



SELECT STANDING COMMITTEE ON FINANCE AND
GOVERNMENT SERVICES

SEPTEMBER 2023

Budget submission

Fiscal Years 2024/25-2026/27



STATUTORY OFFICE BUDGET SUBMISSION
Select Standing Committee on Finance and Government Services
Office of the Information and Privacy Commissioner

1) Introduction

This submission requests funding for the Office of the Information and Privacy Commissioner (OIPC) for the fiscal year 2024/25 and a supplemental funding request for the 2023/24 fiscal year.

This year marks the OIPC's 30th year of operation having been established in 1993. We provide independent oversight and enforcement of BC's access and privacy laws, including the *Freedom of Information and Protection of Privacy Act* (FIPPA), which applies to over 2,900 public bodies, and the *Personal Information Protection Act* (PIPA), which applies to any private sector organization that collects, uses, and discloses the personal information of individuals. The Information and Privacy Commissioner is also designated the Registrar of Lobbyists under the *Lobbyists Transparency Act* (LTA), with a mandate to maintain the lobbyists' registry, raise awareness and provide oversight over compliance with the LTA. The OIPC has a staff complement of 59.5 FTEs, plus the Commissioner.

Key priorities for the office over the next year include transitioning to the Case Tracker replacement system (for managing case files) and continued leadership role as the Secretariat for Asia Pacific Privacy Authorities (APPA) for two additional years. These priorities support the Commissioner's ongoing priorities to secure government support for legislative and policy reforms that would restore British Columbia as a leader in privacy; timely delivery of OIPC and ORL services; and examining access, privacy, and transparency issues of relevance to the people of BC.

2) Summary of Budget Proposal

This budget request is for \$10,776,000 in operating funding for fiscal 2024/25, \$10,507,000 for fiscal 2025/26 and \$10,457,000 in fiscal 2026/27 and a capital budget request of \$105,000 in 2024/25, \$98,000 in 2025/26 and \$83,000 in 2026/27. A supplemental request of \$402,000 for the 2023/24 fiscal year to cover wage inflation for July increments in 2023 is included in the request.

A significant portion (over 90%) of the new request relates to inflationary costs and are detailed below.

A summary of the new budget requests is provided in the following Table 1. Funding requests already reviewed and approved by the Committee are identified in Table 2.

Table 1: Summary Budget Request – New Funding 2024/25 (in \$000s)

<u>New Funding Requested 2024/25</u>	Operating	Operating % change	Capital
Starting budget with previously approved funding	10,161		63
New - July 1, 2023 wage inflation increase	538	5.29%	-
New - Non wage inflation adjustments - rent/capital	27	0.27%	2
A) Total inflation funding request	10,726	5.56%	65
New key request - Capital contingency for Case Tracker replacement	-	0.00%	40
New Key request - Extension of APPA funding*	50	0.47%	-
B) Total budget including new key requests	10,776	6.03%	105

*see business case

A. Inflation funding request

- **New request (\$538,000) as a result of July 1, 2023 wage inflation** – in Fiscal 2023/24, consistent with public service policies, there was an increment provided to management staff in July 2023 equal to a 7.15% lift. This is required with the increase in staff and wage increases; historically we have been underfunded in this area. As with past budgeting practice, a funding request for this wage inflation was not included in past budget submissions - only known increments are made to this Committee. The financial impact of this incremental request is \$538,000. In addition to an annual increase being requested for fiscal 2024/25, a supplemental request is being made for 2023/24 in the amount of \$402,000 to cover wage inflation starting July 1, 2023, as indicated in the Excel templates submitted as part of this budget package.
- **New request, non-wage inflation adjustments** – this request includes an increase of \$27,000 in the operating portion of the building occupancy costs for inflation and a minor increase of \$2,000 for refreshing old computers.

B. Key Requests

- **Capital contingency for Case Tracker replacement** - this one-time funding request of \$40,000 in capital contingency funding is requested for the 2024/25 fiscal year. While the Case Tracker replacement project is on track to be completed at the end of the current fiscal year, there is no contingency funding to make any system enhancements in fiscal 2024/25. The current go-live date is scheduled for close to the end of the fiscal year; any project delays would put the project into the 2024/25 fiscal year and funding may be needed to complete any enhancement work that is out of scope for the current system build. Every effort will be made to limit any further enhancements or to complete the work in-house before using this restricted funding.
- **Extension of Asia Pacific Privacy Authorities (APPA) Secretariat funding** – The OIPC requests funding to continue in its Secretariat role for APPA for two years, at a cost of \$50,000 per year. See business case attached.

