



GPA Global Privacy and Data Protection Awards 2024

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 17 June 2024.**

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection Authority:	Information and Privacy Commissioner of Ontario
Person completing this form:	Andrea Corlett
	<i>First name</i> <i>Last name</i>
Job title:	Director of Communications
Email address:	andrea.corlett@ipc.on.ca

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2022.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

On January 1, 2024, a new regulation under Ontario's *Personal Health Information Protection Act* (PHIPA) came into force, enabling the IPC to impose Administrative Monetary Penalties (AMPs) directly against individuals and organizations who contravene Ontario's health privacy law. To prepare for the coming-into-force of the regulation, the IPC released guidance setting out a comprehensive roadmap for how the IPC intends to exercise these new powers.

b. Please provide a full description of the initiative (no more than 350 words)

The new regulation introducing AMPs in Ontario's health sector is intended to give Ontarians confidence that there are effective mechanisms to encourage compliance with PHIPA and deter against threats to their personal health information.

To help Ontarians prepare for this new regulation, the IPC released guidance setting out a comprehensive roadmap for how the IPC intends to exercise these new powers. The guidance explains the types of situations in which we might consider issuing AMPs, where AMPs fit along the spectrum of progressive enforcement options, and the factors that would inform the amount imposed on a case-by-case basis.

We aim to take an approach similar to a "just culture" approach (commonly used in the health sector to deal with medical errors), which emphasizes the value of reporting and learning from errors that occur in complex systems. This approach reserves more severe consequences for cases where stronger responses are necessary.

The IPC's guidance explains, in clear language:

- What AMPs are
- The kinds of cases where AMPs might be issued
- The factors the IPC will consider in deciding the amount of AMPs to be issued

To further support our outreach efforts, we released an [animated video](#) to explain and raise awareness of AMPs in the health sector.

c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

One of the IPC's key strategic priorities is to foster [Trust in Digital Health](#). Our goal is to promote confidence in the digital health care system by guiding custodians to respect the privacy and access rights of Ontarians, and supporting the pioneering use of personal health information for research and analytics to the extent it serves the public good.

As a modern and effective regulator, the IPC can help build trust in the health system with flexible and balanced approaches that meaningfully address non-compliant behaviours while promoting and encouraging accountability, learning, and continuous improvement.

Our AMP guidance serves this aim by ensuring that individuals understand there is a strong regulatory framework in place to protect personal health information, and that health information custodians have the tools they need to understand our evolving regulatory mechanisms. Written

in accessible language, this document makes it easy for Ontarians to discern key takeaways about AMPs and how they and/or their workplaces may be impacted.

d. Please include a photograph or image, if you wish *(This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)*

See attached file(s):

GPA_AMPs_1

GPA_AMPs_2

e. Please provide the most relevant link on the authority's website to the initiative, if applicable *(The website content does not need to be in English)*

- [Official guidance](#)
- [IPC FYI video](#)

f. Please provide any other relevant links that help explain the initiative or its impact or success *(e.g. links to news reports or articles):*

<https://www.dataguidance.com/news/ontario-ipc-announces-additional-enforcement-powers>

<https://www.mondaq.com/Article/1415080>