

**Office of the Information and Privacy Commissioner**

**Stakeholder Survey  
Report**

**November 12, 2012**

**Banister**  
Research & Consulting Inc.

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### Appendix A – Survey Instrument

## SUMMARY OF FINDINGS

The Office of the Information and Privacy Commissioner (OIPC) commissioned Banister Research & Consulting Inc. (Banister Research) to conduct the 2012 Stakeholder Web Survey. The primary purpose of this research was to survey stakeholders to obtain feedback/information about the following:

- The implementation of access and privacy programs in Alberta,
- The efficiency and effectiveness of OIPC processes,
- OIPC communication with stakeholders, and
- Access and privacy trends and issues of significance.

Two hundred and twenty-seven (227) OIPC stakeholders responded to the survey, providing a margin of error no greater than  $\pm 6.5\%$  at the 95% confidence level or 19 times out of 20. The key findings were as follows.

### Accountability and Awareness

- Eighty-seven percent (87%) rated their organizational leadership as supportive with regards to compliance with access and privacy laws, while 10% provided a neutral rating;
- Ninety-three percent (93%) of respondents stated their organization has appointed someone to be responsible for privacy management, while 96% stated their organization has appointed someone responsible for access to information;
- Fifty-six percent (56%) of respondents stated their organization has an adequately staffed and resourced access and privacy office, while 34% replied they do not;
- Thirty-four percent (34%) of respondents stated their organization has established an internal audit and assurance program to monitor ongoing compliance with privacy policies, while 52% indicated that had not;
- Sixty-nine percent (69%) of respondents stated their organization has established reporting mechanisms for escalating privacy and/or access issues to senior leaders; Slightly more than two-thirds (67%) of respondents stated that their organization has established mechanisms for reporting to senior leaders on access and privacy;
- Seventy-one percent (71%) of respondents stated their organization has documented their reporting structures;
- Respondents most frequently indicated that they had policies in place for responsible use of information and technology (85%) and collection, use and disclosure of personal or health information (84%);

- Nearly half (48%) of respondents stated their organization has an inventory of personal or health information held, while 42% of did not. Seventy percent (70%) of respondents stated their organization regularly reviews and updates their inventories;
- Eighty-five percent (85%) of respondents stated that their organization informs individuals of the purpose for which their personal or health information is collected;
- Fifty-seven percent (57%) of respondents stated their organization regularly reviews and updates their notification statements, while 32% did not;
- Slightly more than one-quarter (26%) of respondents had a Privacy Impact Assessment policy in place at their organization; 60% did not. Nine percent (9%) of respondents stated their organizations had an Access Impact Assessment policy in place, while 71% did not;
- Thirty-one percent (31%) of respondents stated their organizations conduct privacy and risk assessments for overall compliance with legislation, while slightly more than half (52%) did not;
- Forty-four percent (44%) of respondents stated their organization had an access training and education program in place, while 49% did not. Nearly three-quarters (74%) of respondents stated their organization regularly reviews the content of their access training and education programs;
- More than half (51%) of respondents stated their organization had privacy training and education program in place, 43% did not. More than three-quarters (77%) of respondents stated their organization regularly reviewed the content of their privacy training and education program to ensure it is up to date; more than half (51%) of respondents stated their organization had breach and incident responses protocols in place, while 40% did not and 10% were unsure;
- One-third (33%) of respondents stated their organization documents when personal and health information has been stored or transferred to another country, while 39% did not and 28% were unsure. Sixty-three percent (63%) of respondents stated their organizations uses contractual or other means to protect personal and health information when contracting service providers;
- Fifty-two percent (52%) of respondents stated their organizations had programs and privacy controls in place to inform individuals about their access and privacy rights and privacy controls;
- The majority of respondents felt that time was a significant barrier or challenge faced by their organization in complying with access and privacy legislation (70%);
- Regarding access and privacy amongst their organization's employees, sixty-one percent (61%) of respondents rated their organizations employees as aware (4 or 5 out of 5), while 28% provided a neutral rating (3 out of 5);

- The vast majority (95%) of respondents were aware that an individual has the right to request access to information held by a public body under the FOIP Act. The vast majority (97%) of respondents stated they were aware that an individual has the right to request access to, or correction of, his or her own personal and health information;
- Eighty-seven percent (87%) of respondents stated they knew what to do if they received a request to access or correct personal or health information;
- The majority (84%) of respondents stated they were aware applicants should be informed of their right to request that the OIPC review a response to their access or correction request. Ninety-four percent (94%) of respondents stated they were aware that individuals have the right to complain to the OIPC about the collection, use and disclosure of their personal or health information;
- Three-quarters (75%) of respondents stated they would know what to do if they became aware of a privacy breach or incident. Three-quarters (75%) stated they were aware of the mandatory requirement under PIPA to notify the Commissioner of a breach in certain circumstances;
- Respondents who were aware of the mandatory requirement (n=79) were asked how they became aware of the policy. Nineteen percent (19%) of respondents cited the Reading Act or other legislation/policy; 13% cited the Privacy Commissioner or OIPC.
- Respondents who represented a health custodian organization (n=26) were asked if they were aware that patients have a right to limit the disclosure of their health information. Eighty-five percent (85%) of respondents were aware;
- Nearly two-thirds (65%) of respondents who represented a health custodian organization (n=26) were aware that patients have a right to have their records masked in Netcare, 27% were unaware, and 8% were unsure; and
- Eighty-five percent (85%) of respondents (n=26) stated they were aware of the HIA requirement to prepare and submit Privacy Impact Assessments before implementing new systems or administrative practices that affect health information.

### OIPC Processes

- Respondents were asked whether they had participated in any of eight (8) OIPC processes. Respondents stated most often that they had participated in an investigation or mediation (39%), sought advice or consulted with OIPC on proposed initiatives (37%), or made an inquiry (33%). In contrast, respondents less frequently submitted a PIA for review (19%) or requested authorization to disregard a request (11%);

- Respondents who have participated in an OIPC investigation or mediation (n=88) were asked to rate the process according to five (5) attributes. Of those who provided a rating of 4 or 5 out of 5, respondents most frequently felt that the process was fair (63%), accessible (59%), and transparent (56%);
  - Respondents who have participated in an investigation or mediation (n=52) were then asked how the process could be improved. More than one-third of respondents (37%) recommended reducing investigation time;
- Next, respondents who participated in an OIPC inquiry (n=75) felt most frequently that the process was most frequently fair (48%), high in quality (41%) and transparent (41%) (ratings of 4 or 5 out of 5);
  - Respondents who have participated in an inquiry were then asked how the inquiry process could be improved. Nearly one-fifth of respondents (19%) mentioned that orders issued are often contradictory and complicated, while 16% mentioned that the inquiry process takes too long to complete;
- Respondents who reported a breach (n=48) felt most frequently the process was accessible (79%) and fair (77%).
  - Respondents who have reported a breach (n=12) were asked how the process could be improved. Eight percent (8%) of respondents suggested better documentation for new privacy officers;
- Respondents who have requested a time extension (n=50) felt that the process was most often completed in a timely manner (66%).
  - Respondents who have requested a time extension (n=14) were asked how the process could be improved. Forty-three percent (43%) of respondents suggested a higher level of understanding of how complex and time-consuming the work is, while just over one-fifth (21%) mentioned that applicants should be given more consideration than public bodies;
- Respondents who requested an authorization to disregard (n=24) felt that the process was most frequently completed in a timely manner (54%), fair (50%), and accessible (46%) (ratings of 4 or 5 out of 5).
  - Respondents who have requested an authorization to disregard (n=9) were asked how the process could be improved. Two (2) respondents each mentioned that it is difficult to obtain permission to disregard, and that evidentiary burdens should be reduced so that decisions can be made in a timely manner;

- Respondents who sought advice or consulted with the OIPC on proposed initiatives (n=85) felt most frequently the process was completed in a timely manner (71%), fair (69%), and accessible (69%) (ratings of 4 or 5 out of 5).
  - Respondents who have sought advice or consulted with the OIPC on proposed initiatives (n=31) were then asked how the process could be improved. Sixteen percent (16%) of respondents suggested advice and guidance (in general), while 13% mentioned that the response time is too long; and
- Respondents who submitted a Privacy Impact Assessment (PIA) (n=43) most frequently felt that the process was transparent (67%), fair (65%), and accessible (63%) (ratings of 4 or 5 out of 5).
  - Respondents who have submitted a PIA (n=15) were then asked how the process could be improved. Thirteen percent (13%) of respondents each suggested a standard template for those subject to FOIP/PIPA, and that the process could be faster and more efficient. Respondents were then asked to rate the expertise of OIPC staff. Seventy percent (70%) of respondents indicated the staff was expert (4 or 5 out of 5).

### OIPC Communications

- Four percent (4%) each of respondents understood the roles and duties of the OIPC to be one for creation and implementation of legislation/regulation, as well as to provide training;
- Forty-five percent (45%) of respondents use websites (e.g., FOIP, OIPC) to learn about access and privacy, while 19% reported using conferences, seminars, and workshops;
- When asked what types of information respondents have obtained from the OIPC, 63% reported using OIPC communication materials, while more than half of respondents each mentioned using general information (57%) and OIPC forms and information about processes (55%);
- Garnering forty-two percent (42%) ratings each, respondents frequently indicated that the breach report form (42%), the breach report process (42%), and the investigation/mediation process was clear and understandable regarding OIPC processes (ratings of 4 or 5 out of 5);
- Respondents were asked for additional comments or feedback regarding OIPC forms and information about processes (n=125). Four percent (4%) of respondents suggested keeping the information simple and in a simplified format, while 15% had no comments or additional feedback;
- Sixty-nine percent (69%) of respondents rated guidance documents as being helpful (4 or 5 out of 5). Sixty-six percent (66%) of respondents each rated guidance documents and news releases as being clear and understandable (4 or 5 out of 5);

- Respondents were asked if they had any additional comments or feedback regarding OIPC communications materials. Three percent (3%) of respondents each suggested improving Orders (in general) and making materials easier to find;
- Four-fifths (80%) indicated they had visited the OIPC website. Respondents most often reported obtaining OIPC communication materials (74%) and general information (73%) from the website;
- With regards to various features of the OIPC website, respondents were most frequently satisfied with the ease of navigation (59%), followed by the overall look (54%) and layout (52%). In contrast, respondents were least frequently satisfied with the search engine (43%);
- Respondents were then asked to indicate the most effective ways the OIPC could provide their organization/members with information. Garnering high effectiveness (4 or 5 out of 5), those methods most frequently mentioned included speaking at conferences or seminars (52%), posting on the OIPC website (49%), and electronic newsletters (47%). In contrast, those methods least frequently mentioned included the OIPC Facebook page (3%) and the OIPC Twitter feed (2%).
- Respondents were also asked if there were any other resources or information the OIPC should make available on its website; 3% of respondents suggested improving website access and functions, such as the search engine. Eighty-two percent (82%) of respondents were unable to provide suggestions.
- When asked if they could think of any other ways the OIPC could provide information that would be effective, 3% of respondents suggested improving the website, in general. Importantly, 82% of respondents could not provide any specific suggestions.

### Trends and Issues

- Respondents were asked what they felt were the top three (3) access and/or privacy issues, challenges, and concerns facing their organization in the upcoming three (3) years. Most frequently, respondents mentioned issues with keeping their employees trained (15%) and accommodating new technology growth (12%);
- When asked how they intended to address these challenges, 17% of respondents mentioned they planned to use training programs, followed by developing better policies or procedures (11%). Importantly, forty-five percent (45%) of respondents were unsure if their organization had plans to address future issues;
- Respondents most frequently mentioned providing resources or reference materials (e.g., training manuals and FAQs) (7%) as ways the OIPC could assist organizations with future issues. However, it is important to note that forty-five percent (45%) of respondents were unsure what assistance could be provided;
- When asked what issues were highly important for their organization, slightly more than two-thirds (67%) of respondents indicated that the rapid growth of technology was highly important (4 or 5 out of 5), followed by mobile device security (66%) and hacking, identity theft, or fraud (63%);



- The most frequently mentioned single change or improvement respondents thought that the OIPC could make for the largest impact on their organization was providing more training and education (5%). However, 63% of respondents were unsure what changes the OIPC could make.

#### Associations with Members

- Respondents whose organizations had members (n=76) were asked to rate their members' awareness concerning access and privacy issues. Fifty-three percent (53%) of respondents indicated high awareness (4 or 5 out of 5), while 28% provided a rating of 3 out of 5 and 18% indicated low awareness (1 or 2 out of 5). Overall, the mean awareness for respondents was 3.39 out of 5.
- Respondents were asked to rate the level of compliance regarding access and privacy amongst their organization's members. Fifty-nine percent (59%) of respondents felt their members were highly compliant, while one-quarter (25%) were neutral in their response, and 13% indicated that their members had low compliance. Overall, the mean compliance rating was 3.57 out of 5.
- Respondents were then asked to provide the top three (3) access or privacy issues, challenges, or concerns facing their members in the next three (3) years. Nine percent (9%) of respondents each mentioned new technology or privacy breaches. Importantly, sixty-three percent (63%) of respondents were unable to provide a response.

## 1.0 STUDY BACKGROUND

The Office of the Information and Privacy Commissioner (OIPC) contracted Banister Research & Consulting Inc. (Banister Research) to conduct its Stakeholder Survey. This survey will be an important evaluation vehicle for the OIPC. The primary purpose of this research was to survey stakeholders to obtain feedback/information about the following:

- The implementation of access and privacy programs in Alberta,
- The efficiency and effectiveness of OIPC processes,
- OIPC communication with stakeholders, and
- Access and privacy trends and issues of significance.

This report outlines the results for the Office of the Information and Privacy Commissioner Stakeholder Survey.

## 2.0 METHODOLOGY

All components of the project were designed and executed in close consultation with the Office of the Information and Privacy Commissioner (the Client). A detailed description of each task of the project is outlined in the remainder of this section.

### 2.1 Project Initiation and Questionnaire Review

At the outset of the project, all background information relevant to the study was identified and subsequently reviewed by Banister Research. The consulting team familiarized itself with the objectives of the client ensuring a full understanding of the issues and concerns to be addressed in the project. The result of this task was an agreement on the research methodology, a detailed work plan and project initiation.

The survey instrument included a mixture of qualitative and quantitative questions to elicit a more in-depth investigation of the issues and concerns to the assignment. Once the client vetted the draft survey instrument, revisions were made and the questionnaire was finalized in consultation with the client. A copy of the final questionnaire is provided in Appendix A.

### 2.2 Survey Population and Data Collection

The stakeholders targeted were public bodies subject to the *Freedom of Information and Protection of Privacy Act* (FOIP), private sector organizations subject to the *Personal Information Protection Act* (PIPA) and representatives of the health sector subject to the

*Health Information Act* (HIA). The survey tool was available online from August 10 to October 19, 2012 and was hosted on the Banister Research web server to ensure confidentiality of responses. Sample lists were provided by the Client and participation was solicited through industry associations (i.e., PIPA organizations, specifically). Banister Research received a total of 227 responses, providing a margin of error no greater than  $\pm 6.5\%$  at the 95% confidence level or 19 times out of 20. It is important that when considering the survey findings, the reader should note that the sample error tolerances associated with the size of sample sub-groups vary.

### **2.3 Data Analysis and Project Documentation**

While data was being collected, Banister Research provided either a written or verbal progress report to the client. Upon completion of the data collection, a top-line report of the findings for closed-ended questions was provided to the Office of the Information and Privacy Commissioner.

After the surveys were completed and verified, the lead consultant reviewed the list of different responses to each open-ended or verbatim question and then a code list was established. To ensure consistency of interpretation, the same team of coders was assigned to this project from start to finish. The coding supervisor verified at least 20% of each coder's work. Once the responses were fully coded and entered onto the data file, computer programs were written to check the data for quality and consistency.

Data analysis included cross-tabulation, whereby the frequency and percentage distribution of the results for each question were broken down based on respondent characteristics and responses (e.g., organizational characteristics, etc.). Statistical analysis included a Z-test to determine if there were significant differences in responses between respondent subgroups. Results were reported as statistically significant at the 95% confidence level.

Tabulations of the Office of the Information and Privacy Commissioner Stakeholder Survey have been provided under a separate cover. It is important to note that any discrepancies between charts, graphs or tables are due to rounding of the numbers.

This report provides a detailed description of the Office of the Information and Privacy Commissioner Stakeholder Survey findings.

## 3.0 STUDY FINDINGS

### 3.1 Accountability and Awareness

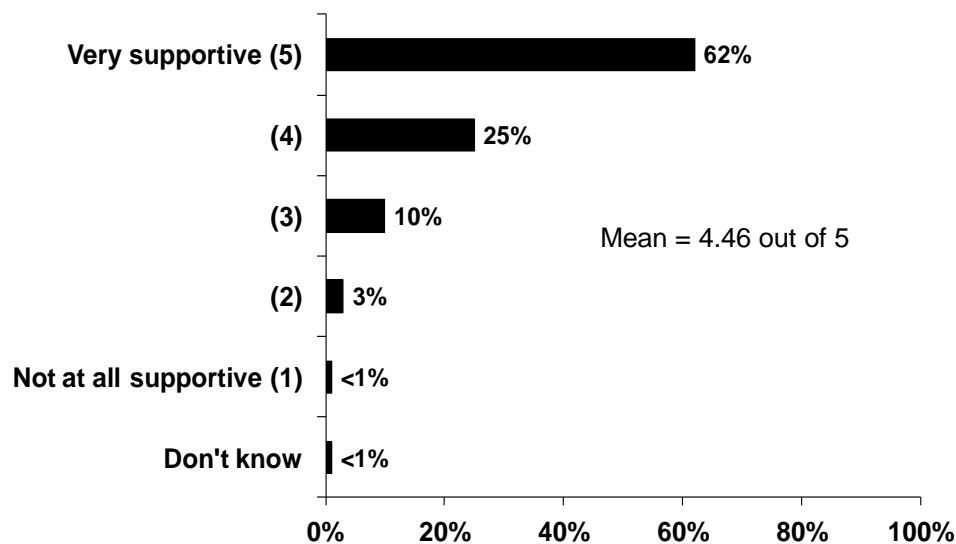
The questions contained in this section were designed to provide the OIPC feedback regarding the maturity of access and privacy programs in Alberta. In other words, the questions addressed the governance and program controls implemented by public bodies, health custodians and organizations to ensure compliance with Alberta's access and privacy laws. In addition, organizational awareness of key duties and responsibilities under the Acts was also addressed.

#### 3.1.1 Governance

To begin, respondents were asked to rate how supportive the leadership of their organization has been in complying with access and privacy laws. Eighty-seven percent (87%) rated their organizational leadership as supportive, while 10% provided a neutral rating and 3% indicated that they were not supportive. Overall, the mean rating of support was 4.46 out of 5. See Figure 1, below.

Figure 1

#### How would you rate the level of support from the leadership of your organization for complying with access and privacy laws?



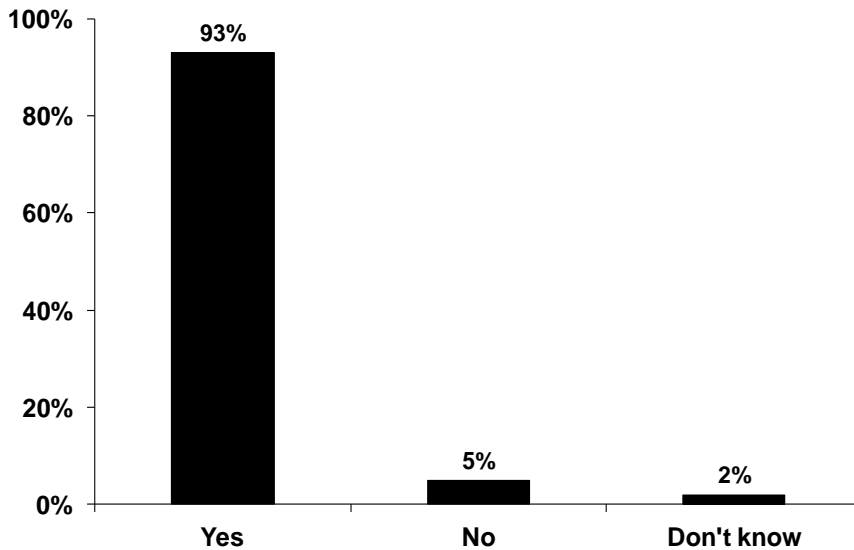
n=227

The respondent subgroup significantly more likely to indicate that their **leadership was highly supportive (4 or 5 out of 5) regarding compliance to access and privacy laws** included those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (92% versus 80% of those who did not).

Respondents were next asked a series of questions concerning their organization. Ninety-three percent (93%) of respondents stated their organization has appointed someone to be responsible for privacy management. Five percent (5%) stated their organization had not appointed anyone. See Figure 2, below.

Figure 2

### My organization has appointed someone to be responsible for privacy management.



n=227

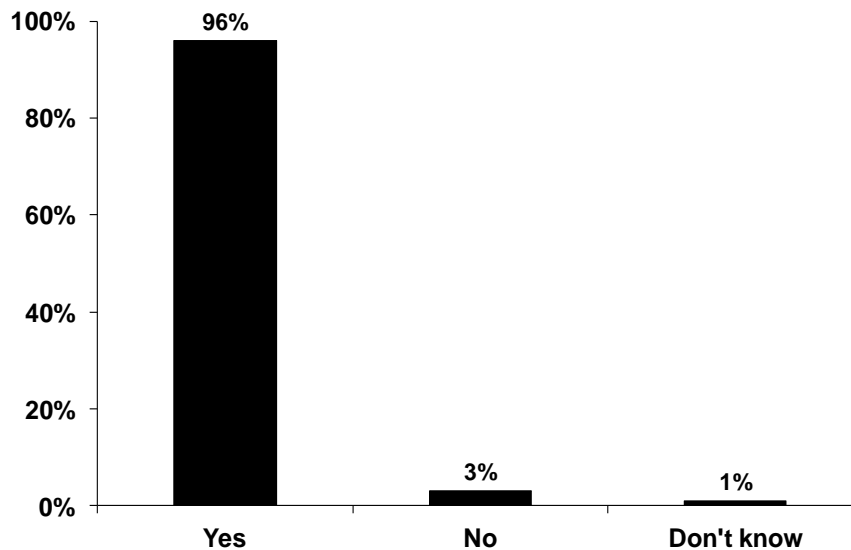
Respondent subgroups significantly more likely to indicate there was **someone in their organization responsible for privacy management** included:

- Those who had a PIA policy and procedure in place (100% versus 91% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (98% versus 86% of those who did not); and
- Those who had visited the OIPC website (96% versus 85% of those who had not).

Ninety-six percent (96%) of respondents stated their organization has appointed someone to be responsible for access to information, while 3% stated their organization has not appointed an individual to be responsible. See Figure 3, below.

Figure 3

### My organization has appointed someone to be responsible for access to information.



n=227

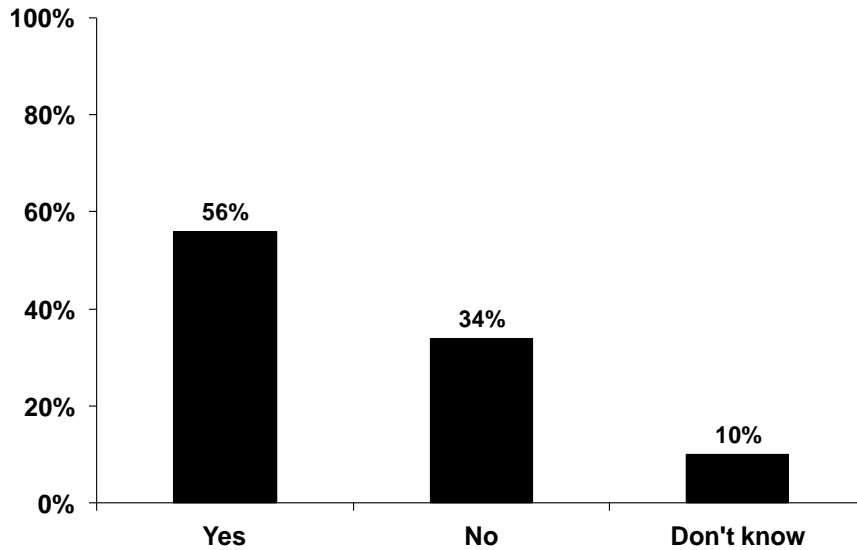
Respondent subgroups significantly more likely to indicate there was **someone in their organization responsible for access to information** included:

- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (99% versus 94% of those who did not); and
- Those who had visited the OIPC website (98% versus 90% of those who had not).

Fifty-six percent (56%) of respondents stated their organization has an adequately staffed and resourced access and privacy office, while 34% replied they do not, and 10% were unsure. See Figure 4, below.

