

Office of the Privacy Commissioner of Canada

2019-20

Departmental Plan



The Honourable David Lametti, P.C., M.P.
Minister of Justice and Attorney General of Canada

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Message from the Privacy Commissioner of Canada

I am pleased to present the Office of the Privacy Commissioner of Canada (OPC) 2019-20 Departmental Plan.

This year's plan builds on the Departmental Results Framework introduced last year, which details what our organization does, what results we are trying to achieve for Canadians, and how we will assess progress and measure success.

In 2015, my Office unveiled four strategic privacy priorities that would guide our work through 2020. They are: the [economics of personal information](#),ⁱ [government surveillance](#),ⁱⁱ [reputation and privacy](#),ⁱⁱⁱ and, [the body as information](#).^{iv} A year ago, we introduced a new organizational structure focused on two program areas – Compliance and Policy and Promotion – in order to better fulfill our core responsibility, protecting the privacy rights of Canadians.



As part of these commitments, we have advocated for modernizing Canada's outdated privacy laws and for educating individuals and organizations about their privacy rights and responsibilities. We are increasingly looking for ways to address privacy issues proactively and be more innovative in our service delivery to Canadians.

As we approach 2020, I think it is safe to say that we have achieved a lot over the last four years. For example, our work on consent culminated with new guidance for organizations, which we began to apply in January. Our efforts to improve national security legislation has resulted in some important amendments to Bill C-59. That being said, there is still much work to do in terms of guidance, outreach and ongoing monitoring.

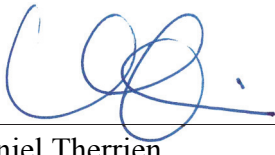
Unfortunately, 2018 marked a low point for privacy, which was thrust into the national and international spotlight by major breaches and scandals affecting both the public and private sectors. Last year, we saw how privacy violations can impact other fundamental rights and values such as freedom and democracy, which should serve as a cautionary tale in a federal election year. The Facebook/Cambridge Analytica matter has been a wake-up call for governments around the world about the capabilities of social media and the need for stronger regulation. Here at home, Statistics Canada's collection of personal information from private sector organizations is raising many questions about state data collection practices. Both these matters are the subject of major OPC investigations, which will be completed in 2019-20.

Going forward, it is important that we look for ways to drive home the important role privacy plays when it comes to trust in the digital economy and in our federal institutions. Central to this role is having modern, rights-based privacy laws that protect us when organizations fail to do so, and having a well-resourced regulator with the tools needed to effectively hold businesses and

government to account. To that end, we will continue to press for changes to both the Privacy Act and the Personal Information Protection and Electronic Documents Act (PIPEDA).

We will also call for more funding to ensure we can fulfill our mandate and the ambitious goals required to improve privacy protection.

The federal government and legislators are currently developing Canada's national data strategy and laws for the modern age. At this point, it is important that we as a society recognize the crucial role that privacy plays in protecting fundamental rights and values, including freedom and democracy. If this happens, we will have drawn the right lessons from 2018.



Daniel Therrien
Privacy Commissioner of Canada

Plans at a glance and Operating Context

Operating Context

The OPC's strategic and operating environment is in a constant state of evolution. It is influenced by the unrelenting speed of technological change, the array of new business models and different means of collecting and manipulating data, which are outpacing privacy protections.

These elements combined with an increase in data breaches affecting millions and daily scandals relating to uses of Canadians' personal information, are just a few realities of today's privacy landscape. Our current privacy laws are inadequate and don't reflect today's world. For years, the OPC has been calling for legislative change, as federal privacy laws have not kept pace with the rapidly evolving landscape in which we operate.

The swift evolution of technology is continuing to have a tremendous impact on personal privacy. We have reached a point where it is impractical to rely on a model of privacy protection that assumes individuals can fully understand, let alone control, how and why organizations are collecting, using and disclosing their personal information.

New and intrusive targeting techniques are influencing democratic processes. The Facebook/Cambridge Analytica matter highlights the role that privacy and data protection must play in setting rules for democratic processes. Data analytics, automated decision-making and artificial intelligence are revealing how fundamental human rights such as non-discrimination, freedom of expression and information are at stake. These are profound challenges for data protection, as they strain the regulatory framework around privacy and raise important ethical and technical questions.

