

**Disposition, Transparency and Access to
Information**

Code: 44747
ECTS Credits: 9

Degree	Type	Year	Semester
4318290 Archival Studies and Information Governance	OB	1	2

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Teaching groups languages

To check the language/s of instruction, you must click on "Methodology" section of the course guide.

Teachers

Javier Miranzo Díaz

Prerequisites

It is recommended to have completed the module "Law and legal regime of documents", taught in the first semester of the Master.

Objectives and Contextualisation

The main objective of the course is for students to acquire skills and knowledge that allow them to manage information and documentation in the Public Administration. For this, there will be two training lines; Transparency and access to information (L1); and documentary evaluation (L2)

L1. In the first line of training, related to transparency and access to information, the objectives will be:

- Know the data and information that will be published to comply with the requirements of transparency in the new digital administration.
- Know the regulation of the right of access to public information in order to correctly attend to the requests that are presented in exercise of this right.
- Know the regulation of the right to the protection of personal data, so that these data are treated correctly, and the obligations imposed by the regulations on this matter are complied with.

L2. Records appraisal

That the students have theoretical knowledge and skills to evaluate the documentation and apply criteria to manage the records life cycle in real cases.

These skills are essential in order to manage, work and implement records management systems, taking into account that evaluation becomes one of the pillars of these.

At the end of the course students will have the ability to appraisal, apply the removal procedure and the Catalan disposition rules (TAAD), design retention schedules

and apply elimination and preservation policies.

To achieve the objectives the formative line is composed of theoretical and practical lessons in class as well as some individual exercises to be done outside the classes.

Learning Outcomes

- CA16 (Competence) Assess an organisation's information, data and documents in order to decide whether to conserve or eliminate it.
- CA17 (Competence) Establish mechanisms for access to the organisation's information within the parameters of transparency and data protection.
- KA24 (Knowledge) Define theory on documentary assessment (analogue and digital).
- KA25 (Knowledge) Identify conservation schedules and policies for the elimination and conservation of documentation and information.
- KA26 (Knowledge) Compare the regulation of the right of access to public information against regulations on the right to protection of personal data.
- SA18 (Skill) Apply the criteria of document life cycle management to an organisation.
- SA19 (Skill) Apply the concepts and procedures of documentary assessment to an organisation.
- SA20 (Skill) Process data in accordance with access and protection regulations.

Content

Course contents

L1. Transparency and the right of access to public information

Topic 1. Transparency and right of access to public information

1.1. Transparency as a principle of administrative activity

1.2. Transparency in digital Administration

1.3. Active publication or disclosure

1.3.1. Open government and open data.

1.3.2. The reuse of public information.

1.4. The right of access to public information.

1.4.1. Configuration of the right of access in the EU and in Spain.

1.4.2. Content and scope of the right of access to public information.

1.4.3. Limits to the right of access to public information.

1.4.4. Procedure for exercising the right of access and its system of guarantees.

1.5. Subjects with sectoral legislation on the right of access to public information.

1.6. Particularities of transparency in archives

1.7. Sub-national competencies on transparency and existing regulations

Topic 2. The limits to transparency: especially the protection of personal data.

2.1. The personal data protection in Europe.

2.2. The personal data protection in the Spanish legal system.

- 23. General principles of the personal data protection mechanisms.
- 2.4. Duties and obligations in the processing of personal data.
- 2.5. The rights of individuals in terms of data protection.

Methodology

L1. The teaching language of this line of the course will be Castilian or Spanish, although the student may also choose to deliver the assignments in Catalan or English. The methodology entails weekly lessons in which the theoretical contents of the subject will be exposed, and in which case-law will also be analyzed to encourage debate and participation. Additionally, some complementary materials for debate will be provided. Throughout the course, the students will have to solve 3 cases and participate in forums or debates proposed.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
L1. Lessons with student participation	35	1.4	CA16, CA17, KA26, SA20, CA16
L2. Classes with student participation	20	0.8	CA16, KA24, KA25, SA18, SA19, CA16
Type: Supervised			
L1. Assignments and case solving	18	0.72	CA17, KA26, SA20, CA17
L1. Participation in discussion forums and debates	3	0.12	CA17, KA26, SA20, CA17
L2. Participation in discussion forums and debates	2	0.08	CA16, KA25, SA19, CA16
L2. Work and practical exercises	18	0.72	CA16, KA24, KA25, SA18, SA19, CA16
Type: Autonomous			
L1. Case analysis	9	0.36	CA17, SA20, CA17
L1. Study and analysis of provided materials	40	1.6	CA16, CA17, KA26, SA20, CA16
L2. Study and analysis of cases	9	0.36	CA16, KA25, SA18, SA19, CA16
L2. Study and analysis of the materials provided	20	0.8	KA24, KA25, SA18, KA24

Assessment

L1. Transparency and access to information

The evaluation system will consist on 3 mandatory evaluation assignments (each with a weight of 30%), consisting in solving a case study or other tasks for the analysis of scientific articles, decisions or judgements. Additionally, 10% of the final grade will be evaluated through participation in class and in forums and debates proposed by the professor on the virtual campus.

In order to pass the course, it will be necessary to submit all 3 assignments.

The student who is in any of the following situations may take an extra assignment that will be carried out at the end of the syllabus:

- The student has not submitted one of the continuous assessment tests.
- The student has submitted in all the assignments, but has an average grade of less than 5/10

It will be understood that the student has not passed the course when, once the recovery period is over, one of the following situations concurs:

- The student has not submitted at least the 3 assignments;
- The student has submitted the 3 assignments, but the weighted average grade does not reach 5/10.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
L1. Assignment 1. Open government and open data	30%	9	0.36	CA17, KA26, SA20
L1. Assignment 3. Limits of the access to public information and data protection	30%	9	0.36	CA17, KA26, SA20
L1. Assignment 2. The right of access to public information	30%	9	0.36	CA17, KA26, SA20
L1. Participation in forums or debates	10%	3	0.12	CA17, KA26, SA20
L2. Conservation calendar practice	30%	6	0.24	CA16, KA24, KA25, SA18, SA19
L2. Document elimination proposal	30%	6	0.24	CA16, SA18, SA19
L2. Documentary assessment proposal (PAD)	30%	6	0.24	CA16, KA24, SA18, SA19
L2. Participation in discussion forums and debates	10%	3	0.12	CA16, KA24, KA25, SA18, SA19

Bibliography

Barrero Rodríguez, Concepción y Guichot, Emilio. *La transparencia en la contratación pública y sus límites*. Valencia: Tirant Lo Blanch, 2023. ISBN: 9788411475044

Martín Delgado, Isaac. *Guía de Gobierno Abierto*. Madrid: Centro de Estudios Políticos y Constitucionales, 2021. Disponible en:

<https://www.cepc.gob.es/sites/default/files/2022-06/a-942-guia-del-gobierno-abierto-int-corregido.pdf>

Meseguer Yebra, Joaquín. *La transparencia en las administraciones públicas: el procedimiento de acceso a la información pública*, Bosch, 2014. ISBN: 8416018170, 9788416018178.

Palomares Herrera, Manuel. *Transparencia y acceso a la información en el sector público*. Madrid: Wolters Kluwer, 2018.

Software

There is no specific program for this modul.