

# Moving Forward at the IPC: 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

IAPP  
KnowledgeNet

February 23, 2021

# Some early directions of new mandate

- Focus on Ontario, informed by legal and policy developments globally
- Continue positive collaborations with stakeholders and regulatory counterparts
- Interest in issues at the intersection of public, health and private sectors
- Support fair, practical and flexible interpretation and application of new statutory amendments, including:
  - recent amendments to *PHIPA*
  - data integration units under *FIPPA*
  - privacy protections in *Part X* of *CYFSA*
- Connect with as many Ontarians as possible through education and outreach, y compris les Franco-Ontariennes et les Franco-Ontariens



# IPC's Mandate

- *Freedom of Information and Protection of Privacy Act (FIPPA)*
  - covers 300 provincial institutions
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
  - covers 1,200 municipal organizations
- *Personal Health Information Protection Act (PHIPA)*
  - covers thousands of individuals and organizations involved in the delivery of health care services
- *Child, Youth and Family Services Act (Part X) (CYFSA)*
  - children's aid societies, child/youth service providers



# Strategic Priorities

# IPC's Strategic Priority-Setting Exercise

## Goal:

- Identify access and privacy priorities

## Why:

- Prioritize the most pressing access and privacy challenges for Ontarians
- Focus and leverage resources
- Guide *discretionary* decision-making
- Enhance positive impact



# Process

## STEP 1:

- Consult with all IPC staff on top issues resonating with Ontarians
- Draw from daily research and environmental scanning functions
- Develop long list of potential strategic priorities

## STEP 2:

- Consult with IPC's senior management committee
- Consult with external, ad hoc strategic advisory committee

## STEP 3:

- Draft external consultation paper to gather input from general public and key stakeholders on a shortlist of 6 potential priorities

## STEP 4:

- Release consultation paper and target/outreach to specific stakeholders

## STEP 5:

- Consider responses to public consultation
- Select strategic priorities and publish final report describing the process and announcing IPC priorities in early 2021



# Selection Criteria

## RELEVANCE TO ONTARIANS:

- Is the proposed priority of pressing importance to Ontarians, and will it continue to be as significant over the next five years?
- Does the proposed priority pose risks of negative impact on Ontarians? Is there an opportunity to help reduce or eliminate such risks?
- Do the risks and impacts affect certain people or groups more than others?

## OPPORTUNITY FOR IMPACT:

- Will addressing the proposed priority advance the purposes of access and privacy laws in Ontario?
- Is there a realistic opportunity to make significant improvements in this priority area within the next five years?
- Is there a leadership gap the IPC can fill in this priority area?
- Are there partners the IPC can collaborate with to achieve a greater impact?

## IPC CAPACITY:

- Does the proposed priority fall within the IPC's mandate?
- Is the proposed priority well-aligned with the IPC's strengths (including any past work done on the issue)?
- Can the IPC reasonably address this proposed priority area with its current level of resources?







Potential Priorities

# Government Digital Service Delivery

## Goal:

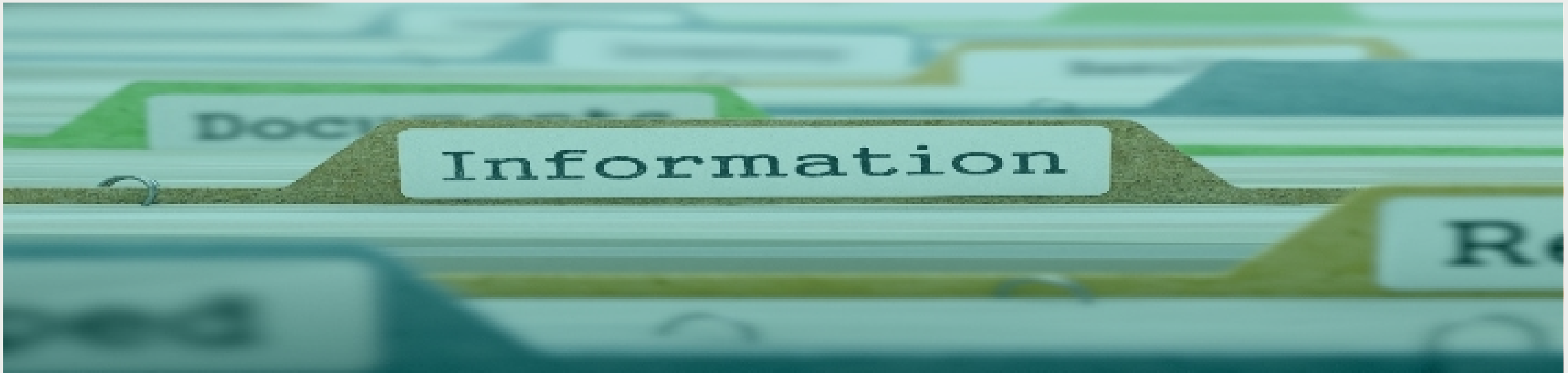
*The IPC will be a trusted source of independent advice to government institutions seeking to digitize their services, while holding them accountable for respecting the privacy and access rights of individuals who use such services.*



# Transparency & Open Government

## Goal:

*The IPC will reduce barriers to access government-held information by promoting efficient access-to-information processes, proactive disclosures, and an overall culture of open government, while also protecting the personal information of individuals.*



