

Manitoba OmbudsNews

2014-3 **Ombudsman**, **Access** and **Privacy** Newsletter

2014 Manitoba Connections

**Access, Privacy, Security and
Information Management Conference**
Hosted by Manitoba Ombudsman
October 6-7, 2014 | Delta Winnipeg

The **Manitoba Connections: Access, Privacy, Security and Information Management Conference** will provide up-to-date information to assist you in making better informed decisions in the complex world of these inter-related disciplines.

- Learn about the latest issues and trends in access, privacy, security and information management.
- Find practical solutions to help you meet the information challenges back at the office.
- Network and make connections with colleagues in other fields or organizations.

Manitoba Ombudsman, together with an advisory committee of representatives from public bodies and trustees under *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA), has designed this conference with the goal of providing you with the best possible professional development experience.

With a series of five plenary presentations and a selection of 16 different breakout sessions to choose from, you will be able to customize your own learning path. Additionally, there are three optional half-day pre-conference workshops being held the morning of October 6, during which you can explore issues in-depth.

www.manitobaconnections.ca

**Register now! Early bird registration rates
available until Friday, September 12, 2014**



FAQs about 2014 Manitoba Connections

Time is counting down to **2014 Manitoba Connections**, the Access, Privacy, Security and Information Management Conference that our office hosting on October 6-7 at the Delta Winnipeg.

Here are some frequently asked questions about the conference.

Why Connections?

Information is at the core of all programs and services of public bodies and trustees. Many of those programs and services involve personal information and personal health information of citizens, clients, patients, students and employees.

Manitoba Connections reflects the interconnectedness of access to information, information privacy, information security and information management. Because these are interconnected, strengthening one area also benefits the other areas. For example, robust information management practices improves access to information and facilitates better privacy protection, too. Information security ensures the protection of, and control over, information assets and safeguards the privacy of personal and personal health information.

Manitoba Connections recognizes the benefits that can be gained by breaking down the silos around these areas. Bringing these information disciplines together in one conference can help employees of public bodies and trustees to strengthen their skills in these areas and improve the connections between these areas within their workplaces.



Who is this conference for?

This conference has been developed for people who deal with information and work in public bodies and trustee organizations, such as:

- provincial departments and agencies
- municipal governments
- health care facilities and regional health authorities
- school divisions
- universities and colleges

This includes employees who work in the following areas:

- access to information
- information privacy
- information/records management
- information technology
- information security
- program management/administration
- direct service delivery
- policy analysis
- program analysis
- human resources
- legal
- communications

REGISTRATION OPTIONS: There are registration options for **conference only** (1 ½ days), **conference plus optional ½ day workshop** (2 days) or **workshop only** (1/2 day).

Where can I find out more?

Visit the conference website at <http://www.manitobaconnections.ca>

Please note that the early bird registration is extended to September 12.



What will the conference offer?

Over the course of 1 ½ days, participants will hear from **five plenary speakers** and will be able to customize their own learning path by choosing from a selection of **16 different breakout sessions** (including sessions specific to the health sector). Additionally, there are **three optional half-day pre-conference workshops** being held the morning of October 6, to enable participants to explore issues in-depth.

5 PLENARIES

- Barbara Bucknell, Acting Director of Policy and Research in the Office of the Privacy Commissioner of Canada, will explore how technological advancements are reshaping our perspectives on privacy in her session on Digital Privacy – re-examining evolving privacy rights.
- David Loukidelis, Privacy Consultant and former Information and Privacy Commissioner for British Columbia, will update us on the changing law on custody and control of records in his session Whose Records Are They? Practical Guidance for School Boards, Local Governments and Others on Custody and Control.
- Brian Beamish, Acting Information and Privacy Commissioner of Ontario, will bring us to up speed on emerging access issues in his session on Trends and Challenges in Access to Information.
- Lawrence Dobranski, Director of Information and Communications Technology Security at the University of Saskatchewan, will address the challenges of permitting employees' own mobile devices to connect to the employer's network in Creating, Implementing and Monitoring a Bring Your Own Device Policy in the Workplace.
- Brad "RenderMan" Haines, Hacker/Security Consultant, will share his perspective on security in his session, So you Think Your Data is Private: A Hacker's View of Privacy and Security.

- Opening a Portal into Government: The City of Brandon's Open Government Initiative
- Privacy Breach Management and Beyond: from breach to benefit
- Guidelines for Records of User Activity
- Business-driven Records Management
- Dear Access to Information Applicant...
- Navigating through the Privacy Maze
- Auditing in the Electronic World
- It Won't Happen to Me...Mitigating Records Risks
- Tools and Tips for Tracking and Processing Access Requests
- Privacy Legal Update: Recent and Upcoming Privacy Law Developments
- Privacy and Security Practices at the Manitoba Centre for Health Policy
- Device Decommissioning – Who has Care and Control of your Content?
- Meeting Big Access Challenges in Small Organizations
- Managing Employee Privacy
- An Introduction to the ISO Security Standards for the Privacy Professional
- ATIP or Two on Privacy and Information Management

16 BREAKOUT SESSIONS

There are 16 different breakout sessions that deal with information access, privacy, security or management, including sessions specific to the health sector. Many of the sessions are relevant to a broad range of public sector employees. For example, the session on Managing Employee Privacy presented by Lynn Romeo, Civil Service Commissioner, would be relevant for all employees and in particular, for managers and human resource professionals.

