

2013-1

# Manitoba OmbudsNews



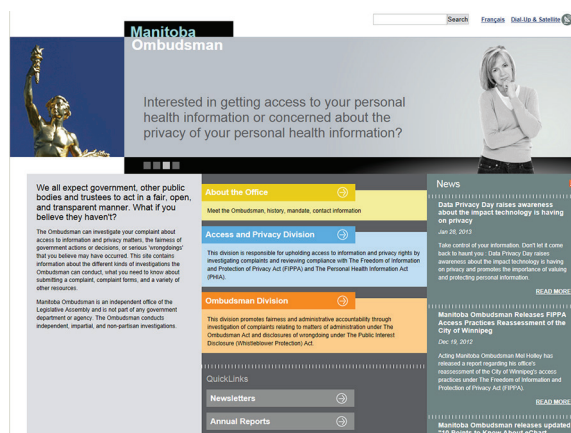
Ombudsman

Access and Privacy Newsletter

www.ombudsman.mb.ca

Manitoba Ombudsman is excited to launch a fresh, user-friendly website with a new look and some added features:

- A secure online complaint form for complaints made under *The Ombudsman Act*.
- A secure online disclosure form for disclosures of wrongdoing (whistleblower complaints) made under PIDA.
- Easy access to the site's most popular pages - newsletters, annual reports, and news releases.
- A "Dial-Up & Satellite" version of the site with fewer graphics for users without high-speed internet.



To make our services more accessible, additional features will be added to the website in the coming months.



To complement the new website, Manitoba Ombudsman has also launched a Facebook page as a way to let people know what we're doing and to raise important and serious matters that warrant broader public discussion. Keep up with discussions, announcements, events, presentations, job postings, photos, videos, and other news by visiting the page regularly >>> [www.facebook.com/manitobaombudsman](http://www.facebook.com/manitobaombudsman)

## Things to do in April:

- ✓ Visit Manitoba Ombudsman's new website.
- ✓ Check out our Facebook page while you're at it. Let us know what you think.
- ✓ Visit Manitoba Ombudsman's exhibitor booth at Law Day in the Law Courts Building in both Winnipeg and Brandon on Sunday, April 14. Say hello and pick up some of our free materials.
- ✓ Register for one or both access and privacy conferences to be held in Winnipeg in mid-May. Don't miss out on the opportunity to attend! See page 2.

✓ Grow your awareness of PIDA. See page 3.



## Conferences coming soon!

You won't want to miss this! Manitoba Ombudsman is hosting **two** access and privacy conferences in Winnipeg in May:

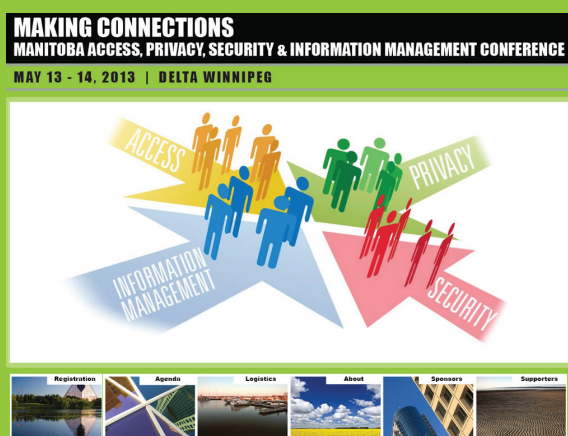


May 13-14 Access, Privacy, Security and Information Management: Making Connections  
 >>> [www.manitobaconnections2013.ca](http://www.manitobaconnections2013.ca)

May 15-16 Western Canada Health Information Privacy Symposium (WCHIPS): Meeting the Challenge of Stewarding Health Information  
 >>> [www.wchips2013.ca](http://www.wchips2013.ca)

We have been working with Advisory Committees made up of experienced staff representing Manitoba public bodies and trustees and Verney Conference Management to develop the agendas for the conferences. **The agendas have been posted on the conference websites.** Each conference features a combination of plenary and breakout sessions over a day and a half. There are optional half-day workshops available for an additional registration fee.

