

Transparency and the Fourth Estate in Spain. A study addressing the value of information access for journalism in the fight against disinformation

Transparencia y Cuarto Poder en España. Un estudio sobre el valor del acceso a la información para el periodismo y en la lucha contra la desinformación



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Abstract:

Since the enactment of Law 19/2013 in Spain, which addressed the issues of transparency, access to public information, and good governance, journalism has benefitted from the tools offered by this law in several ways. Nevertheless, few studies have addressed the relationship between transparency and journalism. The aim of this research is twofold: to reveal whether the current state of transparency in Spain is adequate for carrying out journalistic activity; and to discover the usefulness of these tools in practicing data journalism and fighting against disinformation. This study also attempts to uncover the most pressing needs of journalists regarding possible changes in regulations. As such, a Delphi methodology was used involving assessments made by ten experts in the field, both from academia and the professional

Resumen:

Desde que se aprobó en España la Ley 19/2013 de transparencia, acceso a la información pública y buen gobierno, el periodismo ha aprovechado las herramientas que esta norma ofrece de diversas maneras. Sin embargo, existen escasos estudios que aborden la relación entre la transparencia y el periodismo. Esta investigación aspira a conocer si el estado actual de la transparencia en España es adecuado para el ejercicio del periodismo, así como a descubrir la utilidad de estas herramientas en el ejercicio del Periodismo de Datos y en la lucha contra la desinformación. Asimismo, busca conocer las principales necesidades de los periodistas en una posible reforma de la normativa. Para ello, se ha elaborado una metodología Delphi, que ha contado con las valoraciones de diez especialistas en la materia, tanto desde el punto de vista académ-

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realm, who might be referred to as specialised journalists. Two waves of questionnaires were conducted, the first of which focused on obtaining relevant information regarding the issue, while the second attempted to reach a consensus among the experts. The results not only show that regulatory reform is needed, but that transparency is highly useful for verifying and contrasting hoaxes. Likewise, it appears that journalists need further training in the area of transparency as well.

Keywords:

Transparency; access to information; journalism; data journalism; disinformation; fact-checking.

mico, como del profesional, es decir, periodistas especializados. Se han llevado a cabo dos rondas de cuestionarios, la primera, para conseguir información relevante sobre esta temática, y la segunda, para lograr un consenso entre las personas especialistas. Los resultados evidencian la necesidad de reformar la normativa y la utilidad de la transparencia para verificar y contrastar bulos. Asimismo, resulta necesario formar a los periodistas en transparencia.

Palabras clave:

Transparencia; acceso a la información; periodismo; periodismo de datos; desinformación; fact-checking.

1. Introduction

Studies have pointed out that transparency fulfils the purpose of keeping citizens informed, which enables them to make responsible decisions. The publication of open data and institutional information, which is common in states that promote transparency, offers a strong incentive for its reuse, whether by citizens or professionals.

Transparency is seen as the archetype of online communication, as information is diffused by public institutions and received by consumers, who become prosumers of this content and redistribute the information, thereby contributing to the creation of knowledge (Molina Rodríguez Navas et al, 2021). Therefore, it is highly relevant to address this information flow from the perspective of Communication Studies.

While transparency has become one of the pillars of political discourse in Spain (Curto-Rodríguez, 2020), journalism has proved to be one of the sectors most interested in open data policies. Thus, new journalistic narratives have emerged thanks to the proliferation of open data in recent years (Brolcháin et al., 2017).

Nevertheless, there is a lack of research in this area, and there has been growing interest by the media in recent years with regard to applying open and accountable media policies, (Masullo et al., 2021; Córdoba-Cabús and García-Borrego, 2021), in addition to journalistic production routines (Vu and Saldaña, 2021). Despite this situation, scholars have hardly focused on the ways in which the media use the information published on data and transparency portals of public institutions. As such, there is a need to investigate the use of transparency tools from a journalistic perspective.

The overall objective of this research is to reveal the needs of journalists in Spain in terms of transparency. The specific objectives are as follows:

01. Discover whether the current state of transparency is appropriate for the practice of journalism in Spain.
02. Study possible improvements in active publicity and access to information that would benefit journalists.
03. Reveal the role played by the *Consejo de Transparencia y Buen Gobierno* [Council for Transparency and Good Governance] in this regard, and how its independence can be enhanced in order to benefit journalism.
04. Understand the possible relationship between transparency and the fight against disinformation.
05. Discover whether the transparency has evolved since the Covid-19 pandemic.

To meet these objectives, the article begins with a theoretical approach to transparency, its development in Spain, and its possible application to journalism. Next, we will explain the methodology used to determine the adequacy of transparency in Spain for the journalistic profession. Afterward, the results will be presented, followed by a discussion of the conclusions reached in the article.

2. Theoretical framework

2.1. A decade of transparency in Spain

Before the enactment of Law 19/2013 regarding issues of transparency, access to public information, and good governance, there had been widespread criticism in academia and journalism (Sánchez de Diego, 2010; Cabra, 2012; Alonso Timón, 2012), in relation to the lack of regulations governing access to information in Spain. This law addressed both active publicity (the publication of information on websites of mandated organisations), as well as passive transparency (the right of access to information), and it also initiated the Council for Transparency and Good Governance, among other matters. However, the delay did not necessarily imply that the law was comprehensive. Thus, it was widely criticised due to the unfulfilled expectations it had created.

