



ESTIMATES

Offices of the Information and Privacy Commissioners

**2001-2002
Estimates**

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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**OFFICES OF THE INFORMATION AND PRIVACY
COMMISSIONERS OF CANADA**

2001-2002 ESTIMATES

A Report on Plans and Priorities

Approved: _____ Date: _____
The Honourable A. Anne McLellan, PC, MP
Minister of Justice and
Attorney General of Canada

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**OFFICE OF THE INFORMATION COMMISSIONER'S
REPORT ON PLANS AND PRIORITIES**

I am pleased to submit my Report on Plans and Priorities for the fiscal period April 1, 2001 to March 31, 2002.

Approved: _____

The Honourable John M. Reid
Information Commissioner of Canada

Date: _____

SECTION I - MESSAGES

Commissioner's Message

During the coming year, the Office will fulfill its statutory mandate of ensuring fairness, thoroughness and timeliness to all parties in the investigation of complaints under the access to information law; encourage a culture of openness in government so that, over time, the number of complaints will diminish; and assist Parliament in modernizing and strengthening the access law.

Within the context of an ever increasing workload and static resources, the Office will make every reasonable effort to resolve each complaint in a thorough, fair and timely manner, without resorting to the court system.

Over the past few years, the Office has exhausted its ability to make productivity improvements from within. Despite getting some resource relief from Treasury Board, the Office has not been resourced at a sufficient level to enable it to complete a growing number of investigations in a timely manner. The result is no less vigour on my part, but service to Canadians is becoming slower and the right to "timely" access is further eroded. I will continue to entreat the Treasury Board to provide sufficient resources to enable me to discharge my mandate in a fully professional manner.

This report provides the reader with a look at the Office's plans for 2001-02, the factors that will influence change and how I will administer this program.

Management Representation

MANAGEMENT REPRESENTATION Report on Plans and Priorities 2001-2002

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities (RPP) for the Office of the Information Commissioner of Canada.

To the best of my knowledge the information:

- ◆ accurately portrays the mandate, priorities, strategies and planned results of the organization;
- ◆ is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*;
- ◆ is comprehensive and accurate; and
- ◆ is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

The Honourable John M. Reid
Information Commissioner of Canada

Date: _____

SECTION II - OVERVIEW

Mandate and Objectives

The Information Commissioner is an independent officer of Parliament statutorily mandated to investigate complaints from individuals and firms alleging that the Government has denied rights under the *Access to Information Act* – Canada's freedom of information legislation.

The Office of the Information Commissioner of Canada was created under the *Access to Information Act* which came into force on July 1, 1983. The Commissioner is appointed by the Governor-in-Council following approval of his nomination by resolution of the Senate and the House of Commons. The Offices of the Information and Privacy Commissioners of Canada are designated by Order-in-Council as a department for purposes of the *Financial Administration Act*. The Commissioner is accountable for, and reports directly to Parliament through the Speakers of the House and Senate on the results achieved with the resources and authorities provided.

The high degree of independence from government given to the Commissioner is in recognition of his mandate to investigate complaints against government institutions made by individuals who believe that their access to information rights have not been respected. The *Access to Information Act* gives Canadians (and any person present in Canada) the broad legal right to request access to information recorded in any form and controlled by most federal institutions. The Act also sets deadlines for responding to access requests and sets out certain specific and limited circumstances in which secrecy is justifiable. The Commissioner has extensive powers of investigation but he is only given the power to recommend disclosure of records which he feels have been unlawfully withheld from a requester.

Since the Commissioner may not order a complaint resolved in a particular way, he relies on techniques of persuasion to solve disputes. The Commissioner may ask the Federal Court to review refusals to disclose if he is unable to persuade government to accept recommendations which result from his investigations.

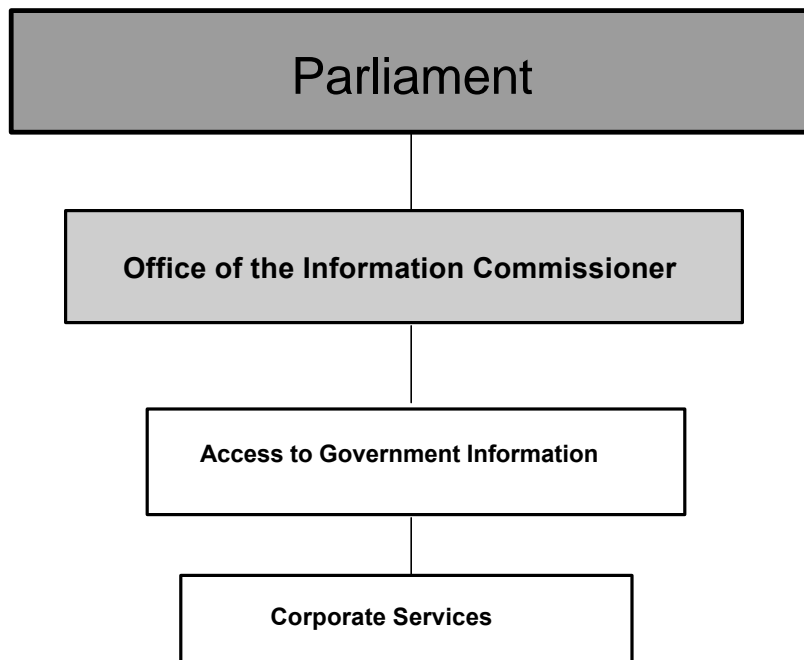
The *Access to Information Act* is the legislative authority for the activities of the Information Commissioner and his office. The strategic objectives associated with the **Act** are:

- to persuade federal government institutions to adopt information practices in keeping with the *Access to Information Act*;
- to deliver timely, thorough and fair investigations of complaints made against government by individuals;
- to bring appropriate issues of interpretation of the *Access to Information Act* before the Federal Court;
- to encourage a culture of openness within the federal public service; and
- to ensure that Parliament and the public are informed of the activities of the Commissioner's office, the general state of health of the right of access and any matter dealt with in the access law requiring reform.

The clients of the program are the users of the Act (including all Canadian citizens, permanent residents and persons or corporations present in Canada), the some 155 government institutions subject to the Act and Members of Parliament and Senators.

