



OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

2006-2007 ANNUAL REPORT

“I was also urged to focus on ‘the big picture’. I knew then that this conference would give me the opportunity to share my thoughts with you on what I view to be the lynchpin of all of the suggested topics and what I have come to believe to be the key to the success of any system of access to, or freedom of, information. That key is LEADERSHIP and it has been sorely lacking in the field of access to information from many governments in Canada, and around the world, including our federal government. No matter how well-crafted a freedom of information law may be, it will not be effective unless the Leader of Government and the Head of the Public Service have the courage to embrace openness.”

Honourable John M. Reid, former Information Commissioner of Canada
Remarks to FOIP-2001
Edmonton, Alberta, June 2001

“The right of privacy is fundamental in a free and democratic society. It includes a patient’s right to determine with whom he or she will share information and to know of and exercise control over use, disclosure and access concerning any information collected about him or her. The right of privacy and consent are essential to the trust and integrity of the patient-physician relationship. Non-consensual collection, use, access or disclosure violates the patient’s right of privacy. The right of privacy is important and worthy of protection, not just for the good of individuals in society but also for the good of society as a whole.”

Canadian Medical Association (CMA) Health Information Privacy Code
http://www.cma.ca/index.cfm/ci_id/3216/la_id/1.htm
August 1998

Saskatchewan
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June 29, 2007

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Rm 129 Legislative Building
2405 Legislative Drive
REGINA SK S4S 0B3

Dear Mr. Speaker:

I have the honour to present to the Legislative Assembly the Office's 2006-2007 Annual Report. This is done pursuant to section 62(1) of *The Freedom of Information and Protection of Privacy Act*, section 52(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* and section 60(1) of *The Health Information Protection Act*.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Gary Dickson".

R. Gary Dickson, Q.C.
Saskatchewan Information and Privacy Commissioner

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I. INTRODUCTION

The role of the Information and Privacy Commissioner has sometimes been described as that of the umpire in the information age.

That role has also been described as follows:

Our recent comparative analysis of privacy protection policy has concluded that, regardless of legislative powers, every data-protection commissioner in Canada and elsewhere is expected at some point to perform seven interrelated roles: ombudsman, auditor, consultant, educator, policy adviser, negotiator and enforcer.¹

In 1992, *The Freedom of Information and Protection of Privacy Act*² (FOIP) was proclaimed. This enshrined two principles: (1) public information must be accessible to the public, and (2) personal information must be protected by public bodies. It applies to all government institutions. This captures all departments of the Saskatchewan Government plus Crown corporations, boards, commissions and agencies. In 1993, *The Local Authority Freedom of Information and Protection of Privacy Act*³ (LA FOIP) was proclaimed. This is very similar to FOIP but applies to local authorities such as schools, universities, regional health authorities, municipalities, and library boards. In 2003, *The Health Information Protection Act*⁴ (HIPA) was proclaimed. This applies to organizations and individuals designated as a health information “trustee”, and defines the rules for what is “personal health information” and how that personal health information can be collected, used and disclosed. It also provides a right of access to personal health information and a right to seek correction of errors.

This Annual Report covers the third full fiscal year of the Office of the Information and Privacy Commissioner (OIPC) with a full-time commissioner.

The OIPC is supported by the Legislative Assembly Office that provides legal, administrative, financial reporting, library resources and information technology resources. Financial statements are prepared by the Provincial Auditor’s office. We appreciate and rely on those resources.

II. MANDATE OF THE COMMISSIONER

There are four major elements in the Commissioner’s mandate defined by FOIP, LA FOIP and HIPA:

1. The Commissioner responds to requests for review of decisions made by government institutions, local authorities or health information trustees in response to access requests, and makes recommendations to those bodies.

¹ Bennett and Raab, *The Governance of Privacy*, (London: Ashgate Press, 2003) at 109-114.

² *The Freedom of Information and Protection of Privacy Act*, S.S. 1990-91, c. F-22.01

³ *The Local Authority Freedom of Information and Protection of Privacy Act*, S.S. 1990-91, c. L-27

⁴ *The Health Information Protection Act*, S.S. 1999, c. H-0.021

II. MANDATE OF THE COMMISSIONER (CONT'D)

2. The Commissioner responds to complaints from individuals who believe their privacy has not been respected by government institutions, local authorities or health information trustees, and makes recommendations to those bodies.
3. The Commissioner provides advice to government institutions, local authorities or health information trustees on legislation, policies or practices that may impact citizens' access or privacy rights.
4. The Commissioner provides education with respect to information rights including both access to information and protection of privacy.

The vision of the OIPC is that the people of Saskatchewan shall enjoy the full measure of information rights that have been affirmed by the Legislative Assembly of Saskatchewan (Assembly).

III. COMMISSIONER'S MESSAGE

This office continues to accomplish a great deal because of the excellent work done by members of the OIPC team.⁵ This includes: our senior Portfolio Officer, Diane Aldridge; Portfolio Officers Sandra Barreth, Larissa McWhinney and Clint Krismer; our Manager of Administration, Candace Malowany; our acting Manager of Administration, Colleen Zimmer; and Administrative Coordinator, Kara Philip.

In past Annual Reports, I highlighted the need for changes in a number of areas of our statutory mandate. This included the following:

- Ways that Saskatchewan can build a robust culture of openness;
- Updating and strengthening legislation that is now 14 years old;
- Integrating FOIP and LA FOIP to a single law;
- Extending privacy protection to employees in the private sector;
- Addressing the issue of privacy and public registries; and
- Making our access and privacy laws work better for the Saskatchewan public and for public bodies and health information trustees.

In my 2004-2005 Annual Report I presented *Privacy and Access: A Saskatchewan Roadmap for Action* to assist the Government of Saskatchewan in improving its performance.

In my fourth Annual Report, as Saskatchewan's first full-time Commissioner, it is appropriate to consider what has changed in our province's access and privacy landscape.

⁵ One Portfolio Officer commenced employment in July 2006 and commenced a leave in December 2006; One Portfolio Officer commenced employment in February 2007; The Manager of Administration commenced a leave in September 2006.

III. COMMISSIONER'S MESSAGE (CONT'D)

A. RAISING AWARENESS

As noted above, education is a major part of our statutory mandate. Last year we provided 156 education presentations throughout the province. We also received 2,168 requests for summary advice. This includes both individuals and public sector employees seeking help to understand our three access and privacy laws. Our website, www.oipc.sk.ca has seen remarkable growth since it first became available in early 2004. From January 1, 2006 to December 31, 2006 the website received 195,827 “hits”⁶ and 54,784 “visits”. A visit captures visitors who view a number of pages on the website. We receive excellent feedback from subscribers to our e-newsletter, the Saskatchewan FOIP FOLIO, that is produced on a monthly basis and is sent at no cost to many working in the Saskatchewan public sector, health information trustees and members of the public. In addition, there are archived copies on our website of the first 36 issues of the FOIP FOLIO.

These statistics I believe reflect a greater awareness of access and privacy rights on the part of Saskatchewan residents.

But we are certainly not the only agency engaged in access and privacy education. Some Saskatchewan Crown corporations have also contributed to greater awareness through the adaptation of an online learning module developed by SaskTel. There has also been training undertaken by the Access and Privacy Branch in Saskatchewan Justice (Access and Privacy Branch) and the ongoing development of new tools and guides for public bodies. The same online learning module from SaskTel has been adapted by the Access and Privacy Branch for use by government institutions. There is now a comprehensive list of addresses on the Access and Privacy Branch webpage so that a prospective applicant or complainant will have some limited contact information for any given government institution. This would be even more helpful if it identified the appropriate FOIP Co-ordinator. We continue to encounter a surprising number of staff in Executive Government or local authorities who do not know who the FOIP Co-ordinator is for their organization.

In terms of HIPA, Saskatchewan Health (SK Health) and a group known as the Privacy Subcommittee of the CIO Privacy Officer Forum has substantially revised its early training materials, with input from our office. Considerable training in privacy and HIPA requirements has been undertaken by the thirteen regional health authorities. A collateral benefit of this activity has been a new focus on the responsibilities of regional health authorities under LA FOIP.

Finally, prominent news stories about major data breaches and enforcement activities of the Privacy Commissioner of Canada under the jurisdiction of the *Personal Information Protection and Electronic Documents Act*⁷ have also undoubtedly contributed to greater public awareness of access to information and privacy. Notoriety has also attached to some very significant privacy

⁶ See Appendix A of this document for definition.

⁷ *Personal Information Protection and Electronic Documents Act*, R.S. 2000, c. 5

III. COMMISSIONER'S MESSAGE (CONT'D)

breaches that have been addressed by our colleagues, the Information and Privacy Commissioners of Ontario and Alberta.

I have observed a rapidly growing identifiable access and privacy community in this province. Many public sector and private sector organizations have designated a Privacy Officer, or in the case of public sector organizations, an access and privacy officer or FOIP Coordinator. In most cases the job description for these officials includes an education component. In our experience, little meaningful progress can be made towards statutory compliance without such an operational leader in an organization.

I note that the Canadian Bar Association, Saskatchewan, created a very successful Privacy and Access Law Section during the 2006-2007 year. This Section provides an excellent opportunity for Saskatchewan lawyers and access and privacy professionals to strengthen their skills to assist their private sector and public sector clients to comply with applicable legislation. Our office provides ongoing support for this initiative.

In September of 2006, 'Right to Know' events were organized for both Regina and Saskatoon. These were organized to coincide with the internationally recognized 'Right to Know' Day on September 28. It marks the benefits of a transparent and open government. Such events were organized by a community based steering committee with support from this office. The Government of Saskatchewan and the cities of Saskatoon and Regina proclaimed the week of September 25 to 29 as 'Right to Know' Week in Saskatchewan. These events included the announcement of the inaugural presentation of the *Chief Justice E.M. Culliton 'Right to Know' Award* presented to the City of Regina and the launch of essay contests for both high school students and post-secondary students on the importance of access to information in a modern democracy. His Honour, the Honourable Dr. Gordon Barnhart, Lieutenant-Governor of Saskatchewan, brought greetings to participants and attendees at the awards ceremony. In addition and in conjunction with Right to Know Week, this office prepared a lesson plan on access and privacy and distributed that material to 413 public high schools in Saskatchewan.

This office has also published on our website in this fiscal year, a further eight formal Review and Investigation Reports. That means that 28 Reports are now available on our website. Our experience is that these Reports have significant educational value to the public, public sector organizations and health trustee organizations. We specifically publish these Reports in full-text format so that our detailed analysis of the statutory provisions is clearly set out for the reader's guidance.

B. IMPROVEMENTS IN STATUTORY COMPLIANCE

Our Portfolio Officers have observed significant improvements during 2006-2007 in a number of areas:

- More individuals have been specifically designated as FOIP Coordinators;
- Improved understanding of statutory requirements by those FOIP Coordinators;

III. COMMISSIONER'S MESSAGE (CONT'D)

- Improved opportunity to achieve an early mediated settlement of a privacy complaint or access review. More than 80% of access decision reviews by our office and formal privacy investigations are resolved by mediation or informal resolution;
- Requests to our office for summary advice tend to involve more difficult issues and more complex fact situations than was previously the case;
- Many government institutions now have appropriate privacy notices on their websites or their government webpage; and
- More public bodies are resolving access disputes and privacy complaints directly; thereby, obviating the need for intervention by our office.

A number of government institutions and local authorities such as the Saskatoon Health Region, the Health Information Solutions Centre in SK Health, Saskatchewan Advanced Education and Employment, and Saskatchewan Community Resources have significantly bolstered their capacity to manage their access and privacy responsibilities. These developments augur well for improved compliance in the future.

C. WHAT CAN SASKATCHEWAN DO BETTER?

Although there are now considerably more tools and resources available to government institutions, local authorities, and trustees, and there is now a much larger group of identified leaders in these organizations, the access and privacy regime in Saskatchewan is not yet fully working the way envisaged by the legislation.

The critical missing piece is an explicit message from the Premier, Chief Executive Officers (CEOs) of government institutions (outside of Executive Government), and local authorities that statutory compliance with FOIP, LA FOIP and HIPA must be a priority. Although the courts in Saskatchewan and Canada have spoken frequently about the special 'quasi-constitutional' nature of these laws, that alone tends not to mobilize public bodies.

The Saskatchewan Court of Appeal described FOIP as follows:

The Act's broad provisions for disclosure, coupled with specific exemptions, prescribe the "balance" struck between an individual's right to privacy and the basic policy of opening agency records and action to public scrutiny⁸.