*The Early Bird registration rate for each conference is valid until April 12, 2013*



### Access, Privacy, Security and Information Management: Making Connections

Information is at the core of services and programs provided by public bodies and health trustees, whether it is general information and personal information governed by *The Freedom of Information and Protection of Privacy Act* (FIPPA) or personal health information governed by *The Personal Health Information Act* (PHIA). As a result, access, privacy, security and information management challenges are intertwined with almost everything that public bodies and trustees do.

The theme for this conference, "Making Connections", reflects interrelationships between information access, privacy, security and management. For example, successful information management programs support efficient processing of access to information requests and assist

in mitigating information security and privacy risks. This conference is intended for public sector employees in provincial and municipal governments, school divisions, universities, colleges and health care bodies across Manitoba. This includes employees such as access and privacy coordinators, records managers, archivists, policy analysts, human resource professionals and program managers.

### Western Canada Health Information Privacy Symposium (WCHIPS): Meeting the Challenge of Stewarding Health Information

WCHIPS is a collaboration between Manitoba Ombudsman and the offices of the Information and Privacy Commissioners in Alberta, British Columbia and Saskatchewan. It was formerly known as Prairie Health Information Privacy Day when it was previously held in Winnipeg in 2008.

WCHIPS is intended for trustees subject to Manitoba's *Personal Health Information Act* (PHIA), including health professionals and employees who handle personal health information in regional health authorities, hospitals, personal care homes, medical clinics, laboratories and public bodies, as well as anyone governed by health information privacy laws in the western provinces. Under the theme, "Meeting the Challenge of Stewarding Health Information", WCHIPS will offer practical guidance on building and maintaining successful health information privacy operations, and dealing with privacy issues and challenges, including privacy implications of using technology in service delivery.



# 10 things to know about The Public Interest Disclosure (Whistleblower Protection) Act (PIDA)

1

A disclosure can be made about a “wrongdoing” in the public service. A wrongdoing is a very serious act or omission that is defined by PIDA as:

- an act or omission that is an offence under another law
- an act or omission that creates a specific and substantial danger to the life, health or safety of persons or the environment
- gross mismanagement, including mismanagement of public funds or a public asset (government property)

PIDA also includes “knowingly directing or counselling a person to commit a wrongdoing” as a wrongdoing.

2

If you are a civil service employee, a disclosure of wrongdoing can be made to one of three people:

- your supervisor
- the designated officer for your organization (each government organization covered by PIDA has a designated officer)
- the Manitoba Ombudsman

3

Designated officers and supervisors have access to procedures and sample templates to assist them with the development of their own internal procedures to appropriately deal with disclosures of wrongdoing. The establishment of such procedures is a requirement of PIDA. Useful templates and information in this regard can be found on the Civil Service Commission's website at: <http://www.gov.mb.ca/csc/whistle/index.html>

4

In addition to public servants, any non-public servant who believes that a wrongdoing has been committed or is about to be committed in the public service can make a disclosure to the Manitoba Ombudsman.

5

PIDA requires that disclosures be made in writing. However, if you would like to discuss your disclosure prior to putting it in writing, you may choose to initially seek advice and discuss it with your designated officer or with staff at the Manitoba Ombudsman's office.

6

If you contact the Manitoba Ombudsman to inquire about submitting a disclosure or to request additional information regarding PIDA, you will not be required to disclose your name. However, we recommend that you include your name and contact information when submitting a written disclosure of wrongdoing. Unless you submit your name and contact information, we may be unable to clarify details of your allegations and thus, we may be unable to properly investigate your complaint.

7

A written disclosure must include:

- a description of the wrongdoing
- the name of the person or persons alleged to have committed the wrongdoing, or be about to commit the wrongdoing
- the date of the wrongdoing
- whether the wrongdoing has already been disclosed and a response received.

To make a disclosure to the Manitoba Ombudsman, you can now electronically fill in a disclosure form and submit it at: <http://www.ombudsman.mb.ca/disclosures/make-a-disclosure.html>

8

It is an offence for any person to take a reprisal against an employee, or direct that one be taken against an employee, because the employee has, in good faith:

- sought advice about making a disclosure
- made a disclosure; or
- cooperated in an investigation under PIDA

If you believe that a reprisal has been taken against you, you may file a written complaint to the Manitoba Labour Board.

