

MANITOBA OMBUDSNEWS

2010-3



Ombudsman, Access and Privacy Newsletter

Right to Know 2010



RIGHT to KNOW

For the fifth year, the Manitoba Ombudsman's Office has been involved in organizing events to celebrate international Right to Know Day (September 28) and national Right to Know Week (September 27 to October 1, 2010).

Chat with information commissioners

If you have any questions about your right of access to information held by government and other public sector bodies, visit the national Right to Know website at www.righttoknow.ca during Right to Know Week. Throughout the week you will have the opportunity to participate in daily online chats with information commissioners from across the country. The times listed below are all central daylight time. Please consult the Right to Know website for final details, as times are subject to change.

Date	Time (CDT)	Commissioner	Jurisdiction
September 27	10:00 - 11:00 a.m.	Suzanne Legault	Canada
September 28	9:00 - 10:00 a.m.	Maria MacDonald	Prince Edward Island
September 29	10:00 - 11:00 a.m.	Ann Cavoukian	Ontario
September 30	1:00 - 2:00 p.m.	Irene Hamilton	Manitoba
October 1	12:00—1:00 p.m.	Frank Work	Alberta

In this issue:

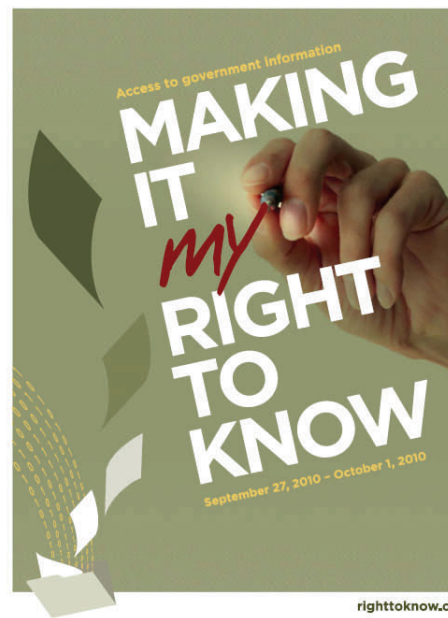
Right to Know 2010	1
Access and Privacy: Systemic Investigations and Audits	2
Interns at Manitoba Ombudsman	2
Extra FIPPA Session for Local Public Bodies Added Due to High Demand!	3
National Meetings	3
Brandon Office	3
Meet and Greet	4
Upcoming Events	4

Saskatchewan conference

Saskatchewan is hosting an Access, Privacy, Security & Records Management Forum on September 27 and 28 in Regina. On September 28, Manitoba's Ombudsman Irene Hamilton is participating in a provincial information and privacy commissioner panel along with her prairie colleagues, Frank Work from Alberta and Gary Dickson from Saskatchewan.

Proclaim your commitment!

Every year, we ask Manitoba's Premier and the mayors of all nine cities in Manitoba to proclaim Right to Know Week in their jurisdictions, publicly demonstrating their commitment to upholding an individual's right of access to government-held information. Last year, the province of Manitoba, along with the cities of Brandon, Dauphin, Flin Flon, Portage la Prairie, Selkirk, Thompson, and Winkler, issued Right to Know proclamations. Please visit our website during Right to Know Week to see which jurisdictions have made Right to Know proclamations this year.



righttoknow.ca





Access and Privacy: Systemic Investigations and Audits

In the spring, the Access and Privacy Division launched its FIPPA Access Practices Assessment project. This project involves an audit of a public body's FIPPA files where access has been denied, partly granted, or where the response has been that records do not exist. These audits will be carried out at different public bodies annually for the next several years. We will be reporting publicly on our findings in one report by the end of each calendar year, and highlights of each audit and any recommendations made will be included in our annual reports.



Through these audits we identify strengths and weaknesses in a public body's FIPPA processing practices. We communicate our findings in a debriefing meeting, which is then followed by a written report to the public body. Some public bodies may receive a report with recommendations and may also be subject to a follow-up audit in the next year.

In June and July 2010 we conducted on-site FIPPA access practices audits at five public bodies. The audits were conducted with the full cooperation and assistance of each public body.

We hope this project will contribute constructively towards the strengthening of identified weakness in the processing of FIPPA requests by the public bodies that are audited each year, as this will ultimately positively affect users of the Act. We also hope that our public reports will be instructive for other public bodies who have not yet been audited.

The purpose of the audits is to assess various elements of the processing of an access request to ensure compliance and best practices from the point of receiving an Application for Access to the issuance of the response letter. Some of the key elements examined in each file are timeliness, compliance with the FIPPA response requirement, the decision-making process, file documentation, and records preparation.

Later in the year, we will be undertaking another FIPPA project. This project will be focused on timeliness and will involve the review of compliance with section 11 (the time limit for responding) and with section 15 (extensions). This project is under development.

Interns at Manitoba Ombudsman

At various times over the last several years, the Manitoba Ombudsman's Office has benefitted from having interns from the Civil Service Commission's Management Internship Program and its Aboriginal Public Administration Program join our staff.

