

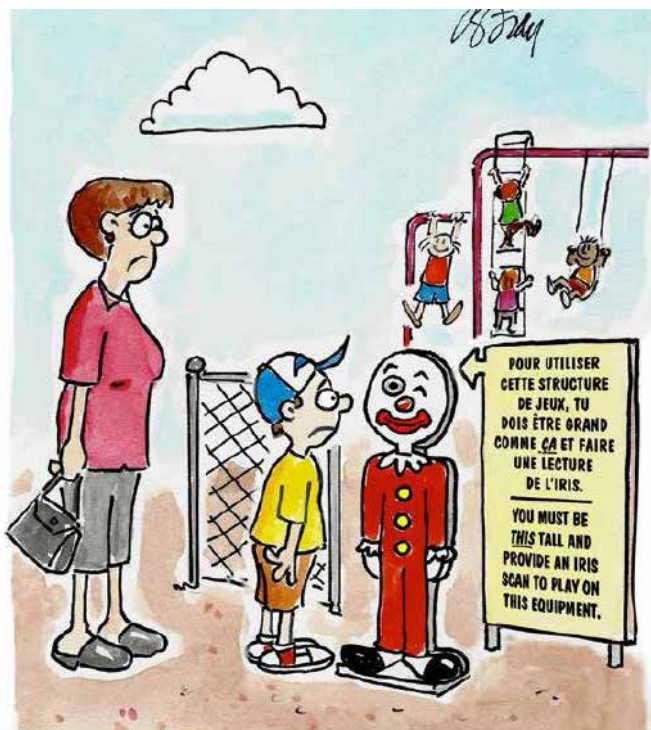
Manitoba Ombuds News

2016-4 Ombudsman, Whistleblower, Access and Privacy Newsletter

2017 Privacy Calendars | Data Privacy Day

Everyone's favourite privacy calendars are back for 2017! Created by the Office of the Privacy Commissioner of Canada to mark Data Privacy Day on January 28, 2017, the calendars remind us to think about privacy all year long.

The OPC shares copies of the calendars with information and privacy oversight offices across the country, including Manitoba Ombudsman. Calendars will be available in early January. Request a free calendar by contacting us at ombudsman@ombudsman.mb.ca or 1-800-665-0531 (toll-free in Manitoba). First come, first served. Supply is limited.



Data Privacy Day (every January 28) highlights the impact that technology is having on our privacy rights and underscores the importance of valuing and protecting personal information.

First celebrated in Canada and the United States in January 2008 (and earlier in Europe), the day commemorates the January 28, 1981, signing of Convention 108, the first legally binding international treaty dealing with privacy and data protection.

For more information on Data Privacy Day, and privacy tips for youth, parents and seniors, visit the official DPD site at: www.staysafeonline.org/data-privacy-day/

More privacy-safe tips

Ombudsman Charlene Paquin and federal Privacy Commissioner Daniel Therrien offered some advice in the article *Practice privacy-safe surfing: How 21st Century parents can set an example for their kids*, which appeared in the October/November 2016 issue of *Winnipeg Parent Magazine*. The article also includes 12 practical tips to help limit the risks to your children's personal information, while allowing them to make the most of their time online. Read the issue at: www.winnipegparent.com/pdf/issues/wp_oct16_web.pdf



Be safe and secure online



Children's Advocate Darlene MacDonald and Ombudsman Charlene Paquin

The internet has become an integral and routine part of our lives, whether we're accessing resources or connecting with each other. Knowing how to navigate the internet safely can help to reduce potential risks and ensure that our online experiences remain positive.

Manitoba Ombudsman and the Office of the Children's Advocate have produced a poster for young people with some simple reminders for staying safe and secure online. The 11x17 poster is available in English and French by contacting either office.

Federal, provincial and territorial initiatives

As part of a federal, provincial and territorial community of access and privacy oversight offices across Canada, we often work together on issues of mutual interest and concern. To highlight this interjurisdictional work, we created a new page on our website at: <https://www.ombudsman.mb.ca/info/federal-provincial-territorial.html>

Most recently, federal Privacy Commissioner Daniel Therrien, along with provincial and territorial counterparts including Manitoba Ombudsman, provided a submission on the federal government's review of national security laws and policies. The submission stresses the need to address privacy risks related to information sharing and collection of metadata by national security agencies and law enforcement. Follow the link above to read the news release, the submission and a background document.



