



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER

NEWFOUNDLAND AND LABRADOR

ACTIVITY PLAN

2026 - 2029



Message from the Information and Privacy Commissioner

It is my pleasure as the Information and Privacy Commissioner to submit the Office of the Information and Privacy Commissioner's (OIPC's) 2026-2029 Activity Plan. Our Office was pleased with the outcomes we produced from the 2023-2026 Activity Plan and is committed to working together to achieve the goals set out in the new Activity Plan commencing this year.

OIPC is accountable to the House of Assembly of the province and to the people of Newfoundland and Labrador.

This Activity Plan has been prepared in accordance with Government's commitment to accountability as outlined in the **Transparency and Accountability Act** (the "Act"). The Act provides the legislative framework for strengthening accountability of government entities through multi-year performance-based plans and annual performance reports that are presented to the House of Assembly.

OIPC is designated as a Category 3 Government Entity under the **Transparency and Accountability Act**. As such, OIPC is required to prepare an Activity Plan that sets a clear direction for activities for the next three years, taking into account its legislative framework and mandate. All planned activities will of course be impacted by the availability, or lack thereof, of future resources.

OIPC, its organization and resources, will continue to reflect and respond to the changing access and privacy environment as well as emerging issues related to personal health information and will monitor and respond to related issues moving forward.

As the Information and Privacy Commissioner, I recognize my obligation under the **Transparency and Accountability Act**, and I am accountable for the preparation of this Plan and for the achievement of the objectives contained therein.

A handwritten signature in blue ink, appearing to read "Kerry Hatfield", with a long horizontal flourish extending to the right.

Kerry Hatfield
Information and Privacy Commissioner

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OVERVIEW

The Office of the Information and Privacy Commissioner (OIPC) for the Province of Newfoundland and Labrador is an independent statutory office of the House of Assembly. The Commissioner has a broad range of responsibilities and powers under both the **Access to Information and Protection of Privacy Act, 2015** (ATIPPA, 2015) and the **Personal Health Information Act** (PHIA).

OIPC oversees compliance with ATIPPA, 2015 and PHIA. Oversight of these Acts includes conducting reviews of decisions, investigating and attempting to resolve complaints about access to information and protection of privacy involving public bodies under ATIPPA, 2015 and custodians of personal health information under PHIA, and making recommendations in order to uphold the Acts and encourage better compliance.

ATIPPA, 2015

ATIPPA, 2015 applies to more than four hundred public bodies, including government departments, agencies, boards, commissions, crown corporations, public educational bodies, NL Health Services, and municipalities, and gives individuals the right to access records of a public body, including their own personal information, subject to specific limited exceptions, and the right to correct their own personal information. ATIPPA, 2015 provides for protection of privacy by establishing requirements public bodies must follow for the collection, use, storage, and disclosure of personal information.

PHIA

PHIA applies to thousands of custodians, including all health care providers, health care professionals, and other custodians of personal health information, and gives individuals the right to access records of their own personal health information and the right to correct their own personal health information. PHIA provides for protection of privacy by establishing requirements custodians must follow for the collection, use, storage, and disclosure of personal health information.

MANDATE

A mandate allows OIPC to set out its purpose, goals, and authority to deliver a multitude of services to the citizens of Newfoundland and Labrador. OIPC's mandate is derived from the provisions of ATIPPA, 2015 and PHIA.

Under ATIPPA, 2015 our mandate includes:

- being an advocate for the public right of access to information;
- being an advocate for protection of privacy;
- receiving privacy breach reports which public bodies must forward to OIPC on a mandatory basis and providing feedback and consultation to public bodies on their breach responses;
- educating public bodies about compliance with the access provisions of the Act, including the duty to assist, in order to facilitate timely and user friendly application of the Act;
- investigating complaints in relation to a decision, act, or failure to act of a public body that relates to an access to information request;
- conducting privacy investigations in response to complaints or at the Commissioner's own motion;
- receiving, investigating and making a final determination in relation to time extension requests from public bodies;
- receiving, investigating and making a determination in relation to a request from a public body that it be allowed to disregard an access to information request from an applicant;
- receiving an application from a person who has filed an access request to revise costs associated with the request and to make a final determination regarding the costs which may be charged by the public body;

