



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Report P-2026-003

August 13, 2026

Town of St. Bride's

Summary:

The Complainant made a privacy complaint to this Office under the **Access to Information and Protection of Privacy Act, 2015** alleging the Town of St. Bride's had breached their privacy by sharing their participation in a lottery publicly on Facebook. The Complainant also alleged that the Town breached their privacy by alluding to them in a subsequent Facebook post. On the Commissioner's own motion, a second investigation was launched to determine if the Town was in compliance with the Act in posting other residents' personal information to Facebook. The Commissioner concluded that multiple privacy breaches occurred and the Town was collecting and disclosing personal information improperly. While acknowledging the Town's efforts to date in responding to the breaches, the Commissioner recommended additional measures.

Statutes Cited:

[Access to Information and Protection of Privacy Act, 2015](#), SNL 2015, c A-1.2, section 2, 62, 68, and 73.

BACKGROUND

- [1] The Complainant made a privacy complaint to this Office under the **Access to Information and Protection of Privacy Act, 2015** (the “Act”) alleging the Town of St. Brides had breached their privacy by sharing their participation in a lottery publicly on Facebook and alluding to them in a subsequent Facebook post.
- [2] The Complainant also raised concerns regarding the Town’s posting of announcements and other celebratory messages containing residents’ personal information on Facebook. The Commissioner conducted an own motion investigation into this issue pursuant to section 73 of the Act.
- [3] As informal resolution was unsuccessful, the complaint proceeded to formal investigation in accordance with section 44(4) of the Act.

PUBLIC BODY’S POSITION

- [4] The Town of St. Bride’s acknowledges that the Complainants’ name was posted publicly to Facebook as part of a lottery being held by the Town. The Town states that it believed when an individual purchased a lottery ticket, they were implying consent for their name to be publicly posted so they might know that the purchase request was fulfilled. When the Complainant requested that their name be removed from the Facebook post the Town states it complied with the request.
- [5] The Town maintains it did not mean to breach the Complainant’s privacy and did not intend for the incident to unfold as it did.
- [6] Concerning the second Facebook post, the Town had noted to the Complainant that at no point in the post were they publicly identified as the individual who raised privacy concerns. The Town argued that the social media post was general in nature and was not intended to reference any one individual.

- [7] Regarding the Facebook posts which contained other residents' personal information the Town initially stated, in correspondence with the Complainant, that consent for community-related postings was historically obtained either directly from individuals or through family members acting on their behalf and that an acknowledgement, without additional identifying information is appropriate and compliant. However, since the outset of this complaint, the Town has clarified that it understands the importance of protecting people's personal information and has advised that it has implemented measures to ensure consent for community posts is received in writing from the individual featured in the post.

COMPLAINANT'S POSITION

- [8] The Complainant asserts their name was shared publicly on Facebook after participating in a lottery the Town was running. The Complainant argues they had not been informed beforehand that their participation would be shared publicly. The Complainant requested that their name be removed from the post and the Town agreed to accommodate that request.
- [9] The Complainant further asserts that upon review of the Facebook page two other posts associated with the lottery that also contained their name were found. They again contacted the Town to have these posts addressed.
- [10] The Complainant states they had also been in contact with the Town at the same time regarding a separate privacy-related matter that they had concerns about. The Complainant claims they had contacted the Town expressing concerns regarding the Town's posting of announcements and other celebratory messages containing residents' personal information on Facebook.
- [11] The Complainant states that following this exchange, a public post was made on the Town's Facebook page referencing their discussions on privacy with the Town.

ISSUES

- [12] There are two main subjects to be discussed in this Report:
1. Whether the actions of the Town constituted a breach of the Complainant's privacy; and
 2. Whether the Town failed to collect and disclose residents' personal information in accordance with the Act.

