



**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

# **OPEN DATA POLICY (POLICY NUMBER 27781)**

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# OPEN DATA POLICY

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## DEFINITIONS AND ABBREVIATIONS

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'Big Data'	means data that is high-volume, high-velocity and/or high-variety information assets;
Chief Data Officer	means the executive management team member who was appointed by Council to be accountable for aligning information technology and business strategies, and planning, resourcing and managing the delivery of information technology services and information as well as for the deployment of associated human resources;
'City'	means the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any structure or employee of the City acting in terms of delegated authority;
City Data	means data generated, collected or curated by the City;
Confidential Data	means data, including personal information which the City is required to protect from unauthorized access due to legal or contractual obligations;
Council	means the Municipal Council of the City;
Data Coordinating Committee (DCC)	means a Committee that was established and approved by the Executive Management Team to provide governance, structure and oversight of the City's data and implementation of the data strategy;
Datasets	means a collection of related sets of information that is composed of separate elements but can be manipulated as a unit by a computer;
Data Steward	means a person designated by City departments to be responsible for managing certain datasets;

IDP	Integrated Development Plan
IKM	Information and Knowledge Management Department
IS&T	Information Systems and Technology Department
Machine Readable	means data published in a standard computer language and structured in such a way that can be understood by a computer;
Open data	means data that can be freely used, shared and built-on by anyone, anywhere, for any purpose;
Open Data Portal ("Portal")	Application on the City of Cape Town website for publication of City data
Open format	means open standards which are publicly and freely available to store and transmit documents, information;
Personal information	means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, as defined in section 1 of the Protection of Personal Information Act, 2013 (Act No.4 of 2013)

## **1. PROBLEM STATEMENT**

- 1.1. The role played by data in the economy and society is changing. The growth of the internet and the rise of big data mean that access to large data sources in a usable form is an increasingly important feature in open and competitive economies.
- 1.2. The City generates a significant amount of data that is useful to citizens. However, this information is often hidden from view in line department archives or is difficult to access. Various data access policies and procedures within the organisation similarly may impede public access to information.
- 1.3. The City has established an online open data portal for information and data generated by the organisation that is free and accessible to members of the public.
- 1.4. The City needs to continue to enhance the Open Data Portal and align open data governance processes and structures to the City's broader data management and data governance processes and structures.

## **2. DESIRED OUTCOMES**

- 2.1. The objective of this policy is to strengthen open data in the City and the dissemination of data through the Open Data Portal as:
  - 2.1.1. Open Data supports the constitutional imperative of Section 32(1)(a) of the Constitution of the Republic of South Africa, 1996 that everyone has the right of access to any information held by the state.
  - 2.1.2. Open data will assist citizen engagement with the City by making it easier for members of the public to access data. Enhancing transparency will empower citizens to hold the City to account.
  - 2.1.3. Making data available to the market can drive the creation of new technologies and services. City data can be used by citizens, business, academia and Non-Governmental Organisations for broader social and economic development.
  - 2.1.4. Making datasets available to academia enables research on urban challenges that has the potential to create public goods and improve services.

- 2.1.5. Open data is by definition also available within the City administration which means that the data now becomes available for integrated planning between departments.
- 2.1.6. The revised policy will align to the City's data strategy and governance structures which will support more and higher-quality data being made available via the Portal. This policy is also intended to reduce requests for standard data sets, as these will be more readily available via the Portal, which will allow for specialized research-related requests to be prioritized.

### **3. STRATEGIC INTENT**

- 3.1. This policy supports the 'Well-run City' pillar of the IDP and specifically objective 5.1: The Transparent Government Programme.
- 3.2. This policy supports the 'Opportunity City' strategic focus area (pillar) of the IDP and specifically the priority "Leveraging Technology for Progress".
- 3.3. This policy supports the Economic Growth Strategy programme on prioritising competitiveness in City business improvement initiatives, specifically where this relates to governance and oversight and improving the competitiveness of the broader economy of Cape Town.
- 3.4. This policy supports the City's Data Strategy's aim of ensuring City data is open by default, subject to restrictions in terms of legislation, agreed security, privacy and confidentiality guidelines which must be set out in a data classification Standard Operating Procedure.
- 3.5. This policy supports the City's Research Framework and Agenda.

