



What we heard

Proposed Changes in the new Access to Information and Protection of Privacy (ATIPP) Act

Table of Contents

2	Letter from the Minister
3	Background
4	Engagement Process
5	Survey
6	Analysis
12	What's Next?
13	Appendix

Letter from the Minister

In 2018, the Department of Highways and Public Works reached out to Yukoners throughout the territory to hear their thoughts on proposed changes to our Access to Information and Protection of Privacy Act. This summary is the result of extensive public engagement on nine proposed changes to the Act.

On behalf of the Government of Yukon, I am pleased to share the results of this work with you. More than 3,000 Yukoners visited yukonatipp.ca. A total of 227 surveys were completed online and on paper, and more than 350 comments were received. Responses were overwhelmingly supportive of the changes under three key conditions:

1. That we protect your personal privacy and ensure your information is kept safe
2. That we fund the appropriate bodies enough so they can do their jobs properly
3. That we increase transparency and make it clear how we make our decisions

I believe we can do all three of these things.

This report will guide the work we do during the 2018 fall legislative sitting. We will use your feedback to craft regulations that reflect how information access is changing. Following assent of the bill, work will begin on regulations that will outline how the Act will be implemented. Thank you to those who shared their time and provided input. I am happy to be tabling a piece of law that reflects what Yukoners want.

Richard Mostyn

Minister of Highways and Public Works

Background

The *Access to Information and Protection of Privacy (ATIPP) Act* is legislation that touches the lives of all Yukoners. Yukon government generates and holds a lot of information that isn't available anywhere else. This means we have a duty to both protect that information and also share what we can with our citizens.

The ATIPP Act outlines the rules for doing both of these things. It sets out your rights to access government information, as well as personal information about you. It protects your personal information and also establishes an independent review body (Office of the Information and Privacy Commissioner) to make sure the public sector (public bodies) are in compliance with the Act. The Act also plays a key role in you being able to use government services.

Yukon passed the ATIPP Act in 1995. When it was created, it was modelled on the paper-based world of the day when the methods of communication were letter, fax, and telephone. New technology, and how information exists today is very different: email, texting and social media messaging to name just a few. The new Act will account for the needs of today's digital way of operating.

Work to modernize the ATIPP Act first began in the summer of 2016 with a review of existing legislation. As part of the review, we led a public education and engagement campaign. For 60 days, a survey was available to gather your feedback on experiences with the Act and its processes, as well as ideas for improving it.

In December 2016, we published a summary report of our assessment of the current state of the Act. This report incorporates public engagement feedback, information from the Yukon's Information and Privacy Commissioner's 2015 report, insight from policy discussions held within Yukon government and analysis on access and privacy legislation in Canada.

Using everything we heard and learned over the past two years we started to craft a new, more modern ATIPP Act. However, before tabling the bill, we wanted to ensure that you had an opportunity to provide comments on the proposed changes to make sure that we got the new ATIPP Act right. This report is the outcome of the second phase of public engagement which took place from May 22 to July 20, 2018.

Engagement Process

This past summer, the Yukon Bureau of Statistics hosted an online public engagement survey on behalf of Highways and Public Works that asked the public to provide input on proposed changes to the *Access to Information and Protection of Privacy (ATIPP) Act*. The survey was open from May 22 to July 20, 2018.

We used several methods to encourage Yukoners to submit feedback and comments. These included a news release, posts on EngageYukon.ca, social media posts on Twitter and Facebook, newspaper and online ads and letters to key stakeholders including municipalities, First Nation governments, the business community, the Information and Privacy Commissioner, local media and Yukon government boards and committees.

A printed brochure was sent as a mail-out to all Yukon residents about the public engagement and directed Yukoners to the website where there was additional background information on ATIPP and a survey to provide feedback. A hardcopy of the survey was also available upon request.

The mailer was available in public locations around Whitehorse such as the library, the Canada Games Centre, the Information and Privacy Commissioner's office and in various locations at the Yukon government Main Administration Building. There were also meetings with Yukon Government staff and the media.

Highways and Public Works also met with the Information and Privacy Commissioner extensively. These thorough and ongoing meetings played a key role in ensuring the new Act was comprehensive and balanced the needs of the public with the needs of government.

Survey

Survey Design

The survey was designed to gauge support from the public for the proposed changes, and gather feedback on a few areas to support regulation development.

The survey posed questions related to nine key changes to ATIPP that were split out into three core principles: transparency, protection of privacy and accountability.

Each of the proposed changes was presented individually as a question in the survey. Each question was structured to present the issue with the current Act, the proposed change and why we proposed the change. The survey was designed to allow participants to comment on only those policy changes that interested them. A question could be skipped by saying no preference.

In addition to soliciting feedback on identified policy changes, the survey encouraged Yukoners to share any additional comments about the proposed changes.

Highlights – Feedback

- **3209 visitors** to the yukonatipp.ca website
- **227 completed** surveys (226 online, 1 hardcopy), (218 in English, 9 in French)
- **1 in 5** survey respondents had also completed the survey from the first phase public engagement in summer 2016

- Three emails were received at atippreview@gov.yk.ca
- Six phone calls were received on the inquiry line
- We also held face to face meetings with a variety of stakeholders including the Information and Privacy Commissioner, and local media to hear specific concerns around access and transparency

What We Heard

The survey responses clearly express support/agreement for all nine of the proposed changes. Support was highest at **86.8%** for required proactive publication of certain or specified types/categories of information, and lowest at **69.2%** for the proposed changes for the Office of the Information and Privacy Commissioner.

A total of **362** comments were received. The survey question that received the most feedback was for what types of information we should consider proactively publishing. This feedback will be very useful during regulation development.

Analysis

Although respondents were largely supportive of the proposed changes, participants along with the media also took the time to raise concerns around particular changes. Here's what was shared with us.

Transparency

1. **Public bodies will now have to publish certain types of information (e.g., reports, data sets, statistics, annual reports of expenses, etc.) proactively, without a request from the public.**

Respondents were most supportive of this proposal with **86.8%** saying they support proactive disclosure. This question also had **95 comments**, the most of any question. There were extensive comments on the types of information and what impact it would have on government staff. Some respondents suggested these requirements would place an unnecessary burden on "...an already strained bureaucracy" while another wrote "...I am concerned the bureaucrats will now have an extra requirement [...] added to their workload with no time resources."

Other respondents suggested the types of published information needs to be specific, but not too specific to include identifiable details. One respondent suggested being too prescriptive about the types of information would actually limit the government's flexibility in what they could share.

Many respondents were also concerned about the idea of transparency. Comments focused on knowing the amount of taxpayer dollars spent on projects, the costs of maintaining infrastructure, and even information related to individual departments and personnel. One respondent suggested the government should publish "...how transparency is increasing" and provide ways to measure transparency within government. Several respondents also wanted more information on government severance and salaries, similar to a 'sunshine list.'

Media – Local reporters support a centralized access point but suggest the information should be easily searchable and accessible. They also point out there is a lot of information already available from the government and any future release should be new information, and not repackaged information.

2. Reverse changes to the ATIPP Act made in 2012 that increased exceptions and made less information available.

71.4% of respondents said they were supportive of this change although several weren't aware of the changes made in 2012, or didn't have enough information to answer the question. One commenter suggested "...perhaps clarifying those definitions may be helpful."

Reduce the time frame for protecting Cabinet confidence and policy advice from 15 years to 10 years.

Of the 31 comments, some respondents were concerned about changing the time limit on cabinet confidence from 15 to 10 years. One commented, "Why do we need to protect a cabinet confidence if that government is now out of power?" There was disagreement though with one respondent saying, "Staff will never share this information in writing if they know it'll be ATIPPable." Some respondents suggested four year timelines, while others said seven, and some even saying the status quo was fine.

Media – Ten years is still too long for Cabinet confidence because you can't hold a current government accountable. Exceptions should exist but they should be limited to specific instances. Some personal information should be available for release if it is in the public interest, and a public interest override is essential.

3. Access to information fees – Access to information request fees, including any estimates, will be based on an hourly rate set in regulation and will no longer charge for pages. The regulation will also include updated criteria for waiving fees.

168 respondents, or 74% said they support changes to the fee structure. Respondents shared the same concern that the fees should be used as a deterrent to ensure that those submitting access requests are not being "vexatious." One respondent writes. "...requests for information should be reasonable and should be of public interest. Not witch hunts."

Respondents also suggested fees for repeated requests in a finite number of time, charging increased fees when a large amount of paper is required, and ensuring the ATIPP office works with requesters to make it easier to find what they're looking for.

One respondent argued money used to handle access requests could be redirected towards healthcare and education, rather than fulfilling requests that are "largely from the press, opposition parties, and angry individuals."

Media – There is a need to recover some of the costs and consideration could be given to a flat-rate model, similar to the federal government. There is also a need to align cost estimates with the actual costs because they are often very different.

Protection of privacy

4. **New programs and services will require Privacy Impact Assessments (PIA's) and will incorporate Privacy by Design. This includes mandatory breach reporting and protection of information from when it's collected to when it's destroyed.**

80.6% of respondents support changes to improve the protection of privacy. Of the 17 comments, concerns around “red tape” and the administrative burden were the focus. Commenters were concerned about Privacy Impact Assessments and that departments would be forced to report on every individual incident, no matter the size, which would increase the amount of money “...spent on administrative tasks.” The comments did consider the need for additional staff to ensure the work of reporting was done properly in order to ensure the program wasn't just “...another expensive bottleneck to programs.”

Media – Mentioned concerns about breaches with Health Information Privacy and Management Act (HIPMA), and whether they would be included and whether the PIA's will be made public.

5. **Client-controlled sharing of personal information – In the future, you will be able to conduct more government business online by providing your information once.**

Client-controlled sharing of personal information was supported by **85%** of respondents. Of the 20 comments received, there were reservations around the government's ability to actually manage this sort of system.

Respondents who left comments said they want the ability to control when and how their information is accessed. This can include check boxes for departments with which they want to share, or providing their information every time they access a government service. Other respondents are worried the government does not have the technical infrastructure to safely store the information. Respondents also questioned what this would look like at a practical level, and whether the information would be centralized and controlled, or if every department would have different access rules.

Media – There were no specific media-related concerns on this issue but they were interested in whether this would be structured as an “opt-in” service.

6. Controlled sharing of information between departments, government service-providers, partner agencies and local authorities when necessary.

77.1% of respondents support a move to integrated program services. From the 22 comments, respondents were largely interested in how each individual department would use or access the information.

Several respondents were curious what the decision process would look like and if there would be government-wide safeguards, or individual department policies. One respondent says, “The release of information should also detail specifically what is being permitted to share.” One comment writes, “I am concerned all the safeguards may not be in place” but adds “...concept is great.” Overall, commenters wanted to ensure the systems were in place before moving ahead.

Media – There were no specific media related concerns on this issue.

Accountability

7. The role of the Records Manager in the ATIPP office – The Records Manager role will evolve into the role of Access and Privacy Officer, who will review access request responses and fee estimates, and provide written advice to public bodies on the application of access as well as privacy requirements.

Changing the role of the records manager was supported by **70.5%** of survey respondents. There were 33 comments and respondents were mostly concerned with the centralization of power that would come with such a role. One comment writes, “Too much power given to one person” while another says, “Appropriate and adequate training for all public body officials should be the focus.”

Respondents also expressed concern about the Access and Privacy Officer’s role in refusing an access request and suggested the role of a Records Manager and an Access and Privacy Officer could be split into two separate roles. One respondent writes centralizing the role is “another barrier to access and another layer of government that is not required.”

Media – Several concerns were raised here. Media want to ensure the Records Manager balances the need to help an applicant with the need to help government to the best of its abilities. Allowing the Access and Privacy Officer to review redactions is also supported and they see the role as the “public’s advocate.” The media does have serious concerns around the government’s ability to refuse requests if it’s considered too much work and any rules around this practice need to be clearly defined. There is already language in the act to refuse vexatious requests. Media stakeholders want to see more funding and resources provided to the office.

8. Office of the Information and Privacy Commissioner (IPC) – In addition to the current powers of the office, the IPC will be able to initiate an investigation of a public body’s handling of access requests or personal information on its own initiative.

69.2% of respondents support changes to the role of the IPC. Of the 33 comments against the changes, concerns revolved around the centralization of power. Respondents were worried the Information and Privacy Commissioner would have too much authority and could “...advance an agenda.”

Many respondents also suggested the government work to improve the relationship between the IPC and their offices. Instead of more authority, one respondent suggested the government “increase resources and services provided to YG departments and corporations to assist them in developing and using appropriate records management systems.” One respondent also suggested working with the IPC to see where improvements could be made, and what sort of training support could be made available to the government. This would also help eliminate “duplication and excessive oversight.”

Media – Local media expressed support for the IPC to be able to apply a public interest override and don’t believe business interests should override public interest. There must also be clear consequences if the government does not abide by an IPC decision. The media feels the IPC should also be given additional resources.

9. Office of the Information and Privacy Commissioner (IPC) – In addition to the current powers of the office of the IPC, it will be able to initiate an investigation of a public body’s handling of access requests or personal information on its own initiative.

79.3% of respondents support a clearer definition of Public Bodies and how they should be incorporated into the Act. Respondents went further, with one saying, “ALL boards and committees should be included,” adding any organization that is funded by public dollars should be “open to public scrutiny.”

Other respondents argued the need for privacy for organizations that conduct investigations such as the Human Rights Commission and Ombudsman to make sure they are fair. Respondents also questioned whether municipalities and school councils are currently included under the act.

Media – Media believe municipalities must be made subject to the Act. They do recognize capacity issues exist but a phased roll-out would ensure those concerns are addressed. There also needs to be a “culture shift” within government to ensure the new bill can be implemented effectively.

What's Next?

The new ATIPP Act is being tabled this fall sitting. Once the bill is passed, work will begin on regulation development. This will guide how the bill is implemented and will involve discussions with stakeholders who are directly impacted. This process is expected to take up to two years.

Appendix

- 14** Survey Results – An Analysis by the Yukon Bureau of Statistics
Report on the 2018 Public Engagement Survey on Proposed Changes to the ATIPP Act Results prepared by The Yukon Bureau of Statistics for the Department of Highways and Public Works
- 24** Survey
- 36** Public Comments

Survey Results – An Analysis by the Yukon Bureau of Statistics

Report on the 2018 Public Engagement Survey on Proposed Changes to the ATIPP Act Results prepared by The Yukon Bureau of Statistics for the Department of Highways and Public Works.

This report was prepared by Matthew Adaman, Yukon Bureau of Statistics, for the Department of Highways and Public Works, Government of Yukon.

For more information, contact the Yukon Bureau of Statistics at ybsinfo@gov.yk.ca.

2018 ATIPP Act Public Engagement Survey Results

Background

The Yukon Bureau of Statistics (YBS) hosted an online public engagement survey on behalf of The Department of Highways and Public Works (HPW) that asked the public to provide input on proposed changes to the *Access to Information and Protection of Privacy Act* (ATIPP). The survey was open for public input from May 19th, 2018 to July 20th, 2018.

