



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

# Open Data Policy

Prepared by the Department of  
Housing, Local Government and Heritage  
[gov.ie](http://gov.ie)

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## Glossary

FOI	Freedom of Information
AIE	Access to Information on the Environment
PQ	Parliamentary Questions
GDPR	General Data Protection Regulation
DPO	Data Protection Officer
CSV	Comma Separated Values
PDF	Portable Document Format
HVD	High-Value Datasets
API	Application Programming Interface
EU	European Union

# 1 Purpose

- 1.1 This policy supports the Department of Housing, Local Government and Heritage to meet their duties outlined in the EU's Open Data and the Re-use of Public Sector Information Directive<sup>1</sup> which introduces an obligation for public bodies to make all data falling within the scope of the Directive "open by design and default".
- 1.2 Open Data is generally understood to denote non-personal data that is made available in an open format and that can be freely used, re-used and shared by anyone for any purpose.
- 1.3 The Open Data Strategy 2017-2022<sup>2</sup> lists some of the benefits of Open Data publication as:
- Better transparency and accountability of public bodies
  - Can improve policy decision-making by combining and using Open Datasets
  - More and faster data sharing and use across the public service
  - Public service staff spend less time on Open Data requests, FOIs and internal requests
  - Help the private sector with better business information, and ability to provide services on top of data
- 1.4 Greater adherence to Open Data principles provide an opportunity for business units to become more data literate and create better data management practises, design more insightful and impressive data visualisations, and ensure consistent data capture. The proactive publication of data when it becomes available pre-empts many Freedom of Information (FOI), Access to

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1024>

<sup>2</sup> [https://data.gov.ie/uploads/page\\_images/2018-03-07-114306.063816Final-Strategy-online-version1.pdf](https://data.gov.ie/uploads/page_images/2018-03-07-114306.063816Final-Strategy-online-version1.pdf)

Information on the Environment (AIE) requests and Parliamentary Questions (PQ) requests, thus reducing workload in the future.

## 2 Scope

- 2.1 This policy applies to all employees of the Department. This policy is authorised by the Management Board of the Department. All business units need to engage with the process of moving towards Open Data publication.
- 2.2 The word 'data' is commonly used to refer to tabular data – data held in tables, spreadsheets, databases etc. However, the EU Directive expands the meaning of data to imply images, audio, documents, graphics, maps and so on. Also, publicly funded research data will now also come under the Directive. All these datasets should now be considered open by default and design.
- 2.3 Not all departmental data is released in open format, some datasets we manage may be closed data, or shared data, but quite a lot of the data the Department manages would be viewed as suitable for Open Data.
- 2.4 No form of personal data should be published with, or as, Open Data. Open Data should never infringe on a person's right to have their personal data protected. These protections are predominantly provided for through the General Data Protection Regulation and the Data Protection Act 2018.
- 2.5 This policy does not cover:
  - FOI requests; please contact the Department's FOI Team for guidance and assistance with this at [foi@housing.gov.ie](mailto:foi@housing.gov.ie)
  - AIE requests, please contact the Department's AIE Team for guidance and assistance with this at [aie@housing.gov.ie](mailto:aie@housing.gov.ie)

- INSPIRE directive<sup>3</sup>
- Data Protection, including General Data Protection Regulation<sup>4</sup> (GDPR) and the Data Protection Act 2018<sup>5</sup>, as Open Data should never infringe on a person's right to have their personal data protected

2.6 The Directive does not affect existing regimes in respect of copyright, intellectual property, protection of personal data, Freedom of Information, or Access to Information on the Environment, and do not permit the release of information in a manner that is otherwise prohibited by law. However, outputs from FOI, AIE and INSPIRE could be made available as Open Data.

2.7 If a dataset holds any personal data, special category data, or sensitive data such as commercial or environmental data, it cannot be published in its current form. A dataset that contains personal data can be put through a process of anonymisation to irreversibly prevent the identification of the individual to whom it relates. The Data Protection Commission have published a guidance note on Anonymisation and Pseudonymisation, which should be referenced if undertaking this process<sup>6</sup>.

### 3 Context

3.1 The EU's Directive 2019/1024/EU on Open Data and re-use of Public Sector Information Directive introduces an obligation for public bodies to make all public sector data falling within the scope of the directive "open by design and

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<sup>3</sup> <https://inspire.ec.europa.eu/>

<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02016R0679-20160504>

<sup>5</sup> <https://www.irishstatutebook.ie/eli/2018/act/7/enacted/en/html>

<sup>6</sup> <https://www.dataprotection.ie/sites/default/files/uploads/2022-04/Anonymisation%20and%20Pseudonymisation%20-%20latest%20April%202022.pdf>

default”. This aims to harmonise the national rules and practice around Open Data publishing of public information.

