

Office of the Privacy Commissioner of Canada

2020-21

Departmental Plan

A handwritten signature in blue ink, appearing to read 'Dd h' followed by a long horizontal stroke.

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

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the Minister of Justice and Attorney General of Canada, 2020

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Table of contents

Message from the Privacy Commissioner of Canada.....	1
Plans at a glance.....	3
Core responsibilities: planned results and resources	5
Protection of Privacy Rights	5
Internal Services: planned results	13
Spending and human resources	15
Planned spending	15
Planned human resources.....	17
Estimates by vote.....	18
Condensed future-oriented statement of operations.....	18
Corporate information	19
Organizational profile	19
Raison d'être, mandate and role: who we are and what we do	19
Operating context.....	19
Reporting framework	20
Supporting information on the Program Inventory	21
Supplementary information tables.....	21
Federal tax expenditures.....	21
Organizational contact information	21
Appendix: definitions.....	23
Endnotes	27

Message from the Privacy Commissioner of Canada

I am pleased to present the Office of the Privacy Commissioner of Canada (OPC) 2020-21 Departmental Plan.

This year's plan builds on the 2018-19 Departmental Results Framework, which details what our organization does, what results we are trying to achieve for Canadians, and how we will assess progress and measure success.

As part of these commitments, I have long called for fundamental reform of Canada's federal private and public sector privacy laws to better protect Canadians and increase trust in the digital economy and in federal institution. In fact, it is now the fifteenth year anniversary of our public campaigning for reform of the [Privacy Act](#).ⁱ



Recent investigations have highlighted like never before that we have reached a critical tipping point upon where privacy rights and democratic values are at stake. There is an urgent need for law reform to protect democratic processes and the fundamental human right to privacy.

The government has agreed the time for reform has come. In December's [Speech from the Throne](#),ⁱⁱ the government committed to reviewing the rules currently in place to ensure fairness for all in the new digital space. I welcome this commitment. Earlier in the year, members of the Standing Committee on Access to Information, Privacy and Ethics (ETHI), from all parties, also agreed. Even big tech companies have proclaimed that the age of self-regulation is over. The question is no longer whether privacy laws should be modernized, but how.

My office has provided input to the government on the best way forward.

In the year ahead, we will continue to urge Parliamentarians to adopt rights-based privacy laws to better protect Canadians in the face of data-driven technologies creating serious risks for privacy. We will continue to seek to define what a rights-based law would look like. We will also carry on with our work on behalf of Canadians to protect and promote their privacy rights.

My office had a busy year in 2019. We completed a number of high-profile investigations into issues such as the Facebook/Cambridge Analytica scandal, a related investigation into political consulting firm AggregateIQ and a pair of invasive Statistics Canada data initiatives.

This work illustrated how sensitive personal information can be used without consent in ways that individuals would not have expected. They also showed that Canadians do care deeply about how their personal information is being collected, used, disclosed and safeguarded. Current laws are not up to the task when it comes to protecting personal information in Canada.

After completing our investigation into Equifax (2019), we unfortunately had to open investigations into other major breaches at Capital One and Desjardins.

While we have received additional funding to help keep pace with increased enforcement demands, it is worth noting that we still face challenges. The scale and pace of technological innovation, and its expanding adoption by business and government organizations have increased the complexity of the cases investigated by the OPC and as a result, have strained our resources.

We have also seen the number of data breach reports skyrocket in the first year of mandatory breach reporting regulations under the *Personal Information Protection and Electronic Document Act* (PIPEDA), and this has had a significant impact on our workload.

Nevertheless, we will continue to implement the last phase of our privacy priorities work by developing useful and practical information and guidance to individuals and organizations to improve privacy protection, enhancing advisory services to organizations, and by providing more information and resources to help Canadians exercise their privacy rights.

We are at an important moment in time for privacy in Canada. My Office will continue to work to ensure Canadians can participate in the digital economy and receive government services confident that their rights are being respected.



