

# Steps to Request a Correction of Personal Information or Amendment of Personal Health Information

*Steps to request a correction of personal information under  
The Freedom of Information and Protection of Privacy Act and  
The Local Authority Freedom of Information and Protection of  
Privacy Act or amendment of personal health information  
under The Health Information Protection Act*

*Disclaimer: This document is not intended to provide legal advice and is provided  
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**April 2025**



Office of the  
Saskatchewan Information  
and Privacy Commissioner

# Steps to Request a Correction of Personal Information or Amendment of Personal Health Information

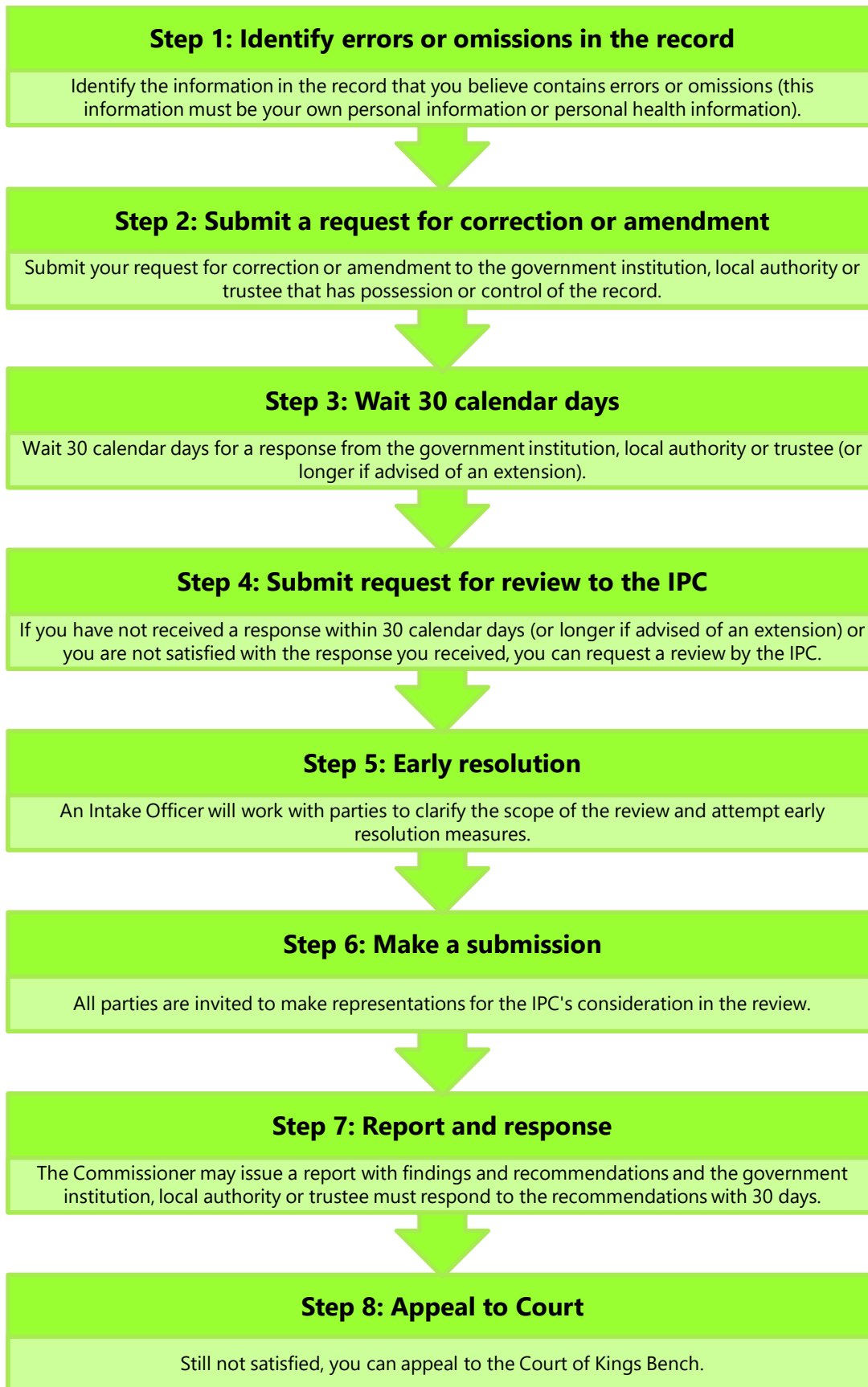
## Introduction

*The Freedom of Information and Protection of Privacy Act (FOIP) and The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP) provide individuals with a right of correction of their personal information. The Health Information Protection Act (HIPA) provides individuals with a right of amendment of their personal health information.*

In both cases, once the request is made, the government institution, local authority or trustee must consider if the record contains personal information or personal health information and if the record contains an error or omission and address it accordingly.

