



Access to Information and Protection of Privacy (ATIPP) Act Review Report



Access to
Information
and Protection
of Privacy



December 2016

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Introduction

Yukon passed the *Access to Information and Protection of Privacy (ATIPP) Act* in 1995. Amendments made in 2009 now require that the act be reviewed every six years. This is the first such mandatory review. The review process began on December 17, 2015.

The purpose of the ATIPP Act is twofold. The first purpose is to make the government more accountable to the public by giving the public a right to access government information with limited exceptions. The second is to protect privacy by preventing the unauthorized collection, use or disclosure of personal information and ensuring that incorrect personal information can be corrected. The ATIPP Act establishes an independent review body to oversee public bodies' activities.

The purpose of this report is to provide an assessment of the current state of the ATIPP Act, not recommendations for act amendments. The report is organized into seven sections according to theme: managing personal information; defining public bodies; roles, accountabilities and powers under the ATIPP Act; empowering citizens to manage their own information; innovation and information management; client focus and access to information; and simplifying the act.

The report is not the outcome of the review process but is intended to encourage and enable future engagement and conversation with the public to improve access to information and the protection of privacy. The report incorporates data from the public engagement survey conducted in June and July 2016,¹ Yukon's Information and Privacy Commissioner's review of the act published in 2015, as well as policy development discussions held within Yukon government and an evaluation of access and privacy legislation in other jurisdictions.

¹ The survey was online and open for public input from June 1 to July 31, 2016. A total of 124 surveys were completed during that time. Given the small number of responses, the survey is used to generate further discussion, not draw firm conclusions.



Managing personal information

In the current act:

The current act defines **personal information** as recorded information about an individual who can be identified. This includes information such as name, address, telephone number, race, religious and political beliefs and associations, an identifying number or symbol attached to the individual, fingerprints, blood type or inheritable characteristics, health care history, education, financial, criminal or employment history, anyone else's opinions about the individual and the individual's personal views or opinions unless they are about someone else.

Under the act, individuals have a right to access records containing their personal information and the minister responsible for the act is responsible for publishing a **directory** to assist with identifying and locating records.

What this means:

- 1) Because the definition is so broad, it is not clear exactly what information qualifies as personal information. For example, whether identifiers like license plate numbers are personal information becomes a matter of legal opinion.
- 2) The definition of personal information does not consider the context in which personal information is collected, used, stored or disclosed. Context may reveal additional, sensitive information about a person. For example, an individual might be perfectly fine with having their name and phone number published in the phone book, but would be upset if the same information were released on a list of appointments made for a Department of Justice program. This is particularly important with electronic records where this **metadata** is often automatically generated and stored.
- 3) The objective of protecting personal information is to prevent harm to individuals, but there may be broader societal harms associated with overly restrictive categories that prevent the release of certain records of historical importance or limit their usefulness. For example, the definition means descriptions of race in historical documents must be removed before the document can be made available. Previously, historical documents might only reference an individual's race when their race was non-white, and so only certain stories are made public or that historical documents relating to non-white Yukoners may be altered.
- 4) Yukon government does not have the necessary tools to fulfill all its legal obligations for personal information. For example, since the opinions of others about an individual are considered the individual's personal information, **public bodies** may not be able to track down and include these records in a directory even though the individual has a right to access them.
- 5) Technological developments now mean that datasets no longer containing names or other identifying information, known as de-identified data, can be combined with other data sets that might be publicly available to identify individuals. Combining datasets in this manner may result in privacy implications for those individuals. The current definition of the act allows the release of de-identified data without considering any potential resulting harm.

Additional information:

In the public engagement survey on the ATIPP Act, we found that approximately 45% of respondents think the privacy provisions in the act are reasonable for protecting their personal information, whereas 17% think the provisions are not reasonable, and 38% answered that they did not know. While more of the public is satisfied than dissatisfied with the privacy provisions under the act, we also heard that others found interpreting and understanding the privacy provisions difficult. The same is also often true of government employees who require significant legal support to use the act successfully.

Yukon's Information and Privacy Commissioner (IPC) commented that the provisions for protecting personal information in the current act are insufficient, and that privacy management by Yukon public bodies is in its infancy. Privacy management includes standard practices such as risk management techniques, employee training on privacy, and internal policies and procedures – these standard practices have evolved substantially since the ATIPP Act came into force. Yukon government noted this gap and began developing and implementing privacy management at the policy level in 2015; however, the IPC recommends incorporating privacy management practices into the act.

Defining public bodies

In the current act:

The ATIPP Act assigns responsibilities to public bodies to provide transparency and protect personal information. The act defines a **public body** as a government department, secretariat or executive agency (with some limited exceptions) plus a list of other bodies and agents of Yukon government. While each Yukon government department is a public body, the government as a whole is not, which may come as a surprise to members of the public who perceive that all of government is connected.

The legislation includes both a list of public bodies and a more inclusive **legal test** for determining whether an organization is a public body, which leaves room for interpretation and has caused confusion for both the public and the employees of public bodies about whether or not the act applies.

What this means:

- 1) The act requires that access requests be directed to a public body. This means that applicants must understand how government is structured and in which department the information they seek is held. The number of services offered by government is wide-ranging and constantly changing. No comprehensive list of all government services offered by each department is currently available.
 - 2) The act does not provide clarification on how to address access requests when the public body that would have created the records no longer exists. Sending requests to the proper department becomes even more difficult in the case of records belonging to departments that were
- once joint but are now separate. For example, at one point Community Services and Highways and Public Works were one department — Community and Transportation Services — and programs run at that time now belong to one of two separate departments. Although the staff of Yukon government’s ATIPP office assist applicants to select the most appropriate department, requiring an applicant to direct their request to a specific public body may mean their request is not successful.
- 3) Separate public bodies result in inconsistent access and privacy protection across Yukon government. Heads of public bodies retain accountability for each public body’s performance in regard to transparency and privacy protection and this leads to variation across departments, with some able to locate more records or be quicker to adopt new practices and respond to information requests.
 - 4) The separation of Yukon government into public bodies ensures no one public servant is able to access the information holdings of every department. Beyond this, the separation of public bodies does not add greatly to privacy protection, however, as the majority of the act’s privacy protection takes place at the program or service level – this means there are barriers within departments, not just between them.

Additional information:

While the public bodies that are subject to access to information legislation varies across Canada's other provinces and territories, Yukon's legislation is not as broad as it could be. When reviewed by the Centre for Law and Democracy in 2012, only three jurisdictions received fewer points than Yukon for the scope of their access to information legislation.

The current IPC makes some explicit recommendations for new public bodies and suggests that Yukon's municipalities be public bodies. The public made similar comments during the Yukon's 2016 ATIPP Act consultation. In the survey, 46% of the respondents thought that the scope of the ATIPP Act should expand to other public bodies and the survey report (see appendix A) includes a list of all the bodies suggested for inclusion. However, 55%² thought that the act should not apply to any other bodies. It is unclear to which boards and committees the act applies; in her 2015 comments on the act, the IPC called for clarification over the inclusion of boards and committees to ensure that Yukoners' access to information rights are upheld.

² Rounding error accounting for total greater than 100%

Roles, accountabilities and powers under the ATIPP Act

In the current act:

The ATIPP Act outlines the following roles with powers and accountabilities.

- » The **records manager** is responsible for administering the act, which includes:
 - Receiving requests from applicants.
 - Passing along requests to public bodies.
 - Communicating the public body's response to applicants within the 30-day timeline (with some exceptions).
 - Waiving fees associated with requests for government information.
 - Determining whether requests have been abandoned.
 - Notifying third parties.
 - Extending the timeline for responding to requests in accordance with the act.
- » **Public bodies** are responsible for determining responses to requests, and the final say on a request rests with the head of the public body. Public bodies must respond to the records manager promptly so that the records manager can respond to the request within the time limit. The public body must make every reasonable effort to assist the records manager in responding to the public accurately and completely. Public bodies are also responsible for appropriately collecting, using, disclosing and protecting personal information.
- » The **Information and Privacy Commissioner** is responsible for monitoring the administration of the act, and may:
 - Inform the public.
 - Receive and investigate complaints or comments from the public on act administration.
 - Comment on the implications for access to information and privacy of existing or proposed legislation.
 - Authorize a public body to collect personal information from a third party.
 - Review decisions by the public body and records manager.
 - Conduct inquiries.
 - Provide recommendations on any instance of improper administration.
 - Authorize a public body to disregard vexatious requests.

What this means:

- 1) We heard reports from Yukon government employees that the role of the IPC in the operation of the act is not well defined or understood, and because her reviews are not subject to timelines, departments face uncertainty when subject to lengthy reviews.
- 2) Another important role within government that is not outlined in the act is that of ATIPP coordinators. These Yukon government employees must interpret and apply the ATIPP Act and determine what information will be released, subject to the approval of the head of a public body. The movement from paper to digital information management has increased the amount of information held by government and has made the ATIPP coordinator job significantly more complicated.
- 3) The lack of a specific duty to document decisions and other essential information affects transparency. If key decisions are not documented, they are unavailable to be released to the public and the public's right to information is unfulfilled.
- 4) There is no internal complaint process under the act for the public body to address a complaint prior to the complaint going to the IPC. There is no requirement for a strong system of internal audit and compliance within the act. Yukon government has recognized this gap and is developing an internal complaint resolution mechanism as part of a government-wide policy on privacy management. Some public bodies are not subject to government policy, however, so if privacy management is not within the act, it is not enforceable.

Additional information:

The IPC recommended that her office be given additional powers, including the power to issue binding orders following investigations, reviews, and audits where the public body refuses to comply with a recommendation to address non-compliance. The federal Information Commissioner has also recommended an order-making model because it would instill discipline and predictability, as well as result in timely processing of requests. She also indicated that a shift to an order-making model would also require additional powers, such as audit and compliance. The federal Standing Committee on Access to Information, Privacy and Ethics recommended that the federal government adopt an order-making model to strengthen oversight.