Table 2: Summary Budget Request - Funding Previously Approved (in \$000s)

	<i>Operating</i>	Operating % change	<i>Capital</i>
Base Budget 2023/24	9,272		261
Funding approved in December 2022 for 2024/25	(271)	-2.92%	(214)
Supplemental funding previously approved	1,160	12.51%	16
C) Total previously approved funding	10,161	9.59%	63

C. Previously approved funding

- **Base Funding approved in December 2022 for 2024/25** was for a \$271,000 reduction in operating funding and \$214,000 reduction in capital funding. This is funding presented in the fall of 2022 and was subsequently approved as a reduction of funding with the work on the Case Tracker replacement project substantially completed. This line shows the substantive portion of the reduction is on schedule and does not need to be amended.
- **Supplemental funding approved April 2023** – two supplemental requests were approved early in 2023 for a total of \$1,160,000 in operating and \$16,000 in Capital:
 - In February 2023, the *Freedom of Information and Protection of Privacy Amendment Act, 2021* (Bill 22) created additional work requirements for the OIPC. The supplemental funding request made for this purpose included \$890,000 in operating funding and \$16,000 for capital funding. There is a need to continue this funding into future years as the supplemental funding approved only covered the 2023/24 fiscal year, so it is included in this submission.
 - Subsequent wage inflation – \$270,000 in operating funding for salary increments that were not known at the time the OIPC presentation made in October 2022. This request covered the Management salary increases identified in November of 2022. Supplemental funding was approved in April 2023 for the 2023/24 fiscal year only.

Efficiencies and savings

Efficiencies and savings achieved to date have been in cost avoidance. Examples include:

- **Shift to flexible work** – OIPC has managed cost avoidance by moving to a flexible work environment where most staff can work from home and share in-office workstations. 14.5 new positions were added over the last two years and there has been no corresponding increase in space, saving several hundreds of thousands of dollars.
- **Operational cost efficiencies in Case Tracker replacement system** – OIPC is building operational efficiencies into the Case Tracker replacement system. For example, the new system will auto-calculate the new due date under FIPPA when time extensions are granted to public bodies for access to information requests, and information from webforms will be auto-populated into the new system. These changes will automate processes that have been manual, allowing the OIPC to focus staff time on other priority operations such as early resolution cases to ease backlogs.

- **Shared services model** – OIPC participates in a shared service model where costs for administrative services (Human Resources, Finance, Information Technology and Facilities) are shared between four offices, providing ongoing reductions to the funds dedicated support positions to this office.

Risks

Risks that have been identified related largely the external environment. Examples include:

- **Impacts of Freedom of Information and Protection of Privacy Amendment Act, 2021 (Bill 22)** – in February 2023, new legislation was enacted that established mandatory breach reporting and privacy management programs for public bodies in BC. OIPC is closely monitoring whether the proposed resourcing will be sufficient to cover the additional work.
- **Wage inflation July 2024** – this request does not build any salary increments for staff with management classifications scheduled to be implemented in July of 2024. When this wage inflation is known, a funding request will be made which will likely be a supplemental funding request in the spring of 2024 for the 2024/25 fiscal year and addressed in the Commissioner’s next appearance before the Committee for the subsequent fiscal years.
- **End of lease** – OIPC, with the other offices in the corporate shared services model, is currently in the final two years of our facilities lease and will be working with Real Property Division to secure longer term facilities arrangements. Options are being explored this fall and any potential financial impact will be known later this fiscal year.

3) Key Requests

The two new requests in this proposal are:

- See above – **capital contingency for Case Tracker replacement**: \$40,000 in capital for 2024/25.
- See above – **extension of APPA funding (item 2B above)** - \$50,000 for each of 2024/25 and 2025/26.

4) STOB analysis of Budget Proposal

There are two items with more than a 5% increase:

- Wage inflation – From table 1 in this document the wage inflation request for 2024/25 is 5.29%. This figure is not obvious in the reporting templates completed due to the offset in budget reduction for the Case tracker project (cross reference Table 1: Three Year Budget Plan By STOB).
- Amortization – 27 percent increase in amortization expense as planned to account for the Case Tracker replacement system asset.

See Financial reporting templates and business case for detailed information.

5) STOB Analysis of Previous Year’s Actuals

- STOB 47 – Revenue - Increased revenue \$7,000 - Increase in administrative monetary penalties under the recently updated lobbying legislation. Despite the preferred method of using increased education, there are instances where penalties are necessary. Any funding collected in this manner are returned to the consolidated Revenue fund and not back to this office.
- STOB 50 – 54 – Salaries - Surplus of \$271,000 - related to salary expenditures – Primarily related to recruitment lag, especially as it relates to hiring newly funded adjudicative staff in fiscal 2023. The office also experienced several retirements that compounded this recruitment lag.
- STOB 57 – Travel - Increased travel expenditures of \$49,000 - with reduction of travel restrictions due to the pandemic receding, there has been an increase in travel expenditures to pre-pandemic levels and the resolution and collaboration of efforts on the national and international levels, privacy issues are a common interest to many different authorities and are not constrained by borders.
- STOB 60 – Professional Services - Reduced contract expenditures by \$104,000 - a portion of the legal work required was managed in house with staff resources instead of contractors.
- STOB 63 – Information Systems - Reduced systems expenditures \$84,000 - expenditures relating to the Case Tracker replacement project were deferred into the 2024/25 fiscal year and not spent in 2022/23.
- STOB 65 – Office and Business Expenses - Reduced office and business expenditures \$20,000 - Reduced expenditures as the delay in hiring new staff lead to a reduction in costs, for example training.
- STOB 68 – Statutory advertising and reports - Reduced cost to publish statutory report \$5,000 - Minor reduction in cost to publish the annual report.
- STOB 69 – Utilities, materials and supplies - Minor reduction in cost relating to utilities, materials, and supplies - \$5,000 – reduction in the purchased publications for the office.
- STOB 73 – Amortization - Reduced planned expenditures amortization \$54,000 – with the Case Tracker replacement project being deferred into the 2023/24 fiscal year, there were no amortization expense incurred for this project in 2022/23.
- STOB 90 – Recoveries - Increased recoveries \$41,000 – increased recoveries to pay for costs incurred in support of the APPA secretariat role. See funding request to continue this role in the 2024/25 and the 2025/26 fiscal years in this budget submission.
- Capital Furniture - Capital reduction \$24,000 - No furniture purchases were required of this contingency fund for the 2022/23.
- Capital Information Systems - Capital reduction \$183,000 - Reduced capital expenditures in IT spending on the Case Tracker replacement project as the project was implemented over three years instead of two, and year 3 is the 2023/24 fiscal year.

