Minutes – Executive Policy Committee – November 18, 2015

REPORTS

Item No. 5 Cross Jurisdictional Review of Open Government Policies

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the Chief Administrative Officer be directed to implement an open government policy across all Departments in the City of Winnipeg.

2. That the Chief Administrative Officer develop an Action Plan for Council's endorsement within 6 months.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

The Chairperson called Deputy Mayor Pagtakhan to the Chair in order to move the following motion:

Moved by His Worship Mayor Bowman,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

His Worship Mayor Bowman resumed the Chair.

COUNCIL DECISION:

On October 28, 2015, Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City Clerk's Department be requested to report back to the Executive Policy Committee within 30 days with a report detailing leading open government initiatives in other jurisdictions.

2. That the report contain recommendations for implementing Open Government practices at The City of Winnipeg.

3. That the City Clerk's Department, in consultation with the Office of the Chief Administrative Officer, report back annually thereafter on current initiatives other jurisdictions are implementing in Open Government, and identify initiatives which have been implemented at the City of Winnipeg as well as any future opportunities to improve Open Government.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 21, the Executive Policy Committee passed the following resolution:

WHEREAS citizens of Winnipeg demand and deserve increased openness and transparency at City Hall;

AND WHEREAS other jurisdictions in Canada have a made advances in Open Government over the past few years;

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

AND WHEREAS an annual cross jurisdictional review will provide City Council with information on how to improve openness and transparency;

THEREFORE BE IT RESOLVED THAT the City Clerk's Department be requested to report back to the Executive Policy Committee within 30 days with a report detailing leading open government initiatives in other jurisdictions;

AND BE IT FURTHER RESOLVED THAT the report contain recommendations for implementing Open Government practices at The City of Winnipeg;

AND BE IT FURTHER RESOLVED THAT the City Clerk's Department, in consultation with the Office of the Chief Administrative Officer, report back annually thereafter on current initiatives other jurisdictions are implementing in Open Government, and identify initiatives which have been implemented at the City of Winnipeg as well as any future opportunities to improve Open Government

and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **Cross Jurisdictional Review of Open Government Policies**

Critical Path: **Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
D. Watt	R. Kachur	N/A	M. Jack COO

RECOMMENDATIONS

1. That the Chief Administrative Officer be directed to implement an open government policy across all Departments in the City of Winnipeg.

2. That the Chief Administrative Officer develop an Action Plan for Council's endorsement within 6 months.

REASON FOR THE REPORT

On October 21, 2015, Executive Policy Committee passed the following motion:

THEREFORE BE IT RESOLVED THAT the City Clerk's Department be requested to report back to the Executive Policy Committee within 30 days with a report detailing leading open government initiatives in other jurisdictions;

AND BE IT FURTHER RESOLVED THAT the report contain recommendations for implementing Open Government practices at The City of Winnipeg;

AND BE IT FURTHER RESOLVED THAT the City Clerk's Department, in consultation with the Office of the Chief Administrative Officer, report back annually thereafter on current initiatives other jurisdictions are implementing in Open Government, and identify initiatives which have been implemented at the City of Winnipeg as well as any future opportunities to improve Open Government.

EXECUTIVE SUMMARY

- Citizen engagement is on the rise and there is an increased demand for accountability and access to information.
- Jurisdictions across North America are embracing open government policies and have already adopted best practices.

- The City of Winnipeg currently implements certain aspects of Open Government framework but an all-encompassing policy would ensure openness and transparency.
- The Next Steps and Action Plan identified in the discussion paper can be implemented by the Winnipeg Public Service, through the Office of the Chief Administrative Officer.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications of the recommendation.

HISTORY/DISCUSSION

Over the past decade citizens have been passionate about informing themselves on local community issues and engaging in government policy. Direct access to documents and openness and transparency at all levels of government is being demanded in order to empower citizens.

For discussion purposes, Appendix 1, titled "Unlocking the Door to City Hall", provides an overview of what open government means, the benefits of open government, as well as steps that can be taken to implement an Open Government policy for the City of Winnipeg.

The City of Winnipeg has components of an open government framework but does not have an all-encompassing standardized policy that is implemented city wide.

On March 20, 2013, Council adopted an Open Data Initiative which endorsed the principles of providing Open and Accessible Data that could be shared with citizens, businesses and other jurisdictions the greatest amount of data possible while respecting privacy and security concerns.

On June 25, 2014, Council adopted the "Open Government Initiative - Improvements to the Freedom of Information and Protection of Privacy Act Process" which directed the Winnipeg Public Service to implement a new process for Freedom of Information and Protection of Privacy Act (FIPPA) requirements which would focus on the concepts of openness and transparency in providing government data, while ensuring privacy and security of data for citizens and businesses, in keeping with the Open Data Initiatives adopted by Council.

On September 16, 2015, Executive Policy Committee requested the Public Service to conduct a review of all city data sharing and identify opportunities to apply machine readable format along with a review of security and privacy considerations and report back within 90 days.

A standardized policy that brings together participation, transparency/collaboration and accountability would create openness and transparency in a manner that establishes greater trust in government by making all information as accessible as possible.

An open government policy will not only allow pertinent information and communication to be readily available but it will also establish trust amongst the public and administration. For this policy to be achievable, the culture must change throughout the organization.

To satisfy the need for more information, many governments have initiated and implemented open government policies which have generated best practices for other jurisdictions to utilize.

A cross jurisdictional review has been completed on municipalities which have adopted formal open government policies and is attached as Attachments 1 and 2. The City of Guelph had the most all-encompassing policy which is included as Attachment 3.

It is envisioned that the Chief Administrative Office will collaborate with the Office of Public Engagement, as mentioned in the Discussion Paper, to further investigate these policies and provide an action plan for the City of Winnipeg.

FINANCIAL IMPACT

Financial Impact Statement **Date:** November 3, 2015

Project Name:

Implementing an Open Government Policy

COMMENTS:

There is no financial impact associated with this recommendation.

Ramona Hodges
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this Report there was consultation with:

The Office of the Chief Administrative Officer
Corporate Support Services
Legal Services

OURWINNIPEG POLICY ALIGNMENT

Not applicable.

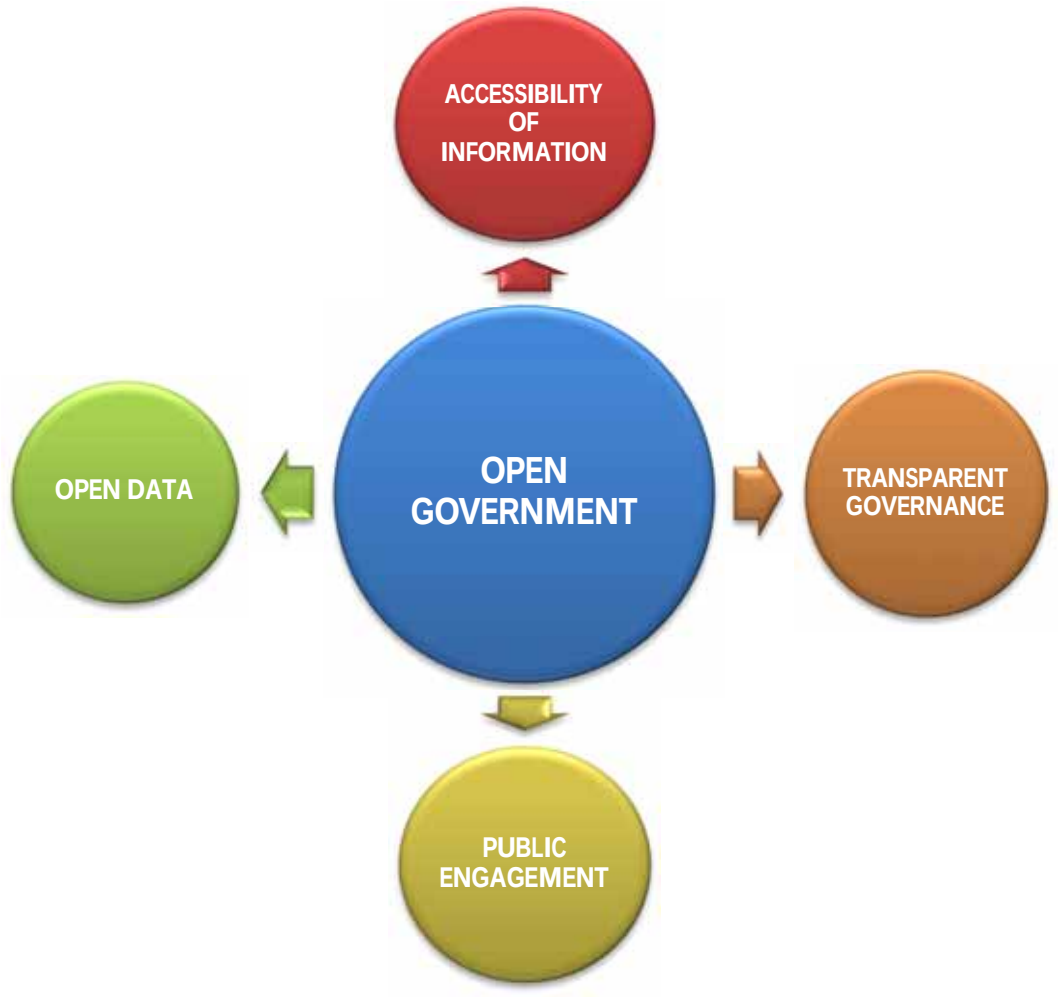
SUBMITTED BY

Department: City Clerk's
Prepared by: Destiny Watt, Senior Committee Clerk
Date: October 26, 2015

UNLOCKING THE DOOR

TO

CITY HALL



SEPTEMBER 2015

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Introduction

Technology continues to bring about change, and over the last several years, advancements in social media have increased the awareness surrounding public policy and government interest. To satisfy its citizens, governments at all levels have been pursuing open government initiatives. This global push has stemmed from citizens and elected officials demanding a more accountable, transparent, effective and efficient government.

