

Privacy Commissioner's observations, concerns, and recommendations to be discussed in public. The Standing Committee looks forward to a productive exchange this afternoon with the Information and Privacy Commissioner.

Tomorrow morning, senior officials from the Government of Nunavut will appear before the standing committee to publicly account for the government's actions in response to recommendations from the Information and Privacy Commissioner and standing committees of the Legislative Assembly.

This hearing is being televised live across Nunavut on local community cable stations and direct-to-home satellite service. Transcripts of the hearing will be posted on the Legislative Assembly's website.

In keeping with parliamentary practice, the Standing Committee anticipates reporting its findings and recommendations to the Legislative Assembly during the upcoming fall sitting. Under Rule 91(5) of the Rules of the Legislative Assembly, the government will be required to table a formal response to our report within 120 days of its presentation.

I would like to conclude by addressing some housekeeping matters.

For the benefit of our recording system, I ask witnesses to wait until I invite you to speak before activating your microphone.

I also ask witnesses to always go through the Chair when responding to Members' questions and interventions.

Members of the Standing Committee

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some files; you indicated that they were cooperative. I also understood that it was only the Department of Health officials who were not cooperative or seemed to put up resistance or not wanting you to be there at all. Can you elaborate more on that? Thank you, Madam Chairperson.

Chairman (interpretation): Thank you, Mr. Enook. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. For example, it took us until probably two weeks ago to be able to finally get an interview with the Assistant Deputy Minister. When we were here in June at the hospital, we invited her to meet with us, she couldn't or wouldn't meet with us, I don't know which, but we got to speak to virtually everybody at the hospital.

We had a hard time getting some of the policies that we asked for. We discovered, not through the department but through another source, that there was a set of privacy directives that had been drafted some years ago, but nobody at the hospital knew about them and we didn't get them from the Department of Health, who should have provided it when we asked if there were privacy policies in place. It was kind of that sort of thing. We got all the information we needed in the end, but some of it came kind of in a roundabout way. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. Mr. Enook.

Mr. Enook (interpretation): Thank you, Madam Chairperson. With the Department of Health being hard to work with or belittling what you're trying to do when you're trying to make an audit, what was it that they were not very

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ጠቅላይ ልማት ሚኒስትር: ምሥራቅ፣ ገንጠል፣ ገንጠል ስራ ለማድረግ።

ሰው ጤና ሚኒስትር: (ጋንታጋሪ): ምሥራቅ፣ ልማት ሚኒስትር።

ከጋንታጋሪ ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል።

የሰፊው ማህበራዊ ጠቀሜታ ለማድረግ ለሚችሉ ሰዎች ለማግኘት ልንችልን አስታዎታል። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል።

ጠቅላይ ልማት ሚኒስትር: (ጋንታጋሪ): ምሥራቅ፣ ገንጠል ስራ ለማድረግ።

ሰው ጤና ሚኒስትር: ምሥራቅ፣ ልማት ሚኒስትር። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል። ለዚህ ምክንያት ለሚገኙ ሰዎች ለማግኘት ልንችልን አስታዎታል።

audit of any other government department or public body? Thank you, Madam Chairperson.

Chairperson: Thank you. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. That's like asking a mom having just delivered a child whether she is going to have another one.

>>Laughter

I think it was a very useful project to undertake. It was interesting. It taught me a lot about how things worked at the hospital. I think that I would like to do another one, but probably not in the next year. It took a lot of time and effort. It just took a lot of my time. I enjoyed doing it, but I don't think I'll be doing another one in this fiscal year. Maybe towards the end of the next fiscal year I would think about doing another one.

Where I would go from here, like what public body, I haven't really thought about that at all, at this point. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. Mr. Enook.

Mr. Enook (interpretation): Thank you, Madam Chairperson. You stated that you're going to be doing an audit of a department, only starting in 2017. Our elections are coming up on the fall of 2017 and some of us will probably not be there. Some of us might not be running again, either that or not getting elected.

At that time, the next time you're going to do an audit, what would you base your decision on, which department you would audit? On what do you base your

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የደንበኞች ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?

ግንባር ስምዎ: የደንበኞች ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?

ግንባር ስምዎ (ግንባር ስም): የደንበኞች ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?

>>>ግንባር ስምዎ

ግንባር ስምዎ ምን ይሆናል?
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የግንባር ስምዎ ምን ይሆናል?
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ግንባር ስምዎ (ግንባር ስም): የደንበኞች ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?

ግንባር ስምዎ: የደንበኞች ስምዎ ምን ይሆናል?
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የደንበኞች ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?
የግንባር ስምዎ ምን ይሆናል?

complaints against WSCC. It was the individual pitted against WSCC; it wasn't the individual dealing on an equal basis with the client. He filed a number of human rights complaints, I believe most of them were, and had made a lot of threats about bringing WSCC to court on various other issues.