Figure 4

**My organization has an adequately staffed and resourced access and privacy office.**



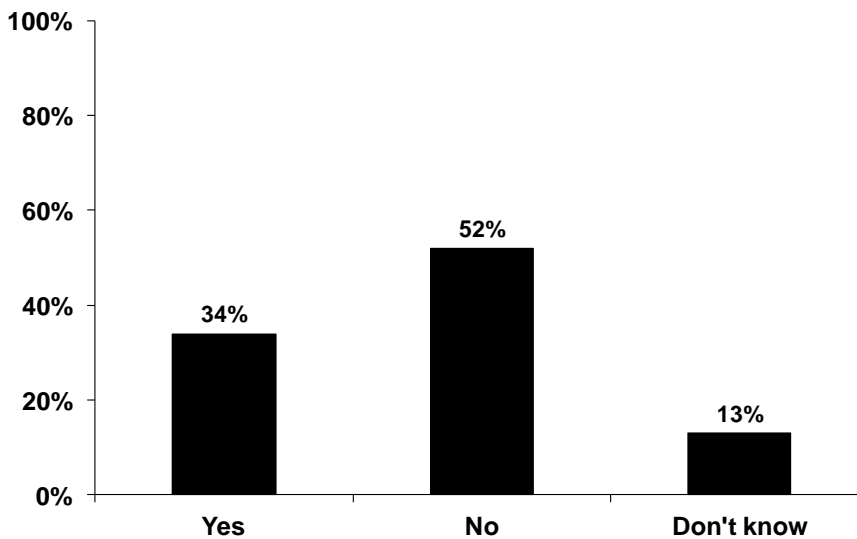
n=227

The respondent subgroup significantly more likely to indicate their **office was adequately staffed** included those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (65% versus 51% of those who did not).

Thirty-four (34%) percent of respondents stated their organization had established an internal audit and assurance program to monitor ongoing compliance with privacy policies, while 52% indicated that had not and 13% were unsure. See Figure 5, below.

Figure 5

**My organization has established internal audit and assurance program to monitor ongoing compliance with privacy policies.\***



n=227

\*Totals do not equal 100% due to rounding

Respondent subgroups significantly more likely to indicate their **office had an internal audit and assurance program** included:

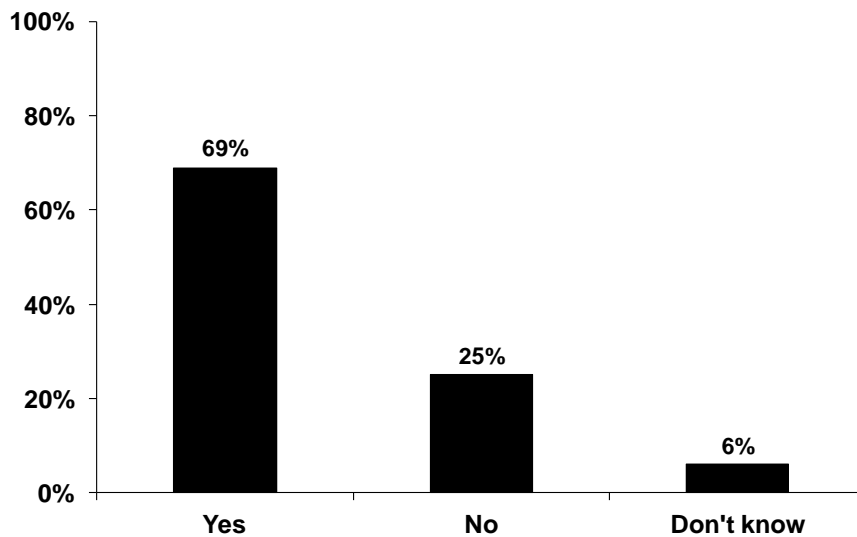
- Those who had a PIA policy and procedure in place (57% versus 24% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (44% versus 22% of those who did not).



Sixty-nine percent (69%) of respondents stated their organization had established reporting mechanisms for escalating privacy and/or access issues to senior leaders, while one-quarter (25%) did not and 6% were unsure. See Figure 6, below.

Figure 6

**My organization has established reporting mechanisms for escalating privacy and/or access issues to senior leaders.**



n=227

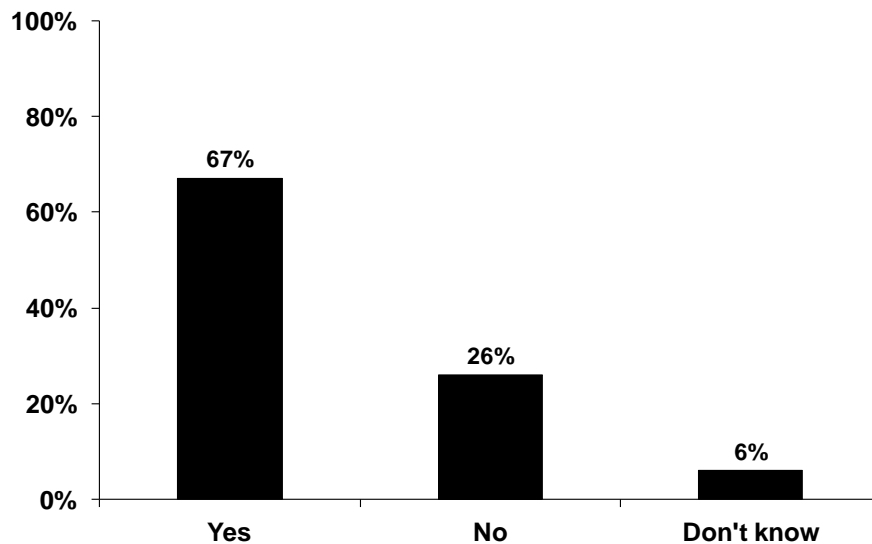
Respondent subgroups significantly more likely to indicate their **office had established reporting mechanisms** included:

- Those who worked in the private sector (81% versus 64% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (95% versus 59% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (84% versus 49% of those who did not); and
- Those who had visited the OIPC website (73% versus 56% of those who had not).

Slightly more than two-thirds (67%) of respondents stated that their organization has established mechanisms for reporting to senior leaders on access and privacy, while 26% had not and 6% were unsure. See Figure 7, below.

Figure 7

**My organization has established mechanisms for reporting to senior leaders on access and privacy compliance.\***



n=227

\*Totals do not equal 100% due to rounding

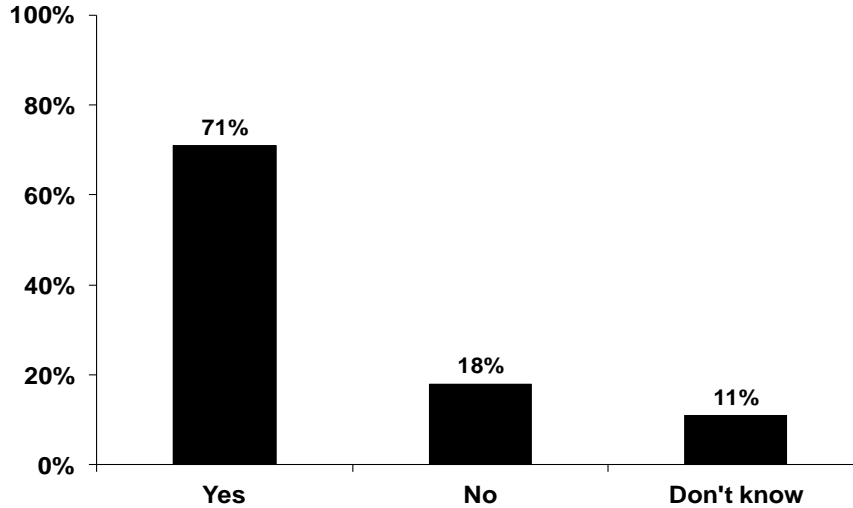
Respondent subgroups significantly more likely to indicate their **office had established reporting to senior leaders** included:

- Those who worked in the private sector (84% versus 61% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (92% versus 59% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (80% versus 47% of those who did not); and
- Those who had visited the OIPC website (71% versus 54% of those who had not).

Seventy-one percent (71%) of respondents stated their organization has documented their reporting structures, while 18% of respondents' organizations have not and 11% were unsure. See Figure 8, below.

Figure 8

### My organization has documented its reporting structures.



n=167

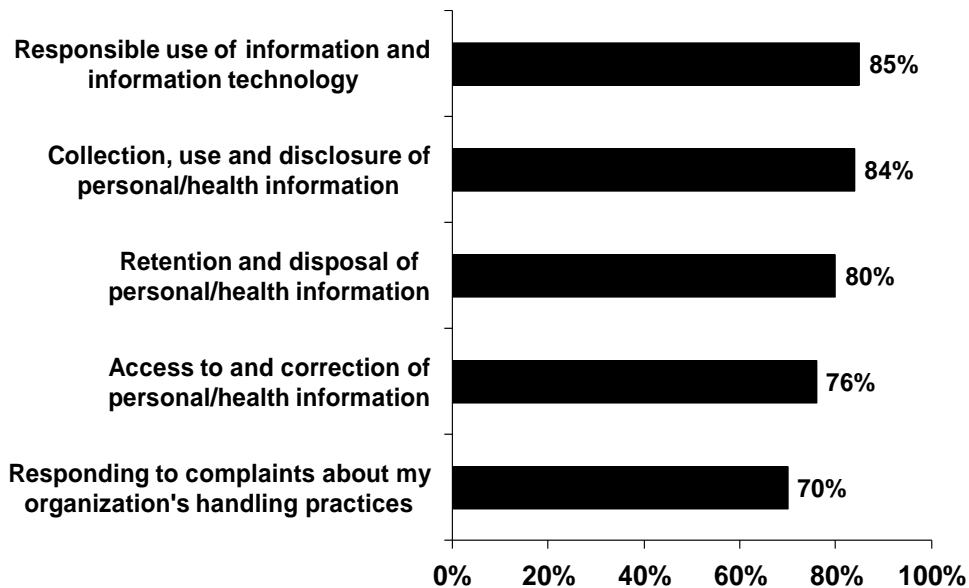
Base: Respondents whose organizations have established reporting mechanisms for privacy and/or access issues to senior leaders or reporting to senior leaders on access/privacy compliance

### 3.1.2 Program Controls

Next, respondents were asked whether they have policies for a series of five (5) program controls. Respondents most frequently indicated that they had policies in place for responsible use of information and technology (85%) and collection, use and disclosure of personal or health information (84%). Respondents less frequently indicated they had policies in place for access to, and correction of, personal or health information (76%) and responding to complaints about their organization's handling practices (70%). See Figure 9, below, and Table 1, on the following page.

Figure 9

#### Organization Policies Currently in Place



n=227

Base: Respondents who stated "yes"

Table 1

My organization has policies in place for the following.			
	Percent of Respondents (n=227)		
	Yes	No	Don't know
Responsible use of information and information technology	85	10	5
Collection, use and disclosure of personal/health information	84	11	5
Retention and disposal of personal/health information	80	15	5
Access to and correction of personal/health information	76	17	7
Responding to complaints about my organization's handling practices	70	20	10

Respondent subgroups significantly more likely to indicate their organization **had policies for the collection, use and disclosure of personal/health information** included:

- Those who worked in the private sector (92% versus 80% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (98% versus 82% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (95% versus 72% of those who did not); and
- Those who had visited the OIPC website (88% versus 71% of those who had not).

Respondent subgroups significantly more likely to indicate their organization **had policies for the access to and correction of personal/health information** included:

- Those who worked in the private sector (87% versus 70% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (95% versus 70% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (90% versus 60% of those who did not).

Respondent subgroups significantly more likely to indicate their organization **had policies for the retention and disposal of personal/health information** included:

- Those who had a PIA policy and procedure in place (93% versus 77% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (89% versus 71% of those who did not); and
- Those who had visited the OIPC website (84% versus 66% of those who had not).

Respondent subgroups significantly more likely to indicate their organization **had policies for the responsible use of information and information technology** included:

- Those who had a PIA policy and procedure in place (98% versus 81% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (93% versus 73% of those who did not).

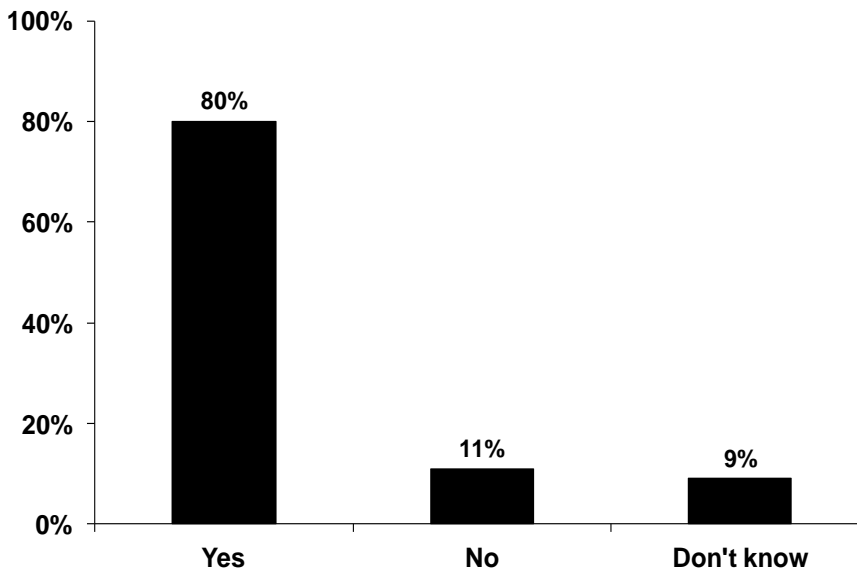
Respondent subgroups significantly more likely to indicate their organization **had policies for responding to complaints about their organizations information handling practices** included:

- Those who worked in the private sector (82% versus 63% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (93% versus 62% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (86% versus 52% of those who did not); and
- Those who had visited the OIPC website (75% versus 49% of those who had not).

Respondents were then asked whether their organization documented their policies. Four-fifths (80%) of respondents stated their organization documented their policies, while 11% of respondents' organizations did not and 9% were unsure. See Figure 10, below.

Figure 10

### My organization has documented its access and privacy policies.



n=207

Base: Respondents who stated their organizations had policies in place

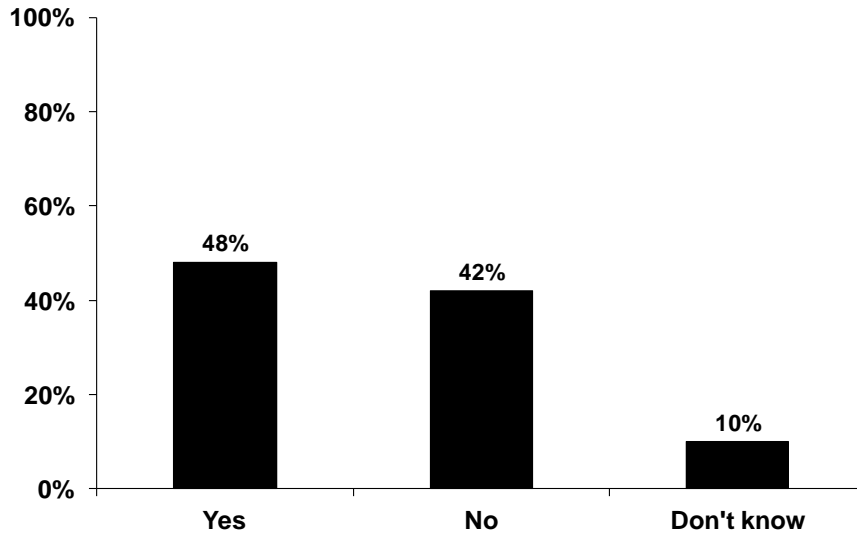
Respondent subgroups significantly more likely to indicate their organization **had at least one policy in place for personal/health information** included:

- Those who worked in the private sector (90% versus 76% of those who worked for a public body)
- Those who had a PIA policy and procedure in place (92% versus 77% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (89% versus 72% of those who did not); and
- Those who had visited the OIPC website (83% versus 66% of those who had not).

Nearly half (48%) of respondents stated their organization has an inventory of personal or health information held, while 42% of did not and 10% were unsure. See Figure 11, below.

Figure 11

### My organization has an inventory of the personal/health information it holds.



n=227

Respondent subgroups significantly more likely to indicate their organization **has an inventory of the personal/health information it holds** included:

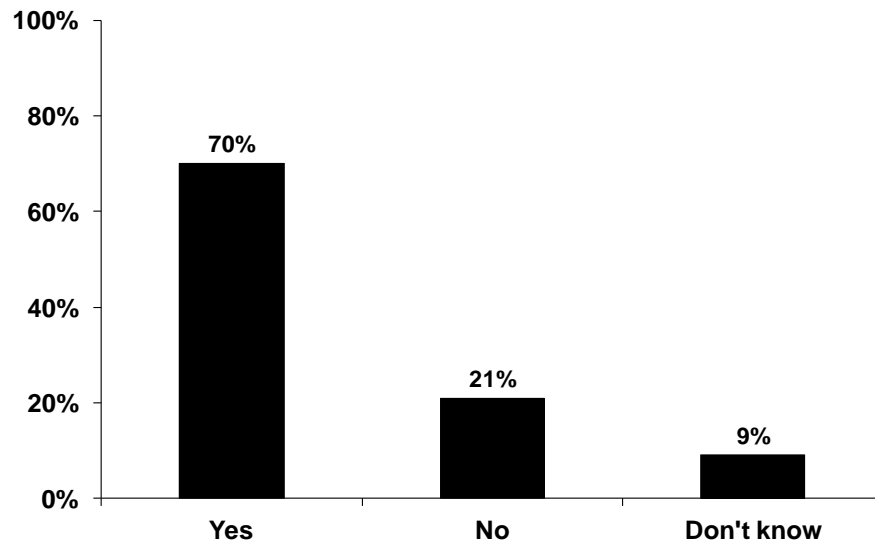
- Those who had a PIA policy and procedure in place (77% versus 36% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (60% versus 32% of those who did not).



Seventy percent (70%) of respondents stated their organization regularly reviews and updates their inventories. In contrast, 21% of respondents' organizations did not and 9% were unsure. See Figure 12, below.

Figure 12

**My organization regularly reviews and updates its inventory of personal/health information it holds.**



n=109

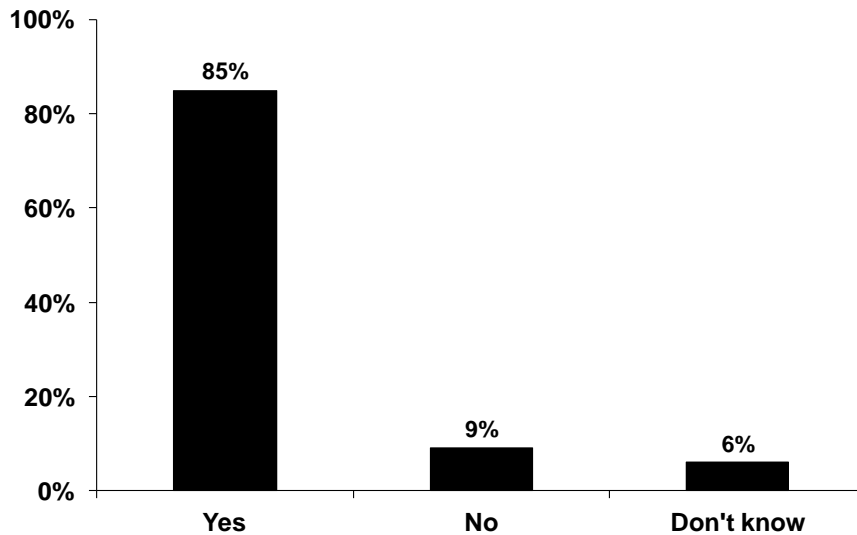
Base: Those whose organization had an inventory of personal/health information that is held

The respondent subgroup significantly more likely to indicate their organization **regularly reviews its inventory** included those who had a PIA policy and procedure in place (85% versus 57% of those who did not).

Eighty-five percent (85%) of respondents stated that their organization informs individuals of the purpose for which their personal or health information is collected. In contrast, 9% of respondents' organizations did not, and 6% were unsure. See Figure 13, below.

Figure 13

**My organization informs individuals of the purpose(s) for which their personal/health information is collected.**



n=227

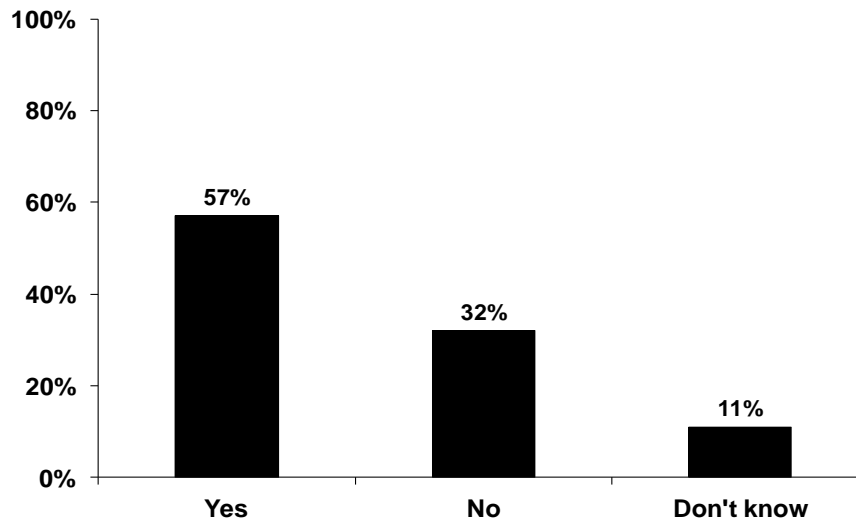
Respondent subgroups significantly more likely to indicate their organization **informed individuals of the purpose(s) for which their information is collected** included:

- Those who had a PIA policy and procedure in place (98% versus 84% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (96% versus 75% of those who did not); and
- Those who had visited the OIPC website (89% versus 68% of those who had not).

Fifty-seven percent (57%) of respondents stated their organization regularly reviews and updates their notification statements, while 32% did not and 11% were unsure. See Figure 14, below.

Figure 14

### My organization regularly reviews and updates its notification statements.



n=193

Base: Those whose organizations inform individuals of the purpose for which their personal/health information is collected

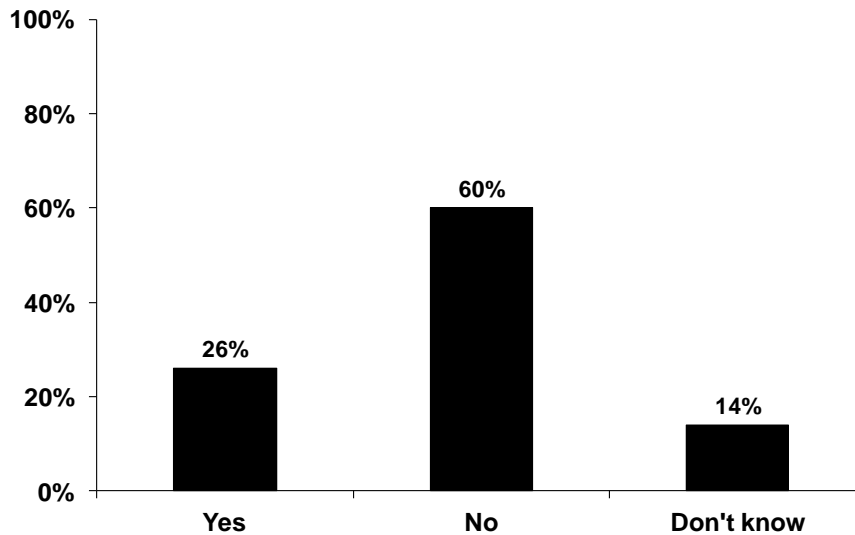
Respondent subgroups significantly more likely to indicate their organization **regularly reviews and updates its notification statements** included:

- Those who had a PIA policy and procedure in place (75% versus 51% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (66% versus 49% of those who did not).

Slightly more than one-quarter (26%) of respondents had a Privacy Impact Assessment policy in place at their organization, 60% did not, and 14% were unsure. See Figure 15, below.

Figure 15

### My organization has a Privacy Impact Assessment policy and procedure in place.



n=227

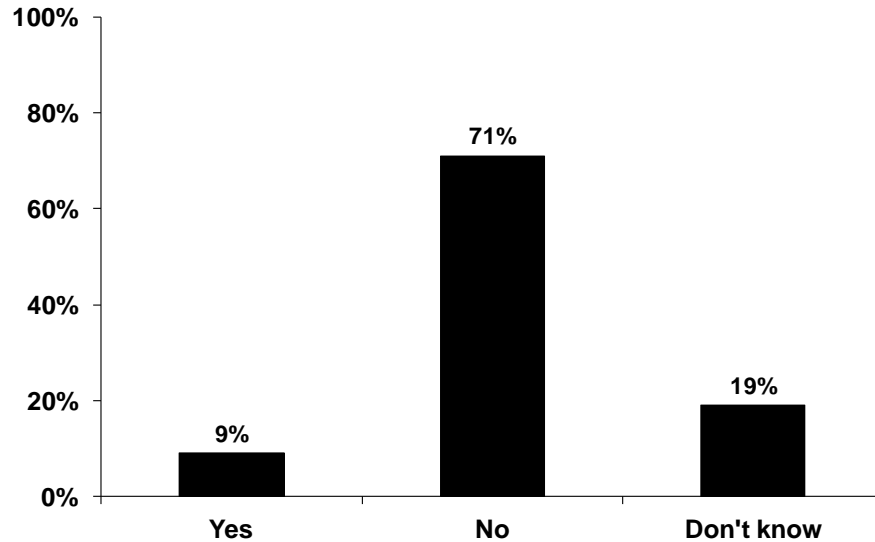
Respondent subgroups significantly more likely to indicate their organization **had a PIA policy and procedure in place** included:

- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (37% versus 14% of those who did not); and
- Those who had visited the OIPC website (32% versus 5% of those who had not).