APPA SECRETARIAT - FUNDING FOR ADDITIONAL TWO YEARS

1.0 PURPOSE OF FUNDING REQUEST

This request to the Select Standing Committee on Finance and Government Services (SSCFGS) is for continuation of the current funding amount of \$50,000 per year for two additional fiscal years, 2024/25 and 2025/26, in support of the OIPC's role as the Secretariat of the Asia Pacific Privacy Authorities (APPA).

2.0 BACKGROUND

Personal data travels across borders as ubiquitously as the air we breathe. It is especially important that those flows of data be trusted because they underpin and are so closely connected to trade and our economy. It is becoming apparent to the public and legislators that creating trust will increasingly require regulatory cooperation across borders. As British Columbia's privacy regulator, the OIPC has been in the forefront of understanding this challenge, recognizing that our Province's key trading partners lie in the Asia Pacific region. For this reason, the OIPC has become a key member of APPA, working to facilitate cross-border enforcement and sharing information and knowledge with 20 authorities from 12 countries across the Asia Pacific Region.

- APPA members share best regulatory practices, evaluate technological developments, and coordinate privacy enforcement actions, among other collaborative efforts.

The OIPC is a leader in the Asia Pacific region serving as APPA's Secretariat since 2016 in addition to chairing its Governance Committee.

- We are grateful that the SSCFGS has supported this work since 2017/18.
- The Secretariat manages APPA's administration, acting as a clearing house for member issues and concerns, as well as collecting and managing the expenses related to members fees. Critically, the OIPC, through both its role as APPA Secretariat and Chair of the APPA Governance Committee, helps guide and organize the agenda for the twice-yearly forums. This involves working closely with host jurisdictions, advising on the forum's agenda, and collating and disseminating all documents related to the forums.
- As the Secretariat, we chair approximately eight APPA Governance Committee meetings per year.

3.0 DISCUSSION

Rationale - Benefits to British Columbians

The OIPC's leading role as Secretariat to APPA and Chair of its Governance Committee yields significant benefits for British Columbians. Our trade often flows in tandem with our citizens' personal information. The enhanced stature of the OIPC in the Asia Pacific because of our Secretariat role in APPA benefits the people of British Columbia in the following ways.

- The most pronounced trading ties of our Province lie within the Asia Pacific Region, making collaboration between the region's privacy regulators essential to protecting the personal information of their citizens.