The Office of the Information Commissioner of Canada has one business line, see Figure 1, which contributes to program objectives (*access to government information*) and one internal business line (corporate services). The charts on Key Results Reporting and Related Activities (Figures 5 and 7 on pages 14 and 15) provide a guide to the performance information associated with the Commissioner's operations.

Figure 1: Accountability for Business Line Results and Resources Allocated



Planning Context

The Commissioner remains committed to ensuring that Canadians' rights and obligations under the *Access to Information Act* are respected. Inadequate resource levels and increasing workload are, however, having a substantial impact on the Office's service levels to clients. The Commissioner has no discretion to refuse to investigate complaints which fall within his jurisdiction. Thus, the Commissioner has very little control over the magnitude of his office's workload.

Historically, ten per cent of access requests made to government result in complaints to the Information Commissioner. The number of requests being received by government is rising drastically; in 1999-2000, there was a 35 per cent increase in the number of requests made to government. In the same period, there has been almost a 100 per cent increase in the number of complaints to the Information Commissioner.

Since the Access law's passage in 1983, there have been significant changes in information technology and government organization environments. As early as 1986, the Justice Committee reviewed the operations of the Access law and unanimously recommended changes to strengthen and keep it current with technological changes. Few significant reforms to the Act have been made since this review. One of this Commissioner's top priorities is to seek a comprehensive public review and reform of the *Access to Information Act*. On August 21, 2000, the Minister of Justice and the President of Treasury Board jointly announced the creation of a Task Force to make recommendations, by the Fall of 2001, for improvements to all components of the access to information régime. The Commissioner has offered to assist the Task Force and has encouraged it to find ways to include the views of interested members of the public.

The principle purpose of the Treasury Board Secretariat's policy on management of government information holdings, is to ensure that the government's records are retained and indexed in a manner which would facilitate the right of access. Departments are no longer able to determine with any reliability whether or not they hold records on particular topics and, if they do, where to locate them and how to retrieve them. Recently, the Secretariat launched a Records, Document and Information Management Systems (RDIMS) initiative which will help address this long-standing problem. The Commissioner will continue to promote a government-wide initiative to improve the management of federal information holdings.

In summary, the Commissioner will continue to encourage government to release information outside the formalities of the access law or the rigors of the Federal Court; to resolve complaints in a fair, equitable and expeditious manner; to ensure that response deadlines are consistently respected across government; to ensure that exemptions to the right of access are not abused; to modernize the access law and improve information management across government.

Planned Spending

In their review of the Office's 1997-98 business plan, Treasury Board Ministers recommended an A-base review of the Office's resource base, information technology needs and accommodation requirements. Of the resources recommended by the A-base review consultant, KPMG, the Office received approval for 59% (\$854,000 for 2000-01 and onward).

The Office has employed these additional, though inadequate, resources in the most effective way to combat workload increases, a mounting backlog and carry out the Commissioner's mandate while maintaining essential services. However, the Commissioner intends to ask Treasury Board, again, to provide sufficient resources to meet existing workload demands and to clear an unacceptable backlog of incomplete cases.

Figure 2: Planned Spending, by Business Line, for the Estimates Year (\$000's)

| Business Line | FTE's | Salaries and Wages | Employee Benefit Plans | Other Operating | Total |
|----------------------------------|-----------|--------------------|------------------------|-----------------|--------------|
| Access to Government Information | 45 | 2,508 | 489 | 609 | 3,606 |
| Corporate Services | 7 | 360 | 70 | 177 | 607 |
| Total Program | 52 | 2,868 | 559 | 786 | 4,213 |

SECTION III – BUSINESS LINE PLANS, PRIORITIES AND EXPECTED RESULTS

Access to Government Information Business Line

The objective of this business line is investigating complaints, reviewing proposals for legislative change affecting access to information, responding to written and telephone inquiries, conducting reviews of the extent of non-compliance with the Act, the resolution of complaints and pursuit of court resolution of unsolved complaints and encouragement of open government policies throughout the federal system.

Open access to government information held by federal institutions is the key performance expectation of the access to government information business line. This expectation is of benefit to both individual clients and Canadians by making government more accountable. To attain this expectation, consultations and discussions will continue with the Office's client community to:

- improve the public's awareness of their access rights;
- improve public officials' awareness of their access obligations;
- seek to settle disputes through negotiation rather than recourse to the Federal Court; and
- continue to refine service standards that will enhance program effectiveness and accountability.

A professional working relationship with government institutions is key to the business line's effectiveness and, thus, the public's success. Equally, the Office's effectiveness is measured by a high proportion of resolved complaints and by persuading government to release information informally, without formal application under the Act. The Commissioner's findings and recommendations, made to heads of government institutions, serve to ensure that the rights of complainants are respected and to encourage the growth of more open government.

Figure 3 shows the number of complaints the Office has opened, completed (investigated and rendered a decision on) from 1997-98 to 1999-00, and a forecast of workload expectations for 2000-01 and 2001-02. Please note that the number of forecast completed complaints appears to be decreasing, despite additional resources, due to the increasing complexities of individual cases.

Figure 3: Complaints Opened, Completed and Pending

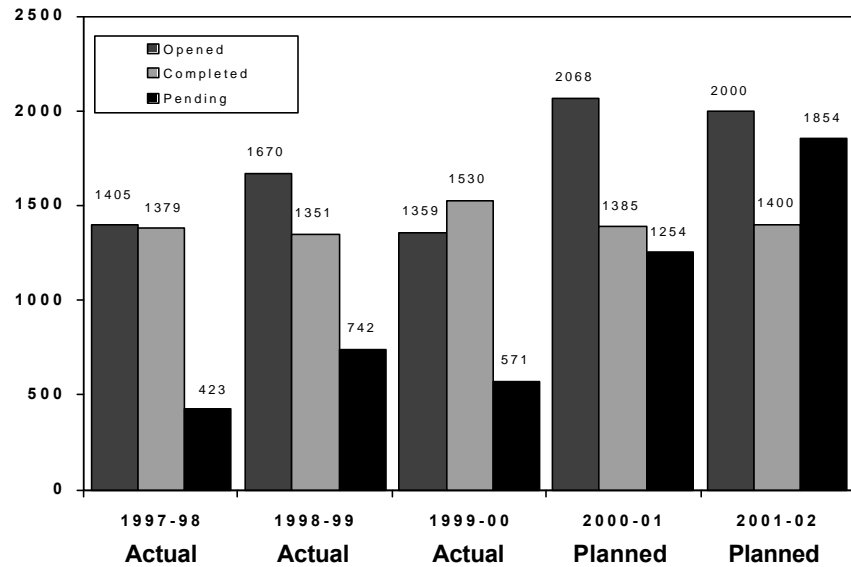


Figure 4 displays the actual number of complaints opened over the past 10 years (1990-91 to 1999-00). It should be noted that for the first five years (1990-91 to 1994-95) the average intake was 738 complaints compared with a 1506 intake over the last five years (1995-96 to 1999-00).