Yukon is the only jurisdiction with a records manager role, and the IPC views this role as limiting the accountability of public bodies and potentially introducing delays. The IPC recommended that the responsibilities of the records manager be eliminated or reduced, and that ATIPP coordinators be managers within a public body and be given training on applying the ATIPP Act. Yukon government staff noted that the role of ATIPP coordinator is typically undervalued within government, and that the role of the records manager in providing a central, corporate perspective is valuable. In Newfoundland's most recent act review, the recommendation was for ATIPP coordinators to be given sole authority for handling access requests. The Standing Committee on Access to Information, Privacy and Ethics recommended that the federal government study the role of access to information coordinators within government institutions to ensure they have sufficient autonomy.

On the subject of duty to document, British Columbia's IPC comments that the change to email communication from paper-based memos presents challenges for filing electronic records and providing appropriate structure and content for communicating government decisions, and that a clear duty to document would improve transparency. Other non-Canadian jurisdictions, including Australia and New Zealand, have legal requirements to create full and accurate records. The federal IPC has also recommended establishing a legal duty to document with sanctions for non-compliance – federal policies exist on the duty to document government activities and decisions. The Standing Committee on Access to Information, Privacy and Ethics recommends amending the federal *Access to Information Act* to include a duty to document along with sanctions for non-compliance.

In the ATIPP Act survey question asking respondents to rank 10 principles for protecting privacy and providing access to personal information, "accountability for complying with privacy protection best practices" ranked 8th and "individuals can challenge a public body's compliance with privacy protection" ranked 10th. When asked to rank their top three most important attributes out of eight that related to access to government information, "government demonstrates transparency" ranked first.



Empowering citizens to manage their information

In the current act:

The act lays out restrictions on the collection, use and disclosure of personal information. Essentially the act ensures that:

- » Only personal information that is necessary is collected.
- » Individuals consent to collection of personal information and are told why it is being collected in a **collection statement**.
- » Personal information is only used for purposes that are consistent with the collection statement.
- » Personal information is only kept while needed and is disposed of responsibly.
- » Personal information may only be disclosed within strict controls.

The act requires that individuals can know what information government holds and the purpose for which it is used. They can review their personal information held by government and correct it if it is wrong or out of date.

What this means:

- 1) In order for government services to use personal information, they must abide by the act's strict rules about collection, use and disclosure. These provisions mean that government services cannot share updates and corrections provided by Yukoners to other services.

- 2) As government offers many services that require some personal information, these measures restrict Yukon government's ability to meet other key requirements under ATIPP. The act requires that public bodies maintain a list of personal information held by the public body and make it available to respond to ATIPP requests. This is difficult to manage and update when so many different service areas hold personal information.
- 3) Members of the public are unable to verify what their information is being used for and that it is accurate, which are services that are required under the act.
- 4) The ATIPP Act's privacy provisions are based upon a consent model that places a considerable burden on the public. A member of the public is responsible for remembering all the services they have provided information to and what consents they have given. Without this information, the public cannot reasonably hope to find all the personal information that government holds.

Additional information:

The principles of *Privacy by Design*³ encourage government to provide users with audit tools to enable citizens to oversee government's activities. The responsibility to verify who holds information and what the information is used for is echoed in *Privacy by Design* principle 6: *Visibility and Transparency*. Recent news stories highlighting employee misuse of data at the Canada Revenue Agency and Quebec's provincial government indicate that Yukon government could offer greater visibility in this area. While we have no evidence that employees are misusing personal information in Yukon, we could do more to ensure we are meeting our responsibilities toward Yukoners' privacy.

³ *Privacy by Design* is an approach to designing systems created by experts in the field, including the former Information and Privacy Commissioner of Ontario, which seeks to include privacy as a beneficial component of new systems.

Innovation and information management

In the current act:

The ATIPP Act's privacy provisions restrict the ability of public bodies to use personal information about their clients. Provisions governing the collection, use and disclosure of personal information require acknowledgement of the purpose for handling personal information. Any use that is not consistent with the purpose documented at the time of collection is not permissible under the act, with some very limited exceptions. The legislation itself is prescriptive about the abilities of public bodies to act, which inhibits innovation within a public body as no scope is provided for new activities to be adopted.

What this means:

- 1) Requiring use in line with the original purpose explicitly prevents the government making innovative uses of information. The swift progress of new technology and innovative tools could enable public bodies to generate better services through previously unforeseen uses of existing information, like data linking. Combining unconnected information holdings may indicate new service needs for vulnerable clients or suggest new mechanisms for service delivery or communication that could benefit Yukoners. Without prior approval of the individual, such activities are prohibited with no consideration of potential value or risk to the individual.

- 2) Security requirements in the act are incomplete. While public bodies are required to protect personal information, there are no further details about what appropriate protection should look like nor implications or repercussions for failure to provide reasonable security arrangements.

Additional information:

The current privacy provisions presume that any impacts on privacy depend on the interaction of a person with personal information. The restrictions on collection, use and disclosure are based around the activities of employees in public bodies. However, employees may use personal information for one legitimate purpose, yet are not able to use that same information again for another legitimate purpose not identified or declared when the information was initially collected. Some respondents of the public engagement survey identified this as wasteful. Ontario's IPC has spoken about the value inherent in secondary uses of information and Yukon's own IPC has recommended Yukon government look at increasing the ability of public bodies to be innovative, with appropriate oversight and transparency.



Client focus and access to information

In the current act:

Transparency, which is operationalized as the right to obtain access to a government record within 30 days, is the principle behind the access provisions of the ATIPP Act. The act specifies limited exceptions to this principle to enable government to operate and to protect the rights of others. The act lays out the responsibilities of the public bodies, along with processes and timelines that public bodies must follow when responding to access requests. The act also charges the Information and Privacy Commissioner with overseeing public bodies' responses to access requests. The act requires that access to information requests be verified by the signature or mark of the applicant, which may limit government's scope to provide this service in new ways.

What this means:

- 1) Timelines surrounding mandatory consultation with third parties with respect to release of their information as part of an access request typically pushes the response beyond the legislated timeframe breaking an implied promise to the requestor and exposing the government to criticism from the IPC. The act contains only limited flexibility for the effective management of requests leading to unintended awkward situations where applicants are dealing with departments through the records manager.
- 2) Parts of the act are not subject to formal timelines, such as the IPC's responsibility to respond to complaints or review denied requests and such reviews have taken more than 12 months to complete. This is potentially inconsistent with the act's purpose.
- 3) While an individual's identity must be confirmed to access their personal information, a signature is not a secure way of verifying an identity. In addition, the majority of requests for government information do not require the requestor to be identified. This requirement adds little value.
- 4) Overly broad restrictions of access to information may prevent the release of information that might reasonably be released and so damages trust in the transparency and accountability of the government.
- 5) The lack of a harms test for restrictions of the right to information and a public interest override means that some information may not be released, even where no harm would be caused by releasing it or if it would be in the public's interest to release it.

Additional information:

Canada was considered a world leader in access to information in the 1980s when access to information laws were first adopted, but since then Canadian jurisdictions have not kept up with new advances. According to the Centre for Law and Democracy — a think tank that evaluates right to information laws around the world — there are three problems with access to information laws across the country:

- » Limits on scope – public authorities such as legislature, judiciary and cabinet are completely or partially excluded.
- » Procedural weakness, including high fees and delays in granting access.
- » Overly broad exceptions to access.

The limitations to access under the ATIPP Act are considered by some to be overly restrictive. Yukon's ATIPP Act does not require that potential for harm be present to prevent access. Similarly, Yukon's act does not contain a public interest override, which might enable or require government to release information where the public's interest outweighs the benefits of refusing access.

The Standing Committee on Access to Information, Privacy and Ethics made recommendations in their review of the federal *Access to Information Act* to improve on the three weaknesses highlighted above. The Committee recommended increasing the scope of the act to include the Prime Minister's Office, offices of ministers and ministers of State, and parliamentary secretaries, as well as organizations supporting parliament and providing administrative support to the courts. The committee also recommended limiting extensions and removing the five dollar filing fee; although, considering reinstating fees for very large program information requests was recommended. Finally, the committee recommended limiting exceptions to access by adding a reasonable expectation of injury test to the exemption for advice and recommendations, removing factual materials, and reducing the time limit on this exemption.

Yukon's IPC recommended a broader public interest override and repealing sections that prevent access to briefing materials prepared for ministers or the premier in respect of forming a new government. In 2015, Newfoundland added a public interest override to its act – the review committee noted that the purpose of a public interest override is to recognize “even when information fits into a category that deserves protection, there may be an overriding public interest in disclosing it to an applicant or the public at large.”

In the ATIPP Act review survey, respondents were asked about their experience submitting access to information requests. Most of the respondents (85%) had never submitted a request. Of the 15% of respondents who had submitted a request, 32% submitted a request for personal information and 79% submitted a government or program request, and 11% submitted both types of requests.⁴ Just over 63% of respondents requested information directly from the public body prior to submitting an access to information request, and of these, 92% were seeking government or program information.

Another approach to satisfy government's duty to be transparent is to implement a proactive disclosure program. Other jurisdictions across Canada and beyond have implemented programs to help departments identify and publish information that may be of interest to the public and that would be released if requested. Proactive disclosure promotes and facilitates transparency without the cumbersome, slow and expensive process of access to information requests.

⁴These values sum to more than 100% because they are a percentage of the respondents who had submitted an ATIPP request, and respondents were able to choose both options.



Simplifying the ATIPP Act

In the current act:

The ATIPP Act contains complex and unclear language, timelines in different sections that do not line up, and unclear provisions around consent. As well, certain key terms, such as “third party,” “applicant,” “request” and “review” remain undefined in the act. The act is very prescriptive and does not allow much room for new practices to be adopted, even where service improvements would result.

