

# Enhancing Trust in the Digital World: The IPC's Strategic Priorities

Patricia Kosseim

Information and Privacy Commissioner  
of Ontario



Information and Privacy  
Commissioner of Ontario

Commissaire à l'information et à la  
protection de la vie privée de l'Ontario

CAN-TECH Law  
Fall Conference

November 2, 2022



Vision: *Charting a course for the IPC*

# IPC Vision of a Modern and Effective Regulator

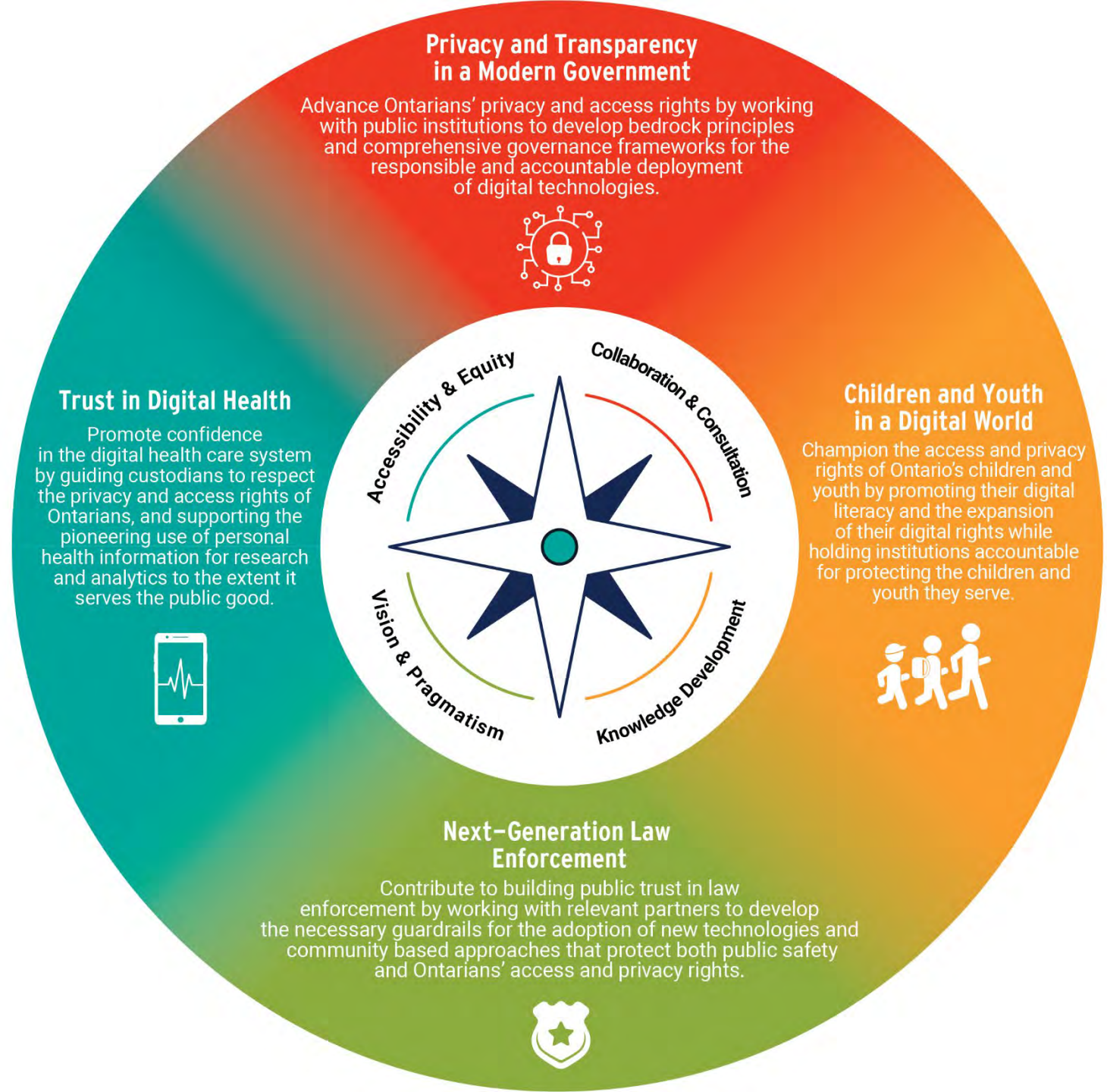
Enhance Ontarians' trust that their access and privacy rights will be respected by ...