Figure 4: Actual Complaints Opened Between 1990-91 and 1999-00

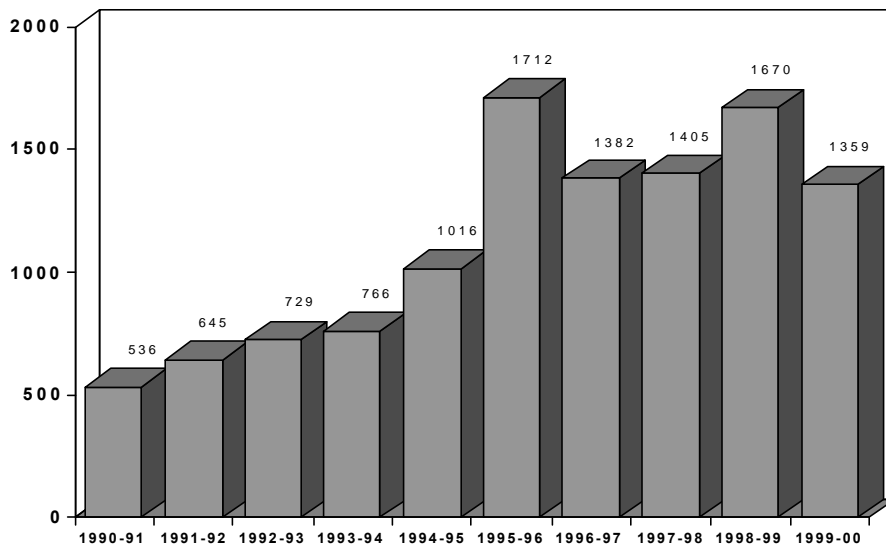


Figure 5 illustrates the linkage between the business line's expected results and performance measurement strategies.

Figure 5: Key Results Reporting and Related Activities

| Key Results/Outcomes | To be demonstrated by: | Related Activities |
|---|---|--|
| Effective and efficient access to information held by federal institutions. | <ul style="list-style-type: none"> • Improved knowledge of rights of access to information in federal institutions. • Access to information without legal formalities. • Greater transparency of information held by federal institutions. • Innovative and cost-effective complaint resolutions. | <ul style="list-style-type: none"> • Investigating complaints. • Reviewing proposals for legislative change. • Responding to inquiries. • Conducting reviews. • Resolving complaints. • Conducting litigation. |

Figure 6 identifies the level of resources required to carry out the activities illustrated in Figure 5.

Figure 6: Planned Spending

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|------------------------|--------------------------------|---------------------------------------|-------------------------------|-------------------------------|
| Salaries and Wages | 2,494 | 2,508 | 2,508 | 2,508 |
| Employee Benefit Plans | 487 | 489 | 489 | 489 |
| Other Operating | 609 | 609 | 609 | 609 |
| Total | 3,590 | 3,606 | 3,606 | 3,606 |

| | | | | |
|-----------------------------|----|-----------|----|----|
| Full Time Equivalent | 38 | 45 | 45 | 45 |
|-----------------------------|----|-----------|----|----|

Corporate Services Business Line

The corporate services business line provides administrative support services (finance, personnel, information technology and general administration) to the Information Commissioner's office. The business line's objective is to ensure that internal overhead functions are in place to support program management decisions and accountability.

The objective of this internal business line is to ensure that administrative policies, practices and systems are in place to support access to information program management decisions and accountability.

Providing efficient, effective and expert service will remain the priority of this business line during the three years covered by this plan. Items of particular interest include:

- by April 1, 2001, implementing processes and structures in line with the Government's Financial Information Strategy;
- converting to the Universal Classification Standard;
- implementing staffing reform and meeting the obligations of the new Employment Equity Act;
- implementing a records management system and associated information management processes, (Records, Document Information Management System), in support of the Government's vision for an electronic environment; and
- by April 1, 2001, implementing an integrated financial and materiel management system and continuing to review associated business processes;

Figure 7 illustrates the linkages between the business line's expected results and performance measurement strategies.

Figure 7: Key Results Reporting and Related Activities

| Key Results/Outcomes | To be demonstrated by: | Related Activities |
|---|---|--|
| Cost-effective administrative support services that meet the operational requirements of the program. | <ul style="list-style-type: none"> • Service quality within published standards. • Assessment of client satisfaction with service levels. | <ul style="list-style-type: none"> • Provision of financial, personnel, information technology and general administration services. |

Figure 8 identifies the level of resources required to carry out the activities illustrated in Figure 7.

Figure 8: Planned Spending

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|------------------------|-----------------------------------|---|----------------------------------|----------------------------------|
| Salaries and Wages | 345 | 360 | 360 | 360 |
| Employee Benefit Plans | 67 | 70 | 70 | 70 |
| Other Operating | 178 | 177 | 177 | 177 |
| Total | 590 | 607 | 607 | 607 |

| | | | | |
|-----------------------------|----------|----------|----------|----------|
| Full Time Equivalent | 7 | 7 | 7 | 7 |
|-----------------------------|----------|----------|----------|----------|

SECTION IV - FINANCIAL INFORMATION

Table 1: Spending Authorities

| Vote (thousands of dollars) | 2001-2002 Main Estimates | 2000-2001 Main Estimates |
|--|-----------------------------|-----------------------------|
| Office of the Information Commissioner of Canada | | |
| 40 Program Expenditures | 3,654 | 3,597 |
| (S) Contributions to employee benefit plans | 559 | 547 |
| Total Agency | 4,213 | 4,144 |

