



GPA Global Privacy and Data Protection Awards 2021

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org no later than **14 June 2021**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection
Authority:

Office of the Privacy Commissioner of Canada

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2020.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

Issued in April 2020, the *OPC Framework for the Government of Canada to Assess Privacy-Impactful Initiatives in Response to COVID-19* sets out privacy principles for government to observe in any assessment of measures meant to combat COVID-19. The principles

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents': Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

include necessity and proportionality, openness and transparency measures, and oversight and accountability mechanisms, among others. The framework was issued in response to data driven initiatives to contain and gain insights about the novel virus, including potentially more extraordinary and less voluntary measures being contemplated, some with significant implications for privacy and civil liberties.

b. Please provide a full description of the initiative (no more than 350 words)

The Framework stresses that during a public health crisis, privacy laws and other protections still apply, and are not a barrier to appropriate collection, use and sharing of information. When reasonably and contextually interpreted, privacy law, norms and best practices for collection, use and disclosure ensure responsible data use and sharing that supports public health. They also promote continued trust in our health system and in government generally.

The Framework reaffirms that privacy protection is not merely a set of technical rules and regulations, but rather represents a continuing imperative to preserve fundamental human rights and democratic values, even in exceptional circumstances. Furthermore, privacy principles also set important parameters around how long personal information is retained *after* a crisis, which is also crucial.

The Framework sets out the key elements of privacy design in the context of government initiatives. Government authorities are reminded of their obligations to ground data collection and use in clear lawful authority, to assess the necessity and proportionality of proposed measures carefully, to set limits upon the use of personal data (especially sensitive health information), to adopt rigorous safeguards for protection of data, and to consider the unique potential impacts upon vulnerable populations.

c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

The OPC's Framework document is a strong case study of how a data protection authority can have a demonstrable, proactive impact on government program-design decisions. Spring 2020 was a period of considerable urgency for Canada, with new pandemic initiatives being announced on a weekly basis. Border authorities, immigration officials, and health agencies were all seeking privacy guidance from our Office.

In direct response to this demand, the Framework sets out key privacy principles that should factor into any privacy impact assessment of COVID-19 measures or programs, which was a major concern for many governmental authorities ramping up various initiatives to respond to the pandemic. It delineates essential considerations for program managers and sets out clear direction for government organizations wherever personal information is collected, utilized or shared in the context of pandemic response.

We note that the Framework was developed as a full countrywide lockdown took place, leading to technical challenges of implementing mass telework. Despite this, in mid-April

2020, it was one of the first DPA-issued pieces of general guidance responding to the pandemic, crafted specifically for government authorities, and addressed a pressing need to ensure COVID-related measure were developed and deployed in a privacy sensitive manner.

- d. **Please include a photograph or image, if you wish** (*This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided*)



- e. **Please provide the most relevant link on the authority’s website to the initiative, if applicable** (*The website content does not need to be in English*)

https://priv.gc.ca/en/privacy-topics/health-genetic-and-other-body-information/health-emergencies/fw_covid

- f. **Please provide any other relevant links that help explain the initiative or its impact or success** (*e.g. links to news reports or articles*):

https://priv.gc.ca/en/opc-news/news-and-announcements/2020/an_200417/