Furthermore, nearly a decade after its enactment, this law has hardly been revised and, as pointed out by Sierra (2022), there is a widespread perception that some key aspects of the law need to be reformed and strengthened. In fact, a group of experts has been organised to discuss a possible reform of the Transparency Law as part of the *IV Plan de Gobierno Abierto* [4th Open Government Plan]. So far, this group has met on four separate occasions¹.

Undoubtedly, one of the issues that received the most negative assessments was the failure to recognise access to information as a fundamental right (Cotino, 2014; Rollnart Liern, 2013). In addition to this shortcoming, criticism has also been directed at the paucity of obligations regarding active publicity, the numerous limitations placed on requesting information, the barriers to making a request (one must have an electronic ID card or digital certificate), as well as the lack of independence of the Council for Transparency and Good Governance, which depends on the Ministry of Finance and Civil Service, among other issues.

Nor should it be forgotten that Title II of the legislation regulates Good Governance, which is one of the pillars of the law. Accordingly, Sierra Rodríguez (2022) asserts that this aspect should have been addressed in other regulations. In this part of the law, there are very specific details on infractions and sanctions in this regard. However, as pointed out by the same author, it would be useful for this part of the law to specify the basic principles of information transparency. He also proposes regulating the government's relationship with the media.

¹ Information available at: https://transparencia.gob.es/transparencia/transparencia_Home/index/Gobierno-abierto/seguimientoIVPlanGA/seguimiento_C1/1-3-3-Reuniones-preparatorias.html

Thus, due to the media's role as a watchdog of public power, Sierra Rodríguez (2018: 50) argues that the following aspects, or principles, should be added to the regulations:

- Open hearings before the media.
- Neutrality and equality of information.
- Transparency of data sources.
- Predictability of information.
- Transparency regarding media accreditation and access.
- Accuracy in the graphic display of data magnitudes.

These and other aspects would regulate the government's relationship with journalists and ensure that communication between the two blocks is more transparent. This proposal reflects the inseparable relationship between transparency and journalism, which is specifically addressed by this article.

Finally, the status of open data must also be mentioned. As pointed out by García-García and Curto-Rodríguez (2018), public institutions have disseminated information mainly through their own websites, in addition to their transparency and open data portals, which have different characteristics. In the present research, the author has placed considerable importance on the two latter outlets, which are described as follows:

- Transparency portals: websites in which relevant information about institutions is disclosed in order to make them more accountable to the public.
- Open data portals: websites in which datasets on a wide range of topics are published in reusable formats, in order for them to be reutilised by others.

Although open data does not necessarily lead to greater transparency, it creates public value, increases the efficiency of democratic states, and strengthens decision-making, as pointed out by Park and Gil-García (2021). Open data is not a specific provision of the Spanish legal system, as stated by Cerrillo (2014). Nevertheless, this author points out that "its content is perfectly suited to both the principles of electronic administration and basic regulations regarding transparency, access, and reuse of public information" (Cerrillo, 2014:74).

2.2. The role of journalists in transparency

The enactment of legislation regarding access to information and the development of open data have contributed to the development of certain journalistic disciplines. Thus, Brolcháin et al. (2017) claim that new narratives have emerged thanks to the proliferation of open data over the last decade. Undoubtedly, data journalism has been one of the great beneficiaries of this change, as it relies specifically on large datasets (Rogers, 2012).

The rise of the transparency culture, the activism related to open data that has grown in recent years, and practices related to the Big Data era have influenced the way investigative journalism is perceived, which has evolved toward data journalism, as noted by La Rosa and Sandoval-Martín (2016). Moreover, data journalism is considered a professional specialisation that has evolved from both precision Journalism (Meyer, 1991) and computer-aided Journalism (Knight, 2015).

Flores Vivar and Salinas Aguilar (2013) point out that data journalism is a growing specialisation closely linked to investigative journalism. These new investigative journalists use public data available on the Internet as a source of information, which is fostering the evolution of this unique type of reporting:

“(…) We see the data journalist as an emerging professional profile, whose work environment is mainly based on the construction of increasingly novel visualisations that combine content [of information] with technology, which have multiple applications in the various types of specialised journalism that exist today” (Flores Vivar and Salinas Aguilar, 2013: 16).

Therefore, data journalism is considered an area of specialisation which, in addition to providing quality information in an innovative way, is also a useful tool for combating the current ecosystem of fake news, according to Saavedra et al (2020).

In any case, data journalism is democratising information by making it easier to read (Rogers, 2014). As such, data journalism compiles huge sets of data that are usually complex, analyses them, and creates news items with different types of visualisations (infographics, maps, graphs, etc.), which bring this information closer to citizens in a way that is easier to understand (Cushion et al, 2016). Thus, to make data journalism possible, data must be available:

“This process in its base requires data to be generated. In this context, the attention is turned towards Open Data and the major Open Data producers – Governments. Data journalism starts by exploring datasets on Open Data platforms. The data search and discovery stage is followed by the stage of filtering where only relevant data is elicited and then visualized. Finally, when the data is presented in an understandable way, the relevant story is built around the data. This can be achieved by elaborating about the data content in itself as well as identifying anomalies and analysing trends” (Brolcháin et al, 2017: 49).

Cortés et al (2018), who investigated the media outlets known as *ProPública* and *Civio*, highlighted the importance of transparency and access to information in making data journalism possible. They also pointed out the need for greater accessibility and the publication of information in appropriate formats. In this work, the authors emphasised that this discipline helps create a more transparent society.

