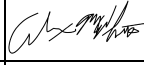
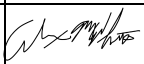


JOB DESCRIPTION FORM

POSITION (PID) #	101005				
IDENTIFYING INFORMATION			POST CERTIFICATION		
Post Title	Assistant Commissioner (Investigations)		Print Name	Signature	Date
Present Grade	PS- 36 - 38		Prepared By	Alexander White 	6 Sept 2022
Department	Privacy Commissioner		Post holder Reviewed		
Section	Investigations		Dept. Head Agreed	Alexander White 	6 Sept 2022
POST STATUS			POST TRANSFER (if applicable)		
	New Post	Revised Post	Redefined Post	Previous Title	
				Previous Department	
Date	6Sep2022			Previous Section	
Cabinet Conclusion Ref	2022-23 Budget		Previous Number		
Last Review Date	6Sep2022				
Panel Decision	Grade	Date	Signature	Previous Grade	
				Date of Transfer	

1. SUMMARY OF MAIN DUTIES (Ideal Maximum Four)	%
2. ADMINISTRATION	20
3. INVESTIGATION & INQUIRY CASE MANAGEMENT	40
4. RESEARCH, REPORTING, & ORDER-MAKING	40
	TOTAL = 100%

2. SUMMARY OF ACCOUNTABILITY
<p>2.1 What specifically is this post accountable for?</p> <p>Working in the Office of the Privacy Commissioner for Bermuda under the direction of the Deputy Privacy Commissioner, the post holder oversees and is accountable for the office's audit and investigations functions to fulfill its duties under the Personal Information Protection Act (PIPA). The post holder's work will consist of a range of complex and diverse functions, including leading and managing a team of professional investigation officers and offering of policy advice. The post holder is accountable for the efficient, effective, and timely delivery of case management, audit, investigations, inquiries, and order-making services. The post holder collaborates to develop and/or document internal policies and procedures.</p> <p>The post holder will prepare complex reports on a number of diverse subjects within broad guidelines for final agreement by the Privacy Commissioner, and will carry out creative work.</p>
<p>2.2 Briefly describe the level of decision-making authority held by this post.</p> <p>The post holder will be a senior executive officer of the office, selecting or making recommendations on options of a</p>

very specialised nature that influence major policy of the office, the public service, and the community.

The post holder has autonomy to make difficult or important decisions where many factors must be weighed, and which may lead to changes in policy or procedures affecting the office and the community. The post holder will implement policies and procedures or recommend new policies, ensure the office meets statutory compliance requirements, and analyses major policy changes.

The post holder oversees staff that conduct audits and investigations of routine and complex privacy complaints and incidents in accordance with established procedures, efficiently and effectively, and ensures the quality and accuracy of the work including research, evidence gathering, interviewing, reviewing documents and analysis of privacy allegations. As well, the post holder leads the day-to-day operations of the unit, makes decisions and recommendations on the preparation of performance appraisals and probationary reports and other staffing matters, including selection, disciplining, etc. of staff in accordance with the human resources policies and procedures. Especially complex decisions may be referred to the Deputy Privacy Commissioner.

The post holder works to resolve citizen reports and respond to detailed questions from individuals and the business community. The post holder will contact top management of Government departments and in the community to provide professional or policy advice on complex problems, and may engage in negotiation on behalf of the office.

2.3 To which position does this post report directly?

Under the direct supervision of the Deputy Commissioner (currently vacant; Privacy Commissioner during the recruitment of a Deputy)

The post holder carries out high level work within established policy or within broad policy guidelines, and plans and arranges own work at a technical or professional level. A supervisor may set objective and guidelines, but the post holder will work independently and most reporting will consist of keeping the supervisor informed of projects rather than to obtain decisions on day-to-day problems.

3. ESSENTIAL KNOWLEDGE & SKILLS

List the key knowledge and skills required to fulfil the *minimum requirements* of the post under the following categories.

