



**Government of the Northwest Territories Response to Committee
Report 30-20(1): Report on the Review of the 2024-2025 Annual Report of the
Northwest Territories Information and Privacy Commissioner**

Background

The Northwest Territories *Access to Information and Protection of Privacy Act* (the “ATIPP Act”) became law in 1996. It was created to promote access to information that the government creates and receives, and to protect individual privacy rights related to that information. The ATIPP Act gives individuals the right to access and correct their personal information that is held by GNWT departments and public bodies designated under the *Access to Information and Protection of Privacy Regulations* and sets out when a GNWT department or other public body may collect, use, and disclose personal information.

The ATIPP Act also provides for an independent review by the Information and Privacy Commissioner of decisions made under the Act. Under the ATIPP Act, the Information and Privacy Commissioner is an independent officer appointed for a five-year term. The ATIPP Act requires the Information and Privacy Commissioner to file an annual report on his activities.

The Standing Committee on Government Operations (the “Standing Committee”) conducted a review of the Information and Privacy Commissioner’s 2024-2025 annual report. The Standing Committee’s report summarizing its review was tabled in the Legislative Assembly on October 29, 2025. It included six recommendations, including a recommendation to respond to the report within 120 days. The Government of the Northwest Territories (GNWT) thanks the Standing Committee for its recommendations and works to ensure that access to information and the protection of privacy is an integral part of all government services.

The following is the GNWT response to the recommendations contained in Committee Report 30-20(1): *Report on the Review of the 2024-2025 Annual Report of the Northwest Territories Information and Privacy Commissioner*.

Recommendation 1

“The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a timeframe for implementing the Information and Privacy Commissioner’s recommendation related to the *Access to Information and Protection of Privacy Act*.”

- ATIPP Act Information and Privacy Commissioner Recommendation:

“That the government should consider amending ATIPPA to allow a public body to extend the time once for the period required to complete third-party consultation without authorization

by the Commissioner. For subsequent extensions, public bodies should continue to seek authorization from the Commissioner.”

GNWT Response:

The GNWT appreciates this recommendation and agrees this is an area that needs to be considered further once the Department of Justice begins the process to bring forward amendments to the ATIPP Act. Amendments to this Act are not currently being considered for the remainder of the 20th Legislative Assembly due to competing legislative priorities and existing resources.

From the spring of 2025 until the fall of 2025, the ATIPP Act underwent an extensive review as required under Section 74 of the Act. This review was completed with the assistance of a contractor (Prairie Research Associates). Feedback and opinions on the Act and how it is being administered were sought from partners, stakeholders, and the public. The GNWT’s Access and Privacy Office was also evaluated in accordance with the Government Renewal Initiative. The results of the ATIPP Act review will inform proposed legislative amendments to the legislation in the 21st Legislative Assembly.

Recommendation 2

“The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a timeframe for increasing dedicated resources, including dedicated positions in public bodies, staff training, and implementation of record management systems, in order to ensure that necessary supports are in place to implement the *Access to Information and Protection of Privacy Act*.”

GNWT Response:

As noted under the GNWT’s response to Recommendation 1, the Access and Privacy Office underwent an evaluation in accordance with the Government Renewal Initiative from the spring of 2025 to the fall of 2025. A contractor was hired to assist with this work. The scope of work included:

1. Finalizing a monitoring and evaluation framework for the Access and Privacy Office which includes:
 - a) Theory of Change;
 - b) Logic Model;
 - c) Performance Measurement Plan;
 - d) Evaluation Matrix; and
 - e) Evaluation Framework.

2. Evaluation of the Access and Privacy Office, including:
 - a) Justice and key stakeholder engagement/interviews;
 - b) Methodology, tools and testing;
 - c) Documentation review;
 - d) Data collection, coding, analysis and interpretation; and
 - e) Jurisdictional scan.

A final report is being produced to reflect the work above. It is expected that this report will clearly identify if the necessary supports and resources are in place within the GNWT to ensure the ATIPP Act can be administered properly. Once the Department has had a chance to properly analyze the results of the report, it will consider, where possible, how recommendations can be implemented.

The GNWT recognizes the Committee's concern about delays and resource pressures in meeting ATIPP Act obligations and has prioritized improvements that strengthen record management systems, enhance staff training, and introduce tools and processes that make government more efficient in managing, locating, and disposing of information. The GNWT continues to advance the use of DIIMS, supported by ARCS/ORCS classification standards, with structured storage, lifecycle management, and automated workflows for disposition approvals. Metadata-driven searches and enhanced search capabilities reduce time spent locating records and improve accuracy. In addition to these established tools, the GNWT is exploring Microsoft 365 search capabilities, to complement existing processes and further improve the ability to locate and manage records across collaboration platforms. These initiatives provide staff with resources and integrated tools for efficient searching, filing, and lifecycle management, ensuring timely responses and reducing the impact of record proliferation.

The Access and Privacy Office has updated the online [Access to Information and Protection of Privacy General Awareness Course](#). This course was initially developed in 2017 to raise awareness and increase understanding of access and privacy issues amongst GNWT and public body employees subject to the ATIPP Act. It was updated in the fall of 2023 to reflect amendments made to the ATIPP Act. Information on privacy breaches and privacy impact assessments were also added at this time. Additionally, one-on-one training is offered for dedicated access and privacy coordinators which includes an in-person or virtual orientation for new hires responsible for this type of work. An in-person or virtual general introduction to the ATIPP Act course is also offered periodically or on request as needed.