What this means:

- 1) The ATIPP Act is difficult to interpret, so use of the act by Yukon government employees requires significant level of support from its Legal Services branch. Legal Services often provides the same advice multiple times, on the same or similar questions for different groups because the nature of legal advice requires a level of secrecy. Certain aspects of the act are difficult to interpret because the world in which government operates has changed.
- 2) The act has not changed substantially since it was first adopted in 1995, and the legislation itself is quite prescriptive and rigid. In the last 20 years, the way legislation is drafted has changed – statutes are now much less prescriptive and typically provide a framework that allows regulations to be made, and much of the substance of the law comes in the regulations. This approach is much more flexible and easier to keep current.

- 3) The act does not allow Yukon government to respond to changing circumstances and new challenges. In part, this is due to the prescriptive nature of the act but the government is not empowered by the act to develop solutions to meet new privacy challenges as they arise without going through a lengthy legislative amendment process.

Additional information:

In an office that deals primarily with paper records, when information is collected, used or disclosed is clear. For example, when an employee in a program area asks a client to fill out a form that describes how the information will be used and disclosed (a **collection statement**), information has been collected. When the employee evaluates the client’s eligibility for a service based on the information in the form, the information is used. If the form is then given to a different program area to use in evaluating the client’s eligibility for a related service, the information has been disclosed. In a digital world, these precise points of collection, use and disclosure are much less clear, and we have found anomalies that do not fit tidily under the existing legal framework. For example, on occasion employees within a public body may receive unsolicited email containing personal information. Although this information was not requested and collection could not be avoided, the collection of the information does not comply with the act and many information technology systems create automatic backups that may or may not be visible, meaning that ensuring every copy of the information has been deleted can be difficult.

In addition, new legislation that affects privacy and information management was proclaimed recently in Yukon – *the Health Information Protection and Management Act* – and the interplay between these two important pieces of legislation requires further attention.

Overall, 38% of respondents thought provisions of the act are reasonable for providing access to government information; although, 28% said they were not, and 34% responded that they did not know. Further, 37% of respondents thought the provisions of the act are reasonable for providing access to personal information, whereas 20% said they were not, and 43% answered that they did not know. That such a large proportion of respondents indicated that they did not know whether the provisions were adequate supports the need for a simpler act that is better communicated to the public.

Conclusion

This report provides an assessment of the current ATIPP Act, incorporating feedback from the public, comments from the IPC, input from internal policy development discussions, and information from other jurisdictions. The next step is to develop recommended amendments. In 2017, Yukon government plans to present the potential amendments to the ATIPP Act to the public for feedback and review prior to finalization. Yukon government is committed to an open, accountable and transparent review process – we appreciate the input of the public thus far on the ATIPP Act and look forward to further engagement in the near future.

Sources on access to information and privacy protection:

The following is a sample of sources on access to information and privacy protection that may be of interest to some readers.

Calkins, Blaine. 2016. "Review of the Access to Information Act." Report of the Standing Committee on Access to Information, Privacy and Ethics. House of Commons, Canada - 42nd Parliament, 1st Session.

Cavoukian, Ann. n.d. "A Regulator's Perspective on Privacy by Design."

Centre for Law and Democracy. 2012. "Failing to Measure up: An Analysis of Access to Information Legislation in Canadian Jurisdiction." Halifax, Nova Scotia.

Culnan, Mary J. 2011. "Accountability as the Basis for Regulating Privacy: Can Information Security Regulations Inform Privacy Policy?"

Denham, Elizabeth. 2015. "Submission to the Special Committee to Review the Freedom of Information and Protection of Privacy Act." Statutory review of the Freedom of Information and Protection of Privacy Act. Information and Privacy Commissioner, British Columbia.

Narayanan, Arvind, Joanna Huey, and Edward W Felten. 2015. "A Precautionary Approach to Big Data Privacy."

Schwartz, Paul M., and Daniel J. Solove. 2011. "The PII Problem: Privacy and a New Concept of Personally Identifiable Information." *New York University Law Review* 86: 1814–94.

Sweeney, Latanya. 2002. "K-Anonymity: A Model for Protecting Privacy." *International Journal on Uncertainty, Fuzziness and Knowledge-Based Systems* 10 (5): 557–70.

Yukon Information and Privacy Commissioner. 2015. "Access to Information and Protection of Privacy Act 2015 Review."

Appendix — Access to Information and Protection Of Privacy Act Review Survey Report 2016

Prepared for **Highways and Public Works, Government of Yukon**
by **Yukon Bureau of Statistics**

August 2016

1.0 Introduction

- 1.1 The Access to Information and Protection of Privacy (ATIPP) Act Review Survey 2016 was conducted by the Yukon Bureau of Statistics (YBS) on behalf of the Yukon government. The purpose of the survey was to collect public input on:
- any experiences with ATIPP requests;
 - principles around access to information and privacy protection; and
 - whether the provisions of the act are reasonable for protecting privacy and providing access to information.
- 1.2 The survey was hosted on the website of the Yukon government's ATIPP Office as an open online survey. In addition, the ATIPP Office served all requests for a hard copy of the survey. The survey was open for public input from June 1, 2016 to July 31st, 2016. A total of 124 completed surveys were received during this period.
- 1.3 Appendices to this report contain the following information:
- Appendix A: Survey Questionnaire
 - Appendix B: Results and Summary Tables of Survey Responses
- 1.4 The following analyses provide a summary of results by survey question and are presented as percentages.

2.0 Demographic Information

- 2.1 As indicated in Figure 2.1, almost 85% of the respondents were residents of Yukon. Another 5.6% of the respondents lived in Quebec, Alberta, and British Columbia during the survey. Nearly 10% of the respondents preferred not to provide their postal code.

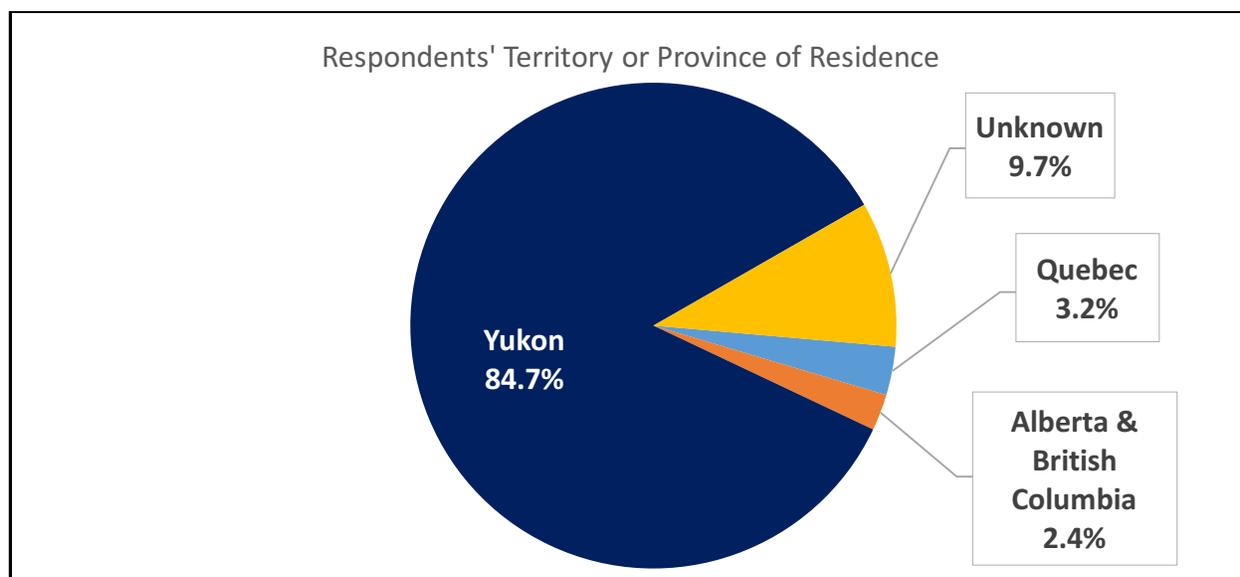


Figure 2.1. Respondents' Territory or Province of Residence
Respondents were asked to provide their postal code.

2.2 The highest proportion of respondents (32.6%) belonged to the age group of 40 to 49 years (Figure 2.2). Respondents over 49 years of age (33.7%), between 40 and 49 years (32.6%), and under 40 years of age (32.6%) were almost equally represented.

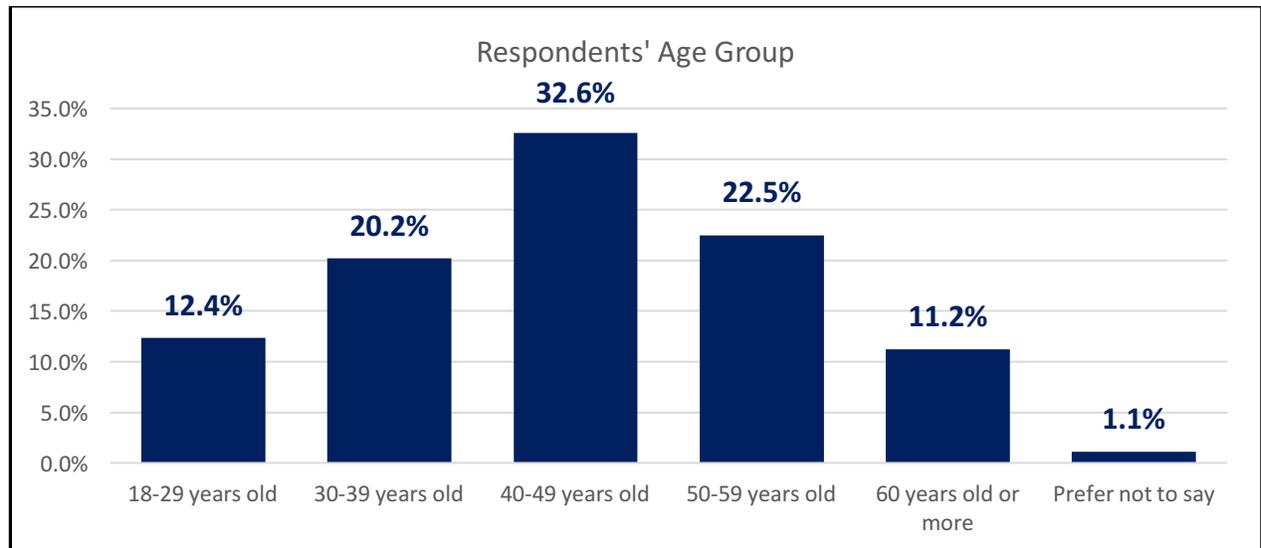


Figure 2.2. Respondents' Age Group
Respondents were asked which age group they belonged to.