3 OPTIONAL PRE-CONFERENCE WORKSHOPS

- The workshop PIA Essentials will guide you through the process of conducting a privacy impact assessment, whether you are a beginner or wanting a refresher. The new PIA Tool and Guide developed by Manitoba Health, Healthy Living and Seniors will be the template used in the workshop.
- Back by popular demand is the Access and Privacy Coordinator/Officer Bootcamp. Whether you are new to your role or a seasoned veteran, this workshop is designed to make you a better, stronger Access and Privacy Coordinator or Officer.
- You can learn how to develop or improve your office's information management policies and guidelines, at How to Make Your Written Advice Crystal Clear. This workshop will take you through the steps required to organize your advice-rich, written communications and choose the right words to convey your message.

New investigation reports posted online

The following five Ombudsman Act reports have been posted in the Ombudsman Division section (orange) of our website under "Municipal Investigation Reports" at

http://www.ombudsman.mb.ca/documents_and_files/municipal-investigation-reports.html

- City of Winnipeg (2013-0381):** A case that might be of interest to many during the summer construction season looked at the impact of construction on one local business. We received a complaint that street work adjacent to a restaurant resulted in lost income when access to the premises was restricted and that construction and tree roots caused damage to a parking lot. The ombudsman could not conclude that the actions of the city or its contractor were unreasonable with respect to restricted access to the complainant's restaurant and parking lot damage due to construction. The issue of damage from tree roots was not clearly communicated by the restaurant owner and the city agreed to further investigate this matter.
- Rural Municipality of De Salaberry (2013-0250):** For the first time during a complaint investigation, Manitoba Ombudsman reviewed a municipality's code of conduct for its elected officials and determined that an elected official breached that code. We received a complaint that a council member of the RM authorized a road repair expenditure without the authority to do so and that an elected official treated the complainant unfairly. While the ombudsman found that the road repair work was authorized by council as part of the municipality's financial plan, the ombudsman agreed that the complainant was treated inappropriately by an elected official of the municipality.
- Rural Municipality of Alexander (2011-0555):** Interested in protecting a shoreline from erosion? We received a complaint that the RM failed to properly manage a local improvement plan for construction of a shoreline protection barrier and did not adequately respond to the concerns of affected cottagers. Manitoba Ombudsman found that there was no evidence to conclude that any deficiencies in the supervision and management of the project led to the failure of the shoreline protection barrier. Administrative improvements were suggested to the municipality.
- Rural Municipality of St. Andrews (2013-0303):** Municipalities sometimes do not provide reasons for their decisions -- an issue of ongoing concern for Manitoba Ombudsman since a lack of reasons can leave residents affected by those decisions angry and frustrated. We received a complaint that a public hearing for a conditional use application to operate a dog kennel was procedurally unfair. While the ombudsman did not find evidence that the public hearing was procedurally unfair, our investigation did identify that the absence of reasons for the decision of the RM to deny the conditional use application may have contributed to the complainant's perception that he was treated unfairly.
- City of Winnipeg (2013-0185):** Why does the city provide names of real property owners at certain public access computers, but not to callers seeking the same information from the city's 311 service? We received a complaint about that question. The ombudsman found that the practice of refusing to give out ownership information over the phone meets the legislated requirements of *The Municipal Assessment Act* and *The City of Winnipeg Charter*. The practice is also compliant with *The Freedom of Information and Protection of Privacy Act*.

The screenshot displays the Manitoba Ombudsman website's 'Municipal Investigation Reports' page. The header includes the Manitoba Ombudsman logo, navigation links for 'About the Office' and 'Access and Privacy Division', and a search bar. A left sidebar lists various sections: 'The Ombudsman Act', 'Ombudsman Act FAQ', 'Make a Complaint', 'Municipal Investigation Reports' (highlighted), 'Provincial Investigation Reports', 'Systemic Investigation Reports', 'The Public Interest Disclosure Act', 'PIDA FAQ', 'Make a Disclosure', 'Requesting an Exception', 'Inquest Reporting', and 'Links'. The main content area, titled 'Municipal Investigation Reports', contains a search bar and a list of reports. Each report entry includes the case name, dates, a brief description, a file name, size, and a 'Download' button. The reports listed are:

