

Manitoba OmbudsNews

2014-4 Ombudsman, Access and Privacy Newsletter

Season's Greetings

For many of us the holiday season can be hectic, planning parties and events, shopping for presents and trying to make sure everything works out perfectly for our friends and loved ones, while at the same time doing our jobs and meeting our other daily obligations. But it can also be a time to reflect on all of the good things that have happened over the past year, our successes and achievements and the things that give us hope and optimism for the future.

There is much to be grateful for. I am grateful for the dedication and commitment of my colleagues who strive every day to provide the public with the best service possible. I am grateful for the wise counsel of those who have been with us for many years, and for the passion and enthusiasm of our new staff. I am grateful for the hard work of all, and for the honesty and integrity that is the foundation of the work we do. I am grateful every day that the work we do is interesting, meaningful and helpful, and I am tremendously proud of the team that does it. I am proud of the way we care for and about each other and the respect with which we treat each other.

We are grateful for the thoughtful manner in which Manitobans raise

their concerns about fairness, accountability and transparency in their complaints to our office.

When I reflect on the work we have done over the past year I am grateful for the cooperation we have received from the people we work with during our investigations. We see in you and your offices the dedication, integrity, and hard work that every public servant can be proud of.

Let's reflect, celebrate and be joyful.

From everyone at Manitoba Ombudsman to all of you, happy holidays.

Mel Holley



Special edition of OmbudsNews and new Municipal Issues Series

For the first time ever, we published a special municipal edition of *OmbudsNews* to coincide with the Association of Manitoba Municipalities Annual Convention, held November 23-25, 2014 in Winnipeg. While the 1000+ municipal officials and administrators at the conference were our target audience, the newsletter content might appeal to anyone working in a public organization. Articles include:

- Mel's editorial about the relationship between our office and municipalities
- giving reasons for your decisions
- balancing openness and transparency with individual privacy
- do you know where your records are?
- an introduction to our new municipal issues series (of fact sheets)

You'll find the special edition of *OmbudsNews* on our website at: https://www.ombudsman.mb.ca/documents_and_files/newsletters.html

We've talked for a couple of years now about the growing number of inquiries and complaints we're receiving about municipalities. Not only have we seen an increase in numbers, we're also seeing an increase in the complexity of issues brought forward.

Back in 2009 we published *Understanding Fairness: A Handbook on Fairness for Manitoba Municipal Leaders and Administrators* and we updated and reprinted the guide in 2013. The guide



provides municipal officials and administrators with several tools to help make decisions that will stand up to scrutiny when those decisions are questioned. It also helps to ensure that everyone is operating from a common understanding of fairness when complaints are made and investigated.

In November 2014 we launched a new series of fact sheets, also aimed at municipalities, which examine specific issues in greater depth. The first two fact sheets are now available – *Conflict of Interest for Municipalities* and *Public Hearings for Municipalities*.

The conflict of interest fact sheet sets out what conflict of interest is, both from a *Municipal Council Conflict of Interest Act* perspective and from a procedural fairness perspective. The fact sheet also contains a checklist to help municipal officials determine if they have a conflict of interest, and some advice about what to do if a conflict exists. The public hearings fact sheet contains information about public hearings, when they're required, and some tips for ensuring public hearings are conducted fairly.

More fact sheets will be added to this series in 2015. You'll find the first two on our website at:

https://www.ombudsman.mb.ca/documents_and_files/brochures-fact-sheets-and-guides-1.html



Fall 2014 events

Right to Know Week 2014

This year, Manitoba Ombudsman celebrated Right to Know Week in several Winnipeg Public Library branches. A big thank you to WPL for allowing us to set up display tables at their Henderson, Louis Riel, Pembina Trail and West End branch libraries. We enjoyed talking to people and sharing our materials. See photo on page 4.

“Right to Know” raises awareness of an individual’s democratic right of access to government-held information and promotes the benefits of open, accessible, and transparent government. **Right to Know Week** was September 22-28, 2014.

Manitoba Connections conference

On October 6-7, 2014 our office hosted the Manitoba Connections: Access, Privacy, Security and Information Management Conference in Winnipeg. This was a sold out event and participants included staff from the provincial government, municipalities, school divisions, universities, colleges and the health care sector.