3.0 ATIPP Request Experience

3.1 Most of the respondents (84.7%) had never submitted an ATIPP request (Figure 3.1). Of those who had, 78.9% submitted a government or program request, 31.6% submitted a personal request, and 10.5% submitted both types of requests¹.

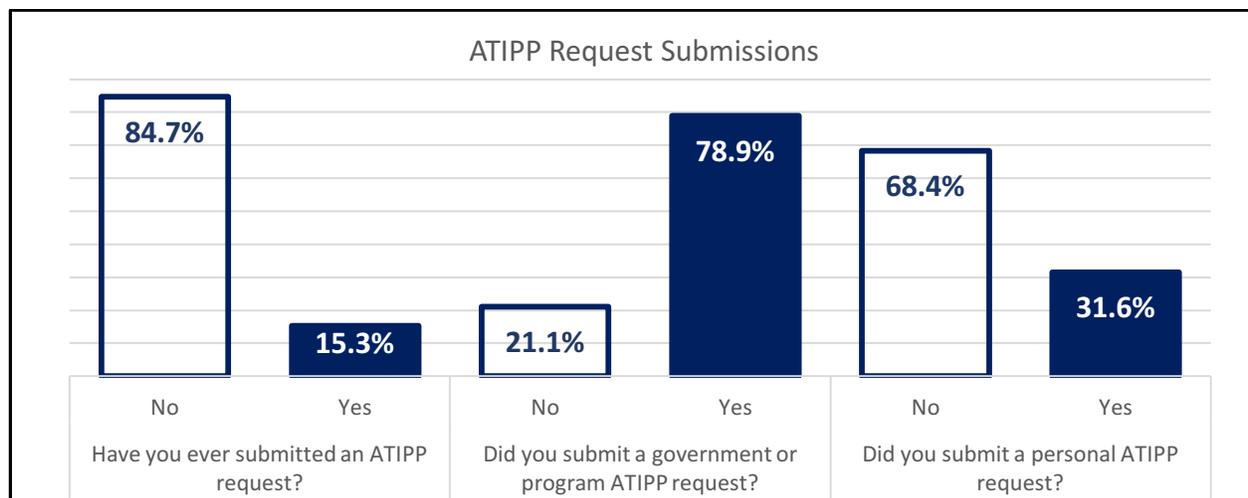


Figure 3.1. ATIPP Request Submissions
Respondents were asked if they had ever submitted an ATIPP request and, if so, the type of request.

¹ The sum of these values is more than 100% because some of the respondents (10.5%) submitted a government/program request as well as a personal request, and selected both options.

3.2 Prior to submitting an ATIPP request, 63.2% of the respondents tried to obtain information directly from the public body (Figure 3.2).¹

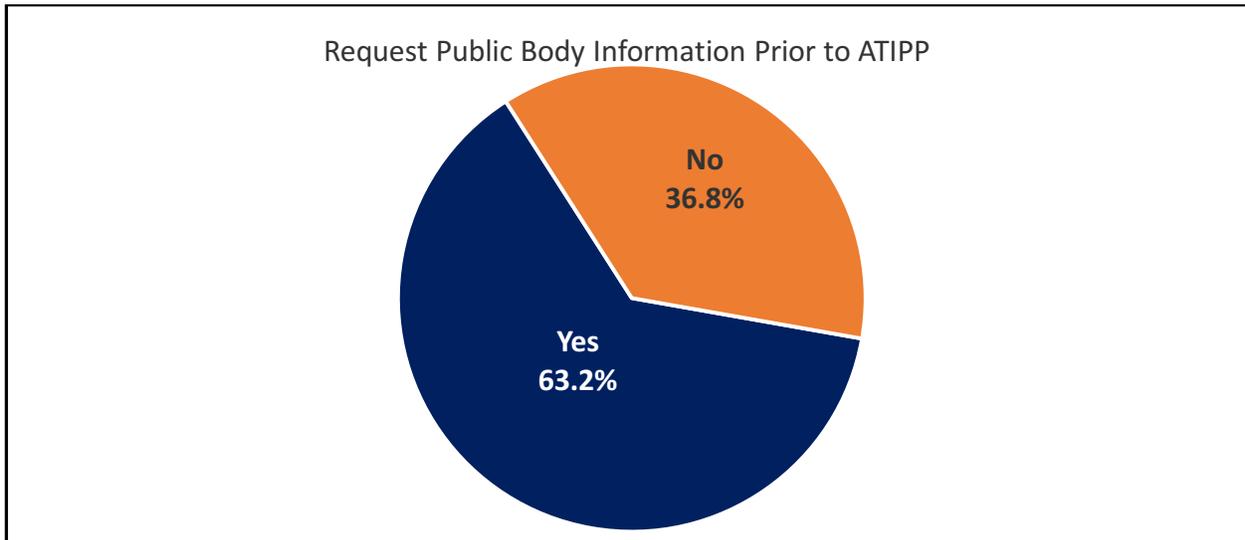


Figure 3.2. Request Public Body Information Prior to ATIPP
Respondents who had submitted an ATIPP request were asked if they had tried to obtain information directly from the public body prior to their submission.

3.3 Of those respondents who tried to obtain information directly from the public body prior to their ATIPP submission, 91.7% were looking for *government or program* information and 8.3% for *personal* information. Respondents were more likely to seek and obtain information on *government or a government program* than *personal information* (Figure 3.3).

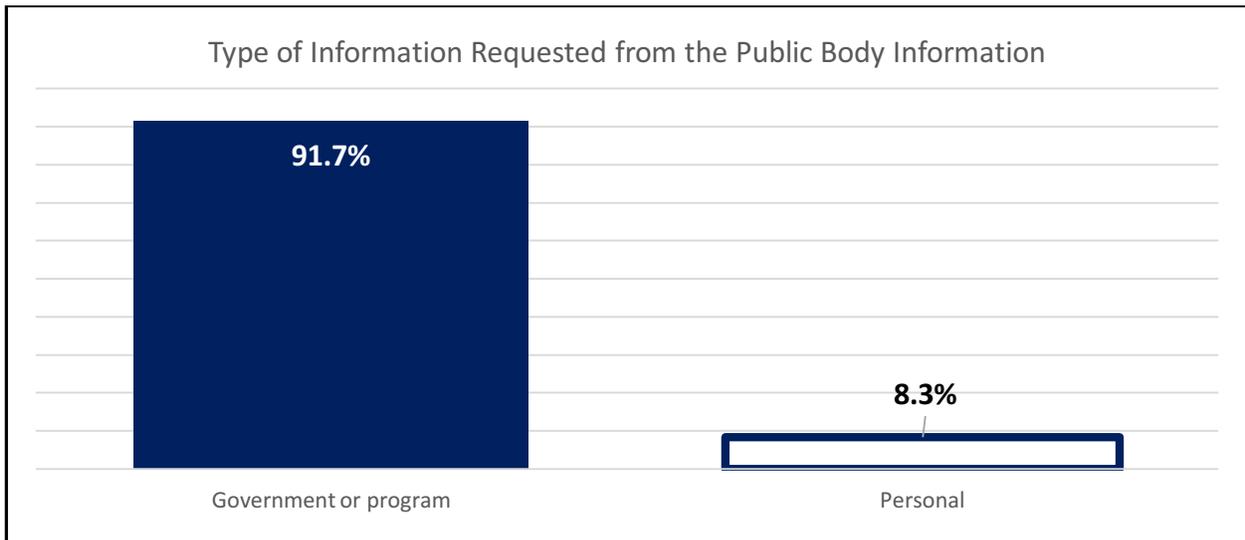


Figure 3.3. Type of Information Requested from the Public Body
Respondents who had submitted an ATIPP request were asked if they tried to obtain information on government or program, or personal information directly from the public body prior to their submission.

3.4 As shown in Figure 3.4, of those respondents who submitted a government or program ATIPP request:

- more respondents (40.0%) either disagreed or strongly disagreed that *the request was served timely* as compared to the respondents who either strongly agreed or agreed (33.4%);
- majority of the respondents (53.4%) either strongly disagreed or disagreed that they *received complete information* as compared to the respondents who either strongly agreed or agreed (33.3%);
- more respondents (40.0%) either strongly agreed or agreed that the *cost was reasonable* as opposed to the respondents who either strongly disagreed or disagreed (26.7%); and
- more respondents (40.0%) neither agreed nor disagreed on *overall satisfaction with the service*, while 33.3% strongly agreed or agreed.

