The OECD Council adopted on 15 July 2014 the Recommendation on Digital Government Strategies. The Recommendation provides a set of 12 principles structured around 3 pillars. The OECD Secretariat has developed a Digital Government Policy Toolkit to support OECD member countries and non-member adhering countries with the implementation of the Recommendation. This practice was submitted by the government of Canada to be considered as a good practice in the implementation of one or more of the principles contained in the Recommendation.

**Description of the practice:**

**Organisation:** Open Government, Treasury Board of Canada Secretariat

**Name of the practice:** Open Government Licence (Open Data Canada)

**Principles implemented:** Principle 2 – Encourage engagement and participation of public, private and civil society stakeholders in policy making and public sector design and delivery

**Description:**

The Open Government Licence is a licensing agreement that can be used by any public body in Canada, such as provincial, territorial, and municipal governments, that enables the unrestricted reuse of government data and information. The goals of the licence are to:

- Provide the broadest possible use of the licensed material;
- Make it easier to understand by end users and public bodies;
- Make it simple to adopt by other public bodies; and,
- Facilitate broad use of data by ensuring licence terms are compatible across jurisdictions.

The Open Government Licence is designed to provide public bodies across Canada with a consistent means of licensing their information. This consistency reduces barriers to publication, and avoids the cost of each public body developing its own licence. Perhaps most important is wider adoption of the licence will make it simpler for people to combine information from different public bodies because the licence terms will be compatible.
As part of its first Action Plan on Open Government, submitted to the Open Government Partnership in April, 2012, Canada committed to the development of a standardized Open Government Licence. At the same time, a number of Canadian provinces were embarking on similar projects. The federal government and three provinces (Alberta, British Columbia and Ontario) formed a working group to collaboratively develop a pan-Canadian licence that could be used by all levels of government across the country.

The work on the Open Government Licence helped build momentum for a formal pan-Canadian working group that reports to a Joint Council of two federal, provincial, and territorial groups: the Public Service Chief Information Officer Council and the Public Sector Service Delivery Council.

The group, which later became known as Canadian Open Government Working Group, meets monthly to discuss and address common open government issues across Canada.

**Results**

The Open Government Licence was approved and adopted by the federal government and by three provinces already active on open data in June, 2013. The number of adopters continues to grow. Our licence has been recognized as conformant with the high standards of “openness” by the Open Definition Advisory Panel. The effort and results were recognized by very positive media coverage.

Adoption of the Open Government Licence has since expanded, and is currently in use by the Canadian federal government, by five provinces, and more than 20 municipal governments across the country.

**Development**

**Design:** 2012 / April

The process of drafting a pan-Canadian Open Government Licence included a number of key steps, including:

- Engagement and involvement by political leaders, who readily recognized the importance of the work on the Licence and the benefits of multiple levels of government working together;
- Establishing national structures through a cross-Canada working group to exchange information and best practices;
- Working with international partners, such as the US and UK governments, who provided valuable expertise and feedback on efforts; and,
- Public engagement, which resulted in many innovative ideas that made for a better final product.

**Testing:** 2012 / November
Testing of the design of the Open Government Licence was done through consultations with subnational governments, international partners, civil society, the private sector, and the Canadian public.

**Implementation:** 2013 / June

Design of the Open Government Licence was accomplished through a strongly collaborative approach, across multiple jurisdictions. Management of the Open Data Canada working group is a shared responsibility of federal and provincial governments. The collaborative management style used in the development of the licence proved to be highly effective and has carried through into the implementation phase.

**Resources:** Open government subject matter experts from each jurisdiction were assigned to work on the Open Government Licence and to take part in the Open Data Canada Working Group.

**Diffusion and scaling:** Ongoing

Within the federal government, the multi-departmental Open Government Steering Committee (OGSC) was regularly briefed on progress in the design of the Open Government Licence. This Committee was then later used to diffuse information about the completed Licence throughout the federal public service.

The shared governance model created for the drafting of the Licence helped insure all stakeholders were involved in and aware of the Licence and its goals.

Further, public consultations on the text of the Licence not only helped further refine the product, but also helped inform and involve the public of in the process and its goals.

From the start the Open Government Licence was a collaborative, pan-Canadian effort involving multiple levels of government. Currently the Licence has been adopted by the federal government, 5 provinces, and more than 20 municipal governments.

**Partnerships:** Public sector organizations

Design and implementation of the Open Government Licence was done in partnership with Canada’s provincial and territorial governments.

**Lessons learned**

The shared governance approach for creating the Open Government Licence was quite successful and should serve as the model for other pan-Canadian projects, including agreements on open data standards and multi-jurisdictional federated data.

That said, it is important to recognize that when dealing with multiple parties, the timeframe for multi-jurisdictional negotiations can be very elastic. Every organization has its own rhythm, its own tolerance
to risk, and different approval mechanisms. It is important to understand this and factor it into the planning stages.

**Conditions required:**

Political-level understanding and buy-in to the benefits of a common open government licence helps provide necessary momentum.

A shared governance approach is necessary, and desirable, in approaching a multijurisdictional policy such as a common open government licence. This process should be as open as possible, and include public participation, to make for a final product that is effective and seen as legitimate among users.