- receiving an application from a person who has filed an access request to review a decision by the head of a public body not to waive the payment of costs associated with the request and to make a final determination in the matter;
- making recommendations to public bodies to ensure compliance with the Act and Regulations and to better achieve the objectives of the Act;
- informing and educating the public about the Act;
- monitoring and auditing the practices and procedures employed by public bodies in carrying out their responsibilities and duties under the Act;
- reviewing and authorizing the collection of personal information from sources other than the individual the information is about;
- reviewing privacy impact assessments prepared by public bodies;
- receiving comments from the public about the administration of the Act and about matters concerning access to information and the confidentiality, protection, and correction of personal information;
- commenting on the implications for access to information and protection of privacy of proposed legislation, programs, and practices of public bodies;
- commenting on the implications of record linkages and information technology on the protection of privacy;
- informing the head of a public body about a failure to adequately assist an applicant; and
- making recommendations to public bodies or the Minister responsible for this Act about the administration of the Act.

Under PHIA, OIPC's mandate includes:

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

- investigating complaints where an individual believes on reasonable grounds that a custodian has contravened or is about to contravene a provision of PHIA or the Regulations with respect to his or her personal health information or the personal health information of another, including privacy breaches;
- making recommendations to support compliance with PHIA;
- informing the public about PHIA;
- receiving comments from the public about matters concerning the confidentiality of personal health information or access to that information;
- commenting on the implications for access to or confidentiality of personal health information of proposed legislative schemes or programs or practices of custodians; and
- commenting on the implications for the confidentiality of personal health information of using or disclosing personal health information for records linkage or using information technology in the collection, storage, use or transfer of personal health information.

OUR VALUES

The following values guide OIPC as it upholds its commitment as an independent office.

Independence OIPC will conduct investigations independent of any influence.

Integrity OIPC will provide accurate, unbiased advice and recommendations.

Confidentiality OIPC will maintain confidentiality in accordance with the law.

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

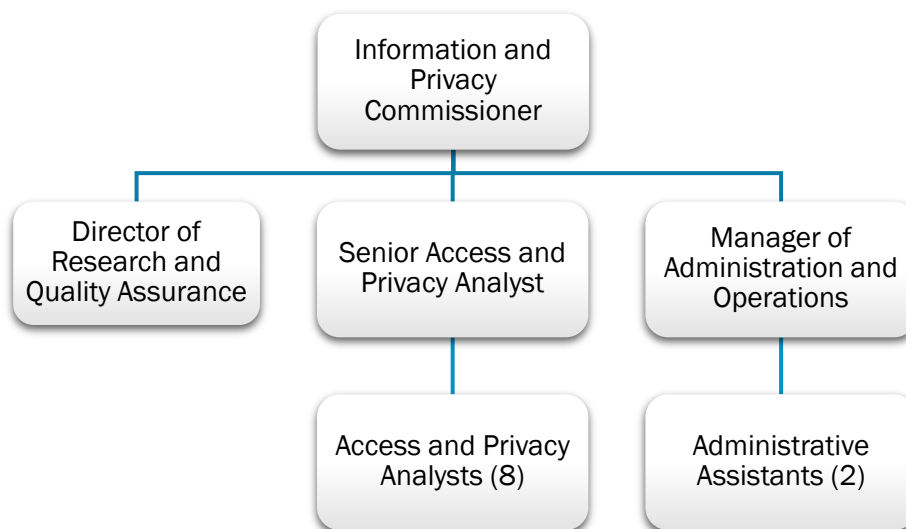
LOCATION AND CONTACT INFORMATION

The Office of the Information and Privacy Commissioner is located on the 5th Floor of the Beothuck Building at 20 Crosbie Place in St. John's, Newfoundland and Labrador. The Office can be reached by phone at (709) 729-6309 or toll-free at 1-877-729-6309, by fax at (709) 729-6500, or by email at commissioner@oipc.nl.ca. Mail may be sent to PO Box 13004, Station A, St. John's, NL, A1B 3V8.

OIPC's website (www.oipc.nl.ca) provides information about the Office and its mandate, the complaint process, and access to our reports and key resources. It includes online forms for complaints, access requests, and privacy breach reporting, as well as guidance materials, newsletters, and information about events and legislative reviews.