There is a growing awareness that government alone cannot deal with complex problems and that citizens will have to play a larger role in achieving shared public policy goals. Individuals want to be informed and have all of the relevant information at their fingertips so they can engage and participate in the issues. While open government does not always provide people with an unlimited supply of information, it does allow for questions to be asked and concerns to be heard, and provides a platform for government to serve its citizens more effectively, in unconventional and non-traditional ways.

The purpose of this discussion paper is to develop a starting point and strategy for a City of Winnipeg Action Plan so we can better engage our citizens through the concept of open government.

Background of Open Government

What is open government?

Defining what open government means is complex as there is a wide range of definitions and meanings that exist. For the discussion of this paper, open government can be defined as restoring trust in government through participation, transparency and collaboration, and accountability, engaging the public regarding priorities and enhancing open data to ensure information flows.



Open government can "unlock the door to City Hall" and further "lift the veil of secrecy" perceived by the public. "By improving the way information flows out of the City can improve and encourage community and public engagement". "Making more information about our City available to the public empowers citizens and businesses to identify countless opportunities".

For clarification purposes, open data is NOT synonymous with open government. Open data, along with public engagement, enhanced accessibility of information, and transparent governance are pieces of the overall open government framework and should be utilized in conjunction with other initiatives as an overall operational policy that is both interactive and collaborative.

Open government and the City of Winnipeg

Currently, the City of Winnipeg provides components of an open government framework, such as:

- Open data portal
- Information on elected officials, including online itemized expenses
- Centralization of Freedom of Information and Protection of Privacy Act (FIPPA) and the release of frequently requested documents (still in development)
- Live streaming of Council and Committee meetings
- Agendas, minutes, dispositions and by-laws all posted online on the Decision Making Information System (DMIS)
- Departmental listings of public consultations

While the City of Winnipeg does apply elements of open government, they are currently not part of an all-encompassing policy and, therefore, do not completely fulfill their function. Initiatives such as open data and public engagement opportunities are, for all intents and purposes, a great start; however, these components alone do not constitute open government and only serve as a small piece of the overall concept. It is envisioned that, should an open government approach be engaged, best practices from other jurisdictions will be identified and serve to supplement existing City programs and services which support the concept of open government.

Drivers of open government

As part of an Open Government Summit in 2010 in Paris, France, the Organization for Economic Cooperation and Development published the following key benefits of Open Government:

- Establishing greater trust in government.
- Ensuring better outcomes at less cost.
- Raising compliance levels.
- Ensuring equity of access to public policy making.
- Fostering innovation and new economic activity.
- Enhancing effectiveness by leveraging knowledge and resources of citizens.

These drivers can serve as the basis for establishing an open government concept that will meet the needs of the jurisdiction and its citizens.

What are other jurisdictions doing?

Almost all Municipalities and cities across North America are providing enhanced access to information and many are actively embracing the open government concept. A few cities have formalized Council policies, as highlighted in Attachment 1. Each jurisdiction has a slightly different style and definition of what open government means within their operational framework.

The municipalities with formalized policies, as cited in Attachment 1, are paving the way for municipal standards. Guelph, Toronto, Kitchener, Boston and Portland are all great examples of municipalities that have championed an open government model and have created, or are in the process of creating, standards for practice going forward. For example, the City of Guelph created an open government framework in 2012 which was fully endorsed as a council policy known as the "Open Government Action Plan" in 2014, attached here as Attachment 3. From our findings, this plan is the most comprehensive policy formally endorsed by any Canadian jurisdiction.

Specific examples of the Open Government policies adopted by these cities, is provided in Attachment 2.

Benefits of open government

Advances in information sharing have created an environment where citizens have access to information on an unprecedented scale. In order to meet public expectations of openness and accountability, governments have to shift the way they interact with the public - especially those at the municipal level. By "Unlocking the Door to City Hall", citizens will be encouraged to engage themselves and participate at an unprecedented level as the information will be easily accessible and presented in a way that is clear and decisive.

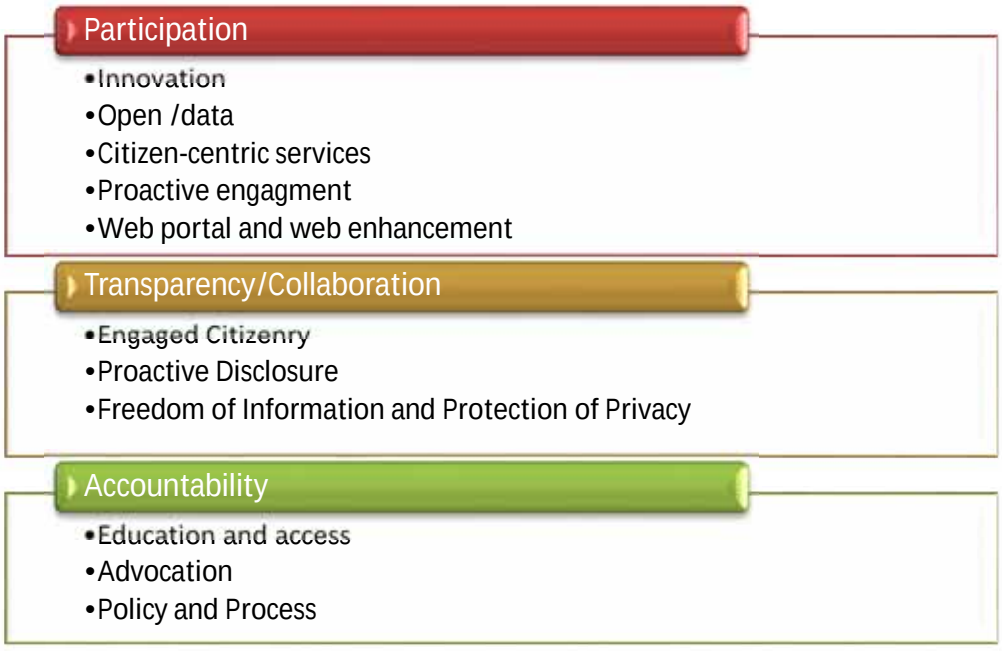
Initiating open government will identify barriers that currently exist and provide clear definitions and guidelines for staff to follow based on best practices. This will increase standards of professional integrity and ethics in all municipal departments and abolish the "us vs. them" culture.

The City's Open Government initiative must accord the concepts of participation, transparency & collaboration, and accountability.

1. Participation:
   - Bringing transparency and accountability to an engaged public through access to information, innovation and citizen-centric services.
   - Proactive engagement with the community on policy.

2. Transparency/Collaboration:
   - Fostering open government processes, with input from an informed and engaged citizenry.
   - Ensuring that the public has access to information with limited use of exceptions (changes to FIPPA processes required).

3. Accountability
   - Ensuring, enhancing, and educating people about their opportunities and supporting their efforts to gain access to government activities, information and services, and advocating the principles and benefits of open government.
   - Accept responsibility and disclose results transparently. Changes to corporate culture are required to foster this type of environment.



Action Plan

In order to effectively implement an "unlocking the door to City Hall" open government initiative, an Action Plan must be developed. The Action Plan strategy must include but not be limited to:

- Changing the culture at City Hall to open the door to City Hall
- Developing and identifying the City's Open Government policy and processes
- Making data, reports and information on public assets public and readily accessible
- Encouraging and Fostering community engagement
- Implementing an Open Government portal and enhancing the City's web communications

Next Steps

Municipal government Open Initiatives must be transformational to be effective and successful. Cultural change and buy-in is required at all levels of the organization. Further, additional resources and/or new partnerships will be required to implement and deliver Open Government on an ongoing basis.

The City of Winnipeg has recently seen major changes in its Political and Administrative leadership. As part of this change, a major strategy to improve and coordinate City communications is underway, including the change in reporting relationship to the CAO's Office and the creation of an Office of Public Engagement.

It is recommended that the Office of Public Engagement, with participation from the Department Communications Liaison staff oversee and implement the City's Open Government initiative, under direction from the CAO's Office.

The City's Open Government policy must be developed and adopted, followed by the creation of an Action Plan, and a formal implementation strategy.

ATTACHMENT 1

		FORMAL OPEN GOVERNMENT POLICIES				
		Municipality				
		Guelph	Toronto	Kitchener	Boston	Portland
Year Adopted by Council		Nov-12	**October 8, 2013**	October 2013 - Council Seminar equivalent	7-Apr-14	30-Sep-09
Key Focus		Open Government Action Plan for the City	Shifting the organizational culture to be more accountable, open and transparent by the end of 2017.	Open data/ Government framework	Open Data	Open Data/ Transparency
Principles	Accountability	X	X	X		
	Citizen Engagement	X	X	X		X
	Collaboration with the Public			X	X	
	Innovation/Technology	X				
	Open Data	X	X	X	X	X
	Learning Material/Staff development	X	X			
	E-government	X	X	X	X	

ATTACHMENT 2

Toronto – Strategic Framework adopted by City Council – October 8, 2013

STRATEGIC ACTION #13

Open Government by Design

Shift the organizational culture to be more accountable, open and transparent by the end of 2017. Well-managed and accessible information is the foundation of open government. Managing information as a corporate asset will move the City towards responsible stewardship versus ownership of information. It will improve service delivery, build public trust and confidence in government, and enhance civic engagement through transparency, participation, accountability and accessibility. Shifting the organizational culture will require a strong open government and an information management awareness program that will be accomplished by:

- Identifying barriers and promoting innovations which seek solutions to open up City government by building an information sharing culture.
- Incorporating information management best practices and open government principles in employee orientation, recruitment, promotion and training.
- Building out the Information Management Framework with clear definitions and guidelines for staff to easily determine how to make information accessible and protect privacy.
- Incorporating information management policies, and best practices into the planning and implementing of business processes, technology, and front line customer service delivery.

