campaign activity and expenditure, lobbying meetings data and minutes of official decision-making meetings are found to be the most relevant datasets for mitigating these types of corruption risk.

Opening up data on lobbying activities, such as meetings between lobbyists and civil servants, could pre-empt the need for FOI requests. This open data should be published in a timely manner, and contain sufficient detail to allow users to view any relationship between the content of the meetings and any actions or policies proposed by government – known as a 'legislative footprint'.

Case study: lobbying

In November 2014, the Guardian reported that Tesco director and former Food Standards Agency head, Tim Smith, lobbied the government to not publish a report into the food poisoning contamination rates for chicken in supermarkets. On taking up his role with Tesco, Smith had been given advice by the Advisory Committee on Business Appointments (ACoBA) that he should not lobby on behalf of Tesco during the period he was alleged to have lobbied.

The case demonstrates the value of publishing the following:

- Appointments and secondments data (including those subject to revolving door advisory rulings)

- Lobbying meetings data

Suggestions for improvement

Although open data has the potential to form a key part of the UK's anti-corruption toolkit, our research has identified a number of issues that have limited this potential, including:

- The lack of a legal right to open data
- Failure to publish existing datasets held by public bodies
- Inconsistent data formatting and structuring
- A wide variation in practice across different levels of government
- The lack of formal arrangements to enforce compliance with open data standards
- The inadequacy of disclosure requirements where they do exist
- The lack of capacity in civil society to analyse what data is published
- The lack of an official avenue for citizens to take action if they do spot discrepancies using open data

In order to help overcome these issues, we have made 45 suggestions to the UK Government, UK Parliament and other public bodies. These bodies can help tackle corruption in the UK by:

- Publishing 30 new major datasets and reports
- Improving six existing publications and datasets
- Providing better guidance, policies or frameworks for maintaining and publishing data in nine areas

Our full list of suggestions can be found in Annex I.

The majority of our suggestions are for changes to existing institutions, practices or processes. For example, the majority of the new datasets we are suggesting should be published involve data or information that should already exist. These present 'low-hanging fruits' which could be quick wins for the new government. Our other suggestions will require setting-up arrangements for publishing new datasets proactively on a regular basis, establishing new frameworks or policies, or amending legislation. Both the 'low-hanging fruits' and more challenging changes are essential to the implementation of the UK Anti-Corruption Plan.

To help progress these suggestions, we have identified potential lead departments and public bodies who should be responsible for their implementation. The Cabinet Office should remain the lead for coordinating these efforts across central government.

Recommendations for change

The UK open data programme has made commendable progress without recourse to legislation, relying on policies and guidance across the public sector. However, there are good reasons to conclude that the current light-touch approach has not improved the quality of data produced by the public sector. Research from the TACOD project showed that the current quality of open data published in the UK could do with improvement[15], and our recent Open Governance Scorecard highlighted how progress can be reversed easily if they do not have a legal underpinning.

Recommendation 1

To ensure the improvement of open data quality in the UK, we recommend that the UK Government should empower an open data authority to maintain consistent standards of proactive disclosure across the public sector and public services that are outsourced to the private sector. They should have a clear role, responsibilities and lines of accountability, and appropriate powers and sanctions to monitor and ensure compliance with open data standards.

Our research has shown that there are still significant gaps in transparency about lobbying activity in the UK: the scope of the statutory register of lobbyists is too narrow, there are insufficient details about meetings between civil servants and lobbyists (other than permanent secretaries) or private sector secondments to the public sector, and the information that is provided is of inadequate quality and not provided in a timely manner.

Recommendation 2

To help deter and detect lobbying abuses, we recommend that the UK Government bring forward legislation to reform the statutory register of lobbyists to make it fit for purpose: it should cover both in-house and consultant lobbyists, and require lobbyists to disclose more information that could help the public examine the scope and nature of their activities.

Recommendation 3

To improve the detection and deterrence of lobbying abuses, and to reduce the need to deal reactively with Freedom of Information requests, we recommend the UK Government:

• Improves the timeliness and quality of data it publishes about meetings between lobbyists and Ministers, Permanent Secretaries and Special Advisers

• Extends this proactive publication process to include the minutes of meetings involving major decisions

• Publishes the details of all secondments to and from the private sector as open data

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[15] Elizabeth David-Barrett et al, *TACOD* (March, 2015) pp.28-34

Tables

Table 1: Themes and types of datasets relating to corrupt behaviour

Theme	Dataset
Public sector integrity data	Appointments
	Gifts and hospitality register
	Register of interests
	Salary data, staff roles and responsibilities
Lobbying and decision making data	Lobbying meetings
	Lobbying register
	Minutes of official decision-making meetings
	Political donations
	Public consultations, submissions and conclusions
Public sector spending	Allowances and expenses
	Open contracting
	Financial statements (projects), budgets and variance reports
	Performance information on services
	Public spending records

