

CORPORATE POLICIES

SECTION: INFORMATION TECHNOLOGY		POLICY:
SUBJECT: BRAMPTON OPEN DATA POLICY		14.18.1
EFFECTIVE: August 12, 2015	REPLACES: N/A	PAGE: 1 of 7
APPROVED BY: CITY COUNCIL		PROCEDURAL UPDATES BY: Open Data Terms of Use

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Introduction

Citizens are increasingly demanding and expecting more direct dialogue with government, including the Corporation of the City of Brampton (the “City”), about their communities and their future. These demands and expectations are driven in part by the rise of online communications and social media. In addition, upper tiers of government began to mandate their agencies and local municipalities to share certain data with the public.

The Open Data Policy outlines the principles, roles, and responsibilities related to the City's efforts to make data routinely available for any public use. The Open Data Policy supports the City's commitment to Open Government. Open Government assists the City in enriching customer service and proactively addressing enquiries and complaints in a timely and accurate manner.

Open Data is one driving force of Open Government and its singular focus is making data publicly available in recognized and usable formats for anyone to re-use, re-purpose, and develop into digital applications for the benefit of the public. Data can be accessed and utilized and one person's use does not preclude someone else from also accessing it, utilizing it and potentially offering new or enriched data for the benefit of everyone. This new environment of open, accessible and reusable Data establishes a foundation where stakeholders use such Data to foster healthy debate and discussion on the City's issues.

1. Purpose

- 1.1. The purpose of the Open Data Policy is to remove barriers and set the rules by which the City makes the City's Data available to the public as machine readable Datasets.
- 1.2. The key objectives of the Open Data Policy are to:
 - 1.2.1. make the City's Data more accessible to the public in a way that is responsive to citizens' needs and expectations;
 - 1.2.2. engender a participatory environment in which citizens are engaged with their City, communities and public policy issues;
 - 1.2.3. create new opportunities to inform citizens about the City and enable their participation in municipal government decision making;
 - 1.2.4. enhance trust between the City and its citizens;
 - 1.2.5. provide an equitable approach for citizen access to the City's Data that is timely, simple and straightforward;
 - 1.2.6. empower citizens to create value from the City's Open Data;
 - 1.2.7. enhance the social and economic benefit of the City's Data;
 - 1.2.8. increase efficiencies and cost savings for the City; and
 - 1.2.9. where reasonable, adopt publicly developed services and products, benefiting citizens and extending the value of the City's Open Data.

2. Scope

Except as expressly set out in this Open Data Policy, this Open Data Policy applies to Data in the custody or under the control of the City: (i) in respect of which the City is not subject to a legal or contractual obligation to keep the Data confidential; or (ii) for which there is no overriding public policy reason to keep the Data confidential.

In addition, this Open Data Policy sets out specific criteria that must be met before the City may: (i) designate any of its Datasets as Open Data; and (ii) designate any such Dataset as being one that warrants Routine Release or Proactive Disclosure.

Data in the custody or control of the City's public health or emergency services divisions that may include Personal Information is expressly excluded from the Data that this Open Data Policy requires be considered for release by the City as Open Data.

3. Policy Statement

3.1. The City will:

- 3.1.1. make the City's Open Data available subject to Terms of Use;
- 3.1.2. promote the use of the City's Open Data online; and
- 3.1.3. post online reference materials relating to the use of the City's Open Data online.

4. Open Data Policy Requirements

This section 4 sets out the Open Data Policy Requirements. They provide direction to the City for the assessment, approval and posting of Open Data for public use, adaptation, and distribution.

4.1. General Requirements

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's Chief Administrative Officer or council.
- 4.1.2. The City's plans must prioritize and expand Data publication efforts on Data that enables citizens and sectors to create value from City Data.
- 4.1.3. City must establish an open Data contact email to respond to public inquiries related to Open Data.
- 4.1.4. The City must establish guidelines on categories of Open Data, and the City may update the guidelines from time to time. The categories should be listed with or in the Open Data Catalogue.

