

Classification:	Band 4	Position:	00097688
Reports to:	Deputy Commissioner, Investigations, Case Review, and Lobbyist Registry	Location:	Victoria

Context

The Office of the Information and Privacy Commissioner (OIPC) provides independent oversight and enforcement of BC's access and privacy laws under the Freedom of Information and Protection of Privacy Act (FIPPA) and the Personal Information Protection Act (PIPA).

Reporting to the Deputy Commissioner, the Director of Investigations directs investigative functions in the areas of Access Review and Complaints or Privacy Complaints and Breaches of the OIPC. The position provides expert advice and guidance to Investigators and the Manager of Case Review and ensures their investigative plans are consistent with the office's approach to handling and closing case files. The Director also undertakes investigations that are high-profile and sensitive in nature and conducts reconsiderations by policy. The Director is responsible for continuous improvement processes in the department, and provides information and expertise to the Senior Leadership Team. The Director of Investigations may comment on matters affecting access and privacy rights in the public and private sectors, including proposed legislation, policies, programs, and the implementation of new technologies, and may liaise with newly proclaimed public authorities and assist them to set up and maintain effective internal complaint handling and dispute resolution mechanisms. The position functions with considerable independence within delegated authorities under FIPPA and PIPA, relevant policies issued by the Information & Privacy Commissioner, and the principles of administrative fairness and common law.

This position also oversees/is accountable for Office of the Registrar of Lobbyists ("ORL") investigators as required.

Accountabilities

- Provides strategic leadership, authoritative advice, and recommendations to the Commissioner and Deputy Commissioner based on specialized knowledge and expertise in access and privacy and in mediations and investigations.
- Leads the development and implementation of the long-term strategic plan for the investigations team, identifies trends, future needs, and ensures alignment with the Office's Service Plan.
- Leads and is accountable for the investigations team that exercises independent judgement in its province-wide service programs and responsibilities under FIPPA and PIPA.
- Guides the decisions of the investigations team by establishing policies, frameworks, or protocols for processing (requests for review for access requests under FIPPA, complaints relating to access requests under FIPPA, and deemed refusals under FIPPA/privacy complaints and breach reporting under FIPPA and PIPA). Identifies, tracks, and

reports on related key indicators/benchmarks for Continuous Improvement for their team.

- Oversees peer reviews and provides expert guidance and authoritative advice to investigators regarding access and privacy matters for specific sectors or portfolios.
- Establishes goals and objectives across investigations team to achieve defined outcomes, including identifying performance targets and measuring performance at both employee and unit level. Implements initiatives to improve performance.
- Determines and secures the appropriate resourcing levels (e.g., staff, contractors, budget) to deliver the audit/review and provides or arranges for on-going training, provides mentoring and coaching support to assist the investigative team in achieving the goals of the OIPC.
- Supervises staff including assignment of work, monitoring workload of staff to ensure equitable distribution of work, approval of leave, identifies and addresses performance and training requirements, responds to conflicts and initiates disciplinary processes.
- Proactively anticipates emerging investigations issues and trends and develops strategies to respond for Deputy Commissioner consideration.
- Develops and delivers public education and outreach training sessions, workshops, and seminars and undertakes public speaking engagements on access and privacy rights and obligations. Represents the office on national and international projects, committees and conferences.
- Identifies opportunities and maintains effective working relationships with a number of external stakeholders, including public bodies and private organizations, provincial and federal counterparts, and the general public.
- Remains current on FIPPA, PIPA and emerging information and privacy protection legislation, regulations and policies within British Columbia, and in other jurisdictions and keeps up-to-date on related jurisprudence and case law, applying this knowledge in the delivery of duties and responsibilities.
- Represents the investigation team at OIPC Senior Leadership Team meetings and manages collaborative relationship with executive team.
- Oversees/is accountable for Office of the Registrar of Lobbyists (“ORL”) investigations as required.

Qualifications

Education and Experience:

- University Degree in a related field (e.g. law, public administration, political science, etc).
- Five plus years of experience mediating disputes or conducting investigations, which includes experience assessing evidence and formulating recommendations or findings based on written reasons.
- Five plus years of implementing the *Freedom of Information and Protection of Privacy Act* (FIPPA) and/or the *Personal Information Protection Act* (PIPA) and/or evaluating compliance with FIPPA or PIPA or similar statute.
- Three years of experience supervising staff, leading project teams, and/or advising a team of professionals in the conduct of research, audits or investigations or the development and implementation of complex projects; including the assignment of work, and oversight of performance.

- Experience working with a broad cross-section of the public and/or private sectors.
- An equivalent combination of education and experience may be considered.

Preference may be given to applicants with the following:

- Experience or formal education in conflict resolution or coaching.

Knowledge, Skills and Abilities:

- Comprehensive knowledge of privacy laws and principles, FIPPA and PIPA, and the mandate of the Information and Privacy Commissioner.
- Knowledge of the latest trends, developments, issues, legal decisions and precedents relating to access to information and protection of privacy.
- Comprehensive knowledge of the rules of natural justice and administrative fairness.
- Demonstrated negotiation and mediation skills to resolve issues in a manner that is fair and equitable to both complainants and public authorities/organizations.
- Strong investigative skills including the ability to prepare investigative plans, gather evidence, establish fact patterns, and identify relevant policies and procedures.
- Effective written and oral communication skills and the ability to communicate complex ideas clearly and concisely in written reports and correspondence and in discussions with complainants and senior officials within and outside of the office.
- Ability to use a variety of computer programs including word processing.
- Proven ability to work independently and manage a diverse and demanding workload.
- Proven ability to work effectively as part of a team and to develop effective working relationships with colleagues, complainants, and contacts in the assigned portfolios.
- Ability to act proactively as well as to use tact, discretion and sound judgement.

Competencies:

- **Service Orientation** implies a desire to identify and serve customers/clients, who may include the public, co-workers, other branches/divisions, other ministries/agencies, other government organizations, and non-government organizations. It means focusing one's efforts on discovering and meeting the needs of the customer/client.
- **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).
- **Problem Solving/Judgement** is the ability to analyze problems systematically, organize information, identify key factors, identify underlying causes and generate solutions.
- **Conflict Management** is the ability to develop working relationships that facilitate the prevention and resolution of conflicts within the organization
- **Communicating Effectively** involves good presentation skills (verbal and written), careful listening, problem framing and use of presentation technologies.

- **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.
- **Organizational Commitment** is the ability and willingness to align one's own behaviour with the needs, priorities and goals of the organization and to promote organizational goals to meet organizational needs. It also includes acting in accordance with organizational decisions and behaving with integrity.
- **Self-discovery and awareness** means understanding one's thoughts, feelings, values and background and how they impact the success of the interaction and relationship, or how they may influence one's work. It is recognizing one's own biases by tracing them to their origins, through reflection and by noticing one's own behaviour—and then intentionally seeking a way forward that positively impacts the interaction and relationship. It means maintaining new ways of thinking and acting when situations become difficult or uncertain, or in times of urgency.

BC's Information and Privacy Commissioner

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

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