9

What is a reprisal? “Reprisal” refers to any of the following measures that could be taken against the person coming forward with a disclosure:

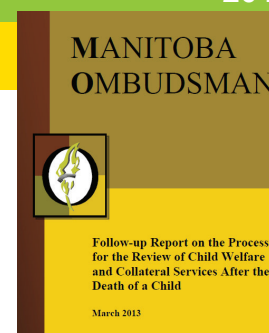
- a disciplinary measure
- a demotion
- termination of employment (being fired)
- any measure that adversely affects employment or working conditions
- a threat to take any of the above measures

10

We recognize that stepping forward to speak about a wrongdoing requires quite a bit of courage and can be daunting for some. If you have questions about PIDA, PIDA investigation procedures, or if you wish to gain more information about how to come forward with a disclosure of wrongdoing, you may call the Manitoba Ombudsman at 1-800-665-0531, or contact us via email at [ombudsman@ombudsman.mb.ca](mailto:ombudsman@ombudsman.mb.ca). Your name will be kept confidential.

## New Report

In mid-March we released a *Follow-up Report on the Process for the Review of Child Welfare and Collateral Services After the Death of a Child*. The report is available at:  
[http://www.ombudsman.mb.ca/documents\\_and\\_files/reports.html](http://www.ombudsman.mb.ca/documents_and_files/reports.html)



## March was Fraud Prevention Month. Make every month Fraud Prevention Month.

Your personal information is valuable and can be used by other people to assume your identity and commit fraud. Key personal information such as your name, address, date of birth, Social Insurance Number, driver's license number, credit card or banking information can be used to steal your identity, withdraw money from your accounts or open new ones, make purchases, apply for credit cards or loans, redirect mail or obtain employment.

### 5 Tips to Protect your Personal Information

- 1 Who:** Ensure you know who you are communicating with before you provide your personal information on the phone, though the mail or the internet.
- 2 What:** Carry only the identification and payment cards in your wallet that you need on a regular basis. Don't keep your birth certificate or Social Insurance Number (SIN) card in your wallet.
- 3 When:** Destroy all papers containing your personal information, including financial information, when it is no longer needed. Use a cross-cut shredder to securely destroy the information.
- 4 Where:** If you share photos or videos online that were taken with cameras equipped with global positioning system (GPS) technology, remove any geo-tags first, as these can reveal the exact location where the images were taken.
- 5 Why:** When asked to provide your personal information (for example, to make a purchase or sign up for a service), find out why the information is needed, how it will be used and if it will be shared, before revealing it.

For links to resources on identity theft and fraud, including other tips on how to protect yourself and what to do if you become a victim, see this list >>> <http://www.ombudsman.mb.ca/info/identity-theft.html>

## Upcoming Events

April 17, 2013	Brown Bag Talk for Access and Privacy Coordinators and Officers. Please consult our website for topic. 12:05 - 12:50 p.m., our office. Call 982-9130 for details or to register.
May 13-14, 2013	Access, Privacy, Security and Information Management Conference - Making Connections, <a href="http://www.manitobaconnections2013.ca">www.manitobaconnections2013.ca</a>
May 15-16, 2013	Western Canada Health Information Symposium (WCHIPS), <a href="http://www.wchips2013.ca">www.wchips2013.ca</a>

### Manitoba Ombudsman: Ombudsman and Access and Privacy Divisions

If you wish to subscribe to the Manitoba OmbudsNews or be removed from our distribution list please send your e-mail address to [Ideandrade@ombudsman.mb.ca](mailto:Ideandrade@ombudsman.mb.ca)

Winnipeg Office  
 750 - 500 Portage Ave.  
 Winnipeg, MB R3C 3X1  
 Phone: 204-982-9130  
 Fax: 204-942-7803  
 Toll Free in MB: 1-800-665-0531

WEBSITE: [www.ombudsman.mb.ca](http://www.ombudsman.mb.ca)

Brandon Office  
 202- 1011 Rosser Ave.  
 Brandon, MB R7A 0L5  
 Phone: 204-571-5151  
 Fax: 204-571-5157  
 Toll Free in MB 1-888-543-8230