⁸ *General Motors Acceptance Corp. of Canada v. Saskatchewan Government Insurance*, [1993] S.J. No. 601 at [11]

III. COMMISSIONER'S MESSAGE (CONT'D)

The Supreme Court of Canada has repeatedly described these laws as special or quasi-constitutional laws⁹ as referenced above.

As noted by former Chief Justice E.M. Culliton in his seminal report that led to FOIP:

*I am of the opinion there should be legislation covering access to government records Such legislation would assure the public of the government's adherence to the principle of openness. Also, it would make clear to the public that there are areas of government records which in the public interest must remain confidential. **Such legislation would emphasize and strengthen those principles that are basic to our form of responsible government. Such legislation also would inspire greater confidence and respect both for the institutions of government and for those persons involved in it.***¹⁰
(emphasis added)

In those Canadian jurisdictions where the Premier or CEO has stressed the importance of FOIP in promoting transparency and accountability, overall compliance has significantly improved.

What is more, from the citizens we routinely deal with in the course of our oversight work, we know that Saskatchewan residents value both their right to privacy and the requirement that their public bodies operate in a transparent fashion.

To ensure these expectations are met, what is required is the same kind of commitment to these three laws that was made in respect of privacy policy when the Government of Saskatchewan announced in September 2003 the adoption of the *Overarching Personal Information Privacy Framework for Executive Government*¹¹ (Privacy Framework). Despite the flaws already documented with the Privacy Framework¹², I acknowledge that it certainly served to signal to both government employees and to the public the Government's commitment to improve privacy protection in this province.

⁹ *Nautical Data International Inc. v. Canada (Minister of Fisheries and Oceans)*, 2005 FC 407 at para.8; *Canada (Attorney General) v. Canada (Information Commissioner)*, [2004] 4 F.C.R. 181 at para. 20, 255 F.T.R. 56, 15 Admin. L.R. (4th) 58, 32, C.P.R. (4th) 464, 117 C.P.R. (2d) 85, 2004 FC 431, rev'd (2005), 253 D.R.R. (4th) 590, 335 N.R. 8, 40 C.P.R. (4th) 97, 2005 FCA 199, leave to appeal to S.C.C. requested; *Canada (Attorney General) v. Canada (Information Commissioner)*, [2002] 3 F.C. 630 at para. 20, 216 F.T.R. 247, 41 Admin. L.R. (3d) 237, 2002 FCT 128, 2430901; *Canada Inc. v. Canada (Minister of Industry)*, [2002] 1 F.C. 421 at para. 102, (2001), 282 N.R. 284, 45 Admin L.R. (3d) 182, (2001) 14 C.P.R. (4th) 449, 2001 FCA 254, leave to appeal to S.C.C. refused, [2001] S.C.C.A. No 537 (Q.L.); *Lavigne v. Canada (Office of the Commissioner of Official Languages)*, [2002] 2 S.C.R. 773, (2002) SCC 53 at para 25; *R. v. Dymont*, [1988] 2 S.C.R. 417; *R. v. Mills*, [1999] 3 S.C.R. 668; *Dagg v. Canada (Minister of Finance)*, [1997] 2 S.C.R. 402; *R. v. Plant*, [1993] 3 S.C.R. 281; *R. v. Duarte*, [1990] 1 S.C.R. 30; *R. v. Edward*, [1996] 1 S.C.R. 128; *Canada (Information Commissioner) v. Canada (Commissioner of the Royal Canadian Mounted Police)*, [2003] 1 S.C.R. 66, 2003 SCC 8.

¹⁰ Report of the Honourable E. M. Culliton, Former Chief Justice of Saskatchewan, on the *Matter of Freedom of Information and Protection of Privacy in the Province of Saskatchewan*, (1982) at 79.

¹¹ Government of Saskatchewan, *An Overarching Personal Information Privacy Framework For Executive Government*, available at <http://www.gov.sk.ca/newsrel/releases/2003/09/11-648-attachment.pdf>

¹² Office of the Saskatchewan Information and Privacy Commissioner, *Report on the Overarching Personal Information Privacy Framework for Executive Government*, available at <http://www.oipc.sk.ca/resources.htm>

III. COMMISSIONER'S MESSAGE (CONT'D)

More needs to be done to provide significant incentives for Saskatchewan public bodies and trustees to achieve excellence in meeting these statutory responsibilities.

Those factors that might, if addressed by remedial action, provide powerful motivation to strive for such excellence include:

- FOIP is more than fourteen years old. It has not been significantly revised since that time to reflect lessons learned in this or other jurisdictions. There has been no public indication by the Government that there are any imminent plans to amend or replace the statute.
- There has been no public declaration by the Premier in any way equivalent to the pronouncement of the Privacy Framework in September 2003.
- There have been no mandated orientation sessions for the CEOs and senior officials of local authorities.
- For far too long, school divisions, regional health authorities, municipalities, libraries, universities and colleges have been left on their own to interpret, implement and comply with LA FOIP with little or no assistance from Executive Government.
- Key organizational actions such as consolidating access and privacy responsibilities in a single position of FOIP Coordinator are promoted by Saskatchewan Justice (SK Justice) only as a “suggestion” when it should be a mandatory requirement.
- Many government institutions, local authorities and trustees appear to involve multiple persons, many of them with no appropriate training, to make decisions required by FOIP, LA FOIP or HIPA. This results in increased delay and inconsistency.
- The maximum fine for non-compliance with FOIP is a mere \$1,000. At a time when HIPA has a maximum fine of \$500,000 for an offence, each of these two laws is sending very different messages to the Saskatchewan public and public sector workers about the urgency of compliance.
- The Information and Privacy Commissioner has only the powers of an ombudsman and cannot issue binding orders such that any public body or trustee is free to disregard advice and recommendations from the Commissioner with little consequence. The public body or trustee is free to offer no reason for disregarding the recommendations. There is no requirement for the public body to publish its response.
- The Privacy Framework has proven to be an unnecessary obstacle in achieving full FOIP compliance in that it distracts public bodies from properly focusing on compliance with FOIP. For reasons discussed in detail in our *Report on the Overarching Personal Information Privacy Framework for Executive Government*¹³ of June, 2004, public bodies that feel bound by this policy are not paying the attention required to FOIP.

¹³ Office of the Saskatchewan Information and Privacy Commissioner, *Report on the Overarching Personal Information Privacy Framework for Executive Government*, available at <http://www.oipc.sk.ca/resources.htm>

III. COMMISSIONER'S MESSAGE (CONT'D)

As noted in my earlier Annual Reports, I think that lack of sufficient attention and direction means that there is considerable inefficiency resulting in a duplication of effort in the management of access and privacy responsibilities. An excellent example is the case dealt with in our Review Report F-2007-001. In that case, eleven different persons in five different government departments were involved in attempting to process a single access request. The decisions and actions documented in that Report reflect an extremely weak understanding of the legislation and best practices.

In addition, a number of legislative initiatives of the Saskatchewan Government appear to reflect a somewhat relaxed approach to access and privacy rights of citizens. This is evidenced by a failure to undertake Privacy Impact Assessments or any rigorous analysis of access and privacy considerations well in advance of the introduction of a Bill in the Assembly or implementation of a new program. It is also evidenced by the apparent ease by which the existing lengthy list of exclusions from FOIP, LA FOIP or HIPA is expanded.

In the past year, these initiatives included the following:

- *The Youth Drug Detoxification and Stabilization Act*, Bill 6¹⁴
- *The Gunshot and Stab Wound Mandatory Reporting Act*, Bill 20¹⁵
- *The Health Information Protection Regulation Amendments re: disclosure to police*¹⁶

The Youth Drug Detoxification and Stabilization Act was only brought to our attention when we were briefed by officials in SK Health. This occurred after the Bill had already received Royal Assent and was awaiting proclamation. The Bill excluded many key parts of HIPA and all of FOIP and LA FOIP and would have denied aggrieved individuals or parents recourse to our office. We submitted a report to the Assembly detailing our concerns and offering recommendations for revision of the Bill. SK Health officials worked very hard to address our concerns and in due course Bill 6 was introduced in the Assembly and ultimately passed. This Bill largely reflected our recommendations. The outcome was very positive but much effort and time of the Department could have been spared by adequate consultation with our office before the Act was first introduced in the Assembly.

With *The Gunshot and Stab Wound Mandatory Reporting Act*, Bill 20, and the *HIPA Regulation Amendments re: disclosure to police*, our office was provided with advance notice of each of those initiatives. I respect the decision of the Assembly to enact Bill 20 but must observe that in discussions both in the Assembly and in the Standing Committee on Infrastructure and Human Services, there was considerable confusion among certain groups about what the existing provisions in HIPA mean. It may be useful in the future, when dealing with legislation that impacts access and privacy rights, for Members to have adequate opportunity to discuss with our office those provisions and how we interpret them.

¹⁴ Bill 6, An Act to amend *The Youth Drug Detoxification and Stabilization Act*, 25th Leg, Saskatchewan, 2007.

¹⁵ Bill 20, *The Gunshot and Stab Wound Mandatory Reporting Act*, 25th Leg., Saskatchewan, 2006.

¹⁶ *The Health Information Protection Regulation Amendments re: disclosure to police*, R.R.S. c. H-0.021, Reg 20/07

III. COMMISSIONER'S MESSAGE (CONT'D)

There is a worrisome trend for the development of laws and regulations that have the effect of diminishing information rights of Saskatchewan citizens and eliminating or curtailing the independent oversight by our office.

Our focus is always on collaboration, consultation and co-operation with public bodies, but when this does not result in satisfactory results, we need to report our concerns to the Legislative Assembly.

I think considerably more work can and should be done between our office and Executive Government to harmonize and coordinate the application of the three laws that we oversee. This improved harmonization and coordination should result in less confusion and difficulty for those individuals and agencies that are tasked to implement these laws in the course of their work.

D. OUR PRESCRIPTION

The challenge for the Saskatchewan Government is to find a meaningful way to ensure that every single Deputy Minister and CEO of a government institution and local authority is mindful of the fundamental importance of ensuring their respective organizations are fully compliant.

As proposed in our Annual Report for 2004-2005, I encouraged the Premier to send an open letter to each of his Ministers stressing the importance of compliance with these quasi-constitutional laws.

As proposed in our Annual Report for 2005-2006, a key performance measure for each Deputy Minister and CEO of Crown corporations should be full compliance with the statutory requirements of FOIP. Otherwise it is unclear what the incentive may be to 'raise the bar' on compliance.

E. CONCLUSION

In some respects, we have witnessed considerable positive development at the front-lines and close to the front-line of government services in terms of access and privacy. The difficulty is that this good work being done by committed public sector employees warrants the kind of clear direction, support and reinforcement I feel has yet to be seen from the 'executive suite'.



R. Gary Dickson, Q.C.
Saskatchewan Information and Privacy Commissioner

IV. *THE LOCAL AUTHORITY FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (LA FOIP)*

As noted in my past Annual Reports, I have consistently urged the Government of Saskatchewan to eliminate the two-statute approach to FOIP by integrating local authorities fully into FOIP. This would simplify and improve the accessibility of FOIP for local authorities and citizens alike.

There continues to be a dearth of training materials, handbooks and policies for efficient administration of LA FOIP. Part of this is attributable to the fact that although SK Justice is mandated to report annually to the Assembly on the administration of FOIP, there is no parallel provision in respect of local authorities. Also, historically SK Justice has not supported, in any way we can determine, local authorities in addressing their statutory responsibilities. There has been no significant training specifically targeted at local authorities' employees other than initiatives of this office over the last three years. To the best of our knowledge, the opportunity in section 53 for the Minister of SK Justice to produce a directory listing local authorities and identifying to whom a request for access should be sent has never been exercised.

I am encouraged that the Access and Privacy Branch now has plans to develop materials for local authorities.

I note that there is no statutory requirement for any local authority to appoint a FOIP Coordinator. This is probably one of the most obvious limitations in strengthening statutory compliance in local authorities. For many local authorities, it would be perhaps the most important starting point in a compliance plan to appoint a senior person, a FOIP Coordinator, with the overall responsibility. This person would be responsible for developing policy and procedures, for ensuring appropriate training for staff, for dealing with requests for review and breach of privacy complaints and dealing with our office in the event of a formal request for review. Ideally this person would report directly to the CEO of the local authority or at least be able to communicate directly to CEO. We have discussed the job responsibilities for a FOIP Coordinator in the January, 2004 FOIP FOLIO¹⁷.