Privacy is a human right that is the essential precondition for other human rights, including our democratic rights. This should be recognized not only in law, but should serve as the point of departure for all public and private sector initiatives that involve the collection or sharing of personal information.

The sheer number of privacy issues for which Parliamentarians, businesses and individuals require our advice and guidance are multiplying at a rapid pace. The challenge for the OPC is to keep pace with the speed of technological advancements, when it is in a continual dynamic state of evolution.

In addition, the new mandatory breach notification requirements in the private sector that came into force on November 1, 2018, have expanded the scope and breadth of the OPC's breach handling mandate.

In the first few months of mandatory breach reporting, we have experienced a 325% increase in volume¹. Further, we are taking on a new responsibility in the form of breach records inspections. Through these inspections, our Office will verify that organizations are complying with their breach records obligations, including monitoring, assessing and documenting incidents. The first of these inspections is planned for the beginning of the 2019-20 fiscal year. While this presents an important opportunity for our Office to uncover and address breach risks before they become bigger privacy problems, the added responsibility is not without resource implications.

The growing complexity of our work, coupled with increased demands and limited resources mean that Canadians' privacy cannot be adequately protected by the OPC. This means greater risks to the broader set of human rights enjoyed by Canadians and to our democracy.

Plans at a glance

To navigate through this challenging operating context, we will continue our focus on the following four corporate priorities:

1. Contribute to the adoption of laws that improve privacy protection.

The Privacy Act and PIPEDA are the foundations for protecting Canadians' privacy at the federal level. These laws should help to establish the public trust needed to enable an innovative and thriving digital economy, and a nimble and effective government to serve its citizens. However, Canadians expect modernized privacy laws that are in step with evolving technologies and in line with the rest of the world.

Canadians increasingly demand and deserve transparency and accountability on the part of organizations and institutions they deal with. Canadians no doubt want to embrace the benefits of innovation. However, they also want to have confidence that their personal information is protected, and that societal boundaries of what is responsible, fair and ethical are respected. Events of the past year have demonstrated that our federal privacy laws are falling short.

In the coming year, we will continue to advocate for stronger privacy laws to ensure they meet 21st century challenges. Government officials are in the midst of developing a Data Strategy for the country, which includes reviews of both the Privacy Act and PIPEDA.

In this context, we have made clear [our view](#)^v that long-standing privacy rights and values in Canada are not being given equal importance to innovation within the new digital ecosystem. This ecosystem is focused on embracing and leveraging data for various purposes. Canadians need stronger privacy laws, not more permissive ones. We have proposed specific updates to both laws and believe that any reform should confer enforceable rights to individuals, while also allowing for responsible innovation.

¹ As of 31 October, 2018, the OPC had received approximately 8.6 breach reports per month in the fiscal year. In November and December 2018, the OPC averaged approximately 36.5 breach reports per month.

2. Shift towards more proactive measures to empower individuals and bring organizations towards compliance.

Over the last year, we have made significant changes to our organizational structure that we believe will help us achieve better results for privacy. We have streamlined our operations by clarifying program functions and reporting relationships. We have also become forward-looking by shifting our activities towards initiatives that involve proactively and constructively engaging with public and private sector organizations to help them comply with federal privacy laws.

As we enter our second year following this reorganization, we continue to refine our practices. We are pursuing, to the extent possible, our advisory work with businesses and government departments to help them address privacy risks before they become compliance issues.

We will also implement the last phase of our [privacy priorities](#)^{vi} work and we will continue to work towards providing useful and practical information and guidance to individuals and organizations to improve privacy protection.

3. Make strategic use of our enforcement powers to achieve greater compliance with federal privacy laws.

The challenges of the modern privacy landscape mean that there is greater responsibility on the OPC to address privacy issues of the greatest risk to Canadians. It is no longer clear to Canadians, who is doing what with their data, and whether it is the “right” thing to do. People are unlikely to file a complaint when they do not know what is happening to their personal information.

Advancements in areas such as Big Data, Open Government and emerging technologies have tested existing legal and ethical boundaries, undermining individuals’ privacy rights. High-profile privacy incidents in the last year have put privacy in the spotlight. Canadians are more concerned than ever about privacy, and its implications for human rights, consumer protection, national security, and democratic processes.

