



Protecting privacy. Promoting transparency.



BUDGET SUBMISSION

Fiscal Years 2019/20 – 2021/22

Presented to:

The Select Standing Committee on Finance and Government Services
Legislative Assembly of British Columbia

November 21, 2018

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OVERVIEW

This is the budget submission of the Office of the Registrar of Lobbyists (ORL) and the Office of the Information and Privacy Commissioner (OIPC) for fiscal years 2019/20 through 2021/22 inclusive. It is the first budget I have had the honour to present as Commissioner, which includes responsibilities as the Registrar of Lobbyists.

This budget submission supports the attached ORL and OIPC Service Plans for the same three-year period. Approximately 81 percent of our budget is spent on OIPC related issues, 11 percent on ORL activities, and 8 percent goes to pay our portion of corporate shared services.

In this budget submission, the Registrar of Lobbyists and the Information and Privacy Commissioner requests, for fiscal year 2019/20, a combined operating budget of \$6,702,000 and, for planning purposes, operating budgets for fiscal years 2020/21 and 2021/22 of \$6,729,000 and \$6,862,000 respectively. The capital budget requested for the same three years is \$249,000, \$224,000 and \$42,000 respectively.

As did my predecessors, I support the idea of attending this Committee on a semi-annual basis to provide a mid-year update on our operations and budget. I find this accountability opportunity helpful in fulfilling the offices' mandates.



MANDATE OF THE OFFICE OF THE REGISTRAR OF LOBBYISTS

The ORL is charged with enforcing the *Lobbyists Registration Act* (LRA) and overseeing the BC Registry of Lobbyists (Registry). The Legislative Assembly passed the LRA in 2001. In 2010, the LRA was amended to enhance lobbying transparency and government accountability. The amendments made registration of lobbyists mandatory, expanded the powers of the Registrar to enforce the LRA, and ushered in a new regime for regulation of lobbying in BC. Simultaneously, my office launched an online Registry, intended to allow BC citizens to see who is lobbying which public officials regarding what issues.

The LRA defines “lobbying” narrowly as communicating, for pay, with a public office holder, in an attempt to influence a number of possible outcomes. It requires individuals, whose communications with public office holders meet the legal definition of lobbying, to register as lobbyists and provide information to the Registrar about those activities. The LRA does not

capture communication between private citizens and government officials regarding matters of personal concern.

The Registrar is responsible for making this information publicly available through the searchable online Registry managed by the ORL. Public access to information about lobbyists and their activities is critically important to ensure transparency in government decision-making.

The Registrar enforces compliance through an interrelated mix of strategies including education, verification of information in registrations, compliance investigations, and levying administrative penalties up to \$25,000.

ORL MAJOR ACCOMPLISHMENTS TO DATE FOR 2018/19

I would like to highlight, to date, the ORL's major accomplishments in 2018/19.

Implementation of government amendments

Government amendments passed in November 2017 to the LRA came into force on May 1, 2018. The amendments introduced a two-year cooling-off period for lobbyists who are former public office holders. Lobbyists to whom the cooling-off period applies can request an exemption from the Registrar; the Registrar has the authority to grant the exemption if the lobbying is determined to be in the public interest.

As Registrar, I have made six exemption decisions to date; exemption decision reports are published on the ORL website.

A perceived error was identified in the legislation while processing an exemption request earlier this year. The definition of "former public office holder" contained a loophole for any individual seeking to lobby who was formerly employed by a current Cabinet minister. Ultimately, I determined the individual was not subject to the two-year cooling-off period, and thereby not required to publicly declare past government connections in the Registry.

On October 29, 2018, the BC Government introduced Bill 54, the Lobbyists Registration Amendment Act, 2018. The bill proposes amendments to the definition of "former public office holder" so that former staff of a current Minister's office are also subject to the two-year prohibition on lobbying. The bill introduced additional reforms discussed in the ORL priorities section below.

Improvements to the registration process

At the end of June 2018, we updated the user interface of the Lobbyists Registry to make it easier to navigate. The changes reduced the steps required to submit a registration from six or seven to four. In addition, new screens allow for faster entries and searches. Updates to the Registry's software also provide a more user-friendly experience.

Public education and outreach

The ORL has provided orientation, awareness, and training for lobbyists and public office holders since 2010. This program was significantly enhanced in 2018 with the implementation of a new public education plan for lobbyists, stakeholders, and the public with the goals of:

1. increasing awareness of the *Lobbyists Registration Act* (LRA) and its provisions; and
2. achieving greater compliance with the LRA.

In the 2017/18 fiscal year, on-time registrations increased from 93% to 95%.

Beginning in March 2018, the ORL developed a social media presence by establishing both a LinkedIn page for lobbyists to connect to and a YouTube channel for viewing educational webinars. The webinars are aimed at providing guidance on registry requirements, searching the registry, and lobbying generally in BC.

The ORL education plan included publishing two editions of our newsletter *Influencing BC* during the 2017/18 fiscal year. In addition, a special edition of the newsletter was published in April 2018 to support compliance with amendments passed by the legislature that introduced the two-year cooling-off period for former public office holders.

The ORL outreach plan involved working with the BC chapter of the Public Affairs Association of Canada (PAAC-BC) to ensure greater understanding of recent legislative changes by the lobbyist community. The President of PAAC-BC authored a guest column in the January 2018 *Influencing BC* newsletter, and the Deputy Registrar gave a presentation to lobbyists at an Industry Forum hosted by PAAC-BC in April 2018.

OFFICE OF THE REGISTRAR OF LOBBYISTS PRIORITIES FOR FISCAL YEAR 2019/2020

The ORL has two key priorities for fiscal year 2019/20.

1. Ensure implementation of reforms to the *Lobbyists Registration Act*

The fundamental purpose of the LRA is to create transparency regarding who is attempting to influence government decision-making. The legislation requires lobbyists to report their professional activities to the public by registering on the publicly-searchable database.

In December 2013, the ORL tabled a special report in the Legislative Assembly with the following recommendations:

1. Require lobbyists and designated filers to identify the public office holders they have *actually* lobbied, instead of those they *expect* to lobby.
2. Remove the requirement for organizations to lobby “at least 100 hours annually” before they are required to register as in-house lobbyists.
3. Require that former public office holders, as defined by the LRA, refrain for a period of 12 months after they leave office from lobbying the agency where they worked during the last 12 months of employment as public officials.
4. Require designated filers to include in their registrations the name and business address of any person or organization, in addition to their client or employer, that controls, directs or funds the lobbying activities or has a direct interest in the outcome of a lobbyist's activities on behalf of a client or employer.
5. Require a mandatory review of the *Lobbyists Registration Act* every five years. There is currently no mandatory review period.

I am pleased that government addressed the third recommendation by passing legislation in November 2017 that amended the LRA to add a two-year prohibition on lobbying for former public office holders from the time they leave office.