¹⁷ OIPC, Saskatchewan FOIP FOLIO (January, 2004) at 3 and 4; available at <http://www.oipc.sk.ca/FOIPFOLIO/January2004.pdf>

V. THE HEALTH INFORMATION PROTECTION ACT (HIPA)

Consistent with our experience in 2005-2006, in 2006-2007 approximately one half of our resources were committed to addressing HIPA compliance. This entails responding to formal access requests and breach of privacy complaints. It also involves providing summary advice to both members of the public and to those working in trustee organizations. We have also provided considerable detailed advice and commentary to trustees regarding different health related legislation or regulations or proposed programs that will involve personal health information.

A. SECTION 27(4)(a) DISCLOSURE WITHOUT CONSENT

A number of questions were raised by Members of the Assembly in early 2007 with respect to the scope and interpretation of section 27(4)(a) of HIPA that provides as follows:

27(4) A trustee may disclose personal health information in the custody or control of the trustee without the consent of the subject individual in the following cases:

(a) where the trustee believes, on reasonable grounds, that the disclosure will avoid or minimize a danger to the health or safety of any person;

In interpreting HIPA provisions we are guided by the “modern principle” of interpretation. That means reading the words in HIPA “*in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act and the intention of Parliament.*” The Supreme Court of Canada has stated this is the correct approach to interpret legislation.

We also need to be guided by section 10 of *The Interpretation Act*¹⁸ that provides:

10 Every enactment shall be interpreted as being remedial and shall be given the fair, large and liberal construction and interpretation that best ensure the attainment of its objects.

To give effect to this modern principle of statutory interpretation, we consider the way that the courts have been treating access to information and privacy and the *Canadian Charter of Rights and Freedoms*¹⁹ as well as the purpose and unique nature of these three laws. We are guided also by the approach taken by the other Information and Privacy Commissioners since such laws across our nation have far more in common than they exhibit differences. It will be useful to recognize that in the course of more than 20 years of Canadian experience with privacy and access law that certain terms have acquired particular meanings.

Also, there is some apparent confusion over the role of the codes of practice for healthcare professionals in interpreting HIPA. Actually, HIPA was designed to harmonize with those

¹⁸ *The Interpretations Act*, 1995, S.S. 1995, c. I-11.2

¹⁹ *Canadian Charter of Rights and Freedoms*, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (U.K.), 1982, c. 11

V. THE HEALTH INFORMATION PROTECTION ACT (HIPA) (CONT'D)

ethical standards of health professionals. This is apparent in sections 27(3)(b), 27(4)(e)(ii)(B), 27(5) and 43(2)(f). It is also apparent in provisions that parallel and reflect elements of those professional codes. This includes the requirement that disclosure for secondary purposes generally requires consent unless there is statutory authority for the disclosure.

In the result, disclosure of someone's personal health information for any purpose unrelated to the diagnosis, treatment or care of the individual should require express consent unless there is specific contrary wording. In cases where there is a discretion for the trustee to determine whether or not to disclose personal health information for a secondary purpose, that discretion should be exercised consistent with the purpose of the statute. That would mean that for purposes of section 27(4)(a), since it is an exception to the consent requirement, it should be interpreted narrowly. The key is to focus on the qualifying phrase "on reasonable grounds". It will be important for trustees to provide appropriate assistance to their staff to understand what this qualification means in practical terms.

Finally, there is a body of case law and decisions from Canadian Information and Privacy Commissioners that reinforces this approach.

I continue to be concerned that as the list of permitted uses and disclosure of personal health information without consent is expanded, it may well cause difficulties in the future in building popular support for the electronic health record. At the very least, the impact on public confidence and trust should be an essential consideration every time a new secondary use or disclosure of personal health information is proposed.

B. IMPLIED CONSENT

I am encouraged by the extent to which some health information trustees are promoting the use of implied consent instead of deemed consent in their service provision. Notable examples would be the Prevention Program for Cervical Cancer operated by the Saskatchewan Cancer Agency and the Chronic Disease Management Program. Unlike deemed consent, with implied consent there is the opportunity for the individual to withdraw or revoke consent. With deemed consent, any such power is denied to the individual. This expanded use of implied consent aligns nicely with the developing best practices in the health information context across the nation.

V. THE HEALTH INFORMATION PROTECTION ACT (HIPA) (CONT'D)

C. ELECTRONIC HEALTH RECORD

Canada Health Infoway has produced a useful document – *White Paper on Information Governance of the Interoperable Electronic Health Record (EHR)*²⁰ (White Paper). This is important for Saskatchewan given the six major projects now underway in our province related to the EHR funded by Canada Health Infoway.

As this work progresses, we attempt to monitor these developments as closely as we can since the implications for privacy are major. It is important that in a concern to ensure there are strong security features for personal health information, we not lose sight of the fact that security is but one feature of privacy. In other words, strong security does not equate to strong privacy. Privacy, which is about the kind of control that the individual may assert over his or her own personal health information, must not be minimized or ignored.

In its White Paper, Infoway outlines 10 different “information governance mechanisms” currently in use in the Canadian healthcare system. These apply equally to paper records and to electronic records. Examples of these mechanisms include the following:

Privacy officers and privacy teams – individuals are to be designated to interpret the requirements of applicable legislation, provide ongoing privacy training and answer questions about data protection and security from patients; as well as manage crises as real problems arise.

...

Privacy and security awareness training – Breaches of privacy are often related to failures in information security that can, in turn, be traced to users who did not understand, or did not follow, established security-related procedures. The importance of training in the electronic health record environment cannot be underestimated with regard to ensuring that all users of the system understand the power of the EHR systems, authorized uses of the system and the penalties for misuses²¹.

While many trustee organizations in Saskatchewan have designated privacy officers and, in some cases, privacy teams, much work has yet to be done in developing comprehensive practical training material and then delivering that training to all staff.

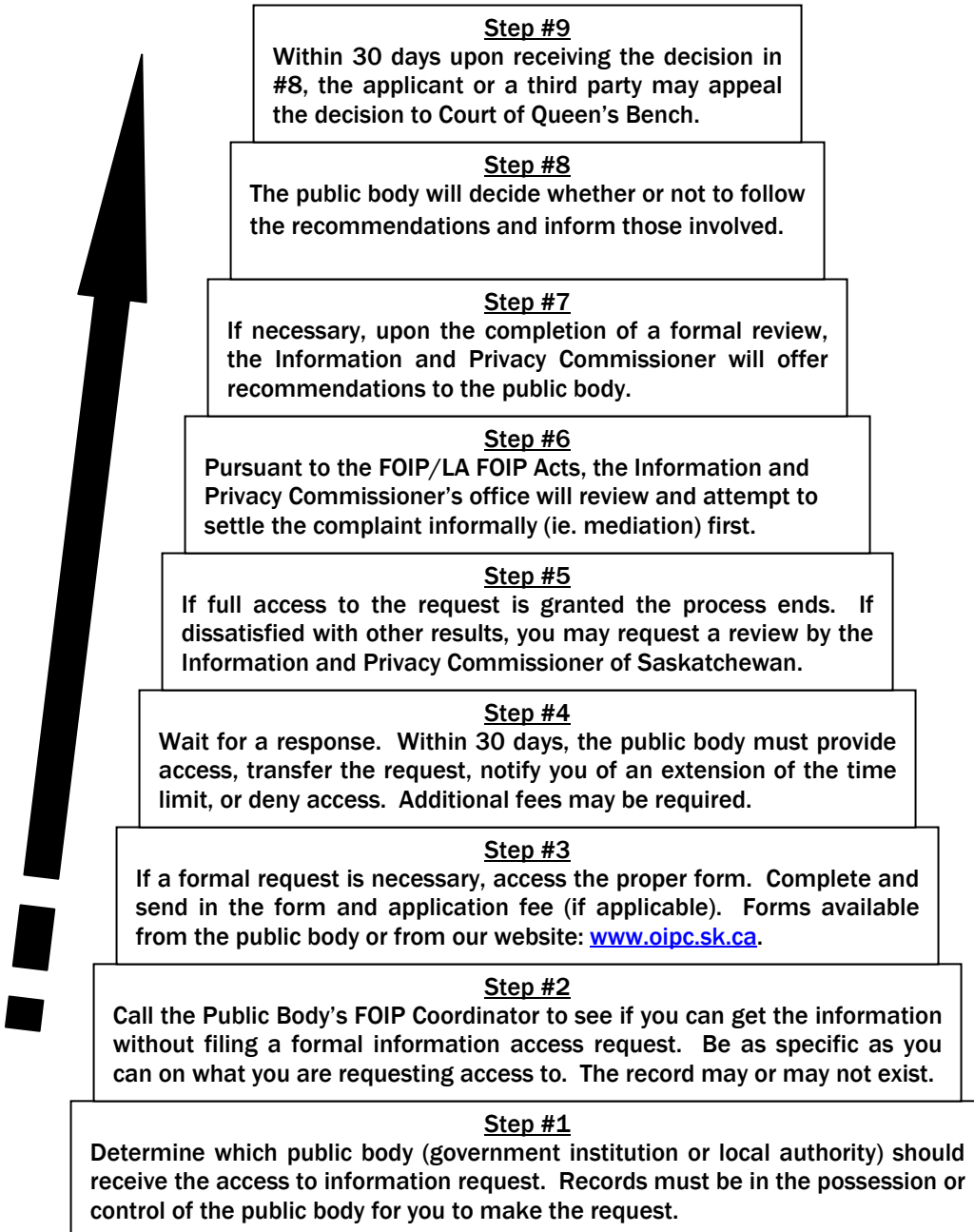
It is very important that these information governance mechanisms described in the White Paper be well established and fully functioning before we proceed further down the path of the EHR.

²⁰ Canada Health Infoway, [*White Paper on Information Governance of the Interoperable Electronic Health Record (EHR)*], (March 2007); available online at http://www.infoway-inforoute.ca/en/News-Events/MediaCoverage_long.aspx?UID=85

²¹ *Ibid.*, at IX

VI. HOW TO MAKE AN ACCESS REQUEST

The Freedom of Information and Protection of Privacy Act & The Local Authority Freedom of Information and Protection of Privacy Act



VII. HOW TO MAKE A PRIVACY COMPLAINT

1. The complainant should first contact the Privacy Officer or FOIP Coordinator for the government institution, local authority or trustee (the public body) to attempt to resolve the complaint.
2. If no satisfactory resolution of the concern by dealing directly with the public body, the complainant may choose to file a written complaint with the Information and Privacy Commissioner.
 - Generally, the Office of the Information and Privacy Commissioner (OIPC) will not deal with a complaint that is two years old or older.
 - The complaint should be in writing and should provide the following:
 - Complainant's name, address and phone number
 - Date
 - Specific government institution, local authority or trustee against whom the complaint is made
 - Copies of any correspondence with the public body relevant to the complaint
 - Description of the events giving rise to the complaint
 - Clarify whether the complainant wishes to be treated as anonymous when the OIPC communicates with the public body.

Once we review the complaint the following will occur:

3. Once it is determined that the OIPC has jurisdiction to investigate, a Portfolio Officer will be assigned to the file.
4. The Portfolio Officer will advise the public body of the complaint and that the OIPC will be investigating under the authority of FOIP, LA FOIP or HIPA. At the same time we will advise the complainant that an investigation is underway.
5. The Portfolio Officer will gather information from the public body to determine the relevant facts.
6. The Portfolio Officer will define the issues for purposes of the investigation and invite submissions from the public body and the complainant.
7. The Portfolio Officer will attempt to mediate, or otherwise informally resolve the complaint, with complainant and public body.
8. If no mediated settlement is possible, the Commissioner will proceed to issue a formal Investigation Report. The identity of the complainant will not be disclosed.
9. There may be a limited right of appeal to the Court of Queen's Bench by an aggrieved complainant if the complaint was handled under HIPA pursuant to section 46. No right of appeal from a report dealing with a breach of privacy under FOIP or LA FOIP.

VIII. CASE SUMMARIES

A. REPORT H-2006-001 – SASKATOON REGIONAL HEALTH AUTHORITY – JULY 20, 2006

Review Report H-2006-001 involves an access request made to the Saskatoon Regional Health Authority (SRHA or the region) by the son of a man who died at the Royal University Hospital. The Region properly denied access under Part V of HIPA since the son was not the personal representative of his late father's estate. The Commissioner made recommendations however about the disclosure of partial information under the discretionary power in section 27(4)(e). The Commissioner also found that the Region had failed to meet the 'duty to assist' in HIPA in section 35.

