



## Open Data Policy

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Policy Number	POL-6
Effective	January 20 2017
Review Date	January 22 2018
Final Approver	Chief Information Officer
Training Course Code	Not applicable
Document State	<span>CURRENT</span>

### 1.0 Purpose

This policy defines the principles, rules, guidelines and framework for the implementation of Open Data by the City. Open Data is a corporate-wide program that supports the principles of Open Government by making City Data publicly available at no cost, subject only to certain restrictions, for the benefit of citizens, businesses, organizations and visitors of the City.

### 2.0 Persons Affected

2.1 This policy applies to all employees including:

- 2.1.1 CMT members;
- 2.1.2 the CIO;
- 2.1.3 the Clerk; and
- 2.1.4 Supervisors/Managers/Directors.

### 3.0 Policy Statement

3.1 It is the policy of the City to ensure that:

- 3.1.1 in accordance with Open Data Guiding Principles described in the Appendix, subject only to certain restrictions, City Data and information is open, available, reusable and provided at no cost to the public, including individuals, businesses and organizations;
- 3.1.2 Datasets adhere to rights of freedom of information, privacy, security and confidentiality, respecting applicable law, including MFIPPA, PHIPA and other law, rights and legal considerations relating to the Data;

- 3.1.3 a listing (data catalogue) of all Open Data, including links to access or download each Dataset is maintained on the Open Data Portal, which can be accessed on the City website;
- 3.1.4 Open Data is published in its original form to the fullest extent possible;
- 3.1.5 Open Data is of the appropriate quality and is relevant, timely, accurate and clear so as not to produce misleading or confusing information;
- 3.1.6 the public is given opportunity to have input on the Data that is provided on the Open Data Portal;
- 3.1.7 requests relating to updating the Open Data Portal are prioritised by the City based on the readiness and suitability of the Datasets for public release; and
- 3.1.8 an Open Data licence, procedures, glossary, and Data and Datasets are posted on the Open Data Portal to ensure responsive and responsible use of City information.

## **Employees**

- 3.2 Any employee who breaches this policy may be subject to discipline up to and including dismissal.

## **4.0 Responsibilities**

- 4.1 CMT members are collectively and individually responsible for approving and directing compliance with this policy and are responsible for:
  - 4.1.1 ensuring information at the City is managed in ways that assist in creating a culture of Open Government and information sharing by way of providing Open Data governance and oversight;
  - 4.1.2 fostering Open Government leadership in recognition of the evolving democratic process;
  - 4.1.3 assigning the mandate for Open Data policy and procedures for the City to the Clerk/CIO; and
  - 4.1.4 assigning joint responsibility to Clerk/CIO as corporate lead(s) for Open Data, including awareness, training and issue resolution.
- 4.2 The CIO is responsible for:
  - 4.2.1 resolving any issues or conflicts relating to this policy;
  - 4.2.2 providing leadership and development of policies and procedures that support Open Data program, including risk assessment;

- 4.2.3 ensuring that the City creates and maintains an inventory of Datasets within its custody and control;
  - 4.2.4 maintaining the Open Data License and Open Data Portal; and
  - 4.2.5 providing final approval to release Datasets for publication and ensure the preservation and access to all Datasets.
- 4.3 The CIO and the Clerk are jointly responsible for:
- 4.3.1 assessing, prioritising, releasing and monitoring Datasets in accordance with this policy;
  - 4.3.2 working with Supervisors/Managers/Directors and the CMT to identify and assess Datasets for publication,
  - 4.3.3 assisting employees to prepare, publish, and release the Datasets to the Open Data Portal, and reviewing Datasets against the City's privacy protection requirements and any other legal considerations;
  - 4.3.4 escalating issues and concerns related to non-compliance with the Open Data Policy to the CMT for resolution; and
  - 4.3.5 monitoring public feedback, requests for Datasets and where possible assessing how the City's Datasets are being used by the public.
- 4.4 Supervisors/Managers/Directors are responsible for:
- 4.4.1 identifying existing and potential Datasets for release as part of the Open Data program and working with the CIO on the planning and development of new Datasets, reviewing existing ones, publishing Datasets and archiving of superseded Datasets if required;
  - 4.4.2 determining the frequency at which published Datasets are reviewed and updated, and communicate these schedules to the CIO;
  - 4.4.3 providing clear and documented rationale when they are not able to provide Datasets to the CIO and/or why Data should be exempt from publication (e.g., because of legislation, contains personal, confidential or commercially sensitive information, security, or contains data for which the City does not have the necessary rights to make available as Open Data, etc.); and
  - 4.4.4 identifying circumstances where they cannot comply with their roles and responsibilities outlined in the Open Data Policy to the CIO for review and recommendation to the CAO for an agreed upon course of action.

