

PRIVACY IMPACT ASSESSMENT

INTRODUCTION

A Privacy Impact Assessment (“PIA”) is a diagnostic tool designed to help organizations assess their compliance with the privacy requirements of Saskatchewan legislation. On this site, we now have different versions of the PIA available that are reflective of the requirements of the three different Saskatchewan statutes:

1. *The Freedom of Information and Protection of Privacy Act* (“FOIP”);
2. *The Local Authority Freedom of Information and Protection of Privacy Act* (“LA FOIP”); and
3. *The Health Information Protection Act* (“HIPA”).

These tools are not required or mandated by Saskatchewan legislation. Trustees, government institutions and local authorities are, however, required to comply with the applicable legislation and the PIA can be used to that end. All three types of organization will be referred to in this document simply as an “organization”.

The PIA can also be used by any organization that is developing or revising a program or practice that involves or affects personal information. As well, the PIA could be utilized when an organization reviews an existing program.

Organizations that are subject to the federal *Personal Information Protection and Electronic Documents Act* (“PIPEDA”) may also choose to use this PIA to assist with efforts to comply with that law. The Saskatchewan Commissioner however has no authority to oversee that law. If you require more information about PIPEDA and necessary steps to comply with that law, you should contact the Privacy Commissioner of Canada [www.privcom.gc.ca].

The Saskatchewan Information and Privacy Commissioner is authorized to:

- “offer comment on the implications for privacy protection of proposed legislative schemes or government programs” [FOIP, s. 33(a)]
- “offer comment on the implications for privacy protection of proposed programs of local authorities” [LA FOIP, s. 32(a)]
- “offer comment on the implications for personal health information of proposed legislative schemes or programs of trustees” [HIPA, s. 52(a)]

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Typically our office will utilize a PIA when it undertakes an investigation into an alleged breach of privacy.

Our office is indebted to the Alberta Information and Privacy Commissioner and the Manitoba Ombudsman offices for the excellent work they have done developing their *Privacy Impact Assessment* and *Privacy Compliance Tool* respectively. Our Saskatchewan office draws heavily upon their work.

Additionally, the OIPC acknowledges the work done by Mr. Jason Hall to modify our short version Privacy Impact Assessment incorporating additional features including the ability for users to easily reference relevant sections in the appropriate statute as navigating the document.

Because of Mr. Hall's efforts, we are now able to provide a tailored PIA for each of three aforementioned statutes. Before choosing one of the versions offered, ensure that your organization is clear on which law is applicable in the circumstances. You need to pick the right tool to end up compliant with the right law. Each Privacy Impact Assessment also includes its own customized worksheet containing checkboxes and a notes section for elaborating on questions posed in the questionnaire.

The completion of an effective and meaningful PIA requires a dialogue between the author of the PIA and those with a vested interest or involvement with the proposed or existing information systems, technology, policy/procedure, or program being evaluated. This type of dialogue should be reflected in the notes section of the PIA.

As well, we still are offering access to the PIA Short Form that was previously available on this site. This is the bare questionnaire without explanatory notes. Certain parts or questions may not be applicable to your particular application as it is a generic version of the PIA.

If you have any questions with respect to these documents please contact our office at:

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Fax: (306) 798-1603
Website: www.oipc.sk.ca