The region complied with the Commissioner's recommendations in part. In terms of the Commissioner's recommendation pertaining to building access and privacy capacity in the Region, SRHA indicated that work is underway including consolidating access and privacy responsibilities in a Privacy and Access Office with dedicated staff headed by a full time Privacy Officer. With respect to the Commissioner's recommendation on the need to provide specialized training on how to handle requests for information pertaining to a deceased individual, the region advised us of its intention to review its present practices to determine in what circumstances such requests would be forwarded to its health records personnel or to the Privacy and Access Office instead. On the Commissioner's recommendation "*that the Saskatoon Regional Health Authority consider whether there can be disclosure of limited personal health information to the Applicant as contemplated by section 27(4)(e)*", the region indicated it would not revisit its original decision.

B. REPORT F-2006-002 - SASKATCHEWAN RESEARCH COUNCIL – SEPTEMBER 7, 2006

The Applicant applied for access to records in the possession of the Saskatchewan Research Council (SRC). This included information relating to and generated by SRC in its analysis of samples provided for environment testing by various third parties. SRC refused access to all responsive records citing sections 13(1)(a), 17(1)(a), 17(2)(c)(i), 18(1)(f), 18(2)(a) and 19(1)(b) of FOIP. The Commissioner determined that the raw data, the test reports, and other documents related directly to the testing carried out by SRC as a service for a fee had been properly withheld. It was determined that a few documents or portions thereof included in the record contained general administrative or billing information of SRC that should be released to the Applicant.

In its letter of response dated September 27, 2006, SRC provided notice of its decision to follow the Commissioner's recommendations in full.

C. REPORT F-2006-003 - SASKATCHEWAN JUSTICE – SEPTEMBER 11, 2006

The Applicant requested a review of the decision of Saskatchewan Justice (SK Justice) to extend the 30 day response deadline in FOIP by an additional 15 days. SK Justice employed section

VIII. CASE SUMMARIES (CONT'D)

12(1)(b) of FOIP claiming that it could not reasonably complete “consultations” that were necessary in order to properly comply with the Applicant’s request within the 30 day time limit. We determined that SK Justice did not properly invoke this subsection as it did not initiate consultations in a timely manner and many of those activities described by SK Justice as “consultations” did not qualify as consultations within the meaning of FOIP. The notice provided to the Applicant met the requirements of section 12(2) of FOIP. However, the response did not meet the requirements of section 7(2)(d) and subsequently section 12(3) of FOIP as SK Justice did not adequately identify which exemptions applied to each severed line item of the record nor did it offer adequate reasons for the refusal to permit access to certain records.

In its response, SK Justice indicated that its officials would take into account the Commissioner’s recommendations to ensure future responses are compliant with the requirements of clause 7(2)(d). Also, as recommended by the Commissioner, SK Justice provided additional information to the Applicant as detailed in paragraphs [69] and [70]. SK Justice indicated that it had asked officials to take action with respect to the Commissioner’s final recommendation by ensuring it has clear processes in place to monitor timelines in responding to applications.

D. REPORT F-2006-004 – SASKATCHEWAN HUMAN RIGHTS COMMISSION – NOVEMBER 29, 2006

Review Report F-2006-004 dealt with a request by two persons who had made a joint complaint of discrimination to the Saskatchewan Human Rights Commission (the Commission). After the complaint had been dismissed by the Commission, the applicants made an access request under FOIP for their file from the Commission. The Commission released portions of the file to the applicants but withheld the remainder citing sections 15(1)(c) (lawful investigation) and 17(1)(b) (consultations) of FOIP. We found that some third party personal information was rightfully withheld but recommended release of many of the withheld documents in full or in part.

In its letter to us dated December 20, 2006, the Commission indicated its intention to follow the recommendations set forth in the Report in full.

E. REPORT F-2006-005 – SASKATCHEWAN GOVERNMENT INSURANCE, SASKATCHEWAN TELECOMMUNICATIONS, SASKATCHEWAN HEALTH, SASKATCHEWAN POWER CORPORATION, & SASKATCHEWAN ENERGY INCORPORATED – DECEMBER 15, 2006

Review Report F-2006-005 deals with decisions by one government department (SK Health) and four Crown corporations (SGI, SaskTel, SaskPower and SaskEnergy) to extend the statutory 30-day time limit to respond to each access request under FOIP.

Of those five public bodies, only SaskPower and SK Health gave proper notice to the Applicant of the time extension.

VIII. CASE SUMMARIES (CONT'D)

On the merits of the extension of time the Commissioner found that:

- SK Health had failed to commit adequate resources to manage its access to information responsibilities under FOIP. It could not therefore argue that to answer the access request within 30 days would unreasonably interfere with the operations of the Department.
- None of the four Crown corporations met the burden of proof in establishing that an extension of time was required to permit necessary consultation.

The Commissioner held that if a government institution has not taken reasonable steps to create the capacity to be able to comply with FOIP requirements, it cannot avail itself of the provision to extend the time to respond. Furthermore, all five government institutions failed to discharge the burden of proof in establishing that an extension was appropriate in each case.

The Commissioner made five specific recommendations including:

- 1) Need for three of the Crown corporations to revise their internal procedures for giving notice when they extend the response time;
- 2) The four Crown corporations should ensure that, in any future consultation with outside agencies, the name of the Applicant is not disclosed unless there is proper statutory authority;
- 3) The four Crown corporations should ensure that, in the future, there is no delegation of the decision making power of the head to an external body when deciding whether to withhold records from an applicant;
- 4) Need for all four Crown corporations to reconsider any past policy of vetting access requests and proposed responses with the Communications Branch of Executive Council; and
- 5) Need for SK Health to ensure there are adequate resources to meet, on an ongoing basis, its requirements for responding to access requests.

On the only recommendation specifically naming SK Health, “[t]hat SaskHealth ensures that there are adequate resources assigned to meet, on an ongoing basis, its requirements under the Act for processing and responding to Access Requests,” the department indicated that, though it has appropriately delegated responsibility under FOIP, it continues to assess its resourcing needs and capacities in this and other areas of department responsibility.

SaskPower indicated in its letter of response to our office that it accepted each of the Commissioner’s recommendations. SaskPower further elaborated in response to the Commissioner’s recommendation at [90] that “*there is no policy past or present that requires vetting of access requests and proposed responses with the Communications Branch of Executive Council.*” SaskPower indicated that it does consult with Executive Council on access requests, as, in its view, this is appropriate and by doing so is able to ensure that the Minister responsible for the Crown is properly briefed on issues pertaining to access requests.

SaskEnergy’s response indicated that it would follow the Commissioner’s recommendations in full.

VIII. CASE SUMMARIES (CONT'D)

SGI similarly indicated that it would endeavour to follow the Report's applicable recommendations.

Finally, SaskTel informed our office that it would modify its access request processes as necessary to comply with the Report's recommendations. SaskTel advised us that henceforth there would be limited sharing of draft responses, minus the applicant's name, in order to appropriately advise the Minister responsible for SaskTel.

F. REPORT F-2007-001 – SASKATCHEWAN NORTHERN AFFAIRS – MARCH 22, 2007

In Report F-2007-001, I considered Saskatchewan Northern Affairs' (Northern Affairs) response to an Applicant who had requested a waiver of fees. The Commissioner found that Northern Affairs failed to respond to the fee waiver request and made specific recommendations as to what should be included in an appropriate response. The fee estimate that was issued by Northern Affairs failed to comply with our specific recommendations for an appropriate fee estimate in Report F-2005-005. It failed to break out the estimated costs for (1) searching for responsive records and (2) preparing the record for disclosure. Northern Affairs also failed to provide an interim notice as recommended in Report F-2005-005.

The Commissioner discussed the problems that arose when Northern Affairs tried to respond to the access request not just on its own behalf but also on behalf of two other government institutions. The Commissioner also commented on the inefficiency and related problems that occur when some eleven different persons in five different government departments are involved in determining an appropriate response to a single access request. This Report includes a number of specific recommendations for Northern Affairs to improve its performance and statutory compliance when responding to access for information requests.

Northern Affairs complied in full with the Commissioner's recommendations by agreeing to address the fee waiver requirement and indicated that when it revises its fee estimate it will include an interim notice.

G. INVESTIGATION REPORT F-2007-001 - WORKERS' COMPENSATION BOARD – MARCH 28, 2007

The Complainant initiated a claim under *The Workers Compensation Act, 1979* for compensation arising from what he alleged was a workplace injury. The Saskatchewan Workers' Compensation Board (WCB) collected, used and disclosed both personal information under FOIP and personal health information under HIPA of the Complainant. The Commissioner found that the WCB disclosed to the Complainant's employer more personal information and personal health information than was necessary. The Commissioner further found that the WCB failed to adequately safeguard the Complainant's information when it sent copies of his personal information and personal health information to the Complainant by ordinary mail. That package was not received by the Complainant and cannot be accounted for. The Commissioner recommended that WCB should make reasonable efforts to retrieve documents improperly

VIII. CASE SUMMARIES (CONT'D)

disclosed to the employer in order to destroy them and should officially apologize to the Complainant for the loss of the package.

The Commissioner, after reviewing the policies and procedures of WCB intended to protect the privacy of claimants and the confidentiality of their personal information and personal health information, concluded that the WCB in certain key areas had not met the requirements of HIPA or FOIP.

The Commissioner recommended a number of revisions to:

- the organization of WCB to manage the ‘access and privacy file’;
- the policies and procedures of WCB for the handling of personal information of claimants; and
- the website and public information materials of WCB to make them more helpful to the public.

In its response, WCB asserted that it was not improper to disclose the information in question to the employer. The responses can be summarized as follows²²:

- Three of the five letters (the subject of our recommendation that WCB employ its best efforts to immediately require the Complainant’s Employer to return to WCB in order that WCB can properly disclose those records) will be retrieved. Of those three letters, two will be replaced and one will be destroyed.
- Further consideration will be given to the Policies and Procedures of WCB discussed in our Investigation Report “*at a later time when recommendations of the Workers’ Compensation Act Committee of Review are available.*”
- “WCB will revise the Procedure documents that contain instructions to staff, so as to assign all of the relevant responsibilities to one person. That person will be the WCB’s Corporate Solicitor, reporting to the Executive Assistant to the CEO.”
- WCB will revise its brochures and public education materials “*as appropriate.*”
- “WCB will revise its website privacy notice, noting the parts of FOIP and HIPA that apply to the WCB and those that do not.”
- “WCB Procedure documents that contain staff instructions regarding the handling of information will be revised. Necessary changes to training materials will follow.”
- “WCB will revise the Procedure document that contains instructions to our staff, so as to specify criteria” to consider in deciding what to release to employers.
- “WCB will revise the Policy documents that contain the principles the Board has adopted, so as to include the “need-to-know” principle. This will assist our staff in deciding what information to disclose under the authority of section 171.”

²² Legal Services, *Response Letter to Investigation Report F-2007-001*, (Saskatchewan Workers’ Compensation Board, April 27, 2007)

VIII. CASE SUMMARIES (CONT'D)

- WCB will revise the Procedure documents that contain instructions to staff for sending personal information to claimants, so as to employ our recommended delivery options.
- *“In terms of access, WCB Policies and Procedures will continue to administer access for employers, injured workers and their dependents as provided for in the WCA. The Policies and Procedures will be revised to contain a provision that is analogous to paragraph 32(1)(b) of FOIP.”*
- *“WCB will revise the Procedure documents that contain instructions to our staff, so as to specify that employers, injured workers and dependents of injured workers, after accessing a claim, may submit any information they wish, or comment on information already recorded in the claim.”*

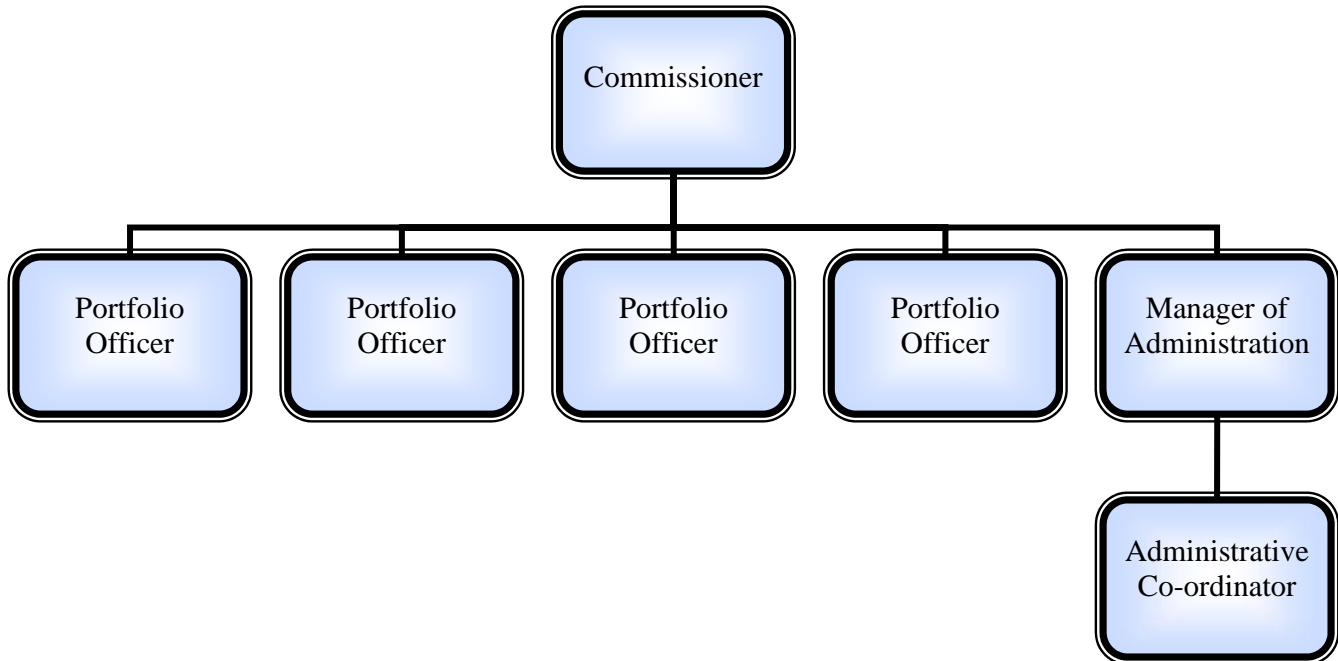
H. REPORT F-2007-002 - SASKATCHEWAN GOVERNMENT INSURANCE – MARCH 28, 2007

Report F-2007-002 pertains to a review of a decision by SGI to deny access to nine documents in the Applicant's file under FOIP. SGI claimed sections 17(1)(b)(i) and 22 of FOIP to support the decision to deny access. The Commissioner found that SGI did not meet the burden of proof mandated by section 61 of FOIP and recommended release of the withheld records.