Update on strategic priorities

# IPC Strategic Priorities 2021–2025





## Privacy and Transparency in a Modern Government

- Digital identity
- Framework for Trustworthy AI in public sector
- New Data Authority



## Children and Youth in a Digital World

- Education materials aimed at kids
- Protecting students' digital rights in schools
- Implementing Part X of the CYFSA



## Next Generation Law Enforcement

- Body-worn cameras
- Facial recognition technologies
- New community-based models of policing



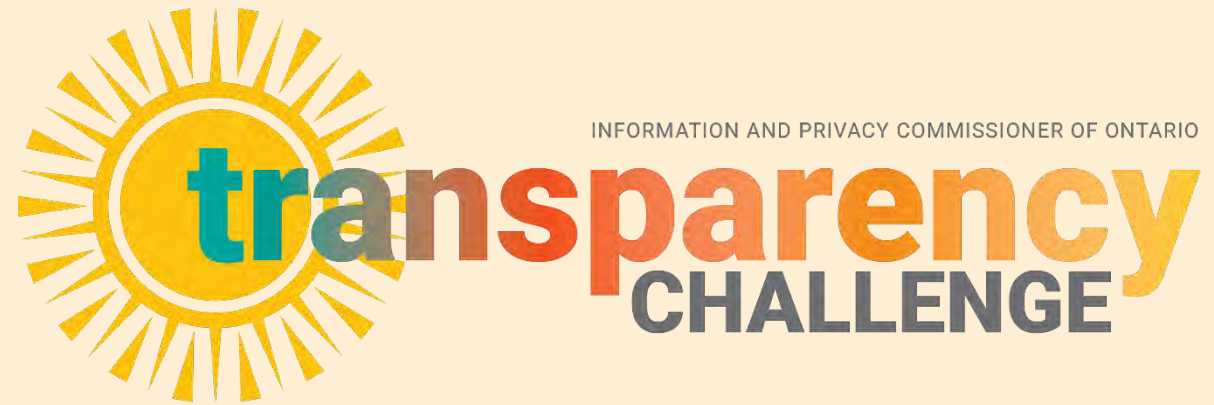
## Trust in Digital Health

- Virtual healthcare
- Ontario Health Data Council
- Three-year reviews of prescribed entities, persons and organizations under PHIPA
- PHIPA amendments