Nine percent (9%) of respondents stated their organizations had an Access Impact Assessment policy in place, while 71% did not and 19% were unsure. See Figure 16, below.

Figure 16

### My organization has an Access Impact Assessment policy and procedure in place.\*



n=227

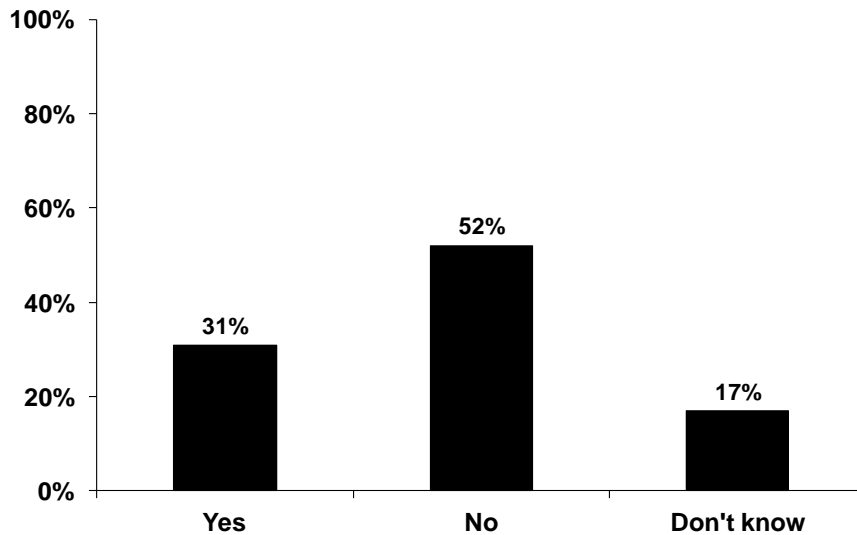
\*Totals do not equal 100% due to rounding

The respondent subgroup significantly more likely to indicate their organization **had an Access Impact Assessment policy and procedure in place** included who had a PIA policy and procedure in place (30% versus 2% of those who did not).

Thirty-one percent (31%) of respondents stated their organizations conduct privacy and risk assessments for overall compliance with legislation, while slightly more than half (52%) did not and 17% were unsure. See Figure 17, below.

Figure 17

**My organization conducts access and privacy risk assessments to assess overall compliance with applicable legislation.**



n=227

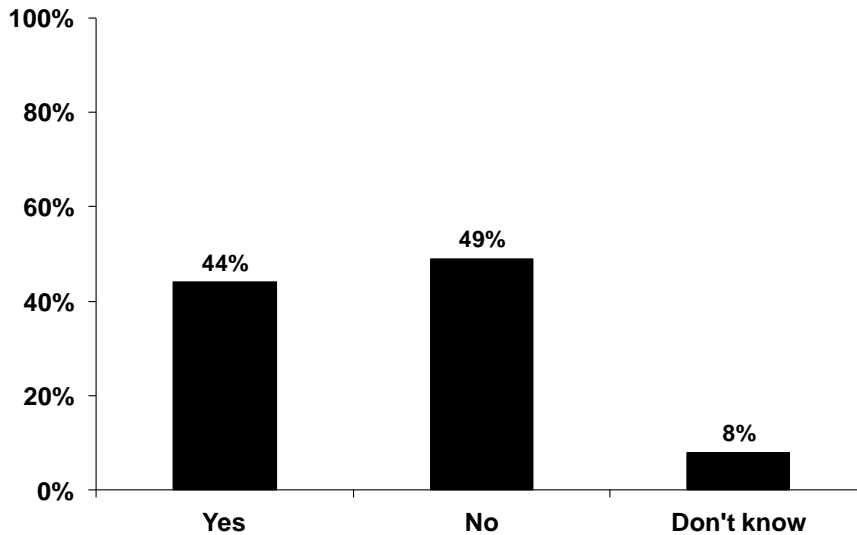
Respondent subgroups significantly more likely to indicate their organization **conducts access and privacy risk assessments** included:

- Those who worked in the private sector (45% versus 24% of those who worked for a public body);
- Those who had a PIA policy and procedure in place (67% versus 20% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (45% versus 17% of those who did not); and
- Those who had visited the OIPC website (38% versus 5% of those who had not).

Forty-four percent (44%) of respondents stated their organization had an access training and education program in place, 49% did not, and 8% were unsure. See Figure 18, below.

Figure 18

### My organization has an access training and education program in place.



n=227

\*Totals do not equal 100% due to rounding

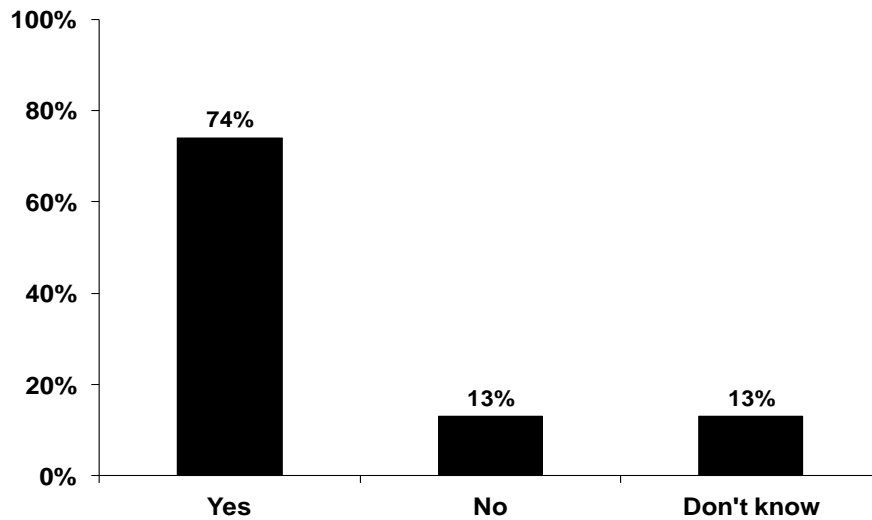
Respondent subgroups significantly more likely to indicate their organization **has an access training and education program in place** included:

- Those who had a PIA policy and procedure in place (77% versus 31% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (55% versus 27% of those who did not); and
- Those who had visited the OIPC website (49% versus 27% of those who had not).

Nearly three-quarters (74%) of respondents stated their organization regularly reviews the content of their access training and education programs, while 13% did not or were unsure. See Figure 19, below.

Figure 19

**My organization regularly reviews the content of its access training and education program to ensure it is up to date.**



n=100

Base: Those whose organization has an access training and education program in place

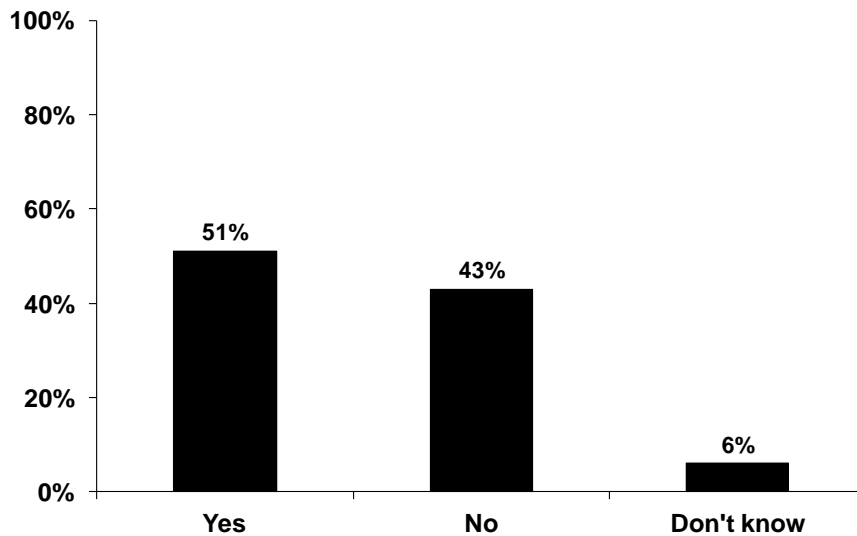
Respondent subgroups significantly more likely to indicate their organization **regularly reviews the content of their training program** included those who had a PIA policy and procedure in place (91% versus 60% of those who did not);



More than half (51%) of respondents stated their organization had a privacy training and education program in place, 43% did not, and 6% were unsure. See Figure 20, below.

Figure 20

### My organization has a privacy training and education program in place.



n=227

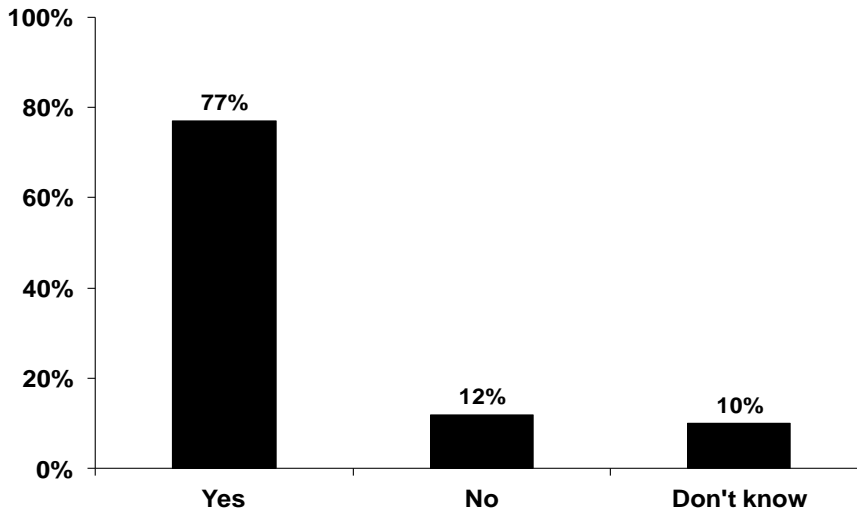
Respondent subgroups significantly more likely to indicate their organization **has a privacy training program in place** included:

- Those who had a PIA policy and procedure in place (87% versus 39% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (65% versus 32% of those who did not); and
- Those who had visited the OIPC website (58% versus 27% of those who had not).

More than three-quarters (77%) of respondents stated their organization regularly reviewed the content of their privacy training and education program to ensure it is up-to-date, 12% did not, and 10% were unsure. See Figure 21, below.

Figure 21

**My organization regularly reviews the content of its privacy training and education program to ensure it is up-to-date.\***



n=116

Base: Those whose organization has an access training and education program in place

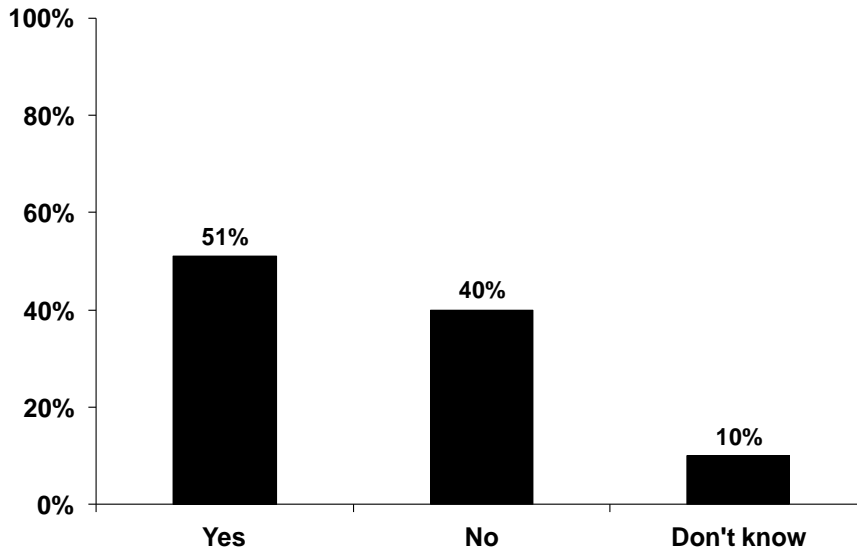
\*Totals do not equal 100% due to rounding

The Respondent subgroup significantly more likely to indicate their organization **regularly reviews their privacy training program** included those who had a PIA policy and procedure in place (90% versus 65% of those who did not).

Slightly more than half (51%) of respondents stated their organization had breach and incident responses protocols in place, while 40% did not and 10% were unsure. See Figure 22, below.

Figure 22

### My organization has a breach/incident response protocol in place.\*



n=227

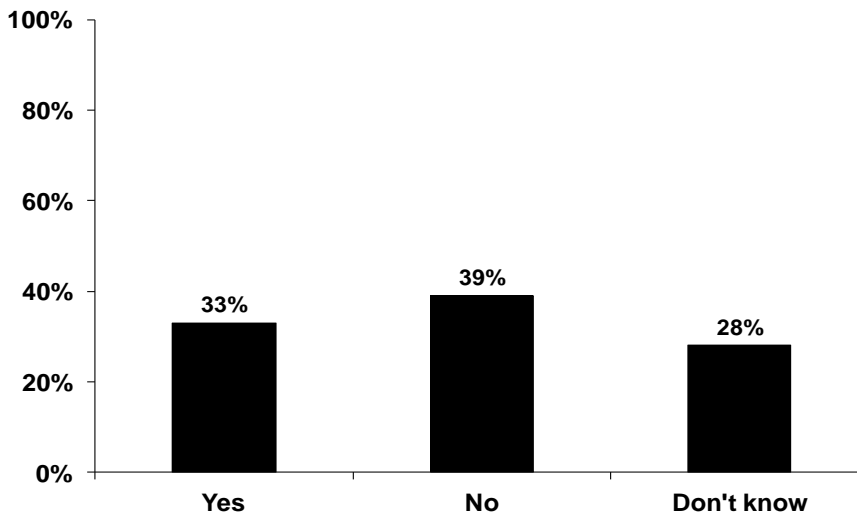
Respondent subgroups significantly more likely to indicate their organization **breach/incidence response in place** included:

- Those who worked in the private sector (63% versus 44% of those who worked for a public body);
- Those who had a PIA policy and procedure in place (93% versus 36% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (65% versus 32% of those who did not); and
- Those who had visited the OIPC website (58% versus 22% of those who had not).

One-third (33%) of respondents stated their organization documented when personal and health information has been stored or transferred to another country, while 39% did not and 28% were unsure. See Figure 23, below.

Figure 23

**My organization has documented when personal/health information is stored or transferred to another country.**



n=227

\*Totals do not equal 100% due to rounding

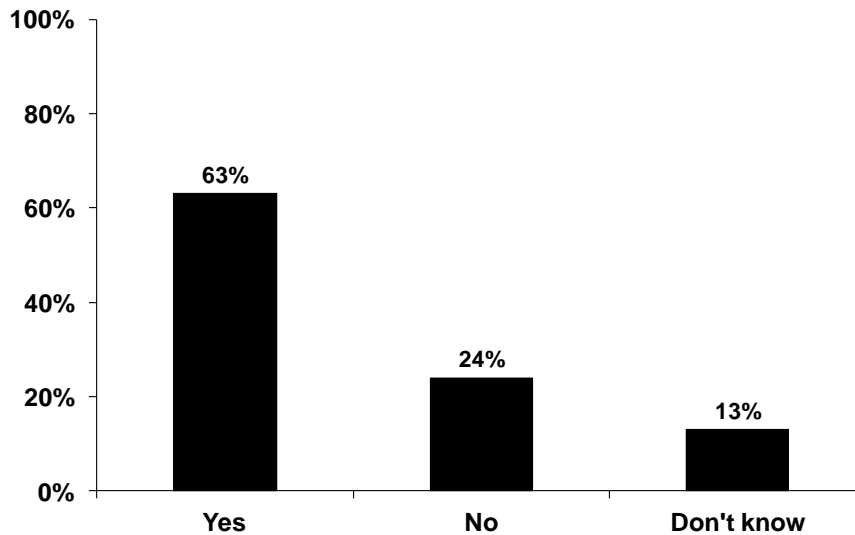
Respondent subgroups significantly more likely to indicate their organization **documents when information is stored or transferred to another country** included:

- Those who had a PIA policy and procedure in place (60% versus 25% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (44% versus 19% of those who did not); and
- Those who had visited the OIPC website (37% versus 20% of those who had not).

Sixty-three percent (63%) of respondents stated their organizations uses contractual or other means to protect personal and health information when contracting service providers 24% did not, and 13% were unsure. See Figure 24, below.

Figure 24

**My organization uses contractual or other means to protect personal/health information when contracting with service providers.**



n=227

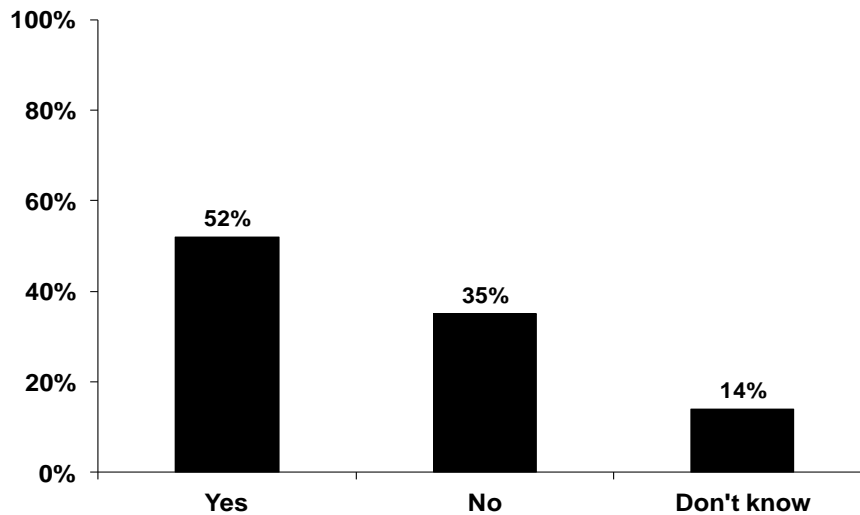
Respondent subgroups significantly more likely to indicate their organization **uses contracts or other means to protect information when contracting with service providers** included:

- Those who worked in the private sector (73% versus 57% of those who worked for a public body);
- Those who had a PIA policy and procedure in place (95% versus 55% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (78% versus 47% of those who did not); and
- Those who had visited the OIPC website (72% versus 32% of those who had not).

Respondents were asked whether their organization had a program in place to inform individuals about their access and privacy rights as well as the privacy controls that are in place. Fifty-two percent (52%) of respondents stated their organization has such programs and privacy controls, while 35% did not and 14% were unsure. See Figure 25, below.

Figure 25

**My organization has a program in place to inform individuals about their access and privacy rights and the privacy controls that are in place.**



n=227

\*Totals do not equal 100% due to rounding

Respondent subgroups significantly more likely to indicate their organization **has a program in place to inform individuals about their rights and the privacy controls in place** included:

- Those who worked in the private sector (63% versus 47% of those who worked for a public body);
- Those who had a PIA policy and procedure in place (72% versus 47% of those who did not); and
- Those who had visited the OIPC website (57% versus 34% of those who had not).

Respondents were next asked about the most significant barriers or challenges faced by their organization in complying with access and privacy legislation. The majority of respondents felt that time was a significant barrier (70%), while 33% cited cost. See Table 2, below.

Table 2

<b>What are the most significant barriers or challenges for your organization in complying with access and privacy legislation?</b>	
	<b>Percent of Respondents* (n=227)</b>
Time	70
Cost	33
Lack of understanding of the law	28
Expertise in writing and implementing policies	27
Culture of the organization/profession/industry	23
Technical/IT expertise	22
Legal expertise	22
Employee buy-in	19
Executive/Senior Management buy-in	14
Large workload/less staff/high information demands	4
Member buy-in (member only)	3
Lack of personnel with FOIP/compliance expertise/knowledge	3
Lack of resources	3
Other (less than 3% of respondents)	12
Refuse/Don't know/Not Stated	6

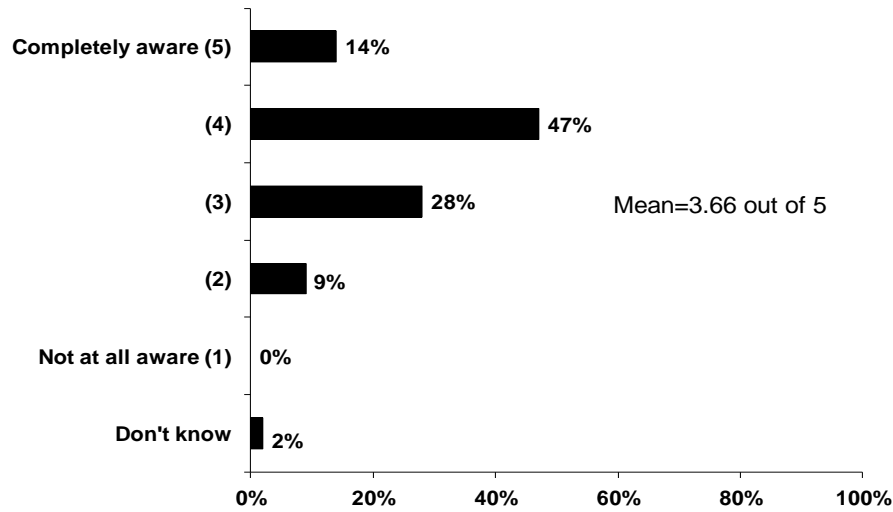
**\*Multiple responses**

### 3.1.3 Awareness

Next, respondents rated their level of awareness regarding access and privacy amongst their organization's employees. Sixty-one percent (61%) of respondents rated their organizations employees as aware (4 or 5 out of 5), while 28% provided a neutral rating (3 out of 5). In contrast, 9% of respondents were unaware (1 or 2 out of 5). See Figure 26, below.

Figure 26

#### How would you rate the level of awareness regarding access and privacy amongst your organization's employees?



n=227

Respondent subgroups significantly more likely to rate their employees' level of awareness as 4 or 5 out of 5 included:

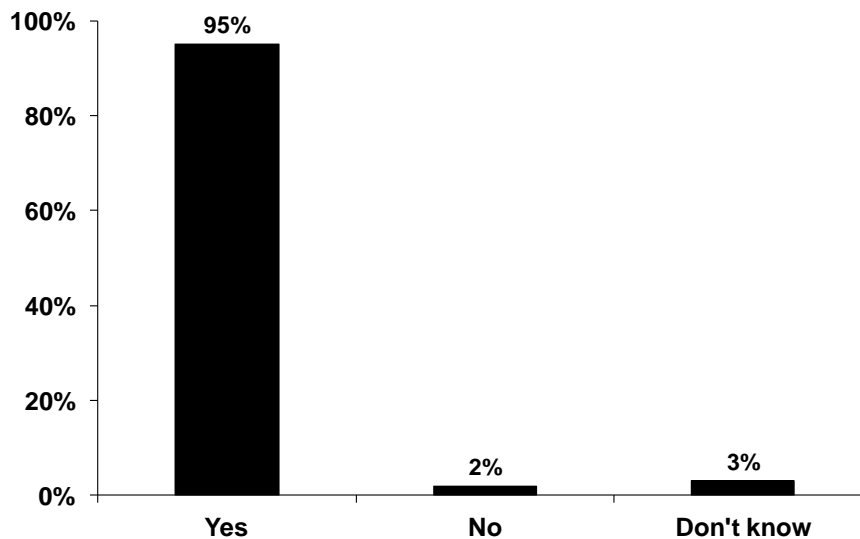
- Those who had a PIA policy and procedure in place (73% versus 53% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights and the privacy controls in place (68% versus 54% of those who did not); and
- Those who had visited the OIPC website (65% versus 46% of those who had not).



Respondents were asked whether they were aware that an individual has the right to request access to information held by a public body under the FOIP Act. The vast majority (95%) of respondents were aware, while 2% were unaware and 3% were unsure. See Figure 27, below.

Figure 27

**I am aware that an individual has the right to request access to any information held by a public body under the FOIP Act.**



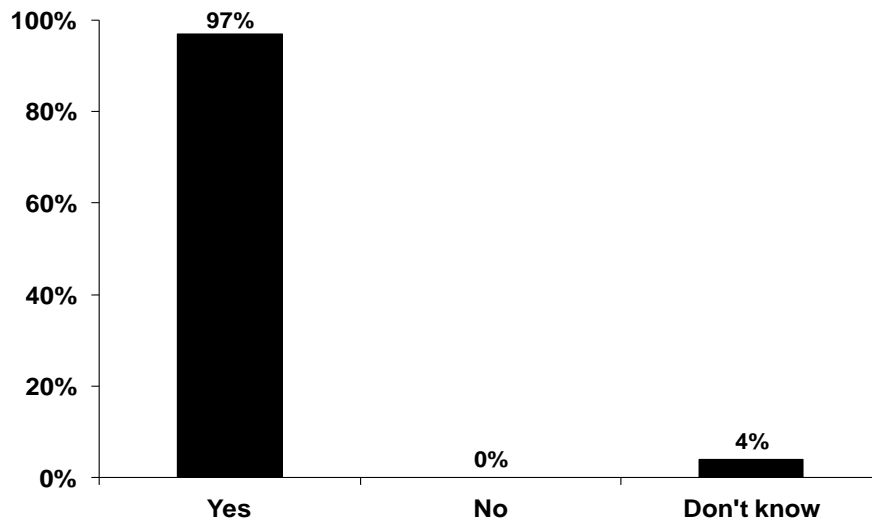
n=190

Base: Respondents whose organizations must comply with the FOIP Act

The vast majority (97%) of respondents stated they were aware that an individual has the right to request access to, or correction of, his or her own personal and health information. No respondents were unaware, while 4% were unsure. See Figure 28, below.