### **4. POLICY PARAMETERS**

- 4.1. This policy applies to all line departments in the City.

### **5. ROLE PLAYERS AND STAKEHOLDERS**

- 5.1. In terms of the City's Data Strategy, the Chief Data Officer is responsible for advising the organisation on data governance and data management, using the Data Coordinating Committee (DCC) and other data management forums.
- 5.2. The Chief Data Officer in consultation with the Data Coordinating Committee (as per Clause 7) is responsible for considering and determining the appropriate content categories for the Open Data Portal and for reviewing data requests submitted for publication on the Portal.
- 5.3. In terms of the City's Data Strategy, the Data Coordinating Committee ensures that City data is available.
- 5.4. The primary implementing department will be IKM who will be responsible for establishing and administering the Open Data Portal and data governance.
- 5.5. City departments will via their data stewards, be responsible, in conjunction with IKM, for collating, publishing and updating data to the Portal.
- 5.6. Key stakeholders include, but are not limited to, the following:
  - 5.6.1. The Mayoral Committee Member and Portfolio Committee responsible for oversight of the corporate data management and data governance functions;
  - 5.6.2. The Western Cape Provincial Government and National Government in relation to the sharing of data across spheres of government;
  - 5.6.3. Other public entities, including agencies and Special Purpose Vehicles funded by the City, which can use or contribute content to the Open Data Portal;
  - 5.6.4. Private organisations and citizens; and
  - 5.6.5. Academia and research organisations.

## **6. REGULATORY CONTEXT**

- 6.1. Cognisance of the following national laws should be taken when interpreting and executing this policy:

- a. The Constitution of the Republic of South Africa, 1996;
  - b. Promotion of Access to Information Act, 2000 (Act No.2 of 2000);
  - c. Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000);
  - d. Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998);
  - e. Local Government: Municipal Finance Management Act, 2003, (Act No.56 of 2003);
  - f. Protection of Information Act, 1982 (Act No. 84 of 1982)
  - g. Protection of Personal Information Act, 2013 (Act No. 4 of 2013);
  - h. Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);
  - i. Electronic Communications Act, 2005 (Act No. 36 of 2005);
  - j. National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996);
  - k. Provincial Archives and Records Service of the Western Cape Act, 2005 (Act No. 3 of 2005); and
  - l. Spatial Data Infrastructure Act, 2003 (Act No.54 of 2003)
- 6.2. The European Union General Data Protection Regulation (GDPR) 2016/679 in that, if an organisation outside the EU processes personal information relating to EU citizens, it must comply with GDPR.
- 6.3. The following existing City documents apply to the management of data and information technology, but are not limited to:
- a. Data Strategy;
  - b. Policy on Confidential Meetings of Council and its Committees;
  - c. Internet Usage Policy; and
  - d. Data Classification Rules

## **7. POLICY DIRECTIVES**

### **Open Data Principles**

- 7.1. To meet the obligations of this policy, the City will manage data as a strategic asset in line with the following principles:
- 7.1.1. **Open by default, protected where required**  
Departments will start from a position of data openness, favouring the release of data, unless there is an overriding public interest against disclosure.
- 7.1.2. **Prioritized, discoverable and usable.**



Datasets with significant value – either in a financial, economic, social or other sense - will be prioritized for release, in line with demand from the public, research community and industry, as a result of stakeholder consultation, or where the release of the datasets will contribute to better service delivery.

#### 7.1.3. **Primary and timely**

Data will be released as collected at the source, with a high level of granularity, subject to safeguarding confidential or personal data; however, where necessary, data will be released in an aggregated way (e.g. household-level data may be aggregated to suburb level) in order to protect confidentiality or privacy.

#### 7.1.4. **Well managed, trusted and authoritative**

Users will be alerted to the quality and limitations of the data through appropriate metadata to ensure understanding on the degree to which the data is trustworthy and authoritative. Data governance arrangements will be established and maintained, as directed by the Chief Data Officer.

#### 7.1.5. **Free and easily accessible**

Access to open data will be free by default. The widespread use of data for innovation will be encouraged to achieve the maximum value from the data for the people of Cape Town, and to enhance transparency of government. Making data of all types and scales (not only large scale datasets) open can have public benefits. The City will endeavour to make all open data available in machine-readable formats (e.g. Excel, CSV, .shp, etc.).

