

Report ITR-CS-05-15

To: Chair Pringle and Members of Corporate Services Committee
From: Ashleigh Weeden, Communications & Community Engagement,
Connected County Initiative
Geoff Hogan, Director of Information Technology
Meeting Date: April 14, 2015
Subject: **Grey County Open Data Licence**
Status: Recommendation adopted by Committee as presented per Resolution
CS50-15; Endorsed by County Council May 5, 2015 per Resolution
CC71-15;

Recommendation(s)

WHEREAS Grey County resolved to pursue Open Data and Open Government initiatives as part of the Connected County Initiative;

NOW THEREFORE BE IT RESOLVED THAT Report ITR-CS-05-15 regarding Grey County's Open Data Licence be received;

AND THAT Grey County adopt the Canadian Open Data Licence, as modified for County use and specified in Report ITR-CS-05-15;

AND THAT County staff develop an Open Data Policy and Open Government framework for Grey County.

Background

Developing an Open Data initiative was proposed and adopted earlier in 2015 as part of the Connected County Work Plan report ([ITR-PCD-01-15 Intelligent County 2015 Work Plan Report](#)).

“Open Data” refers to the free-of-charge release of government-produced and – maintained data via online catalogues to the community and private sector so that data may be analyzed or used by members of the public. Once downloaded, Open Data can be used for any purpose and can be shared with others, either in its original form or in any converted format. Open Data can be freely used, reused and redistributed by anyone – subject only, at most, to the requirement to attribute and share-alike.

Open Data supports greater transparency in government as well as increased citizen engagement, and can support social and commercial value creation. The Open Knowledge Foundation Network explains in greater detail “Why open data?” <https://okfn.org/opendata/#sthash.LPAs5hsk.dpuf>

Ontario’s Information and Privacy Commissioner advocates “that government-held information should be made available to the public, and that any exceptions should be limited and specific.” This short video, produced by the New Brunswick Social Policy Research Network, explains the importance of Open Data: <http://vimeo.com/112115826>

Open Government

Open Government refers to public institutions that freely share information, unlock the power of data in the digital age and actively bring more voices to the decision-making table. If Open Data is the starting point, then Open Government is the end game. By starting with an Open Data Licence and creating an appropriate policy and platform for sharing data, the County can begin to move toward facilitating greater openness in general day-to-day and strategic operations. Open Government fosters a more responsive public service by connecting, empowering and supporting people – elected officials, administrative staff, citizens, businesses and organizations - who want to help transform government through greater openness and transparency.

Open Data in Other Jurisdictions

Open Data policies and licences have already been adopted in many other jurisdictions, including several Ontario municipalities. Toronto, Ottawa, London, Hamilton, Mississauga, Guelph, and the Regions of Waterloo, Peel, and Niagara have all established Open Data websites. Edmonton and Vancouver are collaborating with Toronto and Ottawa to establish common Open Data Standards. Australia, the United States, and the United Kingdom all have national Open Data policies in place. The federal government has worked with provincial governments across the country to create a standardized Canadian licence for Open Data.

Implementing Open Data in Grey County

Grey County’s Open Data initiative will involve releasing specific datasets via an online portal in a machine readable format so that members of the public can access and use that data for their own initiatives (e.g. developing applications).

Key Milestones

1. Adopt [Grey County Open Data Licence](#) (based on the Canadian Open Data Licence)

2. Write and adopt an Open Data Policy and Foundational Principles
3. Decide datasets to release (GIS data to start)
4. Make the data available and discoverable
5. Promote open data and engage stakeholders and the community
6. Continue to identify and release datasets

Open Data Licence

Grey County's Open Data Licence will be included as a Procedure under a package of Information Management policies. Publicly, the licence will appear on the forthcoming Open Data portal on www.grey.ca and will read as follows:

Open Data Licence – Grey County

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 licensed under the Grey County Open Data Licence.”

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

This licence does not grant you any right to use:

- Personal Information (as specified under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 (MFIPPA));
- third party rights the Information Provider is not authorized to license;
- the names, crests, logos, or other official symbols of the Information Provider; and
- Information subject to other intellectual property rights, including patents, trademarks and official marks.

Non-endorsement

This licence does not grant you any right to use the 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 licensed “as is”, and the Information Provider excludes all representations, warranties, obligations, and liabilities, whether express 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 laws of the Province of Ontario and the applicable laws of Canada.

Legal proceedings related to this licence may only be brought in the courts of Ontario or the Federal Court of Canada.

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 County of Grey.
- *"Personal Information"*
means "personal information" as defined in Section 2 (1) of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O., 2001.
- *"You"*
means the natural or legal person, or body of persons corporate or incorporate, acquiring rights under this licence.

Versioning

This is the first version of Grey County's Open Data Licence. Grey County may make changes to the terms of this licence from time to time and issue a new version of the licence. Your use of information covered by this licence will be governed by the terms of the version in force as of the date that you accessed the information.

Financial / Staffing / Legal / Information Technology

Considerations

Adopting an Open Data policy has the potential to alleviate procedural bottle-necks and associated costs by removing many data-based demands from the agreement process by removing the requirement for staff involvement in requests for data and allowing users to self-serve. This will save time for both the IT and Clerks departments as well as providing quicker service to the people and organizations requiring the data.

Grey County's Open Data Licence is based on the Open Government Licence – Canada and the Open Government Licence – Ontario, which were developed through public consultation and a collaborative effort by the provincial and federal government. The only substantive changes in this licence are to replace direct references to the Province of Ontario with Grey County and provisions recognizing the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 (MFIPPA). The licence has been reviewed by the County solicitor.

This licence will be included under a package of Information Management policies and procedures and will appear, to the public, on the forthcoming Open Data portal on www.grey.ca

Link to Strategic Goals / Priorities

4.4 - Embrace and continually invest in technology in order to enhance the operations of all county services as well as the county's overall state of future preparedness.

5.2 - Collaborate with the public, stakeholders, and other governments to improve delivery of county services.

5.3 - Explore innovative ways to more effectively and efficiently deliver services and programs, including consideration of partnerships.

5.4 - Adopt leading practices to strengthen the effectiveness of the county's website in providing information and supporting the county's operational and strategic initiatives.

6 - Foster a culture and structure that facilitate exceptional public service delivery.

Attachments

[ITR-PCD-01-15 Intelligent County 2015 Work Plan Report](#)

Respectfully submitted by,

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Director Signoff: *Geoff Hogan*