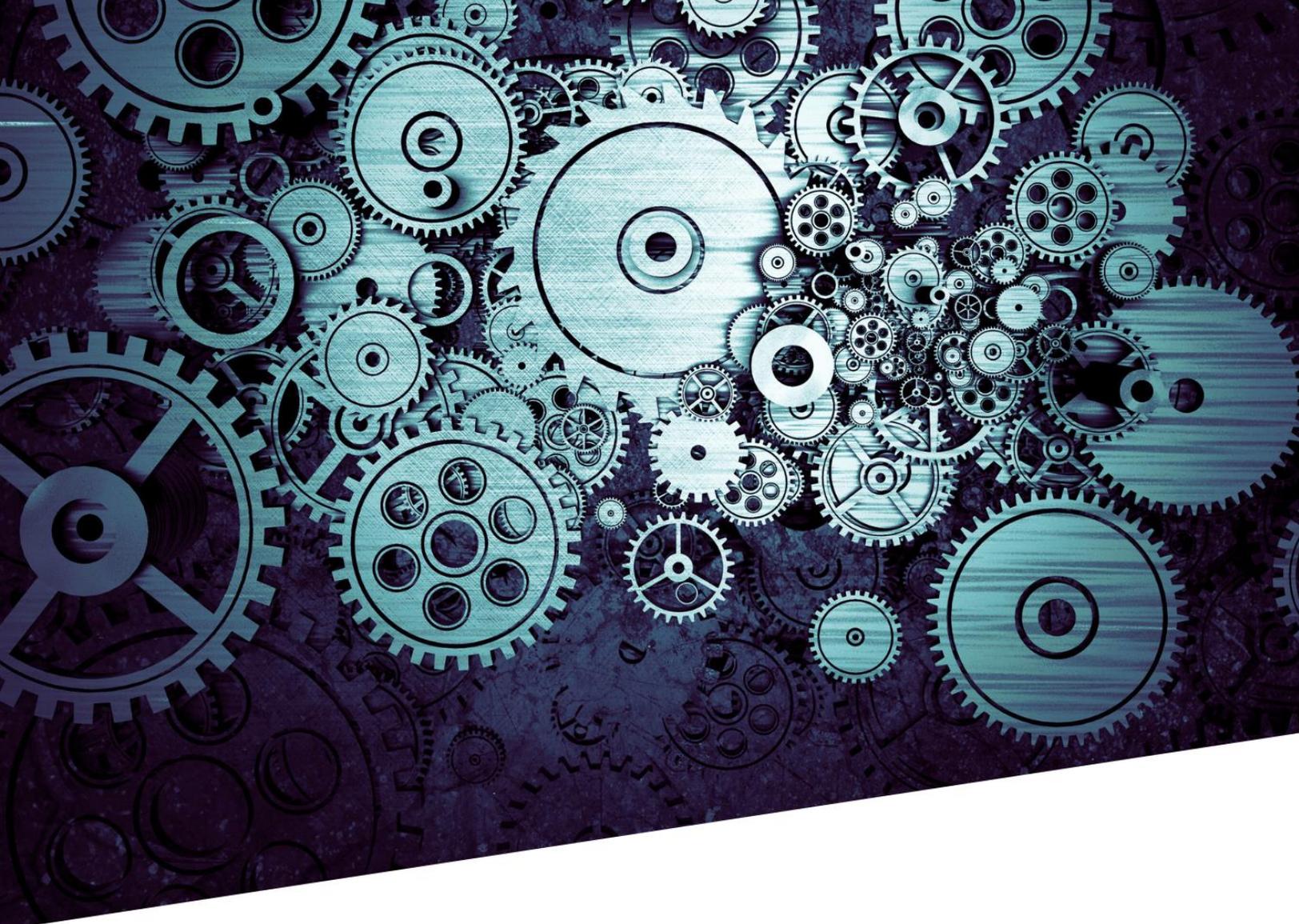
- APPA Forums present an opportunity for data protection authorities to build ties over matters critical to protecting the personal information of British Columbians.
- The Secretariat function gives us greater influence in the forum with respect to setting meeting agendas and conference themes and raising and examining privacy issues of particular interest to British Columbians, such as breach reporting and de-identification of data. It also enables us to showcase BC's laws to the world.
- Interjurisdictional privacy cooperation is increasing in importance internationally. Challenges such as breaches are not restricted to borders and information-sharing is crucial, as is joint regulation, where appropriate.

APPA is currently reassessing its structure, including how and when its members meet and conduct their business and which jurisdiction should be responsible for the Secretariat. Whatever decisions are taken about these issues, it is clear to us that, at the very least, our experience and expertise as APPA Secretariat will be needed for the next two years.

- Given the frequency of meetings and international nature of APPA, two years is the realistic timeline to allow for changes to be made and any organizational transitions to be considered and implemented.
- While the structure is being assessed, it's in the best interests of both APPA and the OIPC that the OIPC remains in the Secretariat role for consistency and continuity purposes.

Impacts should the request not be approved

Support from the SSCFGS is critical to recognizing that personal information flows internationally in data-driven economies. OIPC would need to reassess its role in APPA if this request is not approved.



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SEPTEMBER 2023

Service Plan Fiscal Years 2024/25-2026/27

oipc OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
FOR BRITISH COLUMBIA

O.R.L.
office of the
registrar
of lobbyists
BRITISH COLUMBIA

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Message from the Commissioner & Registrar of Lobbyists

I am honoured to present the 2024/25-26/27 Service Plan for the Office of the Information and Privacy Commissioner (OIPC) and the Office of the Registrar of Lobbyists (ORL) to the Legislative Assembly of British Columbia.

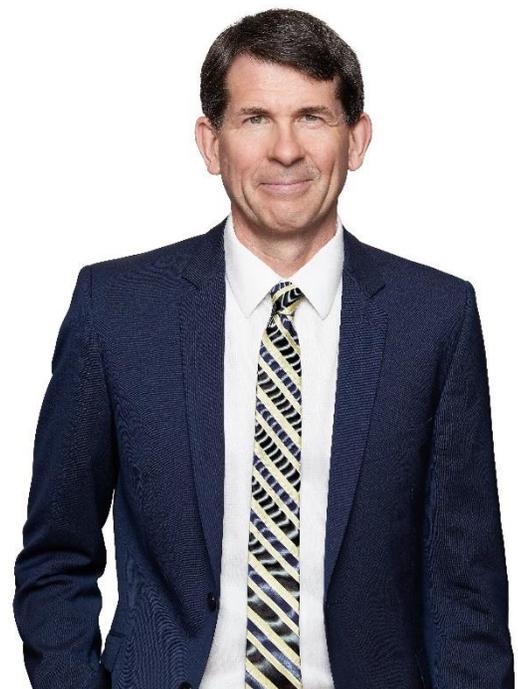
Included in this Service Plan are the goals, strategies, and performance measures for the OIPC and ORL. I also encourage you to read the Annual Reports for both offices for more fulsome information on specific files, statistics, and the work we do.