2013 2014 2015 2016 2017 2018

THEMES AND GOALS

Good Governance
- Civic Participation
- Organizational Excellence

Social Development
- Community Capacity
- Access, Equity & Diversity

City Building
- Service Excellence

ATTACHMENT 2

Kitchener – December 10, 2007

COUNCIL POLICY RESOLUTION

POLICY NUMBER: I-15
DATE: DECEMBER 10, 2007
AMENDED: OCTOBER 6, 2008
AMENDED: MARCH 3, 2014

POLICY TYPE: ADMINISTRATION

SUBJECT: CORPORATE ACCOUNTABILITY & TRANSPARENCY

1. POLICY STATEMENT

The City of Kitchener ('the City') is committed to the fundamental principles of accountability and transparency as they are key values within the City's Open Government Framework. The City has adopted the following as its Vision for Open Government: *"To provide a City government that is transparent and accountable to its citizens, with opportunities for meaningful, accessible public participation, made possible through innovation, technology and collaboration."*

The City of Kitchener is committed to creating a culture where Council, staff and citizens of Kitchener are aware of and understand the principles of accountability and transparency, and their roles in upholding these essential standards of good government that enhance public trust.

In support of the open government principles of accountability and transparency, this Policy outlines the City's commitments which will ensure:

- The City is open by default, subject to financial, legal, legislative and privacy constraints
- Council decision-making is open and transparent
- The City is accountable for the provision and performance of its services

2. DEFINITIONS

Accountability: the City has established rules and guidelines that ensure the City is able to explain its actions to the public

Transparency: City information is accurate, timely, and freely available and decisions are open for public review and discussion.

ATTACHMENT 2

3. LEGISLATIVE AUTHORITY

Section 270 of the *Municipal Act 2001* (The "Act") requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will ensure it is accountable to the public for its actions, and the manner in which its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of municipal activities and services in an accountable and transparent manner in accordance with the Municipal Act.

4. APPLICATION

This Policy applies to all City employees and members of City Council.

5. POLICY COMPONENTS

In order to ensure the principles of Accountability and Transparency are practiced and adhered to as a matter of good governance, the following represent overarching guidance for the provision of City activities, services and programs in support of the principles.

Accountability Components:

The roles and responsibilities of the City must be clearly defined. In the context of other levels of government, it should be clearly explained as to which government is responsible for what services. Within the City, the roles of Council and staff, and the responsibility for services provided, need to be easily understood. The roles and responsibilities of stakeholders – including citizens, customers and businesses - that utilize the services of the City must also be clearly defined in order to ensure the service is provided in a fair, equitable and timely manner and that the anticipated outcomes are achieved.

Actions will be consistent with clearly understood expectations. Services offered by the City should be clearly explained and outlined to include what is expected from the customer and what the customer can expect from the City. In setting expectations and reaching agreement, expectations may be implied or explicit. In many cases there will be a reasonable expectation based on common sense or normal practices and in other cases the outcome or expectation will need to be specifically given and acknowledged. Wherever possible the anticipated outcome of any service provided by the City will be given to provide clarity on what the citizen, customer or business can expect.

ATTACHMENT 2

There must be a reasonable balance between expectations and capacities. Customer and citizen expectations may change from time to time, and all expectations must be balanced against the City's authority, available skills and resources required to achieve the expected outcome.

There must be clear and timely reporting on actions. Reporting must be credible, the information useful, accurate, timely and accessible. Reporting on actions taken or not taken shall be clear and easy to understand.

There must be reasonable review and adjustment. Accountable reporting will highlight areas where expectations have been met, as well as those which have not. Achievements should be recognized, and where expectations have not been met, adjustment and corrective actions may need to be made.

Transparency Components:

City information must be fully accessible within legal limitations. Providing information that citizens or others require in order to comment on the City's services and activities, allows for the influencing of City activities and decisions and initiating change. This results in trust, enabling the City to manage its services and activities more effectively and efficiently. Information provided by the City must be accessible, understandable, and provided in the appropriate format. In providing information or data, the City must balance this obligation with other legal and regulatory obligations. The City will continue to comply with legislation that protects certain information. Whenever meaningful information is withheld, an explanation will be given as to why.

All information should be provided in clear, simple language. City information that is provided publicly should be provided in clear, plain language. Whenever there is a requirement to provide information in a certain way in order to satisfy legal or regulatory obligations, a plain language description will also be provided.

Information deemed to be in the public interest is to be updated regularly, consistently and as much as possible, proactively. Processes will be established to ensure information is updated and remains relevant following initial provision of the information. The City is committed to evolving the culture of the organization toward being 'open by default', where meaningful information is provided to the public proactively and not based on reaction to requests.

ATTACHMENT 2

6. POLICY COMMITMENTS

The City has put and/or is putting in place a number of activities and actions supporting Accountability and Transparency. Following is a summary of the key methods through which the principles are practiced and adhered to. The City strives to meet these commitments and it must be understood that City resources – human, financial and technical – have limitations based on operating and capital budgets, which are developed with public consultation.

Council Meetings
The City provides the public with information on the role and responsibilities of the Mayor and city Councillors. The time and dates of meetings, agendas and reports under consideration are made available to the public in advance of public deliberations. All staff reports to Council or Committees of Council are written using a standard report template in clear non-technical language where possible, providing the reader with full information on the topic. A digital repository is used to maintain up-to-date records of Council by-laws, reports and minutes and is openly accessible to the general public. All meetings of Council and Committees of Council are open to the public, with exceptions as permitted by the Municipal Act, and members of the public are invited to be delegations to Council to ask questions or discuss specific issues. Agendas for closed meetings of Council provide as much information as possible without revealing confidential information.

Budgets and Business Plans
The City publishes the annual proposed budget and business plan written in plain language in both print and digital formats, which is replaced by the annual approved budget once it has been ratified by Council. Budget deliberations are held in public sessions in Council, and members of the public are encouraged to provide input and comments. Budget variance reports, financial indicators and business plan status updates are published throughout the year with explanations provided for deviations. Proposed and actual expenditures of development charges are reported regularly. Audited financial statements accompanied by plain language explanations are published annually.

Public Services
The City proactively provides information to the public on the services that are provided, the processes for accessing public services including fees and timelines, and contact information for key personnel, making the information easily accessible and using plain language. The City has expanded its internet and social media presence including online services. Feedback and complaint mechanisms are in place using a range of channels. The City's internal audit function has a broad mandate to review the efficiency and effectiveness of City operations under Council's direction.

ATTACHMENT 2

Procurement
The City has a comprehensive, clear and understandable framework for the open and transparent procurement of goods and services. Opportunities are openly advertised and bids are opened publicly. Selection criteria are clear, awards are fully disclosed, and mechanisms are in place to dispute a contract award. Standardized documents and e-procurement technology are used to provide simple, secure and efficient processes and provide accurate and timely disclosure of information for potential contractors and the general public. The City has in place by-laws and procedures guiding the authority of staff to enter into contractual agreements within defined limits. By-laws and procedures also provide guidance for City land acquisition and sale.

Conflict of Interest
The City applies clear rules and guidelines for the disclosure and management of conflicts of interest to ensure decisions are not improperly affected by self-interest. Direction is provided for offers of gifts and hospitality to prevent special interests from attempting to offer staff or members of Council items or services of value in return for favours. A code of conduct has been established for members of Council. Employment of relatives of staff and members of Council is limited through policy. The Integrity Commissioner role has been established to review potential conflicts of interest.

Records Management and Access to Information
The City maintains sound records management practices, ensuring that accurate and reliable records are created and remain accessible, usable and authentic for as long as they are needed. A wide range of information and records are proactively made available to the public online, and routinely available information that is not available online can be requested directly from the service area or division responsible for the information. Records or information that is not routinely disclosed can be requested by making a Freedom of Information Request and the City will make every attempt to provide appropriate access to records while respecting the need for privacy, in accordance with legislation.

Open Data
In support of transparency, the City is making its data “open by default”. The prioritization for publishing open data is complemented by community engagement with citizens, businesses and other public sector organizations. The City strives to make this data machine and human readable, and releases public information that helps reveal and inform decision-making as open datasets. The City has created specific requirements, which are evolving, for ongoing updates of open data, and aims to release its data in a timely manner, dependent on the nature of the data. Open data is seen as a collaborative community undertaking to meet the needs of the community, and to monitor changes within the open government data community.

ATTACHMENT 2

Citizen Engagement

The City has adopted a commitment to effectively involving the community in public decision-making processes. A community engagement framework has been established and training is provided for city staff, to provide direction and guidance on the development and implementation of community engagement processes. As standard practice, staff reports to Council are required to indicate the way in which members of the community will be/have been involved in the issue at hand, if applicable. The City has a current policy regarding public notice requirements. Citizens and community members can also get involved through various citizen committees and boards. Citizen committees provide advice and feedback to City Council and standing committees on a variety of issues or topics, including arts and culture, accessibility, downtown, the environment and the City's strategic plan; whereas boards have the autonomy to make decisions for the good of their organizations.