Daniel Therrien
Privacy Commissioner of Canada

Plans at a glance

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

The OPC has been actively engaging with Parliament and the responsible government ministries on both *Privacy Act* and PIPEDA modernization. We continue to articulate our views on how to best ensure that updated laws appropriately recognize and protect privacy rights, support transparency and accountability, and ensure the OPC is equipped with the necessary compliance and enforcement tools to meaningfully protect individuals' privacy rights.

In the coming year, we will continue to advocate for stronger privacy laws to ensure they meet 21st-century challenges. We will work with Parliament and will continue to provide our advice and guidance to the Department of Justice and Innovation, Science and Economic Development Canada (ISED) to shape the future of privacy laws in Canada.

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

In recent years, we made significant changes to our organizational structure with a view of gaining efficiencies and help 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](#)ⁱⁱⁱ 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 the OPC has a greater responsibility to address privacy issues of the greatest risk to Canadians. It is no longer clear to Canadians who is doing what with their data. 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, biometrics and other 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 continues to engage with the Government on 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 will continue to conduct Commissioner-initiated investigations. Where necessary to ensure fulsome and accurate evidence, we will conduct site visits, receive affidavits, 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.

In the coming year, we will continue to optimize the benefits of our organizational structure and fine-tune it as needed, taking full advantage of greater collaboration and more integrated decision-making. We will continue to strengthen our strategic partnerships within the OPC to deliver consistent and clear information to individuals and organizations using the latest innovative communication tools and approaches. We will also leverage strategic partnerships and collaborative opportunities to advance our objectives. 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 "Core responsibilities: planned results and resources" section of this report.

Core responsibilities: planned results and resources

This section contains detailed information on the department's planned results and resources for each of its 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 2020-21, 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 key privacy issues of importance to Canadians as possible, with the understanding that these topics may change based on our assessment and understanding of the needs of Canadians in a shifting context. Guidance priorities for the coming year include the Internet of Things, digital health technologies, biometrics, video surveillance and open government. We will also prioritize updating existing guidance, particularly those that are the most frequently consulted to ensure they are reflective of the current reality and account for relevant developments.
- Continue the implementation of our 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. A literature review on public education confirmed that our ongoing focus on children and youth as well as seniors was an appropriate approach. We will continue our efforts to use plain language and take advantage of the latest communications tools in order to reach target groups.
- Continue to provide advice to federal and private sector organizations on programs and initiatives to proactively address privacy risks. This includes continuing to strengthen internal partnerships with an eye to delivering innovative outreach activities. To that end, we will consolidate and continue to build upon the business advisory work initiated in 2018-19.

This will include continued meaningful engagements with private sector organizations of all sizes, and from varied industries, that voluntarily request compliance advice from the OPC, as well as seeking proactive engagement from organizations and sectors on programs and initiatives presenting highest risks to the privacy of Canadians. On the public sector side, we will continue to expand our government outreach and consultation activities. This will include the expansion of our outreach to include more extensive workshops and on-site training for institutions to aid in assessing privacy compliance and risk. We will also continue to engage in more regular and informal interaction with institutions considering privacy-sensitive initiatives.

- Complete the last phase of the OPC’s work to advance our [strategic privacy priorities](#).^{iv} This includes guidance development on issues which link to the Office’s strategic priorities and the conduct of an evaluation of the results achieved in advancing these 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 apply Gender-Based Analysis Plus (GBA+) in our guidance development and outreach work. Moreover, we will continue our work to implement the Gender Inclusive Services policy.

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. 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 modernization of Canada’s privacy laws to improve privacy protection.

We will pay specific attention to a series of privacy-related government priorities that were announced in several recently-issued ministerial mandate letters¹ and which could significantly change the privacy landscape in Canada. Among them, we will carefully follow two potential legislative initiatives: the implementation of Canada’s Digital Charter, which could be overseen and enforced by a more powerful Office of the Privacy Commissioner of Canada; and the eventual introduction of new regulations for large digital companies, which would be potentially overseen by a newly created Data Commissioner.