I am also pleased that the remaining four recommendations from our report were included in the comprehensive LRA reforms introduced in the Lobbyists Registration Amendment Act, 2018 to the Legislative Assembly in October 2018. The proposed government amendments would bring substantial changes to lobbying in BC as they:

1. introduce a monthly reporting requirement for *actual* lobbying, with monthly returns to include the lobbying target, who participated in the lobbying, and the subject matter of the lobbying;
2. harmonize registration requirements for consultant and in-house lobbyists and remove the 100 hour threshold;
3. broaden the definition of “former public office holder” to include “any individual, other than administrative support staff, formerly employed in a current or former office of a current member of Executive Council”;
4. require greater transparency from lobbyists in relation to who controls, directs, or funds lobbying;
5. institute a 5-year mandatory review of the *Lobbyist Registration Act* by the Legislative Assembly;
6. establish an exception to registration for in-house lobbyists if the organization has fewer than six employees and the organization has lobbied less than 50 hours in the preceding 12 month period;
7. require consultant lobbyists to disclose whether the outcome of lobbying or the success of arranging a meeting is based on contingency fees;
8. require lobbyists to declare if they have an undertaking in place to comply with a relevant code of conduct;
9. require lobbyists to disclose in monthly reports political, sponsorship, and recall contributions to certain individuals, including to a member of the Legislative Assembly, on or after the date the writ was issued for the last provincial election;
10. require lobbyists to disclose any promise or actual gift or other benefit to a public office holder in monthly reports, the name of the public office holder, a description of the gift or benefit, the value of the gift or benefit and the circumstances under which the gift or benefit was given and accepted or promised to be given;
11. grant the Registrar power to impose a prohibition on lobbying;
12. expand the circumstances under which a lobbyist can request the Registrar conduct a reconsideration to include circumstances in which a prohibition is imposed;
13. provide that lobbyists may apply to the Supreme Court for relief from a prohibition on lobbying that has been confirmed or varied under reconsideration by the Registrar; and

14. establish a duty of the Registrar to ensure that information relating to a prohibition is made publicly available, whether imposed by the Registrar or confirmed or varied by a court, when the time limits or decision making related to reconsideration or appeal have been exhausted.

These are extensive and comprehensive changes that, in my opinion, significantly improve the transparency and accountability of lobbying activities in the province, thus enhancing democratic processes in BC.

However, reforms of this magnitude cannot be properly implemented without adequate resources. Additional resources will be necessary for the transition, to:

- Rebuild the Registry, so that, among other things, it can properly manage new registration and monthly reporting requirements while being fully accessible and searchable;
- Execute the design, development, testing, and implementation of changes to the Registry;
- Develop and carry out an education plan for lobbyists and the public; and
- Review and revise ORL policies and processes to account for new oversight responsibilities in a manner that will accommodate necessary increases in compliance reviews and investigations including those concerning monthly reporting requirements, disclosures for political contributions and actual or promised gifts or benefits, and reconsideration and appeal processes.

It is critical for the public interest to get the Registry rebuild right - the legislative amendments, combined with necessary accompanying changes to the Registry, will make lobbying in BC more transparent.

Public access to information about lobbying activities is a hallmark for trust and confidence in government. Resourcing the sound implementation of the Lobbyists Registration Amendment Act, 2018 is necessary for accomplishing the objective of strengthening confidence and trust in the integrity of government decision making.

2. *Strengthen Lobbyists Registration Act awareness and compliance*

The ORL will continue to execute its 2018/19 education and outreach program with the goals of increasing broader awareness of the LRA and supporting greater compliance with the Act. This will include the production of an array of materials including additional webinars with tips for organizations and consultants.

The ORL will focus our 2019/20 and 2020/21 public education plans on proposed amendments to the *Lobbyist Registration Act* should those reforms be passed by the legislature. The ORL would design educational materials that will provide lobbyists with the information necessary to facilitate a smooth transition to using a new registry, and orient lobbyists to new or revised ORL compliance and investigation processes.



MANDATE OF THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

The OIPC is the independent oversight agency responsible for monitoring and enforcing compliance with two statutes, the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Personal Information Protection Act* (PIPA).

Under FIPPA, the OIPC enforces compliance with access and protection of privacy legislation by more than 2,900 public bodies in British Columbia, including ministries, Crown corporations, health authorities, municipalities, self-governing professions, universities, and school districts.

In discharging its mandate, the OIPC investigates and mediates access appeals and privacy complaints; conducts formal hearings; issues binding orders; comments on the access and privacy implications of proposed legislation, programs, policies and technologies; and educates the public about their access and privacy rights and public bodies about their legal obligations.

The work of the OIPC is to ensure that decisions and actions taken by public bodies remain open and accountable, and that public bodies properly control and manage the personal information of citizens they collect in order to deliver public services.

PIPA sets the rules private sector organizations (including businesses, labour organizations, political parties, interest groups, and non-profits) must follow in the collection, use, and disclosure of customer, client, and employee personal information. Similar to our duties under FIPPA, it is the OIPC's responsibility to enforce compliance of PIPA by the estimated one million private sector organizations in British Columbia.

Under PIPA, the OIPC investigates complaints, adjudicates disputes, and educates and informs the public about their consumer and employee privacy rights, and organizations about their privacy responsibilities.

OIPC MAJOR ACCOMPLISHMENTS TO DATE FOR 2018/19

I would like to highlight, to date, the OIPC's major accomplishments in 2018/19.

Addressing the Backlogs at Investigation and Adjudication

The complaint or appeal process begins when a Case Review Officer reviews the matter and determines whether a file will be opened. Once opened, the matter will be assigned to an investigator. This work is generated by citizens, media, or consumers making privacy complaints or requesting reviews of decisions of public bodies or organizations in response to their access requests under FIPPA or PIPA.

An investigator attempts to resolve the matter informally either by working with all parties to achieve consensus about the disposition of a file or by issuing informal findings. It can be long and arduous work bringing parties to a consensus, especially given that often the reason these parties are before us is because their relationship is broken. It is testament to the skill of our investigators that they resolve about 94 percent of all complaints and appeals. Unresolved files proceed to adjudication.

Twelve employees deal with investigations. Each investigator carries a caseload of about 30 files. We have determined through experience that this is the most investigators can manage efficiently. When all investigators are carrying a full caseload, a backlog of files remain unassigned until investigators close one of their existing files.

Adjudication, the next stage of our process, involves a formal written hearing or inquiry involving the parties. Adjudication files are typically based on access requests, as investigators resolve nearly all privacy complaints. Adjudicators hear cases under both FIPPA and PIPA. All parties make formal written submissions, often with the aid of legal counsel, and an adjudicator or the Commissioner deliberates on the submissions and issues a binding decision.

Backlogs of unassigned files are the result of a surge of complaints and appeals since 2012 and the steady increase in the number of complaints and requests for review to our office. During the 2013/14 fiscal year, we experienced an increase in complaints and appeals of 33 percent, which caused a backlog of 300 files that year.

We have since been addressing the backlog statistics by realigning our resources and implementing a *continuous improvement process* to ensure that we are working as efficiently and as effectively as possible. Our new processes commenced October 31, 2015, and we have been very pleased with the results. We have streamlined case file management, implemented new policies for opening and closing files, and created strategies to ensure all complainants and applicants have fair and timely access to our resources.

Continuous improvement processes have helped us to address the backlog since its high-water mark of 300 files in 2013/14. However, the growing demand for our services continues. As a result, the backlog currently stands at 130 files in investigations and 114 files in adjudication.

I have recently realigned resources to these areas and anticipate that the backlogs will be reduced by the end of the fiscal year to 70 files at investigation and under 100 files at adjudication.

Continuous improvement and reallocation of resources help with the backlogs, but we may be nearing the limits of what my office can do to keep pace with growing demands for OIPC services. If demand continues to grow, then that growth will eclipse the rate at which we can address these backlogs and additional resources may be required. We are determining that now and I may be back next year to ask for additional resources.

Major Investigation and Audit Reports

The OIPC continues to produce major investigation and audit reports that promote education and awareness to the public about FIPPA and PIPA.

1. OIPC investigates BC landlords and their compliance with PIPA

In BC's competitive rental market, some landlords ask prospective tenants for sensitive personal information to select the "best" tenant. Following numerous calls to our office from prospective tenants, the OIPC opened an investigation into tenant screening practices. Investigators found that landlords, who are subject to the *Personal Information Protection Act* (PIPA), generally ask for far too much personal information from potential tenants.