7. ROLES AND RESPONSIBILITIES

The City Clerk holds an oversight role for this Policy and is the first point of contact regarding the Policy. Staff and Council have responsibility for various actions and activities related to the policy and in support of the open government principles of accountability and transparency.

8. APPOINTMENTS

Under part VI of the Municipal Act, the City is authorized to appoint the following: Integrity Commissioner, Lobbyist registry, Ombudsman, and Auditor General. New appointments are reviewed as deemed required by staff or Council. Continuations or renewals of existing appointments are reviewed before the expiration of the current contact term(s).

9. REVIEW AND REPORTING

This Policy will be reviewed once during each term of Council for relevance, currency and accuracy including the review of activities and commitments in place to support accountability and transparency. The Policy is intended to provide general and relevant direction, on which to build supporting actions.

Progress toward becoming more accountable and transparent will be reported through reporting on actions in the upcoming 4-year action plan, supporting the City's Open Government Framework.

ATTACHMENT 2

Boston – April 7, 2014

CITY OF BOSTON · MASSACHUSETTS

OFFICE OF THE MAYOR
MARTIN J. WALSH

EXECUTIVE ORDER
OF
MAYOR MARTIN J. WALSH

An Order Relative to Open Data and Protected Data Sharing

Whereas, it is the policy of the City of Boston to practice Open Government, favoring participation, transparency, collaboration and engagement with the people of the City and its stakeholders; and

Whereas, information technologies, including web-based and other Internet applications and services, are an essential means for Open Government, and good government generally; and

Whereas, the City of Boston should continue, expand and deepen the City's innovative use of information technology toward the end of Open Government, including development and use of mobile computing and applications, provision of online data, services and transactions; and

Whereas, the City of Boston also has an obligation to protect some data based upon privacy, confidentiality and other requirements and must ensure that protected data not be released in violation of applicable constraints; and

Whereas, clarification and definition of open data, privacy, security requirements, interoperability and interaction flows is necessary for the City's Open Government agenda;

NOW THEREFORE, pursuant to the authority vested in me as Chief Executive Officer of the City of Boston by St. 1948, c. 452 Section 11, as appearing in St. 1951, c. 376, Section 1, and every other power hereto enabling, I hereby order and direct as follows:

ATTACHMENT 2

1. The City of Boston recognizes Open Government as a key means for enabling public participation, transparency, collaboration and effective government, including by ensuring the availability and use of Open Data, appropriate security and sharing of Protected Data, effective use of Identity and Access Management and engagement of stakeholders and experts toward the achievement of Open Government.

2. The City of Boston Chief Information Officer ("CIO"), in consultation with City departments, is authorized and directed to issue a City of Boston Open Data Policy.

a) The Open Data Policy shall include standards for the format and publishing of such data and guidance on accessibility, re-use and minimum documentation for such data;

b) The Open Data Policy shall include guidance for departments on the classification of their data sets as public or protected and a method to report such classification to the CIO. All departments shall publish their public record data sets on the City of Boston open data portal to the extent such data sets are determined to be appropriate for public disclosure, and/or if appropriate, may publish their public record data set through other methods, in accordance with API, format, accessibility and other guidance of the Open Data Policy.

3. The City of Boston CIO, in consultation with City departments, is authorized and directed to issue a City of Boston Protected Data Policy applicable to non-public data, such as health data, educational records and other protected data;

a) The policy shall provide guidance on the management of Protected Data, including guidance on security and other controls to safeguard Protected Data, including appropriate Identity and Access Management and good practice guidelines for compliance with legal or other rules requiring the sharing of Protected Data with authorized parties upon the grant of consent, by operation of law or when otherwise so required;

b) The policy shall provide a method to ensure approval by the Corporation Counsel of the City of Boston to confirm Protected Data is only disclosed in accordance with the Policy.

4. This Executive Order is not intended to diminish or alter the rights or obligations afforded under the Massachusetts Public Records Law, Chapter 66, Section 10 of the Massachusetts General Laws and the exemptions under Chapter 4, Section 7(26). Additionally, this Executive Order is intended to be interpreted consistent with Federal, Commonwealth, and local laws and regulations regarding the privacy, confidentiality, and security of data. Nothing herein shall authorize the disclosure of data that is confidential, private, exempt or otherwise legally protected unless such disclosure is authorized by law and approved by the Corporation Counsel of the City of Boston.

ATTACHMENT 2

5. This Executive Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Boston, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

6. The City of Boston CIO is authorized and directed to regularly consult with experts, thought leaders and key stakeholders for the purpose of exploring options for the implementation of policies and practices arising under or related to this Executive Order.

SIGNED THIS 7 **DAY OF** April **, 2014**

Martin J. Walsh
Mayor

APPROVED
LAW DEPARTMENT
BY Eugene L.O'Flaherty
EUGENE L.O'FLAHERTY
CORPORATION COUNSEL

BOSTON, MA
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ATTACHMENT 2

Portland – September 30, 2009

RESOLUTION No. 36735

Mobilize and expand the regional technology community of software, hardware and service professionals by promoting open and transparent government, open data, and partnership opportunities between the public, private and non-profit sectors, academia and labor (Resolution)

WHEREAS, the City of Portland is committed to engaging the community by working with citizens, soliciting their ideas, input, and creative energy; and

WHEREAS, the City of Portland is committed to using technology to foster open, transparent, and accessible government; and

WHEREAS, by sharing data freely, the City of Portland seeks to develop opportunities for economic development, commerce, increased investment, and civic engagement for Citizens of the Portland region; and

WHEREAS, publishing structured standardized data in machine readable formats creates new opportunities for information from different sources to be combined and visualized in new and unexpected ways, for niche markets to be identified and developed, and for Citizens to browse, interpret and draw attention to trends or issues with greater efficiency; and

WHEREAS the adoption of open standards improves transparency, access to public information, and improved coordination and efficiencies among bureaus and partner organizations across the public, non-profit and private sectors; and

WHEREAS, the City of Portland seeks to encourage the local software community to develop software applications and tools to collect, organize, and share public data in new and innovative ways; and

WHEREAS, Software applications and tools that enable Citizens to access, visualize, and analyze public information will promote greater civic engagement and encourage Citizens to provide feedback on local issues; and

WHEREAS, the Portland region is a global leader of the Open Source Software industry, with leading foundations, businesses, and professionals located in and around Portland; and

WHEREAS, supporting and encouraging the development of Open Source Software curricula in Portland area educational institutions will result in a "Culture of Openness" that will enable Portland to increase the momentum behind its efforts for the foreseeable future; and

WHEREAS, Open Source Software can enable the City of Portland to use, copy, customize and redistribute software it deploys for government services; and

WHEREAS, the City of Portland will consider Open Source Software as a potential alternative to existing commercial software solutions in its purchasing and contracting decisions; and

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36735

WHEREAS, the City will promote the creation and continued evolution of innovative Open Source Software solutions to meet civic needs;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Portland:

1. Directs the Bureau of Technology Services to:

a. Enter into agreements with our regional partners to publish and maintain public datasets that are open and freely available while respecting privacy and security concerns as identified by the City Attorney;

b. Develop a strategy to adopt prevailing open standards for data, documents, maps, and other formats of media;

c. Organize a regional contest to encourage the development of software applications to collect, organize, and share public data;

d. Establish best practices for analysis of business requirements in software review and selection processes, identify existing commercial software systems with licenses that are scheduled to expire in the near future, and encourage the consideration of Open Source Software in the review, replacement and continual improvement of business solutions;

e. Work with Travel Portland and regional partners to promote Portland as a host city for leading Open Source Software conferences and related technology events, such as LinuxCon, Innotech, etc;

2. Directs the City's Purchasing Agent to notify and distribute all formal technology related purchasing and contract opportunities for publication and distribution by the Software Association of Oregon, Oregon Entrepreneurs Network and the open source community in addition to those public notice requirements required under Portland City Code 5.33.300.