Transparency is also an essential component in fighting disinformation, as citizens rely on mediated information they receive through various channels to make decisions, so it is important for this flow to be translucent (Thomson et al, 2020). Thus, fact-checkers should also take advantage of the transparency of public institutions in order to verify or refute the hoaxes that circulate on the Internet. In fact, two of the most important fact-checking organisations in Spain, Maldita and Newtral, produce content that disseminates a culture of transparency. For example, Maldita recently published content related to journalistic items from other media, made possible by the Transparency Law², while Newtral has a tool called Transparentia, which provides information on the salaries of Spanish politicians³. In spite of this situation, however, the relationship between the transparency of organisations and disinformation has received scarce attention in scientific literature.

The societal role of journalists as watchdogs of economic and political elites should also be pointed out. This is a duty that is highly valued by the professionals themselves, as indicated by Berganza et al. (2017), in which the authors explored the

2 Information available at: <https://maldita.es/malditodato/20211228/10-informaciones-transparencia-otros-medios-2021/>

3 Information available at: <https://transparentia.newtral.es/buscador>

perception of Spanish journalists regarding their role in this scenario. According to Palau Sampió and López García (2022), there is currently a crisis in the communication system in which the media do not always fulfil their social responsibility, which hinders the democratic role of journalists as watchdogs of power. Therefore, it is important to analyse the value of transparency in carrying out this scrutinising examination of power.

3. Methodology

As stated above, this article aims to explore the relationship between transparency and journalism, its possible uses, and the adequacy of the regulatory framework for the current journalistic profession. As it involves an exploratory study, a number of research questions have been posed as follows:

- Q1. Is the current state of transparency in Spain adequate for journalism?
- Q2. Should active publicity and access to information for journalists be improved? How?
- Q3. How does the Council for Transparency and Good Governance benefit journalists, and what changes do you believe it should make?
- Q4. Is transparency useful in the fight against disinformation?
- Q5. Has the Covid-19 pandemic led to any progress for transparency?

To answer the questions above, a qualitative research technique was chosen, specifically the Delphi method (Gaitán Moya and Piñuel Raigada, 2010; López-Gómez, 2018; Landeta, Barrutia and Lertxundi, 2011) which, in this case, aims to reach a consensus among the proposals made by the experts surveyed through rounds of questionnaires. This method is very useful when there is insufficient information on a subject, and when there is a desire to benefit from the contributions of interviewees, among other reasons (Cabero and Infante, 2014). Furthermore, the anonymity of this technique enables the elimination of the “opinion leader effect” (Astigarraga, 2003), which sometimes occurs in focus groups. The methodology used was comprised of the following stages:

1. Definition of the problem.
2. Selection of a panel of experts.
3. Conducting rounds of questionnaires.
4. Exploitation of the results

Firstly, a theoretical approach was taken toward the object of study, which is the usefulness of transparency in the practice of journalism. This allowed the author to identify the main interests involved in the study and to pose the appropriate objectives and research questions, which later helped in drafting the questionnaires.

Secondly, a panel of experts was selected, to whom the questionnaires were sent. The first list consisted of 23 academics from the fields of Communication, Law and Political Science, who were concurrently working for Spanish public universities, which had previously addressed the subject under study. Also selected were journalists working for media where access to information and the publication of open data were essential to their work, such as data journalists and fact-checkers, among others. In the

selection process, an attempt was made to include professionals from mainstream as well as independent media. In the end, twelve experts responded (Table 1). Of these, seven were university professors and five were information professionals, which is considered a suitable distribution that offers balanced views from two perspectives. However, the second questionnaire was not answered by all twelve people, but by ten, as two people failed to answer the second survey. Nevertheless, the minimum of seven respondents was reached, as established by Landeta (1999).

Table 1. Panel of experts who participated in the study (Phase 1)

Name	Occupation	Institution or Media Outlet
Ainara Larrondo Ureta	Professor	Universidad del País Vasco
Francisco Javier Paniagua Rojano	Professor	Universidad de Málaga
Ignacio Criado	Professor	Universidad Autónoma de Madrid
Jesús García	Professor	Universidad de Oviedo
Juan Luis Manfredi-Sánchez	Professor	Universidad de Castilla La Mancha
Pilar Beltrán Orenes	Professor	Universidad Rey Juan Carlos
Raúl Magallón	Professor	Universidad Carlos III
Darío Ojeda	Journalist	<i>El Confidencial</i>
María Blanco Navarro	Journalist	<i>Newtral</i>
Miguel Ángel Gavilanes	Journalist	<i>Cívio</i>
Paula Guisado	Journalist	<i>RTVE.es</i>
Sergio Sangiao	Journalist	<i>Maldita.es (Maldito Dato)</i>

Source: created by the author

Simultaneous to selecting the panel of experts, the first questionnaire was drawn up with a total of 25 questions, mostly open-ended, with the aim of obtaining the most relevant information on each topic. The questionnaire was carried out on the EU Survey website, which uses open source software, and was sent by email to the selected persons. The first wave of

questionnaires was conducted between 12 and 31 of May, 2022⁴. This questionnaire (available in the appendix of this article) was divided into the following thematic sections:

- Assessment of the usefulness of transparency for journalism and the perception of its current status.
- The usefulness of active publicity and journalism's right to access information, and possible improvements in this area.
- Inner workings of the Council for Transparency and Good Governance.
- The way in which transparency has evolved since the pandemic.