STAFF

OIPC has 14 permanent positions, comprising of the Information and Privacy Commissioner; a Director of Research and Quality Assurance; a Manager of Administration and Operations; a Senior Access and Privacy Analyst; eight Access and Privacy Analysts; and two Administrative Assistants. The organizational structure of the Office is shown in the following chart:



VISION

To protect and strengthen the rights of access to information and privacy under ATIPPA, 2015 and PHIA, and to ensure those rights are respected and upheld.

LINES OF BUSINESS

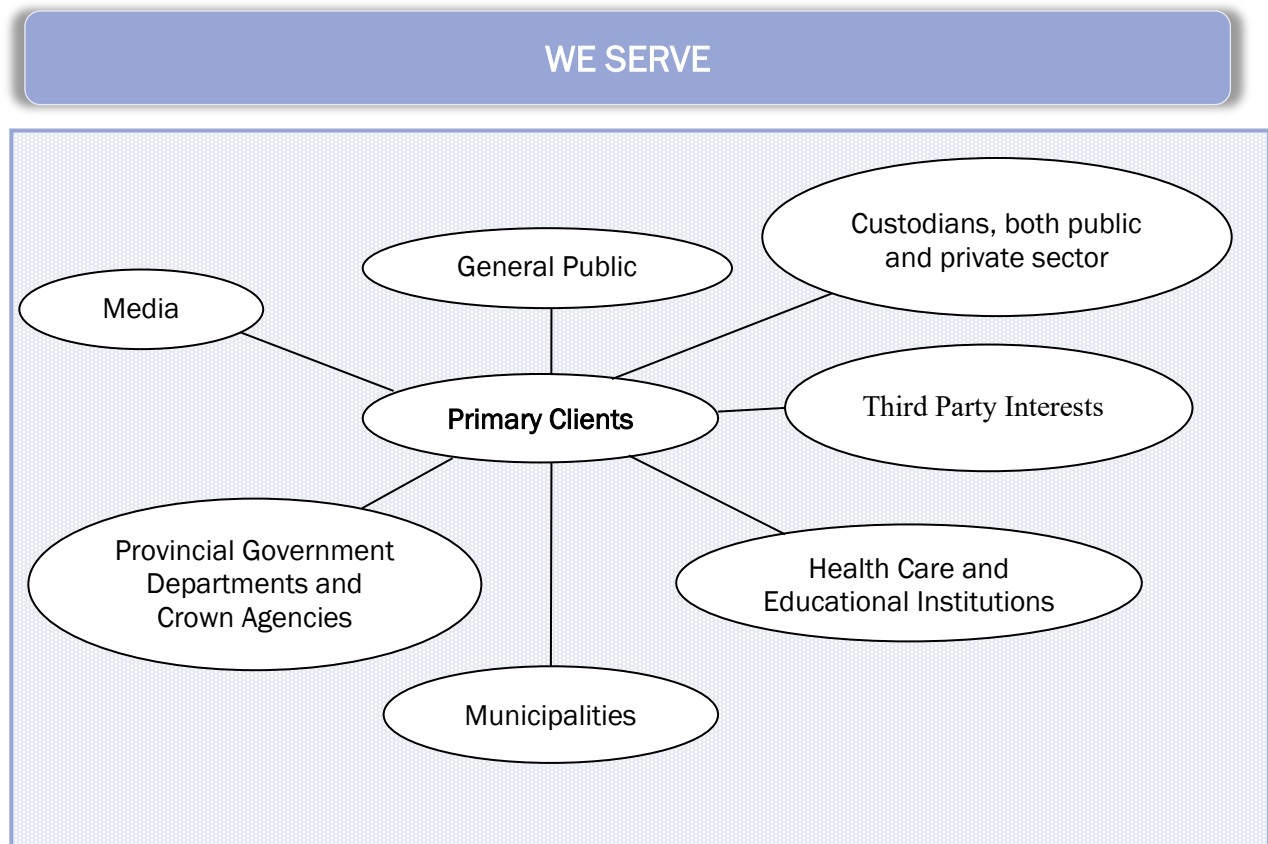
We carry out our mandates under ATIPPA, 2015 and PHIA through two lines of business:

1. Investigations; and
 2. Advocacy and Compliance.
-
1. The Investigations branch handles access to information and privacy complaints, including own motion investigations and investigations that could lead to a charge being laid under the offence provisions of ATIPPA, 2015 or PHIA. This branch also processes requests from public bodies for time extension and disregard applications under ATIPPA, 2015. All publicly issued reports, and detailed information about the complaints process to OIPC are available on our website.
 2. The Advocacy and Compliance branch has responsibility for the following:
 - conducting audits of public body privacy and access to information practices;
 - consulting and supporting public bodies and custodians who request it;
 - conducting public body and custodian training, public education, and outreach;
 - reviewing privacy impact assessments; and
 - promoting awareness of and compliance with ATIPPA, 2015 and PHIA.