In total, this public engagement resulted in 227 responses with 97.4% of respondents being Yukon residents (221,) and 64.3% identifying themselves as female. Respondents also indicated they cover a broad range of ages, with nearly equal representation (around 20%) from the age groups of 30-39 years, 40-49 years, 50-59 years and 60 years and older. However, the participation of the age group of 18-29 years was small (6.2%). About one-fifth (20.3%) of respondents stated they had participated in an ATIPP survey in 2016.

This report focuses on key results from this engagement survey. The questionnaire used for this public engagement included many opportunities for respondents to provide open-ended responses, particularly when they did not agree with a proposal. Discussion of these comments in this report focuses on the major themes that emerged.

Frequency tables that provide detailed response data can be found in the appendix.

Survey Results

Required proactive publication of certain or specified types/categories of information

Respondents were first asked if they agreed with the proposal to require public bodies to publish certain types of information through legislation. A majority of respondents (86.8%) stated they did (figure 1).

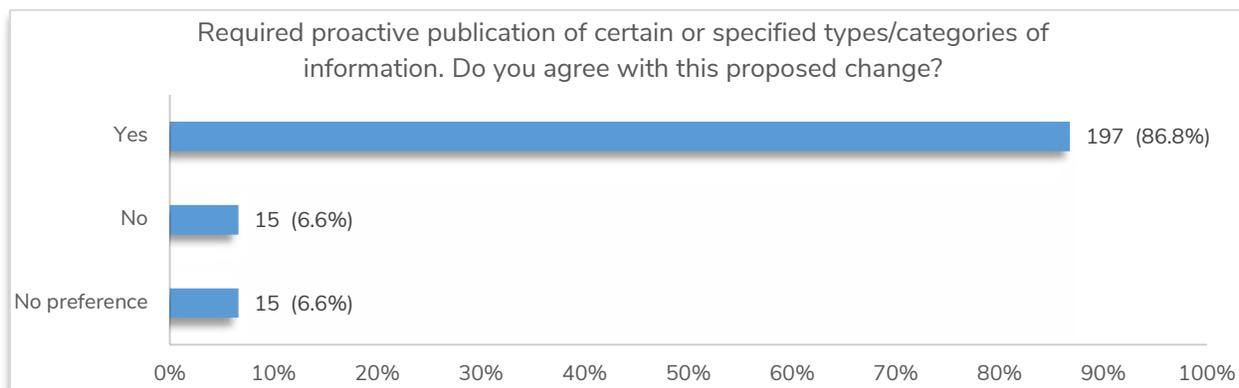


Figure 1 – Distribution of responses to “Required proactive publication of certain or specified types/categories of information. Do you agree with this proposed change?”.

Respondents who disagreed with this proposed change were asked to provide reasons of their disagreement. Six comments referred to concerns about the financial or administrative burdens this would create, three comments referred to concerns about publishing sensitive information, and two comments referred to concerns about how this change might create inflexibility in what departments report.

All respondents were asked to comment on what types of information should be published. Ninety-five respondents provided a wide range of ideas. Of note, thirty-seven respondents wanted to see more descriptive statistics about a wide range of topics (e.g., government program effectiveness, administrative information, research statistics) and thirty-four respondents indicated they wanted to see detailed government financial information (e.g., spending by department, contracts awarded to external entities, financial forecasts).

Clarifying access to information exceptions

Respondents were next asked if they agreed with a proposed change to the Act that would clarify the language describing cases in which public bodies are not allowed to share certain types of information. Nearly three-fourths of respondents (71.4%) stated they agreed with this proposed change (figure 2).

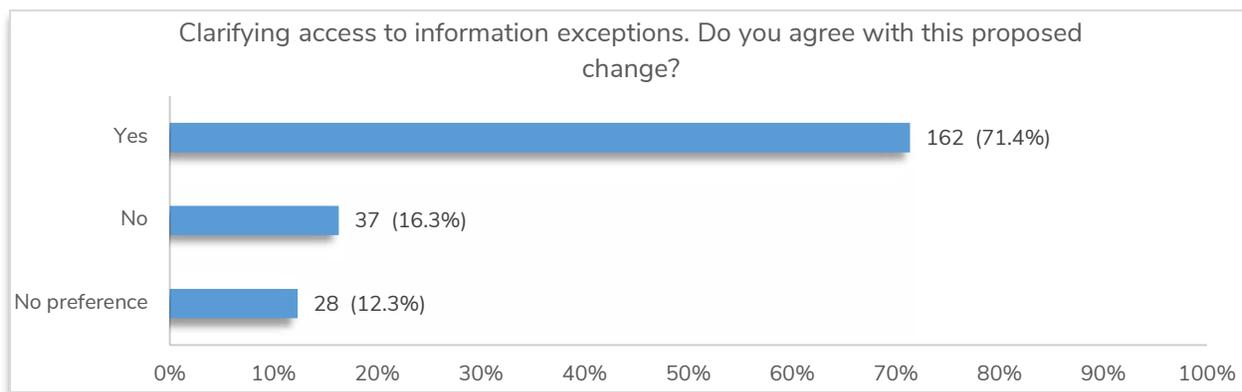


Figure 2 – Distribution of responses to “Clarifying access to information exceptions. Do you agree with this proposed change?”.

Of the respondents who stated they did not agree with this proposed change, 31 provided commentary that explains their position. Ten stated they preferred the status-quo or the status-quo with minor changes, seven stated they needed more details on the proposed change, and five stated that the timeframe for protecting cabinet confidence should be reduced further.

Access to Information Fees

Respondents were next asked if they agreed with a proposed change that would set an hourly rate for access to information requests and guidelines for setting cost estimates in legislation. About three-fourths of respondents (74.0%) stated they agreed with this change (figure 3).

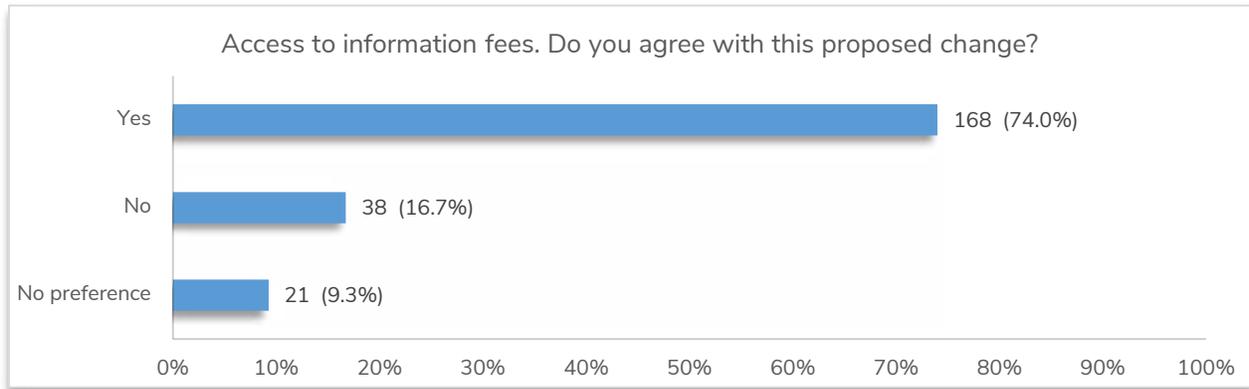


Figure 3 - Distribution of responses to "Access to information fees. Do you agree with this change?".

Thirty-four respondents who stated they did not agree with this change provided comments that explain their position. Fifteen respondents shared concerns about the administrative burden from information requests or that steps must be taken to discourage frivolous information requests. Seven respondents made suggestions about the fee structure (e.g., flat rate or cost recovery).

Increasing privacy rights and responsibilities

The next proposed change respondents were asked about is to make privacy and data protection central in the design of all government programs and services. Four-fifths of respondents (80.6%) agreed with this proposal (figure 4).

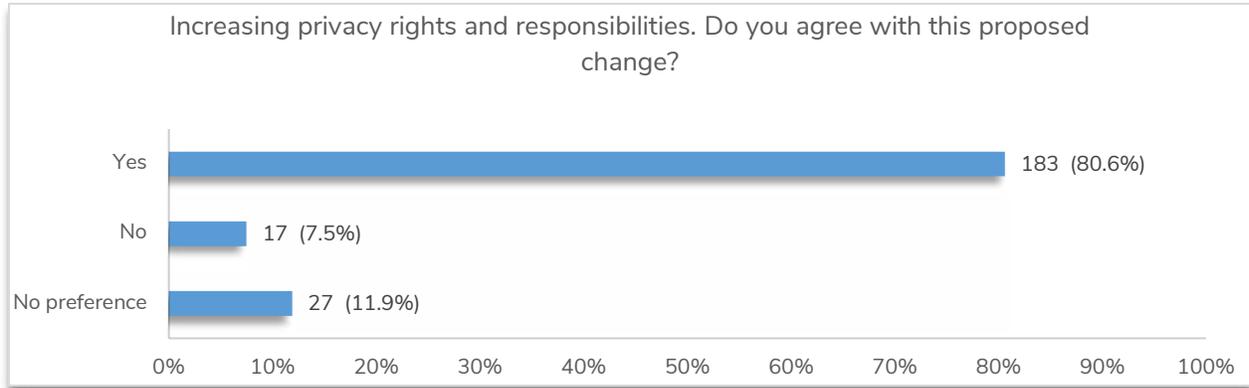


Figure 4 – Distribution of responses to “Increasing privacy rights and responsibilities. Do you agree with this change?”.

Seventeen respondents who did not agree with this proposal provided commentary to explain their position. Eight of these respondents cited concerns about the regulatory, administrative, or financial burden this proposal would create. The remaining comments were related to other topics, such as the proposed change needs to be more clearly defined, that coordination across government departments needs to improve, and concerns about the protection of personal information.

Client-controlled sharing of personal information

Respondents were next asked if they supported a proposed change that would allow the public to submit their personal information once rather than to each department they seek services from, along with controls over how the information is shared across government departments. Eighty-five percent of respondents agreed with this proposal (figure 5).

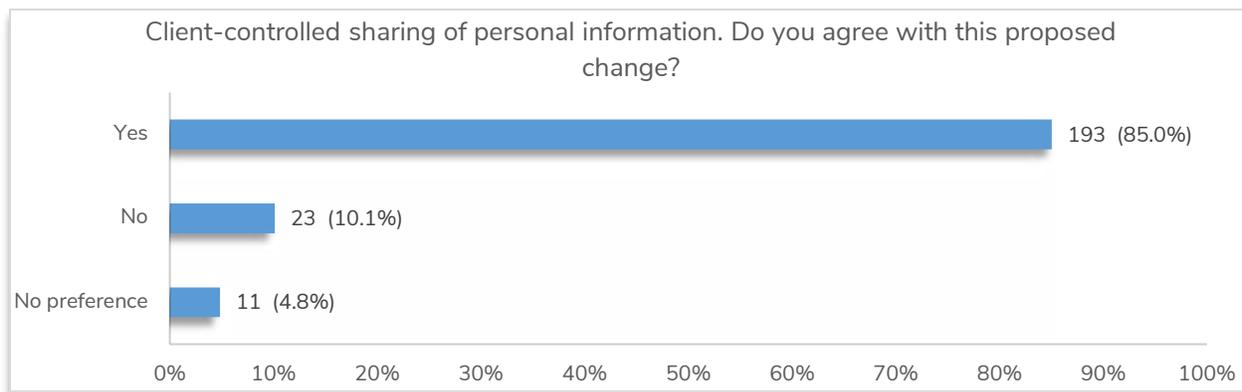


Figure 5 - Distribution of responses to "Client-controlled sharing of personal information. Do you agree with this proposed change?".

Twenty respondents who stated they did not agree with this proposal provided comments that explain their position. Nine respondents expressed concerns about how this proposed change could lead to a greater potential for abuse or reduced security or control over personal data and four respondents stated they needed clarification on how this proposal would be implemented and function practically.

Integrated program services - enabling the sharing of information and collaboration between public bodies and partner agencies on needed services

Respondents were next asked if they agreed with the proposed change to allow greater information sharing between departments to improve service delivery. These permissions would be described in legislation. A majority of respondents (77.1%) agreed with this proposal (figure 6).

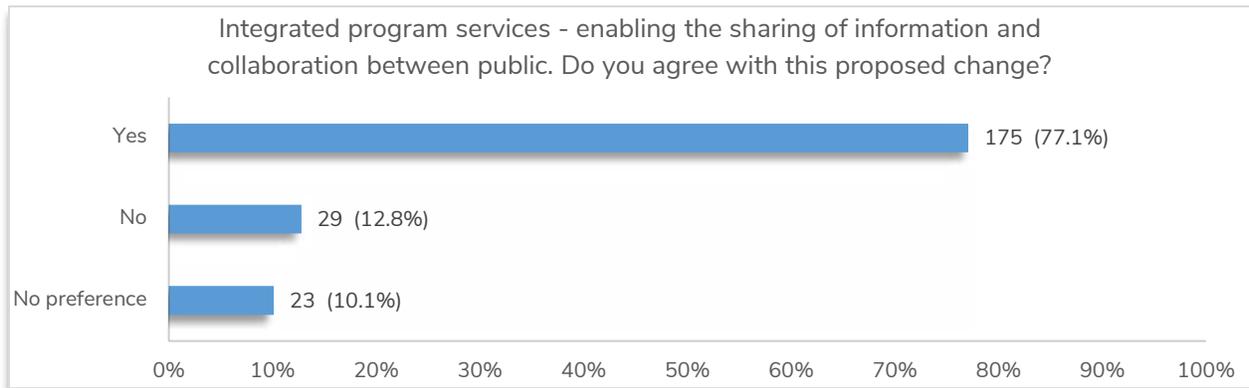


Figure 6 - Distribution of responses to "Integrated program services - enabling the sharing of information and collaboration between public. Do you agree with this proposed change?".

Twenty-two respondents who said they did not agree with this proposal provided comments on why they disagree. Eight respondents stated that information sharing should be controlled by the individual and six respondents expressed concerns about the risks to the protection of personal information this proposal could create.

Rethinking the role of the Records Manager in the ATIPP office

Respondents were asked if they agree with the proposed change to evolve the role of the Records Manager into the role of the Access and Privacy Officer (APO). This proposal will lead to expanded responsibilities and authority for this role, including conducting review of fee estimates and creating protocols for public bodies to follow. A majority of respondents (70.5%) responded that they agreed with this proposal (figure 7).

