

Document Type: Policy

No. of Pages:

10

Policy No.:

Revision No.:

COR-CC-015

Revision History:

Date Created:

2015-MAR-02

Council Approval
Date:

2015-MAR-02

Contact:

Common Clerk /
Commissioner of Strategic Services

TABLE OF CONTENTS

1. FRAMEWORK.....	3
2. PURPOSE.....	3
3. SCOPE	3
3.1 CITY OF SAINT JOHN.....	3
3.2 AGENCIES, BOARDS AND COMMISSIONS.....	3
4. OPEN DATA POLICY REQUIREMENTS	4
4.1 GENERAL REQUIREMENTS.....	4
4.2 TECHNICAL REQUIREMENTS.....	5
4.3 PRIORITIZING DATA RELEASE.....	5
5. LEGISLATION AND STANDARDS	6
6. ROLES AND RESPONSIBILITIES	6
7. COMPLIANCE	7
8. DISPUTE RESOLUTION.....	7
9. MONITOR AND REVIEW.....	7
10. AUTHORIZATION.....	7
11. GLOSSARY	7
12. INQUIRIES	8
APPENDIX “A” - OPEN GOVERNMENT LICENCE CITY OF SAINT JOHN.....	9

1. FRAMEWORK

The Open Data Policy (the Policy”) is a subset policy under the umbrella of the Information Governance Framework.

The goal of the Information Governance Framework is to protect the City by establishing a collection of policy instruments which clearly state what is acceptable and what is not with regard to all phases of the information lifecycle. The framework has been developed to support the current electronic work environment, the increased sharing and cooperation across programs and services, and the optimization of both the current and future value of our information assets.

2. PURPOSE

Open Data increases the transparency and accountability of the City and assists in the creation of a participatory government in which citizens are engaged. Making Open Data resources accessible and usable by the public can help fuel entrepreneurship, innovation and scientific discovery – all of which contributes significantly to improving lives and creating jobs. The purpose of the “Policy” is to remove barriers and set rules by which the City makes the City’s Data available to the public as machine readable datasets. The “Policy” embraces that the City learns from and integrates aspects from other open government initiatives; we are evolving to collect and share data that will influence how public services are designed and delivered globally.

3. SCOPE

3.1 City of Saint John

Data will be ‘open by default’ and available in a consistent and trusted format, secure and private where required.

Data is to be kept secure and private:

- (i) When the City is subject to a legal or contractual obligation to keep the data confidential; and
- (ii) When there is a legislative or overriding public policy reason to keep the data confidential.

The City will create mechanisms for the public to identify the data they want or require.

The City will act as part of a larger open data ecosystem, engaging with other data-driven public organizations to extend the availability of data and better serve the needs of the public.

3.2 Agencies, Boards and Commissions

It is recommended that the City’s Agencies, Boards and Commissions adopt the “Policy” and take steps to meet the requirements contained in this policy.

4. OPEN DATA POLICY REQUIREMENTS

4.1 GENERAL REQUIREMENTS

Beyond the immediate Pilot Implementation Phase, the following policy requirements apply generally to City Data and Open Data.

4.1.1 The City must establish plans for expanding public access to City Data and report their progress as requested by the City Manager or Common Council.

4.1.2 The City's open data will be available through a basic public-facing website / portal. The portal will use open source Drupal format to collaborate with other Open Data initiatives in Canada and throughout the world to extend the available data and better serve the needs of the public. The portal will provide:

- (i) a central dataset catalog / Open Data Catalog
- (ii) links to datasets, along with some contextual information
- (iii) indicate the Office responsible for the dataset
- (iv) indicate the frequency and date of last update
- (v) the City must establish an Open Data contact email to respond to public inquiries related to Open Data

4.1.3 For each dataset the City must provide

- (i) adequate metadata, that will be accessible, searchable and useable, and
- (ii) the details of a contact person in relation to each dataset.

4.1.4 The City's policy regarding Open Data engagement practices has been:

- (i) developed in consultation with the public,
- (ii) established by the Commissioner of Strategic Services and the Common Clerk, and
- (iii) approved by Common Council

4.1.5 The City will develop a service metric to measure the Open Data Program, including:

- (i) implementing a standard assessment form when determining whether or not any of the City's Datasets may be released as Open Data
- (ii) modifying the assessment criteria from time to time
- (iii) recording the statistics, such as, number of visits to each dataset
- (iv) reporting the metrics of the Open Data program to Council

4.1.6 The City's Data made publicly available as part of any Open Data initiative should be re-assessed periodically. The frequency of the reassessments should be determined prior to release of the datasets.