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:

- Complete key investigations, such as Desjardins Group, Capital One, and Cadillac Fairview, while identifying candidates for future sector- or issue-wide CIIs with a view to addressing data-driven business models that involve opaque privacy practices and that may pose great privacy risk to a large number of Canadians.

¹ Refer to mandate letters of Minister of Justice and Attorney General of Canada, Minister of Canadian Heritage and Minister of Innovation, Science and Industry.

- Continue to refine our processes for mandatory breach reporting in the public and private sectors to uncover and address privacy risks stemming from breaches. Further building on the first privacy breach records review conducted in 2019-20, we will carry out our second privacy breach records inspection in accordance with our powers.
- Continue to review and adapt our compliance processes and methods to increase efficiency and effectiveness. We have done extensive work on that front in recent years. For instance, we have increased the use of early resolution, a mechanism that generates a satisfactory outcome for all involved parties and results in average processing times well below the one-year service standard. We are actively working towards significantly reducing our complaints backlog. To do so, we will continue to make strong use of early resolution and expand the use of summary investigations, as well as our decline and discontinue powers.

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. While we have received additional temporary funding in Budget 2019 to assist with the reduction of complaints backlog and respond to reports made under the new mandatory breach reporting regime, we need to also find innovative ways to proactively prevent problems before they arise.

To mitigate the risks of not achieving our objectives, our office must continually innovate and work smarter with the resources entrusted to us. To that end, we will:

- Continue to build internal capacity with the permanent funding increase received through the 2019 federal budget. Among other things, we will make better use of data and business intelligence to drive decision-making and resource allocations, and to address privacy issues at a more strategic level.
- Work more closely with international and provincial counterparts as part of our guidance development process to collaborate on issues of pressing concern and mutual interest. We will also continue to leverage collaboration with domestic and international regulatory partners to achieve more impactful compliance outcomes more efficiently.
- Enhance the Technology Laboratory's capability to meet the needs of the Office, increase its capacity through the installation of equipment, refine its ability to align critical processes, resources, and technologies in support of research and investigative activities, and strengthen the technical credibility and the influence of the Office, particularly in the technical and scientific communities.
- Enhance investigative procedures, protocols and tools, and implement a standardized training program for new investigators, to ensure a more efficient and consistent investigation process.
- 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. In the last year, our Office launched an augmented (smart) online complaint form, which has

created greater efficiencies through self-triage by potential complainants, better constituted complaints, and an improved ability to generate data useful to identify trends to guide our proactive compliance and promotional activities. In the coming year, we will leverage our experience from the development and launch of the online complaint form, to advance the development of a breach reporting form for the public and private sectors. We will also be exploring new technologies and approaches used in industry and government. This will include assessing options to automate communications and report writing, and facilitate review of exemptions in access complaints.

- Implement the OPC’s multi-year Human Resources strategic plan to effectively support the organization in achieving its mandate. This plan will ensure that the current and future workforce have the necessary skills and competencies to cope with a competitive, rapidly evolving and agile environment.

Planned results for the Protection of Privacy Rights

Last year, our Office redefined its desired outcomes and performance indicators as part of the development of our 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”.

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2016–17 Actual results	2017–18 Actual results	2018-19 Actual results
Privacy rights are respected and obligations are met.	Percentage of Canadians who feel that businesses respect their privacy rights.	90%	March 31, 2021	n/a	n/a	38% ²
	Percentage of Canadians who feel that the federal government respects their privacy rights.	90%	March 31, 2021	n/a	n/a	55% ³
	Percentage of complaints responded to within service standards.	75%	March 31, 2021	55%	54%	50%
	Percentage of formal OPC recommendations implemented by departments and organizations.	85%	March 31, 2021	n/a	n/a	96%
Canadians are empowered to exercise their privacy rights.	Percentage of Canadians who feel they know about their privacy rights.	70%	March 31, 2021	65%	Not a survey year	64%
	Percentage of key privacy issues that are the subject of information to Canadians on how to exercise	90%	March 31, 2021	n/a	n/a	17% (5/30 specified pieces of guidance done)

² In the past this result was combined with the result of the indicator of percentage of Canadians who feel that the federal government respects their privacy rights. The average result for both indicators was 46.5%.

