

Bill 97 readiness checklist for Ontario institutions

For municipalities, school boards, police service boards, library boards and other institutions under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Tick each item you can show today. References are to MFIPPA as amended by Bill 97, the *Plan to Protect Ontario Act (Budget Measures), 2026* (2026, c. 2, Sched. 11).

Key dates: notice of collection is required now. Privacy impact assessments, the safeguards duty, breach reporting, notice to affected people and breach records start **January 1, 2027**. The first annual breach statistics, for 2027, are due to the IPC by **March 31, 2028**.

1. Notice of collection on every form

IN FORCE NOW

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| ☐ Every form that collects personal information states the legal authority for the collection. | s. 29(2)(a) |
| ☐ Every form states the principal purpose or purposes for which the information will be used. | s. 29(2)(b) |
| ☐ Every form gives the title, business address and business phone number of someone who can answer questions. | s. 29(2)(c) |
| ☐ Forms ask only for what is authorized by statute, used for law enforcement, or necessary to a lawfully authorized activity. | s. 28(2) |
| ☐ Privacy pages reflect the July 1, 2026 changes, such as 45 business days to answer access requests. | IPC table of changes |

2. Know what you collect

START NOW

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| ☐ A list of every collection of personal information: forms, programs, cameras and systems. | Good practice |
| ☐ For each collection: where it is kept, who can see it and how long it is kept. | s. 30(1) |
| ☐ A list of outside services and vendors that hold personal information for you. | Good practice |

3. Privacy impact assessments

FROM JANUARY 1, 2027

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| ☐ A policy saying when an assessment is needed, who prepares it and who approves it. | Good practice |
| ☐ A template that covers all ten elements the Act requires. | s. 28(3) |
| ☐ A written assessment prepared before each collection of personal information. | s. 28(3) |
| ☐ Risk steps in place before collecting or, if not possible, within a reasonable time after. | s. 28(4) |
| ☐ Assessments updated before any significant change in purpose. | s. 28(5) |
| ☐ Assessments ready to give the Commissioner on request. | s. 28(6) |
| ☐ A plan for existing high-risk collections, such as children's programs. Settle with your head how the duty applies to them. | Good practice |

4. Safeguards

FROM JANUARY 1, 2027

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| ☐ Reasonable steps protect personal information against theft, loss and unauthorized use or disclosure. | s. 30(5) |
| ☐ Records are protected against unauthorized copying, modification or disposal. | s. 30(5) |
| ☐ A register of administrative, technical and physical safeguards, each with an owner by position title. | Good practice |
| ☐ Vendor contracts require the vendor to tell you about a breach immediately. | IPC breach guidelines |

5. Breach response

FROM JANUARY 1, 2027

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| ☐ A documented breach response protocol: who does what, who to contact and when, and how you practise it. | IPC breach guidelines |
| ☐ A named decision-maker for the real risk of significant harm test: the head, or a delegate named in writing. | s. 30.1, s. 49(1) |
| ☐ A decision guide using the Act's factors: sensitivity, probability of misuse, steps people can take, and IPC guidance. | s. 30.1(7) |
| ☐ A way to report to the IPC as soon as feasible after the head determines a breach occurred. | s. 30.1(1), (2) |
| ☐ Notice templates for affected people, including the statement that they can complain to the IPC. | s. 30.1(3), (4) |
| ☐ A breach log that records every breach reported to the IPC. | s. 30.1(8) |
| ☐ Staff know what a breach looks like and who to tell, right away. | Good practice |

6. Reporting and governance

2027 AND 2028

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| ☐ Breach numbers ready for the annual report to the IPC. The first, for 2027, is due March 31, 2028. | s. 26(2)(c.1), IPC FAQ |
| ☐ Any delegation of the head's privacy duties is in writing. | s. 3, s. 49(1) |
| ☐ Council, or your board, has been briefed on the new duties. | Good practice |

Sources, checked October 13, 2026

MFIPPA, R.S.O. 1990, c. M.56, on e-Laws (consolidation current to October 8, 2026): ontario.ca/laws/statute/90m56

IPC, Frequently Asked Questions on the FIPPA and MFIPPA amendments: ipc.on.ca/en/resources/fippa-mfippa-amendments-faq

IPC, Planning for Success: Privacy Impact Assessment Guide, August 13, 2026: ipc.on.ca, PIA guide

IPC, Privacy Breaches: Guidelines for Public Sector Organizations, August 2026: ipc.on.ca, breach guidelines

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