While the OPC presses for legislative reform, our Office will continue to explore strategic use of our existing formal powers. This includes continued strong use of early resolution and summary investigation processes, which allow our Office more discretion to dedicate resources to high-risk privacy issues. To address high-impact issues, such as those that affect an entire industry sector or government program, we continue to conduct Commissioner-initiated investigations and site visits, and issue production orders.

4. Optimize organizational capacity and agility to focus on results.

Our refined organizational structure fosters greater internal collaboration and more consistency in compliance processes under both Acts. This enhances our capacity to pursue higher-impact compliance initiatives. We have also implemented the new Departmental Results Framework, which was introduced last year and has redefined our desired outcomes and how we assess progress and measure success.

In the coming year, we will continue to optimize the benefits of our new organizational structure, taking full advantage of greater collaboration and more integrated decision-making. We will also leverage strategic partnerships and collaborative opportunities to advance our objectives. In addition, when feasible, we will seek new ways to use technology to increase our efficiency.

For more information on the OPC's plans, priorities and planned results, see the "planned results" section of this report.

Planned results: what we want to achieve this year and beyond

Core Responsibilities

Protection of Privacy Rights

Description

Ensure the protection of privacy rights of Canadians; enforce privacy obligations by federal government institutions and private-sector organizations; provide advice to Parliament on potential privacy implications of proposed legislation and government programs; promote awareness and understanding of rights and obligations under federal privacy legislation.

Planning highlights

In 2019-20, we will continue our efforts to deliver on our core responsibility and we will work towards achieving to the greatest extent possible our departmental results.

To empower Canadians to exercise their privacy rights and guide organizations to comply with their privacy obligations, our office will:

- Continue to work towards our goal of providing useful and practical information and guidance to Canadians and organizations on as many of our list of 30 key privacy issues² of importance to Canadians as possible, taking into account our workload, resources and the changing privacy landscape. The privacy issues requiring new advice and guidance are complex and our plan for development of much-needed guidance is ambitious, as it seeks to tackle some of the most complex issues facing data protection agencies and consumers of digital services around the world. Guidance to be developed include topics such as artificial intelligence, biometrics, Internet of Things, cloud computing and open government. Despite these challenges, we will continue to strive towards our goal of completing 90 percent of this list by March 2021.
- Implement multi-year communications and outreach strategies and approaches aimed at having the greatest impact on the level of awareness and understanding of privacy rights and obligations. Guidance developments must be coupled with sustained and effective communications and outreach, in order to have a meaningful or significant impact on awareness and understanding of rights and obligations. We will work within our limited resources to ensure our messages reach broad audiences as well as certain vulnerable groups, and contribute toward enhancing digital literacy in Canada. To that end, in addition to using traditional communications tools and vehicles, we will strive to identify new and innovative ways to expand our communications reach and impact.

² The list of 30 topics was published as part of our consent paper, and is available on the [OPC's website](#).

- Continue to dedicate resources to provide advice to federal and private sector organizations on programs and initiatives to proactively address privacy risks. To that end, we will learn from and build upon the business advisory activities piloted in 2018-19 and formalize the new business advisory program. On the public sector side, we will continue to expand our government outreach and consultation activities. This will provide more regular and informal interaction with institutions considering privacy-invasive initiatives. We plan, for instance, to engage early with government departments on the roll-out of their digital strategy.
- Complete the implementation of our medium-term plans and implement the last phase of the OPC's work to advance our strategic privacy priorities.

We recognize that factors such as gender identity, ethnicity, race and age contribute to a unique experience for individuals in terms of their privacy and interaction with emerging technologies. To address this, we are considering Gender-Based Analysis Plus (GBA+) in our guidance development and outreach work.

In the past five years, demands for advice to Parliament have risen considerably, and this trend is expected to continue. Calls from various Parliamentary Committees are up 41% from five years ago and in 2017-18 alone, we made thirty-four (34) Parliamentary appearances and submissions. In the coming year, we will remain responsive to Parliamentarians' request for advice on the privacy implications of bills and studies, and we will contribute to the adoption of laws that improve privacy protection. For instance, we will:

- Continue to follow important legislation, including [Bill C-58](#)^{vii} which proposes to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts, and [Bill C-59](#)^{viii} which proposes a wide range of measures intended to strengthen Canada's national security framework in a manner that safeguards the rights and freedoms of Canadians.
- Through policy work, explore a number of innovation models for privacy protection including how rights based privacy legislation could work in Canada, and the concept of information fiduciaries.

