



Information and Privacy
Commissioner of Ontario
Commissaire à l'information
et à la protection de la vie privée de l'Ontario

October 31, 2014

VIA ELECTRONIC AND REGULAR MAIL

Michael Sherar, PhD, President and CEO
Cancer Care Ontario
620 University Avenue
Toronto, ON
M5G 2L3

Dear Dr. Sherar:

RE: Review of the Report on the Practices and Procedures of Cancer Care Ontario and of Cancer Care Ontario in respect of the Ontario Cancer Screening Registry

Pursuant to subsections 45(4) of the *Personal Health Information Protection Act, 2004* ("the *Act*") and 13(2) of Regulation 329/04 of the *Act*, the Office of the Information and Privacy Commissioner of Ontario (IPC) is responsible for reviewing the practices and procedures implemented by each prescribed entity and prescribed person to protect the privacy of individuals whose personal health information they receive, and to protect the confidentiality of that information.

Given the practices and procedures of Cancer Care Ontario (CCO), a prescribed entity and a prescribed person within the meaning of the *Act*, were last approved on October 31, 2011, the IPC was again required to review these practices and procedures and advise whether they continue to meet the requirements of the *Act* on or before October 31, 2014.

In accordance with the process set out in the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities* ("the *Manual*"), CCO, as a prescribed entity and a prescribed person seeking the continued approval of its practices and procedures, submitted a detailed written report and sworn affidavit to the IPC. These documents were to conform to the requirements set out in the *Manual*.

The IPC has now completed its review of your report and affidavit. Based on this review, I am satisfied that CCO continues to have in place practices and procedures that sufficiently protect the privacy of individuals whose personal health information it receives, that sufficiently maintain the confidentiality of that information and that continue to meet the requirements of the *Act*.

Accordingly, effective October 31, 2014, I am pleased to advise that the practices and procedures of CCO in its capacities as a prescribed entity and a prescribed person continue to be approved for a further three-year period.

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Attached is an Appendix containing a recommendation to further enhance the practices and procedures of CCO, which must be implemented prior to the next legislated review.

I would like to extend my gratitude to you and your staff for your cooperation provided during the course of the review, including your diligence and timeliness in submitting the requested documentation, in responding to requests by my office for further information, and in making the amendments requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Beamish', written over a faint, illegible stamp.

Brian Beamish
Commissioner (Acting)

Attach.

cc: Erica Zarkovich, General Counsel, Chief Privacy Officer & Corporate Secretary
Lisa Norton, Privacy Risk & Compliance

Appendix

1. It is recommended that CCO ensure that its reporting of indicators, especially as related to privacy complaints and security audits, are provided in full compliance with the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities* at the start of the next review period.
2. It is recommended that CCO provide to the Information and Privacy Commissioner, no later than December 31, 2014, indicators which are complete up to and including October 31, 2013, in compliance with the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities*.

General Note to All Prescribed Persons and Prescribed Entities

The IPC wishes to clarify its expectations regarding the process for the three-year review and approval of prescribed entities and prescribed persons. For future reviews, the IPC will require that you provide your reports for the period spanning from one year prior to the previous approval up to and including October 31st of the year prior to the next expected approval date. Therefore, for the next expected approval date (October 31, 2017), the IPC requires that your reports, especially with regard to your indicators, cover the period from November 1, 2013 up to and including October 31, 2016.

If, at the time of delivering your report, some of the indicators for more recent months are not yet compiled, you will be expected to provide amendments to include the missing data within a reasonable time period after the initial submission of your report. For those prescribed entities and prescribed persons which have provided indicators beyond October 31, 2013 for the current approval, the IPC requires you to simply resubmit, on October 31, 2016, those portions of your indicators which went beyond October 31, 2013 along with new, previously unreported data, as required.