4.1.7 Not only should the City's data be open but the process for creating the data should also be transparent.

4.2 TECHNICAL REQUIREMENTS

The following policy requirements apply to the technical assessment by the City of the City's Data for release as Open Data

4.2.1 A Dataset may be proposed for release as Open Data if:

4.2.1.1 is Machine processable;

4.2.1.2 is in a file format that is fully recognized as being reasonably appropriate Open Data

4.2.1.3 is part of a dataset generated by the City and upon which the City relies

4.2.1.4 does not include personal, confidential, privileged or proprietary information protected pursuant to the New Brunswick Right to Information and Protection of Privacy Act

4.2.1.5 is not subject to any legal (including contract), public safety or other restrictions that would prohibit the City from releasing it as Open Data.

4.2.2. The Open Data Governance Committee is responsible for the Data being eligible for release as Open Data, and will:

- (i) ensure that the "policy" and procedures are followed
- (ii) make the determination whether or not the Open Data being considered for release should be released; and
- (iii) ensure that the assessment form described in section 4.1.5 is completed for the Open Data; and
- (iv) take the content of the completed assessment form into account when making the determination
- (v) ensure Open Data is published through a quality assurance process
- (vi) ensure service metrics are enabled to record Open Data statistics
- (vii) report Open Data metrics

4.3 PRIORITIZING DATA RELEASE

The City shall apply the following guiding principles when prioritizing the opening of data:

4.3.1 provide information that helps make decisions

4.3.2 be conscious of the dollar cost of transparency, and invest wisely in it. Set priorities for disclosure and strive for the best return on investment.

4.3.3 establish a clear licensing framework (Appendix "A") which should prevent the misuse of datasets, and provide a high degree of flexibility for the licensee in their use of the data

5. LEGISLATION AND STANDARDS

The following legal considerations guided the development of the “Policy” and provide context for its application.

5.1 Municipalities Act, SNB c. M-22

5.2 Official Languages Act, SNB c. O-0.5

5.3 Right to information and Protection of Privacy Act, SNB c. R-10.6

The Act requires municipalities to protect personal information contained in their records.

The following standards guided the development of the Open Data Policy and provide context for its application.

5.4 Open Government License – Canada

The City Adopts the Open Government License – Canada as a City president.

5.5 Sunlight Foundation’s Principles for Transparency in Government.

Sunlight Foundation’s Principles recommend several priorities for what information should be shared with the public with the most useful application of technology.

5.6 Five (5) Star Open Data Model

World Wide Web Consortium (W#C) has developed a five star model to describe different characteristics of open data, and its usefulness for people wishing to reuse it. It is being used globally as a model for assessing data readiness for use

6. ROLES AND RESPONSIBILITIES

Common Council is responsible to approve the “Policy” and amendments thereto.

The Open Data Governance Committee is responsible for championing and implementing an Open Data Program / Service and implementing the “Policy”. The Open Data Governance Committee must ensure data is published through a quality assurance process.

The Open Data Working Team is a cross department team with a mandate to promote the publishing of datasets, vet datasets to ensure quality, consistency and appreciate potential impacts, review data and metadata standards and provide Corporate Open Data Governance.

The City manager is responsible to ensure the Open Data Program / Service has service metrics reported annually. The City Manager ensures that City policies, directives and delegations of authority clearly define ownership of public information and expectations of how this information is provided to the public. The City Manager ensures employees are provided with the appropriate training and tools to effectively manage information on behalf of the public. The City Manager ensures through corporate initiatives, that staff develop a strong understanding of

how their roles regarding information management impact the City's ability to provide Open Data.

The Commissioners are individually and jointly responsible to support the objectives of the "Policy".

The City Solicitor is responsible to be aware of the Open Government License – Canada licensing framework terms of use for the use of City data released as Open Data and to provide advice of a general nature on legal constraints involving Open Data.

Open Data Points of Contact must be designated to assist with data use and to respond to complaints about adherence to the open data requirements.

Employees participate in the Open Data Program / Service as required. Employees act responsibly when managing, maintaining and making public information available.

7. COMPLIANCE

Compliance will be monitored by the Common Clerk and Commissioner of Strategic Services with assistance from Program Area Commissioners, Service Area Managers.

8. DISPUTE RESOLUTION

Dispute resolution that impacts Information Management or technology will be resolved by the Senior Leadership Team of the City Manager.