Figure 28

**I am aware that an individual has the right to request access to, or correction of, his or her own personal/health information.\***



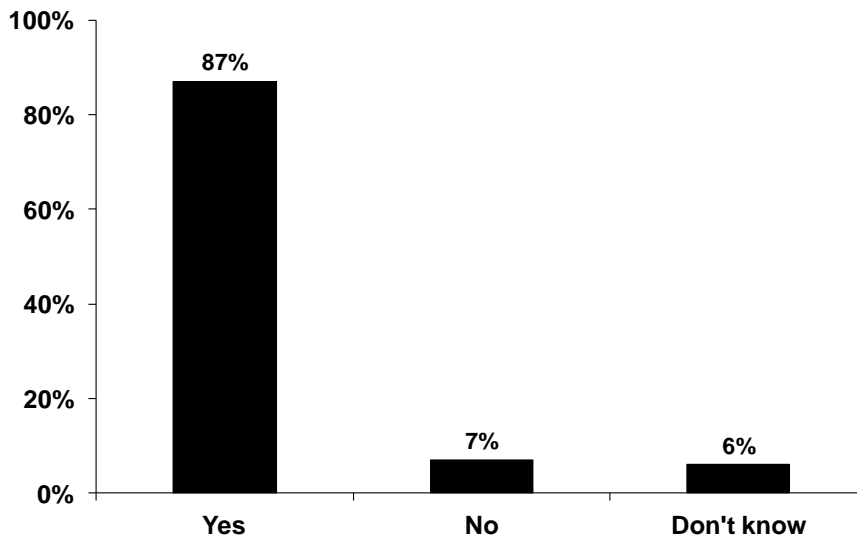
n=227

\*Totals do not equal 100% due to rounding

Eighty-seven percent (87%) of respondents stated they knew what to do if received a request to access or correct personal or health information. Seven percent (7%) of respondents did not, and 6% were unsure. See Figure 29, below.

Figure 29

**I would know what to do if I received a request to access or correct personal/health information.**



n=227

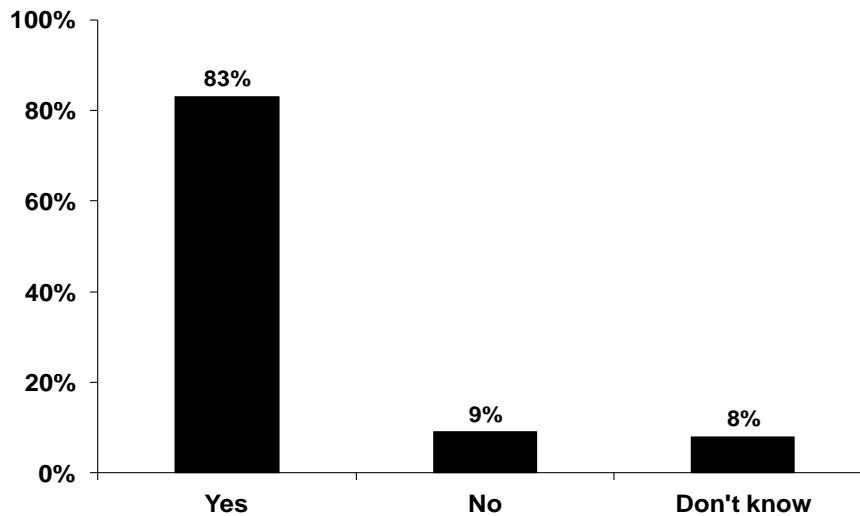
Respondent subgroups significantly more likely to indicate **they know what to do if they receive a request access or correct information** included:

- Those who had a PIA policy and procedure in place (98% versus 87% of those who did not); and
- Those who had visited the OIPC website (92% versus 71% of those who had not).

The majority (83%) of respondents stated they were aware applicants should be informed of their right to request that the OIPC review a response to their access or correction request, while 9% were unaware and 8% were unsure. See Figure 30, below.

Figure 30

**I am aware that applicants should be informed that they have the right to request the OIPC review a response to their access/correction request.**



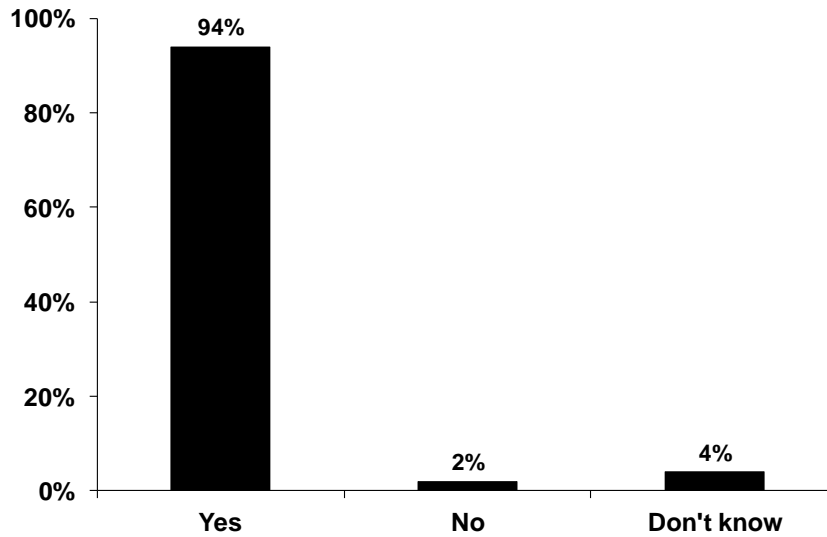
n=227

The respondent subgroup significantly more likely to indicate **they are aware applicants should be informed they have a right to request an OIPC review** included those who had visited the OIPC website (89% versus 56% of those who had not).

Ninety-four percent (94%) of respondents stated they were aware that individuals have the right to complain to the OIPC about the collection, use and disclosure of their personal or health information, while 2% were unaware and 4% were unsure. See Figure 31, below.

Figure 31

**I am aware that individuals have the right to complain to the OIPC about the collection, use and disclosure of their personal/health information.**



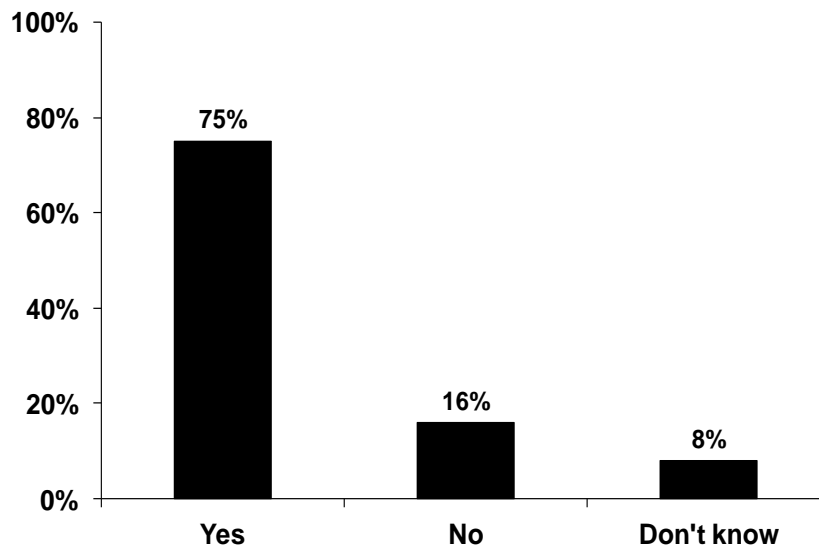
n=227

The respondent subgroup significantly more likely to be **aware that individuals have the right to complain to the OIPC about the collection, use, and disclosure of their personal/health information** included those who had visited the OIPC website (98% versus 81% of those who had not).

Three-quarters (75%) of respondents stated they would know what to do if they became aware of a privacy breach or incident, while 16% did not know; 8% were unsure. See Figure 32, below.

Figure 32

### I would know what to do if I became aware of a privacy breach/incident.



n=227

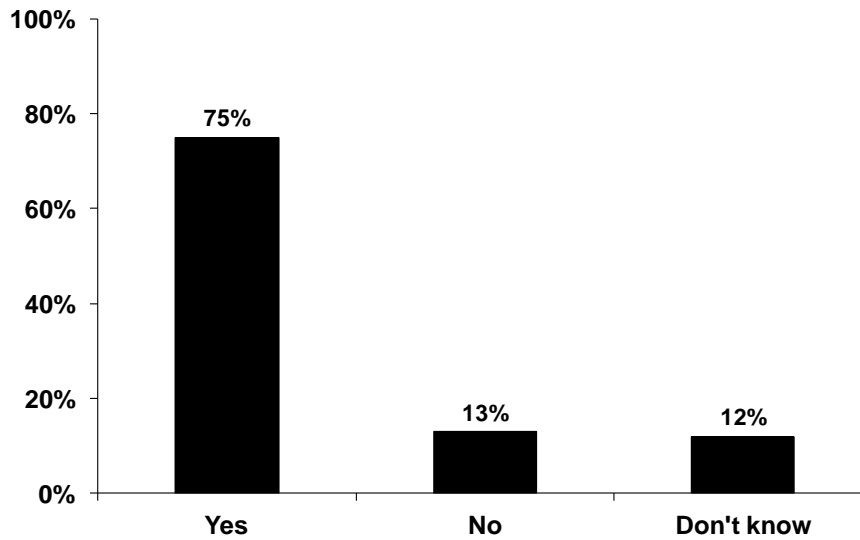
Respondent subgroups significantly more likely to **know what to do if they became aware of a privacy breach or incident** included:

- Those who worked in the private sector (86% versus 70% of those who worked for a public body);
- Those who had a PIA policy and procedure in place (98% versus 69% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (87% versus 66% of those who did not); and
- Those who had visited the OIPC website (84% versus 42% of those who had not).

Respondents were asked if they were aware of the mandatory requirement under PIPA to notify the Commissioner of a breach in certain circumstances. Three-quarters (75%) stated they were aware, while 13% were unaware and 12% were unsure. See Figure 33, below.

Figure 33

**I am aware that there is a mandatory requirement under PIPA to notify the Commissioner of a breach in certain circumstances.**



n=106

Base: Respondents whose organizations comply with the PIPA Act

Respondent subgroups significantly more likely to **know there is a mandatory requirement under PIPA to notify** included those who worked in the private sector (88% versus 58% of those who worked for a public body).

Respondents who were aware of the mandatory requirement (n=79) were asked how they became aware of the policy. Nineteen percent (19%) of respondents cited the Reading Act or other legislation/policy; 13% cited the Privacy Commissioner or OIPC. See Table 3, below.

**Table 3**

<b>How did you become aware?</b>	
<b>*Base: Respondents who were aware that notifying the Commissioner of a breach was mandatory in certain circumstances under PIPA</b>	<b>Percent of Respondents* (n=79)</b>
Reading Act/legislation/policy	19
Privacy Commissioner/OIPC	13
Training	13
Privacy course/education	11
Online/OIPC Website	10
Conference/legal briefing	10
Amended Act announcements/bulletins/news releases	9
Seminar/workshop	9
Privacy breach incident	5
Peer discussions/Word of mouth	4
Through Board members/Chief Privacy Officer/Employer	4
Through legal counsel/law firms	4
Monitoring changes in privacy law/legislative reform	4
Other (less than 3% of respondents)	8
Don't know	5

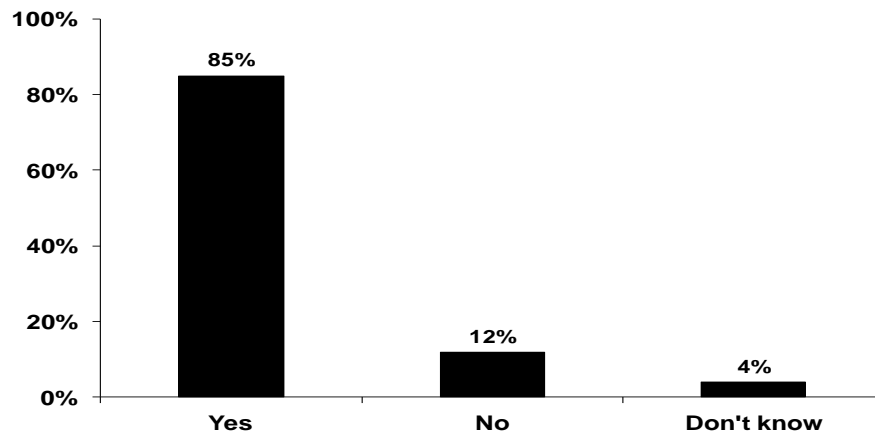
**\*Multiple responses**



Respondents who represented a health custodian organization (n=26) were asked if they were aware that patients have a right to limit the disclosure of their health information. Eighty-five percent (85%) of respondents were aware, while 12% were unaware and 4% were unsure. See Figure 34, below.

Figure 34

### I am aware that patients have a right to limit the disclosure of their health information.



n=26\*

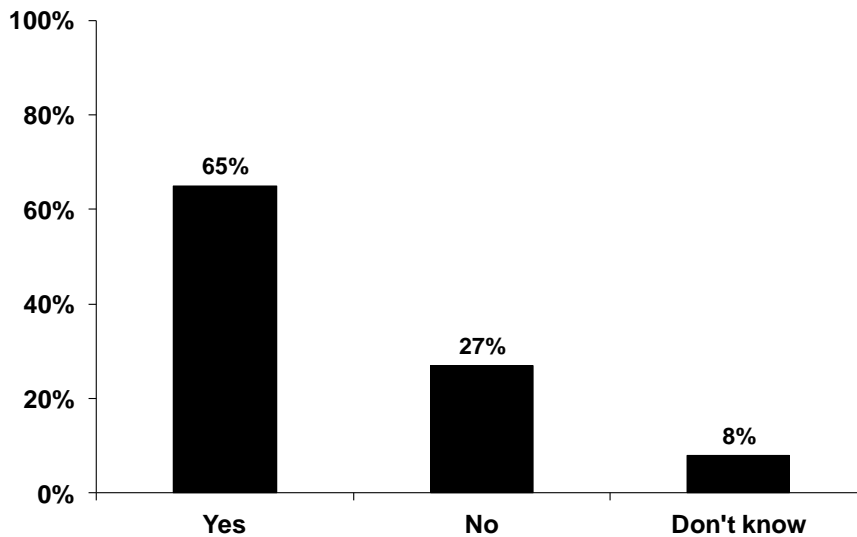
Base: Respondents whose organizations comply with the HIA act

\*Exercise caution when interpreting results where n<30, results do not total 100% due to rounding

Respondents who represented a health custodian organization (n=26) were next asked if they were aware that patients have right to their records masked in Netcare. Nearly two-thirds (65%) of respondents were aware that patients have a right to have their records masked in Netcare, 27% were unaware, and 8% were unsure. See Figure 37, below.

Figure 37

**I am aware that patients have a right to have their records masked in Netcare.**



n=26\*

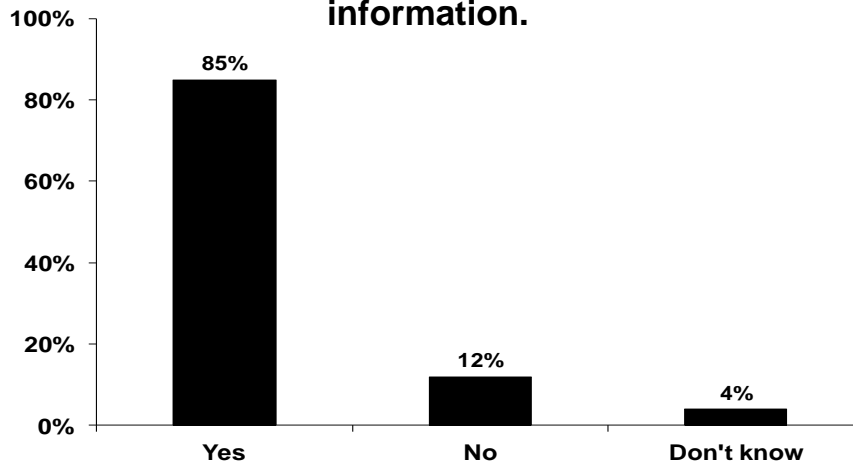
Base: Respondents whose organizations comply with the HIA act

\*Exercise caution due to small sample size where n<30

Eighty-five percent (85%) of respondents stated they were aware of the HIA requirement to prepare and submit Privacy Impact Assessments before implementing new systems or administrative practices that affect health information, while 12% were unaware and 4% were unsure. See Figure 32, below.

Figure 32

**I am aware of the requirement under the HIA to prepare and submit Privacy Impact Assessments before implementing new systems or administrative practices that affect health information.**



n=26\*

Base: Respondents whose organizations comply with the HIA act

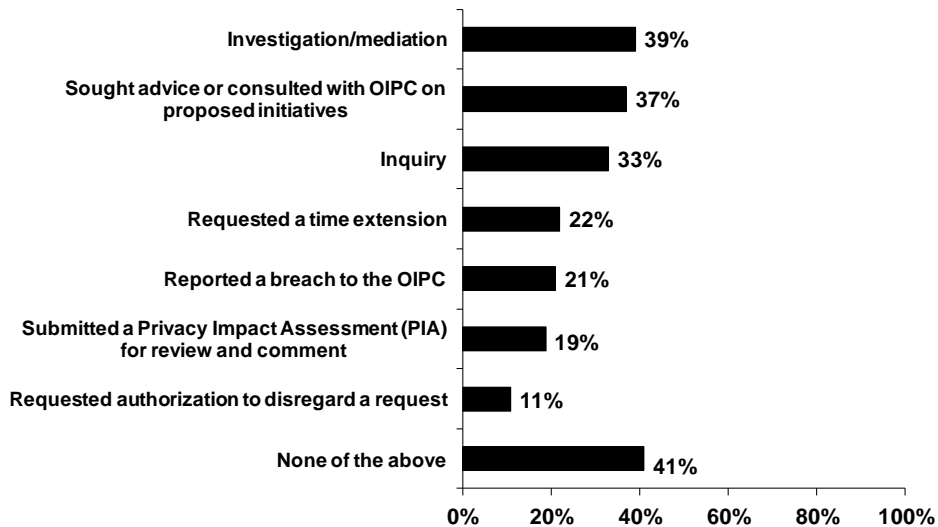
\*Exercise caution due to small sample size where  $n < 30$ , results do not total 100% due to rounding

### 3.2 OIPC Processes

The questions asked in the following section provided feedback concerning the quality and effectiveness of OIPC processes. The topics discussed included the timeliness, fairness, accessibility, transparency, and consistency of these processes. Respondents were first asked whether they had participated in any of eight (8) OIPC processes. Respondents stated most often that they had participated in an investigation or mediation (39%), sought advice or consulted with OIPC on proposed initiatives (37%), or made an inquiry (33%). In contrast, respondents less frequently submitted a PIA for review (19%) or requested authorization to disregard a request (11%). It is important to note that 41% of respondents had not participated in any of the eight (8) processes. See Figure 37, below.

Figure 37

#### Have you ever participated in any of the following OIPC processes?

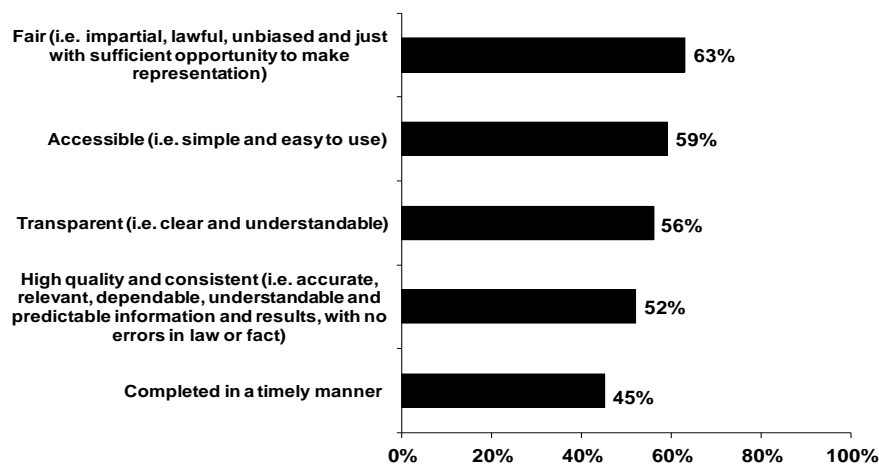


n=227

Respondents who have participated in an OIPC investigation or mediation (n=88) were asked to rate the process according to five (5) attributes. Of those who provided a rating of 4 or 5 out of 5, respondents most frequently felt that the process was fair (63%), accessible (59%), and transparent (56%). See Figure 38 and Table 4, below.

**Figure 38**

### How would you rate the following aspects of the OIPC investigation/mediation process?



n=88

Base: Respondents who have participated in an investigation or a mediation and provided a rating of 4 or 5 out of 5

**Table 4**

How would you rate the following aspects of the OIPC investigation/mediation process?							
Base: Respondents who have participated in an investigation or mediation and provided a rating of 4 or 5 out of 5	Percent of Respondents (n=88)						Mean
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	38	25	17	8	3	9	3.94
Accessible (i.e. simple and easy to use)	26	33	19	11	3	7	3.72
Transparent (i.e. clear and understandable)	26	30	24	8	6	7	3.67
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	30	22	22	11	6	10	3.65
Completed in a timely manner	24	21	16	24	10	6	3.25

Respondents who have participated in an investigation or mediation (n=52) were then asked how the process could be improved. More than one-third of respondents (37%) recommended reducing investigation time. Seventeen percent (17%) suggested reducing the bias against employers or public bodies, while 14% mentioned that OIPC mediators should be more prepared and consistent with their investigation. See Table 5, below.

**Table 5**

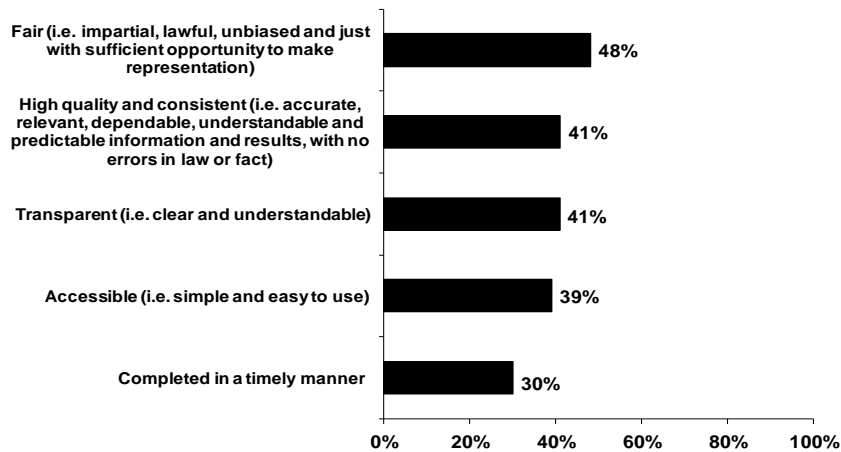
<b>How could the OIPC investigation/mediation process be improved?</b>	
<b>Base: Respondents who have participated in an investigation or a mediation</b>	<b>Percent of Respondents* (n=52)</b>
Reduce investigation time/meet timelines in Act	37
Reduce bias against employers/public bodies	17
OIPC mediators/officers should be more prepared/fair/consistent	14
Reduce investigations of frivolous/erroneous complaints	10
Hire more staff/officers	8
Investigation/process should be more transparent/all information should be available	8
Hire more knowledgeable investigations who understand FOIP/PIPA	6
Cannot do both investigation and mediation/clarify OIPC's purpose	6
Simplify instructions/clarify decision in relation to request	6
Implement changes from mediation process in inquiry process	4
Allow public bodies time to respond before investigations	4
More communication from OIPC	4
More advice from OIPC before decision is made	4
Applicants should shoulder the cost/some of the cost	4
Process is already good	4
Follow logical justice	4
Other (less than 3% of respondents)	6
Don't know	6

**\*Multiple responses**

Next, respondents who participated in an OIPC inquiry (n=75) felt most frequently that the process was fair (48%), high in quality (41%) and transparent (41%) (ratings of 4 or 5 out of 5). See Figure 39 and Table 6, below.

**Figure 39**

**How would you rate the following aspects of the OIPC inquiry process?**



n=75

Base: Respondents who have participated in an inquiry and provided a rating of 4 or 5 out of 5

**Table 6**

How would you rate the following aspects of the OIPC inquiry process?							
Base: Respondents who have participated in an inquiry and provided a rating of 4 or 5 out of 5	Percent of Respondents (n=75)						Mean
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	20	28	20	16	5	11	3.46
Transparent (i.e. clear and understandable)	17	24	29	12	8	9	3.34
Accessible (i.e. simple and easy to use)	20	19	27	16	8	11	3.30
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	21	20	12	20	13	13	3.18
Completed in a timely manner	17	13	19	17	21	12	2.86

Respondents who have participated in an inquiry (n=37) were then asked how the inquiry process could be improved. Nearly one-fifth of respondents (19%) mentioned that orders issued are often contradictory and complicated, while 16% mentioned that the inquiry process takes too long to complete. Importantly, almost one-quarter of respondents (24%) were unable to provide a response. See Table 7, below.