# Transparency Challenge

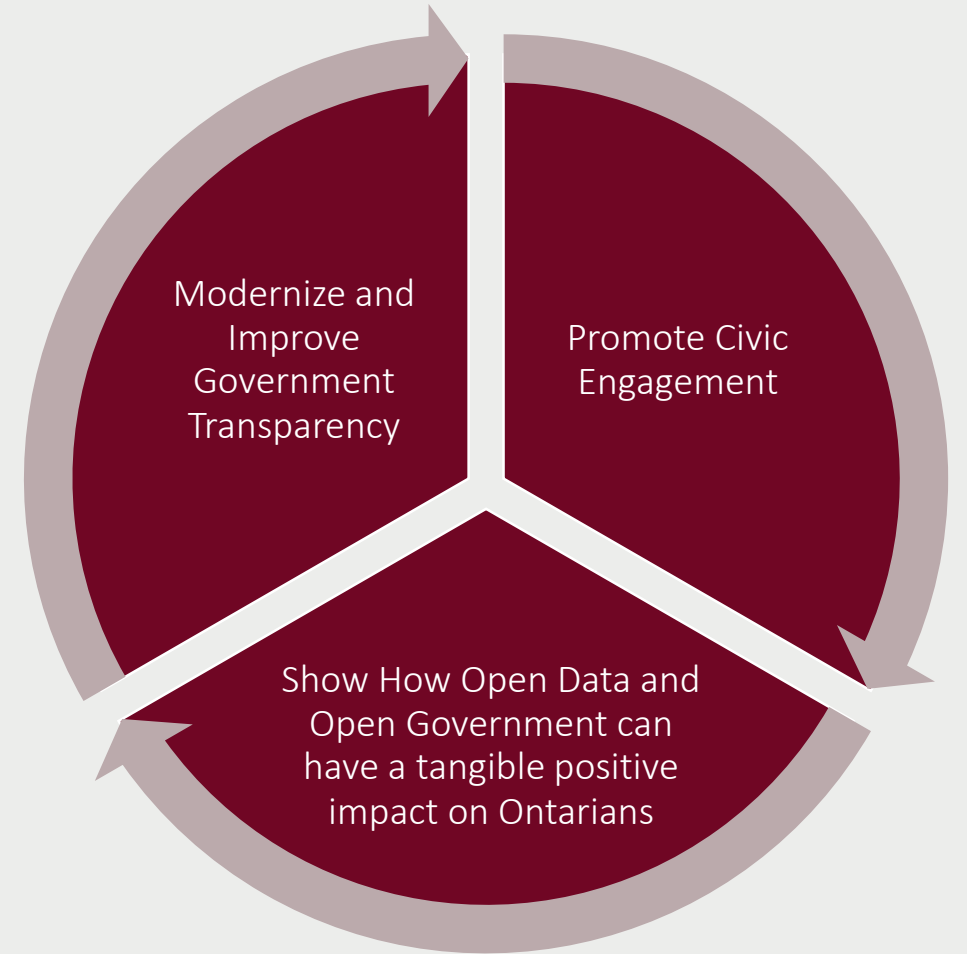
- September 28, International Right to Know Day — the IPC launched its first-ever Transparency Challenge
- Transparency helps people understand government decision-making and the policies and issues that matter to them.
- Visit our webpage for more details.

<https://www.ipc.on.ca/access-organizations/open-government/join-the-ipcs-transparency-challenge/>



# Transparency Challenge

- Open to public sector institutions in Ontario at the provincial and municipal levels that are subject to *FIPPA* and *MFIPPA*
- The deadline for submissions is January 13, 2023
- Examples will be featured in the IPC's Transparency Showcase in mid-2023





# IPC Youth Advisory Council

- A group of ten young people between the ages of 15 and 24
- Youth Advisory Council members may be asked to share their opinions on:
  - Access and privacy rights of Ontario's children and youth
  - Holding institutions accountable for protecting children and youth
  - IPC program ideas and resources to enhance privacy education and digital literacy among children and youth
- Selected council members can serve for a two-year term
- Application deadline: November 25, 2022
- Email [youthcouncil@ipc.on.ca](mailto:youthcouncil@ipc.on.ca) for info



# Next-Gen Law Enforcement Foresight Series

- Technological and social context of law enforcement is changing
- Need to build a shared understanding of the future for privacy and transparency
- Foresight is not about predicting the future, but exploring a range of plausible futures