³ In the past this result was combined with the result of the indicator of percentage of Canadians who feel that businesses respects their privacy rights. The average result for both indicators was 46.5%.

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2016–17 Actual results	2017–18 Actual results	2018-19 Actual results
	their privacy rights.					
	Percentage of Canadians who read OPC information and find it useful.	70%	March 31, 2021	n/a	n/a	72%
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, 2021	n/a	n/a	35% (33 recs made, 11 adopted)
	Percentage of private sector organizations that have good or excellent knowledge of their privacy obligations.	85%	March 31, 2022	Not a survey year	82%	Not a survey year
	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	17% (5/30 specified pieces of guidance done)
	Percentage of federal and private sector organizations that find OPC's advice and guidance to be useful in reaching compliance.	70%	March 31, 2021	n/a	n/a	73%

Financial, human resources and performance information for the OPC's program inventory is available in the [GC InfoBase](#).^v

Planned budgetary financial resources for Protection of Privacy Rights

2020–21 Budgetary spending (as indicated in Main Estimates)	2020–21 Planned spending	2021–22 Planned spending	2022–23 Planned spending
21,700,691	21,700,691	21,076,464	20,704,690

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

Planned resources for Protection of Privacy Rights

2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents	2022–23 Planned full-time equivalents
159	153	153

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

Internal Services: planned results

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.

Planning highlights

The OPC's internal services will continue to support the organization in delivering its mandate and achieving results for Canadians. We will also carry-out the following activities in particular:

- Implement a multi-year Human Resources strategic plan to effectively support the organization in achieving its mandate.
- 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.
- Contribute to the implementation of varied Treasury Board Secretariat (TBS)/Public Services and Procurement Canada (PSPC) initiatives and measures to stabilize the pay system and minimize impact on employees. The OPC is an integrated organization and has on-site pay advisors. The government pay centre located in Miramichi does not serve our Office. However, the OPC is committed to participate in any pilot projects and interdepartmental initiatives to increase efficiencies.

- Continue to implement revised Treasury Board (TB) policies in the context of the TB Policy Reset Initiative, as they become available. This includes the revised People and Executive Management policy suite and its related directives, mandatory procedures and standards.
- Continue to implement the priorities and activities of the Office's Security Plan to comply with the requirements of the new Policy on Government Security and achieving security objectives set out in the plan.
- Pursue the work required to prepare for the classification program renewal initiative across the public service and implement changes to the Program and Administrative Services (PA), Computer System (CS) and Comptrollership (CT) groups through a classification conversion exercise.
- Continue to maintain collaboration and business partnerships with other small and medium size organizations and Agents of Parliament to gain effectiveness, share tools and resources, and implement best practices in areas such as information technology, administrative services, finance, people management and human resources programs.

Planned budgetary financial resources for Internal Services

2020–21 Budgetary spending (as indicated in Main Estimates)	2020–21 Planned spending	2021–22 Planned spending	2022–23 Planned spending
7,961,195	7,961,195	7,914,545	7,774,939

Planned human resources for Internal Services

2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents	2022–23 Planned full-time equivalents
54	54	54