**Table 7**

<b>How could the OIPC inquiry process be improved?</b>	
<b>Base: Respondents who have participated in an inquiry process</b>	<b>Percent of Respondents* (n=37)</b>
Orders issued are contradictory/not consistent/complicated	19
Takes too long to complete inquiry process/time consuming	16
Better training of adjudicators/more knowledgeable	14
Faster response times	11
Poor/inconsistent decisions made (general)	11
Be more clear/consise	8
Interpretation not consistent	8
Be fair/unbiased/impartial	5
Nothing/it is satisfactory	5
Other (less than 3% of respondents)	46
Don't know	24

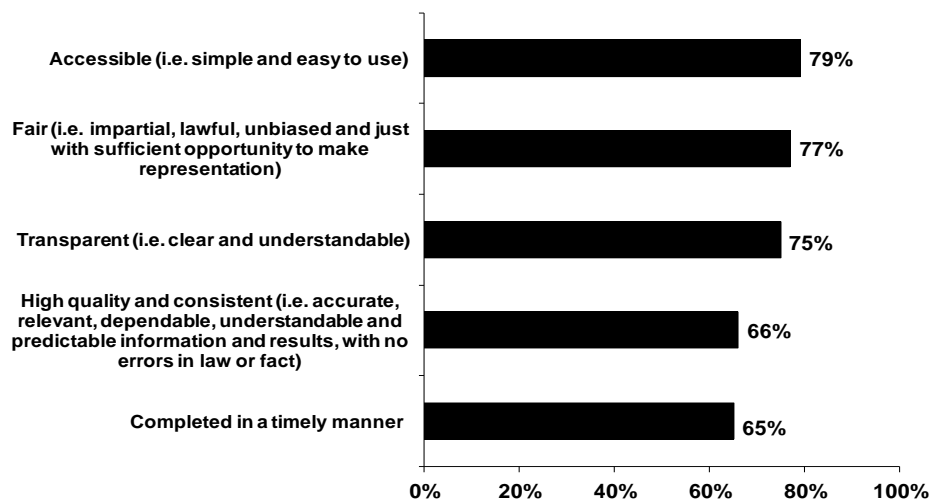
**\*Multiple responses**



Respondents who reported a breach (n=48) felt the process was most frequently accessible (79%) and fair (77%). See Figure 40 and Table 8, below.

Figure 40

### How would you rate the following aspects of the OIPC breach reporting process?



n=48

Base: Respondents who have reported a breach and provided a rating of 4 or 5 out of 5

Table 8

How would you rate the following aspects of the OIPC breach reporting process?							
Base: Respondents who have reported a breach and provided a rating of 4 or 5 out of 5	Percent of Respondents (n=48)						Mean
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	33	44	10	--	--	13	4.26
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	33	33	15	--	--	19	4.23
Accessible (i.e. simple and easy to use)	29	50	10	--	--	10	4.21
Transparent (i.e. clear and understandable)	31	44	10	2	--	13	4.19
Completed in a timely manner	25	40	21	4	--	10	3.95

Respondents who have reported a breach (n=12) were asked how the process could be improved. Eight percent (8%) of respondents suggested better documentation for new privacy officers, while another 17% said that the process is satisfactory and does not need improvements. Forty-two percent (42%) were unable to provide a response. See Table 9, below.

**Table 9**

<b>How could the OIPC breach reporting process be improved?</b>	
<b>Base: Respondents who have reported a breach</b>	<b>Percent of Respondents* (n=12)**</b>
Better documentation for new privacy officers	17
Faster response time	8
More guidance on what is not a breach/how to avoid breaches	8
Public bodies reporting breaches should be mandatory	8
Better understanding as to when breaches must be reported	8
Nothing/it is satisfactory	17
Don't know	42

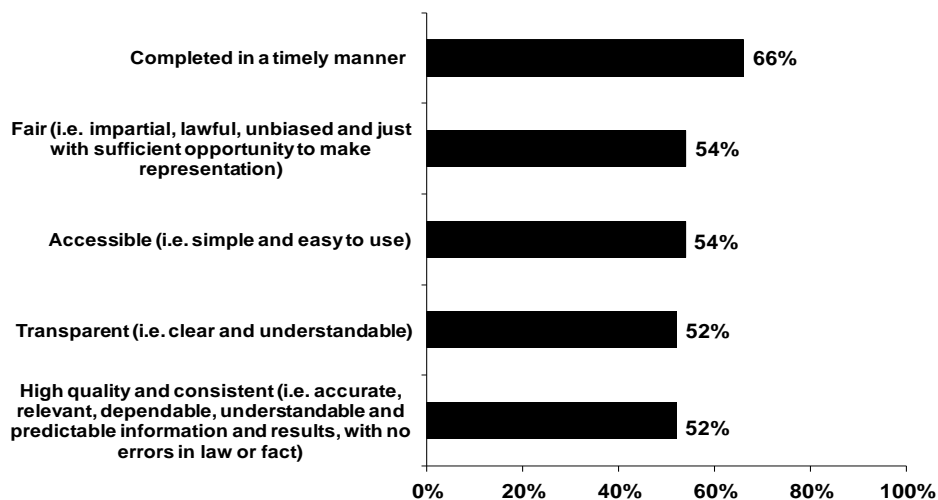
**\*Multiple responses**

**\*\*Use caution interpreting results when n <30**

Respondents who have requested a time extension (n=50) felt that the process was most often completed in a timely manner (66%). See Figure 41 and Table 10, below.

Figure 41

### How would you rate the following aspects of the OIPC time extension request process?



n=50

Base: Respondents who have requested a time extension and provided a rating of 4 or 5 out of 5

Table 10

How would you rate the following aspects of the OIPC time extension request process?							
Base: Respondents who have requested a time extension and provided a rating of 4 or 5 out of 5	Percent of Respondents (n=50)						Mean
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	
Completed in a timely manner	38	28	16	4	2	12	4.09
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	32	22	20	10	4	12	3.77
Accessible (i.e. simple and easy to use)	28	26	22	8	4	12	3.75
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	28	24	14	6	8	20	3.73
Transparent (i.e. clear and understandable)	28	24	22	8	6	12	3.68

Respondents who have requested a time extension (n=14) were asked how the process could be improved. Forty-three percent (43%) of respondents suggested a higher level of understanding towards how complex and time-consuming the work is, while just over one-fifth (21%) mentioned that applicants should be given more consideration than public bodies; another 21% felt that no improvements were needed. See Table 11, below.

**Table 11**

<b>How could the OIPC time extension request process be improved?</b>	
<b>Base: Respondents who have requested a time extension</b>	<b>Percent of Respondents* (n=14)**</b>
More understanding of how complex the work is/time necessary	43
Applicants given more consideration than public bodies for time extensions	21
Professional/polite OIPC staff	7
Speaking with applicant before requesting extension can delay process	7
Overall challenges faced by organizations (i.e., access requests)	7
Time extension issues not related to OIPC (general)	7
More clear in terms of information that is required	7
Questions/information asked is unreasonable	7
Some OIPC inquiries take a long time	7
Nothing/it is satisfactory	21
Don't know	7

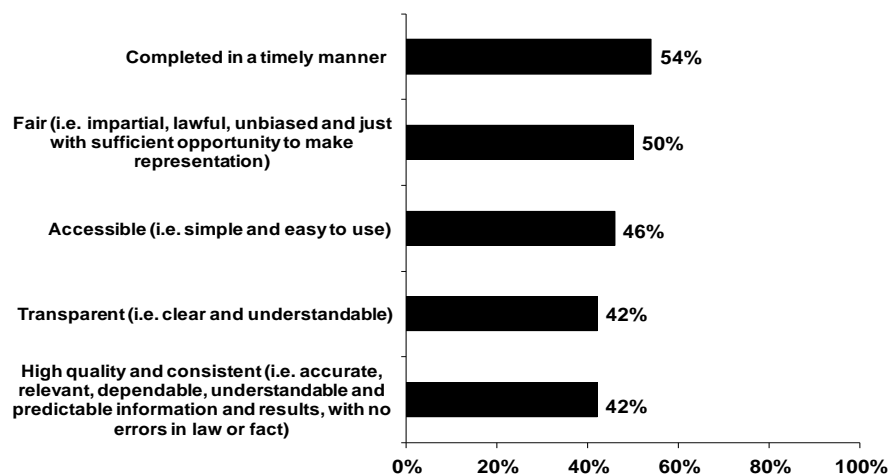
\*Multiple responses

\*\*Use caution interpreting results when n <30.

Respondents who requested an authorization to disregard (n=24) felt that the process was most frequently completed in a timely manner (54%), fair (50%), and accessible (46%) (ratings of 4 or 5 out of 5). See Figure 42, below, and Table 12, on the following page.

Figure 42

### How would you rate the following aspects of the OIPC authorization to disregard process?



n=24\*

Base: Respondents who have requested authorization to disregard and provided a rating of 4 or 5 out of 5

\*Use caution when interpreting results where n<30

Table 12

How would you rate the following aspects of the OIPC authorization to disregard process?							
Base: Respondents who have requested authorization to disregard and provided a rating of 4 or 5 out of 5	Percent of Respondents (n=24)*						Mean
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	
Completed in a timely manner	25	29	13	13	--	21	3.84
Accessible (i.e. simple and easy to use)	29	17	21	13	--	21	3.79
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	25	25	17	17	--	17	3.70
Transparent (i.e. clear and understandable)	25	17	25	13	--	21	3.68
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	29	13	17	21	--	21	3.63

\*\*Use caution interpreting results when n <30

Respondents who have requested an authorization to disregard (n=9) were asked how the process could be improved. Two (2) respondents each mentioned that it is difficult to obtain permission to disregard, and that evidentiary burdens should be reduced so that decisions can be made in a timely manner. See Table 13, below.

**Table 13**

<b>How could the OIPC authorization to disregard process be improved?</b>	
<b>Base: Respondents who have requested authorization to disregard</b>	<b>Number of Respondents* (n=9)**</b>
Difficult to obtain permission to disregard	2
Reduce evidentiary burdens so decision can be made in a timely manner	2
Standard set is too high	2
Bad experience with OIPC overall when obtaining authorization	1
Recognition of the burden that repeat requests have on public funds	1
Recognition that applicants have already received all relevant info	1
Portfolio Officer did not want to deal with the issue	1
Consideration of special circumstances of public body	1
Authorization should be reviewed in context of private industry/organization	1
Nothing/it is satisfactory	1
Don't know	1

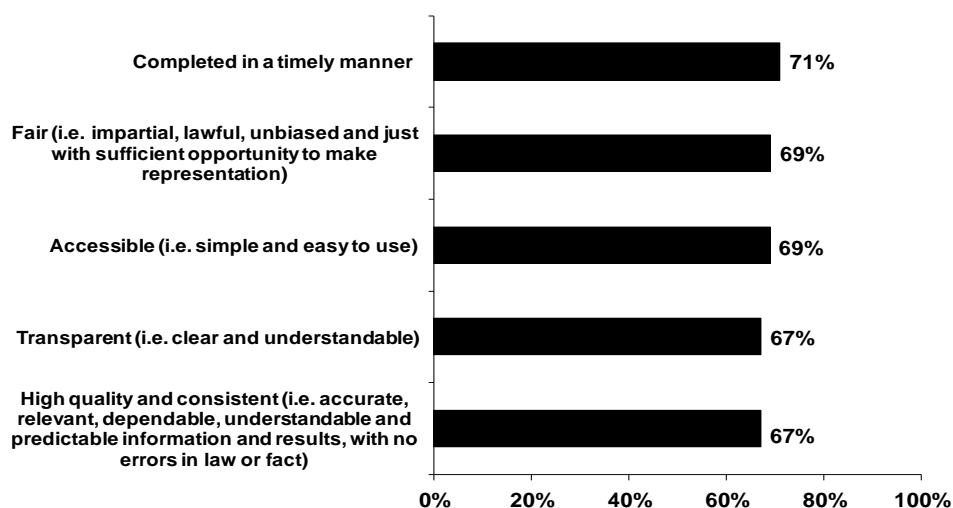
**\*Multiple responses**

**\*\*Use caution interpreting results when n <30**

Respondents who sought advice or consulted with the OIPC on proposed initiatives (n=85) felt the process was most frequently completed in a timely manner (71%), fair (69%), and accessible (69%) (ratings of 4 or 5 out of 5). See Figure 43 and Table 14, below.

Figure 43

### How would you rate the following aspects of the OIPC advice/consultation on proposed initiatives?



n=85

Base: Respondents who have sought advice or consulted with OIPC on proposed initiatives and who provided a rating of 4 or 5 out of 5

Table 14

How would you rate the following aspects of the OIPC advice/consultation on proposed initiatives?							
Base: Respondents who have sought advice or consulted with OIPC on proposed initiatives and who provided a rating of 4 or 5 out of 5	Percent of Respondents (n=85)						
	Completely (5)	(4)	(3)	(2)	Not at all (1)	Don't know/ N/A	Mean
Accessible (i.e. simple and easy to use)	42	27	17	5	1	8	4.14
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	40	29	15	5	1	9	4.13
Completed in a timely manner	40	31	19	6	1	4	4.06
Transparent (i.e. clear and understandable)	38	29	15	9	1	7	4.00
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	39	28	12	6	6	9	3.97

Respondents who have sought advice or consulted with the OIPC on proposed initiatives (n=31) were then asked how the process could be improved. Sixteen percent (16%) of respondents suggested advice and guidance (in general), while 13% mentioned that the response time is too long. Twenty-nine percent (29%) of respondents felt that the process did not need improvement. See Table 15, below.

**Table 15**

<b>How could the OIPC advice/consultation on proposed initiatives be improved?</b>	
<b>Base: Respondents who have sought advice or consulted with OIPC on proposed initiatives</b>	<b>Percent of Respondents* (n=31)</b>
Give advice/guidance (general)	16
Response time is too long	13
Provide decisive, clear answers	7
Feedback/advice is not balanced/is limited	7
Advice given ignored by adjudicators	3
Adjudicators act above the law/unfair/biased/big egos	3
Updates on FAQs	3
More publications needed	3
Was not helpful (general)	3
Passed onto a different area for advice	3
Management uninterested in advice received	3
Mechanism for public bodies to obtain advice when required	3
Help-line that provides answers and advice from OIPC	3
Greater respect from adjudicators to advice given by OIPC staff	3
Online support (general)	3
Understand the role of their organizations better	3
Nothing/It is satisfactory	29
Don't know	16

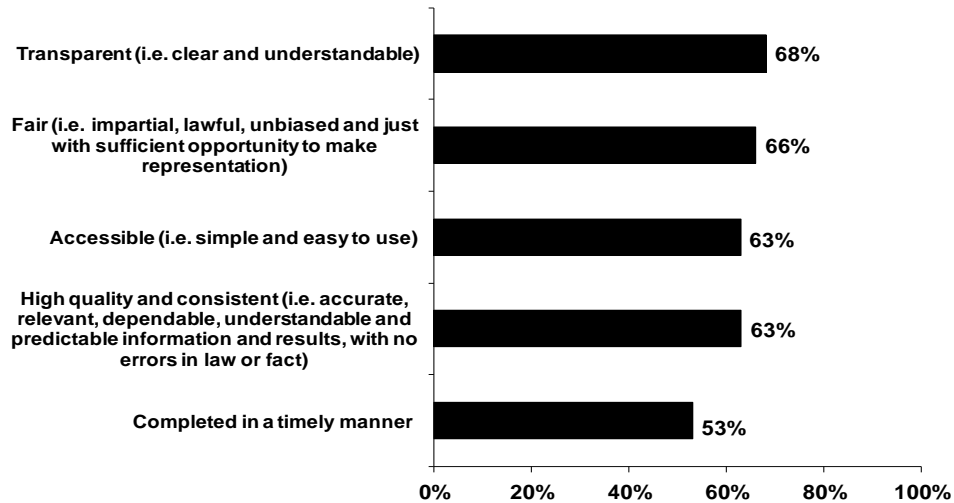
**\*Multiple responses**



Respondents who submitted a Privacy Impact Assessment (PIA) (n=43) most frequently felt that the process was transparent (68%), fair (66%), and accessible (63%) (ratings of 4 or 5 out of 5). See Figure 44, below, and Table 16, on the next page.

Figure 44

### How would you rate the following aspects of the OIPC PIA review process?



n=43

Base: Respondents who have submitted a Privacy Impact Assessment (PIA) and who provided a rating of 4 or 5 out of 5

Table 16

<b>How would you rate the following aspects of the OIPC PIA review process?</b>							
<b>Base: Respondents who have submitted a Privacy Impact Assessment (PIA) and who provided a rating of 4 or 5 out of 5</b>	<b>Percent of Respondents (n=43)</b>						
	<b>Completely (5)</b>	<b>(4)</b>	<b>(3)</b>	<b>(2)</b>	<b>Not at all (1)</b>	<b>Don't know/ N/A</b>	<b>Mean</b>
High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)	35	28	16	5	5	12	<b>3.95</b>
Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)	33	33	16	5	5	9	<b>3.92</b>
Transparent (i.e. clear and understandable)	33	35	12	7	7	7	<b>3.85</b>
Accessible (i.e. simple and easy to use)	26	37	14	9	7	7	<b>3.70</b>
Completed in a timely manner	30	23	19	16	5	7	<b>3.63</b>

Respondents who have submitted a PIA (n=15) were then asked how the process could be improved. Thirteen percent (13%) of respondents each suggested a standard template for those subject to FOIP/PIPA, and that the process could be faster and more efficient. See Table 17, below.

**Table 17**

<b>How could the OIPC PIA process be improved?</b>	
<b>Base: Respondents who have submitted a Privacy Impact Assessment</b>	<b>Percent of Respondents* (n=15)**</b>
Standard template for those subject to FOIP/PIPA	13
Could be faster/more efficient	13
Be fair/unbiased	7
No consistency with OIPC orders	7
Documentation to provide consistency for public bodies	7
Process that includes elements of PIA analysis without a formal PIA	7
PIA review done by another department in organization	7
PIA template editable/customized by organizations	7
Completion of reviews require more than one perspective	7
Follow through with PIA to allow facility to access Netcare	7
Provide money to cover costs	7
Simplify PIA form	7
Would like to know OIPC's views	7
PIA registry needs to be kept up-to-date	7
Archived PIA's handled separately	7
Understand and consistently interpret the Act	7
Two-stage PIA process (preliminary risk assessment first)	7
Provide more protection/indemnification	7
PIA response based on standard OIPC "report card" format	7
Nothing/it is satisfactory	7

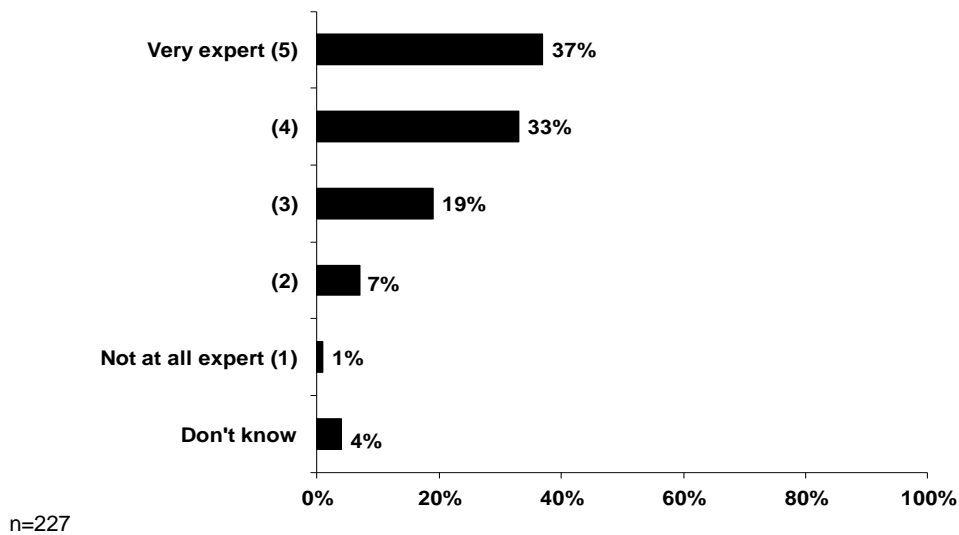
**\*Multiple responses**

**\*\*Use caution interpreting results when n <30**

Respondents were then asked to rate the expertise of OIPC staff. Seventy percent (70%) of respondents indicated the staff was expert (4 or 5 out of 5), while 19% were neutral, and 7% indicated that they were low in expertise (1 or 2 out of 5). See Figure 45, below.

Figure 45

### How would you rate the expertise of OIPC staff?



### 3.3 OIPC Communications

Respondents were asked what they understand the roles and duties of the OIPC to be. Twenty-three percent (23%) of respondents indicated that OIPC's role was to provide information, followed by investigation (21%), and oversight (15%). Importantly, nearly one-quarter of respondents (24%) were unable to specify OIPC's role. See Table 18, below.

Table 18

What do you understand the roles and duties of the OIPC to be?	
	Percent of Respondents* (n=227)
Provide information/education/resources	23
Investigation/conduct inquiries	21
Oversight/monitoring (organizations, government, etc)	15
Provide advice/commentary/guidance/expertise	15
Enforce/uphold privacy laws	10
Provide reviews (legislation, decisions, actions, etc)	10
Process/review issues, inquiries, complaints	9
Mediator/ombudsman	8
Provide assistance/support to organizations/individuals	8
Promote/ensure compliance	6
Regulation/governance/management	6
Adjudicate/provide rulings	5
Resolve or address issues, conflicts, and remediation	4
Creation/implementation of legislation/policy	4
Provide training	4
Provide interpretation/clarification	3
Other (less than 3%)	28
Don't know	24

\*Multiple responses

Next, respondents were asked what sources they use to learn about access and privacy. Forty-five percent (45%) of respondents use websites (e.g., FOIP, OIPC), while 19% reported using conferences, seminars, and workshops. See Table 19, below.

**Table 19**

<b>Where do you go to learn about access and privacy?</b>	
	<b>Percent of Respondents* (n=227)</b>
Websites (FOIP, OIPC, gov., etc.) /internet/online resources	45
Conferences/seminars/workshops/information sessions	19
Training/courses/education (general)	15
OIPC office/help desk/staff	12
FOIP Act/regulations	10
Colleagues/professional contacts/networking	7
Legislation (unspecified)	7
FOIP Guidelines and Procedures	6
Legal counsel/provider	5
Newsletters/newspapers/journals	4
Meetings	4
Service Alberta/FOIP Help Desk (unspecified)	3
Educational resources (general)	3
Other (less than 3% of respondents)	37
Don't know	19

**\*Multiple responses**

When asked what types of information respondents have obtained from the OIPC, 63% reported using OIPC communication materials, while more than half of respondents each mentioned using general information (58%) and OIPC forms and information about processes (55%). See Table 20, below.

**Table 20**

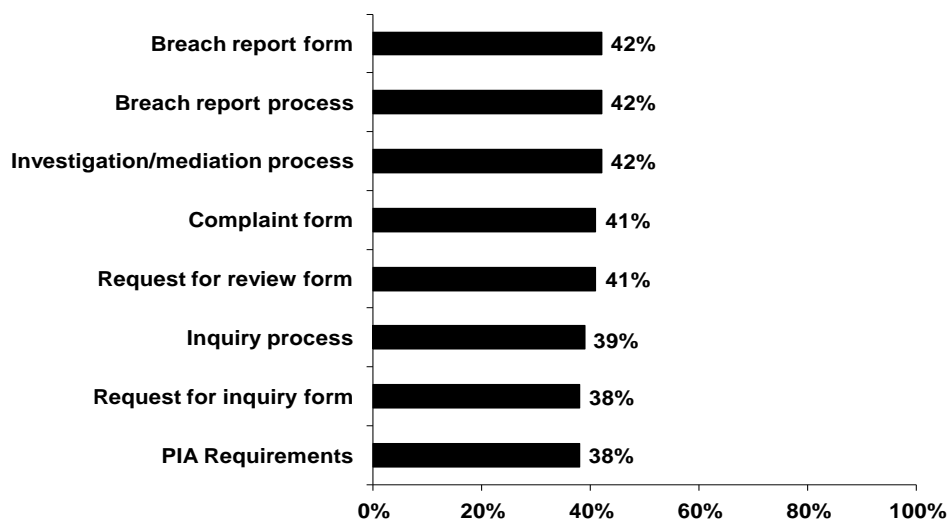
<b>What types of information have you obtained from the OIPC?</b>	
	<b>Percent of Respondents* (n=227)</b>
OIPC communication materials (e.g. orders, investigation reports, case summaries, guidance documents, FAQs, Annual Report, etc.)	63
General information (e.g. contact information, office structure, news etc.)	58
OIPC forms/information about processes	55
Advice/guidance/consultation (in general)	5
Meetings/events/training	2
PIA/privacy policies	1
Copies (summaries of orders)	1
Everything on OIPC website	<1
PowerPoint file (unspecified)	<1
None	4
Don't know	12

**\*Multiple responses**

Respondents were then asked to rate how clear and understandable various OIPC forms and sources of information were. Garnering forty-two percent (42%) each, respondents most frequently indicated that the breach report form (42%), the breach report process (42%), and the investigation/mediation process was clear and understandable (ratings of 4 or 5 out of 5). See Figure 46 and Table 21, both below.