In response to our office, SGI informed us that it would not comply with the Commissioner's recommendations. SGI indicated its belief that even though the Commissioner found that the burden of proof had not been met, that the documents were, in the view of SGI, rightfully withheld.

IX. BUSINESS PLAN, BUDGET & STATISTICS

A. ORGANIZATIONAL STRUCTURE²³



B. CHANGES TO THE OIPC

With the support of the Board of Internal Economy, our office increased our investigative capacity during 2006-2007 to four Portfolio Officers. Each Portfolio Officer is responsible for undertaking breach of privacy investigations and reviews of access decisions as well as providing education sessions and providing advice and consultation to government institutions, local authorities and trustees. Our experience, however, is that it takes a number of months for each new Portfolio Officer to become comfortable with the wide scope of the legislation and the types of challenges presented by such a diverse range of public bodies. Our third Portfolio Officer was hired in June 2006 and our fourth Portfolio Officer in February 2007. Both are undergoing intensive training. Our senior Portfolio Officer has graduated from the University of Alberta Information Management, Access and Privacy certificate program. Each of our other three Portfolio Officers is enrolled in that same program. In the result, the office has not yet begun to realize the full benefits of additional investigative staff.

Consistent with our strengthened focus on reviews and investigations, we decided to create a new position of Director of Compliance to directly manage these statutory responsibilities. This will take effect in the 2007-2008 fiscal year.

²³ One Portfolio Officer commenced employment in July 2006 and commenced a leave in December 2006; One Portfolio Officer commenced employment in February 2007; The Manager of Administration commenced a leave in September 2006.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

C. REVISIONS TO OUR ROLLING 3 YEAR BUSINESS PLAN

Our original Business Plan for 2005-2008 was developed in April 2005. It included five Core Businesses as follows:

- Core Business 1: Reviews of decisions on access requests
- Core Business 2: Reviews of breach of privacy complaints
- Core Business 3: Trustee/Government Institution/Local Authority Compliance
- Core Business 4: Clarifying the Access and Privacy Regime in Saskatchewan
- Core Business 5: Public Education

It also included ten specific goals and more than 40 key performance measures. This original Business Plan was distributed to Members of the Assembly and has constituted the foundation for our reports to the Board of Internal Economy and the basis for our Estimates for each fiscal year.

As we achieved a number of our goals and key performance measures, we decided to revise and update the Business Plan. This was done in the new Business Plan for 2006-2009 that was adopted in December 2006. Again, this was distributed to the Members of the Assembly. There was no change to the Core Businesses of the office. We did however revise the goals such that there are now twelve. A number of the key performance measures were modified or replaced. The new Business Plan for 2006-2009 is available at our website, www.oipc.sk.ca under the *Annual Reports* tab.

A major change reflected in the Business Plan for 2006-2009 was to announce a shift from an allocation of approximately 60% of our resources to education and the development of educational material and tools to only approximately 40% on education. At the same time, we are increasing our focus on reviews of access decisions, investigation of privacy complaints as well as advice and commentary to public bodies and trustees from approximately 40% to approximately 60%.

Key features of our 2006-2007 performance measures from the original 3 year Business Plan are as follows:

80% of all reviews to mediation or report stage within five months. [page 11]

As of March 31, 2007, the OIPC had 23 files from 2004, 35 files from 2005 and 52 files from 2006, and 25 files from 2007 that were outstanding. As noted in our submission to the Board in 2007, the office has not had the capacity identified as necessary to achieve this performance measure before March 31, 2007. Without additional staff (both Portfolio Officers and support staff) this performance measure will not be met in the next year either. Those files closed by either mediation/informal resolution or report between April 1, 2006 and March 31, 2007 are as follows:

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

- 2004: 17
- 2005: 21
- 2006: 36
- 2007: 2

The form of resolution was as follows:

- Mediated/informal resolution: 61
- Formal report: 12
- Dismissed: 3

The number of mediated resolutions decreased from 83% in 2005-2006 to 80.3% in 2006-2007.

Publish at least 25 reports from reviews on the OIPC website. [page 12]

As of March 31, 2007, eight reports have been published on the OIPC website. Report F-2006-005 incorporated findings and recommendations in respect of five different files. The result is that there is the equivalent of twelve reports published.

Collaborate with appropriate departments and agencies to develop Frequently Asked Questions for government institutions. [page 14]

We were unable to complete this item.

Identify partners to co-sponsor a major Saskatchewan conference on access and privacy to highlight best practices and to identify problem areas. [page 14]

Arrangements have been made with an independent contractor to organize the Prairie Health Information Privacy Day 2007 (April 16, 2007) and a further Saskatchewan Privacy and Access Conference (April 18, 2007). This has entailed cooperation with the Access and Privacy Branch, SK Health, Saskatoon Regional Health Authority, City of Regina, and University of Saskatchewan Archives. More information on these conferences is available at <http://verney.ca/phipd2007/> and <http://verney.ca/sapc2007/> respectively.

Increase the number of subscribers to the Saskatchewan FOIP FOLIO. [page 14]

We have learned that many more individuals are routinely accessing archived copies of the FOIP FOLIO via our website, www.oipc.sk.ca. We note that in the last year there has been a significant increase in both 'hits' and 'visits' to the website. Since January 1, 2006 until December 31, 2006, the number of 'hits' was 195,827 and the number of visits was 54,784.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

Publish reports on at least four office-initiated investigations. [page 17]

Our office has identified at least eight matters that warrant investigation by our office for statutory compliance, but we have not had the resources to date to undertake an investigation into any of these matters.

Develop a format for 'report cards' on public bodies that highlight their response to access requests. [page 19]

We have determined that for the time being it is more effective to address the conduct of public bodies, when it is of concern, in our formal review/investigation reports published on our website. There is still considerable capacity building underway in many Saskatchewan public bodies and perhaps in 2007, it will be reasonable to revisit this key performance measure.

Undertake ten site visits to trustee facilities. [page 19]

We conducted a site visit to Five Hills Regional Health Authority and another to Providence Place in the 2006-2007 fiscal year. We developed a plan to undertake site visits to physician offices and communicated this plan to the College of Physicians and Surgeons and the Saskatchewan Medical Association. Implementation of the plan has been deferred in light of our current staffing limitations. Two staff commenced a leave of absence in the 2006-2007 fiscal year.

Undertake five site visits to government institutions and local authorities. [page 19]

The staffing limitations noted above meant that although we frequently attend on site to meet with government institutions and local authorities incidental to our review and complaint-driven investigations, we have not found the requisite time to tour those sites for a more detailed assessment of general statutory compliance.

Publish advisory material to reflect areas of concern among government institutions, local authorities and trustees. [page 21]

In the 2006-2007 fiscal year, we submitted a brief to the Workers' Compensation Act Committee of Review with recommendations for improvement in meeting access and privacy requirements in the administration of *The Workers' Compensation Act, 1979*. We also published on our website letters to the Assembly on Bill 6, *The Youth Drug Detoxification and Stabilization Amendment Act, 2006* and Bill 20, *The Gunshot and Stab Wound Mandatory Reporting Act*. Since March 31, 2006, we have continued to highlight areas of concern together with our recommendations for best practices via the Saskatchewan FOIP FOLIO. There have been 11 issues of the FOIP FOLIO since March 31, 2006.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

Provide commentary on recommended amendments for FOIP and LA FOIP. [page 22]

The Annual Report for 2005-2006 included an extensive and updated list of proposed amendments to Saskatchewan access and privacy legislation. [page 11]

Make at least 100 presentations to a wide variety of audiences in a number of different Saskatchewan communities. [page 24]

Since April 1, 2006, our office has delivered 156 presentations throughout the province. A sample of presentation audiences can be found in Appendix A. In addition, in 2006-2007 we continued our Brown Bag Luncheon series of workshops on various access and privacy issues targeted to access and privacy coordinators in public bodies.

Produce brochures on access and privacy issues for citizens. [page 24]

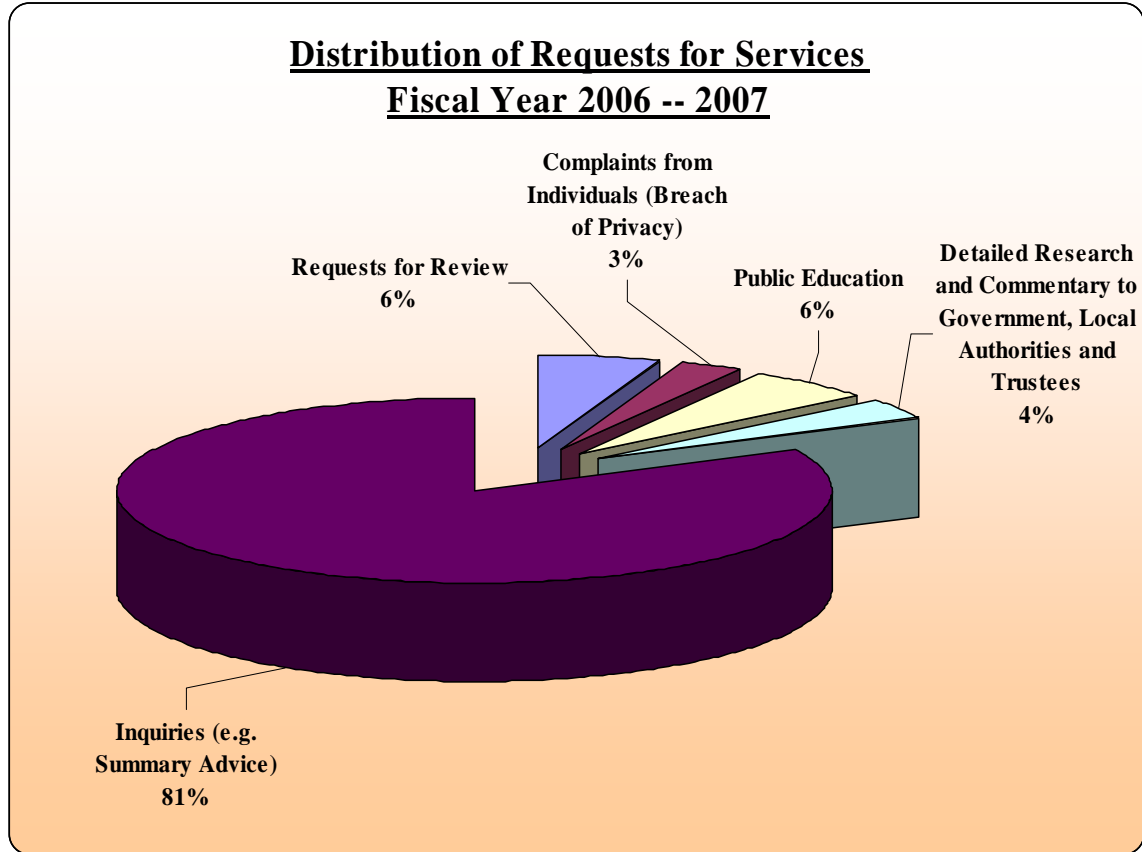
We updated and revised our *Saskatchewan MLA Constituency Office Access and Privacy Guide*. This was distributed to all MLA offices and as well was posted on our website. This is available at our website, www.oipc.ca, under the *Resources* tab.