3.1 General Knowledge / People Skills (Soft Skills).

- A high level of integrity and ability to maintain confidentiality in all matters that come to his/her knowledge and the ability to effectively handle confidential and sensitive information
- Good interpersonal skills with a professional service orientated approach in effectively interacting with customers both internally, as a team, and externally
- Sound time management and problem-solving skills
- Excellent communication skills (written and oral)
- Good supervisory, team-building, motivational, conflict management and resolution skills
- Advanced ability to multi-task and be adaptable whilst working in a fast-pace, dynamic environment
- Must be detail oriented and careful to verify documentation
- Able to learn quickly, retain and understand relevant information
- Demonstrated organizational skills and the ability to prioritize and plan work effectively
- Have a flexible approach to the job and willingness to assist in other areas within the department
- Domestic and international research skills

3.2 Technical Knowledge / Position Specific Skills (Hard Skills). This includes knowledge of particular legislation, processes, specialties, etc.

- Proficient in the use of Microsoft Office Suite of Products and other common computer programmes
- Knowledge of technology trends and developments, auditing concepts and principles, and computer systems
- Working knowledge of the Personal Information Protection Act 2016

4. MINIMUM EXPERIENCE REQUIRED (Tick the Appropriate Box)

Based upon the above identified knowledge and skills, what is the minimum number of years' experience required to fulfil the duties of this post?

- No previous experience required Minimum one (1) year Minimum two (2) years
 Minimum three (3) years Minimum five (5) years Minimum ten (10) years

4.1 Identify specific experience.

This post requires a minimum of five (5) years relevant experience in a similar capacity

5. MINIMUM EDUCATIONAL QUALIFICATION REQUIRED (TICK THE APPROPRIATE BOX)

- Secondary School Graduation Certificate Apprenticeship/College Certificate College Diploma
 Associates Degree Advanced or Specialist Qualification Bachelors Degree
 Masters Degree Professional Designation (Includes Chartered Status) Doctorate
 Other

5.1 Please list the title of the academic qualification / professional designation required:

A Bachelors Degree in Business Administration or relevant field of study is required.

5.2 List any special licenses, registrations or certifications required for this job:

N/A

6.0 RESOURCES UNDER MANAGEMENT

6.1 Management and Supervision of Staff

(Please ensure that the Organization Chart submitted is up to date, accurate and reflects the information listed below)

Please list the position titles (including PID) of 'All Staff' under the 'Direct Supervision' of this post.

None as of the drafting of this job description. The post holder will develop job descriptions for staff roles in the Investigations unit and hire staff, such as Investigations Officers and an Information Systems Auditor. The post holder may irregularly supervise secondees external to the office or persons working on special projects.

6.2 Non-Staff Budget and Revenue Streams (FOR EACH SUB SECTION TICK THE APPROPRIATE BOX)

6.2.1 What 'Responsibility' does this post have for 'Managing Non-Staff Budget' and 'Government Revenue Collection'? (Non-Staff Budget typically applies to contracts for program delivery & capital expenditure projects)

<input type="checkbox"/> None	<input checked="" type="checkbox"/> Has Direct Management Responsibility	<input type="checkbox"/> Is the Accounting Officer
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6.2.2 Please indicate the level of Non-Staff Budget and/or Revenue Streams for which this post is responsible.

<input type="checkbox"/> None	<input checked="" type="checkbox"/> Less than \$500k	<input type="checkbox"/> \$500k to \$2m	<input type="checkbox"/> \$2m to \$10m	<input type="checkbox"/> \$10m to \$40m	<input type="checkbox"/> Greater than \$40m
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6.3 Infrastructure for Vital Government Services (FOR EACH SUB SECTION TICK THE APPROPRIATE BOX)

6.3.1 Is the post responsible for managing 'Infrastructure' critical to the delivery of 'Vital' Government Services?

<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes. Has Direct Management Responsibility	<input type="checkbox"/> Yes. Is Ultimately Responsible
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6.3.2 If 'Yes' to the above, what would be the impact of failure of this infrastructure?

<input type="checkbox"/> Low Impact: Mainly internal to Government	<input type="checkbox"/> Medium Impact: Mainly internal to Government	<input type="checkbox"/> High Impact: Mainly internal to Government
<input type="checkbox"/> Low Impact: Bermuda-Wide	<input type="checkbox"/> Medium Impact: Bermuda-Wide	<input type="checkbox"/> High Impact: Bermuda-Wide

7. Additional Information

While not required, licenses, certifications, or training in law, data privacy, cybersecurity, or information systems audit will be considered an asset.