If you have accessed a record containing your personal information or personal health information from a government institution, local authority or trustee that you believe contains errors or omissions, this guide will take you through the following steps to request a correction to your personal information or an amendment of your personal health information.

On the next page of this resource is a flow chart outlining each of the steps to requesting a correction of personal information or amendment of personal health information. This resource will provide further guidance on each of the steps in the flow chart.



## Step 1: Identify Errors or Omissions in the Record

The right provided to individuals by FOIP, LA FOIP and HIPA with regard to the correction of personal information or amendment of personal health information about themselves is not an absolute right to require a correction or amendment of any such information that they consider to be incorrect.

What the right of correction or amendment gives the individual is a mechanism for requesting the correction of personal information or amendment of personal health information about themselves when they believe that there is an error or omission in the information.

After accessing a record from the government institution, local authority or trustee, the individual (you) making the request must identify the information in the record that they believe contains an error or omission.

An **error** is mistaken or wrong information or information that does not reflect the true state of affairs.

An **omission** is information that is incomplete or missing or that has been overlooked.

In order to exercise the right of correction/amendment of the information in the record that you believe contains an error or omission, it must qualify as your own personal information or personal health information.

**Personal information** is defined at subsection 24(1) of FOIP and subsection 23(1) of LA FOIP as “personal information about an identifiable individual that is recorded in any form.” The list of examples provided at subsections 24(1) of FOIP/23(1) of LA FOIP is not meant to be exhaustive. The [Guide to FOIP, Chapter 6: Protection of Privacy](#) and the [Guide to LA FOIP, Chapter 6: Protection of Privacy](#) provide further guidance on what qualifies as personal information and what is not personal information.

**Personal health information** is defined at subsection 2(1)(m) of HIPA as, with respect to an individual, whether living or deceased:

- Information with respect to the physical or mental health of the individual.
- Information with respect to any health service provided to the individual.

- Information with respect to the donation by the individual of any body part or any bodily substance of the individual or information derived from the testing or examination of a body part or bodily substance of the individual.
- Information that is collected:
  - In the course of providing health services to the individual.
  - Incidentally to the provision of health services to the individual.
- Registration information.

## **Step 2: Submit a Request for Correction of Personal Information or Amendment of Personal Health Information**

After you have identified the personal information or personal health information in the record that you believe contains errors or omissions, you must submit a request for a correction of personal information or a request for an amendment of personal health information in writing to the government institution, local authority or trustee. Please note that the Office of the Information and Privacy Commissioner (IPC) does not process requests for correction or amendment.

Submit your request for a correction of personal information to the government institution or local authority that provided the record to you. These requests should be directed to the access and privacy officer of the government institution or local authority. For a list of contact information of Access Coordinators within the Government of Saskatchewan, please click [here](#). If you require the contact name of the access coordinator for a specific government institution or local authority that is not listed in this link, please contact the IPC.

When you make your request, indicate that you are making the request to the government institution pursuant to subsection 32(1)(a) of FOIP, or to the local authority pursuant to subsection 31(1)(a) of LA FOIP.

Submit your request for an amendment of personal health information to the trustee that provided you access to the record. These requests should be directed to the

trustee's access and privacy officer. If you require the contact name of the access coordinator for a specific trustee, please contact the IPC.

In making that request, indicate you are making the request pursuant to subsection 40(1)(a) of HIPA.

There are no prescribed forms to use when making a request for a correction to personal information or an amendment to personal health information. The IPC's blog, [Correction Request – What you Need to Know](#), outlines what to include when making a request for correction/amendment. Some considerations include:

- Identify on each page of the record what personal information/personal health information (word or line item) you believe is incorrect or is omitted. The personal information/personal health information must be your own and not that of a third party. You must include evidence with your written request to support the alleged error or omission. Factual information can be corrected. The individual must provide proof in support of the request for correction of factual information.
- Clearly state your proposed correction or amendment.
- The alleged error must be a factual error or omission. Opinions cannot be corrected. This includes professional and expert opinions. Records of an investigatory nature cannot be said to be "incorrect," "in error," "incomplete," "inexact" or "ambiguous" if they simply reflect the views of the individuals whose impressions are being set out. Opinions are not errors or omissions if they accurately reflected the views of the author at the time they were recorded, whether the opinion is supported by fact. The truth or falsity of the views or opinions is not the issue. A correction cannot be a substitution of opinion. "Opinions" are views or judgements not necessarily based on fact or knowledge. Professional opinions or observations are not normally subject to correction unless an error can be independently verified.

