



Canada's Digital Charter and Integrity Advocate



DCIA and Integrity Advocate

The Digital Charter Implementation Act (DCIA) was proposed in November of 2020 as a federal Canadian law that governs the collection, use and disclosure of personal information by organizations.

The intention of the Act is to modernize the framework for the protection of personal information in the private sector. This legislation:

- increases control and transparency,
- outlines the requirement for data deletion, and
- allows for the application of the strongest fines among G7 privacy laws.

What does the Digital Charter Implementation Act, 2020 mean for Canadians?

Meaningful consent: Modernized consent rules would ensure that individuals have the plain-language information they need to make meaningful choices about the use of their personal information.

Data mobility: To further improve their control, individuals would have the right to direct the transfer of their personal information from one organization to another. For example, individuals could direct their bank to share their personal information with another financial institution.

Disposal of personal information and withdrawal of consent: The accessibility of information online makes it hard for individuals to control their online identity. The legislation would allow individuals to request that organizations dispose of personal information and, in most cases, permit individuals to withdraw consent for the use of their information.

Algorithmic transparency: The CPPA contains new transparency requirements that apply to automated decision-making systems like algorithms and artificial intelligence. Businesses would have to be transparent about how they use such systems to make significant predictions, recommendations or decisions about individuals. Individuals would also have the right to request that businesses explain how a prediction, recommendation or decision was made by an automated decision-making system and explain how the information was obtained.

De-identified information: The practice of removing direct identifiers (such as a name) from personal information is becoming increasingly common, but the rules that govern how this information is then used are not clear. The legislation will clarify that this information must be protected and that it can be used without an individual's consent only under certain circumstances.

Source: <https://www.ic.gc.ca/eic/site/062.nsf/eng/00119.html>



Complying with DCIA using Integrity Advocate

Integrity Advocate services will compliment your organization's efforts to comply with DCIA. The table below illustrates how.

ACT Requirement	Controls
<p>Appropriate purposes 12(1) An organization may collect, use or disclose personal information only for purposes that a reasonable person would consider appropriate in the circumstances.</p> <p>Purposes (3) An organization must determine at or before the time of the collection of any personal information each of the purposes for which the information is to be collected, used or disclosed and record those purposes.</p>	<p>Integrity Advocate only processes the information that is necessary to confirm end-user identity and verification of compliance as it applies to the participation standards set forth by our clients.</p> <p>All information collected is with the expressed consent of the end-user. The participant's image is compared against photo ID and their media feed throughout the course of the learning event. The participant's name and email, as provided by the course/exam provider or their agent, is used to compare against the name displayed on their government-issued photo ID and to notify the participant of the results. Without this information we cannot verify user identity and/or confirm their participation was in compliance with established rules.</p> <p>Integrity Advocate's human reviewers, in addition to reviewing sessions for violations of an institution's participation standards, also screen out superfluous media that would not be required for "disciplinary action" in order to ensure student privacy is not violated due to the collection, retention and sharing of unnecessary media.</p>
<p>Limiting collection 13 The organization may collect only the personal information that is necessary for the purposes determined and recorded under subsection 12(3).</p>	<p>Integrity Advocates limits the personal data it collects in interaction with users. We use OCR to capture the user's name on their ID and nothing else; biometric processing is completed on the user's device instead of being sent to servers for processing; and we do not collect learner programs, browsing history, or desktop files.</p>
<p>Consent required 15(1) Unless this Act provides otherwise, an organization must obtain an individual's valid consent for the collection, use or disclosure of the individual's personal information.</p>	<p>Prior to every use, Integrity Advocate requires positive consent to a privacy statement that is provided both in summary and full form to ensure accurate understanding of the data that will be collected and how the data will be used.</p>

<p>Period for retention and disposal</p> <p>53 An organization must not retain personal information for a period longer than necessary to</p> <p>(a) fulfil the purposes for which the information was collected, used or disclosed; or</p> <p>54 An organization that uses personal information to make a decision about an individual must retain the information for a sufficient period of time to permit the individual to make a request for access under section 63.</p>	<p>Integrity Advocate deletes all unnecessary data i.e., data not required to illustrate who participated in the event and/or to support any rule violations identified. The limited data retained is deleted after 24 months, unless otherwise stipulated based on a client/regulatory requirement.</p>
<p>Accuracy of information</p> <p>56(1) An organization must take reasonable steps to ensure that personal information under its control is as accurate, up-to-date and complete as is necessary to fulfil the purposes for which the information is collected, used or disclosed.</p>	<p>Proactively, and to provide the highest possible level of transparency, Integrity Advocate enables a post-event email that provides learners with the ability to review the data retained on them and decisions made, immediately after initial processing.</p>
<p>Security safeguards</p> <p>57(1) An organization must protect personal information through physical, organizational and technological security safeguards. The level of protection provided by those safeguards must be proportionate to the sensitivity of the information.</p>	<p>Integrity Advocate uses 256-bit encryption of user data in-transit and at rest, completes all possible data processing on the user's device (minimizing online traffic), and retains data on secure servers located within Canada.</p>
<p>Information and access</p> <p>63(1) On request by an individual, an organization must inform them of whether it has any personal information about them, how it uses the information and whether it has disclosed the information. It must also give the individual access to the information.</p>	<p>Integrity Advocate proactively emails each user post-event and provides them with the information captured, retained and shared on them in addition to any conclusions drawn relating to their session.</p>

The challenge to providing participation monitoring and proctoring services is to enable the best possible user experience while maintaining robust integrity controls, all while balancing the required (and necessary) privacy protection for learners. Integrity Advocate's demonstrated compliance with DCIA allows for institutions to utilize our services with confidence that the intent of DCIA - **the protection of personally identifiable information** - has been met.

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