

POLICY: Correction of Personal Information under
The Freedom of Information and Protection
of Privacy Act (FIPPA)
Program Area: Health Information Services
Section: Privacy and Access
Reference Number: **ORG.1411.PL.004**
Approved by: **Regional Lead – Corporate Services & Chief Financial Officer**
Date: Issued 2015/Dec/14
Revised 2024/Jul/08



PURPOSE:

To ensure an Individual who believes there is an error or omission in a Record containing their own information can request the head of the Public Body that has the information in its custody or under its control to correct the Record.

BOARD POLICY REFERENCE:

Executive Limitation (EL-7) – Corporate Risk

POLICY:

1. The Public Body will enable Individuals to request a correction to their Personal Information in a Record.
2. The Public Body will establish procedures to process requests to correct Personal Information and to accept or refuse those requests.
3. The Public Body will respond to requests to correct Personal Information in a Record and in accordance with Section 39 of FIPPA.
4. Staff or Persons Associated with the Public Body who receive a verbal or written request from a person for the correction of Personal Information shall process the requested correction. Routine corrections i.e. change of address, etc. do not require a formal FIPPA request. If assistance is required to respond to the request, contact the Privacy and Access Specialist as soon as reasonably possible.
5. This policy is not relevant for corrections of a clinical Record under The Mental Health Act or Personal Health Information under The Personal Health Information Act (PHIA).
6. The Public Body shall maintain and adhere to standards to ensure the right of Individuals to request a correction to their Personal Information previously accessed by the Individual.

DEFINITIONS:

ORG.1411.PL.001.SD.01 FIPPA Definitions

IMPORTANT POINTS TO CONSIDER:

The head of a Public Body may disregard a request for correction on any ground on which the Head may disregard a request for access under Section 13, and Section 13 applies with necessary changes to the decision.

An Individual has the right to make a Complaint about a refusal to the Manitoba Ombudsman.

If the inaccuracy of the information is not supported by proof or the information is not fact based (such as a difference in opinion) the Public Body is not required to correct the information, but the request for correction must be added to the Record.

PROCEDURE:

1. The Privacy and Access Specialist will:
 - 1.1 Obtain the request in writing if the request has been made verbally;
 - 1.2 Review the request in collaboration with the appropriate Staff of the Public Body, estimate the time required to respond to the request and notify the Individual that the time will be extended if the request cannot be completed in 30 days.
 - 1.3 In determining whether to make the requested correction, the Public Body will:
 - Verify that there is an error;
 - Request that the Individual provide proof of the error or omission;
 - Make the correction if the error exists, by marking the original Record as incorrect and attaching the correct information to the Record.
 - 1.4 Will respond to the request within 30 days after receiving it and in accordance with Section 39 of FIPPA.
 - 1.5 Add the notice of correction to any Record in the custody or under the control of the Public Body that contains the Personal Information of the Individual making the request.
 - 1.6 Where the head of the Public Body has refused to make a correction:
 - Permit the Individual to file a concise statement of disagreement stating the correction requested and the reason for the correction; and
 - Add the statement of disagreement to the Record in such a manner that it will be read with and form part of the Record or be adequately cross-referenced to it.
 - 1.7 Notify, where practicable, any other Public Body or Third Party to whom the Personal Information has been disclosed, within the year before the correction was requested, that the correction has been made or a statement of disagreement has been added.
 - 1.8 When notified of a correction or statement of disagreement, a Public Body will make the correction or add the statement of disagreement to any Record of that information in its custody or under its control.

REFERENCES:

The Freedom of Information and Protection of Privacy Act