

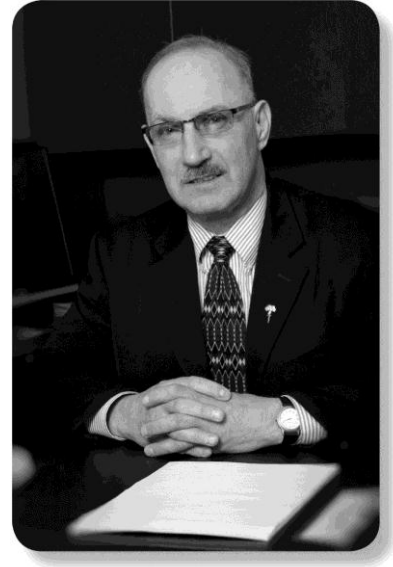


OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Annual Performance Report

2012-2013

www.oipc.nl.ca
1.877.729.6309



September 27, 2013

Message from the Information and Privacy Commissioner

In fulfilling its commitment to being accountable to the citizens of Newfoundland and Labrador, Government introduced the *Transparency and Accountability Act*. This Act provides the legislative framework for strengthening accountability of government entities through multi-year performance-based plans and annual performance reports that are presented to the House of Assembly.

I am pleased to present the Office of the Information and Privacy Commissioner's Annual Performance Report for 2012-2013.

As Commissioner, I am accountable for the results reported herein and for any variances from the objectives outlined in the 2011-2014 Business Plan.

A handwritten signature in black ink, reading "E. P. Ring". The signature is written in a cursive style and is positioned above a long, thin horizontal line that extends to the right.

Edward P. Ring
Information and Privacy Commissioner

TABLE OF CONTENTS

Overview	1
Mandate	2
Lines of Business.....	4
Other Key Statistics	6
Highlights and Accomplishments.....	8
Vision	11
Report on Performance.....	11
Opportunities and Challenges	16
Financial Statement.....	18

OVERVIEW

In delivering its mandate, the Office of the Information and Privacy Commissioner (OIPC) provides the following lines of business:

- Investigations
- Public Education
- Oversight

The OIPC has the responsibility to protect the rights of all citizens of Newfoundland and Labrador under the *Access to Information and Protection of Privacy Act (ATIPPA)* and the *Personal Health Information Act (PHIA)*.

Number of Employees

The Office has a staff complement of thirteen permanent positions (1 vacant) and two temporary positions, (57% female, 43% male).

Physical Location

The OIPC is located at 34 Pippy Place, St. John's, Newfoundland.

Budget

The original 2012-2013 budget for the Office of the Information and Privacy Commissioner was 1,413,000. The Financial Statement found on page 18 of this Report shows the actual financial expenditures for the Office of the Information and Privacy Commissioner.

01 Salaries	1,024,000
02. Employee Benefits	18,800
03. Transportation & Communications	65,700
04. Supplies	20,300
05. Professional Services	95,000
06. Purchased Services	169,200
07. Property, Furnishings & Equipment	<u>20,000</u>
Total	<u>1,413,000</u>

MANDATE

The mandate of the OIPC is derived from the provisions of the *Access to Information and Protection of Privacy Act (ATIPPA)* and the *Personal Health Information Act (PHIA)* and includes:

Under ATIPPA:

- giving the public a right of access to records;
- giving individuals a right of access to and a right to request correction of personal information about themselves;
- preventing the unauthorized collection, use or disclosure of personal information by public bodies;
- providing for an independent review of decisions made by public bodies under the *ATIPPA*;
- reviewing a decision, act or failure to act of a public body that relates to an access request or a request to correct personal information;
- investigating complaints about an extension of time for responding to a request or a fee required under the *Act*;
- making recommendations to ensure compliance with the *Act* and regulations;
- informing the public about the *Act*;
- receiving comments from the public about the administration of the *Act*;
- commenting on the information and privacy implications of proposed legislation and programs;
- commenting on the implications of record linkages and information technology on the protection of privacy;
- informing the head of a public body about a failure to adequately assist an applicant;
- making recommendations to public bodies or the minister responsible for this *Act* about the administration of the *Act*.

Under PHIA:

- review a decision, act or failure to act of a custodian that relates to an access request for personal health information or a request for correction of personal health information;

- review complaints where an individual believes on reasonable grounds that a custodian has contravened or is about to contravene a provision of this *Act* or the regulations in respect to his or her personal health information or the personal health information of another;
- make recommendations to be in compliance with the *Act*;
- inform the public about the *PHIA*;
- receive comments from the public about matters concerning the confidentiality of personal health information or access to that information;
- comment on the implications for access to or confidentiality of personal health information of proposed legislation schemes or programs or practices of custodians;
- comment on the implications for the confidentiality of personal health information of using or disclosing personal health information for records linkage or using information technology in the collection, storage, use or transfer of personal health information.