I look forward to continuing to improve our services to the people of British Columbia, as I respectfully submit this Service Plan to you.

September 29, 2023

ORIGINAL SIGNED BY

Michael McEvoy
Information and Privacy Commissioner
for British Columbia



Background

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 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.

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

Mandate

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.

The Information and Privacy Commissioner is designated the Registrar of Lobbyists for the purposes of the *Lobbyists Transparency Act* (LTA).¹ The mandate of the Office of the Registrar of Lobbyists (ORL)² 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 LTA.

Who we serve

Under FIPPA, PIPA and the LTA, the OIPC and ORL serve:

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

How we do our work

The OIPC provides independent oversight and enforcement of BC's access and privacy laws. 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.

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: education and outreach to lobbyists, the public, and public office holders; verification of registration information; public reporting; compliance reviews; investigations; and administrative penalties under the LTA.

¹ Section 7, [Lobbyists Transparency Act](#), SBC 2001, c 42.

² ORL refers to the Registrar and the Registrar's delegates that work to administer the LTA.

Service Plan



Goals, strategies, and performance measures

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

The 2022/23 performance measures are set out below. They include the target and actual results obtained for the fiscal year ending March 31, 2023. In addition, the summary of OIPC caseload statistics in [Appendix A](#) shows that the demand for OIPC services has generally remained steady in 2022-23, other than a decline in requests for information and a continuing decrease in time extension requests to the Commissioner. Adjustments to performance targets are considered when the OIPC meets or exceeds targets over two consecutive years.

Goal 1

Uphold privacy rights and monitor protection of personal information and data

This goal includes education and consultation support to public and private sector organizations in having effective privacy management programs in place.

Audit, special and investigation reports represent Commissioner-initiated audits and investigations into matters of broad public interest, and they often provide recommendations and guidance relating to privacy management programs. They are a compliance and education tool for public bodies, organizations, and the people of BC in relation to privacy rights and responsibilities under PIPA and FIPPA. Performance measures for these reports and uptake of the corresponding recommendations are under Goal 1 when they relate to privacy, and Goal 2 when they relate to access to information.

Performance Measure 1 shows that the Commissioner published three reports in 2022/23 addressing privacy. [Left untreated: Security gaps in BC's public health database³](#) detailed significant security and privacy vulnerabilities in the Provincial Health Services Authority’s

³ <https://www.oipc.bc.ca/investigation-reports/3736>

(PHSA) Public Health Information System, which put the personal health information of millions of British Columbians at risk. The [Report of Findings: Joint investigation of TDL Group Corp. \(Tim Hortons\)](#)⁴ examined the Tim Hortons app’s continual, vast and unlawful collection of users location data without their knowledge or consent. The [Follow-up review of liquor and cannabis retailers](#)⁵ found that retailers had made significant improvements in their privacy practices one year after an initial review found many in the sector lacked adequate privacy management programs or privacy policies.

The OIPC also published a [Political Campaign Activity Guidance](#)⁶ in 2022/23. The guidance follows the [Political Campaign Activity Code of Practice](#)⁷ developed by the OIPC and Elections BC in consultation with the parties in 2021/22. These documents are animated by the premise that how political parties manage personal information has a direct impact on voter trust in the electoral process and our democratic system.

OIPC Case Review Officers and Investigators handle a large number of privacy complaints from BC citizens. When processing complaints, OIPC staff educate public bodies and organizations as appropriate to promote privacy rights and the protection of the personal information of BC residents.

The strategies outlined below are still relevant to the OIPC responsibility to uphold privacy rights and monitor protection of personal information and data.⁸

Strategies

- Secure government support for legislative and policy reforms that would restore British Columbia as a leader in privacy;
- Work with government to implement reforms, and educate and train public bodies and organizations;
- Promote OIPC’s privacy management guidance documents and develop new resources; and
- Conduct audits and systemic investigations to ensure compliance with FIPPA and PIPA, including examining Privacy Management Programs.

⁴ <https://www.oipc.bc.ca/investigation-reports/3673>

⁵ <https://www.oipc.bc.ca/compliance-reports/3676>

⁶ <https://www.oipc.bc.ca/guidance-documents/3700>

⁷ <https://www.oipc.bc.ca/guidance-documents/3653>

⁸ The first strategy listed has become a priority as a result of both BC privacy law falling behind other jurisdictions in privacy reforms.

Performance Measure	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
1. Number of audits, special reports, compliance reviews and systemic investigations that uphold privacy rights and monitor protection of personal information	3	3	3	3	3	3
2. Percentage of related audit, compliance review and systemic investigation report recommendations implemented	95%	50%	95%	95%	95%	95%

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

This goal integrates the Commissioner’s mandates to inform the public about relevant legislation and to comment on the implications for access to information of proposed legislative schemes, programs, or activities of public bodies.