Applicants who possess the following may be considered for the post in lieu of the completion of a Bachelor's or equivalent qualification: a minimum of ten (10) years of relevant experience with minimum supervision in a similar environment.

It may be necessary from time to time for the post holder to work beyond the normal working hours. The post holder must be able to work unsupervised, act on their own initiative, and work irregular or unscheduled hours in order to manage the unique mandate of the office.

The duties described herein provide the general nature and level of work performed by the post holder. It is not intended to be an exhaustive list of all responsibilities and skills required of this post. Actual assigned duties may differ due to the varying needs of the Office of the Privacy Commissioner.

Successful completion of an enhanced security vetting and a register of interests is a requirement for this post.

DUTIES AND RESPONSIBILITIES OF THE POST

8. DETAILED DESCRIPTION OF MAIN DUTIES AND RESPONSIBILITIES OF THE POST

(Please use the same Headings for Main Duties as Listed in Section 1.0)

8.1 Administration duties:

- 8.1.1 Develops, implements, and maintains an operational business plan for the section, detailing goals, objectives, and standards of service.
- 8.1.2 Oversees and ensures the successful functioning of a variety of projects, including self-initiated efforts, by completing tasks such as setting timelines, monitoring progress, measuring statistics, and producing reports.
- 8.1.3 Manages and directs staff, including the evaluation of performance and to ensure compliance with office policies and procedures, including security tasks.
- 8.1.4 Oversees office compliance functions, as applicable.
- 8.1.5 Undertakes any other associated duties, as requested by the post holder's supervisor or the Privacy Commissioner.

8.2 Investigation & Inquiry Case Management duties:

- 8.2.1 Responsible for undertaking investigations or inquiries under the Personal Information Protection Act (PIPA)
- 8.2.2 Receives and documents details of initial complaint or grievance and determines the validity of the complaint. Directs complaints to other public or community organisations if the complaint does not fall under PIPA.
- 8.2.3 Recommends which cases should be investigated and which preliminary questions should be asked.
- 8.2.4 Conducts investigations & inquiries as case load requires, including interviews of complainants to obtain and record an accurate account of the allegation, assessments of evidence and gaps in evidence, interviews of witnesses and recording of statements, fact-finding meetings and collection of documents,
- 8.2.5 Determines the need to issue summons, draft relevant documentation, and conduct examination of witnesses under oath.
- 8.2.6 Approves notices and official communications with investigated organisations, responding to inquiries as appropriate.
- 8.2.7 Responsibilities for the office's case management system to ensure cases are systematically organised, analysed, and assigned to Investigation Officers.
- 8.2.8 Undertakes any other associated duties, as requested by the post holder's supervisor or the Privacy Commissioner.

8.3 Research, Reporting, and Order-Making duties:

- 8.3.1 Oversees the creation of investigation and inquiry reports to submit to supervisor and/or the Privacy Commissioner.
- 8.3.2 Drafts recommendations concerning complaints as well as systemic recommendations on how to generally improve an organisation's practices and procedures to ensure compliance with PIPA.
- 8.3.3 Researches relevant domestic and international legislation, case law, guidance, and best practices to assist in the investigative process. May at times produce public written reports and guidance documents.
- 8.3.4 Makes internal recommendations for office operations and for amendments to PIPA to better meet its legislative goals.
- 8.3.5 Maintains up-to-date professional knowledge of privacy and data protection in order to effectively conduct investigations and inquiries and evaluate organisations.

- 8.3.6 Records statistics on intakes and complaints, including electronic, telephone, walk-in, and written complaints. Provides reports on the number of cases investigated, the disposition of the cases, and other relevant statistics.
- 8.3.7 Engages with the public by written and speaking engagements, as appropriate.
- 8.3.8 Drafts formal warnings or public admonishments for executive review. Drafts orders to dispose of case matters, direct an organisation to take action or refrain from taking action, confirm or instruct the reconsideration of an issue.
- 8.3.9 Liaises with relevant stakeholders, such as the Registrar of the Supreme Court to file orders, Director of Public Prosecutions to recommend proceedings for offences, or other regulatory entities to coordinate the progress of an investigation or substance of an order.
- 8.3.10 Undertakes any other associated duties, as requested by the post holder's supervisor or the Privacy Commissioner.