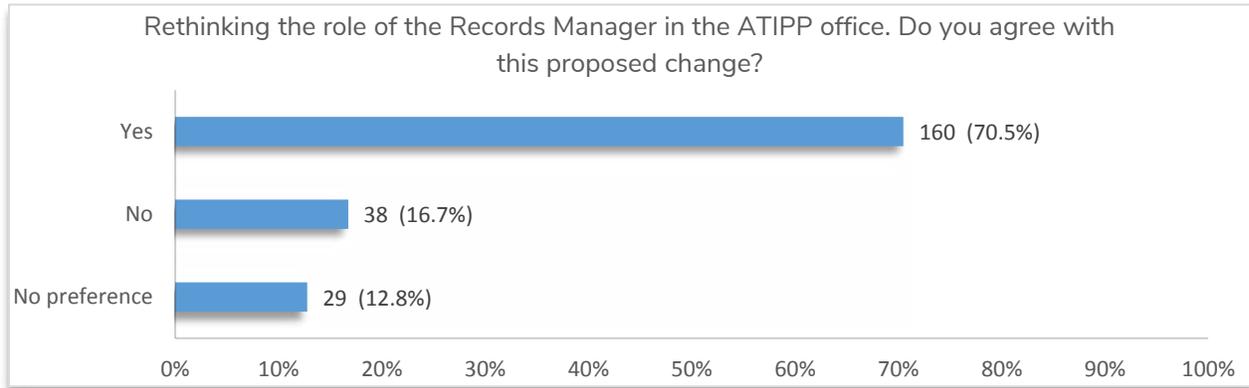


Figure 7 - Distribution of responses to "Rethinking the role of the Records Manager in the ATIPP office. Do you agree with this proposed change?".

Thirty-three respondents who disagreed with this proposal provided comments about why they disagree. Eight respondents provided comments that indicate they thought this change would provide the APO with too much power or power that should belong to the Information and Privacy Commissioner (IPO). Six respondents stated that this change would create more bureaucracy or barriers to accessing information and five respondents stated that the guidelines governing this role need to be more clear.

The Office of the Information and Privacy Commissioner (IPC)

Respondents were next asked if they agreed with expanding the powers of the IPC. Specific examples provided to respondents were allowing the IPC to launch its own investigations, permitting the IPC to delegate its authority, and requiring public bodies to report information breaches to the IPC. A majority of respondents (69.2%) agreed with this proposed change (figure 8).

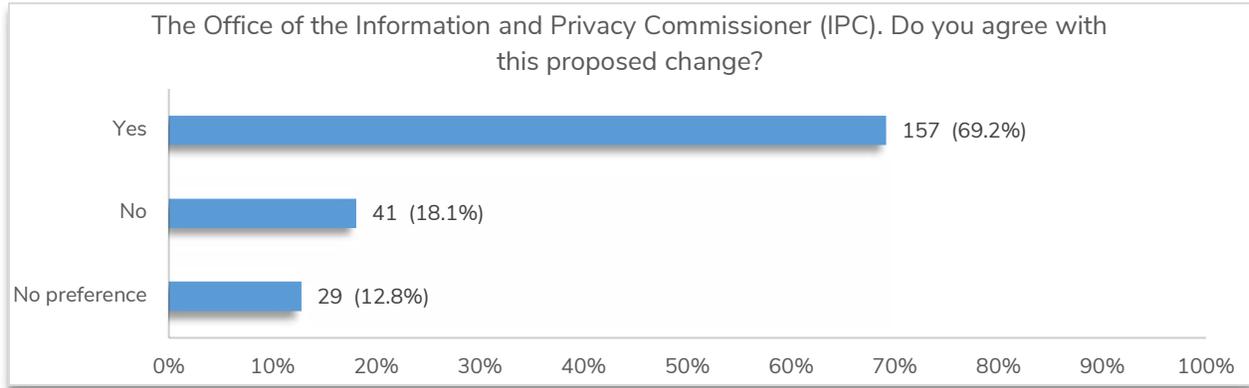


Figure 8 - Distribution of responses to "The Office of the Information and Privacy Commissioner (IPC). Do you agree with this proposed change?".

Thirty-three respondents provided comments to explain why they disagreed with this proposal. These comments covered a wide range of topics but the major theme that emerged is the objection to the IPC having too much power or the wrong powers (16).

Definition of Public Bodies - Scope of the Act. Do you agree with this proposed change?

The last proposed change respondents were asked about is to clarify the definition of public bodies that the Act would apply to. About four-fifths of respondents (79.3%) agreed with this proposed change (figure 9).

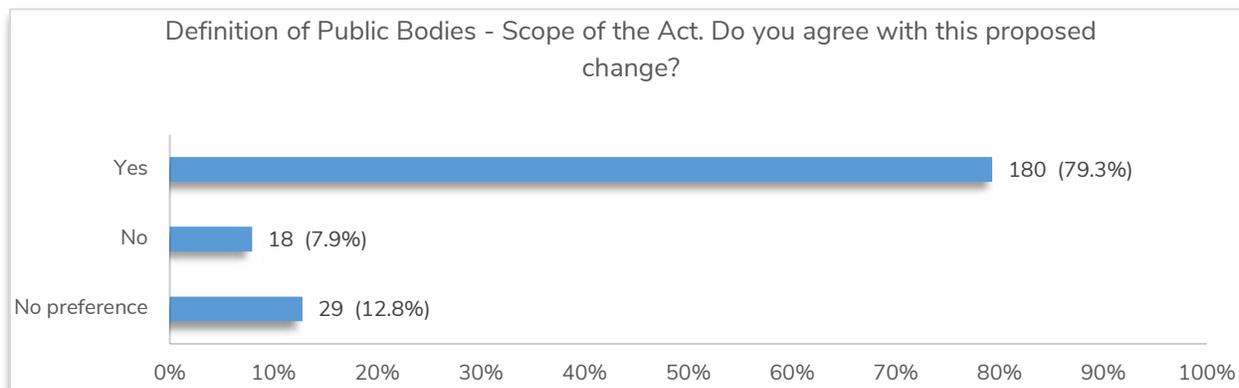


Figure 9 - Distribution of responses to "Definition of Public Bodies - Scope of the Act. Do you agree with this proposed change?".

Fourteen respondents provided comments to expand on why they disagree with this proposal. The major theme that emerged from eight comments is the concern over which entities should be designated a public body, and therefore would be subject to the Act.

Additional Comments

Finally, respondents were asked to provide any additional comments on the proposed changes to the Act. Sixty-five respondents provided comments that covered a broad range of topics. The major theme that emerged from these comments is that respondents wanted greater access to the information they need (19 comments). There were diverse points of view within this group of comments, including some that focused on greater sharing of information between government departments, and others that mentioned specific types of information that are not currently available but should be. A second major theme that emerged centered on the topic of adding necessary resources to serve the goal of greater information accessibility or putting limits in place to avoid abuse (12 comments).

Appendix: Detailed survey results

Table 1. Distribution of responses to “Required proactive publication of certain or specified types/categories of information. Do you agree with this proposed change?”.

	Frequency	Percent
Yes	197	86.8%
No	15	6.6%
No preference	15	6.6%
Grand Total	227	100.0%

Table 2. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	162	71.4%
No	37	16.3%
No preference	28	12.3%
Grand Total	227	100.0%

Table 3. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	168	74.0%
No	38	16.7%
No preference	21	9.3%
Grand Total	227	100.0%

Table 4. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	183	80.6%
No	17	7.5%
No preference	27	11.9%
Grand Total	227	100.0%

Table 5. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	193	85.0%
No	23	10.1%
No preference	11	4.8%
Grand Total	227	100.0%

Table 6. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	175	77.1%
No	29	12.8%
No preference	23	10.1%
Grand Total	227	100.0%

Table 7. Distribution of responses to “Do you agree with this proposed change? ”.

	Frequency	Percent
Yes	160	70.5%
No	38	16.7%
No preference	29	12.8%
Grand Total	227	100.0%

Appendix: Detailed survey results

Table 8. Distribution of responses to “Do you agree with this proposed change? ”.	Frequency	Percent
Yes	157	69.2%
No	41	18.1%
No preference	29	12.8%
Grand Total	227	100.0%

Table 9. Distribution of responses to “Do you agree with this proposed change? ”.	Frequency	Percent
Yes	180	79.3%
No	18	7.9%
No preference	29	12.8%
Grand Total	227	100.0%

Table 10. Distribution of responses to “Are you a Yukon resident? ”.	Frequency	Percent
Yes	221	97.4%
No	6	2.6%
Grand Total	227	100.0%

Table 11. Distribution of responses to “Do you identify as: ”.	Frequency	Percent
Female	146	64.3%
Male	60	26.4%
Prefer not to say	21	9.3%
Grand Total	227	100.0%

Table 12. Distribution of responses to “Which age group do you belong to? ”.	Frequency	Percent
18-29 years old	14	6.2%
30-39 years old	46	20.3%
40-49 years old	49	21.6%
50-59 years old	47	20.7%
60 years old or more	52	22.9%
Prefer not to say	19	8.4%
Grand Total	227	100.0%

Table 13. Distribution of responses to “Did you participate in the previous Access to Information and Protection of Privacy (ATIPP) Act Review Survey in June or July 2016?”.	Frequency	Percent
Yes	46	20.3%
No	125	55.1%
Don't know	40	17.6%
Prefer not to say	16	7.0%
Grand Total	227	100.0%

Survey



Submit feedback for the new Access to Information and Protection of Privacy (ATIPP) Act

We are committed to openness and increasing the amount of information available to the public. We want to deliver client-focused service to Yukoners, while protecting their right to privacy. We are creating a new, more modern ATIPP Act to deliver on these commitments, based on the existing core principles of transparency, protection of privacy and accountability.

In summer 2016, we asked you about your awareness of the ATIPP Act, and for your experiences with accessing information. We also asked you for your input on developing changes to the Act.

As part of that survey, you said the top three most important things to you about accessing government information are that:

- 1) The government demonstrates transparency.
- 2) There is a clear process for making a request.
- 3) The government publishes some information without making people ask for it.

You also told us how important protection of privacy and service delivery are to you. We are proposing changes to strengthen your privacy rights and keep your information safer. The changes will also help us to eventually improve your access to government services.

Along with your feedback, development of the new Act was guided by the Information and Privacy Commissioner's review of the Act, Yukon government staff experiences, and legislation in other jurisdictions.

We want to make sure we got the new Act right. The proposed changes are presented in nine questions split out into three sections as they relate to the core principles. The entire survey should take between 15 to 20 minutes to complete. The survey allows you to answer, or choose to not comment by saying no preference, for each question.

Learn about what we are proposing, and why, and tell us your thoughts.

Your responses and comments are collected under the authority of the *Statistics 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.

If you have any concerns about the survey, please call the Yukon Bureau of Statistics at 867-667-5640. 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 867-667-5128 or toll-free at 1-800-661-0408, ext. 5128.

Principle: Transparency

1. Required proactive publication of certain or specified types/categories of information

CURRENT – We create a lot of government program information that is of interest to Yukoners. While the Act does not prevent proactive publication of this information, there is no explicit requirement to do so. There is also the challenge of where and how to make information available in a way that is useful and organized. As a result, information of interest to the public that could be released is not generally made available unless someone submits an access to information request.

PROPOSED CHANGE – We want to make more program information available to you. Public bodies will now have to publish certain types of information (e.g., reports, data sets, statistics, annual reports of expenses, etc.), without an access to information request. A future regulation will prescribe the exact categories and timing for release. Published information will be easy to find and search through.

WHY – We aim to improve government transparency and reduce ‘red tape’. This change will make more information available, without having to submit an access to information request.

*1a. Do you agree with this proposed change?

- Yes
- No
- No preference

1b. If no, why? What do you think we should change?

1c. What types of information would you like us to consider publishing?

2. Clarifying access to information exceptions

CURRENT - Exceptions to access define what information public bodies cannot, or may not, release in response to a request. As legal interpretations are often required to determine when exceptions apply, language in the Act could be more clear.

The access exceptions include information that: is personal about other people; could cause a person, business, or a public body to make or lose money; could be a threat to public safety; could interfere with law enforcement, is Cabinet confidence and/or policy advice. Cabinet confidence includes information related to discussions and deliberations of Cabinet Ministers at Cabinet meetings or between Cabinet Ministers.

PROPOSED CHANGE – Repeal the changes made to the ATIPP Act in 2012 that broadly expanded exceptions and made less information available. Reduce the time frame for protecting Cabinet confidence and policy advice from 15 years to 10 years.

WHY – Government can more effectively and consistently apply exceptions to access. This means that the right information will be released.

*2a. Do you agree with this proposed change?

- Yes
- No
- No preference

2b. If no, why? What do you think we should change?

3. Access to Information Fees

CURRENT – Access to information request fees are based on an hourly rate for the amount of staff time spent searching for and preparing records, as well as the number of pages found. This can contribute to inconsistent estimates across departments that may not reflect costs in the most effective manner. No fee is generally charged for access to information requests for personal information.

PROPOSED CHANGE – To reduce costs for applicants, access to information request fees, including any estimates, will be based on an hourly rate set in regulation and will no longer charge for pages. The regulation will also include updated criteria for waiving fees. There will also be clear guidelines that describe how to prepare estimates and charge fees. There will continue to be no fees for personal information requests generally.

WHY - The new approach to charging fees should make access to information requests more affordable, consistent and allow for easier access to information.

*3a. Do you agree with this proposed change?

- Yes
- No
- No preference

3b. If no, why? What do you think we should change?

Principle: Protection of Privacy

4. Increasing privacy rights and responsibilities

CURRENT – The Act is designed for a paper-based model of collecting, using, disclosing and protecting personal information. While Yukoners' privacy is protected through our corporate privacy management policy, we want to do better. We need to continue to address risks associated with electronic information management and clarify requirements for protecting personal information. We want to apply privacy practices across public bodies in a consistent way.

PROPOSED CHANGE – We aim to strengthen privacy management. All programs and services going forward will use [Privacy by Design](#) principles. This means we will build privacy and data protection into our programs and services, instead of treating it as an after thought. For example, privacy impact assessments (PIAs) will be required before we create new programs, systems or activities. Mandatory privacy breach reporting will also be introduced. Yukon government will have to notify affected individuals if there is a privacy breach, as well as the Office of the Information and Privacy Commissioner.

WHY - The proposed changes will strengthen the protection of Yukoners' personal information. These changes facilitate innovation while also ensuring there are adequate protections in place to protect privacy rights.

The 2016 ATIPP Act public survey asked respondents to rank 10 principles ([excerpt from 2016 ATIPP Act review report](#)) commonly accepted as essential to protecting privacy and providing access to personal information.

We are ensuring that these 10 principles are maintained or incorporated into the new Act.

*4a. Do you agree with this proposed change?

- Yes
- No
- No preference

4b. If no, why? What do you think we should change?

5. Client-controlled sharing of personal information

CURRENT – Personal information such as your name, address, email address, phone number and date of birth are used to identify and provide services to you. Each government program or service you access retains this type of information separately. This means that for every program or service you access, government holds a separate version of your personal information. This is because personal information collected by each program is intended for a specific purpose. The Act limits using or disclosing personal information for any reason other than the intended purpose stated when it was collected. This prevents efficient service delivery as updated and identical information cannot be shared in a controlled manner.