In 2006-2007 we also produced, in conjunction with the Saskatchewan Right to Know Committee, the following materials:

1. Access to Information/Protection of Privacy lesson plan provided to 413 Saskatchewan high schools.
2. Posters and materials for an essay contest on the importance of access to information in a democratic society for Saskatchewan high school students and a parallel essay contest for Saskatchewan post-secondary students.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

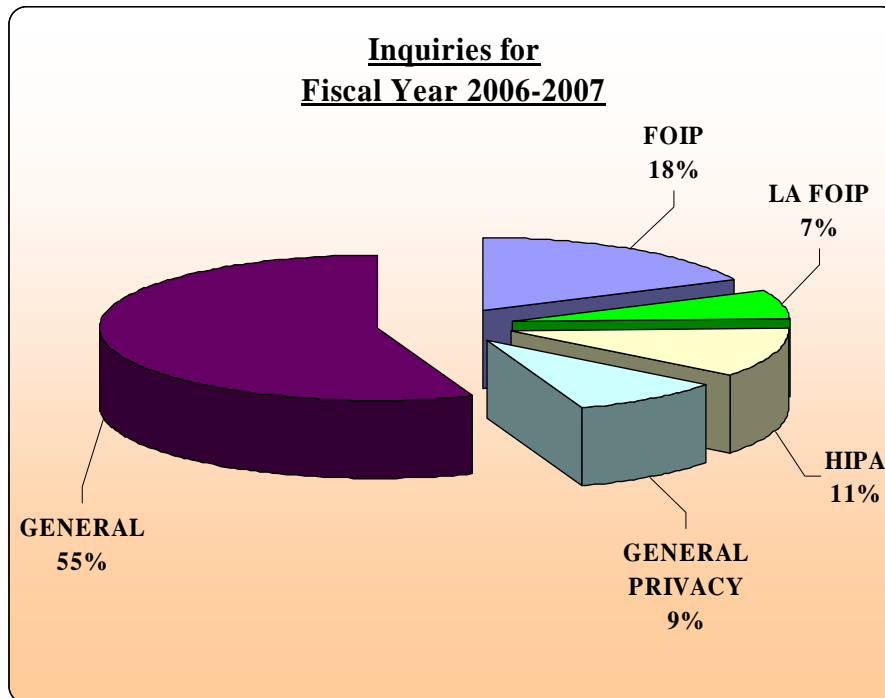
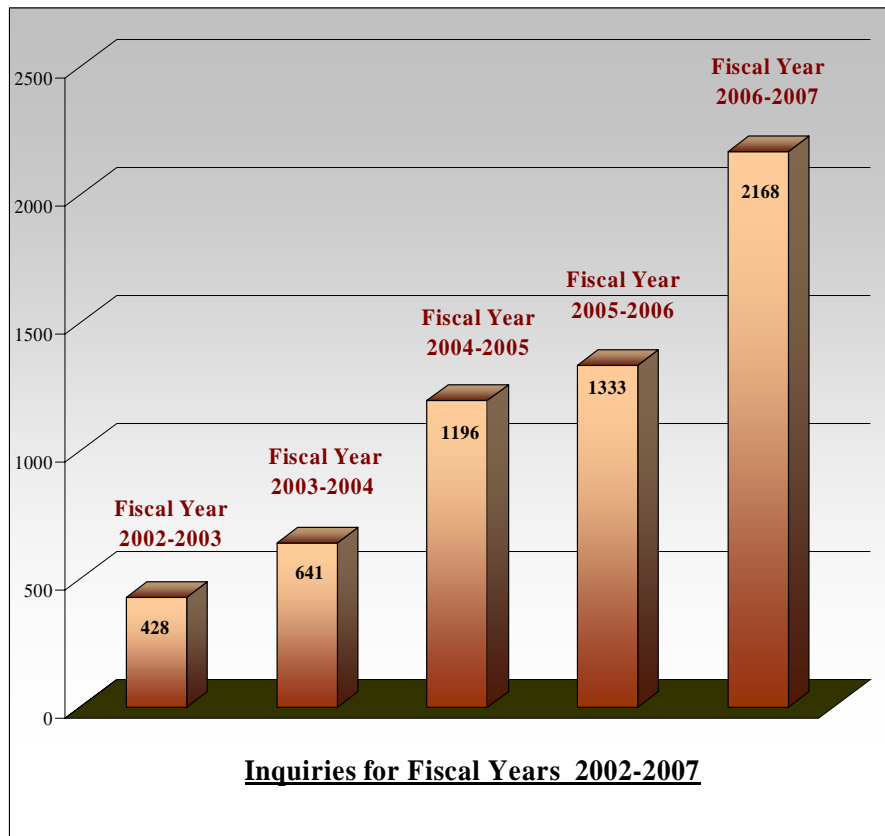
D. STATISTICS



| Description | 2005-2006 | 2006-2007 |
|--|-------------|-------------|
| Requests for Review | 131* | 148* |
| Complaints from Individuals (Breach of Privacy) | 53* | 70* |
| Public Education | 166 | 156 |
| Detailed Research and Commentary to Government, Local Authorities and Trustees | 117 | 99 |
| Inquiries (e.g. Summary Advice) | 1333 | 2168 |
| Total | 1800 | 2641 |

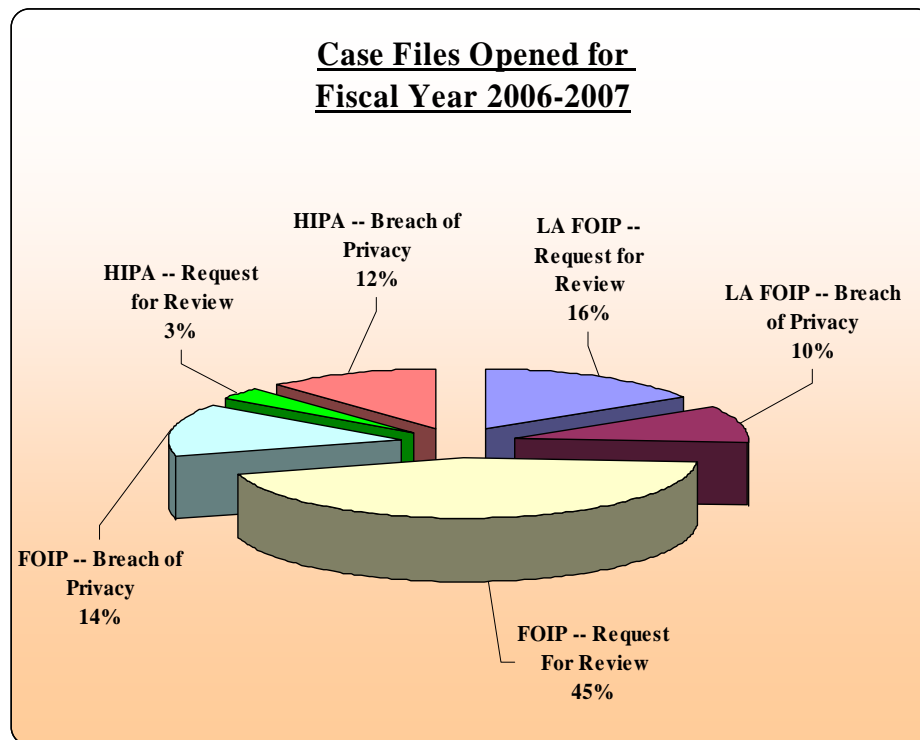
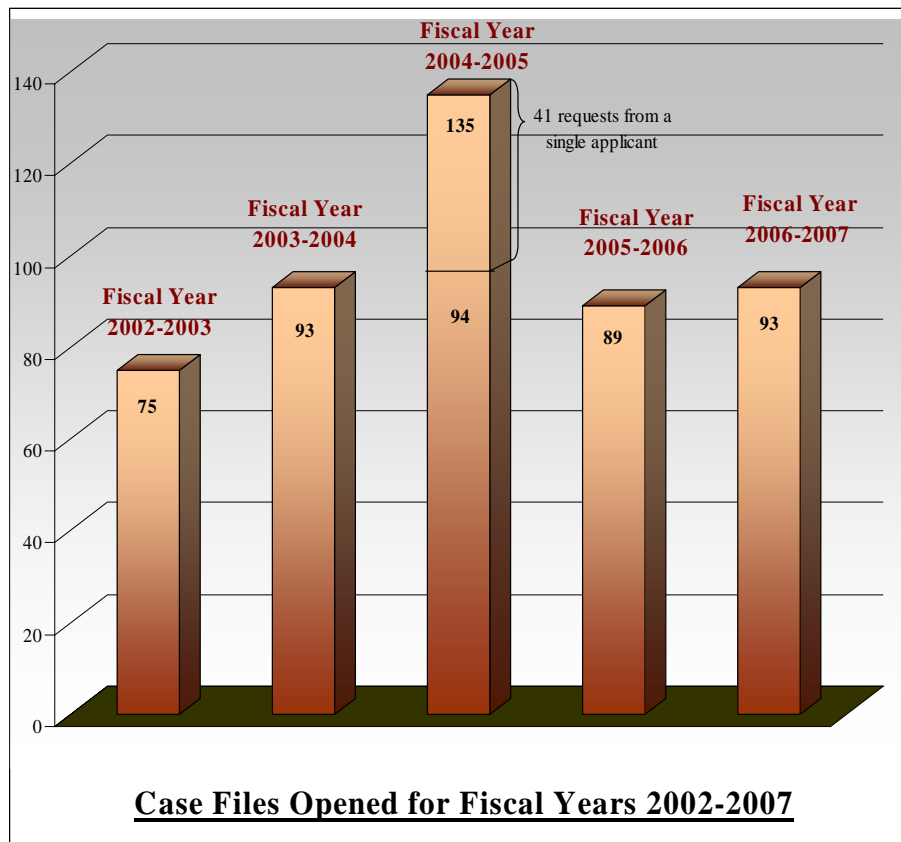
* Number is representative of open files carried over from previous years, not just those opened the fiscal year indicated.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)



An “inquiry” captures requests for information on the process or the substantive legislation.

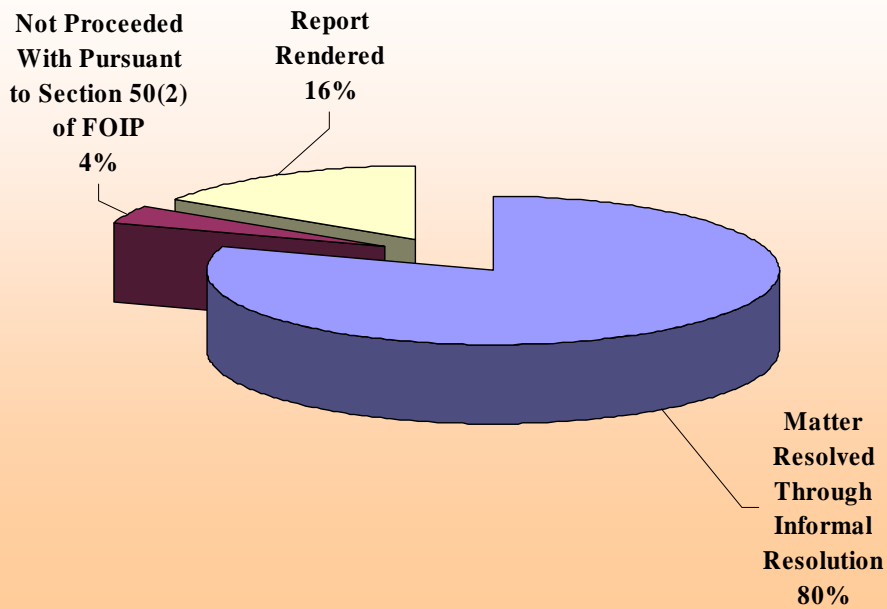
IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)



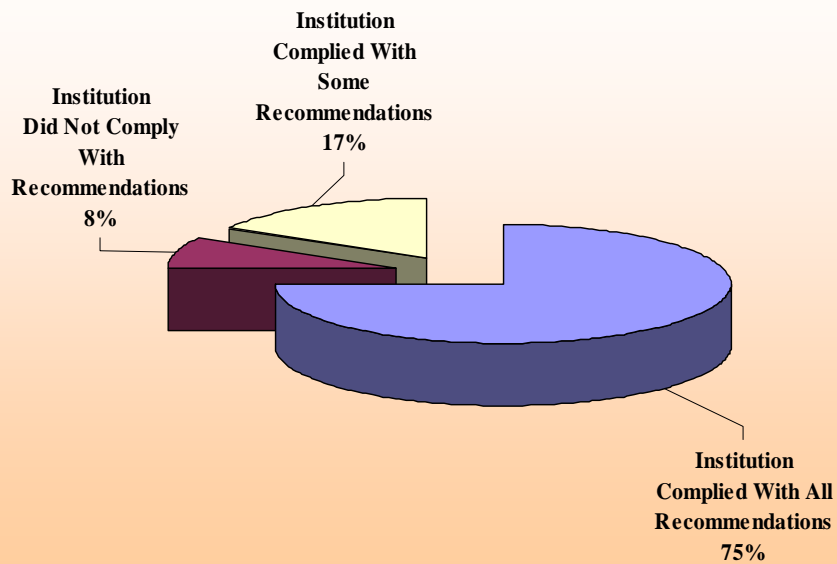
There has been a 4% increase in case files from 2005-2006 fiscal year.