Most recently, the office hosted Nadine Bedoret from the Aboriginal Public Administration Program for a 6-month internship placement. Nadine worked on several projects, including the development of



Joining the Herd II, an updated and expanded version of our social studies curriculum guide. Watch for the release of *JTHII* later this fall. We wish Nadine

continued success in her next internship placement in the Instruction, Curriculum and Assessment Branch at Manitoba Education, Citizenship and Youth.

We would also like to extend our congratulations to Andrea Petruic, who completed a 6-month internship placement with us in 2009, and who has now completed the Aboriginal Public Administration Program. Andrea recently began working with the Consumer Protection Office at Manitoba Family Services and Consumer Affairs.



Extra FIPPA session for local public bodies added due to high demand!



In our last newsletter, we reported that our Access and Privacy Division was participating in the delivery of introductory sessions to local public bodies, including municipal governments, school divisions, universities and colleges, about *The Freedom of Information and Protection of Privacy Act* (FIPPA). The first session was held on June 9, and the second is scheduled for October

5. Demand for these sessions has been so high that a third session has been added for **October 13** (previously the date had been incorrectly noted as October 12).

To recap, the half-day session provides information to assist

in responding to access to information requests and in protecting personal information under FIPPA. A representative from the Information and Privacy Policy Secretariat will discuss the main concepts of freedom of information, including the right of access, the application process, applying exceptions to disclosure, and key definitions. The principles of privacy protection and obligations under FIPPA will also be explored. A representative from our Access and Privacy Division will discuss the types of matters we can investigate under FIPPA, the responsibilities of a public body during an investigation, the Ombudsman's proactive role, and resources available to assist in complying with FIPPA.

Please email Karen.Meelker@gov.mb.ca for details or to register.

National meetings

In the first week of June the Ombudsmen who are officers of the Legislative Assemblies met in Regina. All provinces and territories have an Ombudsman except Prince Edward Island, Northwest Territories and Nunavut. This annual meeting of the Canadian Council of Parliamentary Ombudsmen is an excellent opportunity to share best practices and learn about significant investigations and educational programs being developed in our counterpart offices.

At the end of August, the federal, provincial and territorial Information

and Privacy Commissioners met in Whitehorse. There are 15 offices in Canada; one in each province and territory and two at the federal level – the Privacy Commissioner and the Information Commissioner. Only Yukon Territory and Manitoba have the duties and responsibilities of both Ombudsman and Information Privacy Commissioner in one officer.

While in Whitehorse, the commissioners issued a joint resolution endorsing and promoting the concept of open government, and called on their respective governments to demonstrate

their commitment to a culture of openness. Read the full-text of the resolution in the "What's New" section of our website.

"The resolution is important because we think that governments all across Canada should really take on open government and instill a culture shift in terms of how they deal with people's information and how they disclose this information on a pro-active basis." Suzanne

Brandon office

Our Brandon office, located on the second floor of Scotia Towers at 1011 Rosser Avenue in Brandon, is easily accessible, with parking in the back lot off 10th Street, as well as at nearby meters and lots. The office was established in 1998 to better serve the needs of the West Man and surrounding regions. Our staff of three in Brandon is available Monday to Friday, 8:30 a.m. to 4:30 p.m., to help with questions or concerns relating to complaints about provincial and municipal matters, or to

share information about the Ombudsman's role and services. Staff can also provide referral information on a host of other programs and services. If you are in the Brandon area, please feel free to stop by our office, or call 204-571-5151 or toll free at 1-888-543-8230.



Meet and greet



Ombudsman staff visit with grade 6 students at Carman Elementary School in June 2010

Meet Ombudsman office staff and pick up some of our promotional and educational information materials this fall at our display booths at the following locations:



October 22 - Manitoba Social Science Teachers' Association, Special Area Groups (SAG) Conference, Kildonan East Collegiate, Winnipeg



November 22 & 23 - Association of Manitoba Municipalities Annual Convention, Winnipeg Convention Centre



Upcoming Events



September 15, October 20, November 17, and December 15:

Brown Bag Talks for Access and Privacy Coordinators and Officers. Please consult our website for topics. Call 982-9130 for details or to register.

September 27-28:

Saskatchewan Access, Privacy, Security, & Records Management Forum 2010, The Regina Inn, Regina, Saskatchewan. See <http://www.governmentevents.ca/sk2010/index.php>

October 5 & October 12:

FIPPA: An Introduction for Access and Privacy Coordinators and Officers in Local Public Bodies. Email Karen.Meelker@gov.mb.ca for details or to register. Note that October 5 session is full.

October 26:

Manitoba eHealth Conference: Connected: Information to Action, Canad Inns Polo Park, Winnipeg. See www.manitoba-ehealth.ca/conf2010.html for details.

Manitoba Ombudsman: Ombudsman and Access and Privacy Divisions

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