Table 2 : Organization Structure

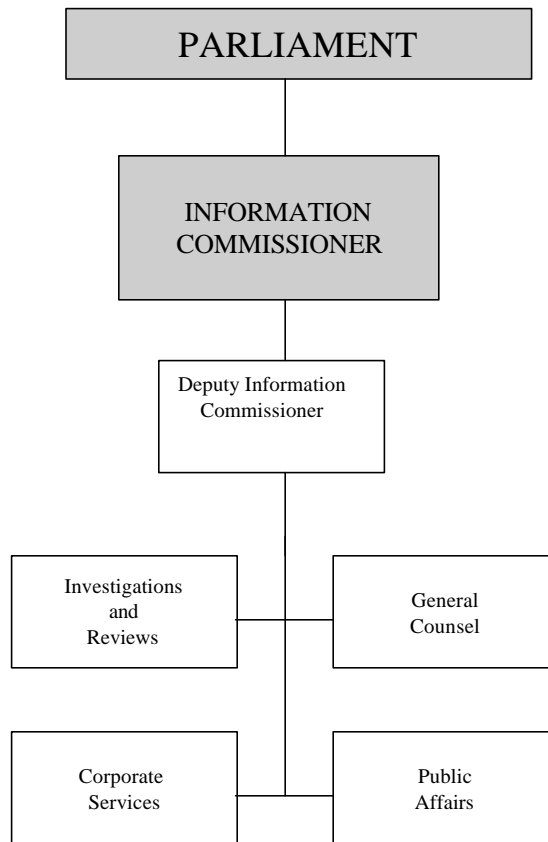


Table 3 : Net Cost of Program by Business Line

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|---|--------------------------------|--------------------------------------|-------------------------------|-------------------------------|
| Main Estimates | | | | |
| Access to Government Information | 3,554 | 3,606 | 3,606 | 3,606 |
| Corporate Services | 590 | 607 | 607 | 607 |
| Total Main Estimates | 4,144 | 4,213 | 4,213 | 4,213 |
| <i>Plus:</i> Cost of services received without charge | 511 | 567 | 567 | 567 |
| Net Cost of Program | 4,655 | 4,780 | 4,780 | 4,780 |

| | | | | |
|-----------------------------|----|-----------|----|----|
| Full Time Equivalent | 45 | 52 | 52 | 52 |
|-----------------------------|----|-----------|----|----|

Table 4 : Net Cost of the Program for the Estimates Year

| (thousands of dollars) | Main Estimates 2001-2002 | Add Other Costs* | Estimated <u>Total Program Costs</u> 2001-2002 | 2000-2001 |
|--|-----------------------------|---------------------|---|-----------|
| Office of the Information Commissioner of Canada | 4,213 | 567 | 4,780 | 4,655 |

* Other costs of \$567,000 consist of:

| | (\$000) |
|--|---------|
| ◆ accommodation provided by Public Works and Government Services Canada; and | 352 |
| ◆ contributions covering employees' share of insurance premiums and expenditures paid by Treasury Board Secretariat. | 215 |

SECTION V – OTHER INFORMATION

Statutory Annual Reports and Other Publications

The Commissioner's annual reports and position papers on access to information issues are available on the Commissioner's internet web site.

- **Information Commissioner's 1999-00 Annual Report.** Ottawa: Minister of Public Works and Government Services Canada. Available from the Office of the Information Commissioner, Ottawa, Canada K1A 1H3; (613) 995-2410.
- **Performance Report to Parliament, for the period ending March 31, 2000.** Ottawa: Minister of Public Works and Government Services Canada. Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9.
- **2000-01 Estimates: A Report on Plans and Priorities.** Ottawa: Minister of Public Works and Government Services Canada. Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9.
- Office of the Information Commissioner of Canada Internet home page:
<http://infoweb.magi.com/~accessca/>

Legislation Administered by the Commissioner of Canada

The Information Commissioner has an oversight responsibility to Parliament for the following Act:

| | |
|----------------------------------|---|
| <i>Access to Information Act</i> | R.S.C., 1985, ch. A-1, amended 1999, c. 31, ss. 2 & 3 |
|----------------------------------|---|

Contact for Further Information

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**OFFICE OF THE PRIVACY COMMISSIONER'S
REPORT ON PLANS AND PRIORITIES**

I am pleased to submit my Report on Plans and Priorities for the fiscal period April 1, 2001 to March 31, 2002.

Approved: _____

George Radwanski
Privacy Commissioner of Canada

Date: _____

SECTION I - MESSAGES

Privacy Commissioner's Message

During 2001-02, the Office of the Privacy Commissioner's statutory mandate under the *Privacy Act* and the *Personal Information Protection and Electronic Documents Act* will require it to: deal with an increasing workload generated by new complaints, inquiries and privacy issues; respond to possible changes to legislation; implement important enhancements to complaint investigation processes; develop and deliver communications and public education programs with respect to the new private sector privacy legislation; and audit the information handling practices of federal government departments and private sector organizations.

The Office of the Privacy Commissioner has been able to achieve its operational objectives within the parameters of its quality service standards, as a result of receiving additional funds and implementing several initiatives to overcome budgetary and workload pressures. These initiatives include streamlining the complaint investigation and audit process with measures specifically aimed at reducing the backlog of outstanding investigations.

The Office of the Privacy Commissioner has taken on, effective January 1, 2001 an expanded role as a result of the Government's decision to extend privacy protection to cover the private sector (Bill C-6, the *Personal Information Protection and Electronic Documents Act*). The Act received Royal Assent on April 13, 2000. Part I of the Act which deals with the protection of personal information in the private sector is being implemented in three phases, beginning January 1, 2001. The Act balances an individual's right to the protection of personal information that is collected, used or disclosed during commercial activities and the need of organizations to obtain and use personal information for legitimate business purposes.

This report is an overview of the Office of the Privacy Commissioner's plans for 2001-02, including the factors that will influence change and how the Privacy Commissioner will administer the program.

Management Representation Statement

MANAGEMENT REPRESENTATION Report on Plans and Priorities 2001-2002

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities (RPP) for the Office of the Privacy Commissioner of Canada.