Once the responses of the twelve experts had been received, the second questionnaire was drawn up, the aim of which was to reach a consensus among the experts and check the level of agreement with the answers that had been given. In this regard, using the topic structure of the first questionnaire, a report was drafted with a total of 47 statements in which the experts had to evaluate their level of agreement with the statements made based on a scale of 1 to 5, with 1 meaning "I completely disagree", and 5 meaning "I completely agree". This second questionnaire, which is available in the appendix of this research, was also carried out on the EU Survey website and sent out by email as well. The second wave was conducted between 16 June and 22 July, 2022.

Finally, the results obtained from both waves were processed and documented in a report, which is discussed in the following section. To this end, the statements for which agreement was reached with an average score of 3.5 or higher were taken into account, as this level was considered sufficient, being one point higher than the halfway mark of the maximum possible score for each statement. Likewise, these statements have been complemented by those made by the experts in the first questionnaire, which have added qualitative richness to the results.

4. Results of the Delphi study

4.1. *Assessment of the usefulness of transparency and the perception of its current status*

The first part of both questionnaires consisted of a general assessment of the usefulness of transparency for the practice of journalism, as well as its current status. The experts did not agree with the statement that the degree of transparency has improved since the enactment of the Transparency Law, as the average score was low (3.40). However, the first questionnaire asked for the legislation to be rated from 1 to 10, which was given a 7, so the results are somewhat contradictory. As for this regulation, the experts consider that it has shortcomings for the journalistic profession (3.9). Thus, it can be assumed that the experts have a positive view of the fact that there are regulations, although they generally believe there is room for improvement. One person stated that "there is a lack of commitment to compliance by organisations, companies, and institutions" and that "uploading a PDF document to the web is not necessarily being transparent". Moreover, with regard to journalists, it was

4 One of the experts responded to the survey a few days after the deadline due to a problem in making contact with this person. However, in spite of the delay, the interviewee's input was included due the usefulness of the responses and the quality of the answers. Thus, the respondent's answers were taken into account in the first report, and in the preparation of the second questionnaire as well.

stated that “they do not make the greatest possible use of the opportunities available (...) There is a lack of knowledge of the legislation” (Respondent 11).

As might be expected, the report concludes that transparency offers useful tools for journalists today (4), yet the question that arises is, what is the media’s role in this regard? For the experts, it was very clear (4.5) that media outlets should promote a culture of transparency and denounce information obscurity. There was also strong agreement on the media’s obligation to monitor institutions through transparency. Along these lines, the experts affirmed that journalists have a responsibility to scrutinise public data in order to contribute to a more democratic and transparent society (4.5). According to the interviewees, the media also have an educational role to play, as they have a duty to make the data published by the institutions easier to understand (4.3).

“In addition to using data, they should also defend it and denounce when public institutions try to hinder the exercise of this right. If possible, they should be beneficiaries as well as watchdogs” (Respondent 7).

Despite the options available at the moment, the media do not take full advantage of the data published by institutions, according to the respondents (3.6). “I think the mainstream media could make more use of transparency tools”. Reasons for not doing so may include the considerable learning curve involved in harnessing the law, and the fact that the results are often disappointing. Moreover, in most cases the results are achieved in the long-term, which is difficult to reconcile with current events in the short-term” (Respondent 12).

In any case, the participants pointed out that all types of journalism can be enhanced by transparency (3.8). On this point, the author wanted to know which disciplines have made the most use of these tools, and it appears that data journalism is among those that have exploited them to the greatest extent (3.5). It was also stated that transparency enables news reporting of previously unknown topics and visualisations (3.7), and is especially useful for verifiers and fact-checkers (4.1).

However, there is a lack of training in this area. According to the interviewees, the media should promote training for journalists in the subject of transparency (4.3). In their opinion, they should be trained in the following areas:

- Basic knowledge of the regulations and opportunities offered by this legislation (Interviewees 6, 7, and 12).
- Specific technical training on handling large volumes of data for open data portals, such as the use of advanced spreadsheets (SQL, CSV transformations, JSON, etc.) (Interviewee 6).
- Deontology and data protection (Interviewee 11).
- Knowledge of conflicts of interest and public integrity (Interviewee 9).
- The use of transparency in practical cases (Interviewees 12 and 8).
- Comparison with other countries and knowledge of each territory (Interviewee 8).
- Theoretical knowledge on the importance of transparency (Interviewee 2).

Finally, the usefulness of transparency in the fight against disinformation was assessed as well. Participants stated that transparency helps reduce disinformation (4.1), and it provides sources with which to contrast fake news (3.8). However,

transparency is not an instant antidote to disinformation, as literacy among citizens is necessary as well. This last statement was one of the most strongly supported in the entire questionnaire, with an average score of 4.6.

Regarding the positive influence of transparency in the fight against disinformation, the experts offered different assessments in the first questionnaire. Essentially, it was pointed out that transparency serves to “counterbalance information that distorts reality” (Respondent 1), as “it is more difficult to lie or manipulate if the data that refutes a statement are at hand and can be compared at the moment when a controversy arises” (Respondent 12). Therefore, access to information is “essential in order to reduce the noise generated by a lack of information” (Respondent 10), because “the less information available, the more blurry it is, and the easier it is for hoaxes to slither in and become credible” (Respondent 3).