- 3.2 The Open Data Directive was transposed into Irish law in June 2021 with Statutory Instrument No. 376/2021 - European Union (Open Data and Re-use of Public Sector Information) Regulations 2021<sup>7</sup>.
- 3.3 Circular 20/2021 - Open Data Directive<sup>8</sup> provides a breakdown of the actions needed by public sector bodies to comply with the Directive.
- 3.4 The Department’s Data Strategy<sup>9</sup> lists “Open Data” as one of its key goals under Programme 3 of an “Integrated Data Platform”. It also lists “data is open” as one of its three key principles.
- 3.5 Where this policy document does not cover a topic, the reader should refer to the Circular, Statutory Instrument, Implementing Act and EU Directive for further information and guidance.

## 4 Responsibilities

- 4.1 Business units must take responsibility for the publication of their own Open Data, with support from the Open Data Unit. A business unit may be responsible for multiple datasets.
  - Business units should be familiar with the collection, access, usage and quality of their various datasets.
  - They will make a decision on the Open Data publication plans including decisions such as the need for data anonymisation.

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<sup>7</sup> <https://www.irishstatutebook.ie/eli/2021/si/376/made/en/html>

<sup>8</sup> <https://www.gov.ie/pdf/?file=https://assets.gov.ie/212217/bd5cd126-1954-4d65-8b3d-dd5a8398b453.pdf#page=null>

<sup>9</sup> <https://assets.gov.ie/240157/d094d925-65ef-49fe-b33e-d07c75920303.pdf#page=null>

- They will determine a data publication schedule of when their Open Datasets are published and updated.
- They should ensure that staff are released for appropriate Open Data training when required.
- They should ensure Open Data practises are embedded in all new or updated projects and strategies going forward.
- They will collaborate with the Open Data Unit on training needs and technical issues.

4.2 The Open Data Liaison Officer and the Open Data Unit promotes and encourages the publication and use of Open Data within the Department. The Open Data Unit sits within the Statistics and Analytics Unit, within the Corporate and Support Division.

- The Open Data Unit is a point of contact for any queries about Open Data regarding the Department.
- They work with business units throughout the Open Data preparation and publication process.
- The unit works with the Department of Public Expenditure and Reform in relation to Open Data, provides required progress updates and helps support the initiative generally.
- They manage the Department's Open Data platform.
- All departments, offices and relevant bodies under their aegis must assign responsibility to an Open Data Liaison Officer for matters arising under these Regulations in line with the national Open Data Strategy. For example, the Department must have an Open Data Liaison Officer, and so too must Met Éireann.

4.3 The Data Protection Officer (DPO) may be consulted if there is uncertainty about personal data being published as part of an Open Data publication.

- Personal data should never be published as part of an Open Data publication. Should there be any uncertainty about this, the Department's Data Protection Officer and team will assist with queries regarding the

suitability of data for Open Data publication. Please contact the Department's Data Protection Unit for guidance and assistance with this at [data.protection@housing.gov.ie](mailto:data.protection@housing.gov.ie).

## 5 Open Data publication

- 5.1 Datasets should be published to the Department's Open Data platform, <https://opendata.housing.gov.ie>, from where they will be harvested to the national open data portal, <https://data.gov.ie>. The platform ensures the data is findable, available in bulk download and via Application Programming Interface (API), as is required.
- 5.2 Datasets should be made available in non-proprietary and machine-readable formats. The type of data format used can have significant implications for the usability of the data; therefore, where possible, tabular data should be made available in at least 3-star data such as Comma Separated Values (CSV) files. The Portable Document Format (PDF) is also an acceptable file format used to present documents.
- 5.3 Datasets should be created and prepared for publication in accordance to best practise and data standards, also referred to as data models or data vocabularies. This ensures a common understanding of data content and what it describes to data users; and help facilitate the smooth exchange of data, e.g. time and date formats.
- 5.4 Datasets should always be published accompanied by high-quality metadata, according to the appropriate metadata standard for each dataset. Metadata is the summary information describing the data, including the availability, nature and constituents of the data. It provides context about the data that helps users

understand their meaning. All datasets on <http://data.gov.ie> will be accompanied by metadata compliant to DCAT-AP<sup>10</sup>.