To the best of my knowledge the information:

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- ◆ is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

George Radwanski
Privacy Commissioner of Canada

Date: _____

SECTION II - OVERVIEW

What's New

With the passage of the *Personal Information Protection and Electronic Documents Act*, privacy protection has been, since January 1, 2001, extended to the private sector. The Act comes into force in three stages. As of January 1, 2001 the law applies to federal works, undertakings or business, such as banks, telecommunications companies, and airlines, and to employee information in those organizations. The Act also applies to the disclosure of personal information across borders for consideration, for example, the sale or lease of lists. On January 1, 2002 the law will apply to personal health information collected, used or disclosed by organizations subject to the Act in the first stage. By January 1, 2004 the law will apply to the collection, use and disclosure of personal information by an organization in the course of a commercial activity within a province unless the province has adopted substantially similar legislation. The law will continue to apply to personal information subject to interprovincial and international transactions by all organizations subject to the Act in the course of commercial activities.

Mandate and Objectives

The Office of the Privacy Commissioner of Canada was created under the *Privacy Act* which came into force on July 1, 1983. The Privacy Commissioner is an independent officer of Parliament appointed by the Governor-in-Council following approval of his nomination by resolution of the Senate and the House of Commons. The Office of the Privacy Commissioner is designated by Order-in-Council as a department for purposes of the *Financial Administration Act*. The Privacy Commissioner is accountable for, and reports directly to Parliament on, the results achieved with the resources and authorities provided.

The Privacy Commissioner is a special ombudsman who reports directly to the Speakers of the Senate and House of Commons. As an ombudsman, the Privacy Commissioner does not have decision-making powers but seeks to resolve problems through negotiation. The Privacy Commissioner may also report directly to Parliament on matters he considers important or urgent.

Privacy Act

The Privacy Commissioner of Canada is mandated by the *Privacy Act* to investigate complaints alleging that a federal government institution has denied an individual access to personal information requested under the Act, or is collecting, using, disclosing or disposing of personal information in a manner that breaches the Act.

The Privacy Commissioner is also mandated to audit the information handling practices of federal government institutions to ensure compliance with the *Privacy Act*. The *Privacy Act* is the legislative authority for the federal public sector activities of the Privacy Commissioner and his Office. The strategic objectives associated with the Act are:

- to ensure that the rights of complainants under the *Privacy Act* are respected and that the privacy of individuals with respect to personal information about themselves, held by a federal government institution, is protected; and
- to encourage the growth of fair information practices by government institutions.

Personal Information Protection and Electronic Documents Act

With the passage of the *Personal Information and Electronic Documents Act*, the Privacy Commissioner's role and responsibilities increased significantly. The Privacy Commissioner's oversight mandate has been extended to include the private sector, both profit and not-for-profit organizations involved in the handling of personal information in a commercial setting. Also included is the protection of employee information in the federally regulated sector. There are some 1.3 million businesses and thousands of other organizations and institutions potentially subject to the legislative provisions.

In addition to investigating complaints and conducting audits concerning the information handling practices of private sector organizations subject to the Act, the Office of the Privacy Commissioner provides public education about privacy and undertakes research on privacy issues.

The *Personal Information Protection and Electronic Documents Act* is the legislative authority for the private sector activities of the Privacy Commissioner and his Office. The strategic objectives associated with the Act are:

- to promote the adoption of practices consistent with the principles set out in the Canadian Standards Association's Model Code for the Protection of Personal Information; and
- to ensure that the rights of those making complaints to the Privacy Commissioner, pursuant to the *Personal Information Protection and Electronic Documents Act*, are respected.

Planning Context

With the proliferation of new and more powerful technologies, Canadians have been turning increasingly to the Privacy Commissioner's Office for recourse and reassurance that their privacy is not threatened. Canadians are demonstrating growing awareness of privacy threats, increased sophistication in framing complaints and a greater demand for respect for their privacy rights.

The federal government's call for a leaner and more efficient public service has encouraged every federal institution to use computer technology to streamline operations and eliminate inefficiencies. This has prompted federal agencies to link or integrate information systems and deliver services on-line, often in concert with other governments or the private sector. The growing danger is that these initiatives by Government, in conjunction with similar activities in a largely unregulated private sector, will subject Canadians to increased information surveillance in the name of safety and efficiency.

The Privacy Commissioner has been able to achieve his operational objectives within established quality service standards, as a result of receiving additional funds and implementing several initiatives to overcome budgetary and workload pressures. These initiatives include streamlining the complaint investigation and audit process and other measures specifically aimed at reducing the backlog of outstanding investigations.

The Privacy Commissioner's priorities are to encourage the implementation of fair information management practices by government institutions and private sector organizations involved in commercial activity, to be pro-active and service oriented, and to pre-empt problems through consultation and assistance to government staff, with less emphasis on formal compliance reviews.

Planned Spending

Within the context of an ever-increasing workload, the Privacy Commissioner will make every reasonable effort to resolve each complaint in a timely manner without resorting to the court system. The planned resource levels for the Office of the Privacy Commissioner are:

Figure 1 : Planned Spending, by Business Line, for the Estimates Year (\$000's)

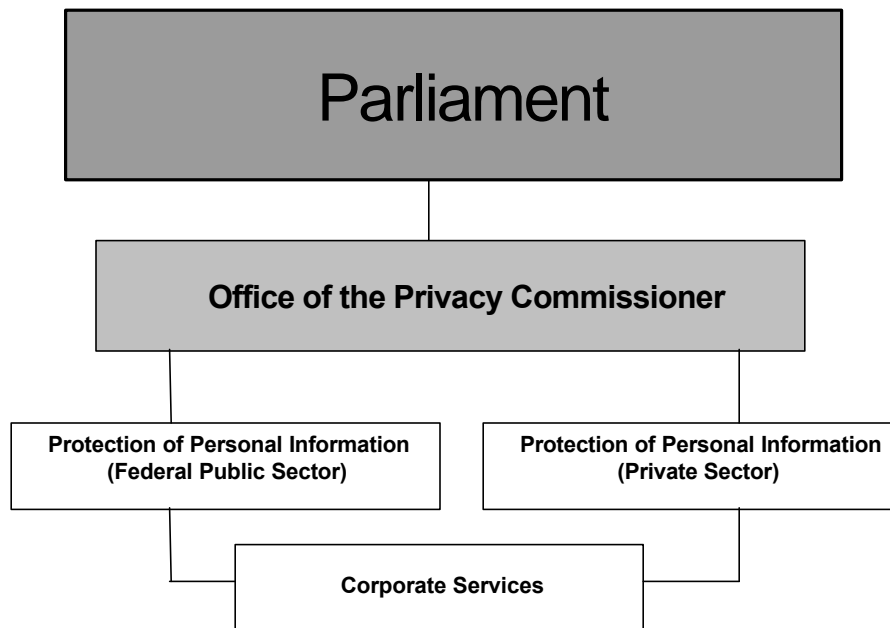
| Business Line | FTE's | Salaries and Wages | Employee Benefit Plans | Other Operating | Total |
|------------------------------------|------------|--------------------|------------------------|-----------------|---------------|
| Protection of Personal Information | | | | | |
| - Federal Public Sector | 45 | 2,830 | 552 | 414 | 3,796 |
| - Private Sector | 48 | 3,050 | 595 | 2,310 | 5,955 |
| Corporate Services | 15 | 820 | 160 | 319 | 1,299 |
| Total Program | 108 | 6,700 | 1,307 | 3,043 | 11,050 |