PROPOSED CHANGE – The new Act will enable client-controlled sharing of personal information with strict controls. In the future, you will be able to conduct more government business online by providing your information once. We will provide you with an easier way to update your contact information with the government services you receive. If you prefer to update your information with each government service provider, you can continue to do so.

WHY – Allowing individuals to control how their information is shared, and to only have to tell government once about any changes or updates, will improve service delivery while still protecting privacy. The ability to share necessary personal information across public bodies was generally supported by those who participated in the 2016 public engagement.

*5a. Do you agree with this proposed change?

- Yes
- No
- No preference

5b. If no, why? What do you think we should change?

6. Integrated program services - enabling the sharing of information and collaboration between public bodies and partner agencies on needed services

CURRENT – There are specific situations that involve multiple government service providers, partner agencies and/or local authorities. Quite often, but not always, it is for situations related to the care and support of children, youth, adults and families. In these situations, it would be beneficial to share personal information with the various service providers in order to enhance and more effectively deliver services to our clients. In other jurisdictions, service providers can share information and gradually escalate how much identifiable information is shared to offer combined services. The current Act does not allow for this type of approach even though it has been shown to improve outcomes in other jurisdictions.

PROPOSED CHANGE – Well-defined, vetted and controlled programs will be permitted to share sensitive information for collaborative, client-focused service delivery. The programs will be prescribed in regulation to ensure transparency and oversight of these new abilities.

WHY – Allowing collaborative programs would improve coordinated, seamless service delivery for clients, which should improve outcomes over time.

***6a. Do you agree with this proposed change?**

- Yes
- No
- No preference

6b. If no, why? What do you think we should change?

Principle: Accountability

7. Rethinking the role of the Records Manager in the ATIPP office

CURRENT – The Records Manager manages the process for access to information requests, but does not provide oversight on the content of what is being released or the application of the Act.

PROPOSED CHANGE – The Records Manager role will evolve into the role of Access and Privacy Officer to provide better internal oversight and consistency in the application of the Act. The Access and Privacy Officer will review access request responses and fee estimates, and provide written advice to public bodies on the application of access as well as privacy requirements. The Access and Privacy Officer could decline to act on requests that are overly broad, that would unreasonably interfere with government operations, or that are made in bad faith. The decision can be reviewed, and subsequently overturned, by the Information and Privacy Commissioner. The Access and Privacy Officer will be empowered to write protocols on access and privacy issues that public bodies must adhere to when administering the Act.

WHY – A centralized oversight position will ensure consistency in the application of the Act and improve the quality of service government provides.

*7a. Do you agree with this proposed change?

- Yes
- No
- No preference

7b. If no, why? What do you think we should change?

8. The Office of the Information and Privacy Commissioner (IPC)

CURRENT – The Office of the IPC provides an arms-length oversight for Yukoners. It is an independent body that reviews government decisions regarding access to information requests and the use of personal information. The IPC informs the public about the Act and receives comments and complaints from the public regarding the administration of the Act. The IPC also conducts investigations, comments on the implications to privacy of government proposals and makes recommendations (not binding orders) to public bodies. The current model is reactive and is complaint-driven.

PROPOSED CHANGE – We will expand the role of the IPC. In addition to the current powers of the office of the IPC, it will be able to initiate an investigation of a public body's handling of access requests or personal information on its own initiative. Other powers include the ability to delegate specific powers to another person and mandatory privacy breach reporting by public bodies to the IPC.

WHY – Providing the IPC with the powers above will afford a better suite of tools to effectively achieve its mandate under the Act. Also, it will serve for a more proactive model.

*8a. Do you agree with this proposed change?

- Yes
- No
- No preference

8b. If no, why? What do you think we should change?

9. Definition of Public Bodies - Scope of the Act

CURRENT - The Act provides a broad definition of a public body. This has led to questions about which bodies are subject to the Act. Public bodies currently covered by the Act are:

- Each department, secretariat or other similar executive agency of the Government of Yukon; and
- The following designated public bodies:
 - Child and Youth Advocate
 - Yukon College
 - Yukon Development Corporation
 - Yukon Energy Corporation
 - Yukon Hospital Corporation
 - Yukon Liquor Corporation
 - Yukon Lottery Commission
 - Yukon Workers' Compensation Health and Safety Board
 - A designated agency under the *Adult Protection and Decision Making Act*
 - First Nation service authority designated under the *Child and Family Services Act*
 - Each board, commission, foundation, corporation or other similar agency established or incorporated as an agent of the Government of Yukon

PROPOSED CHANGE – We want to have a precise and clear definition of public bodies and establish criteria to ensure consistent application for determining which entities are subject to the Act. A future regulation will list public bodies to ensure clarity. The following public bodies will be clearly set out under the regulation:

1. Each office of a minister together with the department, corporation, commission, directorate or office that the Minister is responsible for; and
2. Statutory bodies that Cabinet designates to be public bodies on a principled analysis. This will include bodies such as the Yukon College and the Yukon Hospital Corporation and some boards and committees.

We will work with all public bodies to ensure that they can meet these responsibilities.

WHY – Clarifying the scope of who the Act applies to is meant to ensure that bodies who serve public functions, and which gather and hold personal information, are held to the same standards for protecting and providing access to information.

*9a. Do you agree with this proposed change?

- Yes
- No
- No preference

9b. If no, why? What do you think we should change?

10. If you have any additional comments to share about the proposed changes in the new Act, please provide them in the box below.

Demographics

***11. Are you a Yukon resident?**

- Yes
- No

***12. Do you identify as...**

- Male
- Female
- Other
- Prefer not to say

***13. Which age group do you belong to?**

- Under 18 years old
- 18-29 years old
- 30-39 years old
- 40-49 years old
- 50-59 years old
- 60 years old or more
- Prefer not to say

***14. Did you participate in the previous Access to Information and Protection of Privacy (ATIPP) Act Review Survey in June or July 2016?**

- Yes
- No
- Don't know
- Prefer not to say

Public Comments

Public Comments

1b. If no, why? What do you think we should change?

There is still some statistics/data reports that still contain sensitive information. Having a body that can still review the information before it is released is very important.

mandating certain types of information to be published is going to cost these organizations lots of money. how do you propose they pay for it?

in theory this is fine but i don't see how you can do this without being overly prescriptive and the information people want is likely to change over time. is there some way to do this without embedding it in a regulation?

I fear that this change will place an increased burden on an already strained bureaucracy. I do not believe that Yukon Government has the current capacity to meet the requirements of the proposed change and do not value YG-collected statistics enough to think it justifies the additional necessary capacity.

I don't think this is a significant problem for issues I care most about.

It is hard to comment on this as it will depend on the information. Information that is in high demand may be worth publishing. Other information could create a huge increase in work for perhaps very few people that will even read it. That will only add to the top heavy government settings that we already have. We need more people on the ground doing the work, not more positions making things look good and putting a nice glossy finish on things. It feels like there is so much of that right now...make it look good on the outside even if there isn't much substance in the data.

What is the definition of a public body? Would this also include NGO's? or only government? What types of data sets? With small numbers in the Yukon, there may be some data that is so small as to be identifiable. How will this be protected?

I am not against publishing information per se, but I am concerned that bureaucrats will now have an extra requirement - the publication of reports and data - added to their workload with no time resources etc provided to incorporate this new work. This might mean that reports and data and published with no context provided, resulting in poor or misinterpretation of the information provided. The timelines for the publication of information will be critical ... as always the devil will be in the details, i.e. in the regulations, policies and procedures that result from these legislative changes.

No information about anybody.

nothing. please no automatic delivery, we will get four pages when we expect four lines.

Fund public bodies appropriately to support making documents available... No resources have been given to public bodies to support privacy. The IPC has an abundance of resources available to critique information practices but is a poor resource for supporting the information practices of public bodies. Perhaps consider bolstering information resources available to public bodies instead of setting them up for failure and giving the IPC a *raison d'être*

Tying up reporting requirements in legislation or regulations just adds to administrative burdens and reduces government flexibility. In the past there were legislated requirements to publish annual reports - how many of these are actually published? Who will enforce this? How much will it cost? It's a solution that doesn't seem to fit any pressing problem.

1c. What types of information would you like us to consider publishing?

Financial information, reports, statistics, funding to external organizations

First and foremost, I want to see the rationale behind decisions-that is sadly lacking. I want to have more statistics available that seem inaccessible-"we

don't collect that, we can't disclose that due to small population". Investigate and provide statistics that will guide us all going forward, such as # rental housing units in rural Yukon; income of senior's living in social housing that probably do not need to be there;

Briefing note, memos and advice to cabinet.

Research, feasibility studies, anything that was paid for with taxpayer dollars whether the results are positive or not

Without knowing the types of information that has not been available until now, I don't know how to answer this question.

School enrollment information
Worker injury statistics
Motor vehicle statistics
Government expense reports
Government travel statistics
Wildlife surveys
Campground statistics
Airport flight information - no. of passengers, no of flights, cargo throughput
Tourism visitor statistics - border crossings, countries of origin etc.
Highway maintenance information
Mineral staking information
Mining activity reports
Mining incident reports
Restaurant inspections
Health outbreak statistics
Cancer rates by community
Crime rates by community
Speeding fines, by community

I hate the term "red tape". It is vague. Preferable to use the term "administrative burden or barriers". Proactive timed release of information makes it easier to plan and respond.

Motor vehicle, and the driver control board.

A form akin to what Saskatchewan MLAs put out where citizens can see what kind of conflicts of interest a member may have as a result of their investments in addition to their reimbursements of any kind.

Any report, recommendation, finding, etc from any kind of oversight body/function within government and its agencies. For instance, anything related to government contracts.

outsourcing contracts

government need to consult with public bodies as to the types of information to be made public without a request. An assumption by government to release certain data may cause more work and cost to the body and govt may not understand how the data is collect , what it means govt needs to ensure dat being collected is within organizations ability and operations to collect.

More accessible reports on Government O&M expenditures at line item level. It should be clear how much is being spent maintaining infrastructure that people complain about (runways, roads).

transfer payment recipients, first nations funding

Everything that has to do with the Yukon

All proposed changes to policy and legislation. And contracts awarded.

Any policy procedure or guideline that may have an impact on the public or non government entity - i.e. businesses, non-profit organization, etc.

Non-Compliance history for Individuals and/or businesses/operators/service providers who have had any form of a government permit.

Demographics and statistics on areas being used in health and social services, eg number of people accessing social assistance and mental health services. Expense reports and wait list times for gaining access to social services. Published yearly.

Registered Corporations, Registered/licensed professionals in all fields that includes good standings, casework submissions and replies.

Annual report of money spent by the government to settle legal action, and the types of actions involved. This will help Yukoners understand how much of taxpayers' money goes towards settling cases instead of YG addressing serious problems of abuse within the civil service.

statistics, annual reports

The devil is in the details of WHAT info to publish. Any company submitting a proposal in response to a government request for proposals is entitled to receive feedback on how their proposal was evaluated. But they have to ask for that. Companies are reluctant to do that because they feel they will annoy bureaucrats and reduce their chances of a fair evaluation next time, i.e., they don't want to be seen as a troublemaker, especially if they didn't get the contract. At the end of a RFP competition once the contract is awarded, the government should proactively send a written summary to the company showing how they were evaluated. This is NOT the same as publishing the information publicly, which should not be done.

info likely to be controversial

A Yukon government "Sunshine List" of all bureaucrats making more than \$100,000 per year, showing their salaries and expense disbursements.

If this priority is to pass, I think that financial information should be a priority - expense reports, payments to local contractors, payments to First Nations, etc.

I would like to see individual sections of a department financial expenditures be broken down, so that they can't all be lumped into 1 expense (e.g. Highways, Building Maintenance are all lumped under the Department not separate.

Datasets, annual expense reports, statistics.

How our taxes are spent. Not sure what else at this time.

Budget information, regular project status updates. (FR)budget, mise à jour de l'avancement des projets en cours de faà§on régulière

Financial information Policy changes within departments

Animal census information and quotas, health, statistical reporting,

government consultation, expenses are generally available for gov. Members already...

Only publish information that is in high demand. Please don't spend time publishing boring information that no one will ever look at. We are already in an era of far too much information.

gender-based violence stats police reported and not police reported - number of victims of sexualized assault that access health services - number of victims of domestic violence that access health services - number of Indigenous children in care, number of those children who are medicated, number of children of specific First Nations, number of files where mother is primary contact compared to number of files where father is primary contact - number of sexualized assault cases unfounded by RCMP, number of sexualized assault cases that go to trial, number of convictions - number of impaired drivers annually - numbers graduating high school every year

proposed changes to policies, regulations, Public safety information , proposals for change land information, what is available, how etc

Inspection reports, audit reports (minus identifiable personal information), decision documents regarding major government decisions, information regarding privacy breaches and how those breaches were handled, information about governments information practices - how is the government protecting Yukoners information and what are the electronic safeguards in place.

reports, data sets, statistics, annual reports of expenses tenders with values and companies involved sunshine information that publishes lists of employees making over 150k a year

Annual reports of expenses.

stats - programming offered - policies

I can't think of anything that I would require that isn't already published.

Program evaluations and annual reports.

Environmental information

Ministerial & MLA wages and benefits; number of government employees - different categories - lot more employees and services are not improving

reports, data sets

aggregated use or environmental data that can be used for academic research, market research etc

traplines, contaminated sites, pesticide spray areas, active wildfires

Non-compliance registry that encompasses all departments that issue authorizations to public.

Environmental and health statistics. Government reports and accounts. Financial statistics. Mining industry statistics, particularly to compare with conditions of licences, and the financial implications of mines.

More information related to government expenditures and how each department is performing. Detailed information regarding contracts and transfer agreements, as well as how much the government spends on travel, training employees & internal government expenditures. I want to know how much money government is spending on feeding and training their own employees? After someone gets a degree paid for by the taxpayers, what value does that bring to the government? How long are employees retained? How many degrees are out there? How fair is it versus what the government programs pay for Yukon students? When it comes to workshops and training, where does the money for these elaborate feasts come from? How much money is each department spending to feed the public, versus feeding their own employees? I would love to see this broken down with a list of events. How many departments use government funds to keep **** booming? Travel - there should be a list of all approved travel that government employees are attending and why. Employees get per diems when they are traveling for public business, but how much of that travel is legitimate? And how often do government employees add on personal travel? I

would like to know exactly how much each senior level employee is paid for travel each year, the same way the Federal government discloses information: "Travel disclosure for each senior level employee must include the period covered by the trip, places visited, transportation expenses, other expenses (such as accommodation and meals), and the total amount incurred; Receipts, supporting travel claims, will be available upon request and in accordance with the Access to Information and Privacy legislation." How many \$18 glasses of orange juice have been paid by the Yukon taxpayer? Similarly, I would like to know how many government employees have declared a conflict with a personal business that holds contracts with the government.

reports on government programs audits follow-up data on previously released information, to show changes made as a result

A sunshine list of those in the public service who make more than 100,000.00 a year to align with what other Governments are already doing across Canada. Not displaying names in anyway, but position titles in Government would be ample and appropriate.