9. MONITOR AND REVIEW

The "Policy" is subject to review at least every two years, or as appropriate. The Open Data Program will be subject to scheduled annual reviews and audits. The review and audits will be conducted by an audit committee established by the Open Data Governance Committee. The audit committee may be comprised of a cross-departmental internal committee or by an independent third party.

10. AUTHORIZATION

This Policy has been approved by Common Council on March 2nd, 2015.

11. GLOSSARY:

Data refers to all structured information, unless otherwise noted. Structures information is to be contrasted with unstructured information (commonly referred to as "content"). Content may be converted to a structures format and treated like data.

Data and Metadata Standards Data being made available will adhere to common quality assurance standards and regulations, ensuring that the information is in a format that will be accessible, searchable and usable.

Data Sets a combination of statistically related data usually in table or matrix format. Data Sets contain information that is structured to enable easy viewing; data can be used for analytic purposes or by computer software for the purpose of integrating that information into other systems

Government 2.0 embracing new technologies of the Web and applying them to government processes.

Municipal Reference Authority A Corporate and Provincial classification and retention system used to organize and apply lifecycle management to corporate records.

Open Data is data that has undergone an Open Data Assessment, meets the requirements included in this “Policy”, and is listed in the Open Data Catalogue. Such Open Data is then made available to the public for copying, publishing, distribution, transmission and adaptation under the terms of the Open Government License.

Open Data Standards The City will use common standards when creating data sets

Open Government a governing doctrine which holds that citizens have the right to access the documents and proceedings of the government to allow for effective public oversight. The underlying theme of Open Government is transparency.

Policy means the Open data Policy as amended from time to time.

12. INQUIRIES

Inquiries about the “Policy” may be directed to the Open Data Governance Committee. Inquiries about Open Data requests may be made to the Open Data Working Team.

APPENDIX “A”

Open Government Licence – City of Saint John

You are encouraged to use the Information that is available under this licence with only a few conditions.

Using Information Under this Licence

- Use of any Information indicates your acceptance of the terms below.
- The Information Provider grants you a worldwide, royalty-free, perpetual, non-exclusive licence to use the Information, including for commercial purposes, subject to the terms below.

You are free to:

- Copy, modify, publish, translate, adapt, distribute or otherwise use the information in any medium, mode or format for any lawful purpose.

You must, where you do any of the above:

- Acknowledge the source of the Information by including any attribution statement specified by the Information Provider(s) and, where possible, provide a link to this licence.
- If the Information Provider does not provide a specific attribution statement, or if you are using Information from several information providers and multiple attributions are not practical for your product or application, you must use the following attribution statement:

Contains information licenced under the Open Government Licence – City of Saint John
The terms of this licence are important, and if you fail to comply with any of them, the rights granted to you under this licence, or any similar licence granted by the Information Provider, will end automatically.

Exemptions

The licence does not give you the right to use:

- personal information
- third party rights the Information Provider is not authorized to licence;
- the names, crests, logos, or other official symbols of the Information Provider; and
- Information subject to other intellectual property rights, including patents, trade-marks and official marks.

Non-endorsement

This licence does not grant you any right to use Information in a way that suggests any official status or that the Information Provider endorses you or your use of the Information.

No Warranty

The Information is licenced “as is”, and the Information Provider excludes all representations, warranties, obligations, and liabilities, whether expressed or implied, to the maximum extent permitted by law.

The Information Provider is not liable for any errors or omissions in the Information, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury or damage caused by its use or otherwise arising in connection with this licence or the Information, even if specifically advised of the possibility of such loss, injury or damage.

Governing Law

This licence is governed by the Province of New Brunswick and the applicable laws of Canada.

Legal proceedings related to this licence may only be brought in the courts of New Brunswick or the Federal Court of Canada, if applicable.

Definitions

In this licence, the terms below have the following meanings:

“Information”

Means information resources protected by copyright or other information that is offered for use under the terms of this licence.

“Information Provider”

Means The City of Saint John

“Personal Information”

Means “personal information” as defined in section 1 of the Right to Information and Protection of Privacy Act, SNB, 2009, c. R-10.6

“You”

Means the natural or legal person, or body of persons corporate or incorporate, acquiring rights under this licence.

“Versioning”

This is version 01.0 of the Open Government Licence – City of Saint John. The Information Provider may make changes to the terms of this licence from time to time and issue a new version of the licence. Your use of the information will be governed by the terms of the licence in force as of the date you accessed the information. Version 01.0 is dated: 2015-MAR-02