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September 17, 2025

Mr. Graham Steele
Information and Privacy Commissioner
Office of the Information and Privacy Commissioner of Nunavut
PO Box 1000, Station #270
Iqaluit, Nunavut X0A 0H0
Email: admin@atipp-nu.ca
Delivered via Email Only

Dear Commissioner,

RE: Response to Review Report 25-289-RR (NUIPC File 25-114)
Privacy of Independent Medical Examination (IME) Reports

Thank you for your Review Report 25-289-RR, dated June 19, 2025, concerning the handling and safeguarding of IME reports by the Departments of Human Resources and Education. I appreciate your thorough examination of the matter and your clear findings and recommendations.

I have reviewed the report and provide the following responses pursuant to section 49.6 of the *Access to Information and Protection of Privacy Act* (ATIPPA):

Response to Recommendations Directed to Human Resources

Recommendations 85 & 86 – Review and revise email storage practices; delete Complainant's IME reports from HR email accounts after verifying secure storage.

While the Department of Human Resources is committed to improving our practices related to the protection of individual's privacy, the Department cannot accept these recommendations. In accordance with the Records and Information Policy emails are considered public records that must be managed in accordance with the policy The policy sets out procedures to archive or dispose of records in accordance with ARCS and ORCS. Further, the Archives Act stipulate that records cannot be destroyed without the proper authorization.

Recommendation 88 - Please see below recommendation 89.

Recommendation 89 – Encrypt or password-protect IME reports if email transmission is necessary

We accept this recommendation. Our SOP specifies that in the exceptional circumstances where IME reports must be emailed, they must be encrypted or password-protected, and staff are provided with appropriate guidance for this process.

Response to Shared Recommendations with Education

Recommendations 87, 88, 89 – While primarily directed to Education, we will collaborate with our counterparts to promote consistent practices across departments with respect to sensitive medical and personal information.

We recognize the importance of cultivating a strong privacy culture within the public service. As your report notes, such culture is built through daily reinforcement and long-term commitment. The Department of Human Resources is committed to strengthening its privacy practices in line with the ATIPPA and your guidance.

Thank you again for your continued oversight and for highlighting areas where we can improve.

Sincerely,

Honourable David Akeeagok Minister of Human Resources

CC:

Alma Power, Deputy Minister, Human Resources