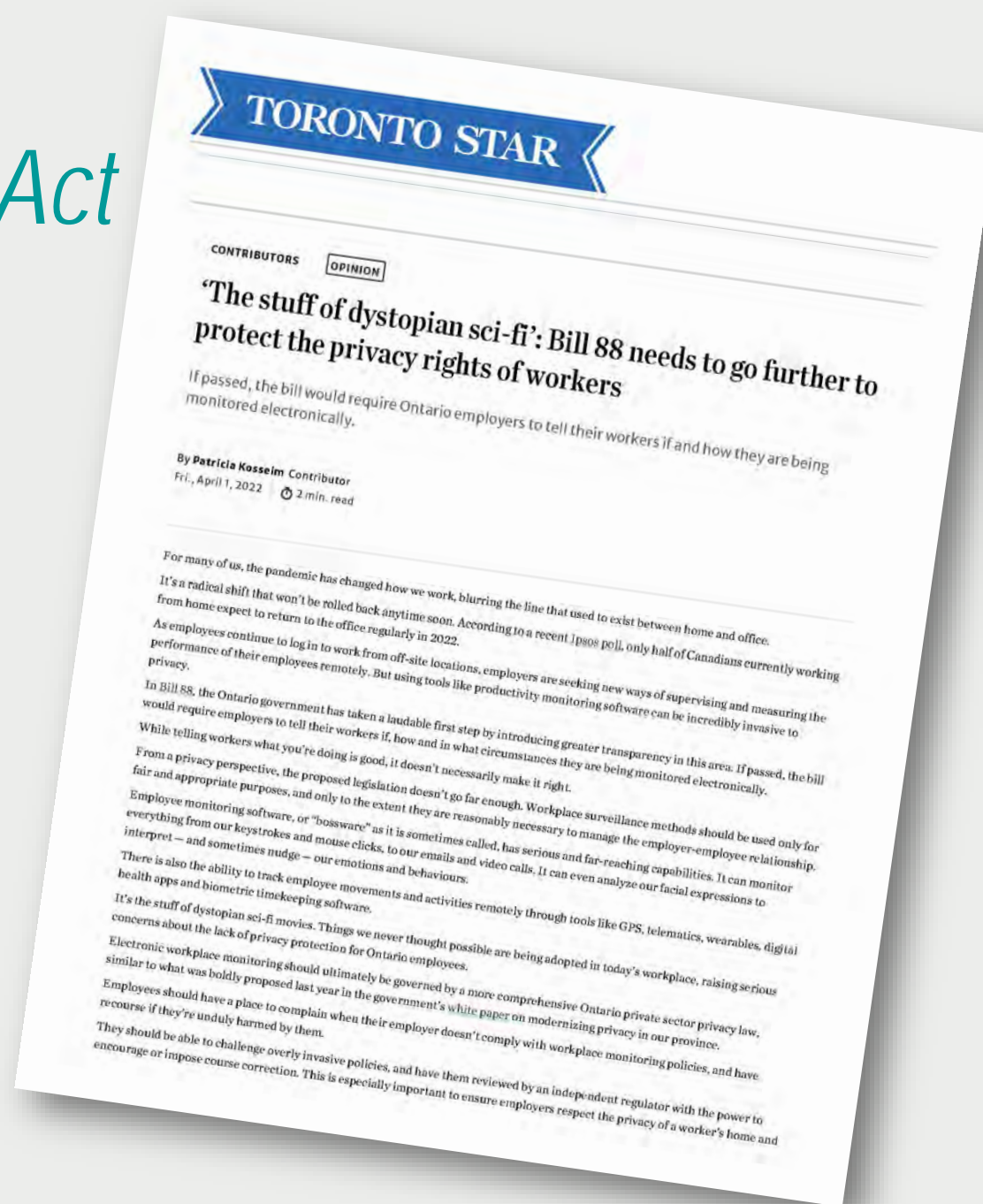
Legislative updates

# Bill 88, *Working for Workers Act*, 2022

- Introduced on February 28, 2022 and received Royal Assent on April 11, 2022.
- Amends the *Employment Standards Act* and requires employers with 25 or more employees to have a written policy explaining whether, how and in what circumstances they monitor workers electronically as well as the purposes for which they intend to use the information collected.
- It also permits the Lieutenant Governor in Council to prescribe by regulation, among other things, additional requirements for electronic monitoring policies, terms or conditions of employment related to electronic monitoring, and prohibitions related to electronic monitoring.
- Under the amendments, employers must have written policy in place by October 11, 2022 and provide a copy of the policy to employees by November 10, 2022.