# Responsible Use of Data for Good



## Goal:

*The IPC will convene, and work with, relevant partners to develop governance frameworks that support the responsible use of data for innovative and socially beneficial purposes.*

# Privacy, Access, and Youth



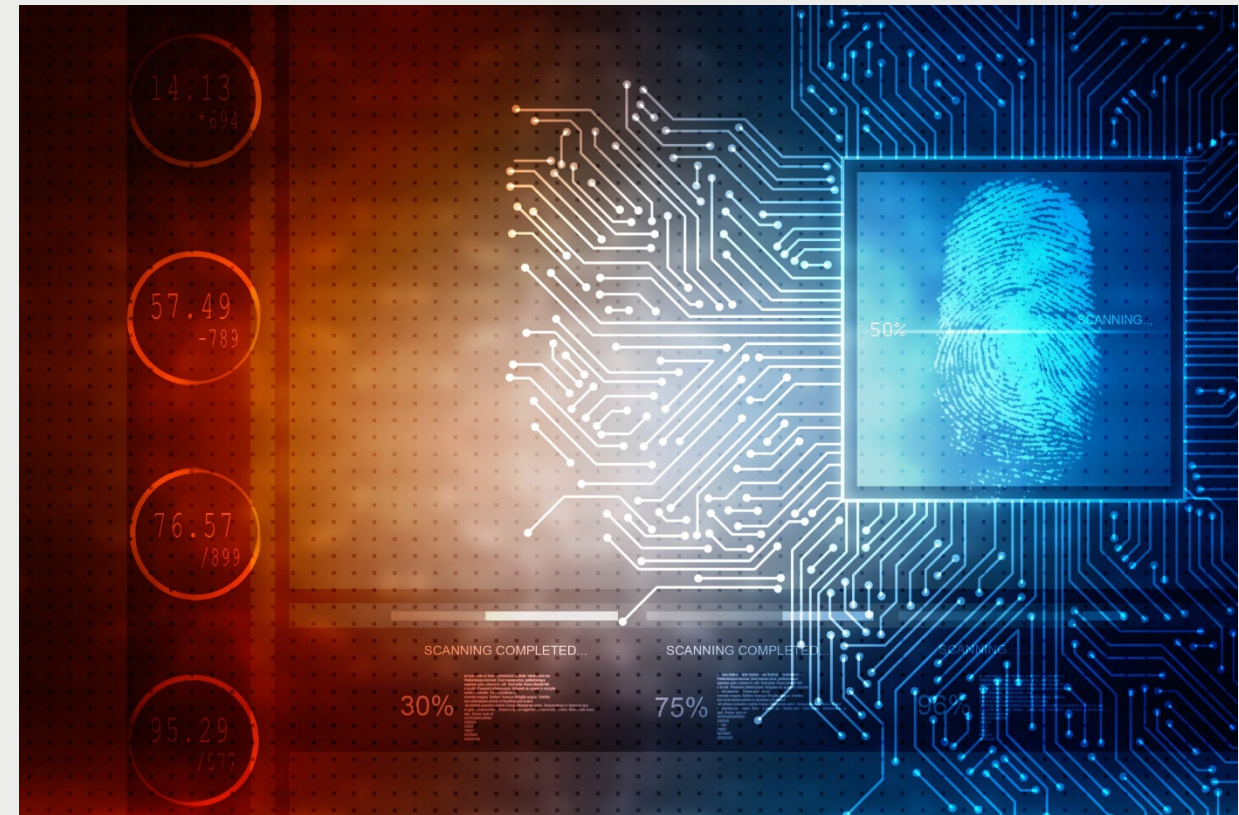
## **Goal:**

*The IPC will champion the access and privacy rights of Ontario's children and youth, helping them to exercise their independence, protect themselves, and make informed choices about their personal information.*

# Next-Generation Law Enforcement

## Goal:

*The IPC will develop and enforce the necessary boundaries to ensure that law enforcement's adoption of new technologies in order to protect public safety, also respects Ontarians' access and privacy rights.*



# Trust in Virtual Healthcare

## Goal:

*The IPC will help support a virtual health care system which respects Ontarians' privacy and access rights and is founded on human dignity and trust.*





# Potential Cross-Cutting Approaches



# Cross-Cutting Approaches

- *Accessibility and equity*
- *Capacity building (internal and external)*
- *Visionary but pragmatic*
- *Collaboration and consultation*



# What we heard – statistics & observations

- 58 total submissions
- Broad cross-sectoral representation:
  - Health sector (12)
  - Public / Municipal sector (11)
  - Private sector (incl. privacy consultants) (10)
  - Not-for-profit (6)
  - Academia (3)
  - General public (14)





# Made-in-Ontario Private Sector Privacy Law

# Ontario's opportunity in a nutshell

- A provincial private sector privacy law could:
  - provide more comprehensive protection in areas where the federal government is constitutionally constrained from acting
  - be better suited to the realities of small and medium sized enterprises
  - provide a more seamless regulatory regime for innovative, intersectoral initiatives specific to Ontario
  - fill an important void for vulnerable populations, including children



Questions?

# 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)

General: [info@ipc.on.ca](mailto:info@ipc.on.ca)

Media: [media@ipc.on.ca](mailto:media@ipc.on.ca)