Audit, special and investigation reports represent Commissioner-initiated audits and investigations into matters of broad public interest. They are a compliance and education tool for public bodies, organizations, and the people of BC in relation to access to information rights and responsibilities under PIPA and FIPPA. Performance measures for these reports and uptake of the corresponding recommendations are under Goal 1 when they relate to privacy, and Goal 2 when they relate to access to information. This year’s target for audit, special or investigation reports on access to information remains the same as last year: two.

The Commissioner published one report in 2022/23 relating to access to information. [Access application fee six-month review⁹](#) examined the impact of government allowing public bodies to charge a \$10 application fee for freedom of requests, raising early concerns about its administration and fairness, as well as examining its impact on FOI request volumes.

OIPC Case Review Officers and Investigators handle voluminous requests for review from BC citizens. When processing requests for reviews, OIPC staff educate public bodies and

⁹ <https://www.oipc.bc.ca/investigation-reports/3744>

organizations as appropriate to promote freedom of information rights and responsibilities and to promote transparency and accountability under FIPPA and PIPA.

The strategies outlined below are those also found in last year’s report and continue to be relevant.

Strategies

- Increase the number of public bodies that have implemented effective open information programs;
- Promote open information through our education mandate, and by creating scalable guidance documents;
- Provide support to freedom of information experts/leaders in public bodies by holding a speaker’s series on access and privacy;
- Secure government support for legislative and policy reforms that would restore British Columbia as a leader in access to information; and
- Monitor and comment on 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	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
3. Number of audits, special reports, compliance reviews and systemic investigations that promote an open, accountable and transparent public sector	2	1	2	2	2	2
4. Percentage of related audit, compliance review and systemic investigation report recommendations implemented	95%	80%	95%	95%	95%	95%

Goal 3

Promote information and privacy rights and obligations to public bodies, organizations, and individuals

Promoting awareness of information rights and privacy 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. Performance Measure 5 shows that the OIPC completed 61 speaking engagements in 2022/23.

In 2022/23, the OIPC developed materials and an education plan relating to the amendments to FIPPA that, as of February 1, 2023, mandate breach notification and privacy management programs for public bodies in BC. Relevant guidance documents were updated including [Privacy breaches: tools and resources for public bodies](#)¹⁰, a [Privacy breach checklist for public bodies](#)¹¹ and [Accountable Privacy Management in BC's Public Sector](#)¹². Breach guidance and tools were updated for the private sector as well including the [Privacy breach checklist for private organizations](#)¹³ and [Privacy breaches: tools and resources for the private sector](#)¹⁴.

The OIPC hosted a virtual Youth Privacy Forum in March 2023 to bring youth into the conversation about privacy and to hear about the issues that impact them most. BC high school students shared their perspectives on privacy and the technologies in their everyday lives and engaged with guest speakers. A summary of the Forum is available in [The digital dilemma: Reflections on the OIPC Youth Forum](#)¹⁵.

The goal of promoting information and privacy rights is mutually reinforcing of OIPC Goals 1 and 2. This goal also includes responding to media enquiries and promoting information and privacy rights through digital media. In 2022/23 the OIPC handled 75 media enquiries and continued to implement a digital media strategy to accompany traditional communication distribution methods, including ensuring materials are available in accessible formats.

The strategies outlined below continue to be relevant and appropriate and have been maintained with those published in last year's Service Plan.

¹⁰ <https://www.oipc.bc.ca/guidance-documents/3750>

¹¹ <https://www.oipc.bc.ca/guidance-documents/3748>

¹² <https://www.oipc.bc.ca/guidance-documents/1545>

¹³ <https://www.oipc.bc.ca/guidance-documents/3749>

¹⁴ <https://www.oipc.bc.ca/guidance-documents/1428>

¹⁵ <https://www.oipc.bc.ca/special-reports/3793>

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;
- 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	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
5. Number of OIPC presentations	50	61	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. This goal is mutually reinforcing of OIPC Goals 1 and 2 as the processing of case files by case review officers, investigators, and adjudicators is directly related to upholding privacy rights and promoting an accountable public sector.

In 2022/23 the OIPC settled 82 percent of review files within 90 business days of assignment. The OIPC also settled 83 percent of requests for review without an inquiry. In 2022/23 the OIPC resolved 86 percent of complaint files within 120 business days.

In the [OIPC Budget Submission: Fiscal Years 2022/23–2024/25](#)¹⁶ the Commissioner requested and received resources to address the demand for adjudications starting in 2022/23. The office

¹⁶ <https://www.oipc.bc.ca/budget-service-plans/3603>

filled several new adjudicator positions in 2022/23. The team published 83 orders in 2022/23, up from 80 the year before, and aims to publish 144 orders in 2023/24.¹⁷

During the 2022-23 fiscal year, the OIPC integrated a number of action items recommended by the office's Reconciliation, Equity, Accessibility, Diversity, Inclusion plus (READI+) team, formerly known as the Diversity and Inclusion Group (DIG). The Commissioner and staff are committed to further developing an inclusive and healthy workplace focused on continuous staff learning and ensuring our services to the public are equitable and accessible for all. In 2022/23 the office engaged in staff-wide learning sessions on topics including: Putting Trauma-Informed Principles into Place; Gender Diversity, Microaggressions, and Intersectionality; Gender Diverse Legal Writing; and Plain Language Writing. Preparations were initiated to meet the requirements under the [Accessible British Columbia Act](#) and to bring interpretation to OIPC/ORL services and make language translations available for the website and website materials.