WSCC handed over certain parts of his medical records in order to deal with those complaints. One of the recommendations that I made was that if you're going to hand that information over to your lawyers, you should tell the individual that's what you're doing. To give the individual a chance to say, "No, I'd rather you didn't share. I'm going to withdraw my complaint."

WSCC, in this case, decided that there is a very long history of conflict between the WSCC and this individual. WSCC felt that they needed to be able to consult with their lawyers without the individual knowing. So it was just a matter of a difference of opinion, in terms of what that lawyer felt she needed to do in order to address the legal needs of WSCC and what I recommended.

Let's be clear. When I make recommendations, particularly when it comes to privacy issues, I make big recommendations. For that reason, I don't always expect them to be accepted. I make recommendations as if we lived in a perfect world and we don't. I understood in this particular case, why she chose not to accept my recommendations. I don't necessarily agree with her, but I understood the reasoning behind her refusal. I wasn't terribly upset about that one, it's not one that I would've ever taken to court or take it further or anything like that. She

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የሆኑ ሰነዶች ላይ ማሳሰቢያ ማስገባት ይቻላል። የሆኑ ሰነዶች ላይ ማሳሰቢያ ማስገባት ይቻላል። የሆኑ ሰነዶች ላይ ማሳሰቢያ ማስገባት ይቻላል።

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Eventually they did, but it wasn't until it reached the Department of Education. It was like four rungs up the ladder before he got any attention. I think it's important that these things be dealt with on the ground. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. Mr. Enook, you're next on the list.

Mr. Enook (interpretation): Thank you, Madam Chairperson. My only question is about education. Madam Chairperson, in Ms. Keenan Bengts' report on page 16, it states that the district education authorities are not formally listed as public bodies under the Act. I understand what that means. Even though they're in that situation and they're not formally listed with the authority that you have been given, you want to give the DEAs more responsibilities, but the DEAs have not been formally listed as public bodies. Can you please clarify that whole thing? Thank you.

Chairperson (interpretation): Thank you, Mr. Enook. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. Part of the problem is that I don't understand the function of the DEAs. The reason I don't understand the function of the DEAs is because nobody would explain it to me when I was doing these recommendations. If I'm confused about it, others are confused about it.

As I understand the DEAs are the local organizations who deal with the educational issues that arise in community. They are made up of volunteers, as I understand it, and at least in theory are at arms length from government. That's on the one hand.

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ልማት ማኅበር (ጋንታባባ): ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል።

ልማት ማኅበር: ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል። ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል።

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ጋንታባባ ርዕሰ ልማት ማኅበር: ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል።

ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል። ርዕሰ ልማት ማኅበሩ ለሚከተሉት ጉዳዮች ማረጋገጫ ላይ ማስፈጸም ይገባል።

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department had to share information with the Inuit organizations and the Inuit organizations really didn't know why they were receiving it or what to do with it. I think the discussions that have gone on have kind of clarified that for everyone a little bit. Now there are procedures in place for what happens or who gets the information and what's done with it when it's received. I think they're now working on how the Inuit organizations plan to use that information.

Yes, we're progressing. I didn't receive a response *per se*, but I did receive a copy of that final report and I'm satisfied with the direction that things are going. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. Mr. Akoak.

Mr. Akoak: Thank you, Madam Chairperson. With that, what specific recommendations have you provided to the Department of Family Services concerning this issue? Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Akoak. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. You're testing my memory again, but I recall that I made recommendations about ensuring that there were agreements between the department and Inuit organizations about the storage and retention of these records and how and when they would be destroyed, retention and destruction protocols, and how to address the privacy to ensure that once the records had left the government's control, there were still controls in place to protect privacy and

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ጠቅላይ ርዕሰ ጉዳይ (ጋራ ጉዳይ): ርዕሰ ጉዳይ ስለሆነው ገናደባሎች ለራሳቸው ማረጋገጫ ሊሰጡት ይገባል። ለሌሎች ገናደባሎች ስለሚሰጡት መረጃ ምን ዓይነት ማረጋገጫ ሊሰጥ ይገባል። ርዕሰ ጉዳይ ስለሆነው ገናደባሎች ለራሳቸው ማረጋገጫ ሊሰጡት ይገባል። ለሌሎች ገናደባሎች ስለሚሰጡት መረጃ ምን ዓይነት ማረጋገጫ ሊሰጥ ይገባል። ርዕሰ ጉዳይ ስለሆነው ገናደባሎች ለራሳቸው ማረጋገጫ ሊሰጡት ይገባል። ለሌሎች ገናደባሎች ስለሚሰጡት መረጃ ምን ዓይነት ማረጋገጫ ሊሰጥ ይገባል።

