

**EXECUTIVE ORDER NO. 1 -12**

**OPEN DATA AND GOVERNMENT TRANSPARENCY**

**WHEREAS**, the City of Philadelphia is committed to creating a high level of openness and transparency in government; and

**WHEREAS**, the three principles of transparency, participation, and collaboration form the cornerstone of an open government; and

**WHEREAS**, the City's participation as a founding and vital partner in the open data consortium has provided a model for transparency on which the City should continue to build; and

**WHEREAS**, more City data sets should be published and made available via an Open Data Portal which will provide access to information and a mechanism for public feedback and participation; and

**WHEREAS**, the demands of an across-the-board open government framework require the dedication of a new position, of Chief Data Officer, to direct these initiatives; and

**WHEREAS**, social media tools have become a part of everyday life for City employees and City residents, such that social media can be a means of increasing government transparency and civic engagement; and

**WHEREAS**, timetables should be established for development and implementation of an overall Open Government Plan to enhance and develop transparency, public participation, and collaboration in all City activities;

**NOW THEREFORE**, I, Michael A. Nutter, Mayor of the City of Philadelphia, by the authority vested in me by the Philadelphia Home Rule Charter, do hereby order as follows:

**SECTION 1. OPEN DATA WORKING GROUP AND CHIEF DATA OFFICER**

A. As soon as practicable, the Mayor and the Chief Innovation Officer (CIO) will establish an Open Data Working Group to focus on transparency, accountability, participation, and collaboration within City government. The Working Group, which will include senior level representation from program and management offices throughout the City, will assist the CIO in selecting a Chief Data Officer. The Working Group will also provide a forum to develop innovative ideas for promoting open government goals, including collaborations with researchers, the private sector, and the public, and for developing resolutions to issues raised through the public feedback mechanisms of the Open Government Portal.

B. Within 90 days of the Effective Date of this Order, the CIO, with assistance from the Open Data Working Group, shall hire or designate an individual to serve as Chief Data Officer

(CDO). The CDO will lead the Open Data and Transparency initiatives outlined in this Order, including working with City departments and agencies to establish standards for publication of data and the most effective means for making such data available. The CDO will report to the Chief Innovation Officer.

## **SECTION 2. DATA GOVERNANCE ADVISORY BOARD**

Within 120 days from the Effective Date of this Order, the Mayor shall appoint a Data Governance Advisory Board. The Board shall consist of nine members, including the Chief Innovation Officer and the CDO, and shall be chaired by an individual designated by the Mayor. The Open Data Working Group shall solicit nominations for members of the Advisory Board, and shall recommend appointments from the public, private, academic and nonprofit sectors. The Advisory Board shall meet regularly at such times as the Board decides, and its members shall serve at the pleasure of the Mayor.

## **SECTION 3. OPEN GOVERNMENT PLAN**

A. Development of Plan. Within six months of the Effective Date of this Order, the CIO and the CDO, in conjunction with the Advisory Board, shall develop and publish an Open Government Plan. The plan will detail, including specific actions and timelines, the steps that the City will take to incorporate the principles of open government into its daily activities.

B. The Plan shall be formulated with the input of senior policy, legal, and technology leadership in the City; open government experts; and the general public.

C. Components of the Plan shall include:

(1) Transparency: Steps the City will take to conduct its work more openly and publish its information online, including ready public access to ordinances and regulations, policies, legislative records, budget information, crime statistics, public health statistics, and other information. Where possible, publication shall be in an open format, subject to privacy, confidentiality, and security concerns, and to the City's Social Media Use Policy. Additionally, the Plan will identify high value data sets not yet available to the public, and establish a reasonable timeline for their publication online in open formats.

(2) Public Participation: Description of how the City will enhance and expand opportunities for the public to participate throughout each City agency's decision-making process, including instructions for online access to published information and opportunities for comment; methods for identifying stakeholders and other affected parties and encouraging their participation; links to appropriate websites where the public can engage in the City's existing participatory processes; and proposed changes to internal management and administrative policies to increase public participation.

(3) Collaboration: Steps the City will take to enhance and expand cooperation among City departments and agencies, other governmental agencies, private and nonprofit entities, and the public, to fulfill City goals and obligations; including proposals to use

technology platforms and links to appropriate websites to improve, and inform the public about, existing collaboration efforts, and use of innovative methods to obtain ideas from and to increase collaboration with those in the private sector, nonprofit and academic communities.

#### **SECTION 4. OPEN DATA POLICY**

A. Open Government Portal. Within 90 days of the Chief Data Officer's assumption of responsibilities, the Office of Innovation and Technology shall establish a Portal that will serve as the source for Citywide and departmental activities with respect to this open government initiative. The Chief Innovation Officer, in his discretion, may build on previous open data initiatives, or may establish a new portal.

B. Identification of Barriers, Guidance and Revisions. Within 120 days of the Effective Date of this Order, the City Solicitor, in consultation with the Chief Innovation Officer, shall review existing city policies to identify impediments to open government and to the use of new technologies and, where necessary, issue clarifying guidance or propose revisions to such policies, where greater openness can be promoted without damage to the City's legal and financial interests.

C. Department and Agency Open Formats. Each City department and agency shall develop a schedule for making information available to the public and updating it on a regular basis. To the extent practicable and subject to valid restrictions, agencies shall publish information on line (in addition to other planned or mandated publication methods), and in an open format. The open format will provide data in a form that can be retrieved, downloaded, indexed, searched and reused by commonly used web search applications and software. Such information shall, subject to legal and practical restrictions and to the City's Social Media Use Policy, be made available to the public without restrictions that would impede re-use of the information.

D. Open Data Catalog. Within 90 days of the CDO's assumption of duties, each City department and agency shall create a catalog of its public information. The catalog shall be made accessible through the Open Government Portal. The determination of what shall constitute "public information" and "high value data sets" for purposes of this Order, as well as what "high value data sets" should be shared as set forth in paragraph 4.E hereof, shall be made by each department or agency head in consultation with OIT and the Law Department.

E. High Value Data Sets. Within 120 days of the CDO's assumption of duties, each Deputy Mayor shall identify and publish online, in an open format, at least three high-value data sets, not currently available on line or not available in a downloadable format.

F. Public Feedback. The Open Government Portal shall include a mechanism for the public to give feedback on and assess the quality of published information, provide input about what information should be a priority for publication, and provide input on the City's Open Government Plan.

G. Legally Protected Information. Nothing in this Order shall be construed to supersede existing requirements for review and clearance of information exempt from disclosure under the Pennsylvania Right to Know Act and other applicable laws, regulations, or judicial orders.

H. Evaluation. The City's progress toward meeting the open government goals set forth in this Order shall be evaluated six months from the Effective Date of this Order, again one year from the Effective Date, and annually thereafter. The evaluation shall be released on the Open Government Portal, and shall include criteria to be developed by the Advisory Board.

#### **SECTION 5. SOCIAL MEDIA POLICY**

A. The City of Philadelphia's Social Media Use Policy is, by this Order, simultaneously adopted and incorporated herein by reference as if fully stated.

B. Going forward, the Mayor's Director of Communications and Strategic Partnerships and the CIO, or their designees, shall consider any additional issues that arise concerning standards for the acceptable use of social media by City employees, as well as by members of the general public who comment on or otherwise interact with the City through its social media websites, and shall, with the review and approval of the Law Department, make such amendments as may be advisable to the Social Media Use Policy.

#### **SECTION 6. EFFECTIVE DATE**

This Order shall be effective immediately.

Date:

4/26/12

  
MICHAEL A. NUTTER, MAYOR