We will also push for greater accountability for, and compliance with, privacy obligations, to ensure privacy rights of individuals are respected and obligations are met. Our Office will:

- Continue to make strategic use of our formal powers in the public and private sectors. This includes our power to conduct Commissioner-initiated investigations (CIIs), audits, site visits, and issue production orders. We will focus on completing key investigations, including Facebook/AIQ and Statistics Canada, while identifying candidates for future sector- or program-wide CIIs.
- Continue to review and adapt our compliance processes and methods to increase efficiency and effectiveness. We have done a lot of work on that front in recent years. For instance, we have increased the use of early resolution to now cover nearly half of all complaints we close. Early resolution is a mechanism that generates a satisfactory outcome for all involved

parties and results in average processing times well below the one-year service standard. However, we continue to see our inventory of complaints grow year over year, and our Office has accumulated a large backlog of active investigations that exceed 12 months. We must continue our strong use of early resolution, expand our use of summary investigations, and explore the use of technology to automate certain tasks.

- Refine our processes for mandatory breach reporting in the public and private sectors, to uncover and address privacy risks stemming from breaches. For example, we will carry out our new breach inspection powers and develop an automated breach reporting form.

Our Office believes proactive efforts described above are needed to truly achieve results for Canadians. However, our reactive workload – addressing complaints and issues arising from new technologies – has become more and more demanding. In the absence of additional funding, it is difficult to devote the necessary resources to a more proactive approach aimed at preventing problems before they even arise. To mitigate this risk and be more proactive, our office must continually innovate and work smarter with the resources entrusted to us. In the coming year, we will:

- Continue to build internal capacity and share knowledge on evolving privacy and technological issues. We will also make better use of data and business intelligence to drive decision-making and resource allocations.
- Make greater use of risk management frameworks to prioritize work, address capacity issues and continually innovate in how we deliver quality services and results for Canadians, including exploring new technologies and approaches used in industry and government.
- Develop a Human Resources strategy to effectively support the organization in achieving its mandate. This will ensure that the current and future workforce has the necessary skills and competencies to cope with a competitive and rapidly evolving environment.

Planned results

Our Office redefined its desired outcomes and performance indicators as part of the development of our new DRF. This framework, outlined below, took effect on April 1, 2018, and includes a number of new indicators for which results for years prior to 2018-19 are not available. In those instances, actual results have been marked as “n/a”. Actual results achieved in the first year of implementation of our new DRF will be communicated in our 2018-19 Departmental Results Report, which will be published in the fall.

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2015–16 Actual results	2016–17 Actual results	2017–18 Actual results
Privacy rights are respected and obligations are met.	Percentage of Canadians who feel their rights are respected.	tbd ³	March 31, 2021	n/a	n/a	n/a
	Percentage of complaints responded to within service standards.	75%	March 31, 2020	68%	55%	54%
	Percentage of formal OPC recommendations implemented by departments and organizations	85%	March 31, 2020	n/a	n/a	n/a
Canadians are empowered to exercise their privacy rights.	Percentage of Canadians who feel they know about their privacy rights.	70%	March 31, 2021	Not a survey year	65%	Not a survey year
	Percentage of key privacy issues that are the subject of information to Canadians on how to exercise their privacy rights.	90%	March 31, 2021	n/a	n/a	n/a
	Percentage of Canadians who read OPC information and find it useful.	70%	March 31, 2020	n/a	n/a	n/a

³ The target for this indicator will be informed by the results of the most recent survey of Canadians, which were not available at the time of drafting this report. The target will be included in the OPC's 2020-21 Departmental Plan.