Adopted by the Council: SEP 30 2009
Mayor Sam Adams
Prepared by: Warren Jimenez
Date Prepared: September 17, 2009

LaVonne Griffin-Valade
Auditor of the City of Portland
By: Susan Parsons
Deputy

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-1374

Agenda No.
RESOLUTION NO. 36735

Mobilize and expand the regional technology community of software, hardware, and service professionals by promoting open and transparent government, open data, and partnership opportunities between the public, private and non-profit sectors, academia, and labor (Resolution)

INTRODUCED BY	CLERK USE: DATE FILED SEP 25 2009
Mayor Sam Adams	LaVonne Griffin-Valade Auditor of the City of Portland
NOTED BY COMMISSIONER	
Mayor—Finance and Administration	By: _____ Deputy
Position 1—Utilities	
Position 2—Works	**ACTION TAKEN:**
Position 3—Affairs	
Position 4—Safety	
BUREAU APPROVAL	
Bureau: N/A	
Prepared by: Warren Jimenez Date Prepared: 9/17/2009	
Financial Impact Statement _____ Completed ____ Amends Budget ___X___ Not Required	
Portland Policy Document If "Yes," requires City Policy paragraph stated in document. ___Yes ____No	
Council Meeting Date September 30, 2009	
Bureau Head:	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	**Regular** X	1. Fritz	1. Fritz	✓	
NOTED BY		2. Fish	2. Fish	✓	
City Attorney		3. Saltzman	3. Saltzman	—	—
		4. Leonard	4. Leonard	—	—
		Adams	Adams	✓	

ATTACHMENT 3

Open Government Action Plan

City Council
September 8, 2014



Agenda

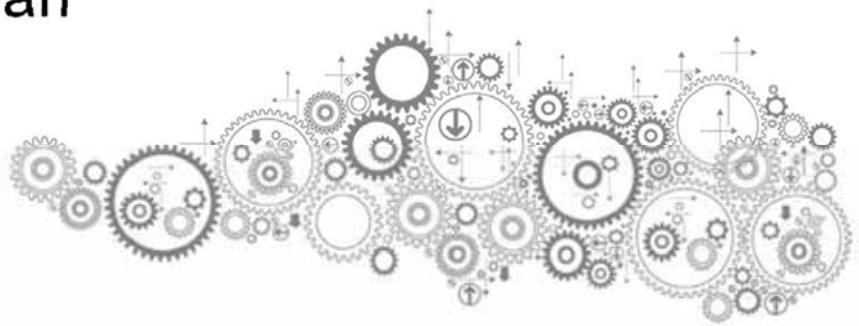
Project Background

Vision: Living Open Guelph

Current State

Way Forward

Recommended Action Plan



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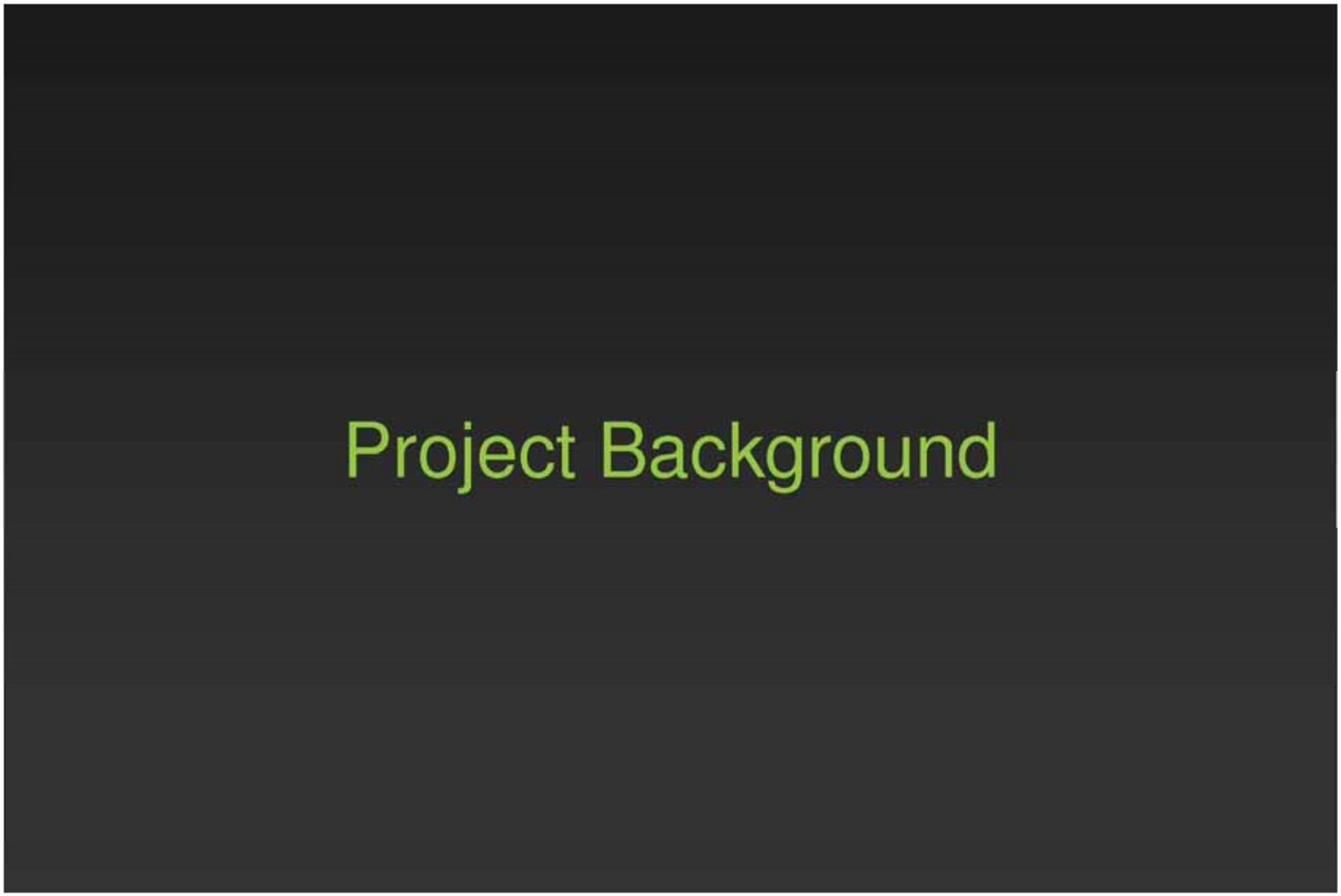

Project Objective

Define a deliberate and realistic 5-year action plan to move the City of Guelph towards Open Government, in co-production with stakeholders.



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Assessment and Consultation

City of Guelph Open Government Action Plan
Project Background

CURRENT STATE - 2014

MARCH
- **Organizational environmental scan:** 55 internal stakeholders interviewed and relevant policies reviewed
- **Open government online survey:** 1000+ views, 491 respondents

APRIL - MAY
- **MindMixer online tool:** 59 ideas, 100 interactions, 800 page views
- **Round tables** and community led meet-ups using the **Open Guelph Meet up Toolkit**

MAY - JUNE
- **ChangeCamp:** 76 participants, 15 community members self-identified as open government champions

JULY - AUGUST
- **Validation workshop:** draft Open Gov. Action Plan presented; 25 attendees, 9 community champions

FUTURE STATE - 2015+

GUELPH'S OPEN GOVERNMENT ACTION PLAN

Open by Default

Participate by Nature

City Assessment & Consultation | Community Assessment & Consultation | Community & City Assessment & Consultation | Vision State Assessment

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City of Guelph Open Government Action Plan
Living Open Guelph

Open Government Vision

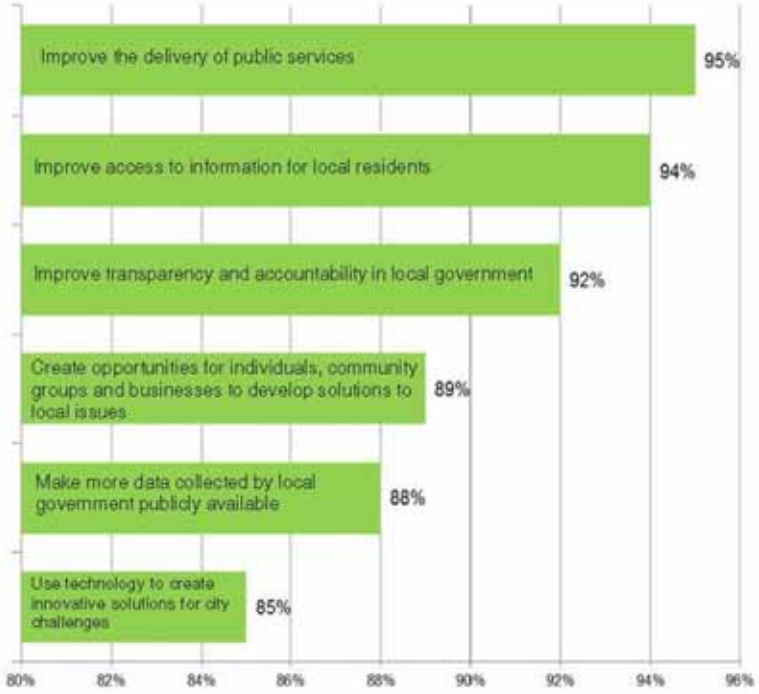
To be a **transparent** and **accountable** local government that empowers citizens, leverages technology and encourages community **participation** in the development of **innovative** and meaningful solutions to shared opportunities and challenges.



City of Guelph Open Government Action Plan
Living Open Guelph

Community Stakeholders Highly Interested

Community members are highly interested in key benefits created by Open Government.

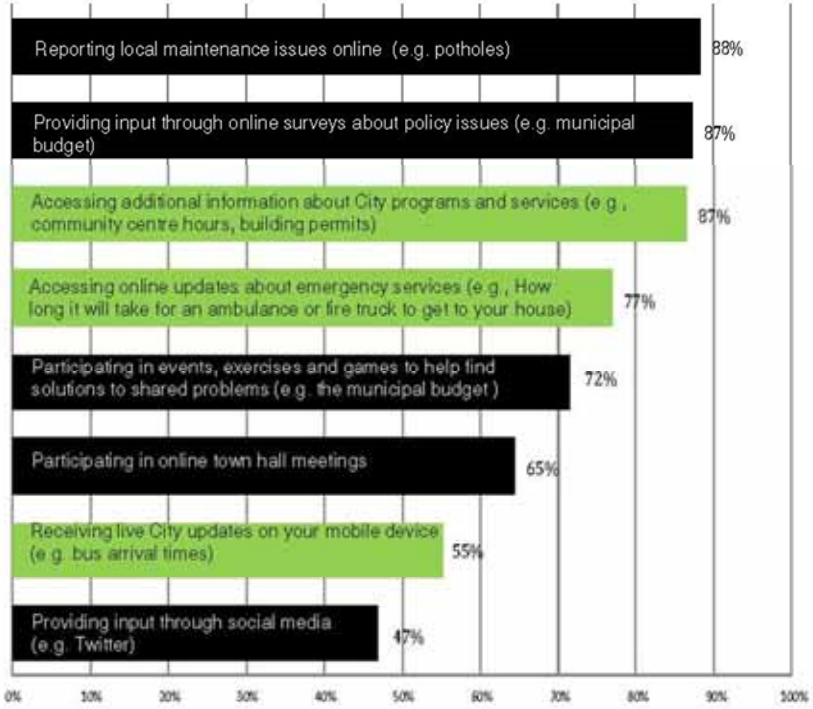


Q: What's your level of interest in the following Open Government goals? (n=468)
Source: Open Guelph Survey, 2014

City of Guelph Open Government Action Plan
Living Open Guelph

Being Part of the Solution

The Guelph community is interested in more than consuming services. The Guelph community is interested in being part of the solution.