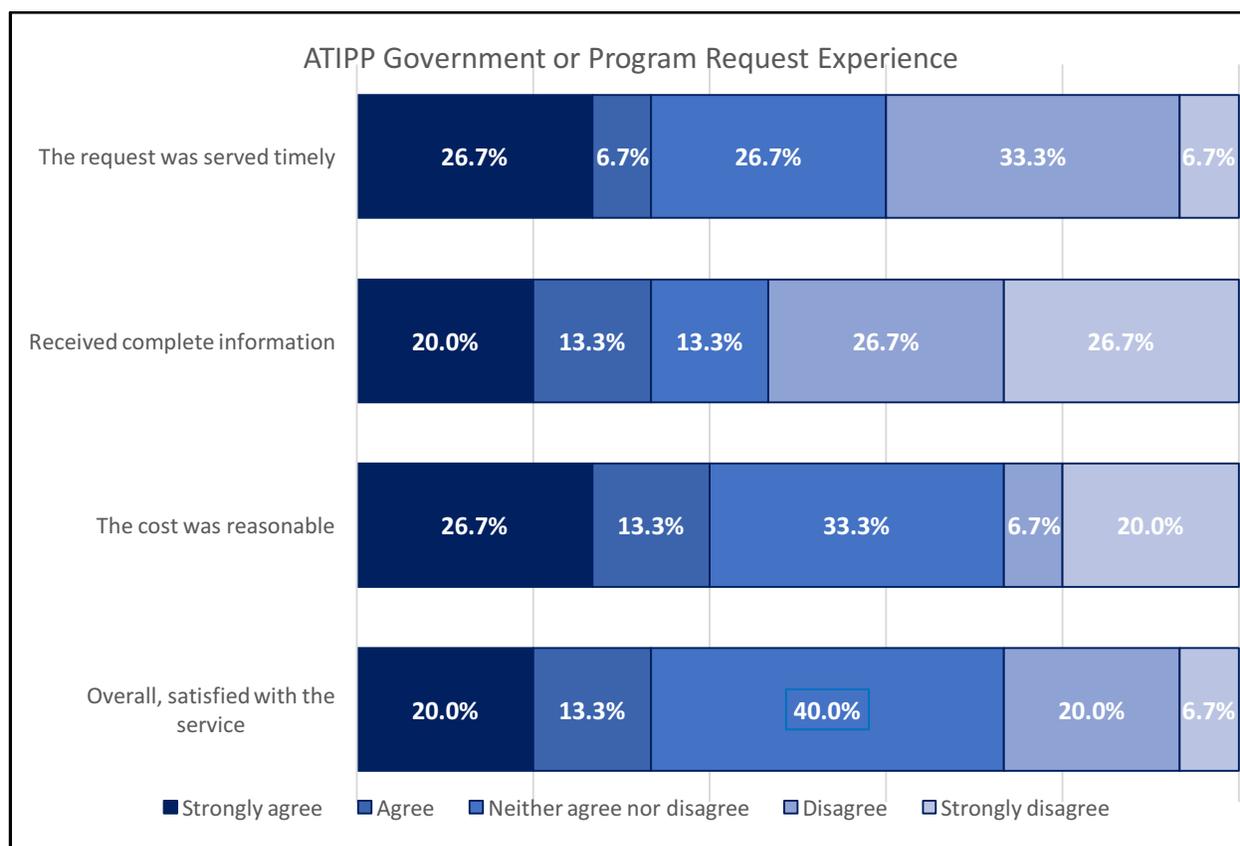


Figure 3.4. ATIPP Government or Program Request Experience
 Respondents were asked, based on their most recent ATIPP request for government or program information to Yukon Government, to indicate their level of agreement with several statements.

3.5 Of those respondents who submitted a personal ATIPP request (Figure 3.5)²:

- majority of the respondents (60%) either strongly agreed or agreed that *the request was served timely*;

² Category percentages were grouped into 'Strongly Agree or Agree' and 'Strongly Disagree or Disagree' due to small number of responses to this question.

- most respondents (80.0%) strongly disagreed or disagreed that they *received complete information*; and
- respondents were split evenly between ‘strongly agreed or agreed’ (40.0%) and ‘strongly disagreed or disagreed’ (40.0%) in their response on the reasonability of cost and *overall satisfaction with the service*.

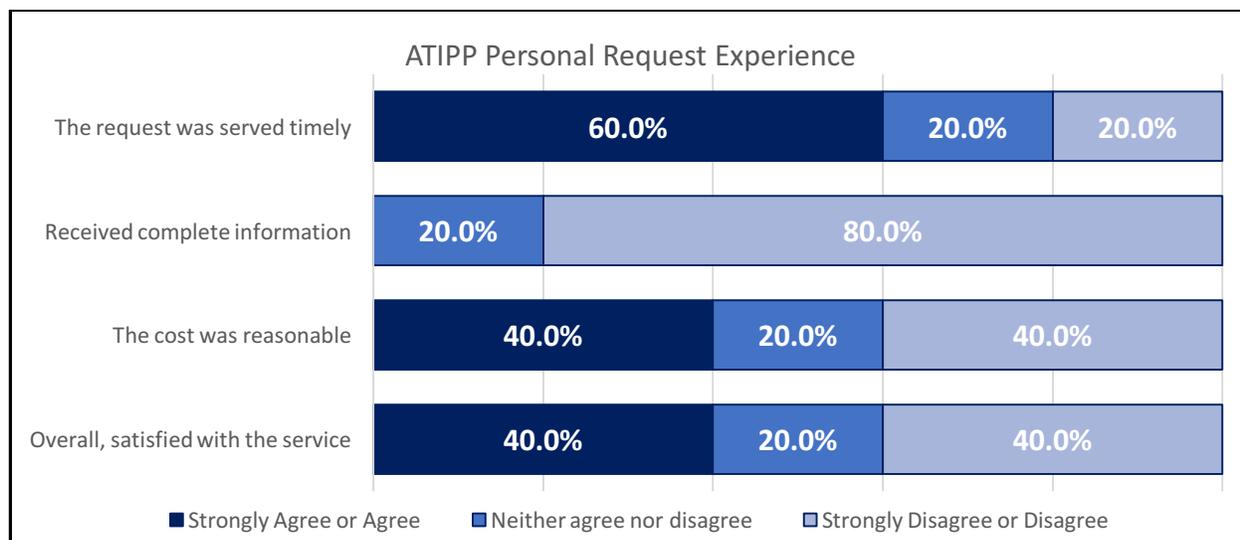


Figure 3.5. ATIPP Personal Request Experience
 Respondents were asked, based on their most recent ATIPP request for personal information to Yukon government, to indicate their level of agreement with several statements.

4.0 Access to Information and Privacy Protection Principles

- 4.1 Respondents were asked to rank 10 principles which are commonly accepted as essential to protecting privacy and providing access to personal information. Based on weighted averages of all rankings³, the respondents ranked the statements in the following order of importance:
- (1) Personal information must be protected by appropriate security safeguards
 - (2) Individuals must consent to collection
 - (3) Individuals must be informed of the purpose for which personal information is collected
 - (4) Collection is limited to what is necessary for the organization’s program or activity
 - (5) Individuals are able to access their own information and confirm its accuracy
 - (6) Personal information must not be used or disclosed for purposes other than those for which it was collected
 - (7) Personal information should be accurate
 - (8) Accountability for complying with privacy protection best practices
 - (9) Policies relating to managing personal information should be made available to the public
 - (10) Individuals can challenge public body’s compliance with privacy protection

³ Geometric weights were applied to ranking frequencies with progressively reduced importance to calculate a weighted average for each statement that captures the relative importance of all preference rankings. Each frequency is assigned a weight of $\frac{1}{2^{(n-1)}}$, where n=1 reflects the first preference, n=2 reflects the second preference,....., and so on.

4.2 Then, the respondents were asked to rank their top three most important attributes out of the following eight attributes which cover access to government information:

- Government demonstrates transparency
- Proactive disclosure of government information
- Reasonable cost for preparing the requested information
- Timeliness in responding to a request
- Complete information provided in response to a request
- Fair exceptions to access
- Clear process for making a request
- Ability to appeal decisions about access

4.3 Based on weighted averages of all rankings (see footnote on page 5), the top three attributes ranked by the respondents in order of importance were as follows:

- (1) Government demonstrates transparency
- (2) Clear process for making a request
- (3) Proactive disclosure of government information

5.0 Access to Information and Privacy Protection Provisions

5.1 Over a third (38.0%) of the respondents did not know if the ATIPP Act provisions are reasonable for protecting personal information or providing access to information (see Figure 5.1). Less than half (44.6%) of the respondents were of the opinion that provisions are reasonable for protecting personal information, while 38.0% and 37.4% thought that the provisions are reasonable for providing access to *government or program* information and *personal* information, respectively.

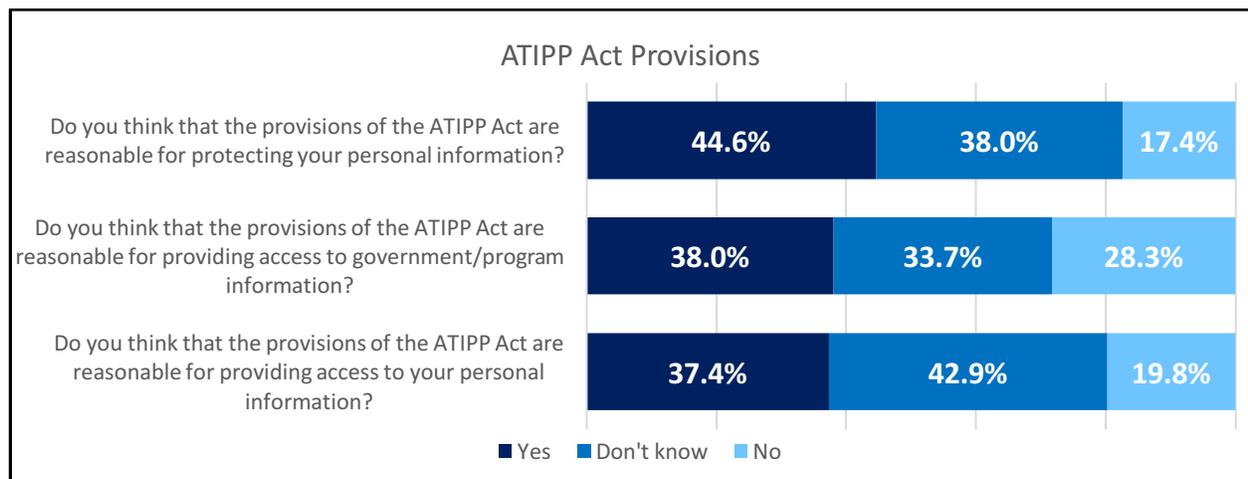


Figure 5.1. ATIPP Act Provisions
Respondents were asked if they thought the provisions of the ATIPP Act are reasonable for protecting personal information and providing access to personal, government or program information.