However, as mentioned above, this is not enough to combat disinformation, because “the information needs to be shaped” (Respondent 11), and “an effort” must be made by citizens as well (Respondent 6), in terms of the time spent reading and the desire to understand media content. Specifically, disinformation “is founded on the lack of effort by the receiver and, as a result, it is disseminated by sharing through networks and messaging services” (Respondent 6). In addition, for transparency to be effective in the fight against fake news, the organisations and companies that disseminate information must have good intentions (Respondent 11). Thus, if an organisation circulates false information, transparency will not be useful in countering the hoax, or could even lead to further deception.

Table 2. Assessment of the statements made by the experts in the first section

Statement	Level of Agreement
The degree of transparency has improved since the enactment of the Transparency Law	3.40
Transparency offers useful tools for journalists today	4.00
The transparency law has several shortcomings for the practice of journalism	3.90
The media should promote a culture of transparency and denounce information obscurity	4.50
The media should monitor institutions using transparency tools	4.50
Journalists should monitor public data in order to help create a more democratic and transparent society	4.50
Media outlets should make it easier to understand the data published by institutions	4.30
The media do not take full advantage of the opportunities offered by transparency	3.60
All types of journalism can be enhanced by transparency	3.80
Data journalism is the discipline that has benefited the most from transparency	3.50

Transparency enables reporting of previously unknown topics and visualisations	3.70
Transparency is especially useful for verifiers and fact-checkers	4.10
The media should promote training for journalists in transparency	4.30
Transparency helps reduce disinformation	4.10
Transparency provides sources with which to contrast disinformation	3.80
Transparency is not an instant antidote to disinformation, as public literacy is also needed	4.60

Source: created by the author

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4.2. *The usefulness of active publicity, journalism's right to access information, and possible improvements*

The second part of the questionnaire consisted of an assessment of the regulations, as well as recommendations for their improvement, with the aim of ensuring that these reforms will have a positive impact on the work of journalists. As noted in the theoretical framework, transparency can be divided into active transparency (information voluntarily disseminated by institutions on their websites), and passive transparency (that which comes from requests for information). Likewise, this part of the questionnaire was further divided into these two sections.

Firstly, the experts who participated in the study agreed that the state of active publicity in Spain could be improved (4.3), along with the extent of open data (4.3). With regard to open data, they agreed that there is a lack of standardisation in its quality (3.9). Furthermore, the present study also highlights the need for the Transparency Law to provide regulations for open data (4.3), which is currently not the case.

Regarding the issue of open data, one expert pointed out in the first questionnaire that differences exist. In some cases, the publication of open data is complete and up-to-date (e.g. Castilla y León), yet in others it is not (Respondent 5).

Several improvements were suggested, namely regarding active publicity and open data, as follows: the updating of information should be improved (4.6); more information should be published on these web portals (4.2); the information published needs to be more reusable (4); the search engines of the web portals need to be further developed (3.9) and should offer more data visualisations (4); the language used in portals should be clearer (4.1); and there should be monitoring of open data to determine its impact and improve its quality (4.4).

Secondly, the experts assessed the current state of the right to access information in Spain. They noted that the current system of information requests could be improved (4.5). The changes they proposed are as follows: fewer limits should be imposed on the right to access information (3.9); the requirement to have an electronic ID or digital certificate to request information should be eliminated (4.2); response times for requests should be shortened (4.3); there should be no administrative silence (4.3); identification should not be required to make a request for information (3.7); and the response time should depend on whether or not prior development is required (3.5).

As can be seen, there was somewhat less agreement, or less importance, given to the last proposals made for improving the regulations. Moreover, there was no agreement on whether or not the deadline should be approximately 15 working days (3.4). There was also disagreement on the statement that journalists should have a channel for information requests that fits into their work schedule. This proposal only received an average score of 2.7, the lowest in the survey.

Table 3. Assessment of the statements made by the experts in the second section

Statement	Level of Agreement
The degree of active publicity in Spain could be improved	4.30
The extent of open data can be improved	4.30
There is a lack of standardisation regarding the quality of open data	3.90
The Transparency Law should also include the regulation of open data	4.30
The updating of information should be improved	4.60
More information should be published on these web portals	4.20
The information published needs to be more reusable	4.00
The search engines of the web portals need to be further developed	3.90
Web portals need to offer more data visualisations	4.00
The language used on the web portals needs to be clearer	4.10
There should be monitoring of open data to determine its impact and improve its quality	4.40
The current system of information requests can be improved	4.50
Fewer limits should be imposed on the right to access information	3.90
The requirement to have an electronic ID or digital certificate to request information should be removed	4.20
Response times for requests should be shortened	4.30
There should be no administrative silence	4.00
Identification should not be required for making an information request	3.70
Journalists should have a channel for information requests that fits into their work schedule	2.70
Response times should depend on whether or not prior development is needed	3.50
The maximum response time should be approximately 15 working days	3.40

Source: created by the author

4.3. *The inner workings of the Council for Transparency and Good Governance*

The third part of the study was aimed at assessing the work of the Council for Transparency and Good Governance, and specifically at examining whether its work has had an impact on the practice of journalism in Spain. Thus, some of the experts pointed out that the CTGG makes the journalist's job easier, yet the average score obtained in the questionnaire was not high enough (3.2), as the only statements considered for this study were those with a score of 3.5 or higher. Nevertheless, in the first questionnaire some of the respondents pointed out that the CTGG has aided the work of journalists by taking legal action against public administrations to make certain data public, as happened with RTVE (Respondent 2), which is of great interest to this study and has been mentioned as a result. Along the same lines, the respondents stated that the CTGG helps journalists (3.5) by promoting greater openness of institutions and resolving cases in which requests for information are refused.

