

**Office of the Privacy
Commissioner
of Canada**



**Official Languages
Annual Review
2003-2004**

OFFICIAL LANGUAGES ANNUAL REVIEW

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MANDATE AND BUSINESS LINES

The Office of the Privacy Commissioner of Canada (OPC) was created under the *Privacy Act*, which came into force on July 1, 1983. The Commissioner is accountable for, and reports directly to Parliament on, the results achieved with the resources and authorities provided.

The Commissioner is an independent Officer of Parliament and reports directly to the Senate and the House of Commons. She was appointed by the Governor-in-Council for a seven-year term, following approval of her nomination by unanimous resolution of the Senate and the House of Commons.

The Commissioner is an ombudsman with a new mandate to promote and protect respect for privacy rights that form the foundation of the *Personal Information Protection and Electronic Documents Act (PIPEDA)* and the *Privacy Act*. She has the power to investigate complaints from individuals who believe that their rights have been violated under the *Privacy Act*, which covers personal information-handling practices in the federal government, and the *Personal Information Protection and Electronic Documents (PIPEDA) Act*, Canada's new private sector privacy law.

The Commissioner's powers also include the power to conduct audits, publish information about personal information-handling practices in the public and private sectors, and conduct research into privacy issues. She has a mandate under PIPEDA to promote awareness and understanding of privacy issues, to help Canadians understand their rights, and organizations their obligations, under Canada's privacy laws.

LEADERSHIP

The OPC is committed to the principles of Official Languages, that is, to ensure the promotion of both official languages within its institution and to participate in preserving the rich heritage that is Canada's linguistic duality. To this end, the OPC has appointed the Chief Financial Officer as Official Languages Champion for the organization. The OPC also created an Official Languages Consultative Committee which will meet at least twice a year or more frequently, as required. The Committee is composed of employees from the main service areas of the organization and will assist the champion in his role to support and promote Official Languages.

LINGUISTIC CAPACITY OF THE INSTITUTION

The Office of the Privacy Commissioner of Canada is entirely located in the National Capital Region; it has a national mandate and must provide its services to the Canadian population in both official languages.

As of March 31, 2004, the Office has 92 occupied positions of which 68 were designated bilingual. Of the 68 employees occupying bilingual positions, only four employees do not fully meet the linguistic requirements of their positions.

The OPC is committed to ensuring that its senior management team is proficient in both official languages. In the Executive Group, all Executives meet the language profile of their positions, with one exception. In this case, however, the employee presently has a language training plan and is scheduled to begin training in the fall of 2004. In the interim, a bilingual senior employee within the same branch is ensuring that the OPC respects the language obligations of the position in question by handling all bilingual functions of this position until the incumbent becomes fully bilingual.

The three other non-executive employees who do not fully meet the linguistic requirements of their positions are supervisors in the Investigations and Inquiries branch. One has begun training in April 2004, while the two others have a formal training plan in place since the spring of 2004, with the goal to begin language training in the summer of 2004.

The OPC is committed to ensuring that supervision is provided in both official languages and has therefore asked two bilingual senior employees within the same branch to perform the bilingual duties of the positions. These administrative methods help ensure that employees are fully able to exercise their right to work in the official language of their choice, and that the public is served in accordance with existing obligations.

EQUITABLE PARTICIPATION

The OPC provides its services to the Canadian population in both official languages. It therefore works to maintain and attract a workforce that is linguistically representative and non-exclusive to either of the official language communities. In fact, 45% of the OPC work force identified French as its first official language, while 55% identified English as their first official language.

The OPC is committed to providing equal opportunity for hiring and promotions to candidates from both the English speaking and French speaking communities. To this end, competitions are open regionally and nationally with various linguistic profiles depending on operational requirements. In fact, seventy-six per cent of the positions in the OPC are designated bilingual and language training will be taken into consideration in employees' career development as required in the new Official Language policies that came into effect on April 1, 2004.

INFORMATION SYSTEMS

The OPC ensures the accuracy of the information entered into the Position and Classification Information System (PCIS). To this end, the Human Resources Services Branch at the OPC continuously monitors its official language data to detect and prevent inaccuracies. Over the course of the last fiscal year the Human Resources Branch has expended considerable effort to review and update all its position and employee data, including its official language information. As of March 31, 2004 the data entered into the PCIS database was up to date and correct.

