

PSCIOC/PSSDC PRIVACY SUBCOMMITTEE
ACTIVITY REPORT
FOR
SEPTEMBER 2018

The Privacy Subcommittee - Overview

The PSCIOC / PSSDC Privacy Subcommittee was established in the 1990s. Initially a subcommittee of the Public Sector CIO Council, for the last number of years, it has reported jointly to the Public Sector CIO Council and the Public Sector Service Delivery Council.

Membership ideally includes representation from all levels of government including federal, provincial, territorial and municipal. Members of the subcommittee are typically from government bodies that provide central access and privacy services (advice, policy, legislative support, etc.) for government, along with several major federal government departments.

Mandate

The Mandate, described in the Terms of Reference, is threefold:

- To provide a national forum for the exchange of information relating to access to information/Freedom of Information and privacy research, best practices, training, IT products, and other resources, in support of public sector programs and objectives;
- To support the mission of the PSCIOC "to enable enhanced service to the Canadian public through collaboration across governments and demonstrated leadership in the management of information and technology"; and
- To support the mandate of the PSSDC to "share information, develop partnerships and facilitate potential solutions that can be used to improve public sector service delivery" by playing a leadership and coordination role in matters related to access to information and privacy protection.

Meetings, Conference Calls and Other Communications

The Subcommittee Terms of Reference notes that at least one formal meeting will be held each year. Where practical, these meetings will be held in conjunction with access and privacy conferences or other similar events held throughout the country.

The group had a very productive meeting in Ottawa in October 2017. This meeting was well attended with representation from almost every jurisdiction in-person and by teleconference. Some of the topics discussed included private sector privacy legislation,

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centralized access services, case management solutions, privacy training, and amendments to legislation. There were in-person presentations from academics and federal government representatives. the current Ontario Information and Privacy Commissioner, the former Ontario Commissioner and representatives from the Ontario government and the city of Toronto. The next meeting has been scheduled for October 2018 in Toronto and will be hosted by Ontario. We will be inviting a few guest speakers and planning an agenda that includes discussions about GDPR, and other access and privacy issues.

One of the challenges, however to full participation at the meetings is the cost of travel. The last two in-person meetings have been held centrally in Toronto and Ottawa and attendance has been higher than past meetings.

The Subcommittee supplements the face to face meeting with regular conference calls. Working groups, project groups and other sub-groups of the Subcommittee will hold additional calls as required to conduct business. The subcommittee received approval from the Joint Councils to move forward with a new working group on GDPR. An invite has been extended to Joint Council members if they would like to participate. It will be co-chaired by BC and the federal government. The purpose of the working group is to come to a consistent understanding of a complex piece of legislation with a significant compliance regime and to share information that will impact all jurisdictions.

At the February 21st Joint Councils meeting, Chad Hoskins and Rhianna Begley presented an update on the subcommittee's work. As a result of that update, the subcommittee was asked to report back to the Joint Councils on request related to information on streamlining privacy impact assessment and connecting the work of this group to the digital identity priority and the work around cybersecurity and cloud working group. Work is underway on the question related to streamlining privacy impact assessments and connections have been made between other PSCIOC-PDDC subcommittees on identity management, cybersecurity and cloud.

Members also regularly use e-mail to ask questions of other members, to learn from the experience of others, and to share information about activities within their jurisdiction.

Over the past six months, there has continued to be an active dialogue on issues such as privacy breach protocol/reporting, open government, shared services models, legislation, fee structures and common FOI requests.

Workplan - Updated to January 2017

Over the past few in-person meetings, the subcommittee has discussed major objectives to add to the work plan. Some of these items are still ongoing, In addition, the group has been tasked with some deliverables from the Joint Councils that has been added to this list. . It focuses on the following areas:

TAB 9.A.2 Privacy Sub-Committee Workplan Update September 2018

1. Identify common metrics (e.g., fees, privacy breach reporting, access requests, and proactive disclosure) and develop a reporting schedule. Once we have developed a set of consistent metrics, this information can be readily available to all jurisdictions to assist with access and privacy planning.
 - a. Status Update – the group has identified a number of common metrics for privacy and access across jurisdictions. Some of these include on-time percentage for access requests, number of access requests, number of reported privacy breaches, cost to complete an access request. Some statistics, such as the number of requests received per capita, number of processing days for each jurisdiction and access request response types have now been compiled. Further discussion on this topic will occur at the meeting in Toronto in October.
2. Develop a shared document library. This could be in the form of a SharePoint or like site that can be accessed by all members of the subcommittee. Members currently spend a large amount of time canvassing the group with similar or duplicative issues because there is not a shared document library. This is essential once common metrics have been developed (as per above) to help streamline information sharing.
 - a. Status Update – the group has struggled to find a reliable and secure method for storing, sharing and updating documents. There are two options that need to be explored further – the repository hosted by the Joint Councils and a sharing and collaboration space hosted by the federal government.
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3. Streamline privacy impact assessments. This group was asked by the Joint Councils to look into options for streamlining privacy impact assessments.
 - a. Status Update – Work is underway to gather information and discuss this amongst the group members.
4. GDPR working group. The privacy subcommittee will be leading a group to discuss the impacts of the new regulations on Canada.
 - a. Status Update – membership has been established as well as a Terms of Reference. The first teleconference was held in September 2018 and work will continue for the next year.
5. More closely align the work of the subcommittee with the Joint Council initiatives. The group is working with the recommendations from the Framework working group, and will continue to report in to the Joint Councils as well as take on

work as recommended by the group.

Watching Brief / Information Sharing / Face to Face Meetings

Since the Privacy Subcommittee also plays an advisory and community of experts' role, there is significant time spent in keeping abreast of any new legislation, policies, breaches and issues such as the emergence of Open Government initiatives and their impact on government.

Next Meeting

Next in-person meeting will be October 18-19 in Toronto. Monthly conference calls continue on a monthly basis on the second Tuesday of each month.