

**PSCIOC/PSSDC PRIVACY SUBCOMMITTEE**  
**ACTIVITY REPORT**  
**FOR**  
**SEPTEMBER 2017**

**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 Toronto in October, 2016. This meeting was well attended with representation from almost every jurisdiction in-person and by teleconference. Some of the topics discussed included Big Data and Privacy, Access

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Legislation and Review, and Privacy and Compliance Audit programs. There were in-person presentations from 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 2017 in Ottawa and will be hosted by Treasury Board Secretariat (TBS). We have invited Canada's Information Commissioner and Canada's Privacy Commissioner to speak to the group. Items on the agenda include centralized access programs, privacy training, and Big Data.

One of the challenges, however to full participation at the meetings is the cost of travel. There were a number of participants who joined sessions of the meeting by phone but there is a real advantage to getting people to attend in person to increase the networking opportunities. We are, however, expecting good attendance for the Ottawa meeting.

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.

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**

At the last two meetings in Halifax, 2015 and Toronto, 2016, the group designed a new workplan.. This work is progressing but is still ongoing. It focuses on the following areas:

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 Ottawa.

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. The group is hoping to leverage the new repository launched by the Joint Councils but more work is needed to explore this option.
3. Review the subcommittee terms of reference. Since there will be discussion of the subcommittee's role at the September 17, 2015 joint councils meeting, we propose that the terms of reference be updated after that discussion. A proposal was also made at the Halifax meeting to change the name of the group to Access and Privacy Subcommittee due to the fact that at least 50% of the discussion centres on access issues.
  - a. Status Update – this item is complete.
4. More closely align the work of the subcommittee with the Joint Council initiatives. The agenda item at the Joint Councils meeting in September is timely as there was substantial discussion at the Halifax meeting about how to align our work with the council's work. Sandra Cascadden (Nova Scotia) spoke to the subcommittee and the relationship between our group and the respective CIO's in each province.
  - a. Status Update – the Chair participated in the Joint Councils' Framework working group. Out of this, the group will have a chance to refocus and align with the vision and call to action of the Joint Councils. This group will work from the principles put forward by the Framework working group to look at the work of the subcommittee over the next six months. We are awaiting more information on this issue from the working groups and have been actively participating in discussions with Systemscope.

5. Determine in-person meeting schedule that can accommodate the most members and leverage the relationship with the Joint Councils.
  - a. Status Update – the next meeting will be in Ottawa in October, 2017.

### **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. It also shares best practices in the area of community renewal in addition to awareness, training and communications.

### **Next Meeting**

Next in-person meeting will be summer of fall 2017 in Ottawa. Monthly conference calls continue on a monthly basis on the second Tuesday of each month.

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PROJECT/ ACTIVITY	DELIVERABLE	FORECAST DATE	PRIORITY	COSTS
Identify common metrics (e.g., fees, privacy breach reporting, access requests, and proactive disclosure) and develop a reporting schedule.	Work as a group to develop common reporting metrics across jurisdictions. Share and update on a regular basis.	Fall 2016 and ongoing	H	Nil
Develop a shared document library	Work within the group to determine the best way to house and share commonly used information.	Spring 2017	H	Nil
More closely align the work of the subcommittee with the Joint Council initiatives.	Review and monitor workplan to ensure that the group is contributing to the goals of the Joint Councils.	Spring 2017	M	Nil
Provide a Watching Brief	Monitor issues and activities to prepare jurisdictional briefs as needed or to develop common strategy. For example: Open Government Community Development Information and Privacy Commissioner and court decisions.	Ongoing	M	Nil

*ii) Future Opportunities – Longer Term, Not Currently Active*

PROJECT/ ACTIVITY	DELIVERABLE	TARGET	PRIORITY	COSTS
Proactive disclosure	Consider developing advice for jurisdictions moving to proactively disclose records.	TBD		TBD
Privacy investigations	Consider developing a training module for conducting privacy investigations.	TBD		TBD
Privacy Management Framework	Consider developing a model of standard elements of a privacy management framework for the public sector.	TBD		TBD
Cloud computing	Consider for discussion with NCSIP.	TBD		TBD