Spending and human resources

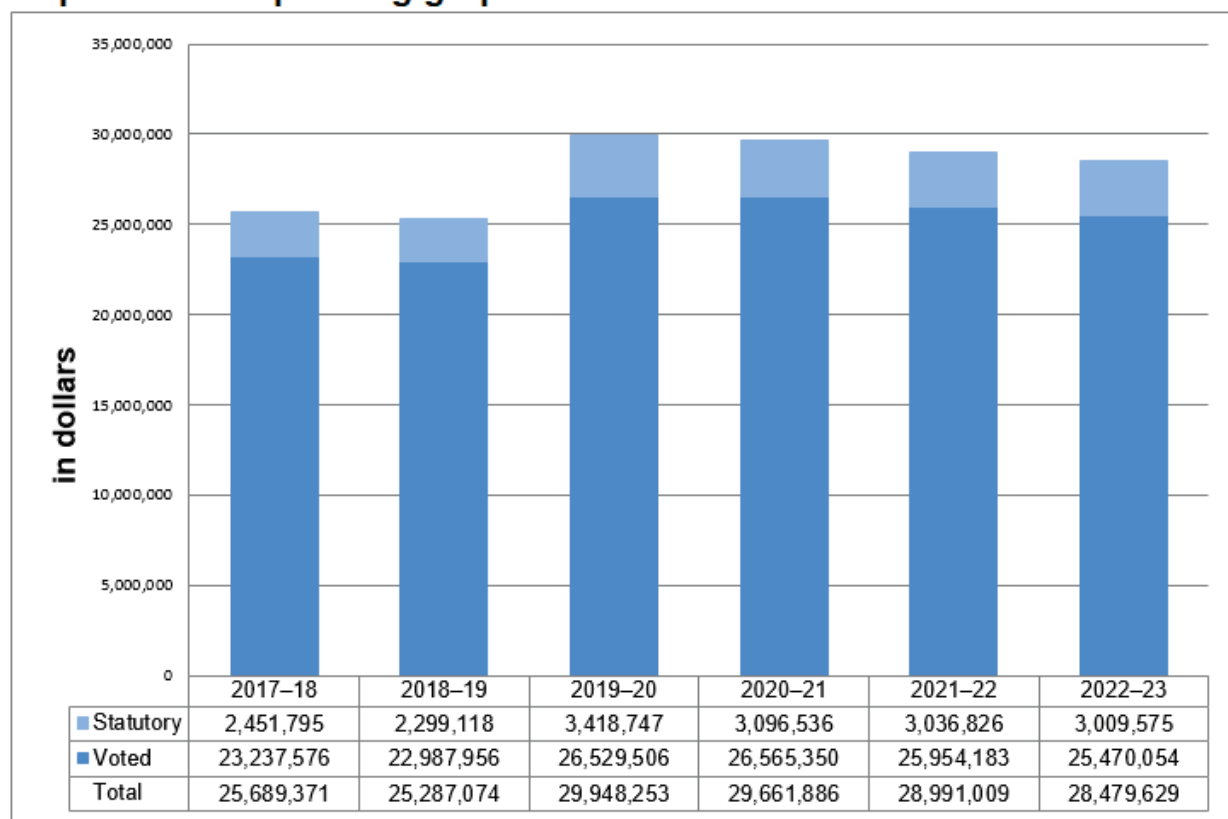
This section provides an overview of the department's planned spending and human resources for the next three consecutive fiscal years, and compares planned spending for the upcoming year with the current and previous years' actual spending.

Planned spending

Departmental spending 2017–18 to 2022–23

The following graph presents planned (voted and statutory) spending over time.

Departmental spending graph



* Amounts are net of Vote Netted Revenue authority (VNR) of \$200,000 for internal support services to other government organizations, pursuant to section 29.2 of the *Financial Administration Act*.

The graph above illustrates the OPC's spending trend over a six-year period from 2017-18 to 2022-23.

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

Fiscal years 2017-18 and 2018-19 reflect the organization's actual expenditures, as reported in the Public Accounts. Fiscal years 2019-20 to 2022-23 represent planned spending.

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

The following table shows actual, forecast and planned spending for each of the OPC's core responsibilities and Internal Services for the years relevant to the current planning year.