# Bill-88, Working for Workers Act

- Law needs to go further to protect the privacy rights of workers
- Employees should be able to complain and seek recourse for abusive surveillance practices from independent oversight body
- Workplace monitoring should be governed by a more comprehensive Ontario private sector privacy law



# PHIPA administrative penalties

- Significant changes made to the *Personal Health Information Protection Act* (PHIPA) in 2020 to align with the move toward digital health in Ontario
- One amendment gave the IPC the power to impose administrative penalties against persons who contravene *PHIPA*
- Purpose of AMPs is to (a) encourage compliance with the Act or (b) prevent a person from deriving, directly or indirectly, any economic benefit as a result of contravening the Act.
- Regulations setting out how amounts shall be determined must first be adopted before IPC can begin imposing administrative penalties



Resolutions: *Working together*

# National and International Resolutions: Hot off the press!

- **Canada's FPT Commissioners (Sept '22)**
  - Axe the Fax/Secure communications in health care delivery
  - Digital Identity Ecosystems
- **Global Privacy Assembly (Oct '22)**
  - Facial Recognition
  - International Cooperation on Cybersecurity







Latest Resources from the IPC

# Ransomware Fact Sheet

- Recently updated and reissued
- Cyberthreats are constantly changing and evolving
- Tips to avoid common traps through increased awareness and prevention

## How to Protect Against Ransomware

Ransomware is a top threat facing Ontario organizations. Ransomware attacks can destroy vital records, knock out critical systems and services, and put sensitive information into the hands of criminals.

Organizations subject to Ontario's access and privacy laws must ensure that their cybersecurity programs include reasonable measures to protect their information holdings. This fact sheet is meant to be a useful overview for organizations and the people they serve.

This guide by the Office of the Information and Privacy Commissioner of Ontario (IPC) is for informational purposes only and should not be relied upon as a substitute for the legislation itself, or as legal advice. It is intended to enhance understanding of rights and obligations under Ontario's access and privacy laws. It does not bind the IPC's Tribunal that may be called upon to independently investigate and decide upon an individual complaint or appeal based on the specific facts and unique circumstances of a given case. For the most up-to-date version of this guide, visit [www.ipc.on.ca](http://www.ipc.on.ca).

## WHAT IS RANSOMWARE?

Ransomware attacks involve the digital extortion of an organization. Attackers gain control of an organization's data holdings and often threaten to take damaging action unless they receive payment. Most ransomware attacks involve at least one of the following tactics:

- **Lock out.** Attackers gain control of business-critical systems, file repositories, and backups. They also use tools such as encryption to lock an organization out of its own information and systems, refusing to restore access until they receive payment.
- **Data theft.** Attackers gain access to large volumes of information, copy these records to a location they control, and threaten to publish them unless they receive payment.

The Canadian Centre for Cybersecurity [reports](#) having knowledge of 235 ransomware attacks that affected Canadian organizations in 2021. The actual number is thought to be much higher because of underreporting. For example, a [2022 TELUS survey](#) of 463 Canadian businesses found that 83

# IPC videos and webinars

The screenshot displays the YouTube channel for the Information and Privacy Commissioner of Ontario. The channel name is "Information and Privacy Commissioner of Ontario" and it has a "SUBSCRIBE" button. The navigation menu includes "HOME", "VIDEOS", "PLAYLISTS", "CHANNELS", and "ABOUT". The "VIDEOS" tab is selected, showing a grid of video uploads. The videos are:

- Privacy Tips for Kids #shorts
- Protégez-vous contre l'hameçonnage (1:01)
- Le droit à la vie privée en matière de santé (1:19)
- Protégez votre vie privée en ligne (1:28)
- Conseils sur la vie privée pour les enfants (1:03)
- Droits d'accès à l'information (1:17)
- Health Information Privacy Rights (1:04)
- Protect Against Phishing (0:53)
- Privacy Tips For Kids (1:01)
- Access to Information Rights (1:03)
- Protect Your Privacy Online (1:12)
- Webinar: Access, correction, and breach statistics (Part X of CYFSA) (37:46)
- Webinar: Access and correction statistics... (34:01)
- Webinar: PHIPA Access and Correction Statistics... (40:56)
- Webinar: PHIPA Breach Statistical Reporting (40:41)
- Journée de la protection des données 2022 : Former une... (1:55:38)
- Privacy Day 2022 Webcast: Empowering a New... (1:56:38)
- Protecting Student Privacy Rights in Ontario (20:38)





[www.ipc.on.ca/media-centre/blog/](http://www.ipc.on.ca/media-centre/blog/)

### **Ransomware: An ounce of prevention is worth a pound of cure**

Oct 13 2022

It takes years to build a reputation people can trust and seconds for a cyberattack to bring it all crashing down. Once criminals gain access to an organization's systems and the information stored within, the door is open to identity theft, economic loss, and devastating reputational damage. G...