Q: How interested are you in participating in the following? (n=386)

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City of Guelph Open Government Action Plan

Living Open Guelph

Engaging Citizens in Government Decisions



Kate (Resident)



Resident self-identified topics of interest to engage in at MyGuelph





Resident accessed pertinent City information and peer perspectives easily before weighing in.



Mary (City Employee)



Employee initiated topic to engage the community with.



Gerry (Councillor)



Mary (Employee)



Council and City staff are confident their decisions reflect the needs and priorities of the community.

Key Benefits

- Improved access to information for residents through new online channels
- Coordinated, streamlined ability for staff to consult/engage with citizens on a range of topics
- New tools for Council/staff to view aggregated, geographic input across city (e.g. heatmaps) and increase outreach to specific areas
- Open up and simplify access to key processes to improve transparency and accountability (e.g. budget priorities)

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City of Guelph Open Government Action Plan
Living Open Guelph

Engaging Citizens in Government Decisions



Kate (Resident)

If Kate doesn`t have access to the internet or prefers face-to-face dialogue then City Hall will go to Kate via Guelph`s Mobile City Hall.



Key Benefits

- Make government services more accessible by bringing City Hall to people through the use of a Mobile City Hall that meets community stakeholders where they live, work and play.
- Brings the benefits of Open Government to those without access to the internet or mobile devices

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City of Guelph Open Government Action Plan

Living Open Guelph

E-Services – Working Together to Improve Service Levels



Kate (Resident)



Resident reported fallen tree on park trail using a mobile device. The location of the fallen tree is automatically geo-tagged and a work request is created.





Resident receives updates on the submitted service request at each step in the process.



Mary (Employee)



Employee assessed needs and planned route efficiently based on reported service request details, image and accurate location of the fallen tree.



Crew dispatched to cleanup. Upon completion, crew updated the service request.

Key Benefits

- Streamlined, automated service delivery processes reduce costs
- Simplified access for citizens and greater transparency re service delivery processes & progress
- City employees able to communicate with community stakeholders frequently and cost-effectively

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Smart City - Making Our City Accessible Together



Aatif (Business Owner)



Restaurant owner updated building code related information and floor plan of his newly renovated space on MyGuelph



Matt (App Developer)



App developer scraped building code and floor plan information from the City database and displayed them on his Accessible Guelph app.



Mary (Employee)



City employee reviewed information and floor plan for compliance.



The new building code data was uploaded to Guelph's open data catalogue for public use.

Kate (Resident)



Resident used Accessible Guelph mobile app to find accessible restaurants in her neighborhood.

Key Benefits

- Make it easier for all community stakeholders to fully participate in creating innovative solutions
- Collaborate with businesses to improve access to relevant and meaningful information
- Make data collected by local government publicly available to encourage entrepreneurs to develop new applications.

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Guelph

What Does Open Government Look Like?

Best Practice Review Finds …

No one model for Open Government, however there *are* rules of engagement that make some more successful than others:

- **Integrative approach**
  Different functions of Open Government are approached in an integrative, holistic way
- **Supportive Cultures**
  Leadership Team | Public Service Employees | Community
- **Shared Ownership**
  Leadership Team | Public Service Employees | Community
- **Test and Learn Culture**
  Encourages testing and learning in a managed and disciplined way; premised on an incremental approach to policy management and development

City of Guelph Open Government Action Plan
Living Open Guelph

Changing Role of Government

Government needs to move away from the traditional 'vending machine' model of service delivery to 'government as a platform' that enables community stakeholders to fully participate in developing new solutions, redesigning services and determining priorities.



Vending Machine Model of Government



Government as a Platform

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City of Guelph Open Government Action Plan

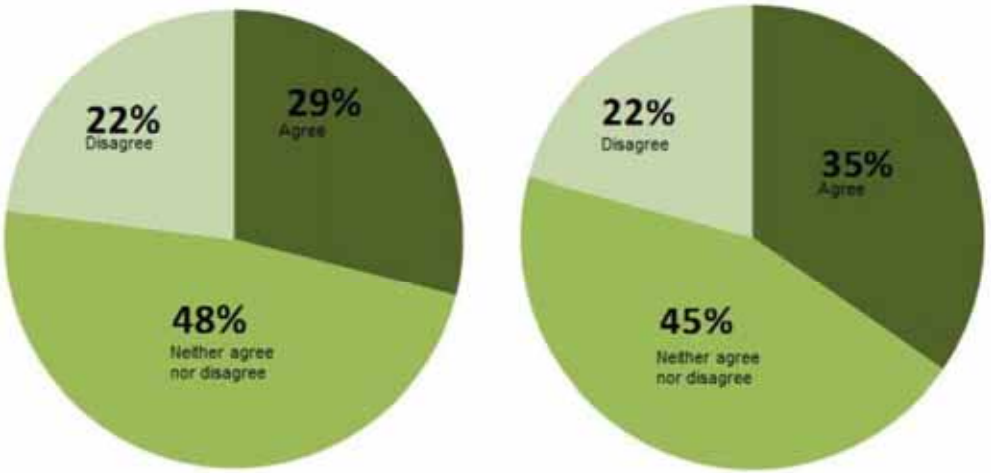
Current State

Where Do We Stand Today?

- **High interest across the board:** From City leadership team, employees, and the community, making Guelph primed for Open Government
- **City in the position to lead** the community in adopting Open Government
- **Community Gaps:** Trust in the City
- **Internal Organizational Gaps:** Organizational culture, governance and communication



Community Gaps: Trust



Please rate your agreement for each of the following statements: (n=478)

Internal Organizational Gaps

- Require a more open and collaborative organizational culture
- Need clear definition of the Open Government initiative at the City of Guelph
- Need corporate resource management and prioritization framework informed by citizens
- City data not ready for public use

> "We have a lot of data that doesn't talk to each other. I go to open a file and am told I don't have permission to access it."
>
> - City Staff

What is Our Way Forward?



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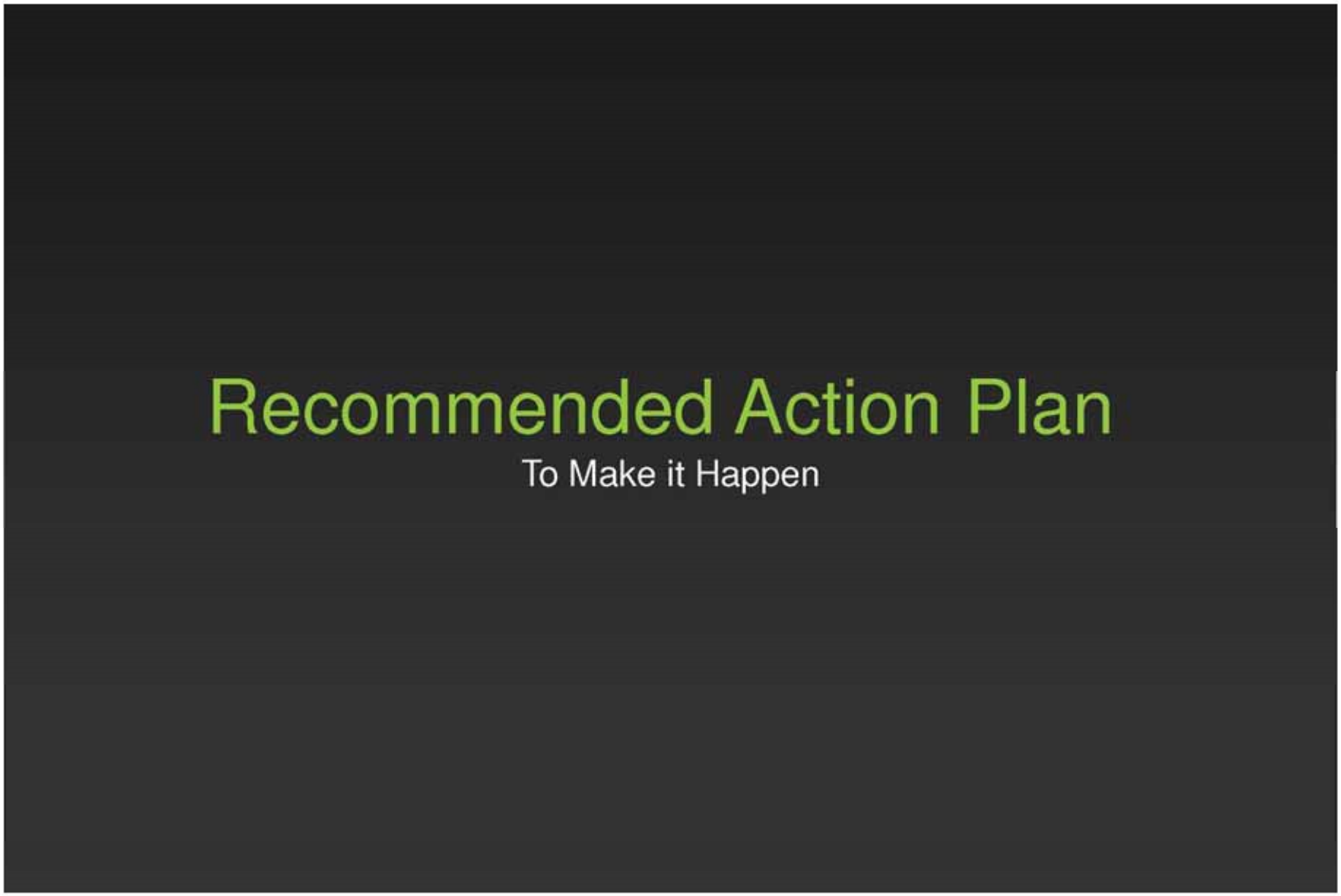