## Breach of Policy

- 4.5 Employees are responsible for compliance with this policy and shall be aware that any employee who breaches this policy may be subject to discipline up to and including dismissal.

## 5.0 Approval Authority

Role	Position	Date Approved
Quality Review	Web & Policy Administrator	08/29/2016
Subject Matter Expert	CIO	11/17/2016
Legal Review	Senior Legal Counsel	8/29/2016
Management Review	Supervisors/Managers/Directors	11/04/2016
Open Government Steering Committee Review	OGSC	01/12/2017
Final Approval	CIO	01/20/2017

## 6.0 Revision History

Effective Date	Revision #	Description of Change

## 7.0 Appendix

### Guiding Principles

The City of Kingston has adopted guiding principles based on Canada's Open Data Principles, industry best practices and recommendations from the Sunlight Foundation , a non-profit organization that advocates for open government globally.

These guiding principles will be considered by the City of Kingston to ensure that Data is open, accessible and reusable, and when determining what Data should be made available to the public and how it should be made available:

**Complete:** Datasets will be provided in their entirety, unless legal or other concerns restrict the release of certain information.

**Primacy:** Data will be provided as it was collected at the source, not in aggregate or modified forms.

**Timely:** Whenever feasible, datasets will be made available in time to preserve the value of the Data.

**Accessible:** Datasets will be easy to obtain and with as few access barriers as possible.

**Machine-readable:** Datasets will be provided in machine-readable formats and in structures that allow automated processing in order to maximize potential access or re-use of the Data.

**Non-discriminatory:** Datasets will be available to anyone and at any time.

**Non-proprietary:** Datasets will be available in formats over which no entity has exclusive control, to avoid unnecessary restrictions over who can use the Data and how it can be used.

**Open licence:** An Open Licence will be provided with few limits on the use of the Data.

**Long term preservation:** Datasets will be available at a stable location and format for as long as possible.

**Free:** Datasets will be provided free of charge.

**Respectful:** Datasets will respect community sensibilities and the privacy of individuals whose information is reflected in the City's datasets.

## Related Definitions

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### CAO

means the person appointed by the City as the Chief Administrative Officer in accordance with section 229 of the Municipal Act, 2001.

### CIO

means the Chief Information Officer.

### City

or Corporation means The Corporation of the City of Kingston.

### Clerk

means the person appointed by the City as the Clerk in accordance with section 228(1) of the Municipal Act, 2001.

### CMT

means the Corporate Management Team.

### Data

means facts represented as text, numbers, graphics, images, sound or video and is the raw material used to represent information, or from which information can be derived.

### Dataset

means any organized collection of Data.

### Information Technology

means Information Technology and the City's digital applications and systems, including computing, telecommunications infrastructure and end user devices used for the creation, processing, transmittal and storage of data.

### IS&T

means the Information Systems and Technology Department.

### MFIPPA

means the Ontario Municipal Freedom of Information and Protection of Privacy Act, 1990 that governs how the City collects, uses, discloses and disposes of information and Records.

### Open Data Portal

means a single point of access on the City website to the City's Open Data.

### Open Data

means Data that is to be made public in a machine-readable format, unless it is exempt for legal, privacy, security or confidentiality or commercially-sensitive reasons.

### Open Government

means a government which is guided by principles of transparency, accountability, participation and innovation.

### PHIPA

means the Ontario Personal Health Information Act, 2004 and establishes rules for the collection, use and disclosure of personal health information and Records.