



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
for British Columbia

Protecting privacy. Promoting transparency.

Job Profile:

Adjudicator

Classification:	Band 3	Position:	90396
Reports to:	Senior Adjudicator	Location:	Victoria

Context

As a member of the adjudication team, the position performs an adjudicative function. As the Commissioner's delegate, the Adjudicator exercises considerable decision making authority and is responsible for deciding inquiries and issuing written orders under the Freedom of Information and Protection of Privacy Act (FIPPA) and the Personal Information Protection Act (PIPA). The Adjudicator also makes preliminary decisions about substantive and procedural matters pertaining to inquiries.

The Adjudicator must exercise independent judgment and decide each case on its merits by considering the evidence and applicable legislation and legal principles (notably administrative law principles). The inquiries often involve complex and controversial evidentiary and legal issues, and the Adjudicator's reasons should be able to withstand scrutiny on judicial review by the Supreme Court of British Columbia.

The Adjudicator works closely with other members of the adjudication team and OIPC staff in the development and implementation of policies and procedures to ensure consistency, fairness, and efficiency in the conduct and administration of inquiries under FIPPA and PIPA. The Adjudicator may also communicate with counterparts in other jurisdictions to exchange information on matters related to the adjudicative functions of the OIPC and OIPC policies and procedures for inquiries under FIPPA and PIPA.

ACCOUNTABILITIES

- On delegation by the Commissioner, decides matters under FIPPA and PIPA by assessing the evidence and arguments provided by the parties in inquiries and, taking into account applicable legislation, case law, common law principles and policies;
- Writes and issues decisions related to the final outcome of inquiries as well as preliminary and procedural matters;
- Reviews and provides feedback on the decisions of the other OIPC adjudicators;
- Provides advice and recommendations to the Commissioner and OIPC staff on matters related to adjudication and inquiries under FIPPA and PIPA, and on other matters as directed;
- Assists the Registrar of Inquiries with the administration of inquiries under FIPPA and PIPA, by reviewing materials and information related to matters proceeding to inquiry under FIPPA and PIPA and providing advice on the issues that will be considered and appropriate procedures for the inquiries;
- Keeps up to date on FIPPA, PIPA, relevant jurisprudence, case law, legislation and policies in British Columbia and other jurisdictions;
- Ensures utmost confidentiality and discretion is applied in carrying out responsibilities;

QUALIFICATIONS

EDUCATION AND EXPERIENCE

- Completed law degree, and experience in administrative law; **OR** completed university degree, and a minimum of three (3) years of experience applying FIPPA and/or PIPA.
- Experience providing and communicating legal analysis and reasoning in written format;
- Experience interpreting and applying legislation, regulations and common law to varied and often complex situations in order to properly and defensibly exercise delegated decision making authority;
- Experience formulating and articulating advice and recommendations and making presentations to a variety of audiences, including senior decision makers; and
- Experience dealing proactively and effectively with others using tact, discretion and sound judgement.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of the provisions of FIPPA, PIPA and their applicable regulations, and of related statutes and regulations of ministries and other public organizations;
- Thorough knowledge and understanding of administrative law theory and legal practices, the law of evidence, relevant common law and related case law;
- Highly developed written and oral communication skills, and the ability to communicate clearly to a wide range of individuals with varying degrees of knowledge, education and understanding of the applicable law, policies, procedures and legal processes;
- Ability to conduct legal research, analyze information, articulate alternatives, draw conclusions and make practical recommendations;
- Ability to work effectively both independently and as a member of a team;
- Ability to manage multiple projects and assignments;
- Strong analytical and problem solving skills;
- Knowledge of government organizational structures and processes;
- Computer skills including work-processing, on-line research, and related programs and software.

COMPETENCIES

Expertise includes the motivation to expand and use technical knowledge or to distribute work-related knowledge to others.

Results Orientation is a concern for surpassing a standard of excellence. The standard may be one's own past performance (striving for improvement); an objective measure (achievement orientation); challenging goals that one has set; or even improving or surpassing what has already been done (continuous improvement). Thus, a unique accomplishment also indicates a Results Orientation.

Problem Solving/Judgement is the ability to analyze problems systematically, organize information, identify key factors, identify underlying causes and generate solutions.

Teamwork and Co-operation is the ability to work co-operatively within diverse teams, work groups and across the organization to achieve group and organizational goals. It includes the desire and ability to understand and respond effectively to other people from diverse backgrounds with diverse views.

BC's Information and Privacy Commissioner

Promoting and protecting the information and privacy rights of British Columbians.

<http://www.oipc.bc.ca/>