

# What is Personal Information?

## TEACHER'S NOTES

Review and discuss different kinds of personal information, including personal health information. Personal information is recorded information about an identifiable individual.

We share our personal information with public-sector organizations in order to access or receive a wide variety of programs and services. Those organizations then keep our personal information on file, either in print or electronically. We trust that they maintain it in a safe and secure manner.

Review the purpose of the Freedom of Information and Protection of Privacy Act (FIPPA) and Personal Health Information Act (PHIA).

FIPPA gives us the right of access to our own personal information held by public sector organizations, and it requires those organizations to protect the privacy of our personal information. We cannot access someone else's personal information.

In addition, PHIA allows us to access our personal *health* information held by those same public-sector organizations, and it also allows us to access our health information held by health-care facilities and health-care providers (such as doctors, dentists and other health professionals). They must also maintain the privacy of personal health information.

A discussion about personal information and access to it can lead into a discussion about what it means to keep our personal information private – see activities in the Information Privacy section of this collection.

## GRADE 9 CURRICULUM CONNECTIONS

**Grade 9 Social Studies Skills Outcomes that correspond to this activity:**

### Critical and Creative Thinking Skills

S-301 Analyze the context of events, accounts, ideas, and interpretations.

S-307 Propose and defend innovative options or solutions to address issues and problems.

### Communication Skills

S-400 Listen to others to understand their perspectives.

S-401 Use language that is respectful of human diversity.

S-402 Express informed and reasoned opinions.

S-404 Elicit, clarify, and respond to questions, ideas, and diverse points of view in discussions.

S-405 Articulate their perspectives on issues.

S-406 Debate differing points of view regarding an issue.

**Grade 9 Social Studies Knowledge and Values Outcomes that correspond to this activity:**

### Cluster 2: Democracy and Governance in Canada

#### Learning Experience 9.2.2: Representing Canadians

KP-046 Give examples of ways in which people can individually and collectively influence Canada's political and social systems.

VC-002 Value their democratic responsibilities and rights.

#### Learning Experience 9.2.5: Democratic Ideals in Canada

VC-001 Appreciate democratic ideals in Canadian society.

#### Learning Experience 9.2.4: Citizen Participation

KC-013 Describe their responsibilities and rights as citizens of Canada and the world.

VP-015 Be willing to exercise their responsibilities and rights as citizens living in a democracy.

## GRADE 6 CURRICULUM CONNECTIONS

**Grade 6 Social Studies Skills Outcomes that correspond to this activity: Communication:**

6-S-400 Listen to others to understand their perspectives.

6-S-403 Present information and ideas orally, visually, concretely, or electronically.

6-S-404 Elicit and clarify questions and ideas in discussions.

6-S-405 Articulate their beliefs and perspectives on issues.

**Grade 6 Social Studies Knowledge and Values Outcomes that correspond to this activity:**

### Cluster 4: Canada Today: Democracy, Diversity, and the Influence of the Past

#### 6.4.5 Canadian Democracy in the World Context

6-KC-004 Identify the ideals of democracy and describe the influence of democracy on quality of life for Canadians.

6-VC-002 Be willing to support the ideals of democracy and contribute to local democratic processes.

## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FIPPA)

Manitoba has had FOI legislation since 1988 when the province's first Freedom of Information Act came into effect. It was replaced by the Freedom of Information and Protection of Privacy Act (FIPPA) in 1998. The first law focused only on access to information. The current law (FIPPA) focuses on access to information and protection of privacy.

FIPPA allows people to request documentation and other recorded information from public-sector bodies such as provincial government departments, school divisions, universities, hospitals and municipalities. Examples of records are letters, emails, memos, reports, notes, blueprints, financial transaction records, photographs and audiovisual materials, whether stored in hard copy or electronic format.

Access is the rule. However, there are circumstances in which a public body is allowed to withhold information or can choose to withhold the requested information. When information is withheld, the public body must tell a person why it is doing so and refer to the specific provision in FIPPA on which its decision is based. It is possible that part of a record will be released, and part will be withheld (sometimes by blacking out or severing the record).

FIPPA gives people the right to complain to Manitoba Ombudsman about not getting access to the information requested or about how a FIPPA request for information was handled. For example, a complaint can be made that:

- a response to a FIPPA request for information was not received within 30 days (the time limit set in FIPPA)
- the proposed fee for the information is too high (FIPPA allows the public body to produce a fee estimate for search, preparation and copying)
- access to all or some of the requested information was not provided

In addition to establishing the right of access to personal information and government-held information, FIPPA also requires public bodies to protect the privacy of personal information that it holds. People can make a complaint to the ombudsman that a public body:

- should not have gathered his or her personal information
- used his or her personal information for an unauthorized purpose
- shared his or her personal information with some other person or organization inappropriately

For more information about FIPPA, see Manitoba Ombudsman's publication *User's Guide to FIPPA* at: <https://www.ombudsman.mb.ca/uploads/document/files/fippa-guide-2018-web-en.pdf>

## PERSONAL HEALTH INFORMATION ACT (PHIA)

Manitoba's Personal Health Information Act (PHIA) came into effect in 1997. PHIA gives people the right to:

- see and get a copy of their personal health information
- request a correction to personal health information that they think is inaccurate or incomplete
- name another person, such as a family member, to access personal health information on their behalf

PHIA gives people the right to complain to the ombudsman if:

- the trustee holding their personal health information did not respond to their request
- the trustee refuses their request to see the information or to correct the information
- the trustee charges an unreasonable or unauthorized fee

As well, people may complain to the ombudsman if they have a concern about the privacy of their personal health information.

For more information on PHIA, see *Health Information Access and Privacy: A Guide to the Personal Health Information Act* at: <https://www.ombudsman.mb.ca/uploads/document/files/phia-guide-en.pdf>