Published in March 2018, this investigation report offers 13 recommendations to landlords to improve how they handle tenants' personal information. They include limiting the amount of required personal information on tenant application forms, clearly stating the specific purposes for the collection of personal information from prospective tenants, and only requiring a credit check when a prospective tenant cannot provide sufficient references about previous tenancies or satisfactory employment and income verification.

2. OIPC audit of WorkSafeBC's access to information and privacy practices

In January 2018, the OIPC published an audit of WorkSafeBC's management of access and privacy requests and complaints. Auditors found that while the provincial agency was fulfilling its duty under FIPPA and OIPC guidelines, there was room for improvement.

The OIPC made four recommendations to help WorkSafeBC improve its current practices, including fully documenting all requests for records, and implementing an electronic case management system to manage requests for records and complaints, and associated documentation.

3. Examination of the timeliness of government’s access to information responses

In September 2017, the OIPC released a special report examining the timeliness of government’s performance responding to access to information requests from April 1, 2015 to March 31, 2017. The OIPC is preparing to conduct a similar examination in 2019 of the timeliness of government’s performance responding to access to information requests from April 1, 2017 to March 31, 2018.

This will be the sixth in a series of timeliness assessments that began in 2009.

Other Major Initiatives

The OIPC has published lesson plans and guidance documents that promote education and awareness to the public about FIPPA and PIPA, and participates in a big data project to assist in researching how data analytics can impact personal information management practices.

1. Privacy awareness lesson plans for Grades 6-12

We launched four privacy awareness lesson plans for grades 6-12 in August 2018. The plans are a tool for teachers and were created in collaboration with Canada’s federal, provincial, and territorial privacy protection authorities and MediaSmarts, a Canadian not for profit charitable organization that champions digital and media literacy.

Three of the plans were designed for grade 6 to 9, while the fourth plan targets high school students from grades 9 through 12. The lesson plans address privacy in the context of personal information online, the value and economics of personal information, developing awareness of personal information collection by mobile apps and websites, and the role of privacy commissioners in oversight and enforcement. They incorporate videos, class discussions, and exercises to introduce students to the foundational principles of privacy that can guide decision-making for life.

2. OIPC publishes guidance for business and organizations on complying with both PIPA and the GDPR

PIPA applies to all private sector organizations in British Columbia and sets out how those organizations may collect, use, and disclose personal information. Effective May 25, 2018, some organizations subject to PIPA must also comply with the European Union (EU) General Data Protection Regulation (GDPR). The GDPR applies to organizations that have an established presence in the EU, offer goods and services to individuals in the EU, or monitor the behaviour of individuals in the EU. Organizations that do not comply with the GDPR face significant fines.

This guidance helps organizations in BC determine if they are subject to the GDPR and explains how to comply with both PIPA and the GDPR. It includes a correspondence table for BC

organizations to view the rules in PIPA and the GDPR in key areas such as consent, mandatory breach notification, and monetary penalties.

3. OIPC publishes guidance on protecting personal information for cannabis transactions

On October 17, 2018, cannabis became legal in Canada. PIPA applies to any private organization that collects, uses, and discloses the personal information of individuals in BC. On October 16, 2018, the OIPC published the guidance document *Protecting personal information: Cannabis transactions*.

Cannabis is illegal in most jurisdictions outside of Canada. The personal information of cannabis users is therefore very sensitive. For example, some countries may deny entry to individuals if they know they have purchased cannabis. The guidance document was created to help cannabis retailers and purchasers understand their rights and obligations under PIPA.

4. Big Data Surveillance project partnership continues

In 2018/19, the OIPC continued its partnership in the Big Data Surveillance Project, led by Queens University Surveillance Studies Centre. As a partner in the project, the OIPC provides research direction and feedback, with a focus on how advances in big data analytics and surveillance affect the privacy rights of British Columbians. The OIPC will co-host the project's upcoming research workshop on the use of big data analytics in political campaigns in April 2019.

OIPC PRIORITIES FOR FISCAL YEAR 2019/20

1. More timely service to citizens for complaints, reviews, and adjudications

My priority continues to be improving the timeliness of responding to citizens in the investigation and adjudication functions of my office. As stated previously, as of today, we have 130 investigation files waiting assignment and 114 files moving through the inquiry processes towards adjudication.¹

We continue to address these backlogs within our current resources – by realigning internal resources, reviewing training of new employees, and streamlining case file management and administration processes. In 2018/19 investigations and adjudications teams will complete another phase of continuous improvement initiatives.

¹ For an explanation of these backlogs, see pages 10-11.

The **investigations** statistics are as follows:

Fiscal Year	Number of Files at beginning of year	New Files Received ²	Files closed during year	Number outstanding at Year-end
2014/15 actual	586	1,354	1,311	629
2015/16 actual	629	1,479	1,423	685
2016/17 actual	685	1,509	1,752	442
2017/18 actual	442	1,564	1,390	616
2018/19 est.	616	1,602	1642	576

The statistics dealing with **adjudications**³ are as follows:

Fiscal Year	Number of Files at beginning of year	New Files Received	Files closed during year	Number outstanding at year-end
2014/15 actual	98	86	99	86
2015/16 actual	86	100	115 ⁴	71
2016/17 actual	71	101	80	92
2017/18 actual	92	82	85	89
2018/19 est.	89	120	95	114

We will assess if continuous improvement remains a suitable means of addressing the steady increase in demand from the public for investigations and adjudications from my office at the end of the 2018/19 fiscal year, once the implementation of our current continuous improvement plans for investigations and adjudication is complete and after we assess the impact of resource realignment.

Depending on the result of our efforts, we may request additional resources to augment our investigation/adjudications capacity.

- Increase the implementation of effective Privacy Management Programs in private sector organizations

² Investigation files include requests for review (including deemed refusals), breach notifications, and access and privacy complaints under FIPPA and requests for review, breach notifications, and access and privacy complaints under PIPA.

³ Some adjudication numbers have been updated from previous reports due to the late addition of data and/or data corrections in the OIPC case tracker system for “files closed” in 2015/16 and for “new files received” and “number outstanding at year end” in 2016/17.

⁴ In 2015/16 the adjudication area had a strong year with a fully staffed team of experienced adjudicators. Since then turnover has resulted in a drop in efficiency. We anticipate that, with staffing stability, efficiency levels will return to 2015/16 levels in 2019/20.

My second priority is to strongly encourage and support the implementation of Privacy Management Programs for BC organizations.

Citizens expect proper management of their personal information; anything short of that creates public anxiety. The recent Facebook and Cambridge Analytica data breach has revealed the dramatic impact of derelict personal information management practices, including those that affect the core of our democracy.

There are increased demands for more and better privacy protection all around us. Under new privacy laws in Europe, organizations that do not follow mandatory breach notification requirements can be subject to the greater of administrative fines up to 10 000 000 EUR (about \$15 000 000 CAD) or two percent of total worldwide annual turnover, *even if they operate from outside of Europe*. Closer to home, new federal mandatory breach notification requirements came into effect on November 1, 2018. The demands for privacy law reform continue to grow in BC and it can reasonably be anticipated change is likely to come sooner than later.

BC organizations must be ready to address statutory obligations both here and abroad. BC is a trading province; many of our businesses operate in a global environment where personal information can travel across borders in an instant, whether or not the business has worldwide reach. If we don't keep up with the quickly developing environment, BC businesses will suffer financial and reputational consequences.