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2015–16 Actual results	2016–17 Actual results	2017–18 Actual results
Parliamentarians, and public and private sector organizations are informed and guided to protect Canadians' privacy rights.	Percentage of OPC recommendations on privacy-relevant bills and studies that have been adopted.	60%	March 31, 2020	n/a	n/a	n/a
	Percentage of private sector organizations that have good or excellent knowledge of their privacy obligations.	85%	March 31, 2020	82%	Not a survey year	82%
	Percentage of key privacy issues that are the subject of guidance to organizations on how to comply with their privacy responsibilities.	90%	March 31, 2021	n/a	n/a	n/a
	Percentage of federal and private sector organizations that find OPC's advice and guidance to be useful in reaching compliance.	70%	March 31, 2020	n/a	n/a	n/a

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending
18,104,213	18,104,213	18,104,213	18,104,213

Human resources (full-time equivalents)

2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
133	133	133

Financial, human resources and performance information for the OPC's Program Inventory is available in the [GC InfoBase](#).^{ix}

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of Programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct services that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. These services are:

- Management and Oversight Services
- Communications Services
- Legal Services
- Human Resources Management Services
- Financial Management Services
- Information Management Services
- Information Technology Services
- Real Property Management Services
- Materiel Management Services
- Acquisition Management Services

At the OPC the communications services are an integral part of our education and outreach mandate. As such, these services are included in the Promotion Program. Similarly, the OPC's legal services are an integral part of the delivery of compliance activities and are therefore included in the Compliance Program.

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2020-21 Planned spending	2021–22 Planned spending
6,610,661	6,610,661	6,610,661	6,610,661

Human resources (full-time equivalents)

2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
48	48	48

Planning highlights

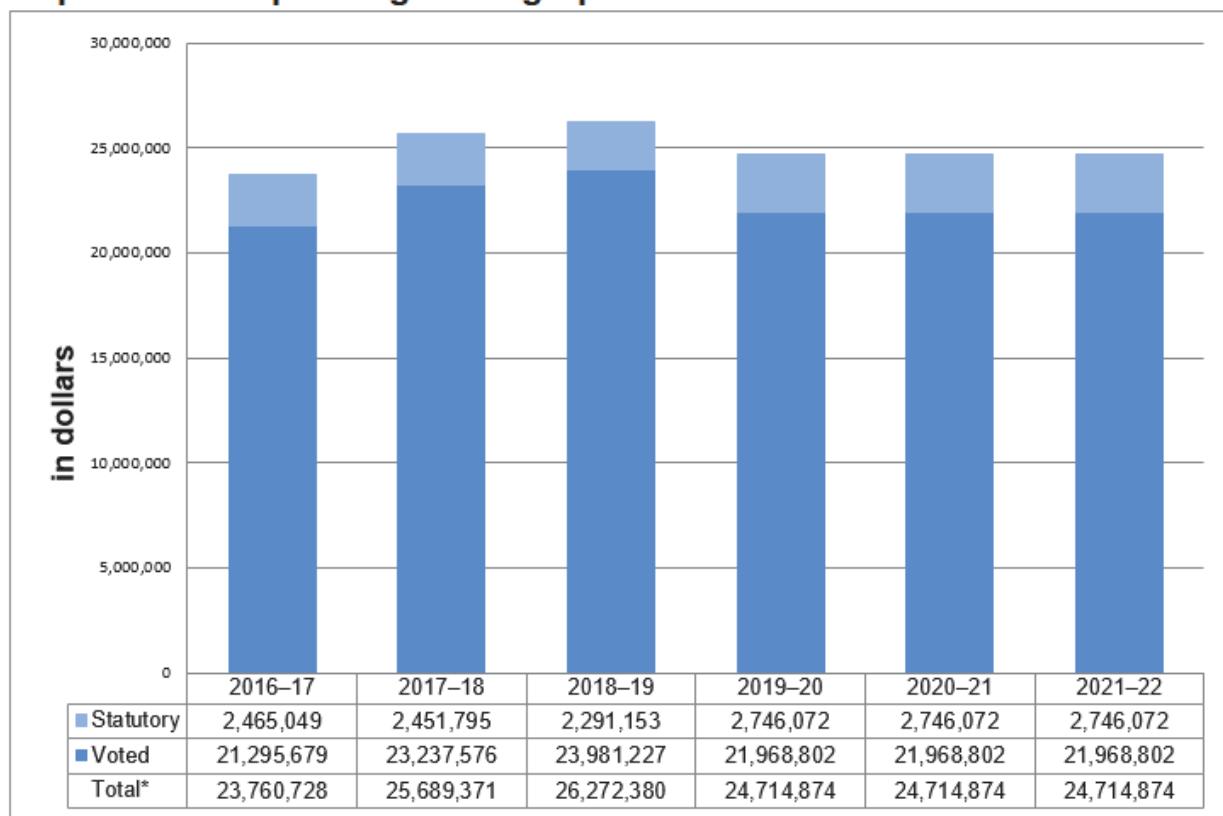
The OPC's internal services will continue to support the organization in delivering its mandate and achieving results for Canadians. These services will promote sound management practices, by carrying out the following activities, among others:

- Continue to implement our change management strategy. The strategy was developed to ensure an effective transition to our new organizational structure. It will also ensure that issues identified for improvement during the organizational review and from the 2017 and 2018 Public Service Employee Survey are addressed.
- Promote a culture of results and reliance on performance and business information to inform management decision-making.
- Pursue the implementation of the OPC's updated Information Management and Information Technology (IT) strategies to ensure that the systems and services continue to meet clients' needs. This will also improve information management practices and maintain a sound IT infrastructure.
- Continue to explore partnerships with other Agents of Parliament to gain effectiveness, share knowledge and implement best practices in areas such as information technology, administrative services, people management and human resources programs.
- Contribute to TBS/PSPC measures to stabilize the pay system, TBS initiative "HR-to-Pay 2018-19 plan" and the next Generation HR and Pay initiative, which are high priorities across the public service. The OPC is a direct-entry organization and has on-site pay advisors. The Government Pay Centre located in Miramichi does not serve our Office.

Spending and human resources

Planned spending

Departmental spending trend graph



* Amounts are net of Vote Netted Revenue authority (VNR) of \$200,000 for internal support services to other government organizations.

The graph above illustrates the OPC's spending trend over a six-year period from 2016-17 to 2021-22.

Statutory spending covers annual costs for employee benefits. Such costs may vary from year to year and are dictated by the Treasury Board Secretariat on the basis of calculated expenses and forecasts.

Fiscal years 2016-17 and 2017-18 reflect the organization's actual expenditures, as reported in the Public Accounts. Fiscal years 2018-19 to 2021-22 represent planned spending.

Budgetary planning summary for Core Responsibilities and Internal Services (dollars)

Core Responsibility and Internal Services*	2016–17 Expenditures	2017–18 Expenditures	2018–19 Forecast spending	2019-20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending
Protection of privacy rights	17,261,095	18,680,147	18,944,116	18,104,213	18,104,213	18,104,213	18,104,213
Subtotal	17,261,095	18,680,147	18,944,116	18,104,213	18,104,213	18,104,213	18,104,213
Internal Services	6,499,633	7,009,224	7,328,264	6,610,661	6,610,661	6,610,661	6,610,661
Total	23,760,728	25,689,371	26,272,380	24,714,874	24,714,874	24,714,874	24,714,874

*Starting 2018–19, the OPC reports under its core responsibilities reflected in the Departmental Results Framework.

Analysis of the spending trend

For fiscal years 2016-17 and 2017-18, actual spending represents the actual expenditures as reported in the Public Accounts of Canada.

The increase in expenditures between 2016-17 and 2017-18 is mainly due to retroactive payments resulting from new collective bargaining agreements.

Forecasted spending for the fiscal year 2018-19 corresponds to the planned spending of the Office. Salary and wage increases for collective bargaining agreements remains the main reason for the increase over the previous year.

The spending trend starting in 2019-20 remains fairly stable.

The significant decrease between 2018-19 and 2019-20 is related to the inclusion of the carry-forward from 2017-18 and other financial considerations related to salary and wage increases from collective bargaining agreements, such as a one-time reprofiling provision.

2019–20 Budgetary planned gross spending summary (dollars)

Core Responsibilities and Internal Services	2019–20 Planned gross spending	2019–20 Planned gross spending for specified purpose accounts	2019–20 Planned revenues netted against expenditures	2019–20 Planned net spending
Protection of privacy rights	18,104,213	-	-	18,104,213
Subtotal	18,104,213	-	-	18,104,213
Internal Services	6,810,661	-	200,000	6,610,661
Total	24,914,874	-	200,000	24,714,874

The office provides Internal Support Services to other small government departments related to the provision of information technology services. Pursuant to section 29.2 of the *Financial Administration Act*, Internal Support Services agreements are recorded as revenues.