Goal


Community Stakeholder Readiness
Internal Stakeholder Readiness
Catch up, City of Guelph!
Let's change the world!
Let's open our minds to change
Come on, community!
2020
current state

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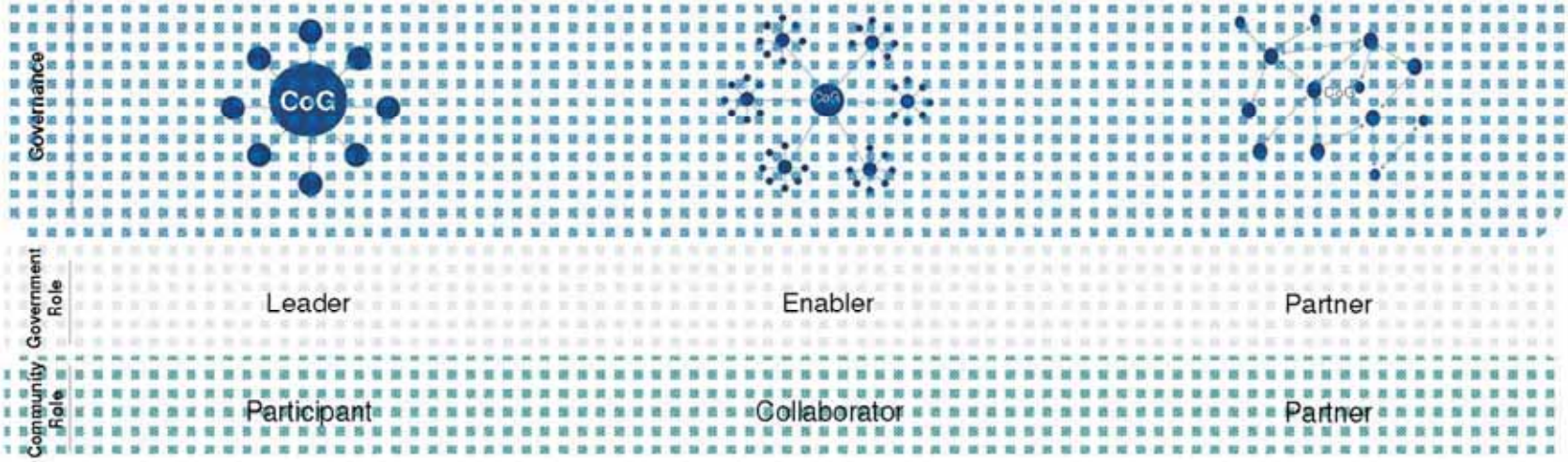
City of Guelph Open Government Action Plan

Recommended Action Plan

Phases

Phase 1	Phase 2	Phase 3
BUILD THE FOUNDATION AND INVITE PARTICIPATION	ENABLE CHANGE	LIVE OPEN GUELPH
In a centralized model, the City of Guelph focuses on getting key stakeholders on the same page. This phase if fundamental but not visible. As such, it is important to share early projects with stakeholders and citizens.	**In a dandelion model**, the City of Guelph enables champions to drive change while practicing the values of open government: transparent, accountable, participatory and innovative.	**In a networked model**, the City of Guelph is a partner and provides leadership and support with regulatory and policy requirements.
Overview		
Governance		
Government Role	Leader	Enabler	Partner
Community Role	Participant	Collaborator	Partner



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Actions

1. Move to Open Governance

- Establish open government program area
- Form leadership team
  - Develop prioritization and performance measurement framework

2. Create and 'Open by Default' Culture

- Policy and procedure development
- Open Gov Community of Practice
- Open source procurement
- Develop and lead training program
  - Plain language/community engagement facilitation training
  - Joint city/community learning roundtables

3. Open up City Hall

- Develop MyGuelph online portal
  - Two-way dialogue (polling/surveys, open ideation, Web 2.0)
  - Enhanced access to civic information and e-services
- Guelph Lab (social innovation space)



Actions (cont'd)

4. Increase Community Engagement and Participation

- Civic education series
- Knowledge exchange/engagement tools (ex. MindMixer)
- Mobile City Hall and pop-up engagement activities
- Participatory budgeting

5. e-Government Services

- Online transactions, licensing and information requests
- Any City Counter, Any Service
- Automated information services (ex. garbage/event notifications)
- AskGuelph

6. Make Data and Information Public Assets

- Information management infrastructure
- Open data program
  - Steering Committee
  - Robust catalogue (API's, analytics, user tools)
  - Events, contests and challenges
  - Provide access to third party agency data



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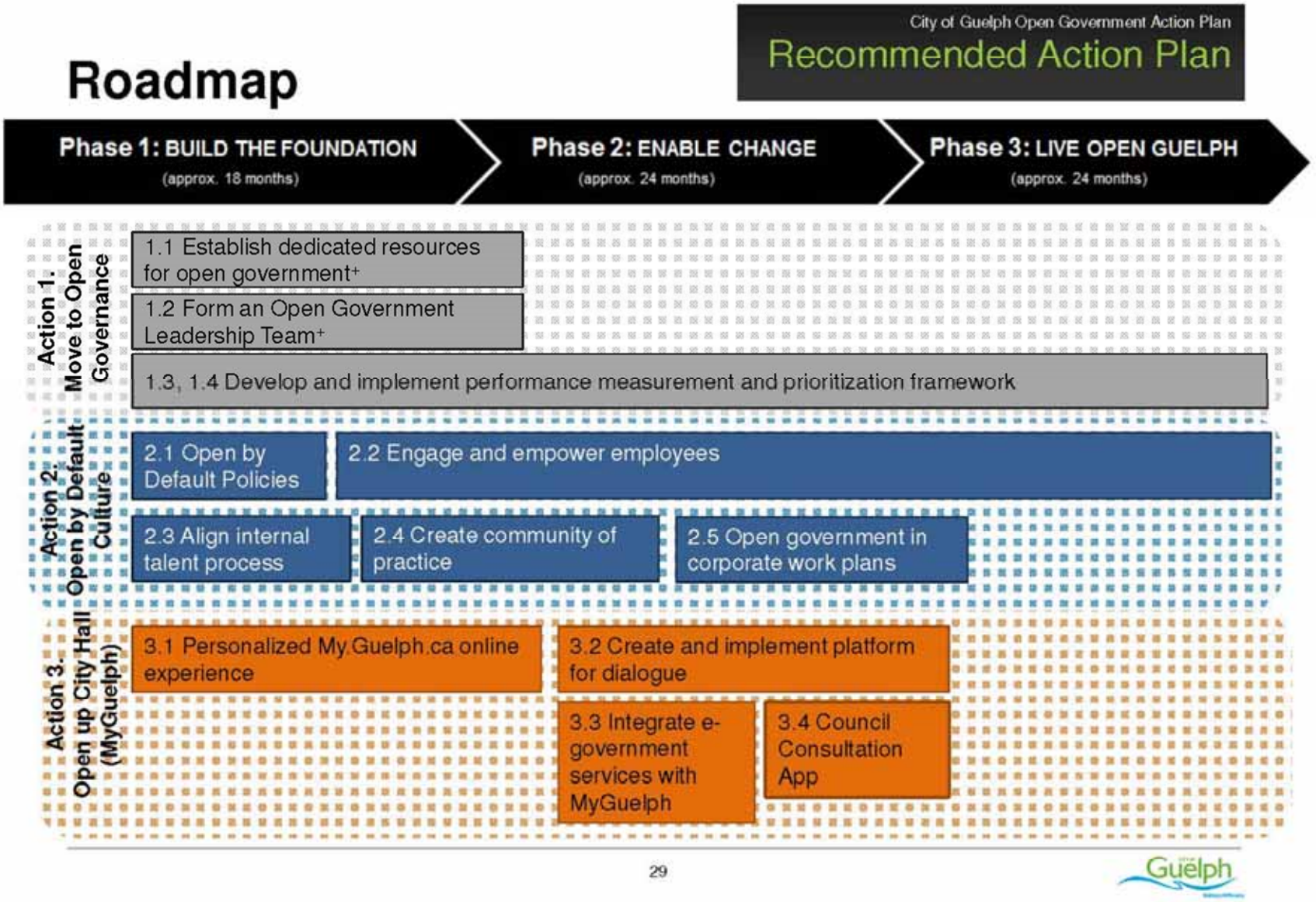

