



Fact Sheet

What is Personal Information?

October 2016

INTRODUCTION

The *Freedom of Information and Protection of Privacy Act (FIPPA)* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* (the acts) protect the privacy of personal information while providing individuals with a right of access to their own information.

In this fact sheet, we provide guidance about how the Information and Privacy Commissioner (IPC) interprets the term “personal information.”

HOW IS PERSONAL INFORMATION DEFINED IN THE ACTS?

The acts define personal information as “recorded information about an identifiable individual,” and include a list of examples of personal information (see Appendix A for the full definition).

Recorded information

Information can be recorded in any format, such as paper records, electronic records, digital photographs, videos or maps.

About an identifiable individual

Information is about an identifiable individual if:

- it is about the individual in a personal capacity; that is, it reveals something of a personal nature about the individual, and
- it is reasonable to expect that an individual can be identified from the information (either alone or by combining it with other information)

The listed examples include a person’s name when combined with other information about them, such as their address, sex, age, education, or medical history. These examples are not exhaustive and many other kinds of information may still qualify as personal information.

FREQUENTLY ASKED QUESTIONS

What if an individual is acting in a business, professional or official capacity?

The acts specifically exclude from the definition of personal information the name, title, contact information or designation that identifies a person in a business, professional or official capacity. This includes a business carried out in a home.

As a general rule, information about an individual in a business, professional or official capacity is not considered to be personal information.

However, even if information relates to an individual in such a capacity, it may still qualify as personal information if it reveals something of a personal nature about the individual. The context in which the information appears is important.

Is an address personal information?

An address, by itself, is not personal information because it is about a property and not an individual. However, information about a property can qualify as personal information if it reveals something personal. For example, a police service placed a lawn sign on a property stating that it was the site of a search warrant for illicit drugs. The IPC decided that the address on the sign was personal information because it revealed allegations of criminal activity against individuals associated with the property.

Does an individual's name qualify as personal information?

Like an address, a name by itself is not personal information. A name is personal information if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Can information about a business be personal information?

Generally, business information is not considered personal information. The term "individual" in the definition of personal information means that it only relates to natural persons. Sometimes confidential business information is confused with personal information. Business information may hold tremendous value and importance for organizations, but it is not personal information.

Is information about deceased individuals their personal information?

Information about an individual is not personal information if they have been dead for more than thirty years.

CONCLUSION

It is important to examine the context in which information appears in determining whether the information is "about" an individual and whether the individual is "identifiable." Depending on the context, information may not meet the definition of personal information because it is, for example, information about a property or business, or about an individual in a business capacity. You can find IPC orders and complaint reports regarding the definition of personal information on the IPC's website (www.ipc.on.ca).

APPENDIX

Definition of “personal information” in the acts

“personal information” means recorded information about an identifiable individual, including,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except where they relate to another individual,
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual, and
- (h) the individual’s name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.