Core Responsibility and Internal Services*	2017–18 Expenditures	2018–19 Expenditures	2019-20 Forecast spending	2020–21 Budgetary spending (as indicated in Main Estimates)	2020–21 Planned spending	2021–22 Planned spending	2022–23 Planned spending
Protection of privacy rights	18,680,147	18,504,642	21,772,380	21,700,691	21,700,691	21,076,464	20,704,690
Subtotal	18,680,147	18,504,642	21,772,380	21,700,691	21,700,691	21,076,464	20,704,690
Internal Services	7,009,224	6,782,432	8,175,873	7,961,195	7,961,195	7,914,545	7,774,939
Total	25,689,371	25,287,074	29,948,253	29,661,886	29,661,886	28,991,009	28,479,629

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

Analysis of the spending trend

For fiscal year 2017-18 and 2018-19, actual spending represents the actual expenditures as reported in the Public Accounts of Canada.

The decrease in expenditures between 2017-18 and 2018-19 is mainly due to retroactive payments resulting from collective bargaining agreements.

Forecasted spending for the fiscal years 2019-20 and 2020-21 corresponds to the planned spending of the Office. The significant increase between 2018-19 and 2019-20 is a result of the funding received for delivering Budget 2019 measure: Protecting the privacy of Canadians to enhance the Office's capacity. The net increase is also due to other financial considerations related to salary and wage increases from collective bargaining agreements, the inclusion of the carry-forward from 2018-19 to 2019-20 and a reprofiling of Budget 2019 funding to future fiscal years.

The Office's planned spending will decrease by \$0.7M in 2021-22 and by \$0.5M in 2022-23 mainly due to the sunset funding received in Budget 2019 to reduce the backlog of privacy complaints older than one year, and give Canadians more timely resolution of their complaints.

Planned human resources

The following table shows actual, forecast and planned full-time equivalents (FTEs) for each core responsibility in the OPC's departmental results framework and to Internal Services for the years relevant to the current planning year.

Human resources planning summary for core responsibilities and Internal Services

Core Responsibility and Internal Services	2017–18 Actual full-time equivalents	2018–19 Actual full-time equivalents	2019–20 Forecast full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents	2022–23 Planned full-time equivalents
Protection of Privacy Rights	123	123	159	159	153	153
Subtotal	123	123	159	159	153	153
Internal Services	50	50	54	54	54	54
Total	173	173	213	213	207	207

Starting fiscal year 2019-20, the OPC's human resources levels are increasing due to the additional funding related to the implementation of Budget 2019 measure.

Estimates by vote

Information on the OPC's organizational appropriations is available in the [2020–21 Main Estimates](#).^{viii.}

Condensed future-oriented statement of operations

The condensed future-oriented statement of operations provides an overview of the OPC's operations for 2019–20 to 2020–21.

The amounts for forecast and planned results in this statement of operations were prepared on an accrual basis. The amounts for forecast and planned spending presented in other sections of the Departmental Plan were prepared on an expenditure basis. Amounts may therefore 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](#).^{ix.}

Condensed future-oriented statement of operations for the year ending March 31, 2021 (dollars)

Financial information	2019–20 Forecast results	2020–21 Planned results	Difference (2020–21 planned results minus 2019–20 forecast results)
Total expenses	33,882,936	34,020,947	138,011
Total revenues	193,661	200,000	6,339
Net cost of operations before government funding and transfers	33,689,275	33,820,947	131,672

The net cost of operations before government funding and transfers for the 2020-21 planned results is expected to increase by \$131,672 when compared to the net cost of operations before government funding and transfers for the 2019-20 forecast results.

This increase is explained by fluctuations in items such as the operating budget carry-forward, the funding received to offset the cost of collective agreements, the reprofiling of Budget 2019, as well as the services provided without charge by other government departments.