Both branches share responsibility for reviewing privacy breach reports, processing time extension and disregard applications, as well as responding to general inquiries related to ATIPPA, 2015 and PHIA.

PRIMARY CLIENTS

OIPC defines its primary clients as the people of the province and the entities whose activities OIPC oversees, as well as any others who are granted rights or bear responsibilities under ATIPPA, 2015 and PHIA. These clients are made up of several groups.



BUDGET

For the fiscal year ending March 31, 2026, the annual budget for the Office was \$1,618,100.

For the 2026-2027 fiscal year, the House of Assembly Management Commission approved the budget of \$1,617,600 for OIPC, the details of which are noted below:

Salaries	\$1,324,200
Employee Benefits	\$8,000
Transportation and Communications	\$32,700
Supplies	\$8,100
Professional Services	\$75,000
Purchased Services	\$162,600
Property, Furnishings and Equipment	\$7,000
TOTAL	\$1,617,600

ISSUES

Issue 1 – Enhancing Education, Training, and Outreach Initiatives

A core function of the Office of the Information and Privacy Commissioner (OIPC) is to promote awareness and understanding of access to information and protection of privacy rights under the **Access to Information and Protection of Privacy Act, 2015** and the **Personal Health Information Act**. The Office fulfills this mandate through a range of education, training, and outreach activities; including presentations, stakeholder engagement, development of guidance materials, resource materials, newsletters, and participation in conferences and events.

Over the next three years, OIPC will take steps to strengthen its education, training, and outreach initiatives by:

- **developing new or updated guidance or resource materials** tailored to Office or stakeholder interest, emerging issues, or legislative changes, if any;
- **promoting awareness of training and presentation offerings** by continuing to advertise these services through the Office’s website, newsletters, news releases, or exploring additional outreach strategies to increase visibility and encourage engagement from public bodies, custodians, and the public;
- **updating the Office’s newsletters** to better reflect the interests or needs of public bodies and custodians;
- **collaborating with stakeholders** to organize and support conferences or events focused on access and privacy; and
- **exploring innovative outreach strategies**, including interactive tools and multimedia content, to engage diverse audiences.

These efforts are aimed at supporting a culture of transparency and accountability, while empowering individuals to understand and exercise their rights.

Objective 1: By March 31, 2027, OIPC will have reviewed and begun to enhance its education, training, and outreach initiatives to better reflect stakeholder needs, emerging issues, and opportunities for engagement.

2026 - 2027

Indicators

1. Identified opportunities to update or develop new guidance or resource materials.
2. Identified opportunities to improve or develop outreach initiatives.
3. Engaged with stakeholders to identify potential collaboration opportunities for events or conferences.

Objective 2: By March 31, 2028, OIPC will have continued to advance its education, training, and outreach initiatives to better reflect stakeholder needs, emerging issues, and opportunities for engagement.

Objective 3: By March 31, 2029, OIPC will have continued to advance its education, training, and outreach initiatives, to better reflect stakeholder needs, emerging issues, and opportunities for engagement.

Issue 2 – Strengthening Information Management Governance

Under the **Management of Information Act**, all public bodies are required to develop, implement, and maintain a records management system to manage government records throughout their lifecycle while in the custody or control of the public body. As a public body, OIPC has implemented a records management system to manage documentation within its control and has also developed an Information Management and Protection Policy to guide the strategic management of its information assets. However, additional or updated policies, procedures, best practices, business rules, and guidelines are required to respond to evolving technologies and standards. In addition, while retention and destruction schedules have been approved for some records, comprehensive schedules have not yet been established for all record classifications within the system, including those that contain personal information. These gaps highlight the need to strengthen the Office's information management governance framework to ensure consistency, accountability, and compliance with legislative and operational requirements.

To address this issue, OIPC will prioritize advancing its information management governance framework, including records retention and destruction schedules, over the next three years. The approach to retention and destruction will be risk-based, focusing first on classifications that pose the greatest risk to privacy, security, and operational integrity.