All information other than that which compromises the privacy of individuals.

Publishing how transparency is increasing. Providing metrics indicating greater transparency.

Project funding to outside organizations.

Wildlife population statistics that include results of occasional surveys of non-hunted species.

As much as possible.

I agree in principle with the change, but I wonder how quickly government will be able to make this information available - a number of statistics, databases, data sets, etc. are old and will likely take a lot of work to make it reader friendly to the public.

Expense reports, annual reports, policies

Education achievement results for schools.

Good

True costs of program/initiative deliverables including analysis on the success or failure and its long or short term value.

News, statistics

Expense reports especially. Where did the money go, to whom and why. Not just line items. Following the money tells a lot of the story in most situations.

Names of people who have accessed programs that also offer funding, e.g., low-interest loans and grants in the housing and industrial support sectors. (FR) Qui a eu accès aux programmes qui ont des fonds associés, comme les prêts à bas taux et ou bourses dans les secteurs d'habitation et support d'industries

Material (data, arguments) supporting decision making and policy formulation.

- Amount of money running each program costs in order to allow citizens to get an idea of what certain policy decisions cost. For example, I'd like to be able to get an understanding of what the cost is of the income-testing model for the Pioneer Utility

Health and social data is important for us to track and should be more publicly available. It is important that only non-identifiable information is published - this means that, in Yukon, some numbers cannot be released as it will be easy for people to be identified. 'Small numbers' rules that apply in larger jurisdictions will likely not apply here.

Govt minister expenses, statistics on success stories as well as what does not work with regard to programs initiated in communities, reports pertaining to government initiatives that work or fail

All except identifiers.

The hiring and firing of all ministers, deputy ministers and assistant deputy ministers. Their annual wage and the severance packages at time of being let go.

Annual reports of expenses. Explanation of expenses eg: we may not understand the costs of infrastructure, or understand the complexities on how to install it.

Decision making process, budgets, third party selection and pay	asked to do this without considering the implications, ie. the extra resources required to do this could be significant, and you also want to aim to publish what public is interested in, not just blanket publish	2b. If no, why? What do you think we should change?
Program details and eligibility criteria are kinds of information that should also be published. (FR) Il faudrait aussi publier les informations tels que les détails sur le programme, les critères d'admissibilité, etc.	Annual reports of expenses	
Agree with the information in the Proposed Changes being available to the public	Information around any land use or property transactions or development opportunities, extension of leases; non-personal information and cost reports (demographics) on number and global demographics (gender and age and years of experience) of employees "let go" under severance agreements "without cause" and costs for such severances; health statistics and reports on hazardous findings of pollution and action plans to address these;	All the exemption categories described in your question sound good. Why would you want to tighten them? How would tightening them and shortening them make it less likely to have legal interpretations on them. Aren't legal interpretations, as they are made, used to interpret future requests. Your suggestion will not help gov't 'more effectively and consistently apply exceptions. Or it it will, you are not drawing a clear link. This question is posed in a very biased way seeking a 'Yes' response.
Sale prices of homes	Disaggregated data on crime, victimhood, vulnerable peoples or those living in poverty and health statistics	Without seeing exact wording of the proposed legislation it is hard to make an informed decision on whether a broad repeal would function as intended. It is also unclear if proposed new legislation would exclude protectively marked information shared by federal partners or other government agencies who 'own' the material - without such an exemption or clarity YG may be in a position of releasing material classified by a non YG agency, precluding access to that information.
-standard highway construction specifications (TEB-HPW)	Scientific reports	
Appears not specific enough,	Environmental reporting on air quality, hunting, bear deaths due to human-bear conflict, annual reports of expenses, reports and expenses on new facilities like Whistle Bend and Sarah Steele Building, taxes collected from resource extraction industries, costs of mine/resource extraction clean-up	why 10 years? What is that reasoning? why do we need to protect a cabinet confidence if that government is now out of power? 4 years would make more sense. tell businesses that enter into contracts or make an unsuccessful bid with government that they lose their privilege of being consulted with and that any material/communications with government can be released. This will eliminate third party consults by 60 days!
progress of accepted plans financial forecast cost of health care court cases including commercial hiring and firing within YG	Whatever have been published, is good enough.	most of the exceptions make sense. policy advice could be clarified. i agree with reducing the time from 15 to 10 years.
Wages per category not associated with individuals. Reports of expenses per department and per large scale projects	Finalised reports that have resulted in a new initiative or strategy	
Annual or biannual reporting on the Status info on species and ecosystems is required under the Yukon environment act, but is not happening. What sanctions are proposed for departments failing to provide timely reports like this. It's no good to just make a list. Deputy ministers need to be accountable.	I say yes, but only if the information is not chosen selectively, i.e., lesser in quantity and quality than if an actual request were made. (FR) je suis d accord seulement si les informations ne sont pas choisies pour etre moins importantes aussi bien en quantite qu en qualite. que si une demande etait effectuee.	The exceptions that currently exist are valid. Sometimes the government holds commercial info that is sensitive to a company. The company's competitors would like to obtain that info and may ATIPP it. If companies know that the confidentiality of their sensitive info is at risk if they share it with the government, they won't share it anymore.
Government programs, highways, annual expenditures, hunting and fishing. (FR) programme gouvernemental, la voirie, dépense annuelle, chasse et pêche	Nothing legislated or regulated. At most, perhaps the commissioner could be tasked with suggesting a list of things to be published based on the number of requests for that information.	I am not 100% sure that I disagree with this change, but do not feel enough information has been provided
research results, survey results, current project lists, dept budgets, annual reports		
Government reports tabled in legislature and Yukon Housing YukonEnergy etc		
Financial statements		
Budgets/financial summaries by department, hiring processes, hiring records		
each department should be asked to work with the public to determine what information should be made public - departments should not be		

to make an informed decision and, in that case, would prefer the status quo. What were the exceptions that went through in 2012 and will all of them be repealed or only some of them? I am indifferent to altering the Cabinet confidence time frame.

Cabinet confidence and policy advice protects the ability of public servants to provide open and honest advice to government. If it is going to be released under an ATIPP request they may provide open remarks which is not recommended.

Take cabinet confidence and/or policy advice OFF the exceptions list.

Staff will never share this information in writing if they know it'll be ATIPPable

I think that everything in paragraph 2 should be exceptions, except for the one about a threat to public safety, which should not be an access and the one about interfering with law enforcement.

I do not agree with shortening the length of time that Cabinet confidences and strategic advice are to be kept secret. (FR) Je ne suis pas d'accord avec le fait de réduire la durée de protection du secret du cabinet et des conseils stratégiques.

There really isn't enough information in the background of this question for me to feel comfortable with broadening the exceptions again. I'm sure they were narrow for a reason. It might be reasonable for some to be broadened but there isn't enough definition in this question.

Insufficient information provided in the background of the question to understand what exceptions would be repealed. I don't agree that all of them should be. But I do agree with the reduced time frame for protecting cabinet confidence and policy advice.

Most of the exceptions noted above seem reasonable; the issue may be that personal judgment comes in to determining whether the information is too personal, could have business impacts etc - perhaps clarifying those definitions may be helpful.

I don't understand why cabinet and policy information is protected. These

are elected officials making decisions on behalf of Yukoners. Why is the decision making process so secretive?

Simply repealing the 2012 changes won't fix the problem. Writing clear, plain English definitions of what information may not be released would be better.

The act states in section 24 "Disclosure harmful to business interests of a third party" that information may not be released if it affects business interests etc. There should, no must be changes made where if the information is in the public interest, ie harvest data for ***, the information can be released. There is no provision for public interest.

I agree with reducing cabinet advice to 10 years, but disagree with repealing the 2012 changes.

10 year term puts information 3 elections away. We should be able to see how a government made its decisions before then. A 7-year period would enable this. The 15 year period was egregious.

No change

It doesn't go far enough. We need to know where government money is going in support programs, e.g., housing and industry. (FR) à ça ne va pas assez loin. Il faut démontrer où vont les argents que le gouvernement dépense dans les programmes comme l'aide à l'habitation et aux industries.

Cabinet confidence must be maintained - also public servants must be able to manage staff and program areas without their decisions being subject to public review - they are ultimately accountable for the outcome of their decisions - why can disgruntled employees create public debate about this?

Gov needs to be held accountable

I don't actually disagree. (I agree with change) but the only way to comment is by clicking "no". My comment is this: it's not clear what we are being asked re: repealing changes made in 2012 because it's not explained what those changes were. What are you proposing to return to?

Due to ATIPP, all government employees are scared to document

discussions about policy or administration options and risks. Therefore, there is huge communication barriers and lags. More "transparency" has resulted in poorer "communication" and absent documentation of issues, concerns, and risks internally. The end result is slower and less efficient government management. Confidence in the ability of employees to clearly communicate sensitive issues and options needs to be restored. Some clear definition is OK, but grey areas are needed.

Advice to cabinet ministers should ne protected.

Need to be clear on what is defined as "information" Where do emails and texts factor into records for transparency. Tactics will be developed to "hide" information if there is too short a period for providing access.

Nothing. Leave it as it stands

Make it so public bodies have to answer (some would only do so if there was an inquiry). Ten or 15 years won't change anything. (FR) arreter les public bodies qui ne veulent repondre sauf a aller en enquiry. 10 ou 15 ans ne changera rien.

The proposed exceptions are too broad (i.e., requires more criteria) and could potentially include almost anything as an exception. Therefore, as proposed I don't see a real change nor do I see transparency within the government.

There should be a provision to protect privacy - notwithstanding anything else - if there is a risk to personal safety (not just public safety). Also, some governments are involving their caucus in decision-making processes, which seem to be exempt from ATIPP and operate under a veil of secrecy even within the bureaucracy. Decisions that they make on policy matters should be subject to ATIPP, the same as Cabinet.

3b. If no, why? What do you think we should change?

The hourly rate should increase

if you make it too cheap, it will increase the burden on govt to produce the information. if you make it more expensive, it will dissuade people from fishing and looking for things.

The fee schedule does not make sense. Why is personal information any more important than program information? This seems to favour individuals over business for transparency. Departments don't get this money anyways so fees are to deter from too general requests. Make the ATIPP office screen better!

The applicant should have an opportunity to work with the public body to whittle down the request to more specifics. There should be an onus on the body to work in good faith with the applicant in this context.

I don't agree that we should be spending increasing amounts of time and money to fulfill requests that are largely from the press, opposition parties and angry individuals. We don't have endless money available and it should be spent on critical areas such as health and education not fishing expeditions for information,

Many atipp requests are nuisance requests and take up ridiculous amounts of time to fulfill. Cost is one of the few means to limit these nuisances

There should be a fee for service.

My only concern here is "no fee is generally charged for access....for personal information". Who makes the decision on what "generally" includes? That's a powerful broad expanse in this sentence. In my opinion there is clarification required otherwise a lot can be denied because of that word.

your explanation is unclear. what does "generally" mean? "Should make"? I would expect to see "will make" what if the fees actually increase and it becomes unaffordable to your clients.

I mostly *do* agree with the changes, but I worry that the new (as well as the old) structure offers little or no incentive for the government to increase the efficiency (and thus

reduce the cost) of information requests.

There should not be a fee if someone is requesting information regarding their self.

My only way to comment is to select "no". I agree with continued no charge for personal records (unless the same records are being repeatedly requested). I also agree with the hourly rate, but it should reflect actual staff time costs and time to process. Not charging for pages is good, but again, the staff costs incurred to process requests must reflect actual costs. There Must be a balance between being open and accountable to the public and government incurring exorbanant costs for large or "vexatious" requests.

record based will make more sense compare to hourly.

The applicant should have to pay for the cost of reproducing documents and the government should claim copyright on those documents so that they cannot be reproduced for commercial sale without government consent. Purchasing a document through a fee for service should not allow the applicant to profit from reproduction.

Fees should not be waived for persons who make several requests over a finite period of time. The new internet platform has allowed individuals to submit multiple, repetitive requests and is becoming a drain on already scarce resources.

i think we should keep the estimate of cost the same if not charge more for very large amount of paper.

Keep everything confidential

Continue to charge for large volumes of information- be accountable for the public funds you are allowing people to waste - requests for information should be reasonable and should be of public interest - not witch hunts

No fees

THis is taxpayer money that we are spending to search for information that often is already known to the applicant- don't support creating this extra admin cost without recovery

It should be free

It depends on the hourly rate. They should simply charge for the cost of photocopies (around 10 cents a page). Providing information to the public should be a routine duty for public servants. (FR) à ça dépend de taux horaire. On devrait tout simplement calculer le cout des photocopies (à peu près 0,10\$ la page). Fournir les informations au public devrait être une fonction normale de tout fonctionnaire.

There should be a fee for the work that staff do searching for and preparing records, as it is generally a time consuming and difficult task. If no fee is charged, it take staff away from time spent on their actual jobs serving the public. If no fees are collected, then the only other fair option is for YG to pay to have more personnel dedicated to searching for and preparing records, so as not to loose any other services provided to the public.

Hourly rates rather than fees per page. Distinct criteria for waiving fees

Gov will be requested to dead

A set fee should be applied for all. The requester should not be charged for the inability of the government to easily find information requested.

As a retiree there is no way I could afford an atipp request, even with a modest hourly fee

if it is too cheap and easy, ATIPPing will become a hobby for many people and groups. if you are balancing ATIPP provisions with releasing more information generally, then ATIPP should not be as free and easy...that is applicants should really need or want the information, rather than be frivolous and overly broad about their requests.

i don't believe the fee structure should be changed. Access Requests require considerable resources by department and having a fee structure should discourage frivolous requests.

It will cost the government a lot more... which means the funding will have to come from somewhere? If an applicant is not able to cover some of the costs.. perhaps a fund can be set aside for exceptional circumstances.

I would prefer more flexibility in calculating fees, and in some cases, an increase. Broad or complicated requests should have a fee that reflects the amount of (non-ATIPP) staff time fulfilling the requests, as they ultimately are funded by the tax payer otherwise. This might encourage the public to submit clearer requests, rather than go on fishing expeditions. More flexibility could also include the option of reducing fees when the information can be demonstrated to be in the public good. Eg, uncovering historical wrongdoings. Agree to eliminating the per page printing charge.

I was charged an hourly rate for a request, so that means some departments are already applying the new rules. (FR) on m a demande des frais horaires pour une demande donc de fait certains ministeres appliquent deja ces nouvelles directives.

This is ridiculous. The fees should be the same to any and everyone across the board. There should also be more focus on managing frivolous requests wasting tax payers dollars.

Organizations like the media and political parties should have to pay the full costs. Otherwise there will be increased administrative burden and costs on the public service and eventually the taxpayer. Definitely organizations and corporations should not be allowed to access data at no cost, particularly if they are planning to sell the data and if it is not accessible to the general public.