Regarding the inner workings of the CTGG, there was more support for the statement that this body should have the authority to give sanctions in order to promote the transparency of public institutions (4.1). They also stated that the CTGG's duties should be expanded (4.1). In this regard, the experts proposed that it should have the authority to carry out inspections in confronting government claims of having no information, in those cases in which "the petitioner believes that they *do* have the information" (Respondent 3). According to another respondent, "There was a previous case in which a public administration lied to the CTGG about the existence of information, and there were no consequences" (Respondent 8).

Furthermore, in the general opinion of the experts, the CTGG should have a larger budget (4). Regarding the impartiality of the Council, they agreed that it should not be dependent on the Ministry of Finance and should have more autonomy (3.8). In spite of this, some experts cast doubt on the options available, while others proposed changes in this regard:

"It should have full autonomy outside the government's organisation chart, similar to the Ombudsman, for example, with its head appointed by the Spanish Parliament. Under no circumstances should it be appointed by the Council of Ministers at the request of the Ministry of Finance. It might even be appropriate for it to be assigned to the Ombudsman's office, or for the head of the CTGG to be appointed at the same time as the Ombudsman him or herself, through a similar procedure" (Respondent 6).

Currently, the president of the CTGG is appointed for a maximum term of five years by Royal Decree, at the proposal of the head of the Ministry of Finance and Public Administration, following a hearing of the proposed candidate before the corresponding Commission of the Congress of Deputies. The Congress must endorse the appointment of the proposed candidate within a period of one month through the authorised committee, which requires an absolute majority (Article 37.1 of the Transparency Act).

In the opinion of the experts, improvements in the inner workings of the CTGG would have a positive impact on journalists (4).

Table 4. Assessment of the statements made by the experts in the third section

Statement	Level of agreement
The Council for Transparency and Good Governance assists the work of journalists	3.20
The CTGG helps journalists by promoting greater openness of institutions and resolving cases involving the denial of requests for information	3.50
The CTGG must have the authority to give sanctions in order to promote institutional transparency	4.10
The CTGG should not be dependent on the Ministry of Finance and should have greater autonomy	3.80
The CTGG should receive more funding	4.00
The CTGG's duties should be expanded	4.10
Improvements in the operations of the CTGG would have a positive impact on journalists	4.00

Source: created by the author

4.4. The evolution of transparency since the pandemic

The last part of the survey posed some questions regarding the influence of the Covid-19 pandemic on transparency. The experts stated that the shutdown of requests for information during the first state of alarm, due to a regulation that suspended requests for information and reduced them to administrative formalities, hindered the work of journalists (4.1), and there were also problems involving a lack of information related to public bidding (4.2). “[The pandemic] has provided a black hole for institutions to return to ambiguity” (Respondent 10).

Likewise, one respondent mentioned the differences between public institutions throughout the pandemic: “I think during the pandemic we saw that some institutions were aware of transparency, such as the Regional Government of Castilla y León, which acted in a more transparent way. On the other hand, institutions that persisted with a more conventional view of transparency, such as the Ministry of Health itself, did not act in the same way. I think the pandemic has allowed us to see more clearly the philosophy of each administration regarding transparency” (Respondent 3).

In terms of what has been learned from this health crisis, the consciousness of institutions regarding the need for transparency has not been raised (3.7). Journalists, on the other hand, have become more aware of the transparency tools available to them since the start of the pandemic (3.8). Nevertheless, it should be noted that these two statements did not receive unanimous support.

Table 5. Assessment of the statements made by the experts in the fourth section

Statement	Level of agreement
The suspension of requests for information during the first state of emergency impeded the work of journalists	4.10
There has been a lack of transparency in terms of journalists' access to information regarding public bidding	4.20
Despite everything that occurred during the pandemic, public institutions have not become more conscious of the need for transparency	3.70
Since the pandemic, journalists have become more aware of the transparency tools available to them	3.80

Source: created by the author

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5. Conclusions

This research was carried out using a Delphi methodology. This made it possible to achieve the main objective of the study, which was to discover the needs of journalists with regard to transparency in Spain, as well as to propose possible improvements in this area. The following conclusions have been reached as a result of answering the research questions posed.

Firstly, it has been revealed that the current degree of transparency in Spain is not adequate for the practice of journalism. Law 19/2013, which addresses issues of transparency, access to information, and good governance has several shortcomings for journalists. Media professionals have a responsibility to monitor and audit public representatives and, to do so, regulations need to be strengthened and updated to make this work possible. Journalists must also be trained in the opportunities offered by transparency and learn how to use the related tools, how to manage databases, how to use programmes for calculation and statistics, and how to work in accordance with data protection, among other issues. As such, there must be an effort by institutions to improve regulations, and by journalists to learn how to navigate through these rules, as well as to monitor those in power by using such instruments.

