

Minutes of the External Advisory Board
Office of the Information and Privacy Commissioner for B.C.
August 27, 2015

Attendees

- Elizabeth Denham, Information and Privacy Commissioner
- Dr. Colin Bennett, Department of Political Science, University of Victoria
- Heather Black, former Assistant Privacy Commissioner for Canada
- Patrick Egan, Director of Investigations, OIPC
- Jay Fedorak, Deputy Registrar/Assistant Commissioner, OIPC
- Dr. David Flaherty, former BC Information & Privacy Commissioner
- Dr. Ben Goold, Faculty of Law, University of British Columbia
- Drew McArthur, McArthur Consulting Group
- Michael McEvoy, Deputy Commissioner, OIPC
- Cara McGregor, Director of Communications, OIPC

Regrets

- Dr. Peter Chow-White, School of Communication, Simon Fraser University

The Commissioner thanked board members for their advice and support over the past year.

Dyrk Ryneveld has given notice of his intention to resign from the external advisory board. The Commissioner and the Board acknowledged his contributions and thanked him for his support for the duration of his appointment.

Update on OIPC activities

The Commissioner provided an update about the recent work of the Office, including a steady increase in the volume of work. This increase has been persistent over the past several years, representing a new normal in pace and scope of work. The Commissioner expressed concerns that these case volumes are not sustainable over the long term given available resources and current footprint of the Office.

The Commissioner also noted the work is increasing in complexity. There is an increasing need to hire external experts on files such as the Mount Polley investigation, as well as litigation support and outside counsel for several recent high-profile investigations.

The Commissioner provided an overview of the international and collaborative work the B.C. office has been engaged in over the past year, including the December 2014 Asia

Pacific Privacy Authorities (APPA) meeting hosted by B.C., initiatives involving B.C.'s federal, provincial and territorial Commissioners, and the Office's involvement in the Global Privacy Enforcement Network (GPEN).

Deputy Commissioner Michael McEvoy briefed the Board on the law and policy changes resulting from the Commissioner's major investigation reports, including police information checks, status of the archives, the District of Saanich's use of employee monitoring software, Mount Polley/Section 25, and the review of B.C.'s private sector privacy law (PIPA) by a Special Committee of the Legislature.

Director of Communications Cara McGregor provided an overview of major communications work in the past year and recent changes to the OIPC's external communications program. She also discussed the upcoming Privacy and Access 20/20 conference, which will be taking place November 12-13 2015 in Vancouver.

Continuous Improvement Project implementation

Director of Investigations Patrick Egan provided an overview of the office's current backlog and investigator caseload, and outlined the continuous improvement process (CIP) undertaken by the Office from fall 2014 to present. The Office is now entering the implementation stage of the project. The board made several comments and suggestions, including benchmarking and measurement vis-à-vis other jurisdictions and the role of technology in finding efficiencies for CIP.

Budget presentation for Fall 2015

Assistant Commissioner Jay Fedorak led a discussion on the office's current fiscal outlook, including the extraordinary pressures facing this year's budget and projections for the current fiscal year. The EAB provided advice and feedback on possible strategies for the fall presentation to the Finance and Government Services Committee.

Minutes of the External Advisory Board
Office of the Information and Privacy Commissioner for B.C.
August 28, 2015

Attendees

- Elizabeth Denham, Information and Privacy Commissioner
- Dr. Colin Bennett, Department of Political Science, University of Victoria
- Heather Black, former Assistant Privacy Commissioner for Canada
- Patrick Egan, Director of Investigations
- Jay Fedorak, Deputy Registrar/Assistant Commissioner, OIPC
- Dr. David Flaherty, former BC Information & Privacy Commissioner
- Dr. Ben Goold, Faculty of Law, University of British Columbia
- Drew McArthur, McArthur Consulting Group
- Michael McEvoy, Deputy Commissioner, OIPC
- Cara McGregor, Director of Communications, OIPC
- Oline Twiss, Policy Analyst, OIPC

Regrets

- Dr. Peter Chow-White, School of Communication, Simon Fraser University

FIPPA review

A Special Committee of the Legislature has been struck to review the Freedom of Information and Protection of Privacy Act (FIPPA). The Commissioner summarized for the Board her first presentation to the FIPPA Committee in July, 2015. Since then, the OIPC has been working on recommendations for reform, which will be presented to the Committee in a subsequent presentation later this Fall or in the Spring of 2016.

The Board provided advice and comment on several issues related to the FIPPA review including section 30.1 (access and storage of personal information in Canada), enforcement and sanctions, and section 3(1)(e) (exception for teaching materials and research information).

Priorities for 2015-16

The Commissioner invited the Board to make suggestions for priority issues and topics for 2015-16. The Board agreed that a focus on existing case files and reducing the backlog should continue to be a high priority this fiscal year.

Other Business

The board reviewed a summary of local, national and international travel by the Commissioner. The Board felt the Commissioner's travel expenditures were reasonable and encouraged her to continue to invest in outreach and building relationships with other jurisdictions, particularly in the Asia Pacific. The Board suggested, and the Commissioner agreed, to post the travel summary to the website.