5.2 At this time, Yukon Government does not share information between programs or services even when they require the same information. For instance, when a change is made on a client's file, the change is not updated for the same client in other programs or services; consequently, some government programs or services may have outdated or incorrect information about clients. As

indicated in Figure 5.2, the respondents were almost just as likely (46.1%) to have experienced such instances mentioned above as to have not (53.9%).

5.3 Public bodies have responsibilities under the ATIPP Act to give the public access to records under their custody and control, allow individuals to access their own personal information and request that it be corrected, and limit the collection, use and disclosure of personal information. Public bodies include: YG departments, Yukon Energy Corporation, Yukon Hospital Corporation, Yukon Housing Corporation, Yukon Liquor Corporation, Yukon Lottery Commission, Yukon College, Workers' Compensation Health and Safety Board, Child and Youth Advocate Office, *Designated Agencies under the Adult Protection and Decision Making Act*, and First Nation service authorities designated under the *Child and Family Services Act*. As shown in Figure 5.3, the proportion of respondents who thought that the ATIPP Act should not apply to other bodies was 9.1 percentage points higher compared to those who thought it should (54.6% compared to 45.5%). Respondents who did think it should apply, listed the following bodies it should apply to:

- municipal governments;
- businesses - banks, credit card companies, corporations, anyone collecting private information for business;
- all public/government/publicly funded bodies, services, and agencies;
- First Nation governments;
- NGO – Childcare centers, Day homes, Montessori, Medical Offices, Non-Profit Organizations;
- Office of the Information and Privacy Commissioner;
- Yukon Government – Public Service Commission, Legislative Assembly, Motor Vehicles Branch;
- Federal Government – Public Prosecution Service Of Canada, Immigration;
- crown corporations and agencies;
- offices of any elected official such as opposition political parties,
- RCMP; and
- Yukon Employees Union.

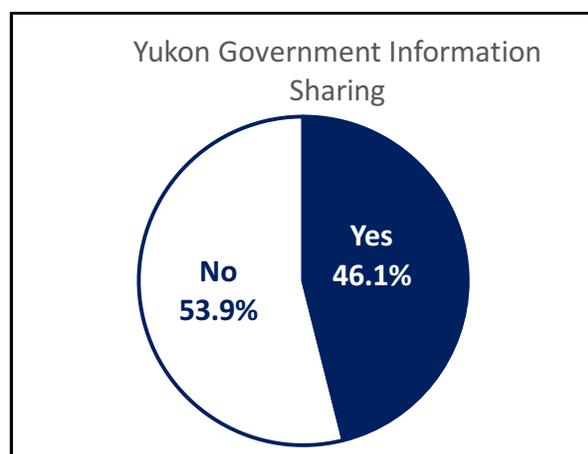


Figure 5.2. Yukon Government Information Sharing Respondents were asked if they had experienced instances where they updated their file in one program or service but it was not updated in another when receiving services from YG.

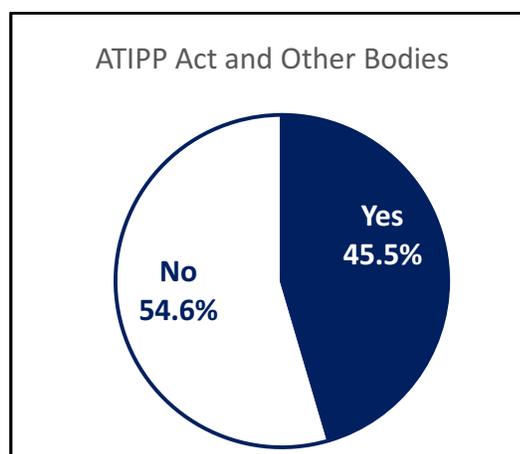


Figure 5.3. ATIPP Act and Other Bodies Respondents were asked if they thought the ATIPP Act should apply to any other bodies.

Appendix A – Survey Questionnaire

The Access to Information and Protection of Privacy (ATIPP) Act Review Survey

The purpose of the Access to Information and Protection of Privacy (ATIPP) Act Review Survey is to collect public input on: (i) principles around access to information and privacy protection; (ii) whether the provisions of the act are reasonable for protecting privacy and providing access to information; and (iii) any experiences with ATIPP requests.

Your responses and comments are protected in accordance with the *Statistics Act* and the ATIPP Act. Yukon Bureau of Statistics will compile and summarize your responses and comments with those of other respondents to analyze and report. Individual responses will not be identified in any reports or associated materials. Anonymized responses will be shared with select staff of the Department of Highways and Public Works (HPW) including the ATIPP office for internal use only.

If you have any concerns about the confidentiality of your responses, please call the Yukon Bureau of Statistics at 867-667-5383. If you have any questions about the review process or prefer to provide your feedback on a paper form, please contact HPW at atippreview@gov.yk.ca or 867-667-3146 or toll-free at 1-800-661-0408, ext. 3146.

Questionnaire

Q.1. Do you know the Postal Code of your home address?

- a. Yes
- b. No

Q.2. What is the postal code of your home address?

Q.3. Have you ever submitted an ATIPP request? (Check all yes that apply.)

- a. Yes – government/program
- b. Yes – personal
- c. No

Q.4. Did you try to obtain information from the public body directly prior to submitting the request? (Check all yes that apply.)

- a. Yes – government/program
- b. Yes – personal
- c. No

Q.5. Based on your most recent ATIPP request for government/program information to Yukon government, indicate your level of agreement with the following statements:

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
a. The request was served timely	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Received complete information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The cost was reasonable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Overall, satisfied with the service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q.6. Based on your most recent ATIPP request for personal information to Yukon government, indicate your level of agreement with the following statements:

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
a. The request was served timely	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Received complete information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The cost was reasonable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Overall, satisfied with the service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q.7. The following 10 principles are commonly accepted as essential to protecting privacy and providing access to personal information. Please drag and drop the following principles from left to right in order of their importance to you (top=most important, bottom=least important).

Principle	Rank
Accountability for complying with privacy protection best practices	
Collection is limited to what is necessary for the organization's program or activity	
Individuals are able access their own information and confirm its accuracy	
Individuals can challenge a public body's compliance with privacy protection	
Individuals must be informed of the purpose for which personal information is collected	
Individuals must consent to collection, use or disclosure of personal information	
Personal information should be accurate, complete and up to date	
Personal information must be protected by appropriate security safeguards	
Personal information must not be used or disclosed for purposes other than those for which it was collected, and only retained as long as necessary	
Policies relating to managing personal information should be made available to the public	

Q.8. The following attributes cover access to government information. Which of these attributes are most important to you in order of importance (maximum 3 in order of importance)?

Attribute	Rank
Government demonstrates transparency	
Proactive disclosure of government information	
Reasonable cost for preparing the requested information	
Timeliness in responding to a request	
Complete information provided in response to a request	
Fair exceptions to access	
Clear process for making a request	
Ability to appeal decisions about access	

Q.9. Do you think that the provisions of the ATIPP Act are reasonable for protecting your personal information?

- a. Yes
- b. No → If no, please explain _____
- c. Don't Know

Q.10. Do you think that the provisions of the ATIPP Act are reasonable for providing access to:

- a. government/program information?**
 - i. Yes
 - ii. No → If no, please explain _____
 - iii. Don't Know
- b. your own personal information?**
 - i. Yes
 - ii. No → If no, please explain _____
 - iii. Don't Know

At this time, Yukon government (YG) does not share information between programs/services even when they require the same information (e.g., client's contact information). That means when you notify a change of your address or phone number for one program/service, it cannot be used to update your address or phone number for other programs/services. Consequently, some government programs/services may have outdated or incorrect information about clients. This often occurs when someone needs to inform YG of a death or change in circumstances (e.g., divorce).

Q.11. Have you experienced any situation as described above when receiving services from Yukon government?

- a. Yes
- b. No

Comments: _____

Public bodies have responsibilities under the ATIPP Act to give the public access to records the body has under its custody and control, allow individuals to access their own personal information and request that it be corrected, and limit the collection, use and disclosure of personal information.

Public bodies include YG departments, Yukon Energy Corporation, Yukon Hospital Corporation, Yukon Housing Corporation, Yukon Liquor Corporation, Yukon Lottery Commission, Yukon College, Workers' Compensation Health and Safety Board, Child and Youth Advocate Office, Designated Agencies under the Adult Protection and Decision Making Act, and First Nation service authorities designated under the Child and Family Services Act.

Q.12. Do you think the ATIPP Act should apply to any other bodies?

- a. Yes – if so, which? _____
- b. No

Q.13. Any other feedback, information, ideas or comments you would like to share?

Comments: _____

Q.14. Which age group do you belong to?

- a. 18-29 years old
- b. 30-39 years old
- c. 40-49 years old
- d. 50-59 years old
- e. 60 years old or more
- f. None of the above
- g. Prefer not to say

Thank you for taking this survey.