January 17, 2013 was the eighth anniversary of the proclamation of the *ATIPPA* (with the exception of the Privacy Provisions). The Privacy Provisions were proclaimed into force on January 16, 2008. In the first several years following proclamation, the initial priority for the Office was to build an awareness of access to information principles and best practices both within government institutions and within the larger public body sector. Internal capacity building was also a priority as it related to familiarization and knowledge building associated with the legislation, Commissioners rulings and precedent set in other jurisdictions across the country. Additionally, in the early days of *ATIPPA* there was a requirement to balance staff resources and demands in maintaining currency with advances in information management and technology as well as our requirement to educate and inform the public regarding the role and mandate of the OIPC as well as the legislation. Additionally, resources were utilized to commence the process of developing the OIPC Policy and Procedures manual.

PHIA was proclaimed into force on April 1, 2011. It was anticipated that there would be an immediate and significant amount of work for our Office as a result of the proclamation. This was not the case, although *PHIA* has resulted in a significant workload, the increase was gradual and proportionate over the first year of operation, however, the *PHIA* related workload has increased in this reporting period. Considerable effort has been expended during the past year in developing investigative methodology and internal procedures to address the oversight requests of *PHIA* by our Office. The involvement of our Office from the early stages of *PHIA* development, as a member of

the Implementation Steering Committee, several working groups and other advisory functions has been of significant assistance to the Office in addressing many of the initial issues and concerns since proclamation. Additionally, the very strong and positive working relationships developed between the OIPC, Department of Health and Community Services officials and the Regional Health Authorities has also contributed to this Office's ability to deal efficiently and effectively with *PHIA* issues, such as complaints and breaches.

This Office values its role as an independent support and arbitrator for the citizens of the Province. Every effort is taken to ensure our integrity such that we are trusted to represent citizens in their dealings with public bodies and custodians. The character of the Office is promoted and represented through the following five core values:

1. Independence

OIPC staff will conduct investigations independent of any influence.

2. Integrity

OIPC staff will provide accurate, unbiased advice and recommendations.

3. Confidentiality

OIPC staff will adhere to a standard of absolute confidentiality.

4. Judgment

OIPC staff will use their professional knowledge and judgment in interpreting policies, practices and procedures to help ensure compliance with the *ATIPPA* and the *PHIA*.

5. Respect

OIPC staff will listen to and consider the ideas and opinions of others and work collaboratively to achieve results.

LINES OF BUSINESS

In delivering its mandate, the OIPC provides the following lines of business:

Investigations

The Office reviews decisions, acts or failures to act by heads of public bodies with respect to access to information requests, including decisions to extend the timeframe to respond to access requests. We will also investigate the appropriateness of fees charged for access to information. The Office will also review the failure or refusal by a head of a public body to correct personal information that is in its control. Additionally, the Office will conduct investigations based on complaints from citizens relating to the collection, use or disclosure of personal information by a public body.

The Office will also review a decision, act or failure to act of a custodian that relates to an access request for personal health information or a request for correction of personal health information. We will also investigate complaints where an individual believes that a custodian has contravened or is about to contravene a provision of *PHIA* or the regulation in respect to his or her personal health information or the personal health information of another.

Public Education

The Office ensures that members of the public are aware of their rights to access information and how they can exercise those rights. As appropriate, the Office informs the public about these rights through public commentary and education/awareness programs aimed at explaining the administration and operation of the *ATIPPA*, the *PHIA* and our Office. Additionally, all requests for review and complaints under *ATIPPA* and *PHIA* that result in a formal report are published on the OIPC website and available to the public.