Privacy Management Programs are a critical tool for organizations and businesses to implement personal information management practices that are compliant with existing and anticipated law and meet public expectations.

The OIPC plans an ambitious initiative to support private sector organizations to develop Privacy Management Programs. Our tools will show them how to manage personal information and conduct ongoing assessment of changes in the technology and legal environment so that they can respond and keep the personal information of British Columbians secure.

Better support to BC organizations managing personal information will make BC businesses more competitive, and will result in better security of the personal information of British Columbians and of those that use BC businesses.

Depending on the result of our efforts, we may request additional resources to support BC businesses in building privacy management programs.

3. Continuation of funding as APPA Secretariat

In 2016 the OIPC assumed the Secretariat function for the Asia Pacific Privacy Authorities (APPA), the principal forum for privacy and data protection authorities in the Asia Pacific region. There are 20 agencies from 13 countries represented in APPA.

The OIPC is a leading privacy authority in APPA as a result of our work for British Columbians and our role as the Secretariat. The Secretariat role is especially fitting for the OIPC because BC conducts the vast majority of its trading relationships with countries that border the Asia Pacific region. Where trade happens, personal data most often follows.

British Columbians benefits from the OIPC's membership in APPA through the sharing of information between Pacific Rim regulators, which include staying abreast of the latest technology trends, regulatory challenges, and best operational and management practices. BC's participation in APPA also cements critical ties between privacy and data protection authorities that facilitate the cross-border enforcement actions that are an increasing reality in the global economic environment that BC organizations operate in.

The OIPC term as APPA Secretariat can be renewed in 2019. Given the benefits to British Columbians, we plan, and have been encouraged by a number of jurisdictions, to seek a one-time additional three-year term. Our office receives about \$20,000 per year from membership fees to cover part of the cost of being the Secretariat, leaving a shortfall of about \$50,000 in each of the next three fiscal years to cover the costs of performing the Secretariat function. Therefore, I am asking for the Committee's support to continue the work of the Secretariat for the next three years to carry on this vital work.

BUDGET REQUEST FOR FISCAL YEAR 2019/20

The budget for my two offices currently breaks down as follows: 68 percent for salaries and benefits; 6 percent for professional services; 18 percent for fixed costs such as our shared services costs, rent, and utilities; 7 percent for operating expenses like amortization and office expenses; and 1 percent for travel.

We have a staff complement of 38 positions, plus the Commissioner. Consequently, our management discretion to deal with further mandated cost increases has to come primarily from salaries (*e.g.*, not hiring staff) or a reduction in outside professional advice, such as legal advice.

For the forthcoming fiscal year 2019/20, my office is faced with an adjustment to cover government mandated salary increments and adjustments for Schedule A employees (union-

classified) and management employees of \$64,000. In addition, we face increases in our Shared Services costs of \$46,000 plus building occupancy of \$67,000 and other increases of \$11,000.

We have been able to absorb similar cost pressures in the past by exhausting the flexibility in our budget. This is not an approach that I am able to replicate without reducing staffing resources. Therefore, this year I am requesting a funding increase to cover these new and ongoing cost pressures in the amount of \$163,000.

As I noted for the ORL section of this submission, I am also pleased to see that the legislation introduced in October 2018, the Lobbyists Registration Amendment Act, 2018 brings increased transparency to lobbying in BC and addresses the recommendations my office has advocated since 2013. If the legislation passes, I will require future year resources to ensure we can properly support this legislative change. For the fiscal year 2019/20, my office would require \$287,000 for operating costs related to implementation of the new legislation and to ensure implementation is completed and ongoing operations/oversight is supported.

In addition, the amendments would require a significant capital investment of \$200,000 in each of the next 2 fiscal years. This investment is required to rebuild a searchable registry, as the changes in the Lobbyists Registration Amendment Act, 2018 create a significant change in lobbyist reporting requirements. This represents the largest change to the LRA since its inception in 2001, and will require a new registration system.

These additional resources will be dedicated to the transition process that will include:

- rebuilding the lobbyists registry;
- designing and testing of changes to the registry;
- developing educational materials for lobbyists about the new registry requirements and for the public on information available via the registry; and
- reviewing and developing ORL processes to include new areas introduced by the Lobbyists Registration Amendment Act, 2018 so that we are implementation-ready.

The combined operating budget request is for a net increase of \$450,000, for a total budget request of \$6,702,000. This represents a total operating budget increase of just under 7 percent compared to the current fiscal year.

In addition to the above-mentioned capital request, \$49,000 in capital funds are requested for the 2019/20 fiscal year, primarily to support IT resources within our office as well as the shared infrastructure shared with the other three offices in the corporate shared services model.

In order of priority, for my operating budget, I ask consideration of the Committee for:

1. funding to cover mandated increases in salary, benefits, IT, building, and other costs netting at \$163,000; and

2. if the Lobbyists Registration Amendment Act, 2018 passes, funding to cover the implementation of the legislative amendments to the LRA in the amount of \$287,000 for 2.0 FTEs to ensure successful implementation of the many changes, and ongoing operations/oversight is successfully supported.

For 2019/20, this request represents a total operating budget of \$6,702,000 and a total capital budget of \$249,000.

Thank you for your attention.

November 14, 2018

ORIGINAL SIGNED BY

Michael McEvoy
Information and Privacy Commissioner
for British Columbia
and Registrar of Lobbyists