### **Transparency shines bright during Right to Know Week 2022**

Sep 26 2022

For Canadians, Right to Know Week is a time to reflect on our access rights and the importance of open, transparent government. This week, the IPC will spread the word about the public's right to know by sharing resources about how individuals can exercise their access rights and how public ins...

### **IPC welcomes Professor Teresa Scassa as its first Scholar-in-Residence!**

Sep 06 2022

Guest blog by Teresa Scassa It is no secret that Ontario faces many challenges when it comes to privacy and data governance today. Some of these relate to ongoing efforts to ensure that our personal data and personal health information are properly stewarded in the public and healthcare sectors, ...

### **Going digital: IPC now receives FOI appeals and payments online, anytime!**

Aug 10 2022

If you've read the IPC's 2021 Annual Report, you'll know that my office has set its sights on a vision to enhance Ontarians' trust that their access and privacy rights will be respected. This vision rests on three key pillars: actively advancing Ontarians' rights in key strategic areas...

### **Privacy and humanity on the brink**

Jul 21 2022

Certain events in life are of such seismic proportion that they remind us of our fragility not only as human beings, but as an entire human species. I first got that feeling in the chaotic aftermath of 9/11 when I feared possible nuclear retaliation might put an end to us all. I felt it again whe...





Conversations about people, privacy, and access to information. Hosted by Patricia Kosseim, Information and Privacy Commissioner of Ontario.



## Info Matters

Information and Privacy Commissioner of Ontario

Government

★★★★★ 5.0 • 5 Ratings

Listen to the podcast:  
[www.ipc.on.ca/media-centre/info-matters-podcast/](http://www.ipc.on.ca/media-centre/info-matters-podcast/)

OCT 25, 2022

### Seeing privacy through an equity lens in the child welfare sector >

We all have a role to play in supporting vulnerable children, youth, and families in our communities. Misunderstandings about privacy can sometimes make people hesitant to share information about potential abuse or neglect with a children's aid society. On the flip side, overreporting can lead to...

▶ PLAY 36 min

SEPT 30, 2022

### From high school to university: a young person's perspective on digital... >

In today's connected world, children and youth are growing up online, spending more time in front of screens than any generation before them. This episode explores how young people are using digital technologies, what they think about privacy, and how parents, teachers, and regulators can help the...

▶ PLAY 19 min

AUG 2, 2022

### Giving foster kids a fair shot in life >

Child welfare records can follow kids even after they've aged out of the system. That's the reality former foster kids face as they begin their adult lives, shadowed by deeply personal histories recorded in files that are accessible to others. This can affect their job prospects, their chance of...

▶ PLAY 36 min

MAY 31, 2022

### In conversation with Jim Balsillie: Data, technology, and public policy >

Data is the engine of the modern economy, a key driver of innovation and growth. While the power of data is undeniable, questions emerge about the impact of digital transformation on our human rights, our collective well-being, and the state of our democracy. Commissioner Kosseim speaks with Jim...

▶ PLAY 29 min



# IPC Policy consultations

- Planning and preparation are key
- Be prepared to:
  - clearly describe aspects of your proposal
  - define the legal authority you will be relying on, and
  - be clear on what you would like to get out of the consultation



## Decisions

In accordance with Ontario's privacy and access laws, the Commissioner and her delegates issue decisions, orders and privacy investigation reports.