### **Step 3: Wait 30 Calendar days**

The government institution, local authority or trustee has 30 calendar days to respond to your request for correction of personal information or amendment of personal health information. Subsections 32(3) of FOIP and 31(3) of LA FOIP state that a government institution or local authority can extend its time to respond to your written request for

correction by 30 days. **Please note that HIPA does not have a provision that allows a trustee to extend the time to respond to your request for amendment.**

The government institution, local authority or trustee is required to provide you with one of the following responses:

- That it has made the requested correction or amendment.
- That it did not make the correction or amendment and instead added a notation on the record indicating your request and its decision. A **notation** is a note made on the individual's record by the personal information or personal health information at issue or in an electronic record indicating that the individual has requested correction of the personal information or amendment of the personal health information. A notation should include the date, who requested the correction or amendment, what the requested correction or amendment was and signature or name of the decision-maker.
- That it is disregarding your request pursuant to section 45.1 of FOIP or section 43.1 of LA FOIP. These provisions allow a government institution or local authority to ask the Commissioner for approval to disregard a request for correction of personal information. For more information, please refer to [\*Application to Disregard an Access to Information Request or Request for Correction: A Guide for Public Bodies and Applicants\*](#). **Please note that HIPA does not have a provision that allows a trustee to disregard a request for amendment.**

Not satisfied?

If you do not receive a written response within 30 days (or 60 days if the response deadline was extended by the government institution or local authority), or are dissatisfied with the response, you can request a review by the IPC. At that point, we will let you know what we need to go forward.

## Step 4: Submit a Request for Review to the IPC

You have one year after receiving your written response from the government institution, local authority or trustee to ask the Commissioner to undertake a review. The Commissioner is an independent officer of the Saskatchewan Legislative Assembly and oversees FOIP, LA FOIP and HIPA.

FOIP and LA FOIP outline how individuals can request corrections to records containing their personal information. HIPA outlines how individuals can request amendments to records containing their personal health information. FOIP, LA FOIP and HIPA also outlines how the government institution, local authority and trustee must respond to these requests.

If you are not satisfied with a response you have received, you can request a review from the IPC. For more information on this process, please refer to the IPC's resources the [Guide to Requesting a Review from the IPC \(FOIP\)](#) and the [Guide to Requesting a Review from the IPC \(LA FOIP\)](#).

As noted above, the response should be received no later than 30 days (or 60 days if the response deadline was extended by the government institution or local authority) after you submit the request for correction or amendment. A request for review to the IPC must be requested within one year after the government institution, local authority or trustee provides its response. In the case that it does not provide a response, the one-year timeline shall commence 30 days after the request for correction or amendment was submitted to the government institution, local authority or trustee.

Make your request for review to the IPC in writing, or complete one of the following forms:

- [FOIP Request for Review Form](#) (government institutions)
- [LA FOIP Request for Review Form](#) (local authorities)
- [HIPA Request for Review Form](#) (word document) (trustees)
- [HIPA Request for Review Form](#) (PDF document) (trustees)

The IPC prefers that you submit your request for review by email to: [intake@oipc.sk.ca](mailto:intake@oipc.sk.ca).

You can also submit your request for review by mail or in person (by appointment\*) to:

Saskatchewan Information and Privacy Commissioner  
503 – 1801 Hamilton Street  
Regina SK S4P 4B4

*\*To request an in-person appointment, our office requires that you contact the person you want to meet with directly or call 306-787-8350 or email [intake@oipc.sk.ca](mailto:intake@oipc.sk.ca).*



With your request for review, include:

- A copy of the record at issue where you have identified personal information or personal health information that you believe contains an error or omission.
- A copy of your request for correction/amendment and the response from the government institution, local authority or trustee.
- Any evidence to support your position that the personal information or personal health information contains errors or omissions.

## Step 5: Early Resolution

Upon receiving your request for review, the IPC will determine if it has jurisdiction and grounds to review your matter. An Intake Officer will contact you to ask questions and ensure that you provide all the information the IPC requires. This will include obtaining information from you that supports your claim that the record contains errors or omissions.

The Intake Officer will also work with the parties to clarify the scope of the request for review, and, if they identify an opportunity for early resolution, they will contact the government institution, local authority or trustee and will attempt to find an early resolution solution, if possible. For more information on the role of Intake Officers, please refer to the IPC's blog, [The Role of an Intake Officer](#).

## Step 6: Make a Submission

If early resolution is not possible, the IPC will assign an Analyst to your file. You will receive a notice of the review via email or letter and be invited to make a submission (i.e., provide relevant evidence of the alleged error or omission you identified in the personal information or personal health information). Please note that you are not obligated to provide a submission. If you wish to provide a submission for consideration in a review, you can refer to the IPC's resource, [A Guide to Submissions](#) to access a guide and template for preparing and writing a submission.

The government institution, local authority or trustee will also receive a notice of review and the IPC will request it provide an explanation for how it arrived at its decision regarding the request for correction or amendment, and any other details relevant to the circumstances.