Information and Privacy Commissioner/Office of the Registrar of Lobbyists

Statement of Operations

Previous and Current Fiscal Years

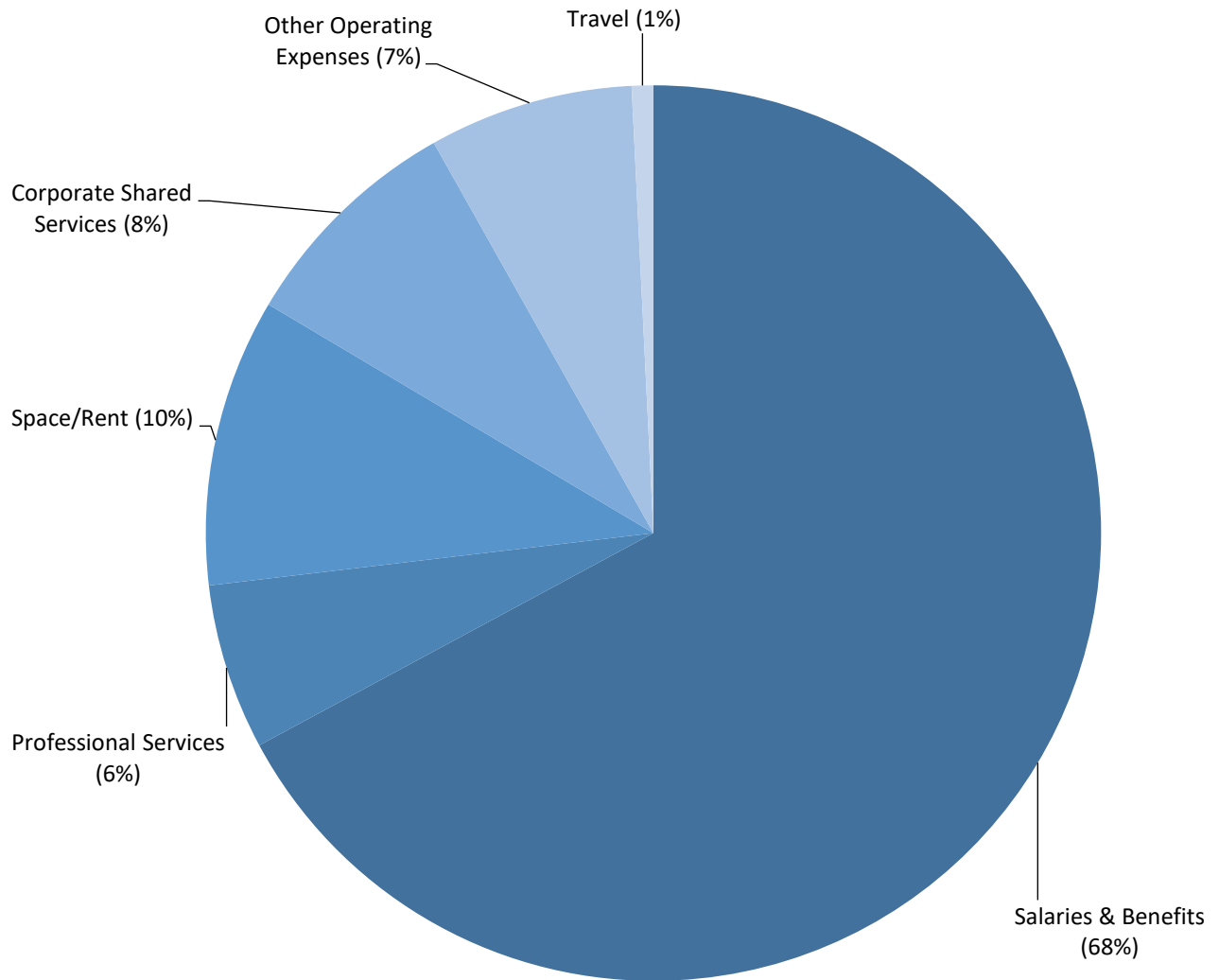
Funding	Fiscal 2017/18 (previous year)		Fiscal 2018/19 (current year)
	Budget	Actual Expenditure	Budget
Voted Appropriation	6,064,000	5,912,196	6,252,000
Total	6,064,000	5,912,196	6,252,000
Expenses			
Salaries	3,237,000	3,187,202	3,368,000
Employee Benefits	814,000	782,771	849,000
Travel	52,000	183,259	52,000
Professional Services	530,000	320,763	535,000
Information Systems	99,000	286,107	100,000
Office and Business Expenses	152,000	199,330	154,000
Informational Advertising & Publications	-	3,033	-
Statutory Advertising & Publications	12,000	14,445	12,000
Utilities, Materials and Supplies	28,000	38,048	30,000
Amortization	39,000	30,556	39,000
Building Occupancy	621,000	615,124	627,000
Shared Cost Agreement	-	8,275	-
Other Expenses	483,000	482,000	489,000
Internal Recoveries	(1,000)	(61,320)	(1,000)
Other Recoveries	(1,000)	-	(1,000)
External Recoveries	(1,000)	(177,397)	(1,000)
Total Expenses	6,064,000	5,912,196	6,252,000
Capital Budget			
Information Systems, Furniture & Equipment	45,000	30,428	45,000
Total Capital	45,000	30,428	45,000

Office of the Information and Privacy Commissioner

Proposed Budget by Standard Object of Expenditure (STOB)

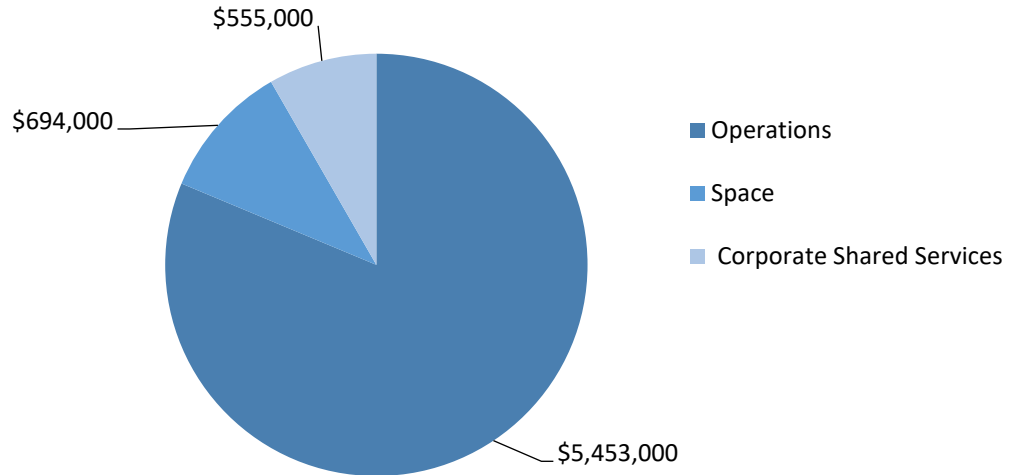
STOB	Expense Type	Fiscal 2018/19 (current) Budget	Fiscal 2019/20 (Proposed) Estimates	Change From Previous Year	Fiscal 2020/21 Planned	Fiscal 2021/22 Planned
50	Salaries	3,070,000	3,276,000	206,000	3,276,000	3,276,000
51	Supplemental Salary	-	-	-	-	-
52	Employee Benefits	849,000	903,000	54,000	903,000	903,000
54	Officer of the Legislature Salary	298,000	304,000	6,000	304,000	304,000
57	Travel	52,000	52,000	-	52,000	52,000
60	Professional Services	535,000	425,000	(110,000)	425,000	425,000
63	Information Systems	100,000	239,000	139,000	239,000	239,000
65	Office and Business Expenses	154,000	173,000	19,000	173,000	173,000
67	Informational Advertising & Publications	-	-	-	-	-
68	Statutory Advertising & Publications	12,000	12,000	-	12,000	12,000
69	Utilities, Materials and Supplies	30,000	33,000	3,000	33,000	33,000
73	Amortization Expense	39,000	39,000	-	39,000	119,000
75	Building Occupancy	627,000	694,000	67,000	713,000	759,000
85	Other Expenses	489,000	555,000	66,000	563,000	570,000
88	Internal Recoveries	(1,000)	(1,000)	-	(1,000)	(1,000)
89	Other Recoveries	(1,000)	(1,000)	-	(1,000)	(1,000)
90	External Recoveries	(1,000)	(1,000)	-	(1,000)	(1,000)
	Total	6,252,000	6,702,000	450,000	6,729,000	6,862,000
Capital Budget						
	Information Systems, Furniture & Equipment	45,000	249,000	204,000	224,000	42,000
	Total	45,000	249,000	204,000	224,000	42,000