- 4.1.5. The City Data may be made publicly available as part of any Open Data initiative only in accordance with this Policy (including section 4.2)
- 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 these re-assessments should be determined as part of the pre-release assessment.
- 4.1.7. The City should consider the objectives of the Open Data Policy when creating or modifying any Dataset and when implementing or modifying any information system.
- 4.1.8. The City: (i) will approve an assessment form to be used by the City when determining whether or not any of the City's Datasets may be released as Open Data; (ii) will assess risks associated with the release of any dataset through its risk management standards; and (iii) may modify the assessment form from time to time.

4.2. Open Data Criteria and Assessment Requirements

The following policy requirements apply to the assessment by the City of the City's Data for release as Open Data and inclusion in the City's Open Data Catalogue.

- 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 recognised 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. comes within one of the categories of Data that the City has approved for release;
 - 4.2.1.5. does not include Personal Information protected pursuant to the Municipal Freedom of Information and Protection of Privacy Act; and
 - 4.2.1.6. 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 Department responsible for the Data being considered for release as Open Data: (i) will make the determination whether or not the Data being considered for release should be released; (ii) ensure that the assessment form described in section 4.1.8 is completed for the Data; and (iii) take the content of the completed assessment form into account when making the determination.
- 4.2.3. Routine Release should only be used in relation to Data that: (i) is being generated on an ongoing basis; (ii) is being generated in a highly consistent manner; and (iii) when assessed in accordance with section 4.1.8, demonstrates no indications of potential concerns relating to its release by the City as Open Data.

5. Legal Considerations

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

5.1. [Municipal Freedom of Information and Protection of Privacy Act](#)

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

5.2. [Personal Health Information Protection Act](#)

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

6. Glossary of Terms

The following definitions are provided for key terms and acronyms used in this document:

“**Chief Administrative Officer**” or “**CAO**” means the individual who holds that position for the City.

“**Data**” are facts, figures and statistics objectively measured according to a standard or scale such as frequency or volumes or occurrences.

“**Dataset**” means a collection of raw, non-manipulated Data usually presented in tabular form with associated metadata, and which is machine readable.

“**Machine Processable**” means able to be manipulated by and allowing automated intake and processing through computer application. Portable document format (PDF) is not Machine Processable.

“**Municipal Freedom of Information and Protection of Privacy Act**” or “**MFIPPA**” means the Municipal Freedom of Information and Protection of Privacy Act (R.S.O. 1990, c.M.56) and all regulations adopted thereunder (in each case, as amended and updated from time to time).

“**Open Data Catalogue**” means a listing of the City’s Datasets that have been made available as Open Data by the City (as amended from time to time).

“**Open Data**” is the City’s Data that has been designated by the City as “Open Data”.

“**Open Government**” describes an approach to operating a government that works to: (i) promote transparency, accountability and accessibility; (ii) foster a culture of collaboration; and (iii) improve service to the public.

“**Personal Health Information Protection Act**” or “**PHIPA**” means the Personal Health Information Protection Act, 2004, S.O. 2004, Chapter 3, Schedule A, and all regulations adopted thereunder (in each case, as amended and updated from time to time).

“**Personal Information**” means any personal information which is required to be protected pursuant to MFIPPA, PHIPA or any other laws and regulations pertaining to the protection of personal information.

“**Proactive Disclosure**” means disclosure of data to strengthen public sector management by enhancing transparency and oversight of public resources in the government.

“**Routine Release**” is a regularly scheduled release of Open Data by the City that is based upon a prior assessment and approval for release.

“**Terms of Use**” means the Terms of Use pursuant to which the City releases Open Data (as amended from time to time). A copy of the current Terms of Use is available on the public website operated by the City in relation to its Open Data initiatives.

7. Administration

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Links to Public Supporting Documents:

1. [Open Data Terms of Use](#)
2. [Municipal Freedom of Information and Protection of Privacy Act](#)
3. [Personal Health Information Protection Act](#)
4. [Privacy Statement](#)