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Integrated service delivery	Explore privacy issues / solutions connected to improving integrated service delivery across Canada	TBD		TBD
Web based Privacy Self-Assessment Compliance Tool 1) for Governments 2) private sector contractors	Allow public sector managers to evaluate proposals/systems on an automated basis. Adapt for private sector compliance with privacy. Develop a generic master with extensions.	TBD		TBD
Consider on-line training tools based on pan-Canadian PIA tool	To provide consistent training in the use of the pan-Canadian PIA tool.	TBD		TBD

*iii) Completed*

PROJECT/ ACTIVITY	DELIVERABLE	COMPLETE PROJECTS	PRIORITY	COSTS
Review the subcommittee terms of reference.	Review and update the subcommittee terms of reference.	Fall 2015 - complete	M	Nil
Social Media privacy guidelines	Establish working group to study materials in place in BC and other jurisdictions. Modify and recommend to others as appropriate.	Complete 2013	H	Nil
Work plan renewal	Develop new workplan for high priority projects identified at June 2014 meeting. Further discussions will be held at May 2015 meeting.	Spring 2015	H	Nil
Core competencies for Access and Privacy Functions	Ontario developed core competencies for the purposes of the Subcommittee. The intent was to develop a model to be available for use by other jurisdictions.	Complete 2013	H	Nil
Develop Transnational Data Flow Government to Government Information Sharing Agreement Guidelines to serve as model for all jurisdictions.	In 2006, PSCIOC approved ISA Government to Government (within Canada) best practice guidelines. Treasury Board of Canada Secretariat (TBS) has extended those guidelines for application to international/ transnational data flows. The final document has been approved and was posted on the TBS Website in September 2010.	Completed, September 2010	M	Nil
Participate in the Identity Management Steering Committee's Legal Privacy and Security Working Group	Provide privacy advice and review as member of Working Group.  Develop high-level PIA for the Assurance Model	Completed, Spring 2009	M	Nil

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High-level Privacy Impact Assessment on the Assurance Model of the Identity Management Steering Committee	High level Privacy Impact Assessment of the Assurance Model of the Identify Management Steering Committee using the pan-Canadian PIA Best Practices Guide approved by the Joint Councils in September 2008.	Completed, May 2009  The Privacy Subcommittee provided members and advice to the LPS Working Group to complete a high-level Privacy Impact Assessment on the Assurance Model.	M	Nil
Joint meeting with NCSIP	The Privacy Subcommittee and NCSIP to hold a joint meeting in Spring 2009.	Successful joint meeting held in St. John's May 20, 2009	H	Nil
Privacy Audit Guide	Guidelines for conducting a privacy audit including: Terms of Reference, engagement objectives, methodology, reporting models, etc.	Final report approved by Joint Councils February 2009  Privacy Subcommittee members will share/use as appropriate within jurisdictions.	H	\$50K
Create new pan-Canadian PIA model	Develop new scalable PIA model with guidance material	PIA guide approved by Joint Councils September 2008  PIA Guide is currently in use or adapted in several jurisdictions	H	Nil
Develop and Promulgate a Privacy Breach Protocol Guide	Ontario developed guidelines and shared with all Subcommittee members for adaptation/reference in other jurisdictions.	Spring 2007		Nil
Develop on-line course for access and privacy training in the public sector	Saskatchewan developed an on-line training course for access and privacy. Several jurisdictions have adapted the course for use within their own jurisdictions	Spring 2007		Nil
Promulgate Information Sharing Agreement Best Practices – Government to Government	Final guidance document approved by PSCIOC. Launched on ICCS website. Jurisdictions are referencing and using to develop/modify own guidelines.	Fall 2006  November 2006		Nil
Identify best practice options for access and privacy training	Half day session held at Fall 2007 meeting of Subcommittee devoted to presentations and discussions of training materials in all jurisdictions	October 2007		