Proposed Operating Budget by Expenditure Type

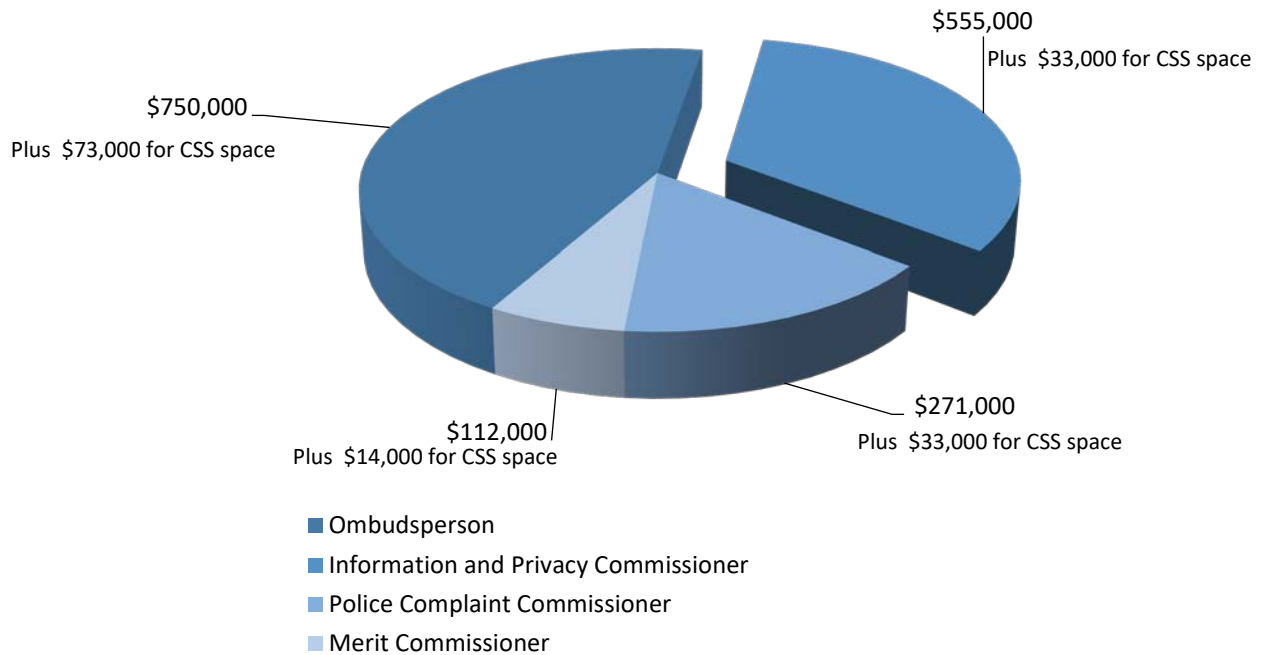


* Other Operating STOBs includes information Systems (63), Office Expenses (65), Reporting (67 and 68), Utilities (69) and Amortization (73) and recoveries (88, 89 and 90)

Operating Budget Request Total: \$6,702,000



Corporate Shared Services 2018/19 Budget All Offices



Office of the Information and Privacy Commissioner and Office of the Registrar of Lobbyists

Proposed Budget by Business Area

	Current Year	Proposed		
Business Area	Fiscal 2018/19	Fiscal 2019/20	Fiscal 2020/21	Fiscal 2021/22

Operating Expenditures (Consolidated Revenue Fund) (\$000)

Core Services:

- Public Sector Information &

Privacy

	3,807	4,061	4,073	4,157
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- Private Sector Privacy

	1,289	1,375	1,380	1,408
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- Lobbyists Registration

	666	711	713	728
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Total Core Services

	5,763	6,147	6,166	6,292
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Corporate Shared Services

	489	555	563	570
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	6,252	6,702	6,729	6,862
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Capital Expenditures (Consolidated Revenue Fund) (\$000)

Info. Systems, furniture &
equipment

	45	249	224	42
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	45	249	224	42
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Protecting privacy. Promoting transparency.



SERVICE PLAN

Fiscal Years 2019/20 – 2021/22

Presented to:

Select Standing Committee on Finance and Government Services
Legislative Assembly of British Columbia

November 21, 2018

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MESSAGE FROM THE REGISTRAR OF LOBBYISTS AND INFORMATION AND PRIVACY COMMISSIONER

This is the first Service Plan I have the honour of presenting to the Legislative Assembly as an Officer of the Legislative Assembly of British Columbia.

The goals in this plan reflect my commitment to serve the people of this province by optimizing outcomes within our available resources. This includes enhancing enforcement functions under the *Lobbyist Registration Act*; ensuring the quality and capacity of the people, systems, processes, and culture in the Office of the Information and Privacy Commissioner; and providing education in the areas of lobbying, access to information, and privacy.

During the 2017/18 fiscal year, the Office of the Registrar of Lobbyists prepared for the introduction of amendments to the *Lobbyist Registration Act*, which came into force on May 1, 2018. The amendments established a two-year cooling-off period from lobbying for former public office holders. They also required technical improvements to the Lobbyists Registry, which I am pleased to say transitioned smoothly. The office continued its education and outreach to lobbyists in 2017/18, including publishing a special edition of our newsletter *Influencing BC* to provide guidance to lobbyists on the new prohibition. The education plan contributed to an improvement in on-time registrations by lobbyists, which now stands at 95%.

Looking ahead, substantial amendments to the *Lobbyist Registration Act*, recently tabled in the Legislature, will require significant changes to the registry. The amendments will improve the transparency of lobbying in BC, increase the number of investigations and compliance reviews undertaken by my office, and expand the powers of the Registrar.

During the 2017/18 fiscal year the Office of the Information and Privacy Commissioner published five audit, special, and investigation reports. These included an audit of the Insurance Corporation of British Columbia's information sharing agreements, a report card on the timeliness of government responses to access to information requests, and an investigation report on landlord screening practices relating to the collection and use of personal information from prospective tenants. The tenant screening report garnered significant attention given the tight rental market in some regions of the province, and the fact that renters represent 30% of BC households.

Your personal information is your property; it should not be harvested or traded like a commodity without your consent, and even then the law imposes limits. It is important that citizens know they have rights in this burgeoning digital age. This is especially so for young people. In 2017/18, our office collaborated with our Canadian counterparts to develop privacy lesson plans for school teachers. Our goal was to better equip students from grades 6-12 to manage their own personal information in a world of social media, online products and

services, and fast-paced technological change. The lessons were well received when they were published on our website just before the beginning of the school year.

The OIPC also saw a significant increase in overall case files in the 2017/18 year, as shown in Appendix A. We have maintained service levels by continuing to improve our processes and through sound management of resource allocation, including through efficiencies gained from our Corporate Shared Services office.

Access to information, privacy, and transparency are the foundations of our work. The context in which we regulate is in a constant state of flux, from advancements in technology to changes in national and international law. Europe's new General Data Protection Regulation significantly strengthens citizen privacy rights and creates tough penalties for non-compliant businesses, even if they operate outside of Europe. In Canada, mandatory breach notification requirements came into force at a federal level on November 1, 2018. Here in British Columbia, government is conducting public consultations on changes to the public sector privacy legislation, and I look forward to the beginning of similar consultations for BC's private sector legislation.

Most BC organizations covered by the *Personal Information Protection Act*, are small businesses struggling to keep up with technology and regulatory changes. While it has never been easier for these businesses to collect personal information, it is far more challenging to develop proper systems to protect it. Inadequate security measures can instantaneously impact thousands, and sometimes millions, of people. I believe that privacy management programs are the best way to promote protection of personal information because they place responsibility for that protection in the hands of the organization that knows its business best. I want to better support organizations in BC by providing tools to build effective privacy management programs. I want to equip them to deal with the changing environment they operate in, and do it in a way that recognizes the limited resources of small business. This goal is consistent with our office's focus on education and guidance and my strong belief that preventing a problem is always preferable to cleaning up a mess after the fact.

I look forward to continuing to improve our services for the people, organizations, and public bodies of British Columbia and present this Service Plan to you.

November 14, 2018

ORIGINAL SIGNED BY

Michael McEvoy
Information and Privacy Commissioner for British Columbia and
Registrar of Lobbyists for British Columbia

VALUES

We are independent and **impartial** regulators of British Columbia’s access to information, privacy, and lobbying laws.

We use our **expertise** to enforce and advance rights, resolve disputes, and encourage best practices.

We are **dedicated** to protecting privacy and promoting transparency.

We **respect** people, organizations, public bodies, and the law.

We are **innovators** and recognized leaders in the global community.

VISION

A community where lobbying is understood, respected, and transparent.

