

BACKGROUNDER

IPC 2023 Annual Report Key statistics and trends

Requests under the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA)

- In 2023, there were 66,422 freedom of information (FOI) requests filed across Ontario, nearly a 14 per cent increase over 2022, when 58,461 were filed. While there were some improvements in the response times for FOI requests, particularly in the provincial sector, there is still progress to be made.
- Overall, the provincial sector completed just over 67 per cent of FOI requests within 30 days, representing a relative increase of 16 per cent from last year.
- In 2023, the three provincial institutions with the most FOI requests were the Ministry of the Solicitor General (8,241), the Ministry of Environment, Conservation and Parks (7,532), and the Ministry of Children, Community, and Social Services (3,957).
- The IPC continues to closely follow the Ministry of Environment, Conservation and Parks' (MECP) efforts to clear its FOI request backlog from the pandemic. In 2023 the ministry continued to make significant progress, completing 12,620 requests compared to the 7,532 requests it received, while its compliance rate jumped from 18 to 50 per cent. The IPC is pleased to see MECP's ongoing dedication to clearing its backlog and expects that 2024 will show continued compliance improvement for the ministry.
- In the municipal sector, institutions completed more than 80 per cent of FOI requests within 30 days, similar to 2022.
- In 2023, the three municipal institutions with the most FOI requests were the Toronto Police Service (4,984), the City of Toronto (3,073), and York Regional Police (2,273).

Requests under the *Personal Health Information Protection Act* (PHIPA)

- There were 105,163 requests for access to personal health information received in 2023, a more than a five per cent increase from 2022, when 100,031 requests received.
- In 2023, health institutions completed nearly 103,129 requests for access to personal health information within 30 days, representing more than 97 per cent of requests, a slight decrease from 98% last year.

- Health institutions provided full access to personal health information for more than 90 per cent of requests in 2023.

Health privacy breaches

- According to annual statistics submitted by health information custodians, there were 10,770 breaches of privacy to personal health information reported in 2023, a more than 7 per cent increase compared to 2022, when 9,998 breaches were reported.
- Unauthorized disclosure continues to be a leading cause of health privacy breaches, with 5,093 (or more than 56 per cent) resulting from misdirected faxes. This represents an increase of 10 per cent from 2022. Misdirected faxes still account for the majority of unauthorized disclosure breaches in the health sector.

Requests under Part X of the *Child, Youth and Family Services Act* (CYFSA)

- In 2023, service providers subject to Part X of the CYFSA received 10,952 requests for personal information, an increase of over 10 per cent from 2022, when 9,923 requests were received.
- Overall, the child and family services sector completed 7,435 requests within 30 days, representing more than 72 per cent of cases.
- Full access to records was provided for 2,301 requests for personal information in 2023, representing just 16 per cent of cases.

Privacy breaches in the child, youth, and family services sector

- The child and family services sector reported 374 breaches of personal information in 2023, a smaller number compared to 451 in 2022.
- Of these, unauthorized disclosure was the leading cause of breaches in 328 cases (or nearly 88 per cent of cases), including 189 were due to misdirected emails and 29 resulted from misdirected faxes.

IPC tribunal statistics

- Overall, the IPC opened 3,149 files and closed 2,967 in 2023.

Access appeals opened, closed

- In 2023, 1,566 access appeals were opened. Of the appeals opened, nearly 45 per cent related to requests for information under FIPPA and 55 per cent were requests for information under MFIPPA.

- Appeals for access to general records made up the majority of all appeals, at nearly 77 per cent.
- The IPC closed 1,441 appeals in 2023, compared to 1,347 the year before.
- In 2023, nearly three quarters of appeals were resolved in early phases of the dispute resolution process, with 16 per cent of appeals resolved at early resolution and 58 per cent through mediation. Just over a quarter of all appeals proceeded to adjudication.

Outcome of appeals

- Of the 291 appeals closed by way of an order by an IPC adjudicator in 2023, 56 per cent upheld the institution's decision, 25 per cent partially upheld the institution's decision, 13 per cent did not uphold the institution's decision, and less than one per cent were dismissed after representations.

FIPPA/MFIPPA privacy complaints and self-reported breaches

- The IPC opened 398 files related to privacy complaints and breaches reported by public institutions in 2023. Of these, 252 related to the municipal sector, and 146 related to the provincial sector. Overall, the IPC resolved 409 privacy files in 2023, a decrease from 450 in 2022.

PHIPA health files

- The IPC opened 1,047 files related to health privacy in 2023. Of those, 590 involved privacy breaches, including 162 (or 27 per cent) related to misdirected or lost personal information, 197 (or 33 per cent) related to snooping, and 127 (or 21.5 per cent) due to unauthorized collection, use or disclosure. Cyberattacks were the cause of 66 (or 11 per cent) of breaches reported to the IPC by the health sector, compared with 29 breaches reported in 2022, representing more than double.
- Stolen personal information resulted in 33 breaches (or more than 5 per cent) of reported breaches in the health sector.
- Of the remaining health privacy files, 218 related to access or correction complaints and 192 related to collection, use or disclosure complaints, 47 of which were initiated by the IPC.
- The IPC closed 988 PHIPA files in 2023, compared to 965 the previous year.

Part X of CYFSA files

- In 2023, the IPC opened 137 privacy-related files under the CYFSA, a 49 per cent increase from 2022. Of those, 62 files related to privacy breaches reported by the child and family services sector, including misdirected or lost personal information (nearly 55 per cent), general unauthorized disclosure (nearly 18 per cent), and snooping (16 per cent).
- Of the remaining CYFSA privacy files opened in 2023, 47 were access or correction complaints, 27 were collection, use or disclosure complaints, and one was an IPC-initiated collection, use and disclosure complaints.

All sectors: cyberattacks and snooping

- In 2023, the IPC received 96 reports of cyberattacks across all sectors. Throughout 2023, cyberattack incidents reported to our office, including ransomware, were more complex than in previous years, and had greater impact on a broad range of institutions, including school boards, municipalities, and health care and child and family service providers.
- Snooping cases increased by 34 per cent over last year, across all sectors, continuing to seriously undermine public trust in Ontario's public institutions.
- With the introduction of administrative monetary penalties (AMPs) under Ontario's health privacy law, health information custodians should be especially aware of the severe consequences of unauthorized access to personal health information, as AMPs are now part of the IPC's enforcement toolkit.

Additional resources:

- [News release](#)
- [2023 Annual Report](#)
- [Statistics reported to the IPC in 2023](#)

Media contact:

media@ipc.on.ca