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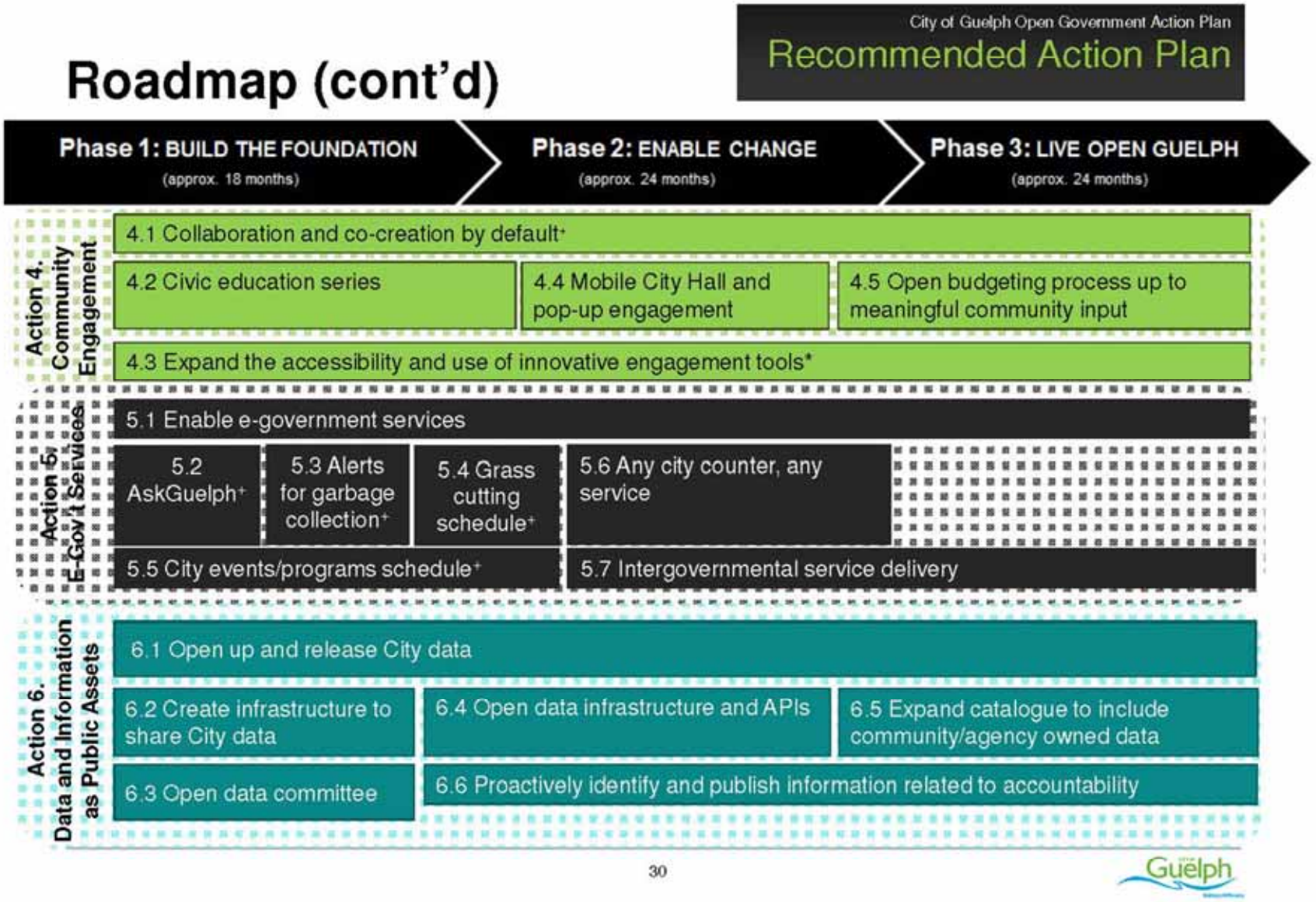

Performance Measurement

END OF PHASE (MACRO)	PROJECT LEVEL (MICRO)
• Champions and Culture • Trust Level • Engagement Level	• Value to Stakeholders (e.g. better quality, operational efficiency, accessibility, stakeholder satisfaction) • Awareness and Usage • Learning • Speed to Project Completion

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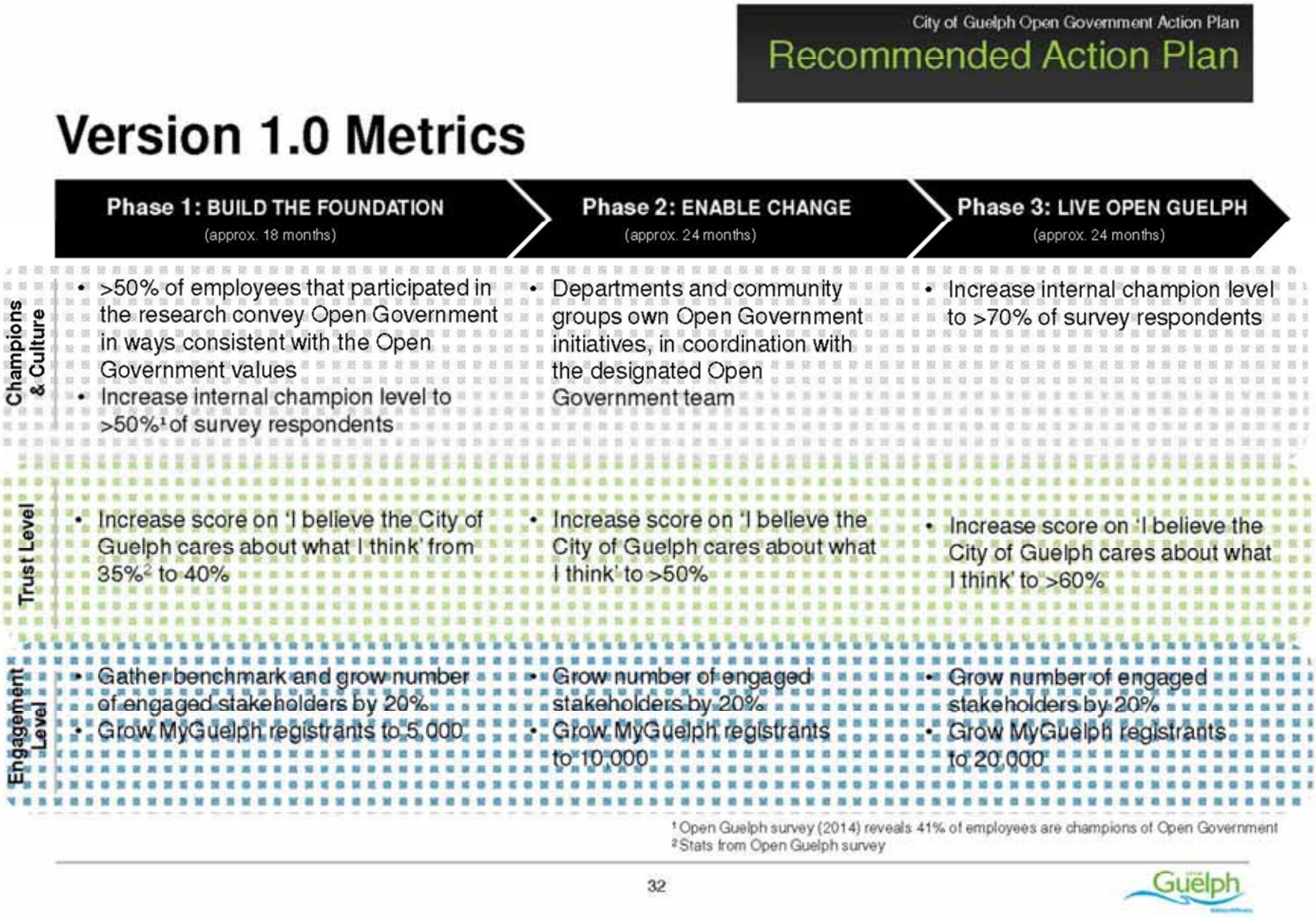
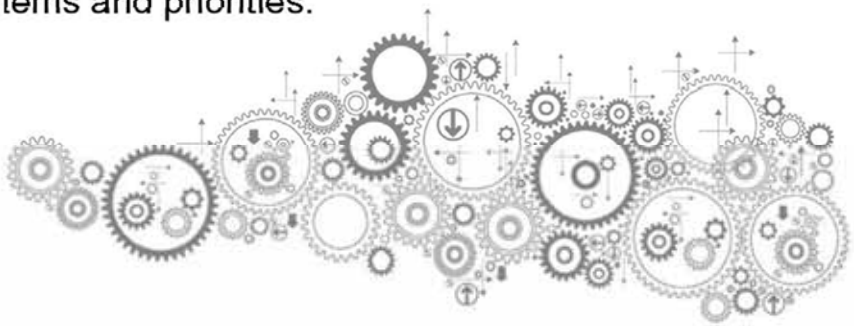


Next Steps

1. Produce an Open Government Action Plan for public distribution on open.guelph.ca as well as a limited print run.
2. Submit a business case for the 2015 budgeting period regarding the action items outlined in the Open Government Action Plan.
3. Form an Open Government Leadership Team (made up of internal and external stakeholders) by Sept. 31, 2014 to:
    - Develop a detailed project implementation plan with deliverables and timelines.
    - Develop a community engagement plan in collaboration with the Community Engagement Team.
    - Plan launch of Phase 1 Action Items and priorities.



Action Required

That the Open Government Action Plan dated September 8, 2014 be approved.