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

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*](#)^x, R.S.C. 1985, c. P-21; [*Personal Information Protection and Electronic Documents Act*](#),^{xi} 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](#).^{xii}

Operating context

Information on the operating context is available on the [OPC's website](#).^{xiii}

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 approved departmental results framework and program inventory for 2020-21 are as follows:

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 that businesses respect their privacy rights
		Indicator: Percentage of Canadians who feel that the federal government respects their privacy rights
		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.

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](#).^{xiv}

Supplementary information tables

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

- ▶ Departmental Sustainable Development Strategy
- ▶ Details on transfer payment programs
- ▶ Gender-based analysis plus

Federal tax expenditures

OPC's Departmental Plan does not include information on tax expenditures that relate to its planned results for 2020–21.

Tax expenditures are the responsibility of the Minister of Finance, and the Department of Finance Canada publishes cost estimates and projections for government-wide tax expenditures each year in the [Report on Federal Tax Expenditures](#).^{xvi} This report provides detailed information on tax expenditures, including objectives, historical background and references to related federal spending programs, as well as evaluations, research papers and gender-based analysis. The tax measures presented in this report are solely the responsibility of the Minister of Finance.

Organizational contact information

Mailing address

Office of the Privacy Commissioner of Canada
30 Victoria Street, 1st Floor
Gatineau, Quebec K1A 1H3
Canada

Telephone: 819-994-5444

Toll Free: 1-800-282-1376

Fax: 819-994-5424

TTY: 819-994-6591

Website: www.priv.gc.ca^{xvii}

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 a department over a 3-year period. Departmental Plans are tabled in Parliament each spring.

departmental priority (priorité ministérielle)

A plan or project that a department has chosen to focus and report on during the planning period. Departmental priorities represent the things that are most important or what must be done first to support the achievement of the desired departmental results.

departmental result (résultat ministériel)

A consequence or outcome that a department seeks to achieve. 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)

A framework that consists of the department's core responsibilities, departmental results and departmental result indicators.

Departmental Results Report (rapport sur les résultats ministériels)

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

experimentation (expérimentation)

The conducting of activities that seek to first explore, then test and compare, the effects and impacts of policies and interventions in order to inform evidence-based decision-making, and improve outcomes for Canadians, by learning what works and what doesn't. Experimentation is related to, but distinct from innovation (the trying of new things), because it involves a rigorous comparison of results. For example, using a new website to communicate with Canadians can be an innovation; systematically testing the new website against existing outreach tools or an old website to see which one leads to more engagement, is experimentation.

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 assess how diverse groups of women, men and gender-diverse people experience policies, programs and services based on multiple factors including race, ethnicity, religion, age, and mental or physical disability.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2020–21 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 in which two or more federal organizations 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 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.

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.

strategic outcome (résultat stratégique)

A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

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. *Privacy Act*, <https://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html>
- ii. Speech from the Throne to open the First Session of the Forty-Third Parliament of Canada, <https://www.canada.ca/en/privy-council/campaigns/speech-throne/moving-forward-together.html>
- iii. Report on the selection of the strategic privacy priorities, https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/pp_2015/
- iv. OPC Strategic privacy priorities, <https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/>
- v. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- vi. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- vii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- viii. 2020-21 Main Estimates, <http://www.tbs-sct.gc.ca/hgw-cgf/finances/pgs-pdg/gepme-pdgbpd/index-eng.asp>
- ix. 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/>
- x. *Privacy Act*, <https://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html>
- xi. *Personal Information Protection and Electronic Documents Act*, <https://laws-lois.justice.gc.ca/eng/acts/P-8.6/FullText.html>
- xii. 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/2020-2021/index/>
- xiii. 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/2020-2021/index/>
- xiv. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/256/infograph/>
- xv. OPC Departmental Plan 2020-21 Supplementary Tables, <https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/planned-opc-spending/dp-index/2020-2021/st-ts/>
- xvi. Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>
- xvii. Office of the Privacy Commissioner of Canada's website, <https://www.priv.gc.ca/en/>