

# Your Privacy Rights in Ontario

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Toronto Public  
Library

Privacy Series

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# Toronto Public Library Privacy Series

## Upcoming Sessions

May 23: Recent Significant Privacy Investigations and Consultations by the IPC

June 20: Cyberattacks and Digital Privacy



# Our Office

- Information and Privacy Commissioner (IPC) provides **independent** review of government decisions and practices on access and privacy
- Commissioner appointed by and reports to the Legislative Assembly of Ontario, to ensure **impartiality**

# IPC's Mandate

- *Freedom of Information and Protection of Privacy Act (FIPPA)*
  - Covers 300 provincial institutions
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
  - Covers 1,200 municipal organizations
- *Personal Health Information Protection Act (PHIPA)*
  - Covers individuals and organizations involved in the delivery of health care services
- Expanded Mandate:
  - *Child, Youth and Family Services Act*
  - *Anti-Racism Act*

# Expanded Mandate

Part X of the *Child, Youth and Family Services Act, 2017*

Takes effect January 1, 2020

Will protect privacy with new rules for the collection, use and disclosure of personal information by children's aid societies



# Provincial Institutions

- Ministries
- Hospitals
- Local Health Integration Networks (LHINs)
- Colleges and universities
- Most provincial agencies, boards, commissions

# Municipal Institutions

- Public libraries
- Municipalities
- Boards of health
- Police services boards
- Public transit
- School boards
- Conservation authorities





## The Role of the Freedom of Information and Privacy Coordinator

- Your first point of contact for privacy and access questions or concerns
- Ensures that the institution collects, uses and discloses your personal information in compliance with Ontario's privacy laws



# Privacy in the Private Sector

- Ontario does not have its own private-sector privacy law
- The Privacy Commissioner of Canada oversees the *Personal Information Protection and Electronic Documents Act (PIPEDA)*
- *PIPEDA* applies to commercial businesses in Ontario (banks, airlines, retail stores etc.)

Ontario's privacy laws protect your personal information from improper collection, use or disclosure.



# What is Personal Information?

- Recorded information about you
- Name, address, sex, age, education, and medical or employment history
- Social Insurance Number
- Personal views or opinions
- Business information is not personal information



## What is Personal Information?

October 2016

### INTRODUCTION

The *Freedom of Information and Protection of Privacy Act (FIPPA)* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* (the acts) protect the privacy of personal information while providing individuals with a right of access to their own information.

In this fact sheet, we provide guidance about how the Information and Privacy Commissioner (IPC) interprets the term “personal information.”

### HOW IS PERSONAL INFORMATION DEFINED IN THE ACTS?

The acts define personal information as “recorded information about an identifiable individual,” and include a list of examples of personal information (see Appendix A for the full definition).

#### **Recorded information**

Information can be recorded in any format, such as paper records, electronic records, digital photographs, videos or maps.

#### **About an identifiable individual**

Information is about an identifiable individual if:

- it is about the individual in a personal capacity; that is, it reveals something of a personal nature about the individual, and
- it is reasonable to expect that an individual can be identified from the information (either alone or by combining it with other information)

The listed examples include a person’s name when combined with other information about them, such as their address, sex, age, education, or medical history. These examples are not exhaustive and many other kinds of information may still qualify as personal information.

# Your Privacy Rights

- Institutions must protect your personal information and follow rules on how they collect, use, retain, disclose and dispose of it
- You have the right to expect your personal information will only be collected, used or disclosed for legitimate, limited and specific purposes

# Your Privacy Rights

- Institutions must tell you how they intend to use your personal information
- Institutions must provide you with the name of their Freedom of Information and Privacy Coordinator
- You have the right to file a privacy complaint with the IPC

# A Breach of Privacy is a Breach of Trust

Proper stewardship of personal information collected by institutions is fundamental to maintaining the public's trust and confidence

The disclosure of your personal information by an institution is not permitted except in specific circumstances

**T R U S T**



Privacy - An Absolute?

# Emergency and Compassionate Situations

Personal information can be released in situations where it is necessary to protect the health or safety of an individual, or in compassionate circumstances, where disclosure is necessary to facilitate contact with loved ones.







Your privacy has been breached, what happens next?

# Privacy Complaint Process

- If you have a privacy concern, first contact the institution's Freedom of Information and Privacy Coordinator to try to resolve your concern
- If you are still not satisfied, you can file a complaint with the IPC Registrar by writing a letter or completing a privacy complaint form





QUESTIONS?

# CONTACT US

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