Planned human resources

Human resources planning summary for Core Responsibilities and Internal Services (full-time equivalents)

Core Responsibility and Internal Services	2016–17 Actual full-time equivalents	2017–18 Actual full-time equivalents	2018–19 forecast full-time equivalents	2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
Protection of Privacy Rights	124	123	133	133	133	133
Subtotal	124	123	133	133	133	133
Internal Services	51	50	48	48	48	48
Total	175	173	181	181	181	181

The Office's human resources levels are expected to remain constant. The minor fluctuations that occur in 2016-17 and 2017-18 reflect normal staff turnover.

Estimates by vote

For information on the OPC's organizational appropriations, consult the [2019–20 Main Estimates](#).^x

Future-Oriented Condensed Statement of Operations

The Future-Oriented Condensed Statement of Operations provides a general overview of the OPC's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management. The forecast and planned spending amounts presented in other sections of the Departmental Plan are prepared on an expenditure basis; as a result, amounts may differ.

A more detailed Future-Oriented Statement of Operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, are available on the [OPC's website](#).^{xi}

Future-Oriented Condensed Statement of Operations for the year ended March 31, 2020 (in dollars)

Financial information	2018–19 Forecast results	2019–20 Planned results	Difference (2019–20 Planned results minus 2018–19 Forecast results)
Total expenses	30,152,847	28,841,314	(1,311,533)
Total revenues	200,000	200,000	-
Net cost of operations before government funding and transfers	29,952,847	28,641,314	(1,311,533)

The net cost of operations before government funding and transfers for the 2019-20 planned results is expected to decrease by \$1,311,533 when compared to the net cost of operations before government funding and transfers for the 2018-19 forecast results.

This decrease is mainly explained by the inclusion of the operating budget carry-forward and funding received to offset the cost of collective agreements in the forecasted results of 2018-19.

Total revenues include a recovery from another department for costs associated with the provision of internal services.

Additional information

Corporate information

Organizational profile

Appropriate minister(s)⁴: David Lametti

Institutional head: Daniel Therrien

Ministerial portfolio⁵: Department of Justice Canada

Enabling instrument(s): [Privacy Act^{xii}](#), R.S.C. 1985, c. P-21; [Personal Information Protection and Electronic Documents Act^{xiii}](#), S.C. 2000, c.5

Year of incorporation / commencement: 1982

Raison d'être, mandate and role: who we are and what we do

“Raison d'être, mandate and role: who we are and what we do” is available on the [OPC's website](#).^{xiv}

⁴ The Commissioner works independently of government cabinet ministers and reports directly to Parliament. For the purposes of tabling Main Estimates, Departmental Plans and Results, the Commissioner submits reports via the Justice Minister.

⁵ Ibid

Reporting framework

The OPC's Departmental Results Framework and Program Inventory of record for 2019-20 are shown below:

Core Responsibility: Protection of Privacy Rights		
Departmental Results Framework	Departmental Result: Privacy rights are respected and obligations are met	Indicator: Percentage of Canadians who feel their privacy rights are respected
		Indicator: Percentage of complaints responded to within service standards
		Indicator: Percentage of formal OPC recommendations implemented by departments and organizations
	Departmental Result: Canadians are empowered to exercise their privacy rights	Indicator: Percentage of Canadians who feel they know about their privacy rights
		Indicator: Percentage of key privacy issues that are the subject of information to Canadians on how to exercise their privacy rights
		Indicator: Percentage of Canadians who read OPC information and find it useful
	Departmental Result: Parliamentarians, and federal- and private-sector organizations are informed and guided to protect Canadians' privacy rights	Indicator: Percentage of OPC recommendations on privacy-relevant bills and studies that have been adopted
		Indicator: Percentage of private sector organizations that have a good or excellent knowledge of their privacy obligations
		Indicator: Percentage of key privacy issues that are the subject of guidance to organizations on how to comply with their privacy responsibilities
		Indicator: Percentage of federal and private sector organizations that find OPC's advice and guidance to be useful in reaching compliance
Program Inventory	Compliance Program	
	Promotion Program	
		Internal Services

To fulfill our core responsibility, our work now falls into one of two program areas – Compliance or Promotion. Activities related to addressing existing compliance issues fall under the Compliance Program, while activities aimed at bringing departments and organizations towards compliance with the law fall under the Promotion Program. Some activities in our previous Compliance Program were of a preventative nature. These include the review of Privacy Impact Assessments and responses to information requests from Canadians. These activities have been moved from our Compliance Program to our new consolidated Promotion Program.

