City of Winston Salem

Administrative Policy

Section 1: Definitions

a. "Data" means statistical, factual, quantitative, or qualitative information that is maintained or created by or on behalf of a City agency.

b. "Open data" means data that is available online, in an open format, with no legal encumbrances on use or reuse, and is available for all to access and download in full without fees. "Legal encumbrance" includes federal copyright protections and other, non-statutory legal limitations on how or under what conditions a dataset may be used. The definition of a dataset to be "open" will include public safety and data sensitivity consideration.

c. "Open format" means widely accepted, nonproprietary, platform-independent, data formats that enhance automated processing of such data and facilitate analysis and search capabilities, when available.

d. "Dataset" means a named collection of related records, with the collection containing data organized or formatted in a specific or prescribed way, often in tabular form.

e. "Restricted information" means any dataset or portion thereof to which an agency may deny access pursuant to *North Carolina Public Records Law* or any other federal, state, and city law, rule, or regulation.

f. "Publishable data" means data that is not protected or sensitive and that has been prepared for release to the public.

Section 2: Open Data Program

a. The City commits to develop and implement practices that will allow it to:
   1. Proactively release publishable City data, making it freely available in appropriately varied and useful open formats;
   2. Maintain high quality, updated data and documentation (metadata);
   3. Measure the effectiveness of datasets made available through the Open Data Program by connecting open data efforts to the City's strategic priorities;
   4. Minimize limitations on the disclosure of public information while appropriately safeguarding protected and sensitive information;
   5. Support innovative uses of the City's publishable data by agencies, the public, and other partners.
b. The development and implementation of these practices shall be overseen by the Chief

Information Officer.

c. The requirements of this Policy shall apply to any City department, office, administrative unit, commission, board, advisory committee, or other division of City government ("agency"), including the records of third party agency contractors that create or acquire information, records, or data on behalf of a City agency provided that said third party data has been appropriately requested by the City and contains no proprietary information.

d. Funding requests to achieve program goals shall be submitted by the CIO for consideration during the annual budget process.

Section 3: Governance

a. Implementation of the Open Data Program will be overseen by the Chief Information Officer, who will work with the City's departments and agencies to:

1. For each City agency, identify appropriate contact information for a lead open data liaison who will be responsible for managing that agency's participation in the Open Data Program;
2. Oversee the creation of a comprehensive inventory of datasets held by each City agency that is published to the central open data location and is regularly updated;
3. Develop and implement a process for determining the relative level of risk and public benefit associated with restricted information so as to make a determination about how to manage access to this data;
4. Develop and implement a process for prioritizing the release of datasets that takes into account new and existing signals of interest from the public (such as the frequency of public records requests), the City's strategic priorities, existing opportunities for data use in the public interest, and cost;
5. Proactively consult with internal and external stakeholders to identify datasets which have the greatest benefit to residents, businesses, and other identified stakeholders;
6. Establish processes for publishing datasets to the central open data location, including processes for ensuring that datasets are high quality, up-to-date, in use-appropriate formats, and exclude restricted information;
7. Ensure that appropriate metadata is provided for each dataset in order to facilitate its use;
8. Develop and oversee a routinely updated, public timeline for new dataset publication and review; and
9. Ensure that published datasets are available for bulk download.

b. In order to increase and improve use of the City's open data, the Chief Information Officer will actively encourage agency and public participation with regular opportunities for feedback and collaboration.

c. The City will establish an Open Data Governance Committee to oversee the administration of the Open Data Program in Winston-Salem.

Membership. The Committee will include both standing members and rotating department heads who will serve two-year terms.

1. Assistant City Manager, Committee Chair
2. City Manager
3. Chief Information Officer
4. Office of Performance & Accountability Director
5. Marketing & Communications Director
6. City Attorney
7. Budget & Evaluation Director
8. Information Systems Applications & Databases Coordinator
9. Rotating Department Heads (4 for 2 year terms)
   a. Police Chief (2018-2019)
   b. Chief Financial Officer (2018-2019)
   c. Utilities Director (2018-2019)
   d. Department of Transportation Director (2018-2019)

Responsibilities. The Committee will carry out the following responsibilities in the short term for policy development and in the long term for on-going oversight and implementation of the program.

a. Review and maintain policy
b. Promote an open data culture and practices
c. Create inventory template and process
d. Develop strategy to prioritize internal datasets to release
e. Review accessibility of data
f. Review quality of data
g. Develop workflow to review datasets as they are released
h. Develop strategy to identify demand for datasets from external stakeholders
i. Review technology options
j. Implement Open Data Portal
k. Establish policies and guidelines for release of restricted information
l. Automate datasets
m. Develop performance goals to measure the effectiveness of the program
n. Review of data that has been identified for consideration for purging
o. Other responsibilities, to be determined

Meetings. The Committee will meet no less than quarterly.

