



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
FOR BRITISH COLUMBIA

Overview: Annual Report 2022-2023

OUR CORE VALUES

Impartiality

We are independent and impartial regulators of BC's access to information and privacy laws.

Expertise

We use our expertise to enforce and advance rights, resolve disputes, and encourage best practices.

Dedication

We are dedicated to protecting privacy and promoting transparency.

Respect

We respect people, organizations, public bodies, and the law.

Innovation

We are innovators and recognized leaders in the global community.

THE OIPC

Established in 1993, the Office of the Information and Privacy Commissioner provides independent oversight of BC's access and privacy laws.

The Information and Privacy Commissioner is also designated as the Registrar of Lobbyists for BC.

FIPPA

The *Freedom of Information and Protection of Privacy Act* applies to over 2,900 public bodies, including ministries, local governments, schools, crown corporations, hospitals, municipal police forces, and more.

PIPA

The *Personal Information Protection Act* applies to any private sector organization that collects, uses, or discloses personal information of any individual inside or outside of BC.

OUR TEAM

A team of 58 people worked at the OIPC in 2022-23. Staff take pride in and have long supported community causes, including the Provincial Employees Community Services Fund. OIPC staff received two awards for the 2022 PECSF campaign: highest participation and the Spirit of Philanthropy.

FEATURES



Check out the Features section on page 10, which includes articles on major reports and events from 2022-23, including a report on the \$10 application fee, an investigation into data collection by Tim Hortons' mobile app, and a report highlighting security flaws in BC's public health database.

“

Accountability serves the public interest. It strengthens our democratic institutions. It creates trust in the private sector players in our economic system. And it cannot happen without a strong legal underpinning.

”



FROM THE COMMISSIONER

Accountability is a fundamental principle of the legislation my office is charged with administering.

It is the underlying basis for our *Freedom of Information and Protection of Privacy Act* (FIPPA). The information in the custody and control of public bodies, your information, can help explain how government decisions are made. When that system is impaired, so too is the public's ability to hold its government to account. That concern caused me to look at the provincial government's decision to levy a \$10 fee on access to information requests. The assessment followed six months after the fee's implementation, and, while too early to draw definitive judgments, raised some preliminary alarm bells – especially the declining use of the access to information system by the media, a pillar of our democracy already facing significant challenge in today's environment.

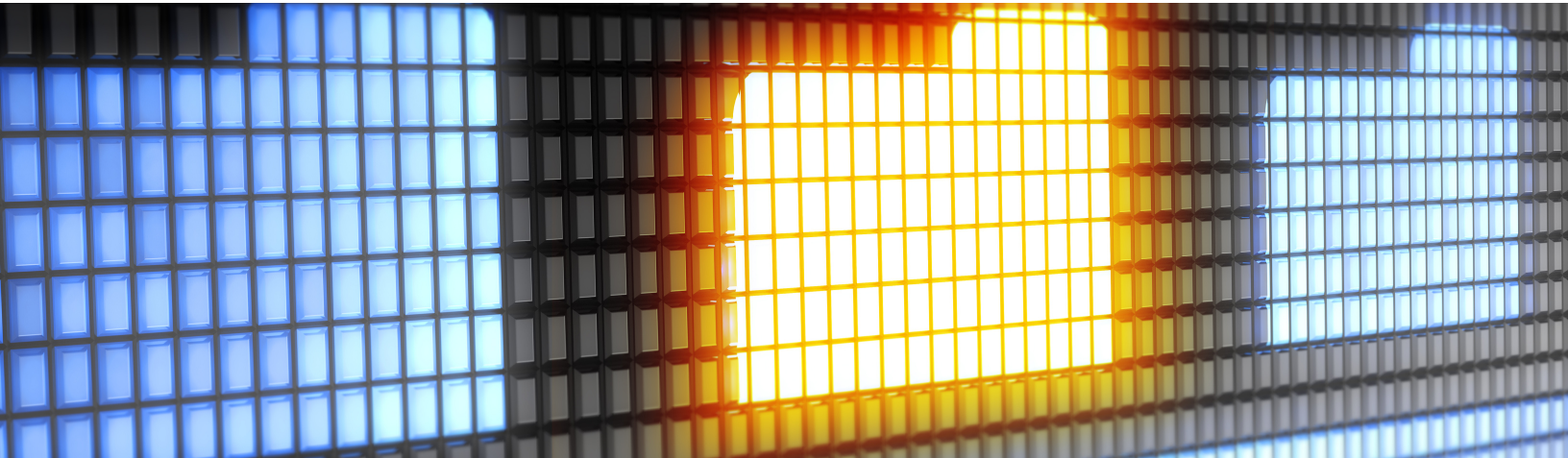
And accountability is not only about information access. Both FIPPA and the *Personal Information Protection Act* (PIPA) require public and private sector bodies to be accountable for the safekeeping and proper use of the personal information they collect about all of us. It's why we put the Provincial Health Services Authority under the microscope in the period covered by this report. We discovered a deeply troubling lack of security around some of BC's citizens' most sensitive healthcare data. The good news is that the PHSA acted positively in response, working to fix those matters that were putting British Columbians most at risk...

(see page 4 of the report for the full Commissioner's Message)

YEAR IN REVIEW



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PRIVACY BREACH REPORTS

FIPPA: 108 received*
PIPA: 141 received

*Mandatory breach notification for FIPPA came into force February 1, 2023

COMPLAINTS

Privacy complaints received: 327
Access complaints received: 441

REQUESTS FOR REVIEW

Decisions to withhold information: 494
Deemed refusal: 235

ADJUDICATION

When investigation and mediation do not resolve a dispute, the Commissioner or their delegate may conduct an inquiry, where the adjudicator reviews written evidence and arguments, decides all questions of fact and law, and issues a final and binding order.

Orders issued: 83

EDUCATION & OUTREACH

Speaking engagements: 61

Media requests: 75

Policy or issue consultations: 193

Privacy Impact Assessments received: 54

Legislative reviews: 25

Complaints and Requests for Review Files closed by stage of resolution:

April 1, 2022-March 31, 2023



The two main types of files processed by the OIPC are access and privacy **complaints**, and **request for reviews** of access to information responses.

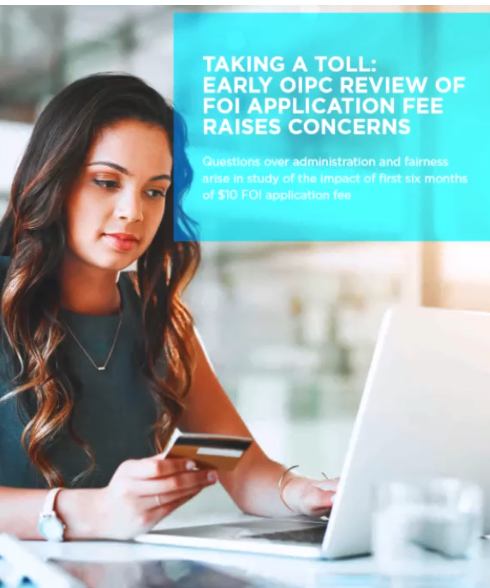
Complaints and requests for review are often resolved early on by case review officers or investigators. Some files that cannot be resolved during these stages are sent to adjudicators.



A MESSAGE FROM THE COMMISSIONER

oipc

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TAKING A TOLL: EARLY OIPC REVIEW OF FOI APPLICATION FEE RAISES CONCERNS

Questions over administration and fairness arise in study of the impact of first six months of \$10 FOI application fee



<https://youtu.be/Bzcx3iNIZ1w>