SATISFACTION OF THE PUBLIC AND EMPLOYEES

In the 2003-2004 fiscal year, no complaints related to the Office of the Privacy Commissioner of Canada were lodged with the Office of the Commissioner of Official Languages regarding the OPC.

The public can communicate with and receive service from OPC staff in either official language. The official languages symbol continues to be displayed in all reception and service areas, as well as in all conference rooms. OPC employees are reminded of their duty to serve clients in the official language of their choice and are fully informed of the measures to be taken if they are unable to provide such service. All material produced by the OPC is available in hard copy and posted on the OPC's Web site in both official languages. The first point of contact is with a bilingual receptionist. Mailing lists of client institutions are updated on a regular basis and the preferred language of the contact point is verified. External client satisfaction with the availability of our Office's services in both official languages is confirmed periodically with representatives of OPC areas that serve the public.

During the 2003-2004 fiscal year, no employee complaints were lodged regarding their right to work in the official language of their choice. The OPC is planning an employee survey for the winter of 2004-2005 and will include questions on official languages to measure employee satisfaction. For the moment, employees can provide OPC management with comments and suggestions on how to improve languages of work services via suggestion boxes installed on each floor. Furthermore, all information, signs and notices posted and distributed to employees and all staff meetings, are in bilingual format.

MAINTENANCE AND IMPROVEMENT: SERVICE TO THE PUBLIC AND LANGUAGE OF WORK

Service to the Public

The OPC is committed to providing its services to the Canadian public in the official language of choice. The office has a large number of bilingual employees (76%) who can communicate with the public, colleagues and representatives from other government institutions or private sector organizations in the language of their choice.

All employees are reminded by their managers to promote active offer in both official languages. Critical areas of service such as reception and the Inquiries unit will be actively monitored to ensure quality of the service provided. Furthermore, a pilot project will be underway during the 2004-2005 fiscal year to provide automated voice attendant services to callers via a bilingual automated telephone system. In addition the OPC's Web site was recently revamped to comply with Government of Canada's Common Look and Feel policy. This included ensuring that all information offered on the site is available in both official languages.

During the 2003-2004 reporting period, we continue to see an increase in demand for bilingual communications material. The increase is due in large part to the full coming into force of PIPEDA on January 1, 2004. The resulting increase in translation, editing

and writing services is anticipated to continue. To continue to maintain high quality communications services, the OPC Public Education and Communications Branch is planning to increase the number of its bilingual staff over the coming months.

Language of Work

The OPC is committed to a work environment that is conducive to the effective use of both official languages. Managers encourage employees to use the language of their choice in meetings and in the performance of their duties.

Employees can benefit, if needed, from self-learning language material, academic and refresher language courses in accordance with human resources planning requirements and employee aspirations. Employees are requested to indicate the language of choice for every training activity. In-house training is offered in both official languages and delivered by persons who are proficient in the language of instruction. Training material is also available in both official languages.

The Information Technology Management Division ensures that all OPC computer applications and related material are available in both official languages. All commercial software, approved for staff use, is available in the language of choice of the employee. A recent major addition is the Integrated Investigation Application (IIA) used by a majority of employees in their daily work activities. This software is on its way to being fully operational in both official languages.

FOLLOW-UP AND MONITORING

The *2002-2003 Official Languages Annual Review* of the OPC did not highlight any specific areas of concern. However, the OPC was asked to update the official language information it provides to the PCIS database. The information was corrected, updated and transmitted to the database as requested.

Following the results of the telephone audit on the availability of service to the public in both official languages and the active offer of service, steps were taken to remind employees to promote and ensure active offer of service in both Official Languages, especially in critical areas such as reception.

CONCLUSION

The Office of the Privacy Commissioner of Canada is an institution committed to providing services to Canadians in both official languages. To this end, the OPC maintains a high level of bilingualism in its workforce. With 76% of its total workforce occupying positions designated as bilingual, the OPC continues to demonstrate its commitment to Official languages and continues to make this a priority, as well as an integral part of its management practices.

The OPC will continue to monitor client and employee satisfaction with regard to official languages. The OPC's newly appointed Champion of Official Languages will ensure that any concerns are promptly addressed and corrective measures applied.