**Figure 46**

**How would you rate the following OIPC forms/information about processes in terms of being clear and understandable?**



n=125

Base: Respondents who obtained OIPC forms and information about processes

**Table 21**

<b>How would you rate the following aspects of the OIPC PIA review process with respect to being clear and understandable?</b>							
<b>Base: Respondents who obtained OIPC forms and information about processes</b>	<b>Percent of Respondents (n=125)</b>						<b>Mean</b>
	<b>Very (5)</b>	<b>(4)</b>	<b>(3)</b>	<b>(2)</b>	<b>Not at all (1)</b>	<b>Don't know/ N/A</b>	
Breach report form	22	20	9	--	2	48	<b>4.15</b>
Complaint form	20	21	10	--	2	48	<b>4.11</b>
Request for review form	19	22	10	--	2	48	<b>4.09</b>
Breach report process	20	22	11	--	2	45	<b>4.07</b>
Request for inquiry form	18	21	9	2	2	50	<b>4.02</b>
Investigation/mediation process	15	27	11	2	3	42	<b>3.85</b>
PIA Requirements	16	22	14	4	2	42	<b>3.81</b>
Inquiry process	18	22	14	3	4	40	<b>3.76</b>



The following respondent subgroups were significantly more likely to rate aspects of the OIPC PIA review process as highly clear and understandable (4 or 5 out of 5):

- **The breach report form:** those who had a PIA policy and procedure in place (58% versus 33% of those who did not);
- **The breach report process:** those who had a PIA policy and procedure in place (64% versus 30% of those who did not);
- **The PIA requirements:** those who had a PIA policy and procedure in place (56% versus 27% of those who did not); and
- **The investigation/mediation:** those who had a PIA policy and procedure in place (62% versus 33% of those who did not).

Respondents were asked for additional comments or feedback regarding OIPC forms and information about processes (n=125). Four percent (4%) of respondents suggested keeping the information simple and in a simplified format, while 15% had no comments or additional feedback. Importantly, slightly more than two-thirds (67%) of respondents were unable to provide a response. See Table 22, below.

**Table 22**

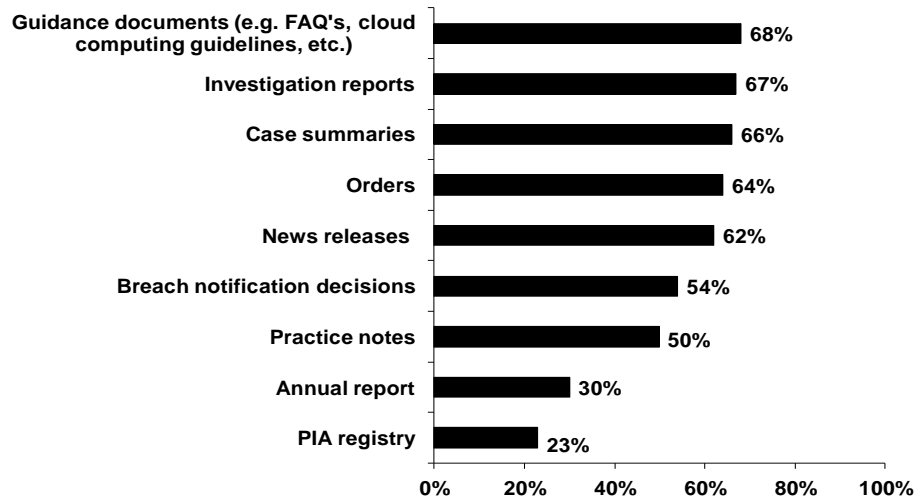
<b>Do you have any additional comments or feedback regarding OIPC forms/information about processes?</b>	
<b>Base: Respondents who obtained OIPC forms and information about processes</b>	<b>Percent of Respondents* (n=125)</b>
Keep information simple/in a simplified format	4
Website is difficult to use/navigate	2
Need to improve wording/it is too confusing (e.g., too broad or too specific)	2
Keep resources/information available/accessible	2
Need more forms/information about processes that are available	2
Need more specific/detailed information (in general)	2
No comments/feedback	15
Other (less than 1% of respondents)	10
Don't know	67

\*Multiple responses

When asked how the respondents would rate various OIPC communication materials in terms of helpfulness for understanding how the laws apply, 68% of respondents rated guidance documents as being helpful (4 or 5 out of 5). Conversely, only 23% of respondents found the PIA registry to be helpful. See Figure 47, below and Table 23, on the following page.

Figure 47

**How would you rate the following OIPC communication materials in terms of helping you understand how the laws apply (FOIP/HIA/PIPA)?**



n=143

Base: Respondents who obtained OIPC communication materials

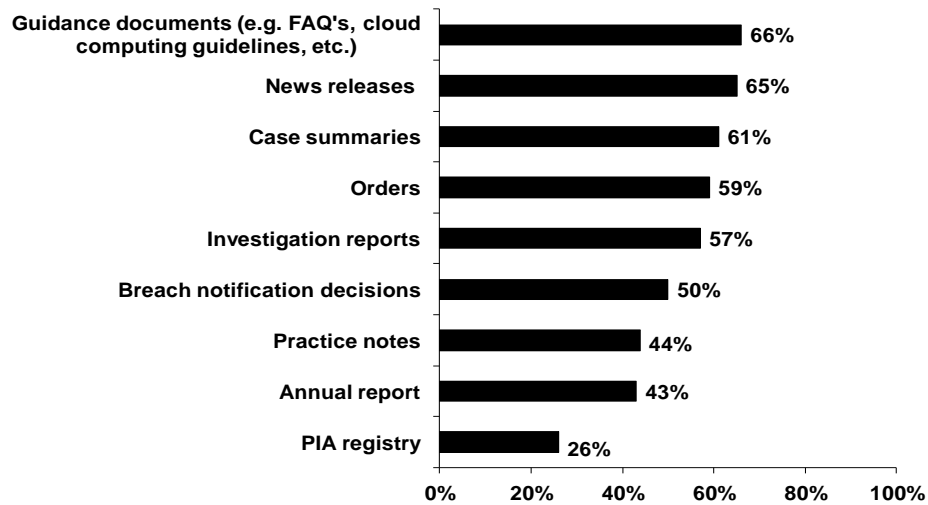
Table 23

<b>How would you rate the following aspects of the OIPC PIA review process?</b>							
<b>Base: Respondents who obtained OIPC communication materials</b>	<b>Percent of Respondents (n=143)</b>						
	<b>Very helpful (5)</b>	<b>(4)</b>	<b>(3)</b>	<b>(2)</b>	<b>Not at all helpful (1)</b>	<b>Don't know / N/A</b>	<b>Mean</b>
Guidance documents (e.g., FAQs, cloud computing guidelines, social media guidelines, etc.)	39	29	16	4	1	11	<b>4.14</b>
Practice notes	23	27	8	4	1	37	<b>4.07</b>
Investigation reports	28	39	15	4	--	14	<b>4.05</b>
Case summaries	27	39	11	6	--	18	<b>4.03</b>
Breach notification decisions	22	32	13	5	--	28	<b>4.00</b>
Orders	27	37	15	6	1	15	<b>3.98</b>
News releases	32	30	15	6	4	13	<b>3.94</b>
PIA registry	8	15	14	8	3	52	<b>3.37</b>
Annual report	8	22	25	9	7	29	<b>3.23</b>

When asked how the respondents would rate various OIPC communication materials in terms of being clear and understandable, 66% of respondents each rated guidance documents and news releases as being clear and understandable (4 or 5 out of 5). Conversely, just over one-quarter of respondents (26%) rated the PIA registry as being understandable. See Figure 48, below, and Table 24, on the following page.

Figure 48

### How would you rate the following OIPC communication materials in terms of being clear and understandable?



n=143

Base: Respondents who obtained OIPC communication materials

Table 24

How would you rate the following OIPC communication materials in terms of being clear and understandable?							
Base: Respondents who obtained OIPC communication materials	Percent of Respondents (n=143)						Mean
	Very helpful (5)	(4)	(3)	(2)	Not at all helpful (1)	Don't know/ N/A	
Guidance documents (e.g., FAQs, cloud computing guidelines, social media guidelines, etc.)	32	34	16	4	1	14	4.06
Case summaries	25	36	14	6	1	20	3.97
News releases	24	41	15	5	1	14	3.94
Breach notification decisions	20	31	18	4	--	28	3.92
Practice notes	15	29	16	3	--	37	3.90
Investigation reports	23	34	18	7	1	18	3.87
Orders	21	39	15	8	3	14	3.77
Annual report	12	31	22	5	1	6	3.66
PIA registry	9	17	18	7	3	46	3.42

Respondents were asked if they had any additional comments or feedback regarding OIPC communications materials. Three percent (3%) of respondents each suggested improving Orders (in general) and making materials easier to find. Importantly, more than three-quarters (76%) were unable to provide additional feedback. See Table 25, below.

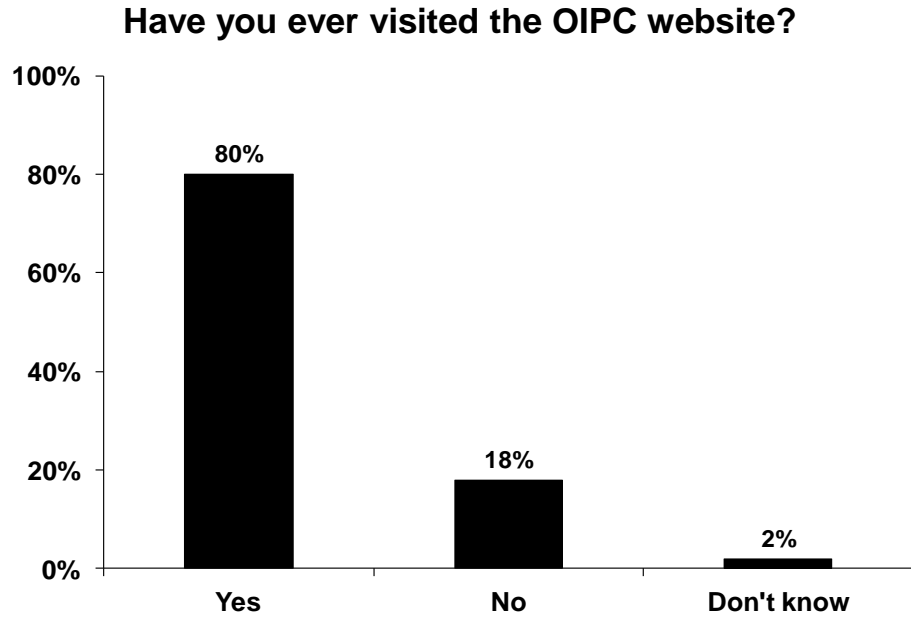
Table 25

Do you have any additional comments or feedback regarding OIPC communications materials?	
Base: Respondents who obtained OIPC communication materials	Percent of Respondents* (n=227)
Need to improve Orders (in general)	3
Needs to be easier to find/locate	3
Need more specific/detailed resource information/materials	2
Need to be easier to understand	2
No additional comments/feedback	10
Other (less than 1% of respondents)	7
Don't know	76

\*Multiple responses

Respondents were next asked whether they had ever visited the OIPC website. Four-fifths (80%) indicated they had visited website. In contrast, 18% had not visited and 2% were unsure. Refer to Figure 49, below.

Figure 49



n=227

The respondent subgroup significantly more likely to **have visited the OIPC website** included those who had a PIA policy and procedure in place (97% versus 78% of those who did not).

Respondents most often reported obtaining OIPC communication materials (74%) and general information (73%) from the OIPC website. See Table 26, below.

**Table 26**

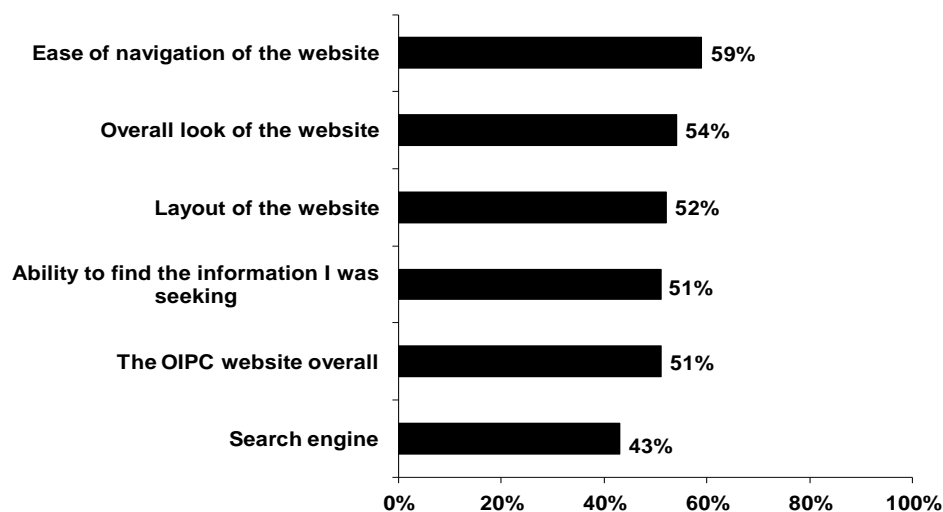
<b>What types of information have you obtained from the OIPC website?</b>	
<b>Base: Respondents who have visited the OIPC website</b>	<b>Percent of Respondents* (n=180)</b>
OIPC communication materials (e.g. orders, investigation reports, case summaries, guidance documents, FAQs, Annual Report, etc.)	74
General information (e.g. contact information, office structure, news etc.)	73
OIPC forms/information about processes	66
PIA/privacy policies	2
Meetings/events/training	1
Applications status	1
Information release details/protocol	1
None	1
Don't know	1

**\*Multiple responses**

Figure 50, below, depicts respondents' satisfaction (4 or 5 out of 5) with various features of the OIPC website. Respondents were most satisfied with the ease of navigation (59%), followed by the overall look (54%) and layout (52%). In contrast, respondents were less satisfied with the search engine (43%). Overall, slightly more than half (51%) were satisfied with the website. Also see Table 27, below, for full results.

Figure 50

### How satisfied are you overall with each of the following features of the OIPC website?



n=180

Base: Respondents who have visited the OIPC website

Table 27

How satisfied are you overall with each of the following features of the OIPC website?							
Base: Respondents who obtained OIPC forms and information about processes	Percent of Respondents* (n=180)						Mean
	Very satisfied (5)	(4)	(3)	(2)	Not at all satisfied (1)	Don't know/ N/A	
Overall look of the website	15	39	32	7	2	5	3.63
Ease of navigation of the website	15	44	22	11	4	4	3.59
Layout of the website	14	37	30	11	1	7	3.57
The OIPC website overall	14	37	32	9	2	7	3.55
Ability to find the information I was seeking	13	37	22	18	5	4	3.38
Search engine	10	33	18	12	14	13	3.15



The respondent subgroup significantly more likely to **be satisfied (4 or 5 out of 5) with the ease of navigation on the website** included those who did not have a PIA policy and procedure in place (67% versus 45% of those who did).

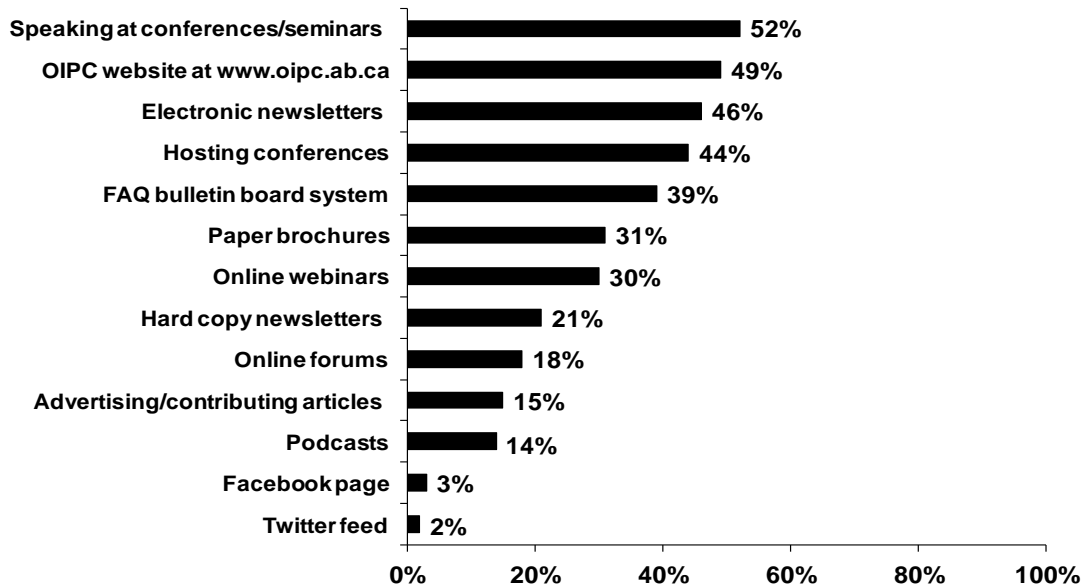
The respondent subgroup significantly more likely to **be satisfied (4 or 5 out of 5) with their ability to find the information they were seeking** included those who did not have a PIA policy and procedure in place (57% versus 38% of those who did).

The respondent subgroup significantly more likely to **be satisfied (4 or 5 out of 5) with the search engine** included those who worked in the private sector (54% versus 38% of those who worked for a public body).

Respondents were then asked to indicate the most effective ways the OIPC could provide their organization/members with information. Garnering ratings of high effectiveness (4 or 5 out of 5) included the methods of speaking at conferences or seminars (52%), posting on the OIPC website (49%), and electronic newsletters (46%). In contrast, methods less frequently mentioned included the OIPC Facebook page (3%) and the OIPC Twitter feed (2%). See Figure 51, below, and Table 28, on the following page.

Figure 51

## How effective are the following for the OIPC to provide information to your organization/members?



n=227

Base: Respondents who provided ratings of 4 or 5 out of 5

Table 28

How effective are the following for the OIPC to provide information to your organization/members?							
	Percent of Respondents* (n=227)						
	Very effective (5)	(4)	(3)	(2)	Not at all effective (1)	Don't know/ N/A	Mean
Speaking at conference or seminars attended by your employees/members	26	26	12	4	2	30	<b>3.99</b>
Hosting conferences	24	20	12	3	3	38	<b>3.95</b>
Electronic newsletters sent via email on emerging issues	19	27	14	4	3	33	<b>3.85</b>
FAQ bulletin board system	15	24	14	3	3	42	<b>3.78</b>
OIPC website at www.oipc.ab.ca	20	29	19	7	4	21	<b>3.69</b>
Online webinars	14	16	10	4	7	50	<b>3.52</b>
Paper brochures	10	21	16	12	8	33	<b>3.21</b>
Hard copy newsletters mailed to your organization on emerging issues	8	13	12	10	11	48	<b>2.95</b>
Online forums	6	12	12	8	9	53	<b>2.95</b>
Podcasts	7	8	9	7	11	59	<b>2.82</b>
Advertising/contributing articles in Industry specific publications	4	11	12	10	11	52	<b>2.76</b>
Facebook page	<1	2	4	7	26	61	<b>1.57</b>
Twitter feed	<1	1	5	5	26	62	<b>1.56</b>

Respondent subgroups significantly more likely to **rate electronic newsletters as a highly effective (4 or 5 out of 5)** included those who worked in the private sector (58% versus 43% of those who worked for a public body).

Respondent subgroups significantly more likely to **rate advertising/contributing articles in industry specific publications as a highly effective (4 or 5 out of 5)** included:

- Those who worked in the private sector (26% versus 12% of those who worked for a public body); and
- Those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (22% versus 6% of those who did not).

When asked if they could think of any other ways the OIPC could provide information that would be effective, 3% of respondents suggested improving the website, in general. Importantly, 82% of respondents could not provide any suggestions. See Table 29, below.

**Table 29**

<b>Are there any other ways the OIPC could provide information that would be effective?</b>	
	<b>Percent of Respondents* (n=227)</b>
Need to improve the website (in general)	3
More awareness of what is available	2
Email (in general)	1
Update FAQs	1
No/nothing	9
Other (less than 1% of respondents)	4
Don't know	82

**\*Multiple responses**

Respondents were also asked if there were any other resources or information the OIPC should make available on its website; 3% of respondents suggested improving website access and functions, such as the search engine. Eighty-two percent (82%) of respondents were unable to provide suggestions. See Table 30, below

**Table 30**

<b>Are there any other resources or information the OIPC should make available on its website?</b>	
	<b>Percent of Respondents* (n=227)</b>
Improve website access/functions (e.g., search engine)	3
Orders and investigations	2
Standards/guidelines	2
No/nothing	6
Other (less than 1% of respondents)	12
Don't know	82

**\*Multiple responses**

### 3.4 Trends and Issues

In this section of the report, respondents were asked questions that will provide the OIPC with information about the issues, challenges, and concerns respondents' organizations are currently dealing with. To begin, respondents were asked what they felt were the top three (3) access and/or privacy issues, challenges, and concerns facing their organization in the upcoming three (3) years. Most frequently, respondents mentioned issues with keeping their employees trained (15%) and accommodating new technology growth (12%). Additionally, 7% of respondents indicated that they did not foresee issues. See Table 31, below.

**Table 31**

<b>What do you feel are the top three access and/or privacy issues, challenges or concerns facing your organization in the next 3 years?</b>	
	<b>Percent of Respondents* (n=227)</b>
Keeping people trained/minimizing any lack of understanding privacy issues	15
New technology growth/technology's impact on privacy	12
Improved resources for the privacy department/resources for implementation	7
Increased requests for accessing private information	7
Privacy breaches/preventing breaches (general)	7
Increased online resources (for reporting, records, timelines, etc)	6
Increased social media/privacy on social media	5
Employee turnover/proper staff levels	5
Increase in data transfer/sharing information across sectors	5
Need to increase time to respond to requests/not having enough time	4
Privacy impact assessments/developing impact assessment tools	4
Updating standard operating procedures/developing policies and protocols	4
No issues (general)	7
Other (less than 3%)	39
Don't know	34

**\*Multiple responses**

Table 32, below, provides the ways respondents indicated their organization planned to address future issues, challenges, and concerns. Seventeen percent (17%) of respondents mentioned they planned to use training programs, followed by developing better policies or procedures (11%). Importantly, forty-five percent (45%) of respondents were unsure if their organization had plans to address future issues, while 4% indicated that they had no plans in place.

**Table 32**

<b>How does your organization plan to address these issues, challenges, or concerns?</b>	
	<b>Percent of Respondents* (n=227)</b>
Traning programs/education	17
Developing better policies/procedures	11
Guidance/better communication from the OIPC	6
Develop an information/collaboration strategy	6
Case by case/ongoing plans are made (general)	5
Hope for increased grants/resources/budget	4
Through research/investigating information	4
No plans in place	4
Other (less than 3%)	33
Don't know	45

**\*Multiple responses**

Next, respondents were asked what the OIPC could provide to assist their organization in responding to future issues, challenges, or concerns. Most frequently, respondents mentioned resources or reference materials (e.g., training manuals and FAQs) (7%), while 6% mentioned providing procedures, processes, guidelines or guidance materials. Further, eight percent (8%) mentioned that they needed nothing else and that they are satisfied with the OIPC. However, it is important to note that forty-five percent (45%) of respondents were unsure what assistance could be provided. See Table 33, below.

**Table 33**

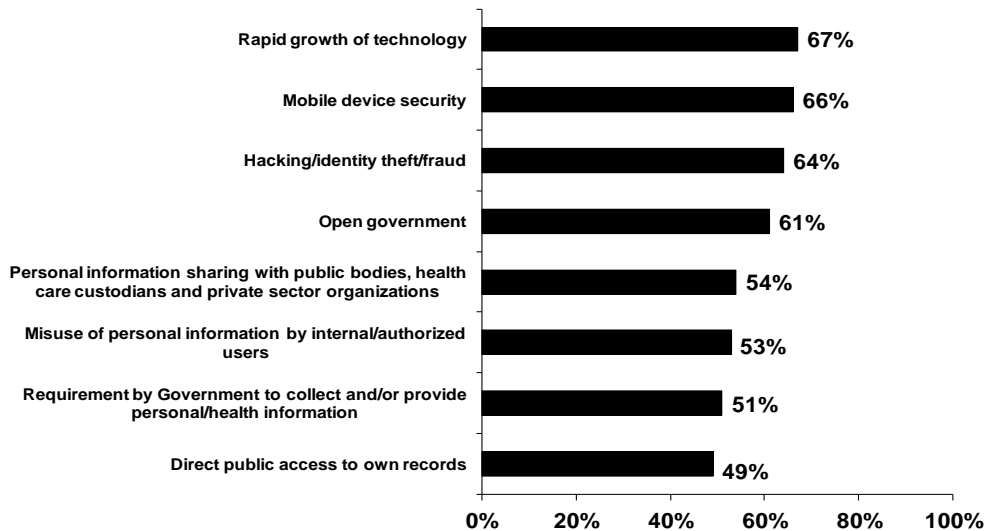
<b>What assistance could the OIPC provide to assist your organization in responding to these issues, challenges, or concerns?</b>	
	<b>Percent of Respondents* (n=227)</b>
Provide resources/reference materials (e.g., training manuals, FAQs)	7
Provide procedures/processes/guidelines/guidance materials	6
Provide more/better information/information management/government	5
Provide/improve training sessions, conferences, seminars, workshops	5
Training, education, and coaching (general)	4
Improved communication/approachability/availability for inquiries	4
Keeping organizations up-to-date with information	3
Nothing else, is satisfied with the OIPC	8
Other (less than 3%)	47
Don't know	45

**\*Multiple responses**

Figures 47 through 49 depict the level of importance respondents placed on various issues their organization may encounter. Slightly more than two-thirds (67%) of respondents indicated that the rapid growth of technology was highly important (4 or 5 out of 5), followed by mobile device security (66%) and hacking, identity theft, or fraud (64%). In contrast, less frequently mentioned issues included biometric identification (19%), online behaviour targeting (19%), and genetic information (14%). See Figures 51 through 53, below and on the following page, as well as Table 34, on page 81.