- 5.5 Data publishers must apply an appropriate Open Data licence to the dataset. The Irish public service uses the Creative Commons Attribution 4.0 International (CC-BY-4.0)<sup>11</sup> licence for all Open Data it publishes. This ensures the legal grounding for its potential reuse, and provides data users assurances of how they can use the data, without the need to make an application before use.

## 6 High Value Datasets

- 6.1 The European Commission followed up with the Implementing Act on High-Value Datasets<sup>12</sup> (HVD), published in Dec 2022. HVDs have the potential to benefit a high number of users, in particular small and medium-sized enterprises (SMEs), assist in generating revenues and can be combined with other datasets
- 6.2 The Implementing Act declares the datasets to be considered High Value, and that public bodies should take immediate steps to ensure compliance with this act. The list of themes may be expanded in the future, but at the time of publication the list of thematic categories of HVDs are:
- I. Geospatial
  - II. Earth observation and environment
  - III. Meteorological
  - IV. Statistics

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<sup>10</sup> <https://data.gov.ie/pages/opendatatechnicalframework#recommended-metadata-schema-for-open-data>

<sup>11</sup> <https://creativecommons.org/licenses/by/4.0/>

<sup>12</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023R0138>

V. Companies and company ownership

VI. Mobility

## 7 Open Data Requests

7.1 The Directive creates a means for public sector bodies to receive requests for unpublished data to be made available as open data.

7.2 Article 4 (Requests for Re-Use) of the Directive outlines how this process is completed. The public body shall:

- process a request within 20 working days of receipt
- If appropriate, publish the data with an Open Data licence
- That time frame may be extended by a further 20 working days in the case of extensive or complex requests.
- In such cases, the applicant shall be notified as soon as possible, and in any event within three weeks of the initial request, that more time is needed to process the request and the reasons why.

7.3 Public sector bodies are not allowed to charge more than a marginal cost for the access to this data. The marginal costs would be to cover costs incurred for the reproduction, provision and dissemination of documents as well as for anonymisation of personal data and measures taken to protect commercially confidential information.

7.4 The short response window requires broad Open Data awareness and knowledge across the Department and that business units understand their responsibilities and duties under the Directive to ensure the data is published in appropriate time.

## 8 Risk

8.1 Publication of personal data as part of an open dataset would bring reputational damage.

- A personal data breach is defined as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, transmitted, stored or otherwise processed.
- All breaches, no matter how small the number of data subjects affected, should be logged and reported to the DPO as soon as it has been discovered.
- While not intended, an accidental publishing of personal data needs to be treated swiftly following the established protocols. If a data breach occurs please follow the Department's Data Breach protocols.
- Please note: Where required, the Department must report a personal data breach to the Data Protection Commission within 72 hours of having become aware of it.

## 9 Additional Documents and Guidance

9.1 This policy is built from several documents and guides which may provide further information if required. These include:

- Open Data Strategy 2017-2022<sup>13</sup> from the Irish government which has aims including publishing high-value data in an open format, and to engage with potential users of the data to promote its value.
- Open Data technical framework<sup>14</sup> which provides a guide to technical steps involved in publishing Open Data. It includes advice on licensing, formats, identifiers and other standards.

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<sup>13</sup> [https://data.gov.ie/uploads/page\\_images/2018-03-07-114306.063816Final-Strategy-online-version1.pdf](https://data.gov.ie/uploads/page_images/2018-03-07-114306.063816Final-Strategy-online-version1.pdf)

<sup>14</sup> <https://data.gov.ie/pages/opendatatechnicalframework>

- Other aspects of Ireland's Open Data Initiative<sup>15</sup> include Open Data training, outreach and an impact series.
- Further specifics on the role of the Open Data Liaison Officer<sup>16</sup>.
- The Open Data Knowledge base is available on the Department's Intranet.

## 10 Review Cycle

10.1 Responsibility for review of this policy sits with the Open Data Unit.

10.2 These guidelines will be reviewed regularly and updated where necessary, to ensure that any changes to the Departments' business practices or changes following relevant legislation are properly reflected in the document.

## 11 Contact Details

11.1 The Open Data Unit is the initial point of contact for any queries about Open Data and can be contacted at [opendata@housing.gov.ie](mailto:opendata@housing.gov.ie).

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<sup>15</sup> <https://www.ops.gov.ie/actions/innovating-for-our-future/data/initiatives/>

<sup>16</sup> [https://data.gov.ie/uploads/page\\_images/2018-05-23-105914.556125Role-of-Open-Data-Liaison-Officer-final.pdf](https://data.gov.ie/uploads/page_images/2018-05-23-105914.556125Role-of-Open-Data-Liaison-Officer-final.pdf)

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