Home > Decisions

Search IPC Decisions

Judicial Review

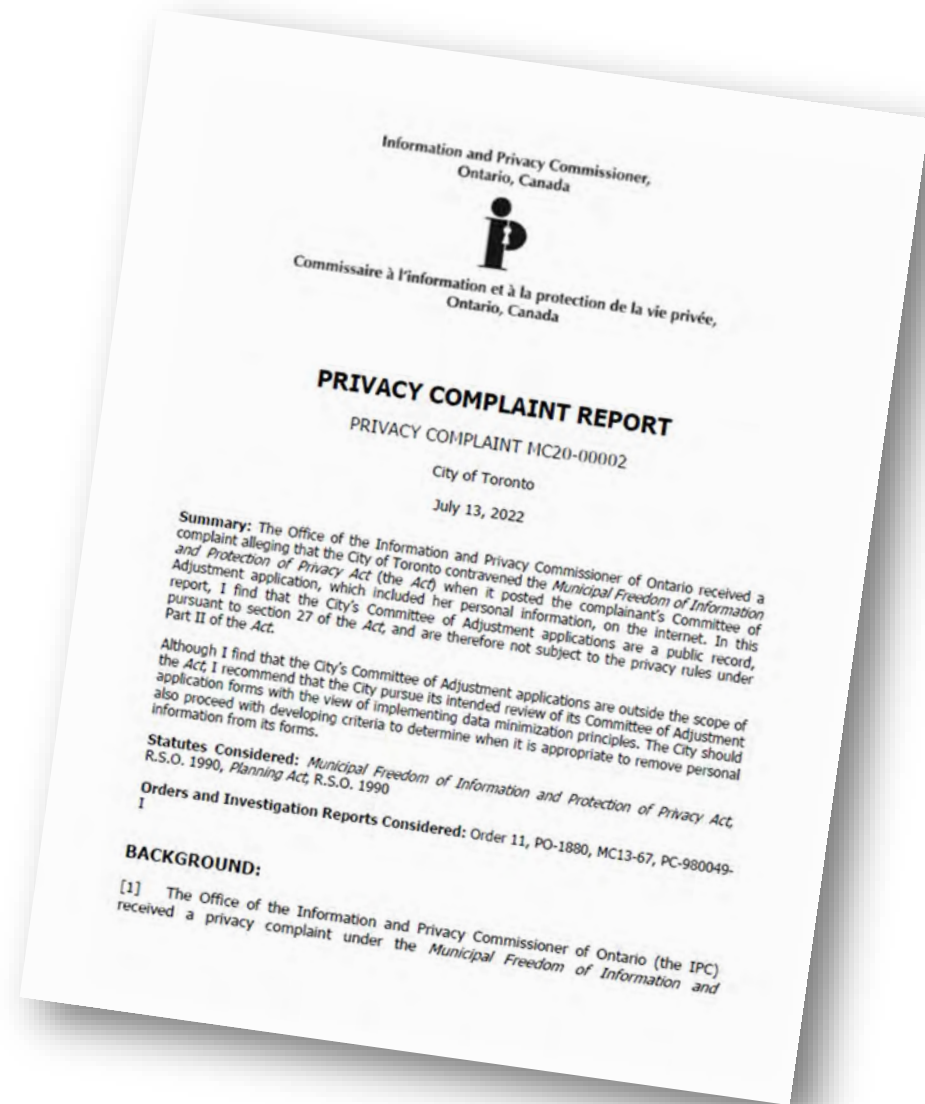
Judicial Review of Municipal Orders  
Judicial Review of PHIPA Decisions  
Judicial Review of Privacy Complaint Reports  
Judicial Review of Provincial Orders  
Judicial Review of Provincial Orders: Pg 2  
Judicial Review of Provincial Orders: Pg 3  
Judicial Review of Provincial Orders: Pg 4

Resolutions

Special Reports

PHIPA Adjudication Summaries  
PHIPA Resolutions

Search our decisions: [www.ipc.on.ca/decisions](http://www.ipc.on.ca/decisions)



# CONTACT US

## Information and Privacy Commissioner of Ontario

2 Bloor Street East, Suite 1400

Toronto, Ontario, Canada M4W 1A8

Phone: (416) 326-3333 / 1-800-387-0073

TDD/TTY: 416-325-7539

Web: [www.ipc.on.ca](http://www.ipc.on.ca)

E-mail: [info@ipc.on.ca](mailto:info@ipc.on.ca)

Media: [media@ipc.on.ca](mailto:media@ipc.on.ca) / 416-326-3965