Table 2: types and nature of disclosure method

Type of corrupt behaviour	Data
Official	Law enforcement investigation
	FOI request
	Public audit / Parliamentary scrutiny
	Open data
Unofficial	Investigative journalism
	Whistleblowing
	Leaked information

Table 3: matching integrity data and types of corrupt behaviour

Type of corrupt behaviour	Data
Bribery	Interests, gifts and hospitality registers
Corrupt insider fraud	Registers of interest and performance information on services
Undeclared conflict of interest and misuse of public funds	Registers of interest and minutes of official decision-making meetings
Lobbying abuses	Lobbying meetings data and minutes of official decision-making meetings

Annex I: suggestions for improvement

All / data.gov

1	Public bodies should consider automatically and continuously disclosing information previously released under the Freedom of Information Act (FOIA), and including them in their publication scheme.
2	All oversight and accountability reports carried out by internal and external control/audit agencies, including legislative committees when they carry out oversight functions, should be published.
3	The UK Government should be more transparent about how it makes decisions by proactively publishing departmental policy analysis documents that support decision making.
4	The UK Government should maintain a register of policy programs and actions, with updated budget information for programmatic activities. This should be published as open data.
5	The UK Government should publish the details of all internal departmental applications for revolving door employment risk assessments, and the result of the decision / guidance. If it is not possible to publish specific details because of privacy issues, it should publish aggregate details such as the number of applications received, the number of applications by sector of future employment, and the number of applications approved or rejected.
6	All public bodies maintaining public registers of financial interests or the details of meetings with lobbyists should publish them as open data.

Cabinet Office

7	The UK Government should bring forward legislation to enshrine its open data policy in law.
8	UK Government departments should publish their departmental anti-corruption risk assessments and actions plans as part of the Government's UK Anti-Corruption Plan.
9	The UK Government should publish the details of all of its consultations in a way that is timely, easily accessible and analysable, which should include: • Details of the proposals, including the evidence base for change at the beginning of the process • Full information from any impact assessment • All submissions to the consultation • The conclusion of the consultation
10	The UK Government should amend the Freedom of Information Act so it covers private companies delivering public services.
11	All open data policies and initiatives should apply to private organisations operating with public funds or performing a public function. For example, these could be incorporated into contracts with suppliers.
12	The UK Government should publish and maintain a public register of companies receiving public procurement contracts. This should be updated in a timely manner, available as open data and linkable with data on public sector spending.
13	The UK Government should publish annual figures on misconduct, corruption and procurement complaints received from the public.

14	The UK Government should publish aggregate data across all public services (or at least key public services such as police, prisons, NHS and the armed forces) for internal misconduct that was: • Investigated • Disciplined • Led to dismissal • Prosecuted for corruption-related offences
15	The UK Government should publish aggregate data on sanctions for nepotism, patronage and cronyism within the civil service, and examine how this reporting process could be rolled-out across the rest of the public sector.
16	The UK Government should publish an action plan on how it intends to update non-electronic data into open data.
17	The UK Government should work with legislatures across the UK to ensure there is greater consistency in data standards for registers of interest and gifts and hospitality.
18	The UK Government should develop a system for including Companies House unique identifiers in public data regarding companies across all public bodies and UK legislatures. **Possible lead departments: Cabinet Office / BIS**
19	There UK Government should create a central register for private audit firms involved in local authority audit to publish ''Public Interest Reports'' that identify macro risks in the sector, trends, good and poor practice examples, and draw attention to specific incidents of possible corruption. **Possible lead departments: Cabinet Office / DCLG**
20	The UK Government should publish asset restraint, recovery and repatriation rates for proceeds of corruption law enforcement cases. **Possible lead departments: Cabinet Office / Home Office**

Ministry of Justice

21	The judiciary should have a register of financial gifts, hospitality and interests for judges. This should be published regularly and have appropriate oversight to ensure the information provided is accurate.
22	The judiciary should publish information used to make its judgments and related background information (i.e. Amicus briefs and other public information considered in its deliberations).
23	The judiciary should publish a schedule of all judicial hearings. If this needs to be implemented in stages it should begin with the High Court.
24	The judiciary should have a public register of meetings and direct / indirect communications between judges and private interests, including the object of the meeting and information exchanged.
25	The judiciary should follow the UK Government's lead and publish detailed administrative information about its organisation, including: • Key personnel in its administrative offices • A detailed account of administrative and support staff • Salary information for each post If this needs to be implemented in stages it should begin with the High Court.

Department for Communities and Local Government (DCLG)

26	As with senior civil servants, local government should be required to publish appropriate details of officials or elected members where there is a revolving door risk of employment in the private sector.
27	An aggregate analysis report on local government counter fraud measures, similar to the former Audit Commission 'Use of Resources' tracking exercise, should be re-established to monitor counter-fraud resources in local government and set the standard for what is expected.
28	The UK Government should produce a national-level assessment of corruption risk in local government.
29	The UK Government should publish individual local government corruption risk assessments.

