



January 29, 2010

Honourable Ben Stewart  
Minister of Citizens' Services  
Room 151 Parliament Buildings  
Victoria BC V8V 1X4

Dear Minister Stewart:

I have had the opportunity to consider the two reviews conducted on the circumstances that led to privacy breaches involving the Ministries of Children and Family Development and Housing and Social Development and on the response to them.

As the reports explain, apart from the employee at the centre of these events, it cannot be concluded that any employee acted in bad faith and no human resource policies were violated. However, the judgment exercised in the many decisions made as events unfolded fell short of the due diligence that is expected of the public service. There was a series of missed opportunities, information dead ends and unconfirmed assumptions which individually may have been minor but cumulatively resulted in an inadequate response to the matter. No one person can be faulted or pointed to as the sole cause of any failure to respond or take action. No one had either complete information or the experience necessary to take the appropriate action. At the senior leadership level, the right people were not informed or engaged. It is a case where steps need to be taken to ensure that more appropriate decisions are made in future cases to ensure that a better response ensues if there is ever another breach of privacy. Given these facts, I am not recommending any direct termination of employees following these findings.

The reports make clear recommendations on how to prevent a similar chain of events in the future, and I am committed to ensuring they are implemented within the public service. These actions include:

- Effective immediately, the Government's Chief Information Officer will be the central authority with overall responsibility for coordinating and providing direction for any incident that involves the release of personal information, for any reason.
- In any circumstance where there is an arrest, charge or conviction of any employee for any reason, employees and their supervisors will be required to immediately report this information to both their Deputy Minister and the Head of the BC Public Service Agency.
- The Deputy Ministers responsible for the ministries involved take the necessary remedial action to ensure that such chains of events do not occur in the future.

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- The recommendations that we strengthen our policies with respect to both information management and human resource management will be implemented within 90 days.
- I will personally communicate to the entire public service on their responsibilities and accountabilities for ensuring the management of personal information and for the protection of privacy.

It is important to note that the Government's Chief Information Officer advises that circumstances of deliberate privacy breaches are rare. Nevertheless, we take these issues extremely seriously and are committed to learning and improving based upon these reviews. I sincerely regret the significant delay in notifying the clients of Children and Family Development and Housing and Social Development of the breach of their information. I commit to work with Deputy Ministers to take all action necessary to remediate our approach to privacy issues and I am confident that the recommendations and policy changes we are putting in place will mitigate the chances of this occurring again.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Allan P. Seckel".

Allan P. Seckel, Q.C.  
Deputy Minister to the Premier  
and Cabinet Secretary