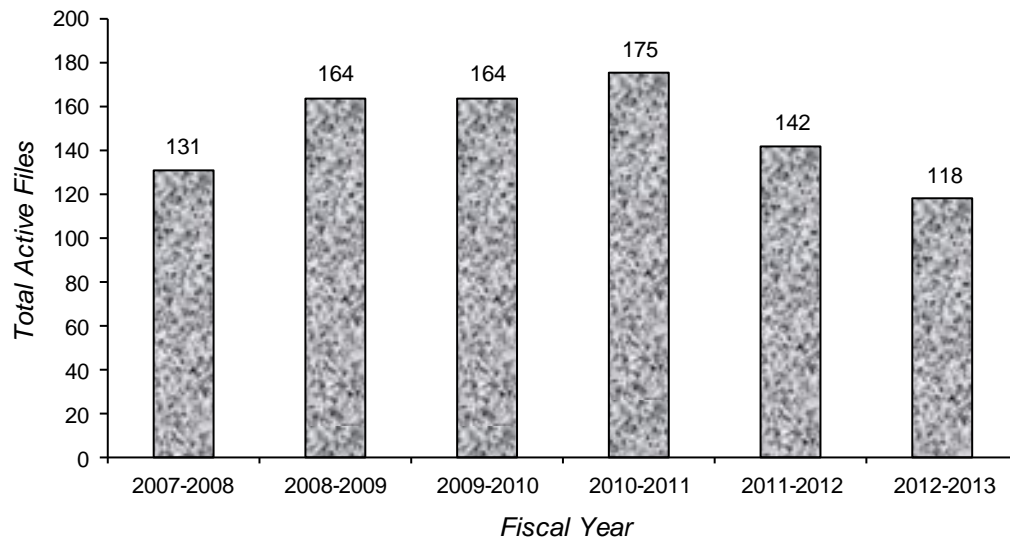
Oversight

The Office acts as an oversight body and is entitled to comment on the implications for access to information and protection of privacy of proposed legislative schemes or programs of public bodies.

OTHER KEY STATISTICS

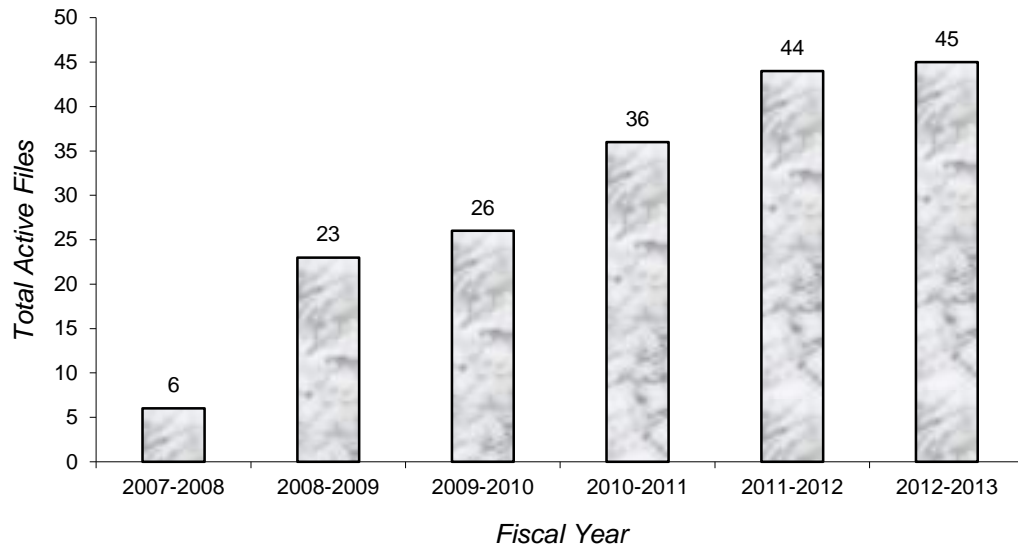
***ATIPPA* Access**

The complexity of access requests for review, time extension and fee complaint reviews seems to be increasing resulting in more investigative time required and longer periods needed to conclude the investigation and produce reports.



