

WHAT PRIVACY RIGHTS DO I HAVE?

Any Saskatchewan resident has the right to have their personal information protected when they deal with public bodies. This is true whether the public body is a government institution, a Crown Corporation, a school division, regional health authority, municipality, university, college, or a private health provider such as your doctor, dentist, pharmacist or therapist.

The Office of the Saskatchewan Information and Privacy Commissioner (IPC) oversees three different provincial laws that affect your privacy:

- ⇒ *The Freedom of Information and Protection of Privacy Act (FOIP).*
- ⇒ *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP).*
- ⇒ *The Health Information Protection Act (HIPA).*

FOIP applies to government institutions (ministries, agencies, Crown Corporations). LA FOIP applies to local authorities (municipalities, Saskatchewan health authority, universities, schools, regional colleges, and library boards). HIPA applies to "trustees" in the health system.

Each of these laws spell out the rules for the collection, use and disclosure of personal information and how you can get access to your personal information that is in the possession or control of a public body.

Why should any public body be able to share my personal information without my consent?

Sharing certain personal information is necessary for public bodies to be able to provide timely, appropriate and cost-effective public services to citizens. There are clear limits on using or disclosing personal information without consent. Public bodies must take reasonable steps to ensure the personal information in their control is accurate.

If you are unsure if this sharing of your personal information is appropriate, you have the right to question the practice. You also have the right to ask questions if you don't understand the reasons why the public body is collecting your personal information or if you have concerns about how your personal information is protected from unauthorized access by someone who does not have a legitimate 'need to know'.



INVESTIGATING AND RESOLVING PRIVACY COMPLAINTS

Every Saskatchewan public body should have a designated FOIP Coordinator or Privacy Officer. We encourage you to first raise your concern with that official. If you are not successful in resolving your complaint at that level, you have the right to ask our office to investigate.

Your request for investigation should be in writing, signed by you and should detail your concerns with dates, witnesses and any other related information.

If too much time has passed since the alleged breach has occurred, it may be impractical for the Commissioner to investigate for a number of reasons including the unavailability of witnesses, or failing memories. Generally, our office will not investigate a matter that is more than two years old.

What happens during an investigation?

With the receipt of a breach of privacy complaint, the IPC will follow a standard process that includes:

1. Notifying the parties involved.
2. Gathering information to determine grounds and jurisdiction.
3. Investigating (Interviewing witnesses, site visits, reviewing records and documentation including policies, procedures or any other relevant materials).

INVESTIGATING AND RESOLVING PRIVACY COMPLAINTS (cont'd)

You may request that the IPC not disclose your identity during our investigation. If that is not possible in the circumstances of your complaint, our office will tell you before we proceed.

At some point in the investigation, both the complainant and the public body will be encouraged to settle the matter informally. If mediation is not possible or is unsuccessful, the Commissioner will proceed to issue a Report. The Report will review the details of the complaint, and describe both the findings of the Commissioner and any recommendations the Commissioner determines appropriate.

If the issuing of a Report is necessary, it will be posted to our website: www.oipc.sk.ca. We will not identify you in the Report to protect your privacy.

The Commissioner may recommend that a public body stop or change a practice of collecting, using or disclosing personal information and may also recommend that any collection of personal information that has been collected contrary to the law be destroyed.

The Commissioner cannot enforce recommendations that have been made in the course of an investigation. In many cases however, the public body agrees to accept those recommendations.

The Commissioner cannot deal with any claim for monetary compensation for a violation of your privacy rights.

If you have questions or wish to
file a complaint,
CONTACT US:

(in person is by appointment only)



SASKATCHEWAN INFORMATION AND PRIVACY COMMISSIONER

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