I know that the internet is full of incredible resources but can also put me at risk if I'm not careful

 <p>I understand that everything I do online could be seen by anyone</p>	 <p>I reduce my risk by not posting my name/age/location/cell</p>	 <p>I help protect myself by telling an adult I trust if I see something that makes me uncomfortable</p>
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 Facebook.com/OCAAdvocate
 @OCAAdvocate
 YouTube.tinyurl.com/OCAAdvocate
childrensadvocate.mb.ca

New investigation reports on the web

Personal Health Information Act

Case 2015-0142: Disclosure of personal health information by the Appeal Commission to the complainant's former employer. Complaint partly supported.

Cases 2015-0352, 2015-0353, 2015-0354: Collection, use and disclosure of personal health information by the complainant's employer, a Winnipeg health services agency. Complaints not supported.

Ombudsman Act

Case 2015-0086: Concern that a business located in a residential building in the Local Government District of Pinawa was contravening home occupation requirements in the LGD's zoning by-law. Recommendation made.

Case 2014-0543: Concern that the Manitoba Securities Commission considered information at a hearing that the complainant did not know would be discussed at the hearing. Complaint partly resolved; administrative improvement suggested.

Cases 2014-0402, -0403, -0404 and -0405: Concerns about approval of a 20-lot subdivision in the RM of St. Andrews and notice of the public hearing for the subdivision. Complaints not supported; administrative improvement suggested.

Case 2014-0076: Concern about Winnipeg taxicab drivers who were allegedly operating illegally outside of the City of Winnipeg and the response of the Motor Transport Board and the Taxicab Board to the issue. Recommendations made.

Cases 2013-0297 and -0298: Concerns about the response of the Rural Municipality of Franklin and Manitoba Sustainable Development to overland flooding. Complaints not supported.

Case 2012-0283: Concern about the denial of an application for disaster financial assistance by the Disaster Financial Assistance Board and the board's reliance on the principle of concurrent causation. Recommendations made.

Case 2012-0196: Concern about the manner in which the Town of Oak Lake (RM of Sifton) removed and demolished a trailer from the property of the complainant. Recommendations made.

Where to find these reports:

PHIA: https://www.ombudsman.mb.ca/documents_and_files/investigation-reports-1.html

Ombudsman Act (municipal): https://www.ombudsman.mb.ca/documents_and_files/municipal-investigation-reports.html

Ombudsman Act (provincial): https://www.ombudsman.mb.ca/documents_and_files/provincial-investigation-reports.html

Brown Bag Talks on access and privacy issues

Since 2006 we've hosted almost 80 "Brown Bag Talks," which are informal discussions of issues of interest led by Manitoba Ombudsman staff with participation by access and privacy coordinators and officers. Talks are held in the boardroom of our Winnipeg office and participants can also join by phone.

At our last talk on November 16, 2016, we had almost 40 participants, including several who participated by teleconference – it was the most well-attended talk we've ever had. We had a lively and interactive session on the topic of access requests involving employee information, with plenty of case examples and scenarios shared by our office and by access and privacy coordinators in the audience.

We have three talks scheduled in the first half of 2017:

- January 18, 2017 – What is (and isn't) personal information under FIPPA
- March 15, 2017 – Requirements for exercising the rights of others under FIPPA and PHIA
- May 17, 2017 – The complaint and investigation process and what to expect from the ombudsman's office

For information on how to register, visit <https://www.ombudsman.mb.ca/info/brown-bag-talks.html>

New Report: Privacy Breach Practices in Manitoba

Public-sector organizations collect, use and disclose information about Manitobans in order to deliver various programs, services and benefits. Although organizations may strive to handle personal and personal health information in accordance with FIPPA and PHIA, privacy breaches can occur due to human error, use of technology or malicious actions. A privacy breach can have significant consequences for the affected individuals.

Given the impact that privacy breaches can have on Manitobans, and given that privacy breach notification and reporting is voluntary in Manitoba, we wanted to gain a better understanding of how organizations in

the province prepare for and manage privacy breaches. Specifically, we set out to determine how prepared organizations are to respond effectively to privacy breaches, whether notification to affected individuals and the ombudsman was considered when breaches occurred, if there are potential gaps in the system, and ultimately, how we can better assist with any identified issues. To do this, we distributed a survey of privacy breach practices to 238 public-sector organizations. Our report, *Privacy Breach Practices in Manitoba*, provides a summary of our findings and our analysis of some of the issues raised by the responses. The report is available at: <https://www.ombudsman.mb.ca/info/privacy-breaches.html>



Happy holidays
from all of us at
Manitoba Ombudsman!

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