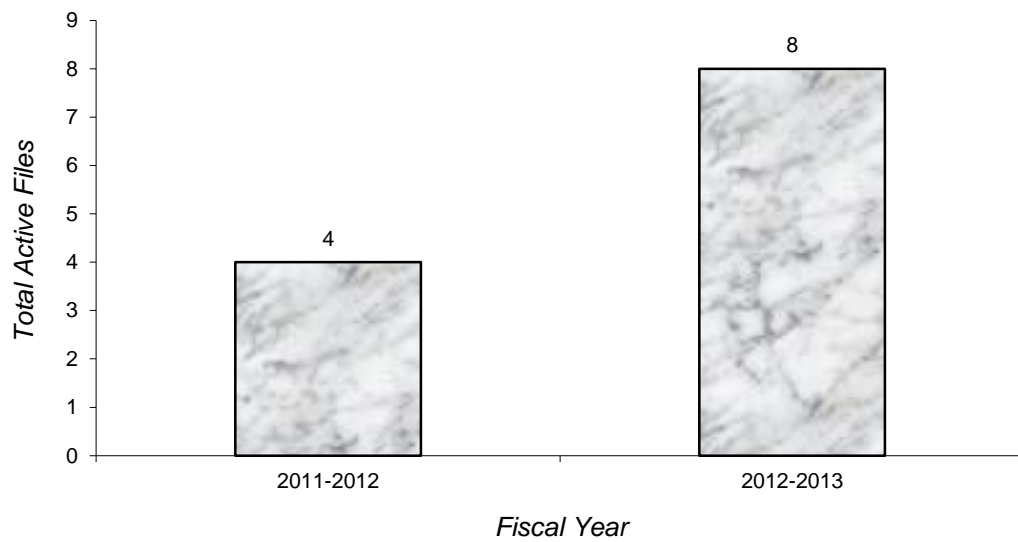
***ATIPPA* Privacy**

Privacy breach complaints have presented a significant challenge for the Office since Part IV of the *ATIPPA* (privacy provisions) was proclaimed into force in January 2008. Privacy breach investigations tend to be complex and time consuming, requiring significant periods of time to conclude.



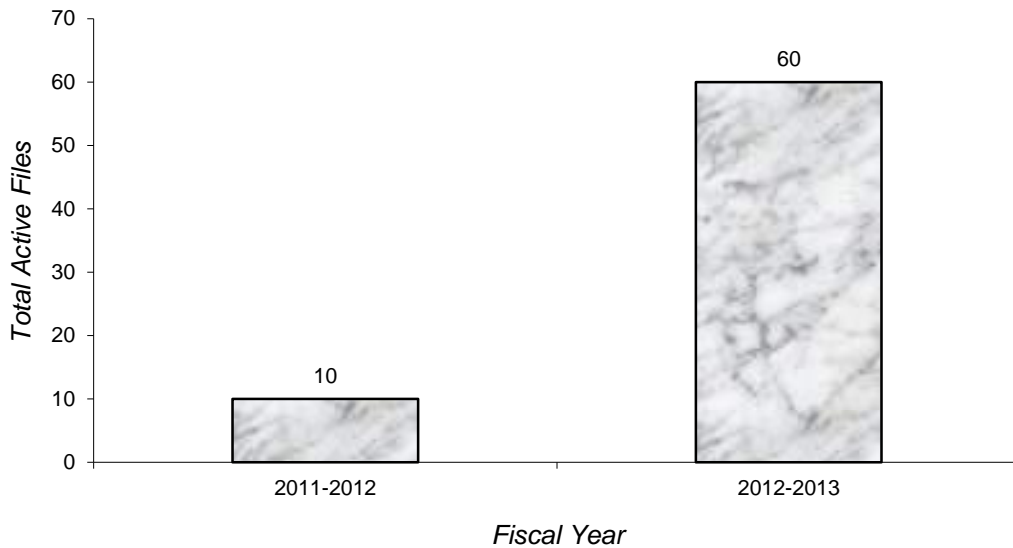
PHIA Access/Corrections Complaints

As indicated earlier in this Report, the amount of work generated since the proclamation of *PHIA* has been gradual and manageable to date. The Office expects that the demand will increase over time as the legislation matures and public awareness is heightened.



PHIA Privacy Complaints

As indicated earlier in this Report, the amount of work generated since the proclamation of *PHIA* has been gradual and manageable. The Office expects that the demand will increase over time as the legislation matures and public awareness is heightened. It is worthy of noting that these kinds of investigations are, on most occasions, very complicated and technical to a large degree which has resulted in other files carried by the analysts conducting these investigations, being transferred to other staff in the Office in order to facilitate site visits, training and technical expert consultation. This has, on occasion resulted in delay in concluding files.



HIGHLIGHTS AND ACCOMPLISHMENTS

During the reporting period, the OIPC was engaged in a number of activities and events that directly and indirectly contributed to the accomplishment of the various mandates of the Office. A selection of these activities is outlined as follows:

1. Engaged in discussions with Director Public Prosecutions to discuss process and other related procedural/legal issues in support of the first two offence investigations under the *Personal Health Information Act (PHIA)*, undertaken by the OIPC. These investigations

ultimately resulted in charges being laid against a former employee of Eastern Health and a former employee of Western Health.