የሚገኝበት መረጃ ለሌሎች ገናደባሎች ስለሚሰጡት መረጃ ምን ዓይነት ማረጋገጫ ሊሰጥ ይገባል።

<p>those were the kinds of recommendations I made.</p> <p>I'm satisfied that they have taken those into account and there are now policies and protocols in place, as I said, with respect to security and how the records are being maintained within the Inuit organizations. I think they're probably still working on retention, schedules, and that sort of thing, but I do know they're talking about it. Thank you.</p> <p>Chairperson: Thank you, Ms. Keenan Bengts. Mr. Akoak.</p> <p>Mr. Akoak: Thank you, Madam Chairperson. In its recent response to the Standing Committee's report on the Information and Privacy Commissioner's 2015 appearance, the government stated that the Department of Family Services is “continuing its work to develop the <i>Protocol for Handling Personal Information Provided to Third Parties Under the Adoption Act and the Child and Family Services Act.</i>”</p> <p>On June 7, 2016, the Minister of Family Services tabled his department's update on the government's response. In its update, the department indicated that it “will complete the Protocol for tabling during the 2017 Winter Sitting of the Legislative Assembly.” In your view, is this timeline reasonable or unreasonable? That's it for me, Madam Chairperson.</p> <p>Chairperson: Thank you, Mr. Akoak. Ms. Keenan Bengts.</p> <p>Ms. Keenan Bengts: Thank you, Madam Chairperson. It's more of a political question than one that is in my kind of comfort zone. Do I think that it's important that these protocols be in place</p>	<p>ካኔፊርማዎቻችን ገንዘብ ለመስጠት ጥረት ይገባል።</p> <p>ርዕስ ጉዳይ የሆኑት ጋዳጊዎች ለተሰጡት መረጃ ጥራት ማረጋገጥና ለሌሎችም ማድረግ ጥረት ይገባል። በተለይም የሰነድ አጠቃቀም ማረጋገጥና የደብዳቤ መጠየቅ ማረጋገጥ ማድረግ ጥረት ይገባል።</p> <p>ጠቅላይ ሚኒስትር: (ጋኒንባህ)፡ የወይታሪንግ ስር ስራ ለማሳካት ጥረት ይገባል።</p> <p>ጋንታ: (ጋኒንባህ)፡ የወይታሪንግ ስር ስራ ለማሳካት ጥረት ይገባል።</p> <p>ጋንታ: (ጋኒንባህ)፡ የወይታሪንግ ስር ስራ ለማሳካት ጥረት ይገባል።</p> <p>ጥቅም ላይ የዋለው መረጃ ለማረጋገጥ ማድረግ ጥረት ይገባል። በተለይም የሰነድ አጠቃቀም ማረጋገጥና የደብዳቤ መጠየቅ ማረጋገጥ ማድረግ ጥረት ይገባል።</p> <p>ጥቅም ላይ የዋለው መረጃ ለማረጋገጥ ማድረግ ጥረት ይገባል። በተለይም የሰነድ አጠቃቀም ማረጋገጥና የደብዳቤ መጠየቅ ማረጋገጥ ማድረግ ጥረት ይገባል።</p>
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because, as MLAs, we wouldn't be dealing with the issue if we didn't have the approval of the constituent in a lot of cases. I find that rather frustrating at times. Not all offices operate this way, but some ministerial offices are very frustrating that way. (interpretation) Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Okalik. I think that was more of a comment, unless you want to say anything further to that, Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. The only thing I would say is that hopefully my opinion on that issue will assist. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. Okay, who did I have next on my list? Mr. Mapsalak.

Mr. Mapsalak: Thank you, Madam Chairperson. I'm going to get into the municipalities. On page 20 of your 2015-16 annual report, you state that your office is "starting to receive more and more requests that involve municipal governments." How many requests involving municipal governments did you receive during the 2015-16 fiscal year? Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Mapsalak. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. If my memory serves, there was one complaint dealing with a municipality and one issue, I'm trying to remember whether it was the Northwest Territories or here. I believe one issue came up through a news report that came to my attention, which raised concerns for me about privacy in a community at

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ጠቅላይ ልብ ወለድ (ጋራ ጠቅላይ): ማሳሰቢያው፣ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ቦሌ አባል (ጋራ ጠቅላይ): ማሳሰቢያው፣ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ለምሳሌ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ጠቅላይ ልብ ወለድ (ጋራ ጠቅላይ): ማሳሰቢያው ላይ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ሌላ አባል (ጋራ ጠቅላይ): ማሳሰቢያው፣ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ጠቅላይ ልብ ወለድ (ጋራ ጠቅላይ): ማሳሰቢያው፣ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

ቦሌ አባል (ጋራ ጠቅላይ): ማሳሰቢያው፣ ጥያቄው ላይ ለምሳሌ ማረጋገጫ ማስገባት አለበት። ሌሎች ጥያቄዎች ላይ ማረጋገጫ ማስገባት አለበት።

to create access and privacy policies that are consistent with the Act. It's a difficult thing for municipalities. I get that. They don't have the expertise on the one hand. On the other hand, they're public bodies that receive public monies, which spend public monies, which provide contracts to the locals, and the public has a right to know how that money is being used, how municipalities are undertaking their work on the access side. They also have responsibility to ensure that the information they hold about their citizens is held privately.