4b. If no, why? What do you think we should change?

I think the balance of privacy should be balanced with services across government being effective and speaking to each other. A lot of time/energy is wasted because our departments can't work together efficiently. Example: crossovers between justice, education and H&SS. They should be harmonious.

The proposed change leaves a lot of protection for individuals etc wide open.

increasing the regulatory burden, leave it alone.

Who will audit these PIA's once they are approved and running in a business unit? Can a unit just say yes and complete a PIA but then continue to collect whatever information they want or keep it as long as they want? What is a breach? Are all instances treated the same or will we have levels of breachness that will determine what we then do? If a YG employee sends personal information to another YG employee because of an outlook typo error, does the IPC and a note to the individual who's information this is about really need to be done?!

impact assessments should be considered but not mandatory- again the amount of money spent on administrative tasks should be decreased not expanded. The office of the privacy commissioner should not have mandatory reporting to them.

I agree with the change in principle , however, do you have the staff to do this or will it end up as another expensive bottleneck to programs?

I think there is a difference between large scale privacy breaches, and small scale ones, where, while technically privacy was breached, it could reasonably be assumed that the person who was breached would not think there was an issue. I'm trying to say that not all breaches are the same, and some consideration needs to be given tot handle them all differently.

I actually agree with this change, but including these requirements will require adequate resource allocation (training, additional staff resources, or contract dollars to hire external experts) to departments to carry out this work properly. Good information management is creating an increasing need for the systems and the staff resources to do it.

building privacy impact assessments into every government program will increase red tape

Why are privacy impact assessments required for new programs, systems and activities? Who is reviewing the old programs, systems and activities for privacy concerns. How is the government going to effectively change if they haven't looked at all their programs, systems and activities? When it comes to mandatory breach reporting, what information will be

made public? Where/what program, system or activity caused the breach? The outcome? Or the full report? How transparent will the government be? If a breach is reported, who has the authority to ensure it won't happen again? Where does that responsibility lie?

No information about anybody

The proposed change is already in place - Yukon Government already has to complete a PIA for a new system, privacy breach reporting is already mandatory, and privacy and data protection are already built into our programs. What is changing?

again, we are multiplying the administration of this system and creating a useless bank of information. PIA's should not be public documents and this can risk privacy and security of systems of government and public bodies.

Information about residents should be housed in the yukon. No more holding information with third parties. No private sector investment

This seems like it will create much more red tape.

What protections do the employees who apply these rules have right now? Existing rules should be applied before new ones are made. (FR) quelles protections les employes qui appliquent ces lois ont aujourd'hui? il faut d'abord appliquer les regles existantes avant d'en creer de nouvelles.

Again, privacy impact assessments are a bureaucratic tool "du jour" - too prescriptive, costly, and not very helpful to have in every circumstance. Also, why just privacy? Why not legislate other impact assessments? The list is endless. It hinders good exchange of information and evidence-based research. Maybe an alternative is to have government as a whole outline to the commissioner how it protects the information it has on hand, and shortcomings can be flagged in the commissioner's annual report.

5b. If no, why? What do you think we should change?

Because this "This prevents efficient service delivery as updated and identical information cannot be shared in a controlled manner." is a crock of bull-pucky. Keeping my info with the department or service that collected is inefficient? WRONG! It's privacy you silly bureaucrats. Who will control my info? The Minister? Over my rotting corpse. This is a dangerously stupid thing to assume.

Good luck writing this software! Does a form of this not already exist at the front desk of the main administration building where I can submit this information and they pass it on to business units?

Unless there are strict safeguards in place, this system is open to abuse.

It's not clear how this proposed change will allow me to "control" my information? To me, controlling my information means that I get to choose how and when my information is shared and with whom and for what purposes. I also have the right to limit or withdraw that consent at any time.

I believe it is an individual's right and choice to which government body has access to such information. It's the individual's responsibility to inform the appropriate government agency of any changes to personal information. I do not agree with this proposed change.

Check boxes when deciding who gets to have access to what information so individual can customize what they are willing to share.

Should make it mandatory that each person has a single identity for all government services

I agree with the concept in principle, but do not believe that YG currently has the foundation for digital information management that is required to move forward with this initiative. Resources are needed to establish an information governance framework and technical infrastructure to accomplish this. This cannot be accomplished in isolation from information management programs in departments.

Theoretically, would this make sense? Absolutely. Practically...good luck. To

me, this means that government will be functioning as a whole, rather than departments acting independently from each other. This would require a fully functioning centralized head department that provides information to all government in a way that would facilitate updating information in a simple manner. I have sincere doubts on how long it would take to achieve this. If Joe Smith were to contact one person and update his address, how would it update his medical information with health, financial information for payment on contracts, property tax rolls and hunting permits? Would an employee at each department be in charge of updating multiple systems within their department? Would there be one new central database with personal information? How would access to this be controlled?

Needs to be tailored to fit the programs - not a one size fits all solution

Keep it as is.

Keep it the same

I do not want the government to have access to all my information. I have already experienced privacy leaks from snoop staff. NOOOOO THANKS, I will just give my info again. YG has so many issues with privacy as it is, clean it up before you try and give everyone access.

seems like this will cause an increase in sharing of my personal information across government, increasing the number of people who see my information, regardless of whether they need it or are using it currently. Departments should have their own data banks and protections, I do not support sharing across all government departments. How ridiculous. This provides no solace to me that every department now has my information.

Gov does not appear to have the same computer programs throughout the Gov. Departments and too many corporations doing their own thing

I don't trust you

The default should be that only the particular service for which you accessed government should have access to the information. Just today 80% of NWT residents' personal information was stolen because it was

all on one employee's stolen laptop. Information and privacy breaches are happening everyday. Centralizing all personal information in one database will make it more likely that many more people's information could be disclosed in one breach event. Also, in such a small territory with so many people working for YG, strong safeguards need to be in place so people don't abuse access they might have to personal information through their work. i.e. spying on their neighbours, stalking an ex.

Personal info should be collected by each agency independently to ensure that individuals disclose this information voluntarily

None of the offices has proven to me so far that my information is safe. What guarantees and protections are there to make sure that rogue employees won't use this information for unlawful purposes? (FR) les différents offices ne m'ont pas prouvé à ce jour être capable de protéger mes informations. Quelles garanties et protections sont offertes pour être sûr que les employés malveillants utilisent ces données uniques à des fins illégales voir criminelles.

This survey is badly skewed. I do, in fact, agree with this change but for some reason I have no opportunity to provide comment without saying no. I would like to see it expanded further so that information can be shared between agencies with the signed delegate of an individual. Privacy legislation is becoming a large barrier to friends concerned about their senior friends. Appropriate safeguards are needed to avoid abuse, but it is frustrating when you can see someone suffering from a lack of service or support and yet you can't discuss it with home care, for example, or the medical community.

6b. If no, why? What do you think we should change?

Because you should only be sharing gradually escalated information with informed and explicit consent. The person who thinks that we should trust bureaucrats with sensitive information across many or all departments should be fired.

One number is easier to hack. Gives government too easy an access to all info.

I feel this should be client driven, if the client gives you the consent for this information sharing then you can share, if they do not, then you do not have the right to just do so because you would feel a bigger need of that client that may not want share or make the steps for that sharing yet.

The individual / client still needs to be central to how and with whom their file information is being shared. I see that we cannot call this a collaborative program service if the client is not part of this collaboration. A good case worker can get release of information signed. The release of information should also detail specifically what is being permitted to share. For example, if one program is aware of historical information about an individual that is not related to the current service delivery then it should not be divulged to any member of the collaborative team.

If the file was digital and secure then yes, I could agree. However too many offices have different policies and procedures regarding safeguarding highly sensitive personal information. Until this is consistent in a digital format with access and control mechanisms in place, sharing information is too risky.

This depends on if the model being proposed is implied consent (like HIPMA). If so, I am against the proposal. People need to know what information is being shared and with whom and for what purpose.

I do not trust the Government of Yukon to effectively or appropriately implement this change. This relates to concerns about capacity and internal buy-in to privacy protection I am concerned already about YG's current move to increase the RCMP's ability to collect personal information. I would

prefer to see this rolled out at a later date, once the internal YG mentality toward personal information has started to change.

I am concerned that all the safeguards may not be in place with and for all instances of sharing information! I'd like more confidence of what this means. It's easy to say it's used elsewhere and works..... concept is great!

First run a test where all departments give the same public program information. When you can get that right it might be safe to venture into sharing private info.

This is a very disturbing change - what this sounds like is that if government so chooses they can sit in a room and talk about me and my family and determine what services I need without my (their) consent. Who decides what and how much information is shared? In my opinion government already "shares" more information than needed! Collecting, using and disclosing the minimum amount of personal information to achieve a purpose should be the rule not the exception.

This government appears to be proposing that personal information be shared with various services providers - I DO NOT AGREE - sharing personal information should be the right of the client. (Unless a criminal offense has been committed or for protection of a person) very circumstantial.

Because information could be shared "in the best interest" of the involved person without their expressed consent. Implied consent is too vague and is already being misused.

See previous

Concerns, especially with regards to medical file. While some information may be pertinent, not entire file.

Do not share any information anything sensitive

No, people should control their information. YG staff can be snoop, violate privacy, have already had it happen to me.

The programs are split between corporations and Gov departments

I don't trust my information is safe, who would be held accountable?

As I see, Q5 is empowering the individuals to update their PI and how they want to share that, and if they want to share information with other service areas, so why we need this Q6. I think Q6 conflicts with Q5.

I do not understand.

See my previous answer. (Fr) voir ma réponse précédente.

There are no failsafe in the digital world or ether.

7b. If no, why? What do you think we should change?

These "oversight" and "consistency" euphemisms are disturbing. This idea sounds like some bureaucrat gets to arbitrarily decide what people are allowed to ask for! This is the opposite of the lies being told at the start of the survey. What a glorious crock of potatoes.

Employ two Privacy Officers to review decisions and requests. Then they need to agree on each proposed change, request or decline. This ensures accountability for decisions.

Hard to assess this approach without more detailed information.

Process oversight on global requests sure, reviewing responses no- again you are increasing risk of personal information being reviewed by individual visuals with no reason to review.

The ATIPP office and IPC often do not see eye to eye on interpretation and now you are setting up another conflict. If the APO, the expert on applicants requests, deem a request to be too vague then what benefit is there to having the IPC overturn that decision and tell the departments they must proceed? Departments will then provide a large Estimate of Cost that the APO will show to the applicant, who will potentially complain and take that to the IPC and then what happens??? Will there then be mediation by the IPC's own staff of YG vs applicant and the IPC office? Silly!

1. The Officer should be obliged to first work with the applicant to make the request work for them. The Officer is paid to be familiar with the long and complicated ATIPP Act whereas the applicant may not be. The ATIPP

Act requires significant learning on the part of the applicant therefore the applicant is at an immediate disadvantage. 2. Regardless of the title change, you are still asking someone within a public body to take what is essentially an adversarial position against their colleagues in the same department who are being asked to provide records. Staff get to decide what records to deliver, and not to deliver, especially in instances where there are not multiple recipients of the same record. Unless there is a process whereby the Officer can bypass staff and go straight to the records with the assistance of I.T., then the process is seriously flawed. It is naïve to think that departmental staff will never abuse the process, especially in instances where they stand to look bad by revealing records.

each individual department and crown corp should be responsible and accountable for their own information not a central agency. A central agency has no knowledge of the business operations of each department and can misinterpret requests and the nature of the information. the records office should be eliminated.

Again the decision to overturn a request is a lot of power for a position to hold in a small jurisdiction. A recommendation to overturn or deny a request should have to be approved by a senior TRAINED officer or committee. Records managers should not be asked to make these decisions when this concept is so new. This won't fix the problem of access in my opinion -

too much power in one set of hands. I would agree with this process providing there are at least one or two paths to go above this position and a very strict set of time lines provided.

This is the role of the Information and Privacy Commissioner. When in comes to requests for personal information does this mean that one more person(s) will be reviewing my information? What is a protocol? Is there inconsistency? In my experience I've been able to access my personal information with ease. Perhaps it's not the law that needs to change.

This is just another advisory position, which effectively duplicates the IPC and keeps the governments bad behaviour internal. And really this is

what this office already does. The ATIPP coordinator needs to be given authority to override a departments decision. The IPC needs to be given the authority to order records and greater. Accountability starts by giving power to third parties to police government behaviour. Otherwise it is all just smoke and mirrors on accountability. When you give the IPC true powers and take away powers from Departments that is when we'll know you are serious about increasing government accountability.

Too much power given to one person. Utilize a team. Have a representative in each dept to partially fill that role that answers to the privacy commissioner. More accountability is needed.

I disagree with the idea of the APO overseeing public body responses. Appropriate and adequate training for all public body officials should be the focus, not having someone double check their work. The APO should be able to decline to act on requests that are overly broad or "vexatious", etc., but those criteria must be clearly outlined in regulation.

A request being overly broad should not be a reason to deny an access request.

I'm not opposed to this change if the role of the Records Manager does not "evolve" into an Access and Privacy Officer. The Records Manager position could rather be split into 2 positions, as there needs to be a Manager devoted solely to corporate information management as well.

It increases access to information. Build access policies and procedures.

In what case would the IPC be allowed to over-turn a decision made by the government's Access and Privacy Officer, if the request was too broad, interfered with government operations or was in bad faith? How much knowledge of government process does the IPC have that would allow them to over-turn a decision? Does the government have the ability to refuse or appeal the IPC's decision? On one hand, it is reasonable for the IPC to review, but ultimately they are a watchdog and not a government entity with enforcement abilities. Would it not be better to make the IPC office function as an advisory body to the

government that can liaise and inform the public, rather than an enforcement and shaming mechanism?

A records manager has a distinctly different focus than an Access and Privacy Officer would have. These two positions should work together. Combining the role could have negative consequences for the way in which records are currently managed and how they should be managed in the future.

this is creating another barrier to access and another layer of government that is not required

ABSOLUTELY OPPOSED. Yukon is the only jurisdiction in Canada that uses this model. Central oversight should be and is provided by the IPC. Access and Privacy Officers would merely duplicate the work that has already been done by the public bodies by people that have direct contact with the PB's program area as well as by the IPC, which has the added virtue of being independant from the influence of any one Minister or government party. If in doubt review IPC's recommendations. Get rid of the Records Manager and align with the rest of Canada as well as HIPMA. I am shocked and horrified that this option has even been made.

I don't think the Access and privacy Officer should have to the power to do so.

This sounds like a major role change. Rather than 'grandfathering' in the records manager to an access and privacy officer position, an open competition should be held to ensure someone who is clearly qualified to think critically on these decisions is placed in the role.

Stop deciding what information people can have access to. Just let them have access. What are you hiding?