The four strategies outlined below remain relevant.

Strategies

- Ensure the timely resolution of complaints, reviews, and requests for information through ongoing 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.

¹⁷ For details on how additional FTEs will be applied to address the demands on adjudications, please see pages 11-13 of the OIPC/ORL Budget Submission for Fiscal Years 2022/23—2024/25 <https://www.oipc.bc.ca/budget-service-plans/3603>.

Performance Measure	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
6. Percentage of requests for review settled without inquiry	90%	83%	90%	90%	90%	90%
7. Percentage of request for review files resolved within 90 business days of assignment	85%	82%	85%	85%	85%	85%
8. Percentage of complaint files resolved within 120 business days	90%	86%	90%	90%	90%	90%
9. Number of orders published per year	144	83	144	144	120	120

Service Plan



The ORL engages a series of interrelated strategies to support compliance with British Columbia's *Lobbyists Transparency Act* (LTA). Our approach is built on guidelines recommended in a report by the Organisation for Economic Co-operation and Development.¹⁸ The ORL's compliance principles are:

- The purpose of the LTA 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 Lobbyists Registry 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 2022/23 performance measures are set out below. They include the target and actual results obtained for the fiscal year ending March 31, 2023.

¹⁸ OECD (2009), *Lobbyists, Governments and Public Trust, Volume 1: Increasing Transparency through Legislation*, OECD Publishing, Paris.

Goal 1

Maintain and improve the Lobbyists Registry

Section 7 of the LTA authorizes the Registrar to maintain a registry of lobbying activities in BC. The Lobbyists Registry is published online and is searchable for lobbyists and the public.

The ORL is dedicated to improving the Registry by identifying and implementing updates in an ongoing manner. The aim is to make the Registry more user-friendly for lobbyists and easy for the public to search. A variety of users conduct searches of the Registry, including lobbyists themselves, media, public office holders and their staff, and individuals and organizations that are seeking information about lobbying happening in their sector.

Improvements are identified by ORL staff as the system is administered and by receiving input and comments from lobbyists and the public. Recent enhancements to the Registry include:

- A new feature permitting multiple Lobbying Activity Reports (LARs) simultaneously in a “Bulk Entry” style interface. This entry option saves time in monthly reporting for any lobbyist who has multiple lobbying activities with senior public office holders.
- For government funding:
 - An auto-archive feature for government funding entries over the 12-month threshold when filers update or reactivate their Registration Return. Filers no longer need to manually remove the entries.
 - Separate tables for declaring received and requested government funding.
 - Filers are now able to enter government funding which they may have missed in prior registration submissions.
- The public search function was updated to show the complete government funding history for an organization or client of a consultant lobbyist.

The strategies for this goal are listed below.

Strategies

- Manage and keep current the Lobbyists Registry by identifying and implementing updates and improvements that support users, including simplifying data entry requirements for lobbyists and providing more user-friendly access for the public; and
- Maintain the Registry and its availability to lobbyists and the public every day of the year.

Performance Measure ¹⁹	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
1. Number of improvements to the Lobbyists Registry	n/a	6	5	5	5	5
2. Number of days the Lobbyists Registry is available online to lobbyists and the public	n/a	365	365	365	365	365

Goal 2
 Educate lobbyists, public office holders, and the public about the *Lobbyists Transparency Act*

Section 9.4 of the LTA grants the Registrar the authority to “develop and conduct public education and information designed to promote awareness and understanding of this Act.” ORL staff develop an annual education plan aimed at assisting lobbyists and the public in understanding the registration requirements under the LTA and the information available to the public via the Lobbyists Registry. ORL education and outreach has led to a greater awareness of lobbying legislation in British Columbia among lobbyists, public office holders, and the public.

In 2022/23 the Registrar published an additional third issue of our *Influencing BC* newsletter for a second year in a row, shown in Performance Measure 3. This was to support ongoing education relating to the amendments that came into force on May 4, 2020. *Influencing BC* also continues to feature information about updates to the Registry, enforcement actions and other topics relevant to transparency in lobbying. The regular publication schedule of two issues per year has resumed in 2023/24. *Who’s Lobbying Who*, the ORL publication listing active lobbying in the past month, was published monthly as planned as shown in Performance Measure 4.

In 2022/23 the Registrar also published 12 new or updated guidance documents to ensure that guidance materials are responsive to the questions that are being asked of ORL staff, shown in Performance Measure 5. Guidance topics included [Public Office Holders and the Lobbyists](#)

¹⁹ Two new performance measures were added in 2022/23, on number of improvements to the Lobbyists Registry and number of days the Registry is available online. As they were set mid-year the targets were set for subsequent years only, with the 2022/23 numbers reported on here.

[Transparency Act²⁰](#), [Non-Profit Organizations²¹](#), and [How to Report Government Funding in the Lobbyists Registry²²](#). All guidance documents can be viewed on the ORL [website²³](#).