A community where access to information rights are understood and robustly exercised.

A community where privacy is valued, respected, and upheld in the public and private sectors.

A community where public agencies are open and accountable to the citizenry they serve.

MANDATE

Under the *Lobbyists Registration Act* (LRA), the mandate of the Office of the Registrar of Lobbyists (ORL) is to:

- Promote awareness among lobbyists of registration requirements;
- Promote awareness among the public of the existence of the lobbyists registry;
- Manage registrations submitted to the lobbyists registry; and
- Monitor and enforce compliance with the LRA.

Under the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Personal Information Protection Act* (PIPA), the mandate of the Office of the Information and Privacy Commissioner (OIPC) is to:

- Independently review decisions and practices of public bodies and private sector organizations concerning access to information and protection of privacy;

- Comment on the implications for access to information or protection of privacy of proposed legislative schemes, automated information systems, record linkages, and programs of public bodies and organizations;
- Educate and inform the public about access and privacy rights; and
- Promote research into access and privacy issues.

WHO WE SERVE

Under the LRA, FIPPA and PIPA the offices serve:

- BC lobbyists and public office holders;
- the public;
- organizations and public bodies; and
- The Legislative Assembly of British Columbia.

HOW WE DO OUR WORK

The ORL addresses concerns about the integrity of government decision-making by providing a public record of who is attempting to influence government decisions. The ORL manages compliance through many strategies including incentives, education and outreach to lobbyists and public office holders, verification of registration information, public reporting, compliance reviews, investigations, and administrative penalties under the LRA.

The OIPC mediates and investigates access to information appeals and privacy complaints; conducts audits of private and public bodies that process personal information; delivers public education to public bodies, organizations, and the public; reviews and comments on the privacy or access implications of legislation, programs or systems; conducts formal hearings; and issues binding orders under FIPPA and PIPA.



SERVICE PLAN OF THE OFFICE OF THE REGISTRAR OF LOBBYISTS

The ORL seeks province-wide compliance with the *Lobbyists Registration Act* (LRA) through a series of interrelated compliance strategies.

Our approach is built on guidelines recommended in a report by the Organisation for Economic Co-operation and Development.¹ The ORL's compliance principles are:

- The purpose of the LRA is to enhance transparency in lobbying;
- Lobbying in British Columbia must comply with legislation and regulations;
- Cost-effective, informal and non-punitive forms of resolving minor matters of non-compliance should be used where appropriate;
- Enforcement activities will be carried out in a fair, objective, respectful, and consistent manner;
- Educating the public about the Registry of Lobbyists is critical to achieving the policy objective of transparency; and
- Ongoing dialogue with the stakeholder community – lobbyists, organizations, public office holders, fellow oversight agencies, and the public – is essential to ensuring compliance strategies remain timely, cost-efficient, and effective.

Goals, Strategies, and Performance Measures

This section deals with the office's goals, strategies and associated performance measures.

The 2017/18 performance measures are the results obtained for the fiscal year ending March 31, 2018.

Goal 1—Enhance the enforcement function under the *Lobbyists Registration Act*

Informal resolution of possible non-compliance is desirable, and the ORL will continue to use informal measures whenever they are appropriate and effective.

¹ OECD (2009), *Lobbyists, Governments and Public Trust, Volume 1: Increasing Transparency through Legislation*, OECD Publishing, Paris.

In fiscal 2017/18 the ORL met its target of 95% on-time registrations, largely owing to our education efforts under goal 3 below. As a result we have adjusted the 2018-19 target for on-time registrations to 98%.

The ORL has also added a new performance measure for 2018-19: number of decisions made by the Registrar in response to former public office holders seeking exemption from the two-year lobbying prohibition. In November 2017, the Legislative Assembly of BC amended the LRA by adding a two-year cooling-off period from lobbying by former public office holders. The amendments, which came into effect May 1, 2018, grant the Registrar the authority to exempt a former public office holder from the two-year prohibition if the Registrar determines the intended lobbying is in the “public interest”.

The office conducted significantly more compliance reviews than targeted, as shown in performance measure 2 below. This is because compliance reviews can be triggered by scanning media reports or information received from the public, in addition to information submitted in the Registry. I have increased the target for compliance reviews for 2018-19 from 110 to 130, as the Registry will continue to be in the public eye if the Lobbyists Registration Amendment Act, 2018, introduced to the legislature on October 29, 2018, is passed.

The Lobbyists Registration Amendment Act, 2018 contains comprehensive LRA reforms. I expect the changes would result in an increase in investigations, as the monthly reporting system contains more frequent reporting and therefore more possibility for contraventions. Additionally, the amendments introduce new areas for investigations to occur in the areas of political contributions and gifts, and expanded enforcement powers for the Registrar. These changes would begin once the amendments come into force, which could only happen once the Lobbyists Registry is rebuilt. I estimate an additional 5 investigations per year starting in 2020/21 as indicated in performance measure 3.

My office would also prepare educational materials and resources to assist lobbyists in understanding and complying with those reforms as discussed below under goal 3.

Strategies

- Analyze publicly available information sources to identify government priorities, organization priorities, and possible unregistered lobbying; and
- Conduct compliance reviews to identify potential contraventions that proceed to formal investigation.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
1. Percentage of on-time registrations	95%	95%	98%	98%	98%	98%
2. Number of compliance reviews	110	136	140	140	140	140
3. Number of compliance investigations	10	9	10	10	15	15
4. Number of exemption decisions	0	0	8	8	8	8

Goal 2—Promote improvements to the *Lobbyists Registration Act*

This goal was established in light of feedback from lobbyists and other stakeholders and based on our experience enforcing the LRA since 2010. There are a number of ways to improve the legislation to better meet its primary objectives.

The fundamental purpose of the LRA is to create transparency regarding who is attempting to influence government decision making. However, certain features of the current legislation inadvertently undermine the goal of transparency and create barriers to compliance. To address these issues, in the 2013 report entitled, *Recommendations for Changes to the Lobbyists Registration Act*² my predecessor made five recommendations for reform. The ORL continues to support those recommendations for legislative reform.

Strategies

- Raise awareness of the Registrar’s recommendations for reform among lobbyists and the general public.

There is no performance measure for this goal, as responsibility to amend the LRA rests with the Attorney General and the Legislative Assembly of British Columbia. One of my office’s recommendations was to prohibit former public office holders from lobbying the agency where they worked for a period of 12 months after they leave office. The Legislative Assembly effectively adopted this recommendation when it amended the LRA to include a two-year cooling-off period for former public office holders.

² <https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?ID=449>

Government has addressed the outstanding public policy recommendations in legislation tabled in October 2018, including:

- Removing the requirement for designated filers to list who they “expect to lobby,” and replacing this with the requirement that designated filers register who they have actually lobbied. Lobbyists will be required to update their registrations by the 15th of the month following the month in which any new lobbying activity takes place.
- Removing the requirement for organizations to lobby “at least 100 hours annually” before they are required to register their in-house lobbyists. Giving the Registrar of Lobbyists the authority to grant exemptions from the requirement to register in cases where it would be reasonable to excuse small organizations that do little lobbying.
- Requiring designated filers to include in their registrations the name and business address of any person or organization, other than the client or employer, that, to the designated filer's knowledge after making reasonable inquiries, controls, directs or is a major funding source for the lobbying activities or has a direct interest in the outcome of the activities of each lobbyist named in the return who lobbies on behalf of the client or organization.
- Requiring a mandatory review of the LRA every five years.