Over the next three years, the Office will:

- conduct an inventory of all record classifications within our electronic records management system;
- develop or strengthen information management governance practices or governance instruments to support records management across the records lifecycle; and
- monitor information management governance practices or governance instruments to support continuous improvement and compliance.

By taking these steps, the Office aims to strengthen its information governance framework, reduce risk, and ensure the responsible management of records in support of its mandate.

Objective 1: By March 31, 2027, OIPC will have completed an inventory of its record classifications and identified those requiring enhanced information management controls.

2026 - 2027

Indicators

1. Completed an inventory of record classifications within the electronic records management system.
2. Identified record classifications that contain personal information or present heightened privacy, security, or operational risks.
3. Documented priority record classifications for the development or review of retention and destruction schedules and governance instruments.

Objective 2: By March 31, 2028, OIPC will have developed or updated key information management governance instruments and advanced records retention and destruction practices.

Objective 3: By March 31, 2029, OIPC will have implemented processes to support the consistent application, review, and monitoring of information management governance instruments and retention practices.

Issue 3 – Reducing the Backlog of Complaint Files

Over the past several years, the Office of the Information and Privacy Commissioner (OIPC) has experienced a small but growing backlog of privacy complaint files under both the **Access to Information and Protection of Privacy Act, 2015** (ATIPPA, 2015) and the **Personal Health Information Act** (PHIA), as well as access complaint files and correction complaint files under PHIA. While OIPC's backlog may appear modest compared to similar oversight bodies, it is important to the mandate of OIPC that the backlog gets resolved and does not worsen. These files, which involve allegations of improper collection, use, or disclosure of personal information or personal health information, access to personal health information, or correction of personal health information, are central to the Office's mandate under ATIPPA, 2015 and PHIA. Delays in resolving these complaints, whether through informal resolution or formal reports, can undermine public trust in the effectiveness of our Office's oversight role.

Under ATIPPA, 2015 there is no legislated timeframe for completing all actions of a privacy complaint, and under PHIA there is no legislated timeframe for completing all actions of a privacy, access, or correction complaint, this includes efforts to informally resolve the matter, conducting an informal or formal investigation, and then concluding the complaint through an action such as issuing a report. PHIA does, however, require that the investigation phase of a complaint be completed within 120 days, after which the Commissioner may issue a report to conclude the file. Although there will be occasions when a matter is exceedingly complex or there are other factors at play which can delay our work; for purposes of this Activity Plan, OIPC has adopted 120 days as a target timeframe for completing all actions related to a privacy complaint under ATIPPA, 2015 and a privacy, access, or correction complaint under PHIA. Accordingly, backlog refers to any open and active privacy complaint files under ATIPPA, 2015 or any open and active privacy, access, or correction complaint files under PHIA that remain unresolved (not closed) more than 120 days from opening the complaint file.

To address this issue, OIPC will prioritize the reduction of the backlog as part of its commitment to improving core lines of business. Over the next three years, the Office will:

- **analyze internal processes** to identify systemic issues contributing to delays;
- **develop and implement targeted strategies** to streamline processes and improve privacy complaint resolution timelines; and
- **monitor and report on progress** to ensure transparency and accountability.

By taking these steps, the Office aims to significantly reduce the time required to resolve privacy complaints, enhance service delivery, and reinforce its role as a responsive and effective oversight body.

Objective 1: By March 31, 2027, OIPC will have initiated efforts to reduce the backlog of complaint files by reviewing internal processes and identifying opportunities for improved efficiency.

2026 - 2027

Indicators

1. Completed internal review of complaint resolution processes.
2. Identified systemic or procedural factors contributing to delays.
3. Developed initial strategies to support backlog reduction.

Objective 2: By March 31, 2028, OIPC will have implemented targeted strategies to streamline complaint resolution and will have demonstrated measurable progress in reducing the backlog.

Objective 3: By March 31, 2029, OIPC will have continued to implement strategies to support timely resolution of complaints and will have demonstrated measurable progress in reducing the backlog.



Office of the Information and Privacy Commissioner
PO Box 13004, Station "A", St. John's NL A1B 3V8
t (709) 729-6309 f (709) 729-6500 e commissioner@oipc.nl.ca

www.oipc.nl.ca