In 2022/23 the Registrar and ORL staff conducted twelve speaking engagements, higher than targeted in Performance Measure 6, to support ongoing education relating to the amendments that came into force on May 4, 2020.

The strategies for Goal 2 remain relevant and have been maintained.

Strategies

- Develop a comprehensive public education plan for lobbyists, stakeholders, and the public;
- Continue publishing and circulating *Influencing BC* (the ORL’s online newsletter) and monthly summaries of registered lobbying activities in the province;
- Manage and keep current the Office of the Registrar of Lobbyists website; and
- Raise awareness about the LTA among lobbyists, public office holders, and the general public, including speaking engagements and developing guidance documents.

Performance Measure	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
3. Issues of <i>Influencing BC</i> published	2	3	2	2	2	2
4. Issues of “Who’s Lobbying Who” published	12	12	12	12	12	12
5. Number of new or revised guidance documents to raise awareness about the LTA	10	12	10	10	10	10
6. Number of speaking engagements to raise awareness about the LTA	5	12	5	5	5	5

²⁰ <https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?DocumentID=437>

²¹ <https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?DocumentID=397>

²² <https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?DocumentID=405>

²³ <https://www.lobbyistsregistrar.bc.ca/resources/guidance-documents/>

Goal 3

Enhance the enforcement function under the *Lobbyists Transparency Act*

Section 7.1 of the LTA authorizes the Registrar to investigate potential non-compliance under the LTA and s. 7.2 authorizes the Registrar to hold a hearing and issue an administrative penalty in cases where it is determined that there was non-compliance. However, informal resolution of possible non-compliance is desirable, and the ORL will continue to use informal measures whenever they are appropriate and effective.

In fiscal 2022/23 the ORL received 92 percent of registrations on-time as shown in Performance Measure 7, up from 83 percent in 2021/22. ORL staff continue to prioritize education and outreach that supports lobbyists in registering their lobbying activities on-time.

The office conducted 1253 verifications of information in the Lobbyists Registry, just under the target shown in Performance Measure 8. Information verifications have become a primary tool for Registry staff to raise awareness about the obligations of lobbyists relating to the Lobbyists Registry. Verifications can be triggered by a registry officer's review of information submitted in the Lobbyists Registry, by scanning media reports or via information received from the public. Their utility is expected to continue, so performance targets for verifications of information will continue to be 1500 in coming years.

The ORL published three reports of decisions of non-compliance under the LTA in 2022-23 as indicated in Performance Measure 9. The focus of the ORL in 2022/23 continued to be raising awareness about obligations under the LTA and compliance determinations were initiated as appropriate. The number of compliance determinations completed per year has been reduced starting in 2024/25 based on investigations capacity and the focus on education. All reports of non-compliance can be viewed on the ORL [website](#).

In 2022/23 one exemption decision was made by the Registrar in response to a former public office holder seeking an exemption from the two-year lobbying prohibition, shown in Performance Measure 10. Exemption requests may be submitted to the Registrar from any lobbyist that is subject to the two-year cooling-off period for former public office holders. The LTA grants the Registrar the authority to exempt a former public office holder from the two-year prohibition if the Registrar determines it is in the "public interest." All exemption decisions can be viewed on the ORL [website](#).

The strategies continue to be relevant and appropriate and have been maintained from those published in last year's Service Plan.

Strategies

- Analyze publicly available information sources to identify government priorities, organization priorities, and possible unregistered lobbying;
- Conduct verifications of information in the Lobbyists Registry to identify potential contraventions that proceed to formal investigation; and
- Monitor for potential non-compliance and initiate investigations and make compliance determinations as appropriate.

Performance Measure	2022/23		2023/24	2024/25	2025/26	2026/27
	Target	Actual	Target	Target	Target	Target
7. Percentage of on-time registrations	95%	92%	95%	95%	95%	95%
8. Number of verifications of information in registry	1500	1253	1500	1500	1500	1500
9. Number of compliance determinations	15	3	15	10	10	10
10. Number of exemption decisions	2	1	2	2	2	2

Appendix A

Caseload Statistics for the Office of the Information and Privacy Commissioner

File Type Received	2020/21	2021/22	2022/23
Appeals (requests for review)	592	780	737
Complaints	613	868	778
Requests for time extensions ²⁴	5,885	3,260	2,138
Privacy breach reviews	238	174	249
Public interest notifications (s.25)	17	20	9
Policy consultations	380	339	193
Review of legislation	14	22	25
Review and comment on Privacy Impact Assessments (PIAs)	97	76	54
Review and Comment on Police Act IIO Reports	48	50	60
Speeches and presentations	40	45	81
Other ²⁵	666	513	300
Total Case Files	8,590	6,147	4,624
Requests for information ²⁶	5,364	5,340	3,142
Total files²⁷	13,954	11,487	7,765

²⁴ The 2020/21 number includes the 1,856 time extensions taken under the Commissioner's March 18 and April 22, 2020 decisions at the beginning of the COVID pandemic.

²⁵ "Other" includes all file types (received) except those otherwise listed.

²⁶ The 2021/22 and 2022/23 numbers include correspondence received.

²⁷ Some numbers have been updated since the Annual Report was published.