SECTION III – BUSINESS LINE PLANS, PRIORITIES AND EXPECTED RESULTS

The Office of the Privacy Commissioner has two business lines, see Figure 2, which contribute to program objectives (**protection of personal information – federal public sector and protection of personal information – private sector**) and one internal business line (**corporate services**). The charts on Key Results Reporting and Related Activities (Figures 5, 7 and 9 on pages 29, 31 and 33) provide a guide to the performance information associated with the Privacy Commissioner's operations.

The program's clients include Canadian citizens and any other persons legally present in Canada who believe that their rights under the *Privacy Act* and the *Personal Information Protection and Electronic Documents Act* have been violated, and anyone seeking information about the Act and privacy issues in general. For example, if a government agency has improperly denied a complainant access to personal information and a satisfactory resolution cannot be negotiated, the Privacy Commissioner may ask for a Federal Court review.

Figure 2: Accountability for Business Line Results and Resources Allocated



Protection of Personal Information (Federal Public Sector) Business Line

The objective of this business line is investigating complaints, reviewing and auditing departmental privacy performance, responding to written and telephone inquiries, assessing the impact on privacy of new technologies implemented or being considered for implementation by government agencies, monitoring legislation, advising Parliament as well as federal departments and agencies, and investigating issues which will have an impact on the privacy of Canadians.

Protection of personal information held by federal institutions is the key performance expectation of this business line. This performance expectation benefits both individual clients and Canadians by making government more accountable. To attain this expectation, the Privacy Commissioner's Office intends to continue its efforts to:

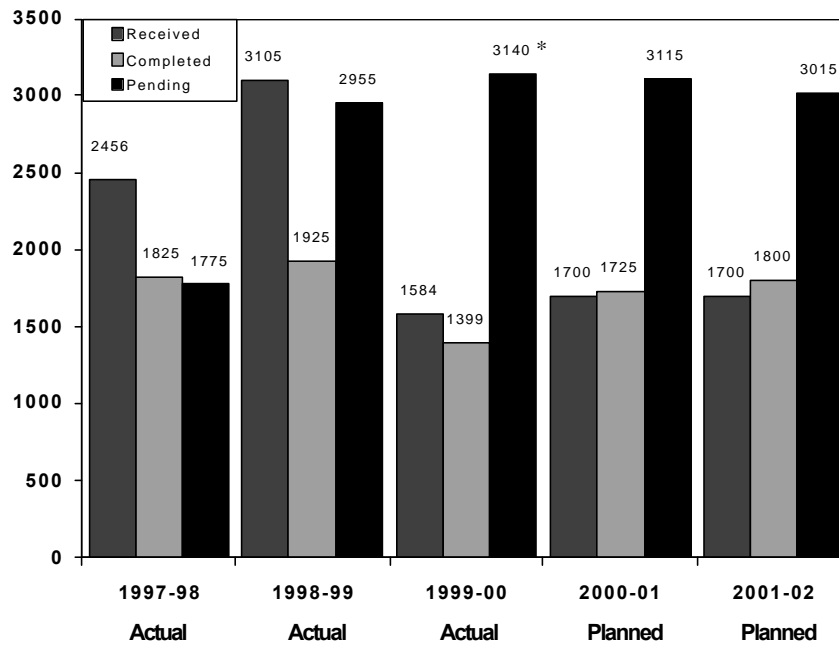
- improve the public's awareness of their privacy rights;
- improve public officials' awareness of their privacy obligations; and
- seek to settle disputes through negotiation rather than recourse to the Federal Court.

The Privacy Commissioner's findings and recommendations, made to heads of government institutions, serve to ensure that the rights of complainants are respected and that government institutions implement fair information practices. Also, adherence to established quality service standards for thorough and timely complaint investigations, consultation and assistance to government staff contribute to the Office of the Privacy Commissioner's effectiveness.

In addition to ongoing activities (complaint investigation, auditing of departmental privacy performance, inquiry resolution and issue research), the Office of the Privacy Commissioner will continue to use its business practices and service standards to provide clients with a better and more timely service, and produce annual and special in-house reports.

Figure 3 shows the number of Privacy Act complaints the Privacy Commissioner has received and completed (investigated and rendered a decision on) from 1997-98 to 1999-00, and a forecast of workload expectations for 2000-01 and 2001-02.

Figure 3: Complaints Received, Completed and Pending



*Figure includes 2256 complaints pending a Federal Court of Appeal decision.

Figure 4 displays the actual number of complaints received over the past 10 years (1990-91 to 1999-00). It should be noted that for the first six years (1990-91 to 1995-96) the average intake was 1485 complaints compared with a 2344 intake over the last four years (1996-97 to 1999-00).