Tracking Progress. To ensure the effectiveness and value of the City's Open Data Program, the Committee will collect and track the following performance data:

1. Percent of departments that have completed the dataset inventory
2. Percent of departments that have completed publishing plans
3. Percent of inventoried datasets that are published
4. Percent of datasets updated on time per the update schedule
5. Number of visitors to the portal
6. Percent of portal users that are return visitors
7. Number of downloads
8. Number of open data suggestions from portal users
9. Open data presence on social media
10. Number of FOIA/NCPRL requests received by staff and the average time required to respond to each request
11. Number of internal data requests received by staff and the average time required to respond to each request
12. Number of staff hours required to maintain the data portal

Section 4: Central Online Location for Published Data

a. The City will maintain a publicly available location on the City's website where published data will be available for download.
b. Published datasets shall be placed into the public domain.
c. Each published dataset should be associated with a file layout or data dictionary that provides information about field labels and values.
d. The City will specify a recommended data citation form available for viewing on the central online location for published City data to encourage responsible reuse of City data.

Section 5: Data Restrictions

a. Data restrictions apply to all data that the City is restricted from disclosing under state or federal law; and all data that the City is permitted to withhold from disclosure under state or federal law and has elected to withhold from disclosure.

b. Departments disseminating data through an Open Data Portal must ensure that access to restricted data is blocked.

c. Examples of restricted data include:

1. Trade secrets (which may include vendor software, technical specifications or other intellectual property);

2. Proprietary information such as license agreements or fees, copyrights, patents, etc.

3. Personal identifying information as defined by NCGS 132-1.10;

4. Information contained in City or County personnel files as provided by NCGS 160A-168 and 153A-98, except for certain personnel information that is not exempted from being a public record;

5. Information relating to criminal investigations conducted by the City or County and records of criminal intelligence information compiled by the City or County;

6. Billing information of customers compiled and maintained in connection with City-provided utility services;

7. Sensitive security information, as defined by "Protection of Sensitive Security Information" in Title 49, Code of Federal Regulations (CFR) Part 1520, regarding Homeland Security, including but not limited to:

> I. Building plans of City owned buildings or infrastructure;

> II. Local tax records of the City that contain information about a taxpayer's income or receipts;

> III. The security features of the City's electronic data processing systems, information technology systems, telecommunications networks, or electronic security systems as provided by NCGS 132-6.1; and any data collected from a person applying for financial or other types of assistance, including but not limited to their income and bank accounts, etc.

8. The Open Data Governance Committee must also ensure that disseminated data, and all tools used to disseminate it, adhere to all standing City policies and standards, as well as applicable laws.

Section 6: Process for Releasing Datasets

The Open Data Governance Committee has established the following process for releasing datasets through the Open Data Portal for public use:

- The Open Data Governance Committee will create a subcommittee to work with departments on identifying and preparing datasets.
- The Open Data Governance Committee will review the datasets proposed for release to assess their readiness to be published.
- Datasets proposed for release will require final approval from the City Manager and the City Attorney.

Section 7: Process for Purging Datasets

The North Carolina Department of Natural and Cultural Resources provides oversight and guidance to local governments on the retention and disposal of public records. This includes minimum retention periods for specific types and purposes of documents and data, and the process for proper disposal of each. The Open Data Governance Committee will provide the administration of all document and data disposal and has established the following process for purging activities:

- The Open Data Governance Committee will create a subcommittee to review and work with departments that have identified documents and datasets for purging consideration.

- The Open Data Governance Committee will review the recommendations of the subcommittee for the purging of documents and data.
- All proposed purging will require final approval from the Offices of the City Manager and the City Attorney.

Section 8: Open Data Report and Review

a. Within one year of the effective date of this Policy, and annually thereafter, the Open Data Governance Committee will direct a review of the Open Data Program and shall publish an annual Open Data Report. The report shall include an assessment of progress towards achievement of the goals of the City's Open Data Program, an assessment of how the City's open data work has furthered or will further the City's strategic priorities, and a description and publication timeline for datasets envisioned to be published by the City in the following year.