



Office of the Information and
Privacy Commissioner of Alberta

STRATEGIC BUSINESS PLAN

2023-26

Goal 1: Enhancing internal processes to support our legislative mandate and improve timelines

Our determination to resolve cases resulted in three times more files closed when comparing 2012-13 with 2021-22. Despite this incredible increase in output, significant backlogs persist for most types of files. Our inability to pursue our mandate in a timely manner negatively affects Albertans' access to information and privacy rights, and we must continue to strive for improvements.

Additionally, status quo budgets have affected our ability to modernize processes. We have achieved progress by making most official records digital and improving our ability to securely work remotely, but it is now time to fully digitize the way we work, in alignment with innovation goals across Alberta's public sector.

Priority 1: Tackling backlogs meaningfully

- Prioritize closing mediation and inquiry files in a timelier manner, with the goal of addressing the backlog within two to three years. There is currently a one to two year backlog for both mediation and adjudication files. In order to maintain quality and integrity in our work, there is a limit to how many files mediation and adjudication team members can close per year. Proactive measures are needed to address the backlog that is compounding year after year. Achievement of this goal is predicated upon process improvement, including through the use of technology, and adequate resources to address the backlog.
- Prioritize reviewing privacy impact assessments (PIAs) and breach reports in a timelier manner and eliminate the backlog. We are working to develop and implement streamlined procedures for our review and responses to PIAs and breach reports received. We will also evaluate our role in this work and adjust our processes as necessary to meet our mandated obligations. This work will take approximately two to three years.

Priority 2: Transforming our office digitally

- Continue efforts to make digital records the default. Progress has included changing official records from paper to digital for many file types, but we are continuing efforts to digitally transition our administrative files for legal, finance and HR.
- Implement automated tools. Many processes are being reviewed to understand how automation and other digital processes may result in efficiencies. This includes potentially automating how we receive forms and other submissions from the public and organizations and how we communicate internally and externally. We are looking to use digital methods of communication and transmission to reduce costs, and improve efficiency and security.
- Fulfilling this opportunity comes with the challenge of implementing then continuously upgrading and improving information systems. Digitizing information systems requires initial investment to implement, and ongoing resources to maintain the integrity, usability and security of systems. However, it also provides the opportunity to phase out the use of outdated forms of technology which will offset some of these costs.

Goal 2: Supporting improvements to access to information and the protection of personal and health information

Engaging with stakeholders to help them improve access to information and the protection of personal and health information for Albertans is essential to our mandate. It is also a necessary component in upholding access and privacy rights in technological innovations. Focus on file work over the past several years has limited our engagement opportunities. We want to adopt an approach that proactively supports stakeholders in meeting their obligations under the Acts. To emphasize our commitment to stakeholders in this endeavour, we want to engage industry and the tech sector, in particular, to help them understand the importance of embedding privacy into the design of new products

We also want to inform the public about their rights and how to exercise them meaningfully.

In addition, given that the review of the *Personal Information Protection Act* (PIPA) is underway, our focus for the next year will be on researching and making recommendations to improve PIPA. Our improvements will focus on ensuring PIPA facilitates innovation while adequately protecting the privacy rights of Albertans.

Priority 1: Support stakeholders implementation of proactive measures to protect personal information and facilitate access to information

- Create alliances with the tech sector to better understand how we can proactively support them in building privacy into the design of new products.
- Establish relationships with leaders in Alberta's tech sector, including entrepreneurs and academics, to open lines of communication to identify other opportunities for collaboration in support of privacy rights in the digital era.
- Assist organizations in understanding that privacy enhancing technologies and ethical assessments can enable innovation. Building privacy, security and ethics into new projects is a necessary condition of innovation and essential for building public trust.
- Additional policy research and stakeholder engagement capacity is required to achieve this priority.

Priority 2: Identify, facilitate and support opportunities to enhance access and privacy education and protections for students

- Re-ignite efforts to improve opportunities for students in Alberta to learn about access to information and privacy rights. Progress in this respect stalled during the pandemic.
- Liaise with Alberta education stakeholders in their efforts to develop a coordinated review or vetting process for education apps and e-learning platforms to assist school divisions, principals and teachers in making responsible privacy decisions for students.
- Explore engagement opportunities through the Digital Education Working Group of the Global Privacy Assembly, comprised of privacy commissioners around the world. Prior work resulted in the office co-authoring a resolution on e-learning platforms and promoting an international framework for embedding privacy rights in curricula, which were distributed to Alberta's school divisions.

Goal 3: Modernizing regulatory mechanisms

Modernizing Alberta's access and privacy laws remains a leading issue. As more jurisdictions in Canada and globally enhance regulatory frameworks, Alberta is falling behind. Opportunity exists through the 2022-23 PIPA Review, spearheaded by the Standing Committee on Alberta's Economic Future. We also seek modernization of the *Freedom of Information and Protection of Privacy Act* (FOIP) and *Health Information Act* (HIA) to address the requirement that these laws must work together in order to facilitate innovation across the sectors and adequately protect the access and privacy rights of Albertans.

Organizations in all sectors continue to amplify the use of technology to improve processes and create innovative products. Options considered to enhance these efforts include greater cross-sectoral information sharing and use of artificial intelligence and machine learning to deliver public and health services. Overall, we must ensure that our laws balance the access and privacy rights of Albertans with the need to use personal and health information to develop innovative technologies and deliver public and health services to Albertans.

Priority 1: Update Alberta's access to information and privacy laws

- Call for the modernization of Alberta's laws with respect to freedom of information and the protection of personal and health information. Modernization includes recognizing and addressing the risks to Albertans from the use of artificial intelligence, algorithmic transparency, automated decision-making, and de-identification. It also involves securing public trust in the system through such measures as ensuring effective oversight and demonstrable accountability, and improving the freedom of information system to facilitate democracy. It also includes developing ethical frameworks to guide responsible technological innovation.

Priority 2: Work with stakeholders to evaluate how to modernize the legal framework in Alberta to facilitate innovation that will best serve Albertans

- Work with stakeholders to understand their opportunities and challenges with respect to the Acts, and make recommendations for amendments to Alberta's laws that will facilitate innovation and uphold the access to information and privacy rights of Albertans.
- Work with government to inform amendments required to access to information and privacy laws to create an ecosystem that will facilitate digital innovation in the delivery of services across the sectors in Alberta while preserving and enhancing the access and privacy rights of Albertans.