Figure 4: Actual Complaints Received Between 1990-91 and 1999-00

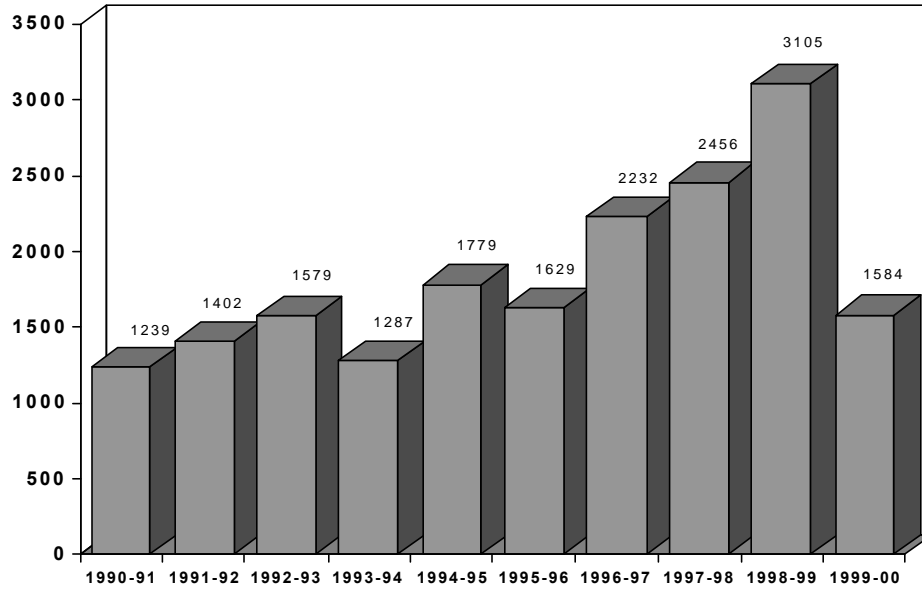


Figure 5 illustrates the linkage between the business line's expected results and performance measurement strategies.

Figure 5: Linkages Between OPC's Key Results Reporting and Related Activities

| Key Results/Outcomes | To be demonstrated by: | Related Activities |
|--|---|---|
| Protection of personal information held by federal institutions. | <ul style="list-style-type: none"> Improved awareness of personal information rights under the <i>Privacy Act</i>. Easy access to personal information held by federal institutions. Compliance with established fair information practices as set out in the <i>Privacy Act</i>. Innovative and cost effective complaints resolutions. | <ul style="list-style-type: none"> Investigating and resolving complaints. Reviewing and auditing federal department privacy performance. Responding to inquiries. Assessing the impact of new technology on privacy. |

Figure 6 identifies the level of resources required to carry out the activities illustrated in Figure 5.

Figure 6: Planned Spending

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|------------------------|-----------------------------------|---|----------------------------------|----------------------------------|
| Salaries and Wages | 2,832 | 2,830 | 2,830 | 2,830 |
| Employee Benefit Plans | 552 | 552 | 552 | 552 |
| Other Operating | 414 | 414 | 414 | 414 |
| Total | 3,798 | 3,796 | 3,796 | 3,796 |

| | | | | |
|------------------------------|----|----|----|----|
| Full Time Equivalents | 40 | 45 | 45 | 45 |
|------------------------------|----|----|----|----|

Protection of Personal Information (Private Sector) Business Line

The objective of this business line is conducting and promoting research into issues and practices associated with the protection of personal information, promoting sound practices for the management of personal information, educating clients as to their rights and responsibilities associated with the collection, use or disclosure of personal information, addressing complaints regarding the handling of personal information, seeking resolution through negotiation, mediation or conciliation and, where necessary, the pursuit of remedy through the courts, auditing an organization's practices for the handling of personal information.

Protection of personal information held by private sector institutions is the key performance expectation of this business line. This performance expectation benefits both individual clients and Canadians by making commercial activities more accountable. To attain this expectation, the Privacy Commissioner's Office intends to continue its efforts to:

- provide thorough and timely complaint investigations;
- improve the public's awareness of their privacy rights;
- improve private sector officials' awareness of their privacy obligations; and
- seek to settle disputes through negotiation or when necessary recourse to the Federal Court.

Figure 7 illustrates the linkage between the business line's expected results and performance measurement strategies.

Figure 7: Key Results Reporting and Related Activities

| Key Results/Outcomes | To be demonstrated by: | Related Activities |
|---|---|---|
| Protection of personal information held by the private sector | <ul style="list-style-type: none"> • Improved awareness of personal information rights under the <i>Personal Information Protection and Electronic Documents Act</i>. • Compliance with the principles set out in Schedule 1 of the <i>Personal Information Protection and Electronic Documents Act</i>. • Generation of new knowledge and communicate research results into issues and practices associated with privacy and data protection. • Innovative and cost-effective complaint resolutions. • Promote and compliment provincial efforts to protect personal information involved in commercial activity. | <ul style="list-style-type: none"> • Conducting and promoting research. • Promoting best practices for the management of personal information. • Educating clients as to their rights and responsibilities. • Addressing complaints regarding the handling of personal information. |

Figure 8 identifies the level of resources required to carry out the activities illustrated in Figure 7.

Figure 8: Planned Spending

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|------------------------|--------------------------------|---------------------------------------|-------------------------------|-------------------------------|
| Salaries and Wages | 2,120 | 3,050 | 3,050 | 3,050 |
| Employee Benefit Plans | 490 | 595 | 595 | 595 |
| Other Operating | 1,755 | 2,310 | 2,310 | 2,310 |
| Total | 4,365 | 5,955 | 5,955 | 5,955 |

| | | | | |
|------------------------------|----|-----------|----|----|
| Full Time Equivalents | 20 | 48 | 48 | 48 |
|------------------------------|----|-----------|----|----|

Corporate Services Business Line

The corporate services business line provides administrative support services (finance, personnel, information technology and general administration) to the Privacy Commissioner's Office. The business line's objective is to ensure that internal overhead functions are in place to support program management decisions and accountability.

Providing efficient, effective and expert service will remain the priority of this business line during the three years covered by this plan. Items of particular interest include:

- by April 1, 2001, implementing processes and structures in line with the Government's Financial Information Strategy;
- converting to the Universal Classification Standard;
- implementing staffing reform and meeting the obligations of the new Employment Equity Act;
- implementing a records management system and associated information management processes, (Records, Document Information Management System), in support of the Government's vision for an electronic environment; and
- by April 1, 2001, implementing an integrated financial and materiel management system and continuing to review associated business processes.

Figure 9 illustrates the linkages between the business line's expected results and performance measurement strategies.