Secondly, it has been revealed that several advances have taken place that should be incorporated into current regulations. To begin with, open data should be included in the Transparency Law. Moreover, with regard to the publication of information by institutions, there should be improvements in the updating process, the quantity of information, reuse of data, search engines, visualisation of information, and the language used on their web portals. This should also be accompanied by an impact assessment. In terms of requests for information, some of the recommendations mentioned are as follows: fewer limits should be imposed on the right to access; the requirement to have an electronic ID card or digital certificate should be removed; response times should be shortened; and administrative silence should be eliminated.

Thirdly, it has been concluded that proper functioning of the Council for Transparency and Good Governance could have a positive impact on the practice of journalism, as it would allow organisations to have greater control over their compliance

with the rules. Promoting transparency and resolving cases in which information requests are denied would help journalists as well, yet the current situation needs to be improved, as it is far from ideal. In this regard, it would be useful to increase the CTGG's budget and broaden its authority to give sanctions and carry out inspections. The final point of the third conclusion is that the Council should not be dependent on the Ministry of Finance, and it should have greater autonomy as well.

Fourthly, transparency offers effective tools in the fight against disinformation, which includes access to sources for the purpose of contrasting fake news. However, this is not enough. Citizen efforts are also required, along with an endeavour by institutions to publish more information. Public literacy is also essential in preventing the spread of fake news.

Fifthly, the pandemic has highlighted the need for further progress in transparency in Spain. During the health crisis, the work of journalists was impeded, especially with the suspension of requests for information during the first state of emergency, and journalists have experienced a deficiency of information regarding public bidding as well. However, the experts who participated in the study stated that since the pandemic began, journalists have become more aware of the transparency tools available to them.

In short, transparency is highly useful for journalists, yet it must continue to improve in order not to fall behind, so that its full potential can be harnessed. Nearly a decade has passed since the Transparency Law was enacted. Nevertheless, even at the time it was introduced, certain shortcomings were already visible. Finally, as journalists play an indispensable role in society and must be trained in the area of transparency, such preparation will allow them to promote greater lucidity in the democratic system, which is currently threatened by a climate of disinformation.

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7. Conflict of interest

The author declares that there is no conflict of interest related to this article.

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9. Appendix

9.1. First Delphi Survey

Delphi Study on Journalism and Transparency

This research aims to provide answers to the relationship between transparency and journalism. Specifically, it has attempted to assess the current state of transparency, potential improvements, and the usefulness of transparency in journalism.

We have sent this questionnaire to experts in the field with the aim of discovering common ground.

We greatly appreciate your responses to the questions. Your answers are highly important for this research.

First name and surname:

Please give your assessment of the national regulations on transparency, as well as your opinion regarding how useful the access to information is for journalists.

1. Do you believe the current state of transparency in Spain is adequate for the practice of journalism? Why?
In 2013, the Law on Transparency, Access to Public Information, and Good Governance was passed in Spain. Give a rating from 1 to 10 of its usefulness for the practice of journalism, with 1 being worst and 10 being best. Only values from 1 to 10 are allowed.
2. Do you think transparency offers useful tools for journalists today? Please justify your answer.

3. What role should the media play in transparency?
4. Do you believe the media make the best use of transparency tools? Please justify your answer.
5. What do you think are the most appropriate uses of open data and transparency tools by journalists?
6. Do you think there is a need for journalists to monitor public data, and do you believe this leads to a more democratic and transparent society?
7. Do you believe there are disciplines within journalism that benefit more from transparency than others, or do you think journalism is generally enhanced through transparency?
8. Do you believe it is necessary to promote training for journalists in this area? What do they need to learn?
9. Do you think the Transparency Law has promoted a culture of lucidity in the media?
10. Do you believe transparency can be useful in combating disinformation? If so, how?

In Spain, a task force has been organised to reform the Transparency Law. We would like to ask whether you believe improvements are needed in both active publicity and access to information for the proper exercise of journalism:

11. Do you believe the degree of active publicity in Spain is adequate for the practice of journalism?
12. What is your opinion about open data published by public institutions?
13. Do you think the regulation of open data should also be included in the Transparency Law?
14. Please tick the boxes of the statements below with which you agree regarding the improvement of active publicity and open data (you can choose as many options as you like):
 - The updating of information needs to be improved.
 - More information should be published on these web portals.
 - Information needs to be more reusable.
 - Search engines must be further developed.
 - They should also offer more data visualisations.
 - The language used needs to be clearer.

If you believe something else needs to be improved, please leave your comments below:

15. Regarding requests for information, please give your opinion regarding the adequacy of the current system:
16. Please tick the boxes of the statements below with which you agree regarding improvements in access to information (you can choose as many options as you like):
 - There must be fewer limits on the right to access information.
 - The requirement to have an electronic ID or digital certificate should be removed.
 - Response times should be shortened.
 - There should be no administrative silence.

If you believe something else needs to be improved, please leave your comments below:

17. Do you think the deadlines for information requests are realistic? Do you believe journalists should have deadlines that are more in line with their work routines in this regard?

18. Generally speaking, what do you think should be the response time for access to information?

National regulations authorise the Council for Transparency and Good Governance to evaluate compliance with transparency. In this regard, please answer the following questions:

19. Do you believe the Council for Transparency and Good Governance makes journalists' work easier?

20. Do you believe the CTGG should have the authority to give sanctions?

21. Do you think it is appropriate for the CTGG to be assigned to the Ministry of Finance?

If you would like to make any further suggestions on possible improvements to the CTGG, please leave your comments below:

The Covid-19 pandemic has highlighted the lack of a transparency culture in Spain. We would like to ask you about the opportunities now available for the development of transparency.