Concordance between Departmental Results Framework and Program Inventory, 2018-19, and Strategic Outcomes and Program Alignment Architecture, 2017-18		
2018-19 Core Responsibilities and Program Inventory of Record	2017-18 Strategic Outcomes and Program Alignment Architecture	Percentage of Program Alignment Architecture program (dollars) corresponding to new program in the Program Inventory
Core Responsibility: Protection of privacy rights	Strategic Outcome: The privacy rights of individuals are protected	100%
Program 1.1 Compliance Program	1.1 Compliance Activities	77%
Program 1.2 Promotion Program	1.1 Compliance Activities	23%
	1.2 Research and Policy Development	100%
	1.3 Public Outreach	100%

Supporting information on the Program Inventory

Supporting information on planned expenditures, human resources, and results related to the OPC's Program Inventory is available on [GC InfoBase](#).^{xv}

Supplementary information tables

The following supplementary information tables are available on the [OPC's website](#).^{xvi}

- ▶ Disclosure of transfer payment programs under \$5 million
- ▶ Gender-based analysis plus
- ▶ Sustainable development strategy

Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the [Report on Federal Tax Expenditures](#).^{xvii} This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational contact information

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Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Core Responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

Departmental Result (résultat ministériel)

Any change that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by Program-level outcomes.

Departmental Result Indicator (indicateur de résultat ministériel)

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

Departmental Results Framework (cadre ministériel des résultats)

The department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on the actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

evaluation (évaluation)

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however,

evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

experimentation (expérimentation)

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical process used to help identify the potential impacts of policies, Programs and services on diverse groups of women, men and gender-diverse people. The “plus” acknowledges that GBA goes beyond sex and gender differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2019–20 Departmental Plan, government-wide priorities refers to those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

horizontal initiative (initiative horizontale)

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, Program, policy or initiative respecting expected results.

Performance Information Profile (profil de l'information sur le rendement)

The document that identifies the performance information for each Program from the Program Inventory.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

priority (priorité)

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Departmental Results.

Program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

Program Inventory (répertoire des programmes)

Identifies all of the department's programs and describes how resources are organized to contribute to the department's Core Responsibilities and Results.

result (résultat)

An external consequence attributed, in part, to an organization, policy, Program or initiative. Results are not within the control of a single organization, policy, Program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

sunset program (programme temporisé)

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (cible)

A measurable performance or success level that an organization, Program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

- i. OPC Strategic privacy priorities, Economics of personal information, <https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/the-strategic-privacy-priorities/#economics>
- ii. OPC Strategic privacy priorities, Government surveillance, <https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/the-strategic-privacy-priorities/#surveillance>
- iii. OPC Strategic privacy priorities, Reputation and privacy, <https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/the-strategic-privacy-priorities/#reputation>
- iv. OPC Strategic privacy priorities, The body as information, <https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/the-strategic-privacy-priorities/#body>
- v. National Digital and Data Consultations, https://www.priv.gc.ca/en/opc-actions-and-decisions/submissions-to-consultations/sub_ised_181123/
- vi. Report on the selection of the strategic privacy priorities, https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/pp_2015/
- vii. House Government Bill C-58, <https://www.parl.ca/LegisInfo/BillDetails.aspx?billId=9057528&Language=E>
- viii. House Government Bill C-59, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=9057418>
- ix. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- x. 2018–19 Main Estimates, <http://www.tbs-sct.gc.ca/hgw-cgf/finances/pgs-pdg/gepme-pdgbpd/index-eng.asp>
- xi. Future-Oriented Statement of Operations of the OPC, <https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/planned-opc-spending/future-oriented-financial-statements/>
- xii. Privacy Act, <https://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html>
- xiii. Personal Information Protection and Electronic Documents Act, <https://laws-lois.justice.gc.ca/eng/acts/P-8.6/FullText.html>
- xiv. Raison d'être, mandate and role: who we are and what we do, <https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/planned-opc-spending/dp-index/2019-2020/index/>
- xv. Treasury Board Secretariat InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- xvi. OPC Departmental Plan 2019-20 Supplementary Tables <https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/planned-opc-spending/dp-index/2019-2020/st-ts/>
- xvii. Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>