Government controlled

THIS is yet another layer of red tape and administrative costs that are unnecessary. No other province has this approach. Each department is responsible for their data and information. What would the records office know about the operations of each individual department. THIS is a colossal waste of money and not very

well thought out. Each department is able to control their own data. This is unnecessary and should not be implemented. I'm not sure how many people actually understand how much wasted resources a "middle man" department causes. Very much a waste of tax payers money.

Departments should have more control over the process instead of centralizing it with the information and privacy commissioner's office. The departments are the topic specialists, and have more knowledge of the subject than someone parachuting in to determine what is too broad, time consuming, costly, unreasonably interfere with government operations or are made in bad faith.

More management doesn't mean better management. It could be useful for the transition phase, but that is not an option.

I think each dept should have a full-time Access and Privacy Officer, or perhaps one shared between two depts if less busy ones.

this clause can and would inevitably be used to reduce transparency. keeping the fee structure so that costs are covered will act as a sufficient deterrent to frivolous requests

The IPC should not be given any additional authority t

The legislation isn't well known and isn't applied, so how will another layer improve how requests are handled? It won't result in better access, only more checks. (Fr) la loi est meconnue et non appliquee comment une couche supplementaire pernettra de mieux gerer les demandes. cela ne va pas dans le sens de plus d acces mais d un controle accru..

More bureaucracy hindering the delivery of services. Creates an information "czar" position within government. How will this affect ATIPP coordinators within departments?

How is the so-called Privacy Commissioner elected or appointed.

8b. If no, why? What do you think we should change?

I find the IPC has more than enough power and it would be dangerous to give it more. The fact this recommendation is coming from the IPC office is a flag in itself (if it's not and is coming from the gov't itself, my apologies). I believe the ombudsman and elected opposition MLAs, as well as the existing powers of the IPC, provide more than enough protection to the public. Giving the IPC more power could enable them to advance an agenda. Strongly disagree with this change.

I think the IPC should be balancing the information - not just protecting privacy, but also encouraging access to information. That should also be included in the changes. It is too one sided right now.

Do not confer order-making powers upon the IPC.

current commissioner is a law unto herself, making legal rulings that conflict with privacy laws eg HIPma.. she is to administer the law as written not as she feels it should be written. Costs for judicial reviews of her actions are expensive. There also needs to be a formal reporting to someone eg a multi party committee of the Leg to oversee this commissioner. She should not be able to initiate investigations on her own, she should have matter referred to her by Ministers

is the IPC office not busy enough with public complaints right now that it needs to add another component to its portfolio? When decisions are taking 1-2 years to come out of their office already, what will the wait time be like if they can start initiating their own investigations? They need to have approval from another office before starting such a project.

Increase resources and services provided to YG depts and corps to assist them in developing and using appropriate records mgmt systems, which assist in complying with info requests

favour a decreased role

Need to fix the broken relationship between the IPC and the public service before ipc has enhanced power.

No. This is way too much latitude for the Office of the IPC. Ridiculous.

This seems like too much power for one position and relies on one person's interpretation of the legislation.

What relation does the IPC have with government that they are authorized to question government employees and process? If an independent office has the authority to go on fishing expeditions when they aren't getting enough public complaints, is there really an issue with government process? Or is the IPC (and by extension, the government) not doing enough training and information sessions regarding privacy to inform the public of their rights? How would the IPC be allowed to initiate an investigation and then provide mediation? There would then have to be another independent, neutral third party for any investigation to be fair. Allowing them to provide ad hoc investigations would essentially turn the IPC into a government auditing or compliance office. Does YG have an internal auditing department for their programs? How are YG employees trained when it comes to privacy and personal information? What compliance controls are in place to ensure government is performing the functions related to access and privacy? If these questions are being brought from the IPC, I think the call is coming from inside the house. Clearly there is an issue with management not taking access and privacy as seriously as it should be, if a non-government, independent office wants to come through the back door and investigate how the government is handling information and breaches. Why doesn't the government place more emphasis in internal and external reporting and provide it to the public in a departmental report each year?

Question giving IPC additional power, which will result in YG being more "afraid" to make a mistake. Would like to see their role more in line with "working with" a public body to interpret the Act and to improve quality of decisions made. IPC seem reluctant to provide guidance and would rather wait to see the public body's response, and determine what actions the IPC can then take if the response was incorrect. Recommend IPC have more of a working relationship with the ATIPP Office, specifically with

determining processes and resolutions. IPC should be more involved with training the public and the public bodies on privacy, access requests, and privacy breach reporting (including what is a breach, when to report it, and why it is important). The onus shouldn't only be on the public body, and the IPC waiting for the public body to make a mistake.

this should continue to be a complaints based process. We don't have courts carrying out investigations on their own motion, why is that appropriate in this case?

The current powers of the IPC are perfectly adequate. More power will require more resources, both for the OIPC and the public bodies.

Basically, my answer is yes to audit abilities, but if you are increasing the Records Manager's powers, plus the IPC's this seems heavy-handed and costly. I'm worried about my tax dollars going into service duplication and excessive oversight.

Why introduce more government? I thought the idea was to reduce government.

I don't agree with this.

Starting their own investigations without even being asked to sounds like a make work program for the department, which ends up in higher costs for the tax payer. I suspect that whoever is in this position doesn't have enough work to justify their job and wants to 'start some investigations of their own' to justify something. Rather than maybe being made a half time position. Delegating to others to do their work for them bothers me too. The old 'consultant' routine where we are paying big bucks to government workers who then hire 'consultants' to accomplish anything. ***. I don't want to see this with ATIP IPC. 'Proactive' can also mean 'unnecessary'.

In my experience, the OIPC doesn't understand enough about systems/ technologies ***.

Without additional resources, the IPC will still not be able to effectively fulfill her mandate. The wait to have PIA's reviewed by the IPC is currently over a year, rendering the process essentially useless and stagnating Yukon

Government's ability to offer services effectively. Giving the IPC more authority will likely only add to the list of responsibilities, not make things more streamlined and efficient.

I agree with it, but also give that office some teeth. More power than just "recommendations"

Ridiculous waste of tax payers money

Do we really need another body that investigates privacy matters. This is unnecessary and only serves those individuals who have issues with government and provides them another venue to complain.

Stop bloating the bureaucracy

Too much power given to one body. Remain compliant driven

The IPC should not have full control over YG processes or procedures, as departments are the subject experts, nor should the IPC have full control over other arms-length bodies such as corporations or boards which are governed by a board of directors rather than directly by Ministers.

Sound like more employees and management

The proposal appears as an auditing function; there are public bodies to do that type of functions, IPC's roles should be focused as an arms-length oversight role to maintain neutrality,

Seems like there should be less of a role if government becomes more transparent...

Mostly agree but wish to comment. The current complaint-driven system can lead to reviews that are skewed towards issues that the IPC wants to comment on. While I'm cautiously optimistic that it would be a good idea if the IPC could investigate those types of issues without waiting for a complaint, there needs to be some balance. Complying with orders and responding to the investigators can be time consuming and disruptive to operations/service delivery of (non-ATIPP) staff. Need more information about which powers could be delegated. If the proposal is to expand delegation (eg, could anyone at OIPC initiate a general investigation?) there needs to be more consistency

among the investigators, especially if expanded powers lead to an increase in the number of investigators at the OIPC. Similarly, mandatory privacy breach reporting sounds like a good idea, but there needs to be some balance. Clearer definition of privacy breach, and the severity of the breach should be taken into account. There can be very minor breaches - will these need to be reported to IPC? Eg, if I email a colleague asking, "what is the name of your kids' daycare?" it can reveal their personal information (family structure) - if I print the email and leave it on someone else's desk, does that need to be reported as a privacy breach?

The IPC should only make recommendations. The IPC does not have an appropriate understanding of how privacy within a highly complex system operates. It is a dangerous position to hand over such authority to a single entity with no oversight of the IPC

The current process works just fine. Departments modify their procedures in response to the Commissioner's comments and recommendations. No more power is needed for that office!

Who is he...how?

9b. If no, why? What do you think we should change?

How the frick is it not clear now? What are you hiding?

increase regulatory burden also it will be difficult to maintain an up to date listing.this will cost the govt money in FTE.

I don't agree with the logic behind this change. Why tie it to the Minister's portfolio(s)? Keep it as is - far more clear.

This will just limit access to certain entities that are truly public bodies.

I agree with this but believe ALL boards and committees should included. If we pay public dollars to fund boards and committees their deliberations and decisions must be open to public scrutiny.

Where does the Health Privacy come into play? Will there be an update to

the Health Information Privacy Act to include all health information held within a public body as well?

Yes, agree with change. However, not only do we need clear definitions of what constitutes a public body, but also a clear definition of what parts of what they do fit into that definition. For example some places are not a public body, by definition, but use a public body employee to administer duties, are within a public body building, records are held in a public body area - how do each of these apply. If information passes through a public body or is retained on a public body's premises, is it still deemed a non-public body?

It is fine already the ATIPP Act, in terms of defining public bodies. Most boards or commissions are not Public Servant employees. They are often independent of a Minister.

Leave First Nations out of this act.

Keep certain bodies out of ATIPP. Human Rights Commission and Ombudsman would be examples of boards that need privacy to conduct fair investigations.

What is a "principled analysis"? This is not transparent and I don't understand what is being achieved.

what about bodies that receive government funding for operations? there are tons in yukon, and if funded by taxpayers, should be held to the same standard as govt.

Devolution resulted in more authority for land management to the City of Whitehorse without transferring public access to discussions around planning and development decisions (assuming there was and is some access and protection of information around YG land administrative decisions). Shouldn't the City of Whitehorse and other public bodies administering authority provided under the YG Municipal Act be subject to ATIPP? How would school boards and advisory councils be covered?

The government through transfer payment agreements seems to be extending the application of ATIPP to non-profit societies that are NOT public corporations and whose financial positions do NOT affect the

government's public accounts. This should be absolutely prohibited as a method of extending ATIPP. And why are municipalities excluded from this list? Are school councils (or boards) included? If not, why not?

10. If you have any additional comments to share about the proposed changes in the new Act, please provide them in the box below.

Thank you for doing this review.

This survey is a joke designed to elicit per-determined agreement with your silly nonsense. Thanks for letting me do absolutely nothing to influence the per-determined outcome of bureaucratic nonsense and rubbish.

Want to add: would like to see some parameters set on requests of YG staff. Many times these requests come from employees who have been disciplined or disagree with feedback they are receiving. Just because you are a YG employee should not mean that you can have access to every transitory record that was connected with you in any way. This does not protect the public which is main reason for having ATIPP, and yet can take up significant government financial resources responding, due to the nature of records that exist regarding employees. Changes to this would result in more available resources and faster response times to requests made by the public versus responses to internal staff. A more balanced approach is needed.

Provisions for concealing matters of cabinet confidence and advice to ministers should be eliminated entirely. Changing records managers to access and privacy officers is a good idea, however the ability for those officers to refuse requests that "interfere with government operations" or that are "made in bad faith" to should be spelled out specifically and should be extremely limited. Those decisions should also be reviewable by the IPC.

I want to see easier access to information with adequate protections. Processes for staff that are clear and easy to follow. Many people don't give out information because they are uneducated in what they can release. ATIPP requests should be last lines of access, not front lines. ATIPP requests

get abused by opposition researchers because they don't want to tip their hand to what they are researching, so they ATIPP rather than asking for information. That is a waste of resources. The requester should be public information. The first question on any ATIPP should be: "Have you requested this information from the department? If so, when? What was the response?"

All information should be easily accessible on the internet.

The media should fall under acts jurisdiction.. individuals TALK TO MEDIA ON MATTERS.. FOR MEDIA TO RUN WITH STORY, THE MEDIA SHOULD HAVE TO OBTAIN WRITTEN CONSENT UNDER THIS ACT FROM THE INDIVIDUAL TO RUN THE STORY.

I want the increased privacy rights to go further. The new EU GDPR introduces brand new privacy rights not contemplated in Canadian legislation. As EU residents will be afforded greater privacy protection, I think Yukon's legislation should be updated to provide the same or more rights. I think collaborative programs between government departments (which are arbitrary barriers between service delivery units) should be the norm, not the exception. Requiring regulation to detail them is wasted effort, program areas should be able to inform people about who has access to information and why it is important that they have access for the service the individual signed up for. Enabling Client-directed sharing is a great idea but the act should also contemplate permitting different service areas to use centrally located data elements. Service areas should not be able to see access by other unrelated service areas but centralizing data storage with decentralized data use will reduce costs, increase accuracy and security. While currently this may be contemplated for core personal information, extending this principle to avoid service-based storage of PI is important. For eligibility purposes, a service only needs the DOB to perform a calculation, they don't need access to the DOB or to record it for perpetuity. This does mean that government will need to find new ways of confirming identity and should consider progressive solutions rather than asking for confirmation

of easily obtainable core info (name, address, dob, mother's maiden name) something like a unique government identity backed by a secure card (or fob) for authentication.

***. Long story short, I would recommend increasing the ability of individuals to obtain and correct their own information - not just update. We should be able to see what information government has acquired, and be able to remove that information as well.

please do not implement a carbon tax. It costs already \$80 to fill my car with gas. I couldn't imagine having to pay \$100 or more. not only that we need oil to heat our homes in the winter, do not punish us for living in the north. your definition of wealthy, is too low. in the US, a family income of \$400,000 is considered to be in the upper range. Here is it \$80K. stupid.

Requests for personal information should not be limited by the size or generality of the request and should always be free of charge - nor should there be any retractions of information designated as "advice to the Minister" unless it was explicitly provided directly to the Minister applicable.

Citizen based online training would be beneficial.

Well done. Will Briefing Notes for Cabinet meetings be available now? Also: for costs and fees, I suggest a public interest waiver, for when media is writing an important story etc, because I understand the media is broke ... but I feel they have a vital role to play. Anyway, once again, good job.

If this government truly believes in transparency, then it will take steps to ensure that the ATIPP process is less open to abuse by staff within public bodies. There is something inherently wrong with a process when a records manager within a public body has to ask her/his colleague for records that may reflect poorly on that same colleague. Not only are you leaving it up to the colleague to decide which records to deliver and which to withhold, but you are putting the records manager in an incredibly awkward position. Would you be comfortable pressing your desk neighbour or supervisor or deputy minister for records and then having to face them at the water cooler later the same day?

Is there a way to actively encourage departments to proactively comply with requests for information without requiring a formal ATIPP request to be made?

In terms of the survey itself, it seems odd that a person needs to answer "no" in order to provide elaborations on views on a particular proposal. In terms of the content, I think that the IPC should have greater powers to enforce findings/situations of non-compliance. Currently, YG has an attitude of apathy toward the protection of personal information and has something of an attitude of disdain toward the IPC. This is inappropriate. In terms of the bodies who ATIPP applies to, I hope that there will be an easy amendment mechanism to add public bodies to the list, in situations where they have been overlooked. Because the definition of public bodies is ambiguous, it seems there is a real risk that a list of public bodies may inadvertently miss a body, thereby undermining the privacy and information management regime. I strongly support the PIA process and mandatory reporting of privacy breaches. I hope that an extraordinary amount of effort will go into training YG staff on how these measures should be implemented. Having a coordinated Access to Information Officer should help to ensure that there is consistency in how these measures are implemented.

