



TOWN OF HANOVER
550 HANOVER STREET, SUITE 29
HANOVER, MASSACHUSETTS 02339
(781) 826-2261 (781) 826-5010

Board of Selectmen

POLICY # 14-01

OPEN DATA POLICY

PURPOSE:

The purpose of this policy is to ensure that, in an increasingly technological age, the Town of Hanover (the "Town") is committed to providing the public with a high level of transparency, engagement and collaboration in Town government. The Town anticipates that making government data open in easy to find and usable formats will create effective and meaningful opportunities for the Town and members of the public to work collaboratively to generate new ideas to solve complex challenges. An open data initiative will allow a more diverse body of expertise to develop new analyses, insights and findings that will allow the Town to provide more efficient and effective government services. This initiative must be balanced with the Town's obligation to protect private and confidential information and to ensure public safety and security, and the need to conduct Town operations in an efficient and effective manner.

APPLICABILITY: The provisions of this policy apply to all Town employees.

Part 1: Definitions:

- A. "Data" or "Data Sets" shall mean a collection of final versions of relevant statistical facts or data that are:
1. Collected in an alphanumeric form reflected in a list, table, graph, or chart form that can be digitally transmitted or processed; and
 2. Regularly created or maintained by or on behalf of and owned by the Town that records a measurement, transaction, or determination related to the business of the Town.

Data or Data Sets shall not include information provided to the Town by other governmental entities, nor shall it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents. Nothing in this Policy shall be deemed to prohibit the Town from voluntarily disclosing information not otherwise defined in this section as "Data" or "Data Sets," including, when appropriate, narrative in machine readable text, as long as it is not Protected Data.

- B. "Machine Readable" means in a format that is reasonably structured to allow automated processing.
- C. "Massachusetts Public Records Law" shall mean M.G.L. c. 4, § 7(26), M.G.L. c. 66, § 10, and 950 CMR 32.
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- D. "Protected Data" means any Data or Data Set:
1. that is exempt from disclosure pursuant to the Massachusetts Public Records Law; or
 2. that contains a significant amount of Data and the disclosure of such Data would impose an undue financial or administrative burden on the Town; or
 3. that reflects the internal deliberative or administrative process(es) of the Town, including, but not limited to, Data and Data Sets relating to negotiating positions, future procurements or pending or reasonably anticipated legal or administrative proceedings; or
 4. that is subject to privacy laws, student records laws or subject to copyright, patent, trademark or trade secret protection, or to a confidentiality agreement, or that are otherwise protected by law or contract; or
 5. that includes or constitutes proprietary applications, computer code, software, operating systems or similar materials; or
 6. that includes or constitutes employment records, internal employee-related directories or lists, facilities data, information technology, internal service-desk data or any other Data related to the internal administration of the Town; or
 7. which, if disclosed by the Town, might in the Town's discretion, raise privacy, confidentiality or security concerns or jeopardize or have the potential to jeopardize public health, safety or welfare.
- E. The "Open Data Review Committee" refers to a taskforce established by the Town Manager to develop, under the direction of the Town Manager, internal rules and standards for implementation of an open data policy.
1. An Open Data Review Committee will be established by the Town Manager to develop under the direction of the Town Manager internal rules and standards for implementation of an open data policy, including a means by which to determine the Data or Data Sets that are appropriate for public disclosure and a timeline for policy implementation. When reviewing which Data or Data Sets are suitable for release, the Open Data Review Committee shall make determinations about what fields are appropriate for release. The Open Data Review Committee will be comprised of no fewer than five members selected by the Town Manager, including at least one member of the public selected by the Town Manager on an annual basis. The Town Manager will report annually to the Board of Selectmen and the public on the status of the implementation of this Policy in an open format.

Open Data Accessibility

- A. For the purpose of identifying Data or Data Sets for inclusion on the Town's website, the Town may consider whether the information in the Data or Data Set:
1. improves public knowledge of the operations of the Town or furthers the goals of the Town; or
 2. increases Town accountability, efficiency, responsiveness or delivery of services; or
 3. adds to the public knowledge about Hanover, residents of the Town or the Town's economy.
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- B. The Town shall make reasonable efforts to make the Data or Data Sets available in a schedule determined by the Town Manager in consultation with the Open Data Review Committee as established.
- C. Such efforts must be consistent with the rules and standards set forth by the Open Data Review Committee and with applicable laws, including Massachusetts Public Records Law and all applicable privacy and student records laws.
- D. The disclosure of Protected Data shall be prohibited.
- E. Data or Data Sets must be updated in a reasonable manner to preserve the integrity and usefulness of the Data or Data Sets.
- F. Data or Data Sets must be published in a format that is Machine Readable as defined by Section 2.126.020(E) and at a level of granularity accepted by the Open Data Review Committee. The Open Data Review Committee may select which output formats are accepted as Machine Readable.

Public Data Access

- A. The Town shall provide and manage a website to make Relevant Data and Data Sets accessible. The website will include a catalogue of all available Data and Data Sets.
- B. Relevant Data and Data Sets will be accessible to external search capabilities.
- C. Relevant Data or Data Sets will be accessible without the use of a user account or password. Data or Data Sets shall be free of charge.

Procurement

The Town's Chief Procurement Officer/Town Manager will make best efforts to ensure that relevant new software purchased by the Town includes capabilities that allow the Town to comply with this Policy when fiscally and operationally attainable, as determined by the Town Manager. The Chief Procurement Officer/Town Manager shall stipulate in contracts and agreements with external vendors, where appropriate, provisions to ensure that the Town retains ownership of all Town data.

Open Data Legal Policy

- A. Data or Data sets made available on the website are provided for informational purposes only. The Town does not warranty the completeness, accuracy, content or fitness for any particular purpose or use of any Data or Data Set made available on the website, nor are any such warranties to be implied or inferred with respect to the Data or Data Sets furnished therein.
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- B. The Town is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any Data or Data Set, or application utilizing such Data or Data Set, provided by the Town or any third party.
- C. This Policy shall not be construed to create a private right of action to enforce its provisions. Failure to comply with this Policy shall not result in any liability of the Town or its employees.

EFFECTIVE DATE: May 19, 2014

BOARD OF SELECTMEN



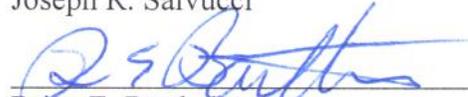
Harold L. Dunn, Chairman



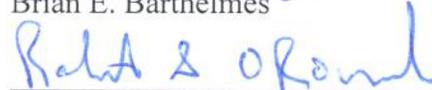
Susan M. Setterland, Vice Chairman



Joseph R. Salvucci



Brian E. Barthelme



Robert S. O'Rourke