2. Participation in a number of meetings as part of the Health Information Privacy Advisory Committee, which was created post-proclamation of the *PHIA*.
3. Meetings and ongoing discussions with the Office of the Chief Information Officer concerning related access and privacy issues.
4. Prepared and participated in a number of events and activities in support of Privacy Awareness Week.
5. Participation in the Western Canada Health Information Privacy Forum.
6. Participated in “Pathways to Privacy” Research Symposium hosted by the Office of the Privacy Commissioner of Canada.
7. Participated in an International Association of Privacy Professionals (IAPP), “Knowledge Net Event” at Memorial University.
8. Two OIPC analysts graduated from the University of Alberta., Information Access and Protection of Privacy Certificate.
9. Staff attended training seminar conducted by Stitt Feld Handy Group – dealing with difficult clients.
10. OIPC staff member participated as a member of the steering committee in preparation for the 2012 Newfoundland Annual Access and Privacy Conference.
11. Office participation in conducting the 2012 Newfoundland Access and Privacy Conference.
12. Meetings/consultations with representatives from the Federation of School Councils regarding school video surveillance project. This initiative resulted in a significant report on the issues being produced and issued by the OIPC.
13. Participated in various Public Service Week Events.
14. Attended and participated in *PHIA* stakeholders liaison committee meeting.
15. Commissioner attended the Annual Federal, Provincial and Territorial Information and Privacy Commissioner’s Conference.
16. Several staff attended training on “Conducting Regulatory Investigations”.
17. Presentation to the Canadian Bar Association Information and Privacy Law Symposium.
18. Planned and participated in a number of “Right to Know Week” (RTK) events.
19. Presentation to the Canadian Bar Association, St. John’s.
20. OIPC presentation to the Association of Professional Municipal Administrators.
21. Launched the 2012 RTK Week essay competition.

22. Various presentations to schools in the province including student groups, parents and staff groups, mainly centering on social media issues.
23. Conducted meetings/telephone conference with access and privacy staff from all four health authorities in Newfoundland and Labrador.
24. Presentation to the Newfoundland Guild of Dispensing Opticians professional development session on *PHIA*.
25. Consultation with the Chief Electoral Officer concerning electronic voting and privacy/security concerns.
26. Presentation/panel member at the Privacy Forum hosted by Memorial University.
27. OIPC representative attended the Canada Infoway Fall Partnership Conference (Privacy Forum).
28. Presentation/discussion at the CBDC semi-annual conference.
29. Meeting/discussions with the Registrar, Newfoundland College of Dietitians.
30. Meeting/consultation with officials from the Newfoundland Association and Board of Occupational Therapists.
31. OIPC officials met with staff from the Department of Education, Eastern, Western and Nova Central school districts and the Office of Public Engagement to discuss issues surrounding the production of a policy to guide the use of video surveillance in schools.
32. Presentation and discussion to the Institute of Internal Auditors, Newfoundland Chapter.
33. Consultation/discussions with the Chair and CEO Newfoundland and Labrador Housing Corporation.
34. Consultations with officials from the Health Research Ethics Authority, concerning registries in Newfoundland.
35. OIPC presentation and participation with the Angel Business Development Program in conjunction with the Newfoundland Association of CBDC's.
36. Consultation and collaboration with the Newfoundland and Labrador Centre of Health Information.
37. Participated in a number of consultations/collaborations with the Office of Public Engagement which was established in October 2012.
38. Consultation and input provided to assist the *ATIPP* Coordinating Office update the *ATIPPA* policy and procedures manual, post Bill C-29.
39. Involved in a number of court procedures relating to *ATIPPA* and *PHIA* issues.

VISION

Our vision is one where public bodies operate in a fashion that is accountable to the people and transparent, always in consideration of the privacy rights of the citizens of Newfoundland and Labrador.

REPORT ON PERFORMANCE

The mission statement of the Office of the Information and Privacy Commissioner outlines the priority focus over the next planning cycle. It represents our plan for the future and identifies various measures and indicators which will assist in the monitoring and evaluation process.

Mission: By 2017, the Office of the Information and Privacy Commissioner will have improved the capacity and effectiveness of the Office such that the citizens of the Province enjoy the full measure of the access to information and personal health information as well as the privacy rights which are guaranteed by the *Access to Information and Protection of Privacy Act* and the *Personal Health Information Act*.

Measure: Improved capacity and effectiveness of the Office to provide service and support decisions.