Appendix B – Results and Summary Tables of Survey Responses

Do you know the Postal Code of your home address?	
Q1	%
Yes	90.3%
No	9.7%

What is the postal code of your home address? (Respondents' province of residence based on postal code)	
Q2	%
Quebec	3.2%
Alberta & British Columbia	2.4%
Yukon	84.7%
Unknown	9.7%

Have you ever submitted an ATIPP request?	
Q3	%
Yes - government or program request	12.1%
Yes - personal request	4.8%
No	84.7%

Did you try to obtain information from the public body directly prior to submitting the request?	
Q4	%
Yes - government or program request	58.0%
Yes - personal request	5.2%
No	36.8%

Based on your most recent ATIPP request for government/program information to Yukon government, indicate your level of agreement with the statements (in the column titles):	The request was served timely	Received complete information	The cost was reasonable	Overall, satisfied with the service
Q5	%	%	%	%
Strongly agree	26.7%	20.0%	26.7%	20.0%
Agree	6.7%	13.3%	13.3%	13.3%
Neither agree nor disagree	26.7%	13.3%	33.3%	40.0%
Disagree	33.3%	26.7%	6.7%	20.0%
Strongly disagree	6.7%	26.7%	20.0%	6.7%

Based on your most recent ATIPP request for personal information to Yukon government, indicate your level of agreement with the statements (in the column titles):	The request was served timely	Received complete information	The cost was reasonable	Overall, satisfied with the service
Q6	%	%	%	%
Strongly Agree or Agree	60.0%	0.0%	40.0%	40.0%
Neither agree nor disagree	20.0%	20.0%	20.0%	20.0%
Strongly Disagree or Disagree	20.0%	80.0%	40.0%	40.0%

Rank the following 10 principles that are commonly accepted as essential to protecting privacy and providing access to personal information.	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice	6th Choice	7th Choice	8th Choice	9th Choice	10th Choice	Weighted Average of All Rankings
	%	%	%	%	%	%	%	%	%	%	%
Q7											
Personal information must be protected by appropriate security safeguards	15.6%	18.9%	12.2%	6.7%	16.7%	4.4%	13.3%	7.8%	3.3%	1.1%	15.4%
Individuals must consent to collection	15.6%	17.8%	7.8%	10.0%	11.1%	12.2%	3.3%	6.7%	6.7%	8.9%	14.6%
Individuals must be informed of the purpose for which personal information is collected	10.0%	15.6%	13.3%	15.6%	13.3%	13.3%	7.8%	6.7%	4.4%	-	12.3%
Collection is limited to what is necessary for the organization's program or activity	8.9%	15.6%	11.1%	8.9%	5.6%	11.1%	8.9%	7.8%	13.3%	8.9%	10.8%
Individuals are able to access their own information and confirm its accuracy	13.3%	4.4%	13.3%	8.9%	8.9%	10.0%	12.2%	13.3%	10.0%	5.6%	10.6%
Personal information must not be used or disclosed for purposes other than those for which it was collected	12.2%	3.3%	17.8%	11.1%	12.2%	11.1%	13.3%	5.6%	7.8%	5.6%	10.5%
Personal information should be accurate	8.9%	8.9%	7.8%	8.9%	12.2%	7.8%	12.2%	11.1%	7.8%	14.4%	8.9%
Accountability for complying with privacy protection best practices	10.0%	5.6%	5.6%	12.2%	8.9%	10.0%	13.3%	13.3%	11.1%	10.0%	8.4%
Policies relating to managing personal information should be made available to the public	4.4%	7.8%	7.8%	10.0%	4.4%	7.8%	10.0%	12.2%	16.7%	18.9%	6.2%
Individuals can challenge public body's compliance with privacy protection	1.1%	2.2%	3.3%	7.8%	6.7%	12.2%	5.6%	15.6%	18.9%	26.7%	2.4%

Rank the following attributes that cover access to government information.	1st Choice	2nd Choice	3rd Choice	Weighted Average of All Rankings
Q8	%	%	%	%
Government demonstrates transparency	41.3%	16.3%	8.7%	29.5%
Clear process for making a request	21.7%	14.1%	14.1%	18.5%
Proactive disclosure of government information	15.2%	10.9%	8.7%	13.0%
Complete information provided in response to a request	8.7%	14.1%	18.5%	11.6%
Timeliness in responding to a request	3.3%	14.1%	17.4%	8.4%
Ability to appeal decisions about access	4.3%	6.5%	19.6%	7.1%
Fair exceptions to access	3.3%	14.1%	8.7%	7.1%
Reasonable cost for preparing the requested information	2.2%	9.8%	4.3%	4.7%

Do you think that the provisions of the ATIPP Act are reasonable for protecting your personal information?	
Q9	%
Yes	44.6%
No	17.4%
Don't know	38.0%

If no, please explain.
Q9b_O
Currently, only "reasonable" protection, but what is "reasonable". Different thing to 22 year vs 55 year old.
Does not deal with digital world or ability to create more convenience for citizens.
I believe that the current provisions create an environment where there are many copies of my personal information stored through out many different program areas in many different public bodies. It is difficult to keep these versions secure and accurate without a central office to manage my personal information that is being stored within government.
I personally know of several breaches of personal information.
Information is shared across government without appropriate policy/procedures/agreement mechanisms in place to do so.
More express accountability is required.
The act does not provide more concrete measures to safeguard information.
The act itself is very good. However there are no provisions around the retention of information such as previous names. This afflicts transgender folks or for example a woman who changes her name to escape domestic abuse. Their needs to be explicit protections around the retention of previous names, and well as previous genders. While that act itself is ok, it is very rare that YG employees are aware of, and perform their roles and duties within the ATIPP act. Issuing a report does little in terms of remedy. Yet the employees release of confidential information can have a profound and dramatic impact on the citizens life. Under the ATIPP act their should be penalties, fines and suspensions for individuals who violate it.
The branch/commission responsible is not proactive, rather they are complaint based. Unless you discover an issue, which most people are in the position to do, there could be a number of breaches.
There needs to be some consideration for expanding or removing gender identity on all documents/records, and updating them should gender/name of individual change.
They are too protected - medical information of a dead relative should be made available to the family.
Too often personal information is gathered that is not necessary.

Do you think that the provisions of the ATIPP Act are reasonable for providing access to government/program information?	
Q10a	%
Yes	38.0%
No	28.3%
Don't know	33.7%

If no, please explain.
Q10a_O
Briefing and cabinet notes are excluded
Consider the recent example of a completely redacted response to a request about the government engagement strategy for responsible oil and gas development. I think this is adequate to understand how the act sometimes fails to do as it was intended.
Exceptions limit access to a lot of decision-making documents.
Have access to minister's briefing notes-they make decisions based on this information.
I am not completely familiar with the process, but I believe there if there isn't already, there must be regulations as to who can access this information, or they must provide a legitimate reason for why they are looking for the information, because sometimes government/program information may include personal information about people involved (ie. Personnel issues, health or social services cases) and that is not something that should be shared with the public.
I have heard that the government is extremely difficult to deal with and not forthcoming if the administration of the day does not want you to know something. Things take a very long time, they say they don't have information, they pretend they can't find it and so on. Thinking about the Yukon Party and their bureaucracy with respect to giving money to the mountainview golf course and charging it to Whistle Bend lot purchasers. The owner of the golf course went through hell to get that info for us, and it cost him a lot of money too. This is despicable on the part of the then minister, the Yukon Party and the so-called 'public servants' who were supposed to hand over the info promptly and truthfully. They should have been fired.
I think that transparency of government activities is important and sometimes seem to hide behind the atipp act.
It is so difficult to find knowledgeable individuals on accessing personal information! The ombudsman is a breath of fresh air in the old boys club!
It is too easy for the government to chose 'may'. It should be more difficult to decide not to share information
Most program data that collects gendered information does not reflect gender identity or intersex people, and therefore can mean these individual's program needs are not being met.
Privacy thresholds prevent access to information and inhibit information sharing.
Should be a way to access the info online.
Some exceptions too broad
Statistics Act should not prevail over ATIPP Act. Director of YBS does not have to release any information.
The government is able to redact or sever too much personal info under 18(b) when the applicant has a right to view this info. They just cover themselves from having to disclose info that makes them look bad.
The gov either fails to respond at all, denies the request or gives incomplete info
There exists a culture of resistance at the political and administrative level which serves to deter ATIPP requests.
Too often information is denied
Too paper based

Do you think that the provisions of the ATIPP Act are reasonable for providing access to your personal information?	
Q10b	%
Yes	37.4%
No	19.8%
Don't know	42.9%

If no, please explain.
Q10b_O
An individual must be able access ALL of the information regarding them
An individual should be able to access personal information directly from a public body without having to go through the formal process.
As above (NOT A VALID EXPLANATION)
Can only make requests one department at a time.
Collection of debts may not be a reasonable direct result of the collection of the information.
Cumbersome process for finding what info government has on my of how they are using it.
I should be able to access my own medical records and own information without having to put in an ATIPP request. If a file is pertaining to me or about me, I shouldn't have to pay or jump through a bunch of hoops to access that information.
If I am an employee of YG, the government has too many options to refuse to give me my information.
If even a thought of legal action, records are locked down where a person cannot get even their own employment records. This is not right.
Individuals who change their gender are being told that they cannot update their name and gender information in documents attached to their name.
No listing by department, what databases they have.
No one needs access to my personal information
Personal information should be kept personal. Fear of identity theft. Don't like too much information in the public domain.
Privacy thresholds prevent a central repository for all personal information held by government. You have approach each agency separately.
Still some problems being able to see own information
When a family member has been dead for over 30 years their medical history should be made available to the family how much more private is death???????

At this time, Yukon government (YG) does not share information between programs/services even when they require the same information (e.g., client's contact information). That means when you notify a change of your address or phone number for one program/service, it cannot be used to update your address or phone number for other programs/services. Consequently, some government programs/services may have outdated or incorrect information about clients. This often occurs when someone needs to inform YG of a death or change in circumstances (e.g., divorce).

Have you experienced any situation as described above when receiving services from Yukon government?

Q11	%
Yes	46.1%
No	53.9%

Comments:

Q11_cmnts

An individual may want to have different addresses for different services / programs

But as a user of services in the Yukon, I would prefer a single information repository that all programs could use to contact me. The need for me to update my file with many different parties is redundant and frustrating. It also makes it challenging for people providing the service to contact their clients, adding work, time and strain on the system.

Changing my married name back to my maiden name. Before I seem to have had more contact with a wide variety of government departments while I was married like buying a house or operating a business so when I got divorced and went back to my maiden name, I had to remember what all departments to change my info with. Even 4 years later, I still find my old married name in places it doesn't need to be.

Civic addressing in rural areas is not recognized between departments as a valid physical address.

Every government employee is sworn to confidentiality. As long as the information is secure and protected, it should be shared for the sake of efficiency. A centralized database of information should be kept to consolidate services provided to people.

