

# ACCESS TO INFORMATION AND PROTECTION OF PRIVACY AT WORKSAFEBC

## WHEN AND HOW YOU CAN ACCESS INFORMATION FROM WORKSAFEBC

The key purposes of the *Freedom of Information and Protection of Privacy Act* (FIPPA) are to increase government accountability and protect personal privacy by:

- Giving the public a right of access to records
- Giving individuals a right of access to, and a right to request correction of, personal information about themselves
- Specifying limited exceptions to the rights of access
- Preventing the unauthorized collection, use, or disclosure of personal information by public bodies, and
- Providing for an independent review of decisions made under the FIPPA

### EXCEPTIONS

The FIPPA recognizes that there are situations when information should not be released. WorkSafeBC must refuse to disclose a record if:

- It reveals cabinet confidences (limit of 15 years)
- Disclosure is harmful to business interests of a third party (such as trade secrets)
- Disclosure is harmful to personal privacy

All other exceptions are discretionary. WorkSafeBC decides whether to release the information by determining if:

- The record reveals advice and recommendations developed by or for a public body or a minister
- The record contains legal advice that is subject to solicitor/client privilege
- Disclosure is harmful to law enforcement
- Disclosure is harmful to the financial or economic interests of WorkSafeBC or another public body
- Disclosure is harmful to individual or public safety
- The information will be published or released within 60 days

### THE PUBLIC INTEREST

There may be certain circumstances when the public interest overrides the above exceptions. For instance, where there is a serious environmental, health, or safety hazard, the FIPPA requires that WorkSafeBC disclose this, whether or not a formal request for information has been made.

### YOUR PRIVACY

An important principle of the FIPPA is that personal information held by public bodies such as WorkSafeBC should be protected from unauthorized collection, use, and disclosure.

### Restrictions on the collection of personal information

Under the FIPPA, WorkSafeBC cannot collect personal information unless it is authorized to do so. Subject to some exceptions, personal information must be collected from the individual directly. When personal information is used, WorkSafeBC must take reasonable steps to ensure that it is accurate.

### Right of access

You have a right to access your own information held by WorkSafeBC, except in limited circumstances.

### Restrictions on the use and disclosure of personal information

WorkSafeBC cannot use or disclose personal information except as permitted in the FIPPA. Generally, personal information can be used only for the purpose for which it was collected, for consistent purpose, or with your consent. Personal information may be used for research purposes, within strict guidelines.

### *When do I ask for information under the FIPPA?*

First contact the department you think has the information. If the department cannot provide you with what you need in our normal course of business, you then have the option of filing a formal FIPP request for information through WorkSafeBC's Freedom of Information and Protection of Privacy Office (see address below).

### ***Where can I find more information?***

A directory of government records is available at your local library and in provincial and municipal government offices to help you locate the type of information you want. This directory includes an index of WorkSafeBC records.

### ***As a worker with a WorkSafeBC claim, how do I make a formal request for my personal information contained in WorkSafeBC records?***

If you'd like a copy of your WorkSafeBC claim file, complete a Request for Disclosure form (25M13) available online at WorkSafeBC.com. Or send a written request specifying your name, claim number, address, and telephone number to WorkSafeBC Disclosures (see address below).

While all of a claimant's personal information is usually in the WorkSafeBC claim file, sometimes there are other WorkSafeBC records that contain personal information. To get these records, send your written request (specifying your name, claim number, address, and telephone number) to the WorkSafeBC FIPP Office.

### ***How do other people, such as employers, relatives of deceased workers, and union representatives file a formal FIPP request for information?***

A request must be in writing and be sufficiently detailed to enable an experienced WorkSafeBC employee to locate the record. The request may be submitted in a letter or by filling out a Freedom of Information request form. WorkSafeBC staff in the FIPP Office will help you clarify your request.

### ***How long does it take to get a response?***

With few exceptions, the time limit within which WorkSafeBC must respond to properly formulated requests is 30 business days.

### ***How do I ask for correction of my own information?***

You should first contact the WorkSafeBC department that holds the record directly. If there is any question about the accuracy of the changes or if the manager declines to make a change, you have the right to ask for correction of your own information by writing to the WorkSafeBC FIPP Office. State clearly what the error is, how you want it corrected, and, if possible, where the error occurs.

### ***How do I file a privacy complaint?***

If you think your privacy has been violated, you may, at your discretion, send your complaint to the WorkSafeBC FIPP Office, or to the Office of the Information and Privacy Commissioner.

## **CONTACT INFORMATION**

### **WorkSafeBC FIPP Office**

PO Box 2310 Stn Terminal, Vancouver BC V6B 3W5  
Phone 604 279-8171 / fax 604 279-7401

### **WorkSafeBC Disclosures Department**

PO Box 4700 Stn Terminal, Vancouver BC V6B 1J1  
Fax 604 276-3102

### **Office of the Information and Privacy Commissioner**

Online [www.oipc.bc.ca](http://www.oipc.bc.ca)  
Toll-free phone 1 800 663-7867