Indicators
Reduced timeframes to conduct access reviews, increased number of informal resolutions and published review reports and recommendations.
Increased awareness initiatives
Developed ability to deal with privacy complaints and personal health information breach complaints.
Improved investigative methodology and continued with the development and production of a comprehensive policy and procedures manual to guide the work of the Office as it relates to <i>ATIPPA</i> and developed investigative methodologies to cater to <i>PHIA</i> issues.
Researched and developed comprehensive policies and procedures to guide the work of the Office as it relates to the <i>PHIA</i> .
Identified all governing bodies, colleges, boards and/or associations for the major custodian groups under <i>PHIA</i> .
Conducted liaison/consultation and education meetings with the governing bodies/associations.

Enhanced and updated the OIPC website as <i>PHIA</i> issues develop and mature.
Enhanced and/or introduced follow-up for 2011 ATIPP public body survey.

Issue 1: *Personal Health Information Act*

PHIA was proclaimed into force on April 1, 2011. The resulting workload was initially lower than anticipated, however, this has significantly increased during the 2012-2013 reporting period, mainly due to the increase in privacy complaints and the highly technical nature of some of the resulting investigations. During this period work continued on the development of the policy, procedures and investigative methodologies to deal with personal health information privacy breaches. Considerable work on the initial development of these occurred during the previous reporting period. During the current reporting period this work continued.

Goal: By March 31, 2014, the Office of the Information and Privacy Commissioner will have assessed the magnitude of the *PHIA* workload requirements and will have developed internal processes to deal with the requirements to provide services.

Objective 2: By March 31, 2013 the Office of the Information and Privacy Commissioner will have continued work on the draft *PHIA* policy and procedures manual.

Measure: Continued work on draft *PHIA* policy and procedures manual.

<i>Planned for 2012-2013</i>	<i>Actual Performance for 2012-2013</i>
Continued in-house sessions and discussions on the first draft of <i>PHIA</i> policies and procedures. Continued work on the first draft based on feedback received.	<p>Work continued on the development of the <i>PHIA</i> policy and procedures manual. As a result of the previous years work, a draft policy and procedures manual was produced in November 2012. This document served as a guide to address <i>PHIA</i> issues as they emerged.</p> <p>Throughout the reporting period the <i>PHIA</i> policies and procedures were discussed on a weekly basis as part of the weekly investigations meeting, chaired by the senior investigator. Additionally, other aspects of the manual were discussed with subject matter experts, for example, as the Office conducted two investigations into serious personal health information privacy breaches which have resulted in charges under the offence section of <i>PHIA</i>. The Office also held a full day session, for all our staff, focusing on refining and finalizing a number of <i>PHIA</i> policies and procedures.</p> <p>The information provided above explains the level of effort exercised by the Office in support of the development of the draft Policy and Procedures Manual.</p>

Discussion of Results
Good progress has been achieved regarding the development of the <i>PHIA</i> policy and procedures manual. The Office is very pleased with the product developed thus far. As a result of the jurisdictional search conducted in the 2011-2012 reporting period, a first draft of a generic manual was produced. Due to the work conducted during this reporting period, the Office has concentrated on the policies and procedures that were viewed to be the priority issues to cater to the specific demands of the Office as dictated by the specific legislation requirements of <i>PHIA</i> . This continues to be work in progress.

Objective 3: By March 31, 2014 the Office of the Information and Privacy Commissioner will have completed and published its <i>PHIA</i> policy and procedures manual.
Measure: Completed and published <i>PHIA</i> policy and procedures manual.
Indicators for 2013-2014
Feedback information gathered from previous jurisdictional scan and in-house meetings and discussions to refine existing policies and procedures.
Policy and Procedures manual completed and published.

Issue 2: Public Education
One of the mandates of the OIPC is to raise awareness and educate the general public on the <i>ATIPPA</i> and the <i>PHIA</i> . This has been an ongoing process for the <i>ATIPPA</i> and will be continued during the next reporting cycle. Specific initiatives will be initiated to achieve our education goal with a number being specifically targeted towards <i>PHIA</i> for both the general public, custodians and governing bodies of the major custodian groups. This will be accomplished through a number of initiatives that will include but not limited to the following: co-host a major access and privacy conference, public speaking/presentation engagements, participated in <i>ATIPPA/PHIA</i> related panels, conferences, hosted presentations/working groups, ongoing consultations with subject matter experts and engaging stakeholders, press releases, engage written and TV media releases, newsletter and brochures production.
Goal: By March 31, 2014, the Office of the Information and Privacy Commissioner will have undertaken initiatives to educate and inform the public on the <i>PHIA</i> and the role and function of the OIPC and continue our education initiatives on the <i>ATIPPA</i> .

