

Select Special
**Information and
Privacy Commissioner
Search Committee**

Report of the Committee

30th Legislature
Third Session
May 2022



COMMITTEES
OF THE LEGISLATIVE ASSEMBLY

Select Special Information and Privacy
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LEGISLATIVE ASSEMBLY of ALBERTA

Select Special Information and Privacy Commissioner Search Committee

May 2022

**To the Honourable Nathan M. Cooper
Speaker of the Legislative Assembly
of the Province of Alberta**

The Select Special Information and Privacy Commissioner Search Committee has the honour to submit its report containing the recommendation of a candidate to the position of Information and Privacy Commissioner for consideration by the Legislative Assembly.

Sincerely,

[Original signed by Chair]

Jordan Walker, MLA
Chair, Select Special Information and Privacy Commissioner Search Committee

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**SELECT SPECIAL INFORMATION AND PRIVACY COMMISSIONER
SEARCH COMMITTEE**

COMMITTEE MEMBERSHIP

Chair:

Mr. Jordan Walker, MLA
Sherwood Park (UC)

Deputy Chair:

Mr. Searle Turton, MLA
Spruce Grove-Stony Plain (UC)

Members:

Hon. Tracy L. Allard,
MLA Grande Prairie (UC)

Mr. Mickey K. Amery, MLA*
Calgary-Cross (UC)

Member Jonathon Carson, MLA
Edmonton-West Henday (NDP)

Mr. Thomas Dang (NDP/Ind)†
Edmonton-South

Hon. Devin Dreeschen, MLA
Innisfail-Sylvan Lake (UC)

Hon. Kathleen T. Ganley, MLA
Calgary-Mountain View (NDP)

Mr. Martin M. Long, MLA
West Yellowhead (UC)

Hon. Irfan Sabir, MLA
Calgary-Bhullar-McCall (NDP)

Mr. Jason Stephan, MLA
Red Deer-South (UC)

Mr. Glenn van Dijken, MLA‡
Athabasca-Barrhead-Westlock (UC)

* Pursuant to Standing Order 56(2.1-2.4) Mr. Amery was a substitute for the Hon. Mr. Dreeschen on December 16, 2021.

† Committee member to February 23, 2021. Mr. Dang resigned from the NDP caucus on December 21, 2021.

‡ Pursuant to Standing Order 56(2.1-2.4) Mr. van Dijken was a substitute for Mr. Long on December 16, 2021.

COMMITTEE MANDATE

Government Motion 107

On November 24, 2021, the Legislative Assembly passed Government Motion 107, which appointed the Select Special Information and Privacy Commissioner Search Committee, an all-party committee made up of nine Members, for the purpose of inviting applications for the position of the Information and Privacy Commissioner and to recommend to the Assembly the applicant it considers most suitable to this position.

RECOMMENDATION

At the May 18, 2022, meeting of the Select Special Information and Privacy Commissioner Search Committee the following motion was passed by the Committee:

MOVED by Mr. Turton that the Select Special Information and Privacy Commissioner Search Committee

- (a) approve the draft report dated May 2022,
- (b) recommend to the Legislative Assembly that
 - i) Diane McLeod be recommended for appointment to the position of Information and Privacy Commissioner for a five-year term commencing on August 1, 2022, and
 - ii) the Speaker be authorized to, on its behalf, enter into a remuneration agreement with the appointee as it relates to her appointment.

SELECTION PROCESS

The search for the Information and Privacy Commissioner was conducted over several meetings, beginning on December 16, 2021, and concluding on May 18, 2022, when the Committee confirmed its decision. The Committee, with the assistance of the Clerk, Office of Parliamentary Counsel, communications services, human resource services, and committee services from the Legislative Assembly Office as well as senior staff from Executive Search with the Alberta Public Service Commission, developed guidelines for advertising, a position profile, a search timetable, and general procedures.

An advertisement for the position of Information and Privacy Commissioner was placed nationally in the *Globe and Mail* as well as in a *Post* bundle, which included the career sections of the *National Post*, *Edmonton Journal*, and *Calgary Herald*. The advertisement and position profile were posted on the Committee web page on the Assembly website and on the Office of the Information and Privacy Commissioner of Alberta website. Online advertisements also appeared on LinkedIn and Eluta.ca, and there were some targeted placements on specific professional association career sites. A media advisory and social media posts were also used to increase awareness of the search process.

The Committee was pleased to receive applications for the position of Information and Privacy Commissioner from candidates within Alberta, other provinces and territories in Canada, and the international community. At the request of the Committee, Executive Search completed a screening report on top applicants, and the Committee reviewed all resumés and screening reports to determine a candidate short list for preliminary interviews. At the direction of the Committee, officials from Executive Search conducted preliminary interviews with identified candidates and reported back to the Committee. The Committee then conducted interviews with selected candidates.

ACKNOWLEDGEMENTS

The Committee appreciates the expertise and professionalism of Trish Mills, Director of Executive Search, Dot Ellerby, Acting Director of Executive Search, and Maricel Somera-Wong, Executive Search Consultant, from the Alberta Public Service Commission, as well as the assistance of support staff from the Legislative Assembly Office.

CANDIDATE BIOGRAPHY

Biography of Diane McLeod, BA, JD

Diane has over 25 years of experience in the fields of privacy and access to information. For the past nine years she has served as Yukon's Information and Privacy Commissioner as well as its Ombudsman. She was also appointed Yukon's first Public Interest Disclosure Commissioner in 2015.

Prior to these roles she worked as the Director of the Personal Information Protection Act at the Office of Alberta's Information and Privacy Commissioner. This followed work in private practice supporting the Government of British Columbia, businesses, and municipalities in meeting their obligations under access and privacy laws in B.C. Before that, she worked in the health care system in Calgary for 13 years, where she was responsible for the administration of Alberta's Freedom of Information and Protection of Privacy Act and the Health Information Act.

Her commitment to privacy and access rights has also led her to other experience. She served as a member of a clinical research ethics board evaluating the risks to privacy in medical research. In addition, she has worked with several organizations in Canada evaluating privacy and access risks in numerous settings, including those arising from the application and effects of technology. Diane obtained her law degree from the University of Victoria in 2009 and has been called to the bars of British Columbia, Alberta, and Yukon.

Throughout her career Diane has been committed to supporting governments, health care providers and businesses in meeting their obligations under access and privacy laws. As Alberta's new Information and Privacy Commissioner she will use her extensive expertise to support compliance and improvement, especially as Alberta shifts to a business model that is driven by data and technology. Because this will generate important access and privacy issues, she will always work hard for Albertans to safeguard their rights.

Diane is a born and raised Albertan, having lived much of her life in Calgary, where she raised her two daughters.