Figure 9: Key Results Reporting and Related Activities

| Key Results/Outcomes | To be demonstrated by: | Related Activities |
|---|---|--|
| Cost-effective administrative support services that meet the operational requirements of the program. | <ul style="list-style-type: none"> • Service quality within published standards. • Assessment of client satisfaction with service levels. | <ul style="list-style-type: none"> • Provision of financial, personnel, information technology and general administration services. |

Figure 10 identifies the level of resources required to carry out the activities illustrated in Figure 9.

Figure 10: Planned Spending

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|------------------------|--------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Salaries and Wages | 345 | 820 | 820 | 820 |
| Employee Benefit Plans | 67 | 160 | 160 | 160 |
| Other Operating | 177 | 319 | 319 | 319 |
| Total | 589 | 1,299 | 1,299 | 1,299 |

| | | | | |
|-----------------------------|---|-----------|----|----|
| Full Time Equivalent | 8 | 15 | 15 | 15 |
|-----------------------------|---|-----------|----|----|

SECTION IV - FINANCIAL INFORMATION

Table 1: Spending Authorities

| Vote (thousands of dollars) | 2001-2002 Main Estimates | 2000-2001 Main Estimates |
|--|-----------------------------|-----------------------------|
| Office of the Privacy Commissioner of Canada | | |
| 45 Program Expenditures | 9,743 | 3,728 |
| (S) Contributions to employee benefit plans | 1,307 | 611 |
| Total Agency | 11,050 | 4,339 |

Note: The increase in funding is associated with the government's plan to extend privacy protection to cover the private sector (Bill C-6, the *Personal Information Protection and Electronic Documents Act*).

Table 2 : Organization Structure

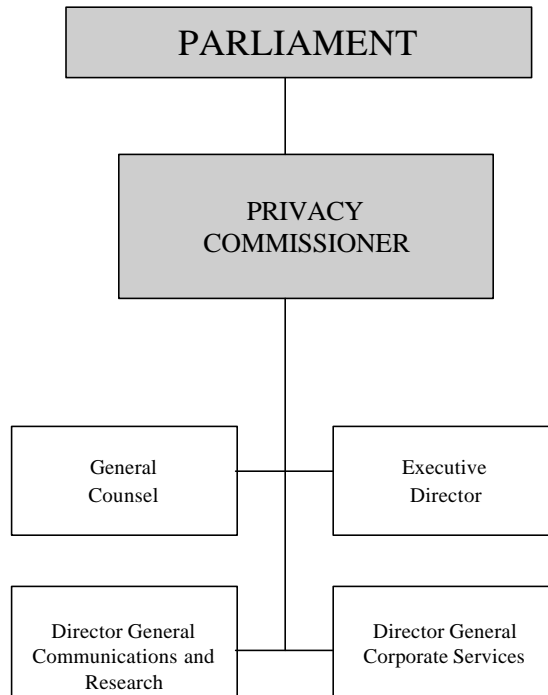


Table 3 : Net Cost of Program by Business Line

| (\$ thousands) | Forecast Spending 2000-2001* | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|---|---------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Main Estimates | | | | |
| Protection of Personal Information | | | | |
| - Federal Public Sector | 3,798 | 3,796 | 3,796 | 3,796 |
| - Private Sector | 4,365 | 5,955 | 5,955 | 5,955 |
| Corporate Services | 589 | 1,299 | 1,299 | 1,299 |
| Total Main Estimates | 8,752 | 11,050 | 11,050 | 11,050 |
| <i>Plus:</i> Cost of services received without charge | 511 | 1,159 | 1,159 | 1,159 |
| Net Cost of Program | 9,263 | 12,209 | 12,209 | 12,209 |
| Full Time Equivalent | 68 | 108 | 108 | 108 |

* Figures shown in this column are derived from Main and Supplementary Estimates.

Table 4 : Net Cost of the Program for the Estimates Year

| (thousands of dollars) | Main Estimates 2001-2002 | Add Other Costs* | Estimated <u>Total Program Costs</u> 2001-2002 | 2000-2001 |
|--|-----------------------------|---------------------|--|-----------|
| Office of the Privacy Commissioner of Canada | 11,050 | 1,159 | 12,209 | 9,263 |

* Other costs of \$1,159 consist of:

- ◆ accommodation provided by Public Works and Government Services Canada; and 656
- ◆ contributions covering employees' share of insurance premiums and expenditures paid by Treasury Board Secretariat. 503

Table 5 : Summary of Transfer Payments for the Personal Information (Private Sector) Business Line

| (\$ thousands) | Forecast Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|---|-----------------------------------|---|----------------------------------|----------------------------------|
| Grants | | | | |
| Total Grants | - | - | - | - |
| Contributions | | | | |
| Research into privacy issues and the promotion of the protection of personal information of Canadians | - | 500 | 500 | 500 |
| Total Contributions | - | 500 | 500 | 500 |
| Other Transfer Payments | | | | |
| Total Other Transfer Payments | - | - | - | - |
| Total Grants, Contributions and Other Transfer Payments | - | 500 | 500 | 500 |

SECTION V – OTHER INFORMATION

Statutory Annual Reports and Other Publications

The Privacy Commissioner's annual reports and position papers on privacy issues are available on the Privacy Commissioner's internet web sites.

- **Privacy Commissioner's 1999-00 Annual Report.** Ottawa: Minister of Public Works and Government Services Canada. Available on audio cassette, computer diskette and hardcopy from the Office of the Privacy Commissioner, Ottawa, Canada K1A 1H3; (613) 995-8210 and on the Office of the Privacy Commissioner's Internet home page.
- **Performance Report to Parliament, for the period ending March 31, 2000.** Ottawa: Minister of Public Works and Government Services Canada. Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9.
- **2000-01 Estimates: A Report on Plans and Priorities.** Ottawa: Minister of Public Works and Government Services Canada. Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9.
- Office of the Privacy Commissioner of Canada Internet home page:
<http://privcom.gc.ca/>

Legislation Administered by the Privacy Commissioner

The Privacy Commissioner has an oversight responsibility to Parliament for the following Acts:

| | |
|--|---|
| Privacy Act | R.S.C. 1985, ch. P-21, amended 1997, c. 20, s. 55 |
| Personal Information Protection and Electronic Documents Act | S.C. 2000, ch. 5 |

Contact for Further Information

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