Objective 2: By March 31, 2013 the Office of the Information and Privacy Commissioner will have continued to accomplish its goal of conducting briefings/meetings in various locations throughout Newfoundland and Labrador.	
Measure: Continued to accomplish its goal of conducting briefings/meetings in various locations throughout Newfoundland and Labrador.	
Planned for 2012-2013	Actual Performance for 2012-2013
Areas/locations identified and targeted.	As a large number of the major public bodies under <i>ATIPPA</i> and custodians under <i>PHIA</i> are located in the greater St. John's metropolitan area, the focus of our education and outreach

	efforts were concentrated on that region, although presentations were conducted in the Central, Western regions as well as in Labrador.
Briefings/meetings conducted.	During the 2012-2013 reporting period the Office took part in sixty-seven events as part of our education/outreach initiative, including meetings, focus groups, consultations, presentations, conferences and as part of several committees. It should be noted that during the reporting period, the Office of Public Engagement (OPE) was created. It has a responsibility for the Administration of <i>ATIPPA</i> . A number of meetings and discussions have taken place between the OPE and the OIPC. Regular quarterly meetings have been scheduled, however consultation continues on an as required basis.
Gathered feedback information.	Approximately 50% of the organization with whom we engaged provided feedback to this Office. The feedback has been very positive and has resulted in greater education opportunities due to the number of public bodies/custodians etc. who have indicated that they intend to engage our Office in future planned events.
Analyzed feedback received to assist in confirming and improving approach.	Following on from the information received during the 2011-2012 reporting period regarding this particular subject, we have experienced a large measure of success in achieving our goal of specifically targeting groups that would provide exposure to much larger audiences. The Office is very pleased with the number of presentations/events that its staff has participated in, especially the opportunity to access larger audiences than in the past. We will continue with this approach for the foreseeable future.

Discussion of Results

As indicated above, the Office participated in sixty-seven presentations, meetings and/or consultations on both the *PHIA* and *ATIPPA*. Our focus has been targeted to identify and deliver to larger groups and organizations in order to get the required and selected messages to the entire jurisdiction. Several examples of the type of groups presented to are Municipalities Newfoundland and Labrador, Newfoundland Guild of Dispensing Opticians, and CBDC Semi-Annual Conference.

Objective 3: By March 31, 2014 the Office of the Information and Privacy Commissioner will have continued to accomplish its public education program and will have identified further locations/opportunities/organizations to be targeted for educational purposes.

Measure: Continued to accomplish its public education program and will have identified further locations/opportunities/organizations to be targeted for educational purposes.
Indicators for 2013-2014
Areas/locations identified and targeted.
Briefings/meetings conducted
Gathered feedback information.
Analyzed feedback received to assist in confirming and improving approach.

Issue 3: Stakeholder Engagement
There are thousands of custodians, private and public, under <i>PHIA</i> . The legislative requirements of <i>PHIA</i> are onerous and for the smaller custodians would represent a significant challenge. The purpose of the OIPC consultations with the major custodian groups governing bodies and associations is to encourage collaboration and to encourage these organizations to coordinate and assist on behalf of their members a joint effort in meeting some of the legislative requirements. For example, each custodian, small and large, must produce policies and procedures to deal with <i>PHIA</i> .
Goal: By March 31, 2014, the Office of the Information and Privacy Commissioner will have researched, identified and implemented processes to engage and consult with all custodian group governing bodies/associations under the <i>PHIA</i> and continued its liaison and collaboration with public bodies under the <i>ATIPPA</i>.

Objective 2: By March 31, 2013, the Office of the Information and Privacy Commissioner will have conducted twenty meetings with major custodian group governing bodies and where necessary, with custodians and public bodies.	
Measure: Conducted twenty meetings.	
Scheduled/conducted meetings.	The Office has fallen short in its intention to meet and engage with twenty custodian group governing bodies. This number included the seven meetings conducted in the previous reporting period. A similar number were conducted for this period with a shortfall of 6-7 meetings. In total 14 of 20 planned meetings have been conducted. Several factors have contributed to the shortfall: 1) Difficulties in scheduling due to the part-time/volunteer nature of some of the offices, 2) turbulence in Office activity (OIPC) as a result of legislative changes to <i>ATIPPA</i> and 3) the requirement to conduct a number of very complicated and technical investigations.
Analyzed feedback received.	Good feedback has been received from eight of the organizations we have met with. In some cases, continued and ongoing consultation has resulted.

Discussion of Results

It is disappointing that more progress was not made in this area, however, a number of issues impacting on the shortfall were largely outside the control of the Office – governing body schedules, legislative amendments to *ATIPPA* and the number of very complicated/technical investigations during the reporting period.