I sometimes find that dealing with government officials, I cannot retrieve my own personal information due to confidentiality, (even when I can provide proof of who I am) but someone in another department can.

Great work!

I have lost faith in the IPC and YG should encourage the IPC to engage with yukon eras about what our expectations of her office are.

Good first steps!!

In protecting people's privacy, we need to be careful not to get carried away and create a huge amount of work for those implementing this. We have to understand that the people who work with this sensitive data will still need access to it to be able to do their jobs. I as a member of the public, am interested that the data is kept confidential and is not shared with others that don't need

to see it. However, I understand that those people entering private data and working with it will still have full access to it to ensure they can still do their jobs efficiently. Efficiency is very important in government. Also, please keep using common sense, don't only follow rules that may not make sense in certain situations. We as the public understand that rules cannot include all situations, so please use good judgement in those exceptional situations. We trust that government workers are doing what is best for all of us to keep our privacy safe. Thank you for this survey!

I've ATIPPED information *** and have either received the information or been told the information was unavailable as it wasn't collected.*** it is important to collect information and make it available. ***

strict time lines need to be put in place constant review of the policies with an intention to improve

To facilitate information-sharing and support integrated services, what onus will be placed on the citizens to provide a copy of legal documentation to verify legal name, DOB etc? It is likely that 'multiple' versions of the same person exist from one Govt service to the next.

I don't agree with the proposed change to limit broad searches. These are necessary and all information is public, whether it comes from a broad search or not. The public body already has numerous mechanisms to deal with broad searches. These include charging an applicant, or refusing to do a search if it is deemed vexacious. If the search is broad the public body can charge an applicant and use that money to hire auxiliary on-call staff to help complete the search. Regardless, the public body needs to consider that all information is public information and that rejecting broad searches limits the public capacity to know what is going on with the government.

I like all the proposed changes - thank you for the hard work.

The government can have multiple privacy acts in place as a safe guard. I believe privacy ultimately is the responsibility of all government personnel to ensure personal information is not disclosed inappropriately & in accordance to FOIP and our Canadian Charter of

Human Rights. Personal information should strictly remain within the applicable agencies and government bodies and employees should strictly adhere to FOIP. The communities in the Yukon are not highly populated; "everyone knows everyone" - opening the door for others to disclose personal information. If the proposed changes regarding system wide information sharing systems - those "interested" individuals would have access to this information unnecessarily. There should be accountability and consequences when those bodies do not adhere to privacy acts and legislation and the public should be immediately informed.

Will the changes add consent of the individual to the act, in particular with regard to the sharing of an individual's information between agencies, departments and public bodies?

one of the most important changes is the sharing of information btw departments and organizations for common purposes.

Please do not allow ATIPP and HIPMA to create new barriers to providing seamless and collaborative care between programs even when they are between departments.

Information demands are growing, we can continue to regulate, but a strategy with real and sufficient (there currently aren't enough) resources to all departments to update websites to the new platform, produce publications/ use social media and make information publically available is required in conjunction with a review of ATIPP legislation. Provide the resources to be publically open with programs and services. Save legislating for personal information protection.

I approached this survey with two minds - one as *** Public, who has an interest in transparent and accountable government, and the other as *** Public Servant, who has a different understanding of how information is shared and some of the issues that accompany it. My biggest concern with the proposed changes is having the financial and HR resources to adequately address the increased workload that these changes will bring about. We keep being asked, as public servants, to do more with less, but at a certain point it becomes unrealistic

to keep adding projects to the "side of my desk", and begins to have a negative impact on job satisfaction, performance, accountability etc - the very things we espouse as being important. So please ensure that the necessary resources are in place if these changes go through. With regard to proactive publication, I'd be concerned that releasing pieces of information to the public would run the risk of being misunderstood or misinterpreted if the historical and contextual information wasn't also included. However, putting out that level of information on a regular basis would also create a huge amount of work for whomever work was in the spotlight. Again, it's a resourcing issue. If new positions aren't created, who is going to prepare those docs for release? My supervisor and manager already come in on their weekends and evenings to catch up on everything that is required of them already. Fees - as a former child protection worker, I have heard of MANY young people who have been dissuaded from obtaining information in their files because of the costs involved (kids in care could have up to 10 full volumes). I would recommend that for those individuals, they should be able to access all the assessments, reports, medical and school records they want from their files, with no charge at all - really it's the least we can do for them. Social worker notes, which may or may not hold useful information for them ("Bill went to his doctor's appointment today; has a cold"), could be considered separately. Info Sharing between departments - we have long been silo'd in Yukon and this change would be welcome. One particular consideration I would have is the sharing of information about one person that may affect the well-being of another. For example, sharing a family history that may contain sensitive information about a parent (without that person's direct consent) so that the child can be helped. Or, conducting FASD assessments where it must be determined if the mother drank during pregnancy in order to render a diagnosis - this information can be very hard to access, but a diagnosis may make a world of difference for the child. Whose best interest prevails??

I get a strong impression that an outdated act and a culture of secrecy have been identified as

the shortcomings responsible for a perceived lack of transparency. Changes to the legislation and training of ATIPP Coordinators will not solve whatever it is that is vaguely defined as our current problem. The ATIPP Act needs an update and I support many of these changes, but in practice, improvements to the act cannot take effect without improving the foundation for how information is managed and accessed by YG staff who respond to requests. Training of ATIPP Coordinators will not eliminate their current reliance on program area staff to locate responsive records/ information from our multitude of repositories. YG lacks the required systems that have audit trails that can prove to applicants and the IPC that we've done adequate searches. Staff do not have the tools they need to find information, not only to respond to ATIPP requests, but to do their jobs efficiently and effectively.

On the charges: time taken is inversely related to efficiency. The time taken to photocopy a document can vary depending on who does the copying. The time taken to find information depends on the design of the record storage, and the number of different systems to be searched. Better records systems could give more information to the public in a shorter time. I would like my data not to go to the USA. Data should not be put in the cloud, or sent unencrypted through email or through servers not subject to Canadian law. There is a need to work with BC on this, as some health data is shared with them. On the subject of records managers, the systems need an overhaul so that privacy concerns and the life cycle of records is built in to digital record keeping. There may well be a place for an oversight role for an ATIPP-like officer as described, but I don't see that as growing out of the records manager as traditionally understood - I think it requires a different type of person. The new position could influence the setting up of systems, but maybe someone else is required to manage day-to-day care of the files. Is there a possibility to include other governmental bodies, such as municipalities and - gosh - dare I say First Nations?

Try to keep it simple, using wording the average person can understand so he/she knows how things work and can then know if they can put in an

access request, know what to expect, and can understand and confirm their information is protected and respected.

I'm not sure why this was put out again. We already heard about it and this is just good government practice to get these things done. Too much time.

Yukon Government needs to provide its staff with all of the proper tools necessary to fulfill the proposed changes in the new act. This is currently not the case in my place of work with YG. Without proper electronic systems, software and the integration of unit records into these systems, it will be almost impossible to fulfill public expectations of transparency and efficiency when it comes to accessing both public and private information.

Yes, expanding or defining more clearly the term law enforcement and which public bodies have law enforcement personnel so there is clarity re information sharing. re Territorial statutes and offences stemming from them, require many many investigator/inspector type personnel. Trying to share or access information between department to department when conducting an investigation is not easy and can be most frustrating. We are now (supposed) to be a one-government".to use this approach. HIPMA is in place. That's great. Rightly so".But there are many barriers and silos (between law enforcement personnel (dep't to dep't) which doesn't make any sense. Some investigations, often impact other areas in Government of Yukon. Define who are law enforcement personnel clearly with the ATIPP Act.

Change the act whereby business information of private business profiting and operating on public lands must release information if it is in the public interest. Currently business *** may deny releasing information claiming proprietary information. Add a clause whereby information can be released if its in the public interest.

Why did you not ask about creating the ability to deny access to information if the process to provide information is deemed to onerous? That seems unacceptable. If providing information to the public is too onerous then record keeping and data management should be improved. It is unacceptable to deny

access to information based on this flimsy reason.

I am pleased to see efforts to provide greater transparency in government.

To date there have been some departments that have refused to release or obfuscated information that is not related to any person or group of persons. Specifically, Environment has refused to release survey information for some non-harvested species. Release of the information would not be detrimental to any person or group of persons, would not jeopardize the health or well-being of the surveyed species or in any way negatively affect the purported values and purpose of the department or government.

Yukon government needs to drastically improve its information management. A lot of the time employees can't easily find information they need to do their work, nevermind trying to provide it to the public. A robust information system could be used to serve information to both staff and public from one source.

By boards, do you mean school boards? What about school councils? These are elected positions and should be accountable as well.

Yippee

The Yukon is probably the only jurisdiction in Canada that does not apply access to information and privacy legislation to its local and municipal governments. These governments hold a lot of personal information and make many decisions that affect our day-to-day lives. They are also responsible for spending large sums of taxpayers money to deliver public services. It is not consistent to apply ATIPP to the College, the Lottery Commission, and any number of smaller entities that spend much less money, have much less of an impact on our daily lives and hold much less personal information, but continue to exclude municipal governments. If this ends up costing more money, then so be it - access to information and the protection of our privacy should be considered a basic service in this day and age. Might also shine some light on the activities and decisions of local governments and could end up saving taxpayers a bundle in the long run. Time to stop coddling our municipal governments. Also consider passing

a lobbying act that covers lobbying of municipal government officials.

Overall I like the reduced ability for the government to hide behind this act. I also like the common sense housekeeping for efficiency. (sharing factual personal information throughout departments rather than individual updating for each department). Someone has done a good job putting these proposals together. I put a lot of 'no preferences' because on those items, I felt I did not know enough to comment and I trust your judgement. I trust your judgement because on the whole, it looked to me that you have the right impulses behind this: more transparency, better service to the public.

Someone needs to do an Act & Regulation review to see where government departments have countermanding clauses or unsupportable clauses (based on ATIPP rules) and then make an effort to update them. I know of a number of instances where an Act says that a branch must take a particular action but the only way to fulfill that action is to break the ATIPP rules. The easiest example of this is: there are a number of branches that, according to their act, are required to contact "nearby" land owners when someone applies to do something in a particular area, but the only place to get the appropriate contact info/addresses is by tapping into a system from a different department...breaking the ATIPP rules. Someone needs to do a systems review. To my knowledge, many of the systems in YG do not behave in an ATIPP compliant manner. For instance, many systems have no read-level auditing at all (i.e. tracking who is reading what records) and no record level security (i.e. you either have read access - and can read absolutely everything - or you have no access at all). These issues are prevalent in YG systems and if we don't sink a tremendous amount of money into replacing some of these systems, YG is likely open to lawsuits, etc.

Make what you can ask for clear. Make public, plain language documents. Make the process automated, not some random YG employee emailing you and you have to explain 18 times and still not get the right thing. I just did an ATIPP request, it makes me wonder if the gov makes them unclear and

difficult just to confuse everyone and not release info.

The Yukon Hospital Corporation has to be much more transparent and accountable in their hiring processes, spending process, annual income***

These changes will be difficult at first, as all change. The efficiency benefits will save confusion, well done

Toute personne ou entreprise devrait avoir le droit d'obtenir n'importe quelle information ou dossier détenu par un ministère sans avoir à passer par le bureau de l'ATIPP. L'ATIPP devrait avoir le droit d'investigation des dossiers tenus par le ministère en question si l'individu n'est pas satisfait de la réponse. Toute information statistique devrait être disponible. Je pense en particulier de la loi sur l'évaluation et la taxation qui empêche l'utilisation des données sur la qualité des maisons pour des fins autres que l'impôt foncier. Ce seraient des informations très utiles pour les autres ministères tels que la Société d'habitation ou la Justice pour développer leur programmes.

Clear education needs to be provided to YG on the act. Presently YG departments believe they cannot know the names of employees who have taken even a first aid course as that would be an invasion of the privacy of the employee. And I have heard statements along this line "you cannot say who was in a training course. If you do the persons name you said could charge you with a breach. Therefore I cannot say that Jane Doe and I both took a first aid course. Jane could charge me under the act." Think some education is needed as YG employees are afraid to say another persons name and that is taking privacy too far.

Proposed changes seem appropriate

My first comment is about this engagement survey, not the act: The only way we could comment was if we clicked "no". Sometimes "yes" or "no preference" also could use some comments if we want to provide additional context or suggestions. I don't think this survey was very effective. My second comment- I am a YG employee. Are we being consulted internally about how the changes will affect us and the information we will be providing to the public? I personally believe in only keeping things internal if

they are confidential or secret, but lots of information could be shared with the public. The problem is resources and record keeping processes are not set up, at least in my branch, to do this well or be more transparent/pro-active. I'm just worried about being able to comply with the new act.

My primary concern is the sharing of information among agencies. What are the checks and balances required of each department/agency to ensure that personal information is only shared on a "need to know" basis. What are the protocols in place to protect personal information that has been extracted from the system? How will this subset of information be handled to ensure it is secure and encrypted if loaded on a portable device so the data set is only viewable by those who 'need to know' this information.

it appears most of these proposed changes could have been accomplished through the regulations, so actual benefits from the new Act will largely depend on the specifics and clarity of the upcoming regulations,

Use vernacular no legalese please and, again, four lines, not four pages of departmental brain storm.

Having information shared with the public needs clear boundaries to allow staff to clearly communicate internally. Being afraid to write information down because it will be ATIPPED impacts the effectiveness and efficiency of government. There is a culture of don't write it down in the Yukon government. This risk is totally absent from your review of the legislation and is a significant threat to good governance.

*** The new act needs clarity on investigation procedures and sanctions. *** I would like to see crown agencies included under this act.

there seems to be a big emphasis on making more information available, which i can get behind. but the reality is that many many atipp requests are abused by applicants and require a huge amount of govt resources to address. please have a good look at how and why atipp is being used, and look for balance.

Mostly in favour of the proposed changes. Would like to see Yukon's ATIPP Act move towards aligning with other jurisdictions rather than moving away. Reason: the amount of "case law" around ATIPP (both access and privacy aspects) that is available in Yukon is relatively small compared to other jurisdictions. If the legislation is similar, can leverage the "case law" of other jurisdictions to learn better ATIPP practices in Yukon.

A relative who has been dead for 40+ years privacy should not be considered over a living person. Example a Mother, Father dies and their children need their medical information. This request should not have to put in a will to be accepted.

si vous donnez plus de pouvoirs au CIVEP je ne souhaite pas qu'il puisse faire appel à un tiers, leur bureau mérite peut être d'être agrandi mais pas d'extérieur. merci.

All gov't offices incl. Prime Ministers Office??