The Analyst may attempt to mediate or informally resolve the review.

## Step 7: Report and Response

If the IPC is not able to mediate or informally resolve the matter between the parties, the Commissioner may issue a public report. The Commissioner does not disclose the identities of applicants in its reports.

The report will include the Commissioner's findings and recommendations regarding your request for correction or amendment. After a full review, the Commissioner may recommend a correction or amendment be made to your personal information or personal health information in the record or that a notation be placed on the record.

The government institution, local authority or trustee has 30 days to respond to the Commissioner and to you and state if it will comply with the Commissioner's recommendation(s). Note that a government institution, local authority or trustee is not required to follow the Commissioner's recommendations.

Some examples of Review Reports issued by the IPC dealing with requests for correction of personal information under FOIP and LA FOIP are as follows:

- In [Review Report F-2014-004](#), the Applicant requested that Saskatchewan Government Insurance (SGI) have their personal information changed and/or removed from their claim file. The following criteria was established when considering the right of correction: 1) the information at issue must be personal and private information; 2) the information must be inexact, incomplete or ambiguous; and 3) the correction cannot be a substitution of opinion. The Commissioner found that some of the information was opinion material and, as such, would not qualify for correction. The Commissioner also found that the remainder of the information appeared to be accurate and, therefore, did not qualify for correction. The Commissioner found that SGI acted reasonably in refusing to grant the correction pursuant to subsection 32(1)(a) and instead placed a notation on the file that a correction was requested but not made.
- In [Review Report 147-2018, 197-2018, 008-2019, 073-2019 Investigation Report 192-2018, 221-2018, 058-2019](#), the Applicant felt that they were erroneously associated with a Ministry of Justice program. When an applicant is alleging a record contains errors, they must provide some argument to support the request

for correction. In that report it was noted that a request for correction must include, at a minimum: 1) the personal information the applicant believes is in error. The personal information must be the personal information of the applicant and not a third party; 2) The alleged error must be a factual error or omission; 3) The request must include some evidence to support the allegation of error or omission. Mere assertions will not suffice; and 4) The proposed correction must be clearly stated and cannot be a substitution of opinion. In the end, the Ministry of Justice made a notation on the file that the request was received but not made. The Commissioner agreed that the Ministry of Justice responded appropriately.

- In [Review Report 011-2014](#), the Applicant requested a correction to their personal information in a letter that the Village of Killaly (Village) sent to them. It was found that the Village could not provide proof to support the statement it made and, as such, it was found that the personal information was not accurate. The Commissioner recommended that the Village make the correction as requested by the Applicant.

Some examples of Review Reports issued by the IPC dealing with requests for amendment of personal health information under HIPA are as follows:

- In [Review Report 246-2019](#), a request for amendment to a medical record was submitted to the Saskatchewan Health Authority (SHA). The Applicant designated their parent to act on their behalf for this review. The Applicant alleged comingling of their personal health information with another individual who has the same first and last name as them. The Applicant submitted documentation to the SHA to support their assertion. Upon review, the Commissioner did not find any instances where the registration information recorded on the records contained another person's information. The Commissioner found that the SHA took appropriate steps in considering the request.
- In [Review Report 125-2017](#), the Applicant requested that the Saskatoon Regional Health Authority (SRHA) make amendments to their personal health information recorded on an emergency/outpatient registration form, and on records created as a result of an emergency department visit. Some of the requested amendments related to observations. It was noted that to determine if factual observations are correct, the first step is to determine if it is independently or objectively verifiable. Discrepancies could occur because of different factors, including that the doctor did not hear the patient correctly, or heard the patient correctly but wrote something different. The doctor could have also recorded

correctly what was said. Despite the Applicant's assertions, the Commissioner did not find conclusive evidence to support which of the conflicting statements was accurate. The SRHA did not make a notation directly on the Applicant's record regarding the Applicant's request, and the Commissioner recommended that it do so.

## Step 8: Appeal to Court

If you receive a response to the Commissioner's report from the government institution, local authority or trustee that you are not satisfied with, you can appeal to the Court of King's Bench within 30 days of receiving the response.

For more information about the appeal process, check out our document [Guide to Appealing the Decision of a Head](#).

The IPC is not involved in an appeal or able to assist you in the appeal process. If you plan to appeal, the IPC recommends that you consult a lawyer for guidance and assistance.

## Contact Information

If you have any questions or concerns, please contact the IPC:

306-787-8350 | toll free 1-877-748-2298

503 – 1801 Hamilton Street | Regina SK S4P 4B4

[intake@oipc.sk.ca](mailto:intake@oipc.sk.ca) | [www.oipc.sk.ca](http://www.oipc.sk.ca)