I had to change my address after moving. At the time there was a change of address form which allowed me to contact insured health services, motor vehicles, and other program areas. I found this method of updating all YG public bodies with one form very convenient, and having a list of public bodies to update helped me to not miss key program areas that require up to date information.

I haven't updated my address even though I moved in the last year because I don't want to go to all the different places to do so. I should be able to just call one and be done with it.

I lived for a time in Norway where the federal government maintains a central contact/address database. Government departments (e.g. Voting and taxation) and institutions that report to government (e.g. Post office, banks and schools) have access to this database, so when you move you only have to make one address change.

I prefer redundancy and possibly incorrect information than having all information in one database.

I think YG departments should share this information with the exception of health records.

I would like to update my information for YG once and have that information shared across government either by programs i select, or by selecting that all YG will have access to the same (although only specifically relevant) data.

Information sharing between departments would mean increased efficiency.

Information should be shared on a client registry for all programs.

It's difficult to know where all the changes are needed, departments should stop working in silos.

Q11 comments continued to the next page...

Q11 comments continued from the previous page...

It's frustrating and time consuming to have to repeatedly give the same information over and over again. There needs to be systems and processes that allow for the sharing of tombstone data in one place which can be accessed by a number of departments. This would help to ensure the collection and retention of accurate information instead of a piece-meal system.

Lors de l'achat de ma propriété concernant le changement d'adresse

No, but I'm aware of it through my work and aware that this is frustrating for clients. We are one single public body and should operate as one organization. Our role is to serve the public. We shouldn't make it difficult for people to work with us.

Please! Yukon government is one organization, so can they please coordinate simple things like address changes???

Program areas should not be played off against each other in the name of supposed privacy. The lack of integration between program areas increases inefficiencies exponentially, allows individuals to access YG services for which they are not entitled to, and also detracts from combatting identity theft and fraud.

Quite frankly it's a pain.

Should be able to change address and contact info once and not have to advise every department.

Simple contact info should be able to be accessed to update files for the purpose of serving the individual whose information is in question.

This is a ridiculous waste of time and energy for the public and the civil service. This may make privacy czars feel important and needed, but this is basic personal information that was once collected in public phone books, and failure to share it is an irritant and barrier to effective public participation in government programs and initiatives, and kneecaps government service delivery.

This makes it very difficult the change should trickle to all dept. who have information.

Try moving and you will find out.

What is this even asking?

What?

When I got married I had to update my change of name to all government organizations separately. Because they don't share information between government organizations, there were things that got missed. To this day, I still run into organizations that had my maiden name on my file that I had to update. It took me over a year to get it all done. Yukon government is Yukon government. You should only have to make the change in one place instead of in multiple places.

Wish was easier to deal with government for address change.

YG should be able to share such information internally to ensure consistent client service across all departments.

YG should share basic information between departments. There are too many departments to notify if there is a change in address, name, phone number, etc. People can forget to notify all of them. Most departments require the same information, why not share?

Yes, when moved here from out of territory, took a while to get all updated, but it was ok, as mostly new. But can see moves to be a lot of work.

Public bodies have responsibilities under the ATIPP Act to give the public access to records the body has under its custody and control, allow individuals to access their own personal information and request that it be corrected, and limit the collection, use and disclosure of personal information.

Public bodies include YG departments, Yukon Energy Corporation, Yukon Hospital Corporation, Yukon Housing Corporation, Yukon Liquor Corporation, Yukon Lottery Commission, Yukon College, Workers' Compensation Health and Safety Board, Child and Youth Advocate Office, Designated Agencies under the Adult Protection and Decision Making Act, and First Nation service authorities designated under the Child and Family Services Act.

Do you think the ATIPP Act should apply to any other bodies?

Q12	%
Yes	45.5%
No	54.6%

If so, which?

Q12a_O

Municipal governments.

Businesses - banks, credit card companies, corporations, anyone collecting private information for business.

All public/government/publicly funded bodies, services, and agencies.

First Nation governments.

NGO - Childcare centers, day homes, Montessori, Medical Offices, Non-Profits.

The office of the information and privacy commissioner.

Yukon Government - Public Service Commission, Legislative Assembly, Department of Motor Vehicles.

All.

Federal Government - Public Prosecution Service Of Canada, Immigration.

Crown Corporations and Agencies.

Offices of any elected official such as opposition political parties.

RCMP.

Yukon Employees Union.

Any other feedback, information, ideas or comments you would like to share?
Q13
Access ought to be free. Individuals do not request privacy infringement and therefore ought not to pay for it.
Access to information requests consume time and money. Yukon government should regularly release more information and make it easy to find, instead of having to field large numbers of requests for what should be public information.
Aside from personal information, government information ought to be treated as public information. It is ridiculous that departments sometimes hide information paid for by the public. The default should be to provide the information, without needing to go through the hassle and expense of an ATIPP request, which acts like an additional barrier unless you are a sophisticated navigator of bureaucratise.
Cloud storage - many younger employees, from firsthand experience, want to post YG data onto cloud services, so they can access it from home, remotely, etc. This is giving our data to apple, google, Microsoft, amazon/dropbox. YG needs to monitor, manage, educate and provide tools that do not make this necessary. Data mining - heard of one ATIPP request that was data mining for commercial advertising/marketing purposes. This is not part of transparent government - it's providing spam/market info for private sector. Have a way to stop these.
Each agency that holds information to which YTIIP applies should have a link on their home page that discussing the type of information they hold, and how to access it, particularly for individuals.
Ensure access to all minister's briefing notes-important decisions are being made based on these and they are complied with tax payer's money-we should have access to them.
I believe if a client signs a release of information with one party to identify the sharing with other parties they should only have to do this once this allows for collaborative case management which in the end will benefit all parties.
I have limited knowledge of the range of information ATIPP allows an applicant to have access. However, I am curious as to what collateral information an applicant is given access to, particularly in email correspondence. For example, if an applicant requests information about email correspondence of a YG employee, how is the information of other individuals or organizations (i.e. As additional recipients of the email, or who have their own information in the content of the email) is protected.
If someone makes a request for information you are connected to, including emails you have send to program officers, we have the right to know who is requesting the information and why. While government contracts are public, our correspondence absolutely is not. It needs to be a two way street, and if the person who requested it does not allow access to their information, they should not be allowed to access ours.
Increased transparency for government/program information required.
Individuals requesting access to information should state purpose and reason for request. I am disappointed with individuals who request information for their own curiosity and for the purpose of spreading this information in the newspaper. (Individuals draw their own conclusions without knowing all the facts.)
Is this shared directly with the CIA or does it go to CSIS first?
Medical history is vital for families. Not being able to access our mother's medical history could end up costing us dearly. When you have been dead for 30 years your privacy shouldn't over rule a loved one's need for your medical history. Dead is pretty private - can't say a word, can't hear a thing, so who cares if your kids get to see your medical history???????
Need to balance protecting information with the benefit of sharing it. Ultimately citizens should be in control of how their information is shared. Make it easy for us to do this.
Public bodies should be required to disclose a privacy breach to the information and privacy commissioners office as well as the affected individuals. ATIPP coordinators should have more authority and get rid of the records manager position. It just slows the process down and is mundane.

Q13 other comments continued to the next page...

Q13 other comments continued from the previous page...

Security is important. Collection of information is essential in this day and age to keep competitive with the changing world. Not having accurate amounts of information for program purposes will hold the government back from providing services. My general impression is that people are generally unaware of what sort of information is being collected about them by companies such as Facebook, but not because of ignorance, but because of apathy. The government is not held to that same apathetic standard, so the slightest data collection (name, phone number, mailing address) required for basic services is met with scrutiny far beyond what is appropriate (in my opinion). As long as information is used properly, I would love for YG to collect more information so it can better serve my interests.

The government of Yukon should be working to become more open and help people have easier access to programs and services. It should also operate more as one government, not a collection of individual departments.

The lack of integration across public bodies for information is an incredible waste of money and work. Public bodies should be integrated in delivering services on a common client basis, and ATIPP should facilitate this.

The right to information needs to be balanced with the administrative burden for finding the information. Trivial requests should be excluded. Not all entities have superior records management practices, so finding information is not an easy process.

The survey asked about satisfaction/confidence with provisions of ATIPP, but didn't actually educate about what these are up front. The rank-order exercises were about my preference/priorities, not what the provisions are. Unless bureau of stats had pre-established familiarity with the provisions among respondents, I think the yes/no/don't know responses about the provisions could be confounded if some respond 'yes' but have no clue what provisions are.

There are other privacy laws and protections that cover non-governmental bodies so ATIPP should only cover truly "government" bodies. Concern over length of time personal information is kept - example is the provincial exam records that were "lost". Why would the government need to keep this information for more than 20 years?

There is often much confusion and resistance and a general lack of cooperation when making an ATIPP request.

There needs to be greater sharing of information between departments to allow for a consistent service to be provided. Currently departments don't talk to each other and are potentially at odds with one another - this could mean that the same service is being provided by two different department or that the services being provided are at odds with one another. There needs to be for some of common client information sharing between departments.

This whole survey leans toward privacy and protection, but does not give enough attention to making information available and useful to the public and the public government. There is so much fear mongering and focus on protection of personal information that public entities cannot properly identify or tackle the problems facing the territory. And the public is left wondering why government is so daft, and are often left frustrated by the bureaucracy that prevents them from voluntarily submitting a simple digital form to a public body to access a needed government program. Now, instead, they have to track down a cutting edge fax machine from the 1980s to submit a form with a signature. Ridiculous nonsense.

Would have been nice if you included info on where to see the info the gov't has on file about 'me', in this survey. Everyone should be aware of this. You should do a public campaign of how to use ATIPP.

YG should have to have reasonable cause to not correct personal information, including names changes/ gender changes to any documents attached to their name, both as a citizen and as employees.

Which age group do you belong to?	
Q14	%
18-29 years old	12.4%
30-39 years old	20.2%
40-49 years old	32.6%
50-59 years old	22.5%
60 years old or more	11.2%
Prefer not to say	1.1%

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Access to
Information
and Protection
of Privacy