HM Treasury

30	The UK Government should publish the HM Treasury National Risk Assessment on Money Laundering and Terrorist Financing sector survey results conducted in 2014 alongside the response to this consultation.
31	The UK Government should publish individual submissions by Anti-Money Laundering supervisors to the HM Treasury Annual Supervision report.
32	The UK Government should publish a single list of sanctions and enforcement action for corruption and related money laundering offences. This should cover both public and private AML supervisors, and specialist law enforcement teams. **Possible lead departments: HM Treasury / Home Office**

National Crime Agency

33	The National Crime Agency should produce regular alerts on bribery and corruption threats in the UK.
34	The National Crime Agency should publish regular public reports on the use of bribery and corruption by organised crime.
35	The National Crime Agency should collate and publish corruption related money laundering Suspicious Activity Reports (SAR) data and the outcomes of these SARs.

UK Parliament

36	The UK Parliament should introduce a requirement for MPs and Lords to disclose meetings they have with lobbyists, which should include information about the object of the meeting and information exchanged. Details of these disclosures should be published by the UK Parliament as open data. Parliament should also provide them with detailed guidance and advice on how to comply with these requirements.
37	The UK Parliament should introduce a requirement for MP's and Lords' parliamentary staff to disclose meetings they have with lobbyists, which should include information about the object of the meeting and information exchanged. Details of these disclosures should be published by the UK Parliament as open data. Parliament should also provide them with detailed guidance and advice on how to comply with these requirements.

Committee on Standards in Public Life

38	The Committee on Standards in Public Life should consider examining trends in disclosures, such as registers of financial interest, as part of its work monitoring ethical standards across the UK Government and the UK Parliament.

Companies House

39	Companies House should publish the central register of UK company beneficial ownership as open data.

Export Control Oganisation / BIS

40	The following datasets on export licensing should be published as open data: • Quarterly actual usage data for all types of strategic export licences, including Open Individual Export Licences and all types of Open General Licences • Specific details on the end-user in addition to the current end-user type • Data on individual licence decisions in addition to the current aggregated data, including destination, rating, description, incorporation, licence type, licence subtype, outcome, value (for Standard Individual Export Licences) • The reason for refusal or revocation for individual licences

Foreign and Commonwealth Office

41	The Foreign and Commonwealth Office should publish the details of corruption and bribery allegations submitted to embassies worldwide to help inform companies' understanding of global business risks.

Home Office

42	A single authority should be made responsible for: • Publishing how many corruption related cases have been brought to trial and prosecuted on an annual basis • Developing a more sophisticated database for tracking prosecution cases and tagging relevant characteristics (such as corruption)

Ministry of Defence

43	The Ministry of Defence's Annual Report and Accounts should be expanded to include the following for defence capacity building projects: • Spend levels • Country of destination • The details of recipients • Performance objectives and evaluation

National Audit Office

44	The UK Government should task a single body with producing annual oversight reports on public spending across central government, which should cover value for money, best practice guidelines and summary statistics comparing purchases for comparable items.

Serious Fraud Office

45	The Serious Fraud Office (SFO) should publish summary and details of Deferred Prosecution Agreements.

Annex II: Methodology

The methodology for this research relied on pre-identified case studies of corrupt behaviour, drawn from TI-UK research and news alerts. The research is therefore subject to a selection bias arising from research topics and areas of interest to TI-UK research.[16] The case studies necessarily reflect what has been 'revealed' to the public, not corruption or types of corrupt behaviour which are less visible in public debate.

The research uses the TI-UK definition of corruption – "the abuse of entrusted power for private gain" – and, as a result, our case studies of corrupt behaviour include both illegal behaviour and a judgement of lawful behaviour that falls within the TI-UK corruption typologies and the TI corruption definition.

As part of the approach, an assessment was made by the TI-UK research team about what datasets could have corresponded to the 'revealed information' in any specific corrupt behaviour case study. The research is therefore relying on counterfactual judgements guided by expert assessment about which datasets would have had value for improving transparency or accountability against a specific case of corrupt behaviour.

A further limitation arises from limited information about the original disclosure method of any corrupt behaviour case study. Our approach was to designate the disclosure type by the earliest public disclosure of the incident. In many cases where, for instance, police investigations, public audits and journalists have 'disclosed' the corrupt behaviour to the public, it is not always possible to identify whether some form of whistleblower is actually the original source of disclosure.

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[16] These include research papers on local government, lobbying abuses, the revolving door between the public and private sectors, money laundering, open governance, defence and security, pharmaceuticals and healthcare, extractives transparency, whistleblowing, media and sport.

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