- City of Winnipeg: Case 2013-0185 – 2014-07-18**: Complaint that the city's 311 service would not provide the identity of real property owners, even though this information is available at public access computers at designated city locations. (case-2013-0185-en.pdf | 153.50 KB)
- City of Winnipeg: Case 2013-0381 – 2014-07-18**: Complaint that street work adjacent to a restaurant resulted in lost income when access to the premises was restricted, and that construction and tree roots caused damage to a parking lot. (case-2013-0381-en.pdf | 155.82 KB)
- Rural Municipality of Alexander: Case 2011-0555 – 2014-07-18**: Complaint that the RM failed to properly manage a local improvement plan for construction of a shoreline protection barrier and did not adequately respond to the concerns of affected cottagers. (case-2011-0555-en.pdf | 722.08 KB)
- Rural Municipality of De Salaberry: Case 2013-0250 – 2014-07-18**: Complaint that a council member of the RM authorized a road repair expenditure without the authority to do so and that an elected official treated the complainant unfairly. (case-2013-0250-en.pdf | 81.22 KB)

 A right sidebar contains 'Follow Us' (Facebook, YouTube), 'QuickLinks' (Newsletters, Annual Reports, News, Teachers and Youth, Social Media Policy), and a 'Search' bar.

A healthy dose of privacy: PHIA Day at Southern Health



In June, we participated in Southern Health's 6th annual PHIA Day. On PHIA Day, the region provided privacy training regarding *The Personal Health Information Act* that incorporated practical sessions and case studies to help employees understand their obligations and deal with challenging privacy issues encountered in their work settings. Employees throughout the region participated in sessions remotely through telehealth connections. Our presentation focused on how to make good decisions regarding the disclosure of personal health information.

Building privacy awareness among employees is critical to ensuring that personal health information is handled appropriately and in accordance with PHIA. Orientation and training about the privacy requirements under the act and about workplace policies and procedures are essential components of a privacy program. Sessions such as those provided at Southern Health's PHIA Day, which illustrated privacy requirements in workplace-specific situations, can make training more practical and meaningful for employees.

Privacy-wise stickers still available

Five different privacy-wise stickers for your computer monitor are still available. Created by a working group of representatives from Manitoba eHealth, Manitoba Health and Manitoba Ombudsman, the stickers can help to remind health-care providers, support staff and trustees to protect the privacy of Manitobans when using electronic health systems. Some of these stickers might also interest employees in other public bodies who use electronic systems containing personal information of clients. The stickers fit on top of your computer monitor or laptop and are easy to remove and do not leave behind a residue. For more information, please see: <http://www.ombudsman.mb.ca/info/privacy-wise-stickers.html>

To request stickers, call 204-982-9130, 1-800-665-0531 or send an email to ombudsman@ombudsman.mb.ca.

Request your free **PRIVACY-WISE** stickers today

Remind staff of the importance of privacy when using electronic health systems.

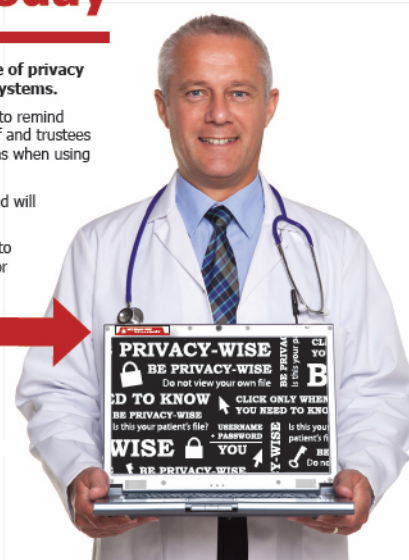
Privacy-wise stickers were created to remind health-care providers, support staff and trustees to protect the privacy of Manitobans when using electronic health systems.

The stickers are easy to remove and will not leave residue on your monitor.

To request stickers, send an email to ombudsman@ombudsman.mb.ca or call 204-982-9130.



FIVE MESSAGES



For more information on privacy and electronic health systems, please visit www.gov.mb.ca/health/phia/resources.html

Right to Know Week 2014

For the ninth year, Manitoba Ombudsman will be joining with other information and privacy commissioner offices from across the country in celebrating national Right to Know Week from September 22 to 28, 2014 and international Right to Know Day on September 28.

Right to Know acknowledges an individual's democratic right of access to government-held information and promotes the benefits of open, accessible, and transparent government.

Access to information held by our governments can be used to reveal or clarify the basis for government decisions affecting us, provide us with greater knowledge to address and debate public issues that are important to us, and help us scrutinize government actions and decisions on the basis of hard information. All of this allows us to become more active participants in the democratic process.

More information about Right to Know Week events and activities will be posted on our website soon: <http://www.ombudsman.mb.ca/info/right-to-know.html>



Upcoming events

September 22-28	Right to Know Week
October 6-7	2014 Manitoba Connections: Access, Privacy, Security and Information Management Conference www.manitobaconnections.ca
October 19-21	Forum of Canadian Ombudsman Corrections Course, Moncton, NB http://www.ombudsmanforum.ca/en/?p=2757
October 24	Visit our display table at the Manitoba Social Sciences Teachers' Association conference at Kildonan East Collegiate in Winnipeg
November 24-25	Visit our display booth at the Association of Manitoba Municipalities annual convention at the RBC Convention Centre in Winnipeg

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Manitoba Ombudsman: Ombudsman and Access and Privacy Divisions

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