



FOR IMMEDIATE RELEASE

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OIPC FAULTS MINISTRY'S PRIVACY PRACTICES

VICTORIA -- A man who lost his job when the Ministry of Children and Family Development ("the ministry") recommended he be barred from unsupervised contact with the youth in a care facility has had his privacy complaint upheld by the Office of the Information and Privacy Commissioner.

Robert Harrison complained that the ministry took no steps to ensure the accuracy of information concerning an old and unsubstantiated allegation of sexual abuse made against him before they used that information to recommend he be barred from unsupervised contact with the youth he was then employed to supervise.

Adjudicator Mary Carlson found that the ministry breached its duty under section 28 of the *Freedom of Information and Protection of Privacy Act*, requiring them to take all reasonable steps to ensure that Mr. Harrison's personal information was accurate and complete before they used it in the decision that directly affected him.

At inquiry, the ministry stated they had not used the information in any ministry decision that affected Mr. Harrison, as the decision to terminate Mr. Harrison was made by the ministry's contractor, and not them. Adjudicator Carlson disagreed, stating "there is a direct link between the recommendation of [the Ministry] and the subsequent firing of Mr. Harrison. Mr. Harrison was hired specifically to provide one-on-one supervision for a youth receiving services through the group home. The ministry was the overseer of the contractor and appeared to have the power in the contract to approve all caregivers, and Mr. Harrison fell squarely under the definition of caregiver."

"This decision drives home not just for this public body, for all public bodies, the significance of ensuring personal information is accurate before it is used in a decision that affects someone," Commissioner Elizabeth Denham stated. "This same rule applies to the private sector." She continued by stating, "The decision also highlights the risks of using personal information for a purpose other than the purpose for which it was originally collected. Without proper safeguards, decisions that are based on inaccurate or incomplete information may have serious impacts on a person's health, finances, safety or reputation."

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