DECISION

Determination of Privacy Breach

- [13] The Complainant's name was posted publicly on Facebook as part of a lottery being held by the Town.
- [14] The Act defines personal information in section 2(u) as recorded information about an identifiable individual, including the individual's name, address, or telephone number, and the individual's personal views or opinions. By posting the Complainant's name on Facebook and indicating that they participated in the lottery, the Town disclosed the Complainant's personal information.
- [15] The Act goes on to provide, in section 68, that a public body may disclose an individual's personal information only in specific circumstances, including, for example, with the individual's consent, for the purpose for which it was collected, or in compliance with the law. As noted by the Complainant, they did not provide their consent to have their participation in the lottery shared publicly, nor was the information initially collected for the purpose of posting to Facebook. I conclude that none of the circumstances listed in section 68 apply in the present case. The Complainant's information was therefore disclosed in contravention of the Act.
- [16] The Town has since removed the Facebook posts which contained the Complainant's personal information.

[17] A further Facebook post was also made by the Town which stated that a concern was brought forward regarding privacy matters, the post contained additional information regarding the individual who had brought the matter forward.

[18] While acknowledging that the Facebook post itself may contain little personal information I must also take into account the mosaic effect. The mosaic effect refers to the potential to draw on other publicly available information to identify an individual. In this situation the Town of St. Bride's has a population of approximately 300 residents. Following this Facebook post a public discussion took place and an individual referenced the Complainant's home. Ultimately, the Facebook post which included the Complainant's personal views and opinions and information concerning whether they were a resident or not, was enough for someone to identify the Complainant. It is therefore evident that the post did contain personal information.

[19] To conclude, due to the mosaic effect, the Complaint's personal information was again disclosed in contravention of the Act.

Collection and Disclosure of Residents Personal Information

[20] It was determined that the Town had been repeatedly posting residents personal information on Facebook in the form of celebratory posts. These posts would often contain the residents' photograph, name, and other personal information such as their date of birth or anniversary date. Consent for these posts was not given directly by the individual referred to in the post in all cases, but rather through family members.

[21] Section 62 of the Act states:

62. (1) A public body shall collect personal information directly from the individual the information is about unless
- (a) another method of collection is authorized by
 - (i) that individual,
 - (ii) the commissioner under paragraph 95 (1)(c), or
 - (iii) an Act or regulation;

[22] In this case, I find the Town was collecting personal information from family members rather than the individual. The Act does not allow for the collection of personal information of an individual through a relative. While the Act goes on to provide that a public body may collect personal information from other sources if it is authorized by the individual, I do not find that the Town had received authorization from each individual to collect their information through a family member. In collecting the information which formed these posts, I conclude the Town was not operating in compliance with the Act.

[23] Section 68 of the Act also reads as follows:

68. (1) A public body may disclose personal information only

...

(b) where the individual the information is about has identified the information and consented to the disclosure in the manner set by the minister responsible for this Act;

[24] Under the Act the Town would require the individual's consent to disclose their information. A family member's consent is not sufficient. While section 68 does list other circumstances in which personal information may be disclosed they do apply in this instance. I conclude the Town was disclosing personal information contrary to the Act.

[25] Since the onset of the investigation the Town has implemented a written consent policy required for the purpose of any celebratory messages on Facebook. The 'Social Media Consent' form created by the Town has been sent to all households and must be returned if the resident wishes to participate in the celebratory Facebook posts. The form indicates that the signer is providing consent to have their name, birthday, anniversary, and a provided photo posted to Facebook. The form also indicates that the signer can remove their consent at any time and their information will not be shared with any third party.

[26] With the implementation of the consent form the Town is now in compliance with the Act by collecting the personal information which forms the posts directly from the individual and receiving consent for the disclosure of their personal information.

RECOMMENDATIONS

[27] Under the authority of section 76(2) of ATIPPA, 2015, this Office recommends the Town:

1. Report the two breaches of the Complainants privacy to the OIPC via the “Reporting a Privacy Breach” form.
2. Arrange for all Town staff and elected officials to receive ATIPPA, 2015 training within 90 days.

[28] As set out in section 78(1)(b) of the **Access to Information and Protection of Privacy Act, 2015**, the head of the Town of St. Bride’s must give written notice of his or her decision with respect to these recommendations to the Commissioner and any person who was sent a copy of this Report within 10 business days of receiving this Report.

[29] Dated at St. John’s, in the Province of Newfoundland and Labrador, this 13th day of August 2026.



Kerry Hatfield
Information and Privacy Commissioner
Newfoundland and Labrador