Objective 3: By March 31, 2014, the Office of the Information and Privacy Commissioner will have completed meetings/discussions with most if not all identified custodian group governing bodies and a large number of individual custodians and public bodies.

Measure: Completed meetings/discussions with all identified custodian group governing bodies and a large number of individual custodians and public bodies.

Indicators for 2013-2014

Scheduled/conducted meetings.

Analyzed feedback received.

OPPORTUNITIES AND CHALLENGES

The Office of the Information and Privacy Commissioner has experienced another busy and productive year. We look forward to the next reporting period as both *ATIPPA* and *PHLA* mature, our policies, procedures and investigative skills develop and many issues from Bill C-29 are dealt with.

Although much has been accomplished in the last reporting period, the first two years of *PHLA* being in force, we look forward to the significant challenges ahead, specifically, as it relates to the huge education and awareness initiatives that are required. One of the many challenges with the *PHLA*, like the *ATIPPA*, is our ability to interact and engage with the smaller custodians and public bodies respectively. Under the *ATIPPA* there seems to be ample opportunity to engage, communicate, and work with the larger public bodies like government departments, health authorities, and educational institutions. We still struggle to connect with the smaller municipalities, many of which have only part-time staff, little technical support and staff turn-over. Our quarterly newsletter has been of help in this regard, but more needs to be done in that regard. Similarly, under *PHLA*, there seems to be ample opportunity for the OIPC to engage with the larger custodians, like the Department of Health and Community Services, health authorities, professional colleges and associations. The same cannot be said for the thousands of smaller custodians, both in the public

and private sectors. We look forward to continuing our work with the major custodian group governing bodies, colleges and associations to develop innovative and creative ways to bridge this gap.

The Office faces significant challenges as a result of legislative changes to *ATIPPA* that occurred during this reporting period. Many of these changes required a steep learning curve for the Office as we deal with the new sections of the *Act* during our investigative process. Additionally, as a result of these legislative changes, the OIPC finds itself involved in a number of court cases due to the right of the Applicant to request the Commissioner to take a matter to court on his/her behalf in situations where the review of records now falls outside the purview of the Commissioner, such as section 21 – solicitor-client privilege claimed records.

Another challenge facing the Office is our quest to increase the number of cases concluded through informal resolution. We will continue to look at innovative ways to accomplish this, however, the one sure way to be successful in that regard is to strive to develop a positive, professional and cordial working relationship with all parties involved.

Other challenges will be experienced as we attempt to become familiar and keep pace with the endless advances being made in information management technology. This particular challenge was initiated in last year's report but continues to be a significant challenge, particularly in the case of smaller oversight offices such as ours in this Province.

Finally and most importantly, the OIPC will continue to strive to educate public bodies and custodians on the role, mission and mandate of our Office. We can and will fulfill our oversight role and we strive to achieve this in a spirit of willingness to help and cooperate with public bodies and custodians. The door is always open and we are prepared to help. A very positive and productive working relationship has been created with the newly created Office of Public Engagement (OPE) who has responsibility for administration of the *ATIPPA*. The Office looks forward to our continued cooperation and consultation with the aim of providing the best possible service to the citizens of the Province as they exercise their rights under the *ATIPPA* and *PHIA*.

FINANCIAL STATEMENT

Expenditure and revenue figures included in this document are based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for fiscal year ending March 31, 2012 (un-audited).

	<u>Actual</u> \$	<u>Estimates Amended</u> \$	<u>Original</u> \$
OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER			
Current			
6.1.01. Office of the Information and Privacy Commissioner			
01 Salaries	986,838	994,000	1,024,000
02. Employee Benefits	8,032	18,800	18,800
03. Transportation & Communications	41,176	65,700	65,700
04. Supplies	15,441	20,300	20,300
05. Professional Services	13,332	95,000	95,000
06. Purchased Services	109,453	169,200	169,200
07. Property, Furnishings & Equipment.	<u>18,603</u>	<u>20,000</u>	<u>20,000</u>
	<u>1,192,875</u>	<u>1,383,000</u>	<u>1,413,000</u>
02. Revenue – Provincial			
Total: Office of the Information and Privacy Commissioner	<u>1,192,875</u>	<u>1,383,000</u>	<u>1,413,000</u>

Note: Audited financial information will be included in the Annual Report to be tabled by the Speaker during the next sitting of the House. The Office of the Information and Privacy Commissioner does not have a requirement for a separate individual audited statement.