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

**Case Resolution for
Fiscal Year 2006-2007**

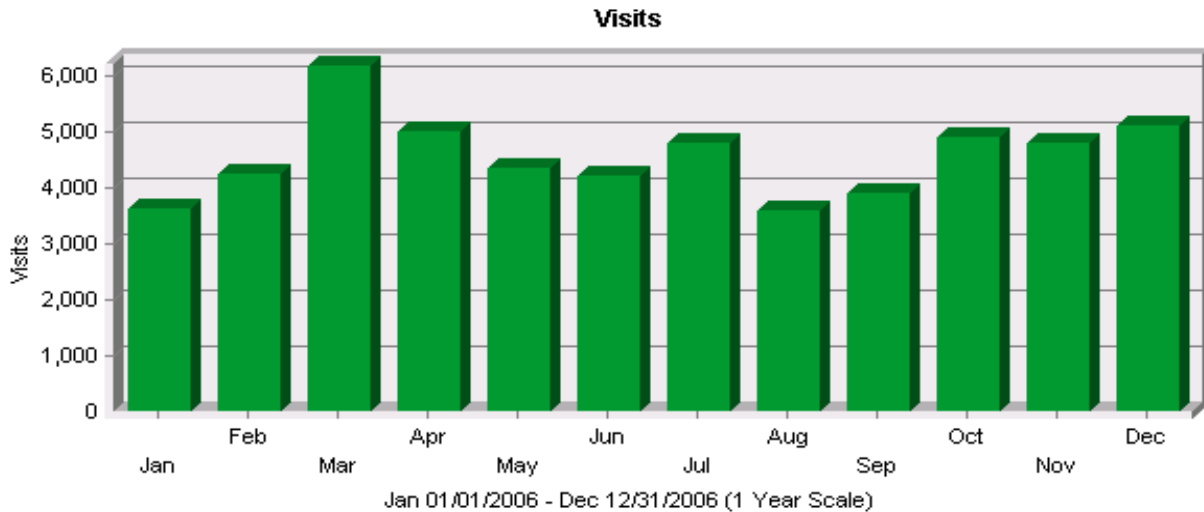


**Reports Rendered for
Fiscal Year 2006-2007**



IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

The Visits graph displays the overall number of visits to the OIPC Web site.²⁴ The General Statistics table provides an overview of the activity for the OIPC Web site during the specified time frame.



| General Statistics | | |
|--------------------|-------------------------------------|----------|
| Hits | Entire Site (Successful) | 195,827 |
| | Average per Day | 536 |
| | Home Page | 22,587 |
| Page Views | Page Views | 76,543 |
| | Average per Day | 209 |
| | Average per Unique Visitor | 5 |
| | Document Views | 75,156 |
| Visits | Visits | 54,784 |
| | Average per Day | 150 |
| | Average Visit Length | 00:12:28 |
| | Median Visit Length | 00:00:12 |
| | Visits of Unknown Origin | 100.00% |
| | Visits Referred by Search Engines | 0 |
| | Visits from Spiders | 18,897 |
| Visitors | Unique Visitors | 12,806 |
| | Visitors Who Visited Once | 9,329 |
| | Visitors Who Visited More Than Once | 3,477 |

²⁴ Website Statistics available at: <http://stats.legassembly.sk.ca/oipc/CY.HTM>

IX. BUSINESS PLAN, BUDGET & STATISTICS (CONT'D)

General Statistics - Help Card

Average Hits per Day - Number of successful hits divided by the total number of days in the log.

Average Page Views per Day - Number of page views divided by the total number of days in the log.

Average Page Views per Unique Visitor - Number of page views divided by the total number of unique visitors.

Average Visits per Day - Number of visits divided by the total number of days in the log.

Average Visit Length - Average of non-zero length visits in the log.

Document Views - Number of hits to pages that are considered documents--not dynamic pages or forms--as defined by the system administrator.

Hit - A single action on the Web server as it appears in the log file. A visitor downloading a single file is logged as a single hit, while a visitor requesting a Web page including two images registers as three hits on the server; one hit is the request for the .html page, and two additional hits are requests for the downloaded image files. While the volume of hits is an indicator of Web server traffic, it is not an accurate reflection of how many pages are being looked at.

Hits: Entire Site (Successful) - Number of hits that had a "success" status code.

Home Page Hits - Number of times your home page was visited.

Median Visit Length - Median of non-zero length visits in the log. Half the visit lengths are longer than the median, and half are shorter. This number is often closer to the "typical" visit length than the average visit length. Numbers that are wildly atypical can skew the average, but will not skew the median so much.

Page - Any document, dynamic page, or form. Documents are user-defined in Options, but typically include all static content, such as complete html pages. Dynamic pages are created with variables and do not exist anywhere in a static form. Forms are scripted pages which get information from a visitor and pass it back to the server.

Page Views - Hits to files designated as pages. Supporting graphics and other non-page files are not counted.

Unique Visitors- Individuals who visited your site during the report period. If someone visits more than once, they are counted only the first time they visit.

Visits - Number of times a visitor came to your site. If a visitor is idle longer than the idle-time limit, WebTrends assumes the visit was voluntarily terminated. If the visitor continues to browse your site after they reach the idle-time limit, a new visit is counted. The default idle-time limit is thirty minutes.

Visits from Spiders - Number of visits from any site classified as a spider.

Visits of Unknown Origin - Percentage of visitors from an origin that could not be determined.

Visits Referred by Search Engines - Number of visits that began with a referral from any site classified as a search engine.

Visitors Who Visited More Than Once - Number of individual visitors who appear more than once in the log file. Individuals can be tracked by IP addresses, domain names, and cookies. Cookies provide the most accurate count.

Visitors Who Visited Once - Number of individual visitors who appear only once in the log file. Individuals can be tracked by IP addresses, domain names, and cookies. Cookies provide the most accurate count.

X. FINANCIAL STATEMENTS AS AT MARCH 31, 2007

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

FINANCIAL STATEMENTS

For the Year Ended March 31, 2007



SASKATCHEWAN

Provincial Auditor Saskatchewan

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AUDITOR'S REPORT


To the Members of the Legislative Assembly of Saskatchewan

I have audited the statement of financial position of the Office of the Information and Privacy Commissioner as at March 31, 2007 and the statements of operations, change in net debt and cash flows for the year then ended. The Office is responsible for preparing these financial statements. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Office of the Information and Privacy Commissioner at March 31, 2007 and the results of its operations, and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Regina, Saskatchewan
June 19, 2007



Fred Wendel, CMA, CA
Provincial Auditor

Statement 1

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER
STATEMENT OF FINANCIAL POSITION
As at March 31

| | <u>2007</u> | <u>2006</u> |
|-----------------------------------|------------------|------------------|
| Financial assets | | |
| Due from the General Revenue Fund | \$ 25,792 | \$ 9,606 |
| Liabilities | | |
| Accounts payable | 7,661 | 9,447 |
| Accrued employee costs (Note 2d) | <u>18,131</u> | <u>159</u> |
| | <u>25,792</u> | <u>9,606</u> |
| Net debt | <u>---</u> | <u>---</u> |
| Non-financial assets | | |
| Tangible capital assets (Note 3) | 67,608 | 91,706 |
| Prepaid expenses | <u>6,075</u> | <u>5,311</u> |
| | <u>73,683</u> | <u>97,017</u> |
| Accumulated surplus | <u>\$ 73,683</u> | <u>\$ 97,017</u> |

(See accompanying notes to the financial statements)

Statement 2

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER
STATEMENT OF OPERATIONS
For the Year Ended March 31

| | 2007 | | 2006 |
|---|----------------|------------------|------------------|
| | Budget | Actual | Actual |
| | (Note 4) | | |
| Revenue | | | |
| General Revenue Fund - Appropriation | \$ 599,000 | \$ 598,974 | \$ 488,863 |
| | | | |
| Total Revenue | <u>599,000</u> | <u>598,974</u> | <u>488,863</u> |
| Expense | | | |
| Salaries and other employment expenses | \$ 414,000 | \$ 429,800 | \$ 280,540 |
| Administration and operating expenses | 49,300 | 37,593 | 31,859 |
| Rental of space and equipment | 73,200 | 68,928 | 58,461 |
| Travel | 40,000 | 26,404 | 28,126 |
| Advertising and Promotion | 20,500 | 24,773 | 17,326 |
| Amortization | --- | 32,209 | 30,514 |
| Contractual and legal services | <u>2,000</u> | <u>2,601</u> | <u>2,886</u> |
| | | | |
| Total Expense | <u>599,000</u> | <u>622,308</u> | <u>449,712</u> |
| Annual (deficit) surplus | <u>\$ ---</u> | <u>(23,334)</u> | <u>39,151</u> |
| Accumulated surplus, beginning of year | | <u>97,017</u> | <u>57,866</u> |
| Accumulated surplus, end of year | | <u>\$ 73,683</u> | <u>\$ 97,017</u> |

(See accompanying notes to the financial statements)

Statement 3

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER
STATEMENT OF CHANGE IN NET DEBT
For the year ended March 31

| | <u>2007</u> | <u>2006</u> |
|--|----------------------|----------------------|
| Annual (deficit) surplus | \$ (23,334) | \$ 39,151 |
| Acquisition of capital assets | (8,111) | (68,795) |
| Amortization of capital assets | <u>32,209</u> | <u>30,514</u> |
| | 24,098 | (38,281) |
| Increase in prepaid expense | <u>(764)</u> | <u>(870)</u> |
| | <u>23,334</u> | <u>(39,151)</u> |
| (Increase) decrease in net debt | --- | --- |
| Net debt, beginning of year | <u>---</u> | <u>---</u> |
| Net debt, end of year | <u><u>\$ ---</u></u> | <u><u>\$ ---</u></u> |

(See accompanying notes to the financial statements)

Statement 4

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER
STATEMENT OF CASH FLOWS
For the Year ended March 31

| | <u>2007</u> | <u>2006</u> |
|---|----------------|-----------------|
| Operating transactions | | |
| Cash received from: | | |
| General Revenue Fund – Appropriation | \$ 582,788 | \$ 487,221 |
| | <u>582,788</u> | <u>487,221</u> |
| Cash used for: | | |
| Salaries | 411,828 | 280,536 |
| Supplies and other | <u>162,849</u> | <u>137,890</u> |
| | <u>574,677</u> | <u>418,426</u> |
| Cash provided from operating activities | <u>8,111</u> | <u>68,795</u> |
| Capital transactions | | |
| Cash used to acquire tangible capital assets | <u>(8,111)</u> | <u>(68,795)</u> |
| Cash applied to capital transactions | <u>(8,111)</u> | <u>(68,795)</u> |
| Increase (decrease) in cash and cash equivalents | --- | --- |
| Cash and cash equivalents, beginning of year | <u>---</u> | <u>---</u> |
| Cash and cash equivalents, end of year | <u>\$ ---</u> | <u>\$ ---</u> |

(See accompanying notes to the financial statements)

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER
NOTES TO THE FINANCIAL STATEMENTS
MARCH 31, 2007

1. **Authority and description of operations**

The Freedom of Information and Protection of Privacy Act (Act) states that the Lieutenant Governor in Council, on the recommendation of the Assembly, shall appoint an Information and Privacy Commissioner. The Commissioner is an officer of the Legislative Assembly and is appointed by resolution. The mandate of the Office of the Information and Privacy Commissioner (Office) is to review Government decisions under the Act to ensure the protection of the public's right to access records held or controlled by the Government and to ensure that personal information is only collected, used and disclosed according to the manner and purposes set out in the Act.