Goal 3—Educate lobbyists, public office holders, and the public about the LRA

Our public education and outreach activities have focussed on making lobbyists and public office holders aware of the LRA and the need to register. This has led to a greater awareness of lobbying legislation in British Columbia among lobbyists, public office holders, and the general public. We believe that now it is time to develop specialized public education tailored to the particular needs of different stakeholders.

In 2018/19 the Registrar published a special amendment issue of our newsletter *Influencing BC* to provide guidance on the government amendment mandating the two-year cooling-off period for former public office holders who wish to become lobbyists after leaving the public service. If the BC Legislature passes the amendments introduced on October 29 in the Lobbyist Registration Amendment Act, 2018, *Influencing BC* will continue to feature information about the amendments until the changes come into force.

Strategies

- Develop a comprehensive public education plan for lobbyists, stakeholders, and the public;
- Continue publishing and circulating *Influencing BC*, the ORL's online journal;
- Manage and keep current the Office of the Registrar of Lobbyists website; and
- Continue publishing monthly summaries of registered lobbying activities in the province.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
5. Issues of <i>Influencing BC</i> published	2	2	2	2	3	2
6. Issues of “Who’s Lobbying Who” published	12	12	12	12	12	12



SERVICE PLAN OF THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

Goals, Strategies, and Performance Measures

This section deals with the office’s goals, strategies and associated performance measures.

The 2017/18 performance measures are the results obtained for the fiscal year ending March 31, 2018.

Goal 1—Uphold privacy rights and monitor protection of personal information and data

This goal builds on one of the key priorities identified in our 2017/18 Budget Submission: increase the proportion of public and private sector organizations that have effective privacy management programs in place.

In 2017/18 the actual number of report of audits, special reports, compliance reviews, and systemic investigations published by the Acting Commissioner increased to five from four the previous year. Audit, special, and investigation reports represent Commissioner-initiated audits and investigations into matters of broader public interest. They are an important and effective compliance and education tool for public bodies, organizations, and the people of BC in relation to access and privacy rights and responsibilities under PIPA and FIPPA.

As indicated in performance measure 1 below, I have reduced this target from 10 to six, which I believe to be a more elastic goal based on resources available to the office.

Strategies

- Secure government support for robust privacy rules and guidelines for data linking and information sharing activities of public bodies as a priority initiative;
- Collaborate with government to implement reforms, and educate and train public bodies;
- Promote OIPC’s privacy management guidance documents and develop new resources; and
- Conduct audits to evaluate privacy management programs of public and private sector organizations to ensure their effectiveness.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
1. Number of audits, special reports, compliance reviews and systemic investigations	10	5	6	6	6	6
2. Percentage of audit, compliance review and systemic investigation report recommendations implemented	95%	92%	95%	95%	95%	95%

Goal 2—Promote and advocate for an open, accountable, and transparent public sector

This has been an OIPC goal since the 2014/15 fiscal year. It integrates, among other things, the Commissioner’s mandates to inform the public about relevant legislation, and to comment on the implications for access to information and the protection of privacy of proposed legislative schemes, programs, or activities of public bodies.

Strategies

- Increase the number of public bodies that have implemented effective open information programs through a systematic follow up of our open government report recommendations;
- Promote open information through our education mandate, and by creating scalable guidance documents based on the open government/open information report;
- Provide support to freedom of information experts/leaders in public bodies by holding a symposium on access and privacy;

- Support the development of legislative and policy reform that includes a duty to document and explicit disclosure of categories of records; and
- Improve the quality and timeliness of public bodies’ responses to access to information requests by assessing and reporting on the underlying causes for responses to access requests that are not on time in accordance with the timelines set out by FIPPA.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
3. Average processing days for all ministries (business days)	20	39 ³	20	20	20	20
4. Percentage of access requests processed on time by all ministries	90%	90%	90%	95%	100%	100%

Goal 3—Promote information and privacy rights and obligations to public bodies, organizations, and individuals⁴

Promoting awareness of information rights remains a key goal of our office. The OIPC will continue to support its education mandate through speaking engagements, interviews, training, conferences, and other events.

Speaking engagements are an effective method of outreach to inform public bodies, organizations, and the public about FIPPA and PIPA. As shown in performance measure 5 below, I have adjusted the target to more accurately reflect the office’s available resources for speaking engagements, and have targeted a 25% increase in speaking engagements over what was undertaken in 2017/18.

Strategies

- Meet the growing demand from public bodies and organizations for education and training in FIPPA and PIPA compliance by developing curricula and external resources so that public bodies and organizations can train their own employees;

³ The average processing days for ministries to process freedom of information (FOI) requests is determined by Ministries. As the officer with oversight responsibilities over FIPPA, I plan to continue to publish a report examining government’s responses to FOI requests. These examinations report on government’s average processing days for freedom of information requests and make recommendations for improving the timeliness of responses to FOI requests for the people of BC.

⁴ This goal was formerly titled “Ensure public bodies and private sector organizations understand their responsibilities under the law and individuals understand the value of information and privacy rights.”

- Facilitate public awareness of privacy and access rights by developing and implementing social media strategies for stimulating interest and discussion of individual information rights, and implement them with our other communications strategies; and
- Promote access and privacy issues in the public domain by responding to requests for media interviews and seeking out opportunities for public commentary.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
5. Number of OIPC presentations	80	40	50	50	50	50

Goal 4—Enhance the quality and capacity of the OIPC’s people, systems, processes, and culture

Delivering our mandate efficiently and effectively remains a goal of our office.

Strategies

- Ensure the timely resolution of complaints, reviews, and requests for information by conducting a review of internal processes and standards and developing best practice guidelines;
- Leverage relationships with functional counterparts at other oversight agencies;
- Create opportunities for skills, knowledge, and professional development for OIPC staff; and
- Promote a positive workplace culture, collaboration, and engagement among OIPC staff.

As part of ensuring timely resolution for complaints and reviews, I plan to review the adjudication processes at OIPC with the goal of increasing the average number of orders and other decisions produced per adjudicator per year as indicated in performance measure 9.

There are five adjudicators at OIPC, a number of whom are newly hired. Because of this, and the increasing complexity of orders, the actual number of decisions was below target. The objective of the review is to raise the average number of orders per adjudicator to 20.

Performance Measure	2017/18		2018/19	2019/20	2020/21	2021/22
	Target	Actual	Target	Target	Target	Target
6. Percentage of requests for review settled without inquiry	95%	86%	95%	95%	95%	95%
7. Percentage of review files resolved within 90 business days of assignment	80%	76%	80%	80%	80%	80%
8. Percentage of complaint files resolved within 120 business days	90%	86%	90%	90%	90%	90%
9. Average number of orders and other decisions produced per adjudicator per year	22	13	20	20	20	20

CONCLUSION

It is an honour to serve the people of British Columbia and to lead an immensely talented group of women and men doing work that is critical to the interests of the public, organizations, and public bodies in BC.

I am pleased to submit this Service Plan that represents the goals of the Office of the Information and Privacy Commissioner and the Office of Registrar of Lobbyists over the next three years.

APPENDIX A: CASELOAD STATISTICS FOR THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

File Type Received	2015/16	2016/17	2017/18
Appeals (requests for review)	717	645	666
Complaints	606	698	712
Requests for time extensions	734	1,283	1638
Policy consultations	191	186	206
Review of legislation	43	18	20
Speeches and presentations	49	43	42
Privacy breach reviews	156	166	186
Other ⁵	1,918	1,156	1,544
Total Case Files	4,414	4,195	5,014
Informal requests for information and assistance received	4,249	4,788	4,669

⁵ Other file types include media inquiries, conference attendance, projects, and courtesy copies of letters not requiring a response.