Recommendation 3

“The Standing Committee on Government Operations recommends that the Government of the Northwest Territories review and update the Proactive Disclosure Directive to maximize the proactive release of information based on categories of information that are most frequently sought through ATIPP requests. Furthermore, Committee requests a date by which this review will be completed.”

GNWT Response:

The Proactive Disclosure Directive was implemented in July of 2023, following a review of the categories of information and documents that could be disclosed in accordance with the ATIPP Act and the *Open Government Policy*. The GNWT continues to review and consider categories of other information or documentation that could be proactively disclosed on an ongoing basis.

Recommendation 4

“The Department of Health and Social Services and the Department of Finance develop a policy to communicate and implement clear expectations, rules and repercussions to employees for “snooping” of private medical information, to report to the Commissioner regarding the implementation of accepted recommendations.”

GNWT Response:

The GNWT understands the importance of having effective policies to prevent the rise in snooping.

The Department of Health and Social Services (HSS) and the Department of Finance do not intend to develop a standalone policy specific to “snooping” of medical information. The GNWT already has comprehensive and enforceable mechanisms in place that establish clear expectations, obligations, and consequences related to the inappropriate access or use of confidential records. These include the GNWT Code of Conduct, the Oath of Office and Secrecy, and existing provisions prohibiting employees from using their access to information systems for personal interest or personal gain.

These instruments set out the ethical standards and confidentiality requirements expected of all public servants and provide the basis for disciplinary action where misuse occurs. While no new policy is planned, the GNWT remains committed to reinforcing the importance of privacy, ethical conduct, and proper access to information. The GNWT will continue to support employee training and awareness efforts to ensure staff clearly understand their responsibilities and the consequences of unauthorized access.

Recommendation 5

“The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a timeframe for implementing the Information and Privacy Commissioner’s five recommendations related to the *Health Information Act*.”

GNWT Response:

The GNWT appreciates this recommendation. Specific timeframes for implementing each recommendation are unavailable. Amendments to this Act are not currently being considered for the remainder of the 20th Legislative Assembly due to competing legislative priorities and existing resources. At this point GNWT offers the following comments related to each of the five issued recommendations:

- Recommendation 1: “The Department of Health and Social Services should consider implementing a policy, or the Legislative Assembly should consider amending the Health Information Act to require health information custodians to report to the Commissioner regarding the implementation of accepted recommendations.”

GNWT Position:

Health Information Act (HIA) section 158 (requirement to comply with decision) mandates a health information custodian to follow/implement accepted recommendation(s) within 45 days after the day notice of the decision was given to the Information and Privacy Commissioner. It is assumed that accepted recommendation(s) are to be followed in alignment with the HIA. This recommendation was included in the scope of the legislative 10-year review of the HIA. The report is due to be tabled in February 2026.

- Recommendation 2: “Health information custodians should continue to reduce or eliminate the use of fax machines to transmit personal health information.”

GNWT Position:

The GNWT agrees to continue to review and consider in which areas the use of fax machines can be reduced or eliminated. The primary use of fax machines continues to be deeply entrenched in the day-to-day flow of transmitting information across the health sector, including GNWT organizations, non-government organizations, retail (e.g. pharmacies), business partners, and other jurisdictional partners. In some cases, legislation and regulations require signatures; electronic documents must be printed signed and faxed as part of the workflow.

- Recommendation 3: “Health information custodians should prioritize implementation of, and compliance with, the Mandatory Training Policy and ensure that appropriate privacy training is provided for new employees, returning employees, and for all employees annually.”

GNWT Position:

The GNWT has taken steps to prioritize compliance with the Mandatory Training Policy. HSS developed mandatory privacy training in 2017, which is mandatory for all staff in the HSS system. HSS issued an updated Ministerial Directive 04-2023 in April 2023, which ensures consistent privacy standards, policies and procedures are in place for the Department and the Health and Social Services Authorities (HSSAs)s. The mandatory training policy includes a provision indicating that mandatory training must be completed within three months of the employee’s start date (for new employees, for returning employees with no privacy training in the past year) and then annually (for all employees, contractors, volunteers and information managers).

HSS developed an employee orientation checklist (onboarding and offboarding) in order to ensure employees understand GNWT and HSS requirements. The checklist serves as a navigation tool listing specific tasks which are required to be completed by the employee within the first day, first 30, 60, and 90 days. It requires completion of the mandatory privacy training within the employee’s first week. Some HSSAs adopted a similar orientation checklist. Training videos and materials are readily available for self-service on the GNWT Enterprise learning software.

- Recommendation 4: “Privacy Impact Assessments (PIAs) addressing any new information system or communication technology that involves the collection, use or disclosure of personal health information should be completed and submitted so that there is a reasonable period for review by the Information and Privacy Commissioner and for review of any comments by the health information custodian while the project or program is still in the planning stage.”

GNWT Position:

This recommendation was included in the scope of the legislative 10-year review of the HIA. The report is due to be tabled in February 2026.

- Recommendation 5: “The Legislative Assembly should consider amending section 89 of the *Health Information Act* to include similar provisions regarding Privacy Impact Assessments as mandated in section 42.1 of the ATIPPA.”

GNWT Position:

This recommendation was included in the scope of the legislative 10-year review of the HIA. The report is due to be tabled in February 2026.

Recommendation 6

“The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a response to the recommendations contained in this report within 120 days.”

GNWT Response:

The GNWT is pleased to provide this response to the Standing Committee on Government Operations