2. **Summary of accounting policies**

The Office uses Canadian generally accepted accounting principles to prepare its financial statements. The following accounting policies are considered to be significant.

a) **Basis of accounting**

The financial statements are prepared using the expense basis of accounting.

b) **Revenue**

The Office receives an appropriation from the Legislative Assembly to carry out its work. General Revenue Fund appropriations are included in revenue when amounts are spent or committed. The Office's expenditures are limited to the amount appropriated to it by the Legislative Assembly.

c) **Tangible capital assets**

Tangible capital assets are reported at cost less accumulated amortization. Tangible capital assets are amortized on a straight-line basis over a life of three to five years.

d) **Accrued employee costs**

Accrued employee costs include the value of vacation entitlements earned to the end of the year but not taken, salary payable amounts, which are recorded as a liability.

3. Tangible capital assets

| | 2007 | | | | 2006 |
|---|------------------------|------------------|--------------------------|------------------|------------------|
| | Hardware & Software | Furniture | Leasehold Improvement | Total | Total |
| Opening costs of tangible capital assets | \$ 48,538 | \$ 78,621 | \$ 21,835 | \$ 148,994 | \$ 80,199 |
| Additions during year | 5,293 | 2,818 | --- | 8,111 | 68,795 |
| Disposals during year | --- | --- | --- | --- | --- |
| Closing costs of tangible capital assets | <u>53,831</u> | <u>81,439</u> | <u>21,835</u> | <u>157,105</u> | <u>148,994</u> |
| Opening accumulated amortization | 23,174 | 29,747 | 4,367 | 57,288 | 26,774 |
| Annual amortization | 11,555 | 16,287 | 4,367 | 32,209 | 30,514 |
| Disposals | --- | --- | --- | --- | --- |
| Closing accumulated amortization | <u>34,729</u> | <u>46,034</u> | <u>8,734</u> | <u>89,497</u> | <u>57,288</u> |
| Net book value of tangible capital assets | <u>\$ 19,102</u> | <u>\$ 35,405</u> | <u>\$ 13,101</u> | <u>\$ 67,608</u> | <u>\$ 91,706</u> |

4. Budget

These amounts represent funds appropriated by the Board of Internal Economy to enable the Office to carry out its duties under *The Freedom of Information and Protections of Privacy Act*.

5. Costs borne by other agencies

The Office has not been charged with certain administrative costs. These costs are borne by the Legislative Assembly. No provision for these costs is reflected in these financial statements.

6. Lapsing of appropriation

The Office follows *The Financial Administration Act, 1993* with regards to its spending. If the Office spends less than its appropriation by March 31, it must return the difference to the General Revenue Fund.

7. Financial Instruments

The Office's financial instruments include due from the General Revenue Fund, accounts payable and accrued employee payables. The carrying amount of these instruments approximates fair value due to their immediate or short-term maturity. These instruments have no significant interest rate and credit risk.

XI. APPENDIX A – DEFINITIONS

The following is a list of definitions of terms or abbreviations used in the course of this document or referenced in documents accessible from the website: www.oipc.sk.ca.

Additional definitions are found in the three provincial statutes: *The Freedom of Information and Protection of Privacy Act* (FOIP), *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP) and *The Health Information Protection Act* (HIPA).

Applicant refers to an individual who has made an access request to a government institution, local authority, or health information trustee.

Access is the right of an individual (or his or her lawfully authorized representative) to view or obtain copies of records in the possession or control of a public body including his/or her personal information/personal health information.

Commissioner refers to the Saskatchewan Information and Privacy Commissioner.

Complainant refers to an aggrieved individual who makes a formal complaint to the Commissioner to investigate an alleged “unreasonable invasion of privacy” by that public body pursuant to sections 33 of FOIP, 32 of LA FOIP, or 52 of HIPA.

Complaint is written concern that there has been a breach of privacy by a government institution, local authority or trustee.

Confidentiality is the protection of personal information and personal health information once obtained against improper or unauthorized use or disclosure.

Control is a term used to indicate that the records in question are not in the physical possession of the public body or trustee, yet still within the influence of that body via another mechanism (i.e., contracted service).

Custody is the physical possession of a record by a public body or trustee.

Disclosure is sharing of personal information with a separate entity, not a division or branch of the public body or trustee in possession or control of that record/information.

Exclusions are prescribed records and organizations that are not subject to FOIP, LA FOIP or HIPA.

Exemptions are sections of the relevant statutes referenced to justify the denial of access to records by the individual either for mandatory or discretionary reasons.

FOIP refers to *The Freedom of Information and Protection of Privacy Act* that came into force in 1992.

XI. APPENDIX A – DEFINITIONS (CONT'D)

FOIP Coordinator refers to an individual designated pursuant to section 60 of FOIP for managing access and privacy issues in any public body with this title.

FOIP Regime means the statute, regulations, policies, practices and procedures followed in the operation of the statutes.

Government Institution refers to those public bodies prescribed in FOIP and the FOIP Regulations and includes more than 70 provincial government departments, agencies, and Crown corporations.

Head of a public body is the individual accountable by law for making the final decision on access requests, but may delegate these powers to someone else in the organization. This is typically the Minister of a department and the CEO of a local authority or Crown corporation.

HIPA refers to *The Health Information Protection Act* that came into force in 2003.

Identity Theft occurs when one person uses another's personal information without his/her knowledge or consent to commit a crime such as fraud or theft.

LA FOIP refers to *The Local Authority Freedom of Information and Protection of Privacy Act* that came into force in 1993.

Local Authorities means local government including library boards, municipalities, regional colleges, schools, universities, and Regional Health Authorities as prescribed by LA FOIP and the LA FOIP Regulations.

Mediation is the process of facilitating discussion between the parties involved in a review or investigation by the OIPC with the goal of negotiating a mutually acceptable resolution to the dispute without the issuance of a formal report.

OIPC is an abbreviation for the Office of the Saskatchewan Information and Privacy Commissioner.

Personal Information is "recorded information about an identifiable individual" and includes details such as your name, address, phone number, SIN, race, driver's license number, health card number, credit ratings, and opinions of another person about you.

Personal Health Information includes information about your physical or mental health and/or information gathered in the course of providing health services for you.

PIA is an abbreviation for a Privacy Impact Assessment. A PIA is a diagnostic tool designed to help organizations assess their compliance with the privacy requirements of Saskatchewan legislation.

XI. APPENDIX A – DEFINITIONS (CONT'D)

Privacy, in terms of ‘information privacy,’ means the right of the individual to determine when, how and to what extent he/she will share information about him/herself with others.

Public Bodies are organizations in the public sector including government institutions and local authorities.

Record is information in any form or format and includes such items as documents, maps, books, post-it notes, handwritten notes, phone messages, photographs, and tape recordings.

Report is a document prepared by the Saskatchewan Information and Privacy Commissioner that issues recommendations to a public body for changes and/or actions in response to the findings of a formal access review or breach of privacy complaint.

Research is the systematic investigation designed to develop or establish principles, facts or generalizable knowledge.

Secondary Purpose refers to the use or disclosure of personal information/personal health information for a purpose other than that for which it was originally collected.

Security refers to steps taken to protect personal information or personal health information from unauthorized disclosure.

Third Party is a person other than the applicant or a public body.

Trustees as defined within section 2(t) of HIPA are individuals and corporations who are part of Saskatchewan’s health system in custody or control of personal health information and any government institution as defined by FOIP.

Use indicates the internal utilization of personal information by a public body and includes sharing of the personal information in such a way that it remains under the control of that public body.

XII. APPENDIX B – SAMPLE LIST OF PRESENTATIONS

SAMPLE OF PRESENTATIONS MADE FROM APRIL 1ST, 2006 TO MARCH 31ST, 2007

- Anglican Church Archivists
- Bedford Road Collegiate, Saskatoon
- Canadian Bar Association – Saskatchewan, Access and Privacy Law Section
- City of Prince Albert
- City of Swift Current
- Deputy Ministers
- Five Hills Regional Health Authority
- Government Financial Officers' Association
- Heart and Stroke Foundation
- Metis Addictions Council
- MLA 'Trade Fair'
- Prairie South School Division
- Providence Place for Holistic Health Inc.
- Regina Open Door Society
- Regina Public School Board, Guidance Counsellors
- Regina Public School Board, Support and Secretarial Staff/Frontline Workers
- Regional Health Authorities' Privacy Officers
- Research Ethics Board
- Saskatchewan Assessment Management Agency (SAMA)
- Saskatchewan Association of City Clerks
- Saskatchewan Communications Network
- Saskatchewan Community Resources
- Saskatchewan Finance
- Saskatchewan Advanced Education and Employment
- Saskatchewan Assessment Management Agency
- Saskatchewan Association for Computers in Education (SACE)
- Saskatchewan Chamber of Commerce, Human Resources Committee
- Saskatchewan Community Resources and Employment
- Saskatchewan Government Relations
- Saskatchewan Institute of Health Leadership (University of Regina)
- Saskatchewan Learning
- Saskatchewan Library Association
- Saskatchewan Medical Health Officers
- Saskatchewan Ophthalmic Dispensers Association
- Saskatchewan Pharmacists
- Saskatchewan School Library Conference
- SaskTel, Electronic Technology Staff
- SIAST, Health Information Management Class
- Sun Country Regional Health Authority
- Technology Coordinators in Education Provincial Symposium
- University of Regina, Educational Psychology and Special/Inclusive Education

XII. APPENDIX B – SAMPLE LIST OF PRESENTATIONS (CONT'D)

- University of Regina, Faculty of Administration
- University of Regina, Faculty of Social Work
- University of Saskatchewan, College of Law
- University of Saskatchewan, College of Medicine Alumni Association
- Vocational Counsellors' Network, Moose Jaw
- Western Christian College and High School
- Workers' Compensation Act Committee of Review
- Yorkton Catholic School Division

XIII. APPENDIX C – LIST OF BODIES SUBJECT TO OIPC OVERSIGHT

GOVERNMENT INSTITUTIONS (70+)

LOCAL AUTHORITIES

- Libraries (589)
- Municipalities:
 - 13 cities and 478 other **urban municipalities** including:
 - 145 towns
 - 290 villages
 - 43 resort villages
 - Southern Saskatchewan has 296 **rural municipalities**
 - The rural municipalities include 166 organized hamlets.
 - In the Northern Saskatchewan Administration District there are:
 - 2 towns
 - 13 northern villages
 - 9 northern hamlets
 - 11 northern settlements
- Regional Colleges (9)
- Regional Health Authorities (13)
 - School Divisions (82)
- SIAST (4 campuses)
- Universities (2)

XIII. APPENDIX C – LIST OF BODIES SUBJECT TO OIPC (CONT'D)

SASKATCHEWAN HEALTH INFORMATION TRUSTEES

(Others may be added through regulations)

- Ambulance Operators
- Community Clinics
- Government Institutions
 - 17 Departments
 - 76 Crown Corporations and Agencies
- Health Profession Regulatory Bodies
 - Chiropractors Association of Saskatchewan
 - College of Dental Surgeons of Saskatchewan
 - College of Physicians and Surgeons of Saskatchewan
 - Dental Technicians Association of Saskatchewan
 - Denturist Society of Saskatchewan
 - Registered Psychiatric Nurses Association of Saskatchewan
 - Saskatchewan Association of Chiropodists
 - Saskatchewan Association of Licensed Practical Nurses
 - Saskatchewan Association of Medical Radiation Technologists
 - Saskatchewan Association of Optometrists
 - Saskatchewan Association of Social Workers
 - Saskatchewan Association of Speech/Language Pathologists and Audiologists
 - Saskatchewan College of Pharmacists
 - Saskatchewan College of Physical Therapists
 - Saskatchewan College of Psychologists
 - Saskatchewan Dental Assistants Association
 - Saskatchewan Dental Hygienists Association
 - Saskatchewan Dental Therapists Association
 - Saskatchewan Dieticians Association
 - Saskatchewan Ophthalmic Dispensers Association
 - Saskatchewan Registered Nurses' Association
 - Saskatchewan Society for Medical Laboratory Technologists
 - Saskatchewan Society of Occupational Therapists
- Laboratories
- Mental Health Facilities
- Personal Care Homes
- Pharmacies
- Regional Health Authorities and Affiliates
 - 13 health authorities
- Regulated Health Professions
 - 1500 physicians and surgeons
 - 9000 registered nurses
- Saskatchewan Cancer Agency
- Special Care Homes