

**Access to Information
and Protection of
Privacy Update**



November 2015

Agenda

1. Introduction
2. Short Film – Tick Tock
3. About the Office of the Information and Privacy Commissioner
4. Guide for Municipalities
5. Public Bodies

1. Introduction

- Video produced by the Information Commissioner's Office in UK
- Requirements very similar to NL, including:
 - Time lines
 - Public Interest Test
 - Importance of information management
- Environmental regulations are different

2. VIDEO – Tick Tock

- <https://vimeo.com/65572280>
- <https://ico.org.uk/for-organisations/improve-your-practices/training-videos/>
- <https://www.youtube.com/watch?v=Tdff6UPzvDQ>

3. The Office of the Information and Privacy Commissioner



- Purpose of ATIPPA
 - Enable meaningful participation in democratic process
 - Increase transparency and accountability of public bodies and elected officials
 - Protect privacy

4. The Office of the Information and Privacy Commissioner cont'd.



- Role of OIPC
 - Investigations
 - Education
 - Audit/Compliance
 - Receives privacy breach reports
 - Considers requests from Public Bodies for time extensions or to disregard

5. The Office of the Information and Privacy Commissioner cont'd



- All records in the custody or control of a public body are subject to ATIPPA
 - includes post-its, emails, videos, calendar entries, voicemails, handwritten notes, etc.
- Different considerations for proactive disclosure vs. ATIPP request

6. About the Municipalities Guide

- Section 1 – Overview of Public Documents
 - What must be available under the *Municipalities Act, 1999*
 - Common types of personal information that may appear, and whether they should be redacted

7. About the Municipalities Guide

- Section 2 – Other Privacy Issues
 - Collecting, Using and Disclosing Personal Information
 - Sharing Information with Councillors
 - Social Media, Email and Websites
 - Privacy Breaches

8. About the Municipalities Guide

- Section 3 – Access to Information Requests
 - Is an ATIPP Request Required?
 - Receiving a Request
 - Exceptions to Disclosure
 - Public Interest Override
 - Steps to Processing a Request

9. About the Municipalities Guide

- Section 4 – Specific Types of ATIPP Requests
 - Some common types of requests
 - E.g. recordings, complaints about another resident, minutes that have not yet been ratified, minutes of privileged meetings

10. About the Municipalities Guide

- Guide is intended to be a quick reference to common issues and is available at:

http://www.atipp.gov.nl.ca/info/pdf/ATIPPA-Guide_for_Municipalities.pdf

- Remember our office is always available to answer questions:

(709) 729-7072

Toll Free (877) 895-8891

11. Public Bodies

- Definition of public bodies now includes organizations:
 - Owned by, Created by or created for municipalities; and
 - Which
 - Manage a municipal asset
 - fulfill a municipal responsibility

12. Public Bodies

- Forms sent out over summer and many municipalities responded.
- If creating organizations, they will be subject to act
- Many organizations were determined to be part of the municipality – in such cases they will be expected to provide records to your ATIPP Coordinator if there is a request

Questions?

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