When research work is done for the City by consultants or academics, the dataset with quality metadata to an agreed City standard should be a default deliverable, so that this product can, where appropriate be integrated into the Open Data Portal.

#### 7.1.6. **Subject to public input**

The City will engage with and be informed by the community, research sector and industry on the enhancement of the Portal and in deciding what data to prioritise for publication. The City Research Framework will guide engagement with research partners on data needs for research purposes.

#### **Exclusion Criteria**

7.2. The data available on the Portal will exclude the following:

7.2.1. Third-party data which the City does not have permission to disclose;

- 7.2.2. Confidential data;
- 7.2.3. Personal data which can be used to identify individuals will not be open except where this is required by law or where consent to publish the data has been provided;
- 7.2.4. Where there are legislative restrictions on the publication of data, this data will not be considered as open;
- 7.2.5. Data will not be made available where its release poses safety or security risks to City infrastructure or the public;
- 7.2.6. Data will not be made available where the degree of quality or completeness of the data significantly compromises the usefulness or reliability of the data; and
- 7.2.7. Data will not be made available where it poses a significant governance or operational risk to the City.

#### **Approval of Datasets**

- 7.3. The Chief Data Officer, in consultation with the Data Coordinating Committee or a sub-committee thereof, will:
  - 7.3.1. Review data and information requested by the public or submitted by line departments for publication on the Open Data Portal against the exclusion criteria stipulated in Clause 7.1 of this policy, and approve the publication of vetted datasets on the Portal; and
  - 7.3.2. Consider existing data on the Portal against the exclusion criteria stipulated in Clause 7.1 of this policy and review the publication of these datasets if necessary.
- 7.4. Decisions of the Chief Data Officer may be appealed to the City Manager.

#### **Open Data Portal**

- 7.5. The Open Data Portal will allow for:
  - 7.5.1. Users of the Portal to submit requests to the Chief Data Officer for the inclusion of datasets on the Open Data Portal;

- 7.5.2. Searchability of the content; and
- 7.5.3. Users to contribute to or add value to City data, where possible.
- 7.6. The use of the Open Data Portal will be subject to its Terms of Use. The Terms of Use will conform with open data principles.
- 7.7. Access to the Portal will be free of charge and will not require prior registration by users.
- 7.8. The Director: IKM will be responsible for the administration of the Open Data Portal which will include:
  - 7.8.1. Ensuring the smooth day-to-day functioning of the Portal;
  - 7.8.2. Processing data requests received;
  - 7.8.3. Implementing the decisions of the Chief Data Officer;
  - 7.8.4. Conducting site maintenance, monitoring and quality assurance of the site and its content; and
  - 7.8.5. Maintaining an active dataset on the Portal showing the datasets uploaded, data requests received and decisions (including reasons for the decision) on the requested data.
- 7.9. The Director: Information Systems and Technology shall provide information technology maintenance and support to the Portal and the Director: Communications shall be responsible for publishing the Open Data Portal to the City website.

#### **Data Governance**

- 7.10. The IKM Department will establish and maintain a data inventory for the City.
- 7.11. Each City Department will designate data stewards who will be responsible for:
  - Fully defining each dataset with clear and unambiguous metadata;
  - Identifying and addressing data quality issues for relevant datasets;
  - Assisting with assigning data access rights and allowing appropriate access to datasets in a manner consistent with relevant guidelines/policy; and

- Maintaining data documentation relating to business rules and business processes associated with the datasets.

7.12. Data stewards will be responsible, in conjunction with IKM, for collating, publishing and updating approved data to the Portal.

## **8. IMPLEMENTATION**

8.1. This policy will come into immediate effect following approval by Council.

## **9. MONITORING, EVALUATION AND REVIEW**

9.1. The Chief Data Officer and Data Coordinating Committee will play an administrative oversight role in relation to the monitoring and review of the Open Data Policy.

9.2. The Corporate Services Portfolio Committee will play a political oversight role in relation to the monitoring and review of the Open Data Policy.

9.3. Progress towards outcomes will be evidenced by the number of datasets accessible, the frequency of access and demonstrated public use of the data through for example research products, visualization products and applications development.

9.4. This policy shall be reviewed every three years following the approval of the policy or when legislative or organisational changes require it.