22. During the pandemic, do you believe journalists' work was made easier or more difficult as a result of the tools offered by transparency?

23. In the post-pandemic era, do you believe public institutions have become more conscious of the need for transparency?

24. Since the pandemic, do you think journalists are now more aware of the opportunities offered by transparency? If you would like to provide any further comments to this survey, please indicate this information below:

Once again, thank you very much for your assistance. Your help is essential for the progress of this research.

9.2. *Second Delphi Survey*

Second Delphi questionnaire

This research aims to analyse the relationship between transparency and journalism. The objective is to evaluate the current state of transparency in Spain and possible improvements, as well as its usefulness for the journalistic profession.

The focus of the second questionnaire is to obtain a certain consensus among the experts who participated in the survey. Once again, thank you for your time and effort.

Responses to this questionnaire, as well as the previous one, are completely anonymous. Moreover, when the research is finished, the results will be sent to those experts who participated in the study and would like to receive them.

Thank you again for your generous contribution.

Name and surname:

Do you wish to receive the results of the study?

☐Yes

☐No

Advances in transparency and its usefulness in journalism

Assessment of the degree of transparency in Spain for the proper exercise of journalism, and an appraisal of its usefulness for the media.

<i>Please rate the following statements from 1 to 5, with 1 being “strongly disagree”, and 5 being “strongly agree”</i>	1	2	3	4	5
The degree of transparency has improved since the introduction of the Transparency Law					
Transparency offers useful tools for journalists today					
The transparency law has several shortcomings for the practice of journalism					
The media should promote a culture of transparency and denounce information ambiguity					
The media should oversee institutions through the use of transparency tools					
Journalists should inspect public data in order to help build a more democratic and transparent society					
The media should make data that is published by institutions easier to understand					
The media do not take full advantage of the options offered by transparency					
All categories of journalism can be enriched by transparency					
Data journalism is the discipline that has made the greatest use of transparency					
Transparency enables reporting on previously unknown topics and visualisations					
Transparency is especially useful for verifiers and fact-checkers					
The media should encourage the training of journalists in transparency					
Transparency helps reduce disinformation					
Transparency provides sources with which to contrast fake news					
Transparency is not an instant antidote to disinformation, and public literacy is also needed					

If you have any comments or suggestions regarding this section, please make them below:

The regulation of transparency and its implementation in practice.

Assessment of possible improvements to current transparency regulations and its practical development. Firstly, active publicity and open data will be examined and, secondly, the right to access information.

Active publicity and open data

Appraisal of the quality of active transparency and open data with regard to their regulation and development in the respective web portals.

<i>Please rate the following statements from 1 to 5, with 1 being “strongly disagree”, and 5 being “strongly agree”</i>	1	2	3	4	5
The degree of active publicity in Spain could be improved					
The extent of open data can also be improved					
There is a lack of standardised quality regarding open data					
The transparency law should also include the regulation of open data					
Updating information should be improved					
More information should be published on these web portals					
The information published needs to be more reusable					
The search engines of the web portals need to be further developed					
Web portals need to offer more data visualisations					
The language used in the web portals needs to be clearer					
There should be monitoring of open data to determine its impact and improve its quality					

The right to access information

Assessment of the current system of requests for information in Spain.

Rate the following statements from 1 to 5, with 1 being “strongly disagree”, and 5 being “strongly agree”	1	2	3	4	5
The current system of information requests can be improved					
There should be fewer limits on the right to access information					
The requirement to have an electronic ID or digital certificate to request information should be eliminated					
Response times to requests should be shortened					
There should be no administrative silence					
Identification should not be required to make a request for information					
Journalists should have a channel to request information that fits into their work schedule					
Response times should depend on whether or not prior development is needed					
The maximum response time should be approximately 15 working days					

If you have any comments or suggestions regarding this section, please make them below:

Assessment of the work of the Council for Transparency and Good Governance

Appraisal of the activity carried out by the Council for Transparency and Good Governance, especially regarding journalistic work.

Rate the following statements from 1 to 5, with 1 being "strongly disagree", and 5 being "strongly agree"	1	2	3	4	5
The Council for Transparency and Good Governance makes the work of journalists easier					
The CTGG helps journalists by promoting greater openness of public institutions and resolving cases in which requests for information are denied					
The CTGG should have the authority to give sanctions in order to promote institutional transparency					
The Transparency Council should not be dependent on the Ministry of Finance and should have greater autonomy					
The CTGG should receive more funding					
The CTGG's duties should be expanded					
Improvements in the inner workings of the CTGG would have a positive impact on journalists					

If you have any comments or suggestions regarding this section, please make them below:

Transparency before and after the pandemic

Assessment of the current state of transparency, both for institutions and the media, after the changes brought about by the global pandemic.

<i>Rate the following statements from 1 to 5, with 1 being “strongly disagree”, and 5 being “strongly agree”</i>	1	2	3	4	5
The suspension of information requests during the first state of emergency impeded the work of journalists					
There was a lack of transparency for journalists regarding the shortage of information related to public bidding					
Despite everything that occurred during the pandemic, public institutions have not become more conscious of the need for transparency					
Since the pandemic, journalists have become more aware of the transparency tools available to them					

If you have any addition comments related to this section, please leave them below:

Finally, if you have any additional comments regarding the survey in general, please make them below:

Once again, thank you very much for your participation.