**Figure 51**

**Please rate the level of importance of each of the following to your organization.**



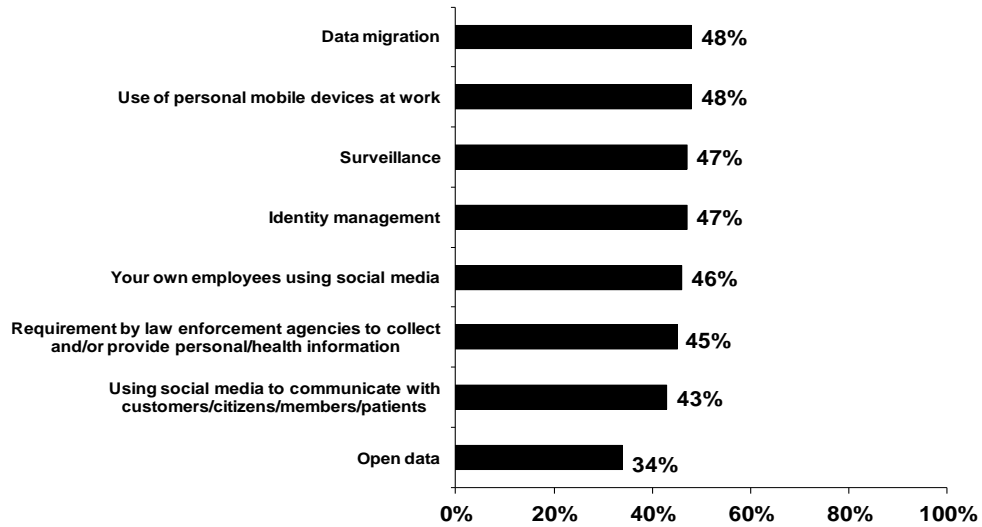
n=227

Base: Respondents who provided importance ratings of 4 or 5 out of 5



Figure 52

Please rate the level of importance of each of the following to your organization, cont'd...

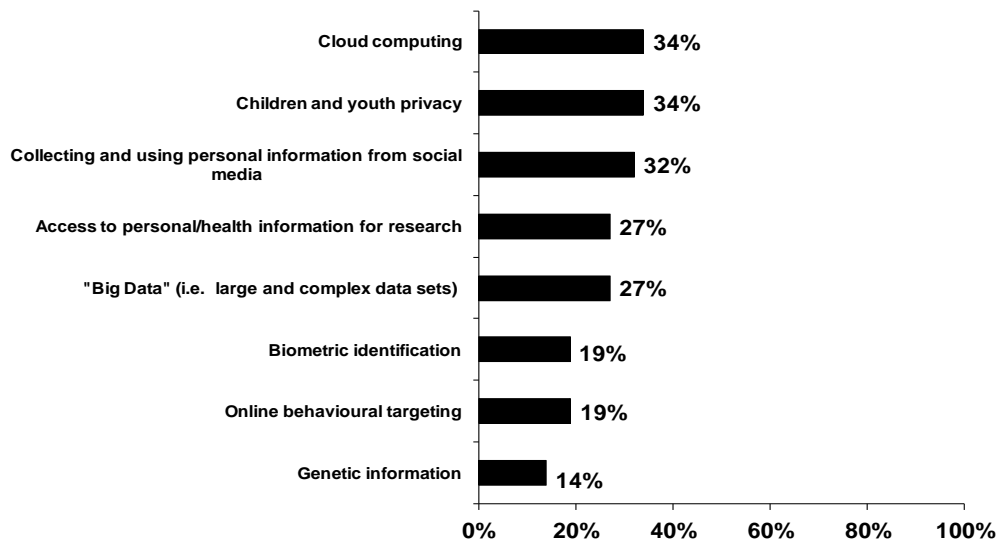


n=227

Base: Respondents who provided importance ratings of 4 or 5 out of 5

Figure 53

Please rate the level of importance of each of the following to your organization, cont'd...



n=227

Base: Respondents who provided importance ratings of 4 or 5 out of 5

Table 34

How important are the following topics to your organization?							
	Percent of Respondents* (n=227)						Mean
	Very important (5)	(4)	(3)	(2)	Not at all important (1)	Don't know/ N/A	
Rapid growth of technology	49	18	6	4	2	21	<b>4.36</b>
Mobile device security	49	17	7	3	3	22	<b>4.35</b>
Hacking/identity theft/fraud	45	19	12	5	2	18	<b>4.21</b>
Open Government (e.g. proactive disclosure, routine release of information)	38	23	8	6	5	20	<b>4.04</b>
Misuse of personal information by internal/authorized users	32	21	13	8	3	23	<b>3.91</b>
Data migration (e.g. transferring your data between vendors or cloud service providers)	34	14	7	7	8	30	<b>3.86</b>
Direct public access to own records via internet portals, mobile apps, etc.	32	17	9	8	6	29	<b>3.86</b>
Personal information sharing among public bodies, health care custodians and private sector organizations	34	20	11	4	8	23	<b>3.85</b>
Requirement by Government for your organization/members to collect and/or provide personal/health information	32	19	10	6	8	26	<b>3.83</b>
Identity management (e.g. management of individual identifiers, their authentication, authorization, and privileges/permissions within or across your system)	33	14	13	6	7	28	<b>3.82</b>
Surveillance (e.g. video surveillance, surveillance of Internet use, etc.)	30	17	13	7	7	26	<b>3.76</b>
Use of personal mobile devices at work (e.g. Bring Your Own Device initiatives, consumerization)	30	18	11	5	10	27	<b>3.73</b>
Your own employees using social media	28	18	16	8	8	23	<b>3.66</b>
Requirement by law enforcement agencies for your organization/members to collect and/or provide personal/health information	26	19	15	9	7	24	<b>3.65</b>
Using social media to communicate with customers/citizens/members/patients	26	17	13	11	8	25	<b>3.58</b>

	Percent of Respondents (n=227)						Mean
	Very important (5)	(4)	(3)	(2)	Not at all important (1)	Don't know/ N/A	
Open data (e.g., making data sets of information available in machine readable format)	21	13	15	8	8	36	3.51
Cloud computing	22	12	8	6	13	40	3.41
Children and youth privacy	25	9	11	9	11	35	3.41
Collecting and using personal information from social media (e.g. background checks)	19	13	16	11	11	31	3.27
"Big Data" (i.e. large and complex data sets)	18	9	11	6	12	45	3.27
Access to personal/health information for research	17	10	16	11	14	32	3.08
Online behavioural targeting	8	11	10	11	14	47	2.79
Biometric identification (e.g. facial recognition, fingerprint, iris scans, etc.)	9	10	8	8	21	43	2.63
Genetic information	9	5	10	8	25	43	2.39

Respondent subgroups significantly more likely to indicate that **mobile device security was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (80% versus 62% of those who did not); and
- Those who had visited the OIPC website (71% versus 51% of those who had not).

The respondent subgroup significantly more likely to indicate that **having an open government was highly important (4 or 5 out of 5)** included those who had visited the OIPC website (66% versus 44% of those who had not).

Respondent subgroups significantly more likely to indicate that **misuse of personal information by internal/authorized users was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (67% versus 51% of those who did not); and
- Those who had visited the OIPC website (58% versus 32% of those who had not).

Respondent subgroups significantly more likely to indicate that **data migration was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (70% versus 40% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (56% versus 39% of those who did not).

The respondent subgroup significantly more likely to indicate that **direct public access to an individual's own records via internet portals, mobile apps, et cetera** was highly important (4 or 5 out of 5) included those who had visited the OIPC website (53% versus 29% of those who had not).

Respondent subgroups significantly more likely to indicate that **personal information sharing among public bodies, health care custodians, and private sector organizations was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (75% versus 47% of those who did not);
- Those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (63% versus 42% of those who did not); and
- Those who had visited the OIPC website (59% versus 32% of those who had not).

Respondent subgroups significantly more likely to indicate that **government requirements on collecting or providing personal/health information was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (63% versus 47% of those who did not); and
- Those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (57% versus 42% of those who did not).

Respondent subgroups significantly more likely to indicate that **identity management was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (70% versus 39% of those who did not); and
- Those who had visited the OIPC website (52% versus 29% of those who had not).

The respondent subgroup significantly more likely to indicate that **surveillance was highly important (4 or 5 out of 5)** included those who had a program in place to inform individuals about their access and privacy rights as well as the privacy controls in place (55% versus 38% of those who did not).

The respondent subgroup significantly more likely to indicate that **the use of personal mobile devices at work was highly important (4 or 5 out of 5)** included those who had had visited the OIPC website (52% versus 34% of those who had not).

The respondent subgroup significantly more likely to indicate that **their own employees using social media was highly important (4 or 5 out of 5)** included those who had a PIA policy and procedure in place (60% versus 43% of those who did not).

The respondent subgroup significantly more likely to indicate that **using social media to communicate was highly important (4 or 5 out of 5)** included those who had had visited the OIPC website (47% versus 29% of those who had not).

The respondent subgroup significantly more likely to indicate that **having open data was highly important (4 or 5 out of 5)** included those who had a PIA policy and procedure in place (48% versus 26% of those who did not).

The respondent subgroup significantly more likely to indicate that **children and youth privacy was highly important (4 or 5 out of 5)** included those who worked for a public body (39% versus 18% who worked in the private sector).

Respondent subgroups significantly more likely to indicate that **cloud computing was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (52% versus 30% of those who did not); and
- Those who had visited the OIPC website (40% versus 7% of those who had not).

Respondent subgroups significantly more likely to indicate that **“big data” was highly important (4 or 5 out of 5)** included:

- Those who had a PIA policy and procedure in place (52% versus 19% of those who did not); and
- Those who had visited the OIPC website (32% versus 5% of those who had not).

The respondent subgroup significantly more likely to indicate that **having access to personal/health information for research was highly important (4 or 5 out of 5)** included those who had a PIA policy and procedure in place (38% versus 22% of those who did not).

The respondent subgroup significantly more likely to indicate that **biometric information was highly important (4 or 5 out of 5)** included those who had a PIA policy and procedure in place (35% versus 12% of those who did not).

The respondent subgroup significantly more likely to indicate that **genetic information was highly important (4 or 5 out of 5)** included those who had a PIA policy and procedure in place (25% versus 10% of those who did not).

Respondents were next asked what single change or improvement the OIPC could make that would have the biggest impact on their organization's ability to meet compliance obligations, both now and in the future. Five percent (5%) of respondents mentioned training or education opportunities, while 4% each mentioned easier access to training, OIPC acting as a support, and frequent communication. However, it is important to note that 63% of respondents were unsure what improvements the OIPC could make. See Table 35, below.

**Table 35**

<b>To help you meet your compliance obligations, what single change or improvement could the OIPC make that would have the biggest impact for your organization, both now and into the future?</b>	
	<b>Percent of Respondents* (n=227)</b>
Training/education opportunities	5
Easier/more convenient access to training	4
Be a support/resourceful/accessible	4
Frequent communication (in general)	4
Provide more resources/information (in general)	3
Provide guidance/advice (in general)	3
Simplify processes (in general)	3
Funding	2
Better interpretation/increased understanding of guidelines, policies, content, deliverables	2
None, the OIPC is doing a good job	3
Other (less than 2%)	20
Don't know	63

**\*Multiple responses**

Lastly, all respondents were given the opportunity to provide any other comments regarding the OIPC, allowing for multiple responses if desired. Seventy-nine percent (79%) of respondents indicated they had no further comments (8%) or were otherwise unable to provide a response (71%). In contrast, two percent (2%) of respondents each indicated that the OIPC is doing a good job, that they enjoyed a positive working relationship with the OIPC, or that they were appreciative of OIPC. Additionally, twenty-three percent (23%) of respondents provided an “other” response. See Table 36, below

**Table 36**

<b>Final Comments Concerning the OIPC</b>	
	<b>Percent of Respondents* (n=227)</b>
OIPC is doing a good job	2
Have enjoyed positive working relationships with the OIPC	2
Is appreciative of the OIPC	2
Other (less than 2%)	23
No/nothing	8
Don't know	71

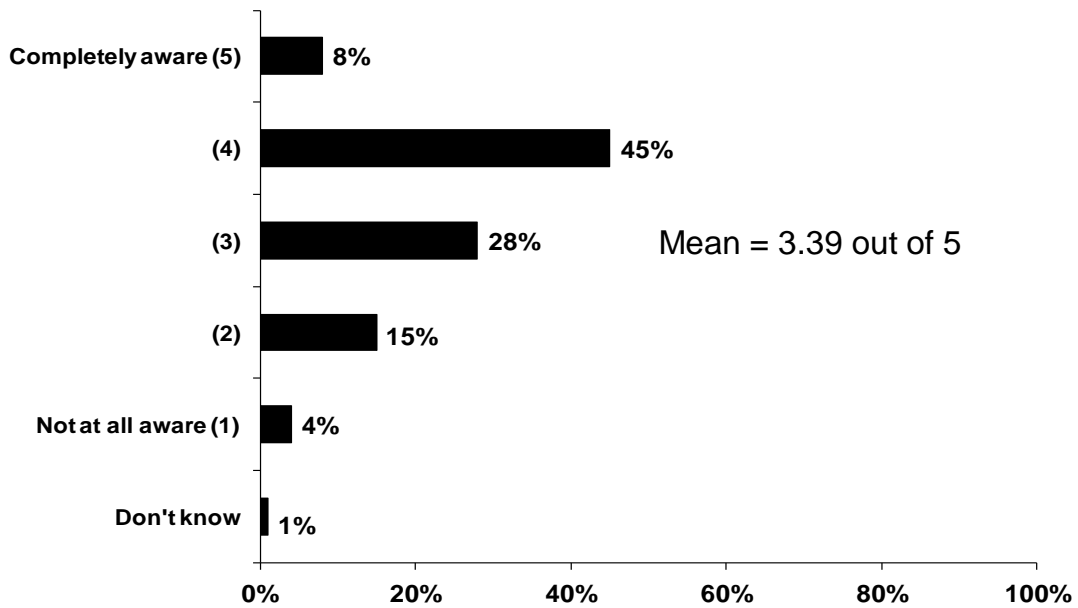
**\*Multiple responses**

### 3.5 Associations with Members

In this section, a series of questions were asked to respondents whose organizations had members. First, respondents were asked to rate their members' awareness concerning access and privacy issues. Fifty-three percent (53%) indicated high awareness (4 or 5 out of 5), while 28% provided a rating of 3 out of 5 and 18% indicated low awareness (1 or 2 out of 5). Overall, the mean awareness for respondents was 3.39 out of 5. See Figure 54, below.

Figure 54

#### How would you rate the level of awareness regarding access and privacy amongst your organization's members?



n=76

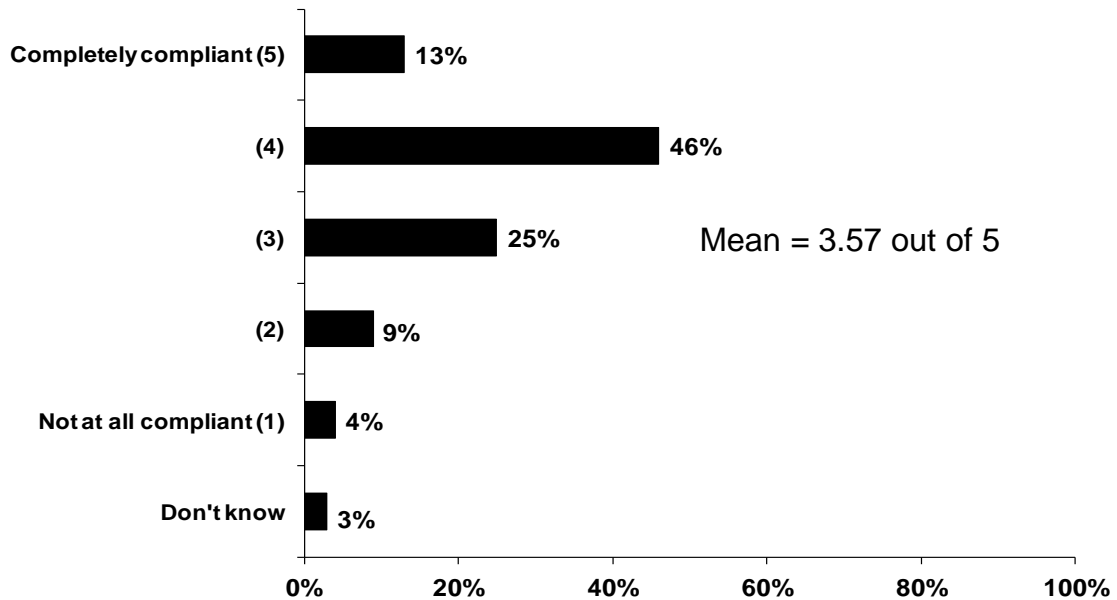
Base: Respondents whose organizations have members



Next, respondents were asked to rate the level of compliance regarding access and privacy amongst their organization's members. Fifty-nine percent (59%) of respondents felt their members were highly compliant, while one-quarter (25%) were neutral in their response, and 13% indicated that their members had low compliance. Overall, the mean compliance rating was 3.57 out of 5. See Figure 55, below.

Figure 55

### How would you rate the level of compliance regarding access and privacy amongst your organization's members?



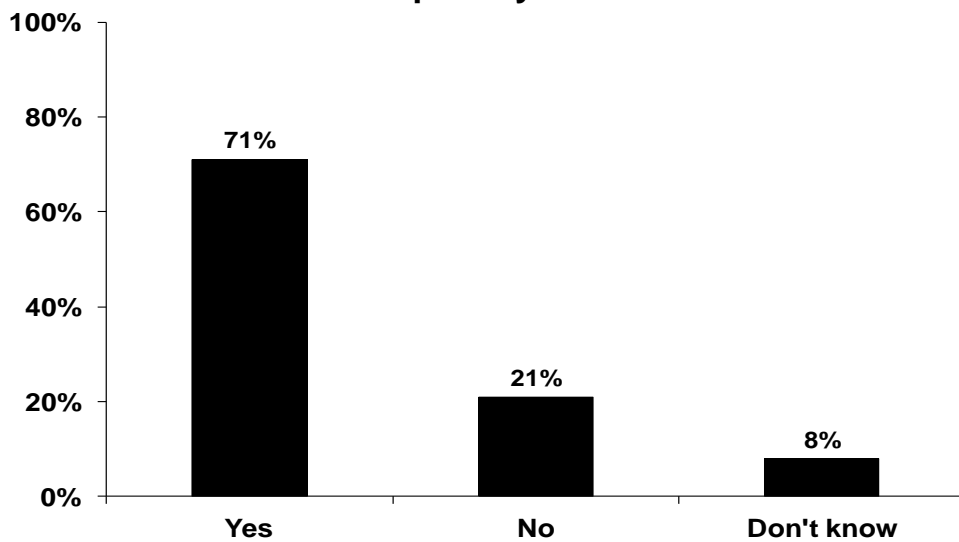
n=76

Base: Respondents whose organizations have members

Respondents were then asked to indicate whether they provided information or services to their members in order to assist in access and privacy law compliance. Seventy-one percent (71%) of respondents indicated that they did provide information or services, while 21% did not, and 8% were unsure. See Figure 56, below.

**Figure 56**

**Do you currently provide information or services to your members to assist them in complying with access and privacy law?**



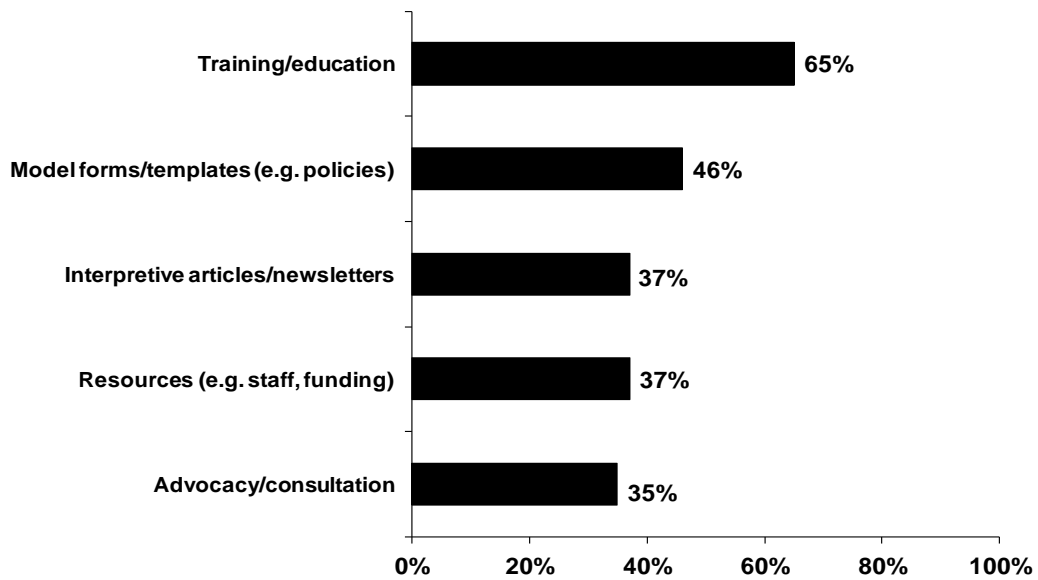
n=76

Base: Respondents whose organizations have members

Figure 57, below, provides the services and information provided by organizations to their members. Most frequently, respondents indicated that they provided training and education (65%) and model forms or templates (46%). In contrast, less frequently mentioned was resources (e.g., staff, funding) (35%).

**Figure 57**

### What information and/or services do you provide?\*



n=54

Base: Respondents whose organizations have members and currently provide information or services to assist them in complying with access and privacy law

**\*Multiple responses**

Respondents were then asked to provide the top three (3) access or privacy issues, challenges, or concerns facing their members in the next three (3) years. Nine percent (9%) of respondents each mentioned new technology or privacy breaches. Importantly, sixty-three percent (63%) of respondents were unable to provide a response. See Table 37, below.

**Table 37**

<b>What do you feel are the top three (3) access and/or privacy issues, challenges or concerns facing your members in the next three (3) years?</b>	
<b>Base: Respondents whose organizations have members</b>	<b>Percent of Respondents* (n=78)</b>
New technology growth/technology's impact on privacy	9
Privacy breaches/preventing breaches (general)	9
Increased social media/privacy on social media	6
Increase in data transfer/sharing information across sectors	6
Keeping people trained/minimizing any lack of understanding of privacy issues	5
Full compliance on new initiatives/ensuring compliance	
No issues (general)	1
Other (less than 3%)	24
Don't know	63

**\*Multiple responses**

Respondents were then asked what their organization planned to do to address these issues for their members. Seventeen percent (17%) of respondents replied that would provide training and education, while 6% mentioned having discussions with co-workers and communication with the organization. However, nearly two-thirds (64%) of respondents were unsure of how they would address these issues, while 1% mentioned they had no plans currently in place. See Table 38, below.

**Table 38**

<b>How do you plan to address these issues, challenges, or concerns for your members?</b>	
<b>Base: Respondents whose organizations have members</b>	<b>Percent of Respondents* (n=78)</b>
Traning programs/education	17
Having dicussions with co-workers/communication within the organization	6
Developing better policies/procedures	4
Guidance/better communication from the OIPC	4
No plans in place	1
Other (less than 3%)	21
Don't know	64

**\*Multiple responses**

Lastly, respondents were asked what single change or improvement the OIPC could make that would have the biggest impact for their members, both now and into the future. At four percent (4%), respondents most frequently mentioned training opportunities or being supportive, resourceful, or accessible. Additionally, slightly more than three-quarters (76%) of respondents were unsure. See Table 39, below.