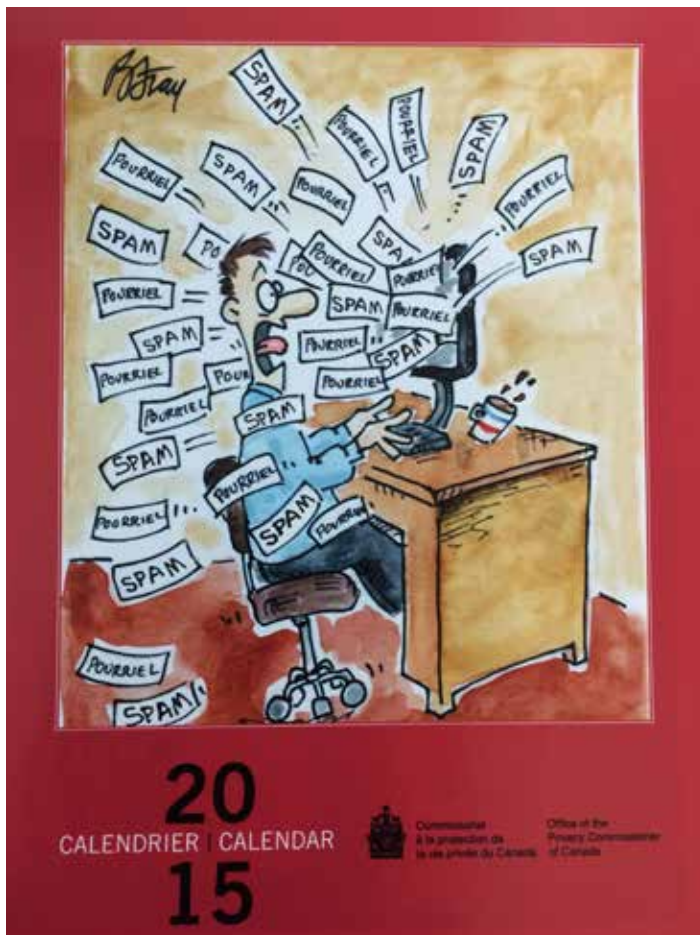
The conference provided opportunities to learn about the latest issues and trends in access, privacy, security and information management and sessions offered practical solutions to meet the information challenges faced by public bodies and trustees subject to *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA).

We'd like to thank members of the Advisory Committee, who participated in planning the conference, for all their work in making the event a success:

- Mike Baudic, Manitoba Tourism, Culture, Heritage, Sport and Consumer Protection
- Carol Garnham, Southern Health-Santé Sud
- Bonnie Greschuk, Manitoba eHealth
- Val Gural, Winnipeg Regional Health Authority



- Micheal Harding, Manitoba Health, Healthy Living and Seniors
- Patrick Hoger, Manitoba Jobs and the Economy
- Konrad Krahn, City of Winnipeg
- Sean Lehmann, Manitoba Public Insurance
- Brenda Lapointe, Winnipeg School Division
- Nancy Love, Manitoba Ombudsman
- Jodi MacDonald, Manitoba Education and Advanced Learning
- Joe Masi, Association of Manitoba Municipalities



Coming soon in 2015!

Data Privacy Day

Get your copy of the Office of the Privacy Commissioner of Canada's 2015 privacy calendar. Created to mark Data Privacy Day on January 28, 2015, the calendar is full of light-hearted editorial cartoons and privacy tips that everyone can use. Copies of the calendars will be shared with information and privacy commissioner offices across the country, including Manitoba Ombudsman. **Request your copy today by contacting ombudsman@ombudsman.mb.ca, 204-982-9130 or 1-800-665-0531 (toll-free in Manitoba). First come, first served. Supply is limited.**

Recognized by privacy professionals, corporations, government officials, academics and students around the world, **Data Privacy Day** (every January 28) highlights the impact that technology is having on our privacy rights and underlines the importance of valuing and protecting personal information.

Changing times – changing tools

It's a new era for municipal councils and municipal councillors. On November 25, 2014 at the Association of Manitoba Municipalities Annual Convention, Acting Manitoba Ombudsman Mel Holley presented a session called "Changing Times – Changing Tools." Of the 130 participants, many were newly elected council members.

Among the changes discussed were the increased use of information available via the internet to assess and evaluate municipal decisions, and the use of instant communication tools and social media to share observers' analysis of those decisions.

The presentation acknowledged the increasing scrutiny of councils by senior citizens, including retired lawyers, accountants, engineers, and others with professional qualifications and experience, as well as an increasing interest in integrity issues such as conflict of interest and transparent decision making. We're in an age when more information is available and more easily accessed than ever before. Holley noted that there is an unprecedented interest in the administration of government and a growing willingness to engage decision makers on matters of accountability and transparency.



Based on experience from our investigations of municipal complaints, the presentation contained tips for improved administration, touching on such topics as:

- public hearings and meetings
- transparent decision making
- responding to citizen complaints
- responding to access to information requests

The PowerPoint slides from Mel's presentation are available on our website at: <https://www.ombudsman.mb.ca/uploads/document/files/amm-presentation-for-website-2014-en.pdf>



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Manitoba Ombudsman: Ombudsman and Access and Privacy Divisions

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