I get it that it's a hard thing to do, and it's another burden, but I think it's a necessary thing that needs to be done. I think that you'll have to ask the government representative tomorrow what they're doing. I think that it's probably a time for more aggressive action on their part. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. (interpretation) Mr. Mapsalak, any more?

Mr. Mapsalak: Thank you. In its recent response to the Standing Committee's report on your 2014 appearance, the Government of Nunavut stated that it is working towards amending the *Access to Information and Protection of Privacy Act* to have it apply to the territory's three largest municipalities. What do you think is a realistic timeframe to bring all municipal governments in Nunavut under the legislation? Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Mapsalak. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. They will definitely have to

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ፎካል ግብር ለማግኘት ጥረት ማድረግ ይገባል። ሆኖም ለህዝብ ግብርና ገንዘብ ለማግኘት ጥረት ማድረግ ይገባል።

ጠያቂ: ፎካል ግብር ለማግኘት ጥረት ማድረግ ይገባል።

ጠያቂ: ፎካል ግብር ለማግኘት ጥረት ማድረግ ይገባል። ሆኖም ለህዝብ ግብርና ገንዘብ ለማግኘት ጥረት ማድረግ ይገባል።

ጠያቂ: ፎካል ግብር ለማግኘት ጥረት ማድረግ ይገባል።

ጠያቂ: ፎካል ግብር ለማግኘት ጥረት ማድረግ ይገባል።

be some lead up time because they’re going to have to make sure that the necessary processes are in place. I would say probably a year is an appropriate time to give the municipality to get up and running and get training necessary. Thank you.

Chairperson: Thank you, Ms. Keenan Bengts. (interpretation) Is that it? (interpretation ends) Just before I go to the next name, I just want to ask a quick question, myself. I have often wondered about when you apply for a job, or you’re the one interviewing and then you ask for references and somebody provides a reference. So that person who is interviewing you and may want you for the job is going to ask some personal information about your character, or about how you worked. Even though they give consent to do that, I am assuming they’re giving consent by providing a name for somebody to call. Does the person providing that consent also have the right to find out what was said about them? I pose you that question. Thank you. Ms. Keenan Bengts.

Ms. Keenan Bengts: Thank you, Madam Chairperson. There is a provision in the Act, and I don’t know exactly how it’s worded, but it does protect that kind of information from disclosure. If I were the person giving the opinion, and I said to you, “No, I don’t care who you tell. Go ahead, tell anybody.” Then it’s fine. If I say, “Look, I want to be completely honest with you, would you keep this quiet? This is between you and me.” I think, in most cases, that assurance can be properly given and protected under the Act. Does that answer the question?

Chairperson: Thank you. I am just wondering if I was somebody, and I give

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ጠያቂዎች (ጋንታብህግ): ናይቲግ ዮሴፍ ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል። ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል። ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል።

ዮሴፍ (ጋንታብህግ): ናይቲግ ዮሴፍ ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል። ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል። ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል።

ጠያቂዎች (ጋንታብህግ): ናይቲግ ዮሴፍ ለአገልግሎት ለመስጠት ለማቻ ለሆኑ ሰነዶች ላይ ለመሰማራት ማስፈሰስ ይቻላል።

privacy audit.

Chairperson: Thank you very much and I'd like to thank you for coming in this afternoon and taking the time to talk to us about the reports and the activities that you've done. With that mind and just looking at the clock, I'd like to adjourn. Tomorrow we will be back at 9:00. Thank you.

>> *Committee adjourned at 16:53*

ርዕስ ስራ ተጠቅሞ ይቆያል።

ጠቅላይ ሰነድ (ጋራ ገቢ)፡ ፍትህ ስራ ለማጠናቀቅ ይረጋግጥ
ፍጥነት ለማረጋገጥ ማረጋገጥ ለማረጋገጥ ማረጋገጥ
ጋራ ገቢ ለማረጋገጥ ማረጋገጥ ለማረጋገጥ ማረጋገጥ
ጋራ ገቢ ለማረጋገጥ ማረጋገጥ ለማረጋገጥ ማረጋገጥ
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ጋራ ገቢ ለማረጋገጥ ማረጋገጥ ለማረጋገጥ ማረጋገጥ

>> ስራ ስለተጠቀመ 16:53 ሰዓት ገቢ ይሆናል።