**Table 39**

<b>What single change or improvement could the OIPC make that would that would have the biggest impact for your members, both now and into the future?</b>	
<b>Base: Respondents whose organizations have members</b>	<b>Percent of Respondents* (n=78)</b>
Training/education opportunities	4
Be a support/resourceful/accessible	4
Increase public awareness	3
Frequent communication (in general)	3
None, the OPIC is doing a good job	4
Other (single mentions)	10
Don't know	76

**\*Multiple responses**

### 3.6 Demographic Profile

Table 40

Demographic Profile of Respondents	
	Percent of Respondents (n=227)
<b>What type of organization do you represent?*</b>	
Public body (e.g. government, municipality, educational institution, law enforcement, etc.)	71
Private sector organization (e.g. corporation, union, non-profit organization, industry association, professional regulatory association, health professional college etc.)	27
Health Custodian (e.g. physician, pharmacist, nurse, dentist, dental hygienist, denturist, optician, optometrist, chiropractor, midwife, podiatrist, Ministry of Health, Alberta Health Services, Covenant Health, nursing home, etc.)	12
<b>Which Acts must your organization comply with?*</b>	
Freedom of Information and Protection of Privacy Act (FOIP)	84
Personal Information Protection Act (PIPA)	48
Personal Information Protection and Electronic Documents Act (PIPEDA)	33
Health Information Act (HIA)	31
Privacy Act (Canada)	29
Access to Information Act (Canada)	26
<b>How many employees does your organization have?</b>	
Ten or less	25
11 to 49	26
100 to 499	19
500 to 999	9
1,000 to 4,999	10
5,000 to 9,999	4
More than 10,000	5
Don't know	1
<b>How many members does your organization have?</b>	
Ten or less	8
11 to 49	3
50 to 99	1
100 to 199	1
More than 200	21
Not applicable	66
Don't know	1

\*Multiple responses

Demographic Profile of Respondents	
	Percent of Respondents (n=227)
<b>Where is your head office located?*</b>	
Edmonton Metropolitan Area (CMA_	39
Northern Alberta [North of the Edmonton Area]	18
Central Alberta [Between Edmonton and Calgary Areas]	17
Calgary Census Metropolitan Area	14
Southern Alberta [South of the Calgary Area]	12
Outside of Alberta	1
<b>What is the geographic scope of your operations?*</b>	
Alberta wide	40
Northern Alberta [North of the Edmonton Area]	20
Central Alberta [Between Edmonton and Calgary Areas]	17
Edmonton Census Metropolitan Area	14
Southern Alberta [South of the Calgary Area]	14
Calgary Census Metropolitan Area	12
Outside of Alberta	12
<b>What sector(s) does your organization operate in?*</b>	
Municipal Government	30
Healthcare	19
Education	18
Provincial Government	11
Information and Culture	8
Professional, Scientific and Technical	8
Mining, Oil and Gas and Utilities	7
Administrative and Support Services	6
Law Enforcement Sector	6
Arts, Entertainment and Recreation	5
Accommodation and Food Services	4
Finance	4
Real Estate, Rental and Leasing	4
Construction	3
Insurance	3
Retail	1
Transportation	1
<b>What is your current role within the organization?</b>	
Access and/or Privacy Officer	44
Executive Director/Board Chair/President/CEO/Deputy Minister	19
Chief Information Officer	4
Other	32

\*Multiple responses



## APPENDIX A - SURVEY INSTRUMENT

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## Office of the Information and Privacy Commissioner

### Stakeholder Survey

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#### Introduction

The Office of the Information and Privacy Commissioner of Alberta (OIPC) is the oversight body for the **Freedom of Information and Protection of Privacy Act** (the FOIP Act), the **Health Information Act** (HIA) and the **Personal Information Protection Act** (PIPA).

The OIPC is conducting this survey to gather feedback from stakeholders on:

- the level of maturity of access and privacy programs in Alberta, and awareness of key duties and responsibilities under access and privacy laws;
- the efficiency and effectiveness of OIPC processes;
- the quality and usefulness of OIPC communication materials, and how the OIPC might communicate more effectively;
- access and privacy trends and issues of significance to Alberta organizations, health custodians, and public bodies.

The results of the survey will be used to assist the OIPC in its strategic and business planning, and in providing guidance and advice to stakeholders.

Depending on your level of experience with issues associated with access and privacy laws, the length of time it takes to complete the survey may vary from 25 to 28 minutes to complete.

Banister Research & Consulting Inc. has been retained to assist with the administration of this survey.

The privacy of your responses has been protected in a number of ways:

1. An external consultant, Banister Research & Consulting Inc. is the **only party** collecting and analyzing the results and with any direct access to individual responses on behalf of the OIPC.
2. The unique ID code that you use to access the survey will be deleted from your response as the end of the data collection period.
3. Responses to closed ended questions will be grouped and verbatim responses to open ended questions will be released to the OIPC management team without any identifiable information and not linked to any other questions in the data sets provided.

Your participation in the survey is entirely voluntary. At any time during the survey you may withdraw your participation.

Please try to answer all questions. However, if you do not have enough information or you feel that you cannot respond to a question, please skip it and go on to the next one. Unless otherwise indicated, please fill in only one response per question.

Please read each question/statement carefully and select the number that best represents your point of view for each.

If you have any issues or concerns, you may contact Tracy With, Vice President, Banister Research & Consulting, 780-451-4444 or [twith@banister.ab.ca](mailto:twith@banister.ab.ca).

Please respond before August 27, 2012.

## **DEFINITIONS**

When completing the survey, please keep the following definitions in mind.

**“Access”** refers to the right of an individual to access his or her own personal/health information that is in the custody or control of a public body, health care custodian and/or private sector organization. This right also includes access to any record in the custody or under the control of a public body under the FOIP Act.

**“Privacy”** refers to the ability of individuals to exercise some control over their personal/health information and the duty of organizations to protect that information

**“Breach”** refers to the loss of or unauthorized access to or disclosure of personal/health information by an organization

**“Organization,”** for simplicity, refers to custodians under HIA, public bodies under FOIP and organizations under PIPA

## **GENERAL DEMOGRAPHICS**

Questions 1-7 in this questionnaire have been designed to ensure that you are asked only those questions that apply to your organization, skipping past the questions that are not relevant. Your responses in this section will also provide the OIPC with basic demographic information about your organization, which will assist in the analysis of information.

1. What type of organization do you represent? [SELECT ALL THAT APPLY]  
[MANDATORY]
  - A. Public body (e.g. government, municipality, educational institution, law enforcement, etc.)
  - B. Health Custodian (e.g. physician, pharmacist, nurse, dentist, dental hygienist, denturist, optician, optometrist, chiropractor, midwife, podiatrist, Ministry of Health, Alberta Health Services, Covenant Health, nursing home, etc.)
  - C. Private sector organization (e.g. corporation, union, non-profit organization, industry association, professional regulatory association, health professional college etc.)

2. Of the list that follows, which Acts must your organization comply with? [SELECT ALL THAT APPLY] [MANDATORY]
- A. Freedom of Information and Protection of Privacy Act (FOIP)
  - B. Health Information Act (HIA)
  - C. Personal Information Protection Act (PIPA)
  - D. Personal Information Protection and Electronic Documents Act (PIPEDA)
  - E. Privacy Act (Canada)
  - F. Access to Information Act (Canada)
3. How many employees does your organization have?
- A. Ten or less
  - B. 11 to 99
  - C. 100 to 499
  - D. 500 to 999
  - E. 1,000 to 4,999
  - F. 5,000 to 9,999
  - G. More than 10,000
  - F5 (Don't know)
4. How many members does your organization have?
- A. Ten or less
  - B. 11 to 49
  - C. 50 to 99
  - D. 100 to 199
  - E. More than 200 members
  - F. Not applicable – my organization does not have “members”
- 5A. Where is your head office located? [CHECK ALL THAT APPLY]
- A. Edmonton Metropolitan Area
  - B. Calgary Metropolitan Area
  - C. Northern Alberta [North of the Edmonton Area]
  - D. Central Alberta [Between Edmonton and Calgary Areas]
  - E. Southern Alberta [South of the Calgary Area]
- 5B. What is the geographic scope of your operations? [CHECK ALL THAT APPLY]
- A. Edmonton Metropolitan Area
  - B. Calgary Metropolitan Area
  - C. Northern Alberta [North of the Edmonton Area]
  - D. Central Alberta [Between Edmonton and Calgary Areas]
  - E. Southern Alberta [South of the Calgary Area]
  - F. Alberta wide
  - G. Outside Alberta

6. What sector(s) does your organization operate in? [SELECT ALL THAT APPLY]  
[DROP DOWN LIST, ALPHABETICALLY SORTED]

- A. Accommodation & Food Services
- B. Administrative & Support Services
- C. Arts, Entertainment & Recreation
- D. Construction
- E. Education
- F. Finance
- G. Healthcare
- H. Information & Culture
- I. Insurance
- J. Mining , Oil & Gas, Utilities
- K. Manufacturing
- L. Municipal Government
- M. Law Enforcement sector
- N. Professional, Scientific & Technical
- O. Provincial Government
- P. Real estate, Rental, Leasing
- Q. Retail
- R. Transportation
- S. Wholesale Trade
- T. Other (specify) \_\_\_\_\_

7. What is your current role within the organization?

- A. Access and/or Privacy Officer
- B. Executive Director/Board Chair/President/CEO/Deputy Minister
- C. Chief Information Officer
- D. Chief Security Officer
- E. IT Specialist
- F. Other (specify) \_\_\_\_\_

### **ACCOUNTABILITY AND AWARENESS**

Questions in this section are designed to provide the OIPC with feedback regarding the level of maturity of access and privacy programs in Alberta; that is, what governance and program controls have been implemented by public bodies, health custodians and organizations to ensure compliance with Alberta's access and privacy laws. Additional questions are designed to obtain feedback regarding your organization's awareness of key duties and responsibilities under the Acts.

#### **Governance**

- 8. Using a scale of 1-5, where 1 means not at all supportive and 5 means very supportive, how would you rate the level of support from the leadership of your organization for complying with access and privacy laws?
- 9. My organization has appointed someone to be responsible for privacy management.  
[Yes/No/Don't know]

10. My organization has appointed someone to be responsible for access to information. [Yes/No/Don't know]
11. My organization has an adequately staffed and resourced access and privacy office. [Yes/No/Don't know]
12. My organization has established an internal audit and assurance program to monitor ongoing compliance with privacy policies. [Yes/No/Don't know]
13. My organization has established reporting mechanisms for escalating privacy and/or access issues to senior leaders. [Yes/No/Don't know]
14. My organization has established mechanisms for reporting to senior leaders on access and privacy compliance. [Yes/No/Don't know]

[IF Q.13 or Q.14 =yes] My organization has documented its reporting structures.

### Program controls

15. My organization has policies in place for the following: [Yes/No/Don't know for each item]
  - A. Collection, use and disclosure of personal/health information
  - B. Access to and correction of personal/health information
  - C. Retention and disposal of personal/health information
  - D. Responsible use of information and information technology
  - E. Responding to complaints about my organization's personal/health information handling practices

[IF Yes to any in Q. 15.A-E, ASK] My organization has documented its policies. [Yes/No/Don't know]

16. My organization has an inventory of the personal/health information it holds, including where it is held, the purpose(s) for collecting, using and disclosing the information, and documenting the sensitivity of the information. [Yes/No/Don't know]

[IF Q. 16=Yes] My organization regularly reviews and updates its inventory of personal/health information it holds. [Yes/No/Don't know]

17. My organization informs individuals of the purpose(s) for which their personal/health information is collected. [Yes/No/Don't know]

[IF Q. 17=Yes] My organization regularly reviews and updates its notification statements. [Yes/No/Don't know]

18. My organization has a Privacy Impact Assessment policy and procedure in place. [Yes/No/Don't know]

19. My organization has an Access Impact Assessment policy and procedure in place. [Yes/No/Don't know]

20. My organization conducts access and privacy risk assessments to assess overall compliance with applicable legislation. [Yes/No/Don't know]

21. My organization has an access training and education program in place. [Yes/No/Don't know]

[IF Q. 21=Yes] My organization regularly reviews the content of its access training and education program to ensure it is up to date. [Yes/No/Don't know]

22. My organization has a privacy training and education program in place. [Yes/No/Don't know]

[IF Q. 22=Yes] My organization regularly reviews the content of its privacy training and education program to ensure it is up to date. [Yes/No/Don't know]

23. My organization has a breach/incident response protocol in place. [Yes/No/Don't know]

24. My organization has documented when personal/health information is stored or transferred to another country. [Yes/No/Don't know]

25. My organization uses contractual or other means to protect personal/health information when contracting with service providers. [Yes/No/Don't know]

26. My organization has a program in place to inform individuals about their access and privacy rights and the privacy controls that are in place. [Yes/No/Don't know]

27. In your view, what are the most significant barriers or challenges for your organization in complying with access and privacy legislation? [SELECT ALL THAT APPLY]

- A. Time
- B. Executive/Senior Management buy-in
- C. Employee buy-in
- D. [ASK IF Q.4 ne F] Member buy-in
- E. Culture of the organization/profession/industry
- F. Cost
- G. Technical/IT expertise
- H. Legal expertise
- I. Expertise in writing and implementing policies
- J. Lack of understanding of the law
- K. Other (specify) \_\_\_\_\_

## Awareness

27. Using a scale of 1 to 5 where 1 means not at all aware and 5 means completely aware, how would you rate the level of awareness regarding access and privacy amongst your organization's employees? [include a N/A option for not applicable/ don't know]
28. [ASK IF Q.2=A] I am aware that an individual has the right to request access to any information held by a public body under the FOIP Act. [Yes/No/Don't know]
29. I am aware that an individual has the right to request access to, or correction of, his or her own personal/health information. [Yes/No/Don't know]
30. I would know what to do if I received a request to access or correct personal/health information. [Yes/No/Don't know]
31. I am aware that applicants should be informed that they have the right to request the OIPC review a response to their access/correction request. [Yes/No/Don't know]
32. I am aware that individuals have the right to complain to the OIPC about the collection, use and disclosure of their personal/health information. [Yes/No/Don't know]
33. I would know what to do if I became aware of a privacy breach/incident. [Yes/No/Don't know]
34. [ASK IF Q.2=C] I am aware that there is a mandatory requirement under PIPA to notify the Commissioner of a breach in certain circumstances. [Yes/No/Don't know]

[ASK IF Q.34=yes] How did you become aware?

\_\_\_\_\_

35. [ASK IF Q.1=B] I am aware that patients have a right to limit the disclosure of their health information. [Yes/No/Don't know]
36. [ASK IF Q.1=B] I am aware that patients have a right to have their records masked in Netcare. [Yes/No/Don't know]
37. [ASK IF Q.1=B] I am aware of the requirement under the HIA to prepare and submit Privacy Impact Assessments before implementing new systems or administrative practices that affect health information. [Yes/No/Don't know]

## OIPC PROCESSES

Questions 38-46 are designed to provide feedback about the quality and effectiveness of OIPC processes, focusing on the following key measures: timeliness, fairness, accessibility, transparency, and consistency.



38. Have you ever participated in any of the following OIPC processes? [SELECT ALL THAT APPLY]

- A. Investigation/mediation
- B. Inquiry
- C. Reported a breach to the OIPC
- D. Requested a time extension
- E. Requested authorization to disregard a request
- F. Sought advice or consulted with OIPC on proposed initiatives
- G. Submitted a Privacy Impact Assessment (PIA) for review and comment
- H. None of the above [GO TO COMMUNICATIONS SECTION]

39. [ASK IF Q.38=A] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC investigation/mediation process? [include a N/A option for not applicable or don't know]

- A. Completed in a timely manner
- B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
- C. Accessible (i.e. simple and easy to use)
- D. Transparent (i.e. clear and understandable)
- E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=A] How could the OIPC investigation/mediation process be improved?

\_\_\_\_\_ RECORD VERBATIM

40. [ASK IF Q.38=B] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC inquiry process? [include a N/A option for not applicable or don't know]

- A. Completed in a timely manner
- B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
- C. Accessible (i.e. simple and easy to use)
- D. Transparent (i.e. clear and understandable)
- E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=B] How could the OIPC inquiry process be improved?

\_\_\_\_\_ RECORD VERBATIM

41. [ASK IF Q.38=C] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC breach reporting process? [include a N/A option for not applicable or don't know]
- A. Completed in a timely manner
  - B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
  - C. Accessible (i.e. simple and easy to use)
  - D. Transparent (i.e. clear and understandable)
  - E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=C] How could the breach reporting process be improved?

\_\_\_\_\_ RECORD VERBATIM

42. [ASK IF Q.38=D] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC time extension request process? [include a N/A option for not applicable or don't know]
- A. Completed in a timely manner
  - B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
  - C. Accessible (i.e. simple and easy to use)
  - D. Transparent (i.e. clear and understandable)
  - E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=D] How could the time extension process be improved?

\_\_\_\_\_ RECORD VERBATIM

43. [ASK IF Q.38=E] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC authorization to disregard process? [include a N/A option for not applicable or don't know]
- A. Completed in a timely manner
  - B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
  - C. Accessible (i.e. simple and easy to use)
  - D. Transparent (i.e. clear and understandable)
  - E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=E] How could the authorization to disregard process be improved?

\_\_\_\_\_ RECORD VERBATIM

44. [ASK IF Q.38=F] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC advice/consultation process? [include a N/A option for not applicable or don't know]
- A. Completed in a timely manner
  - B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
  - C. Accessible (i.e. simple and easy to use)
  - D. Transparent (i.e. clear and understandable)
  - E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=F] How could the advice/consultation process be improved?

\_\_\_\_\_ RECORD VERBATIM

45. [ASK IF Q.38=G] Using a scale of 1 to 5 where 1 means not at all and 5 means completely, how would you rate the following aspects of the OIPC PIA review process? [include a N/A option for not applicable or don't know]
- A. Completed in a timely manner
  - B. Fair (i.e. impartial, lawful, unbiased and just, with sufficient opportunity to make representation)
  - C. Accessible (i.e. simple and easy to use)
  - D. Transparent (i.e. clear and understandable)
  - E. High quality and consistent (i.e. accurate, relevant, dependable, understandable and predictable information and results, with no errors in law or fact)

[ASK IF Q.38=G] How could the PIA review process be improved?

\_\_\_\_\_ RECORD VERBATIM

46. Using a scale of 1 to 5 where 1 means not at all expert and 5 means very expert, how would you rate the expertise of OIPC staff (i.e. possession and use of skill, knowledge and technical competence required to discharge all statutory responsibilities and maintain public confidence)?

### **OIPC COMMUNICATIONS**

Questions 47 to 54 are intended to provide the OIPC with feedback about how the Office communicates and shares information with organizations.

47. What do you understand the role and duties of the OIPC to be?

\_\_\_\_\_ RECORD VERBATIM

48. Where do you go to learn about access and privacy?

\_\_\_\_\_ RECORD VERBATIM

49. What types of information have you obtained from the OIPC? [SELECT ALL THAT APPLY]

- A. OIPC forms/information about processes
  - B. OIPC communication materials (e.g. orders, investigation reports, case summaries, guidance documents, FAQs, Annual Report, etc.)
  - C. General information (e.g. contact information, office structure, news etc.)
  - D. Other (specify)
- \_\_\_\_\_

[IF Q.49=A] Using a scale of 1 to 5 where 1 means not at all and 5 means very, how would you rate the following OIPC forms/information about processes in terms of being clear and understandable? [include a N/A option for not applicable/don't know]

- A. Complaint form
- B. Request for review form
- C. Request for inquiry form
- D. Breach report form
- E. Breach report process
- F. PIA Requirements
- G. Investigation/mediation process
- H. Inquiry process

[IF Q.49=A] Do you have any additional comments or feedback regarding OIPC forms/information about processes?

\_\_\_\_\_ RECORD VERBATIM

[IF Q.49=B] Using a scale of 1 to 5 where 1 means not at all helpful and 5 means very helpful, how would you rate the following OIPC communication materials in terms of helping you understand how the laws apply (FOIP/HIA/PIPA)? [include a N/A option for not applicable/don't know]

- A. Orders
- B. Investigation reports
- C. Case summaries
- D. Breach notification decisions
- E. Practice Notes
- F. Guidance documents (e.g. FAQs, cloud computing guidelines, social media guidelines, etc.)
- G. PIA registry
- H. News releases
- I. Annual report

[IF Q.49=B] Using a scale of 1 to 5 where 1 means not at all and 5 means very, how would you rate the following OIPC communication materials in terms of being clear and understandable? [include a N/A option for not applicable]

- A. Orders
- B. Investigation reports
- C. Case summaries
- D. Breach notification decisions
- E. Practice Notes
- F. Guidance documents (e.g. FAQs, cloud computing guidelines, social media guidelines, etc.)
- G. PIA registry
- H. News releases
- I. Annual report

50. Do you have any additional comments or feedback regarding OIPC communications materials?

\_\_\_\_\_ RECORD VERBATIM

51. Have you ever visited the OIPC website?

[IF Q.51=yes] What types of information have you obtained from the OIPC website? [SELECT ALL THAT APPLY]

- A. OIPC forms/information about processes
- B. OIPC communication materials (e.g. orders, investigation reports, case summaries, guidance documents, FAQs, Annual Report, etc.)
- C. General information (e.g. contact information, office structure, news etc.)
- D. Other (specify)\_\_\_\_\_

[ASK IF Q.51 = Yes] Using a scale of 1 to 5 where 1 means not at all satisfied and 5 means very satisfied, how satisfied are you overall with each of the following features of the OIPC website? [include a N/A option for not applicable]

- A. Ease of navigation of the website
- B. Ability to find the information I was seeking
- C. Overall look of the website
- D. Layout of the website
- E. Search engine
- F. The OIPC website overall

52. Using a scale of 1 to 5 where 1 means not at all effective and 5 means very effective, how effective are the following for the OIPC to provide information to your organization/members? [include a N/A option for not applicable/don't know]

- A. OIPC website
- B. Electronic newsletters sent via email on emerging issues
- C. Hard copy newsletters mailed to your organization on emerging issues
- D. Facebook page
- E. Twitter feed
- F. Advertising /contributing articles in Industry specific publications
- G. Speaking at conference or seminars attended by your employees/members
- H. Hosting conferences
- I. Online webinars
- J. Podcasts
- K. Paper brochures
- L. Online forums
- M. FAQ bulletin board system

53. Are there any other ways the OIPC could provide information that would be effective?

\_\_\_\_\_ RECORD VERBATIM

54. Are there any other resources or information the OIPC should make available on its website?

\_\_\_\_\_ RECORD VERBATIM

## **TRENDS AND ISSUES**

Questions 55-58 are intended to provide the OIPC with information about the issues, challenges and/or concerns that your organization is dealing with. This information will assist the OIPC in providing your organization with useful and appropriate guidance and consultation.

55. What do you feel are the top three access and/or privacy issues, challenges or concerns facing your organization in the next 3 years?

\_\_\_\_\_ RECORD VERBATIM

56. How does your organization plan to address these issues, challenges or concerns?

\_\_\_\_\_ RECORD VERBATIM

57. What assistance could the OIPC provide to assist your organization in responding to these issues, challenges, or concerns?

\_\_\_\_\_ RECORD VERBATIM

58. Using a scale of 1 to 5, where 1 means not at all important and 5 means very important, please rate the level of importance of each the following to your organization. [include a N/A option for not applicable/don't know]

- A. Data migration (e.g. transferring your data between vendors or cloud service providers)
- B. Open Government (e.g. proactive disclosure, routine release of information)
- C. Open Data (e.g. making datasets of information available in machine-readable format)
- D. Personal information sharing among public bodies, health care custodians and private sector organizations
- E. Access to personal/health information for research
- F. Cloud computing
- G. Using social media to communicate with customers/citizens/members/patients
- H. Your own employees using social media
- I. Collecting and using personal information from social media (e.g. background checks)

- J. Use of personal mobile devices at work (e.g. Bring Your Own Device initiatives, consumerization)
- K. "Big Data" (i.e. large and complex data sets)
- L. Children and youth privacy
- M. Genetic information
- N. Biometric identification (e.g. facial recognition, fingerprint, iris scans, etc.)
- O. Surveillance (e.g. video surveillance, surveillance of Internet use, etc.)
- P. Mobile device security
- Q. Rapid growth of technology
- R. Hacking/identity theft/fraud
- S. Direct public access to own records via internet portals, mobile apps, etc.
- T. Misuse of personal information by internal/authorized users
- U. Requirement by Government for your organization/members to collect and/or provide personal/health information
- V. Requirement by law enforcement agencies for your organization/members to collect and/or provide personal/health information
- W. Online behavioural targeting
- X. Identity management

## **CONCLUSION**

59. To help you meet your compliance obligations what single change or improvement could the OIPC make that would that would have the biggest impact for your organization, both now and into the future?

\_\_\_\_\_RECORD VERBATIM

60. Do you have any other comments you would like to provide to the OIPC?

\_\_\_\_\_RECORD VERBATIM

***Thank you very much for responding to our survey on behalf of the OIPC.***



**SEPARATE QUESTIONS FOR ASSOCIATIONS WITH MEMBERS**

1. Using a scale of 1 to 5 where 1 means not at all aware and 5 means completely aware, how would you rate the level of awareness regarding access and privacy amongst your organization's members?
2. Using a scale of 1 to 5 where 1 means not at all aware and 5 means completely aware, how would you rate the level of compliance regarding access and privacy amongst your organization's members?
3. Do you currently provide information or services to your members to assist them in complying with access and privacy law?

[IF Q.3=Yes] What information and/or services do you provide?

- A. Training/education
- B. Interpretive articles/newsletters
- C. Model forms/templates (e.g. policies)
- D. Advocacy/consultation
- E. Resources (e.g. staff, funding)
- F. Other (specify) \_\_\_\_\_

4. What do you feel are the top three access and/or privacy issues, challenges or concerns facing your members in the next 3 years?

\_\_\_\_\_RECORD VERBATIM

5. How do you plan to address these issues, challenges or concerns for your members?

\_\_\_\_\_RECORD VERBATIM

6. What single change or improvement could the OIPC make that would that would have the biggest impact for your members, both now and into the future?

\_\_\_\_\_RECORD VERBATIM