

**Response to Applicant – Full Disclosure
Form 4A**

September 5, 2019

Section 40(1)



Section 40(1)

Dear [REDACTED]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act File #: CSSD/54/2019

On August 26, 2019, the Department of Children, Seniors and Social Development (CSSD) received your request for access to the following records/information:

“I am seeking current caseload numbers for CSSD behavioural management specialists (for the whole province), broken down by CSSD office. i.e. the behavioural management specialist in office x has a caseload of x.”

I am pleased to inform you that a decision has been made by the Deputy Minister for Children, Seniors and Social Development to provide access to the requested information. In accordance with your request, a breakdown of the caseload data is by communities/towns for Central-East, Western and Labrador Regions and by individual caseloads within Metro Region; more than one BMS worker for this region.

Caseload Data for Behavioural Management Specialists (BMS):

BEHAVIOURAL MANAGEMENT SPECIALISTS	
METRO REGION	ACTIVE CASES – JULY 2019
BMS #1 – Charles R. Bell Building	18
BMS #2 – Charles R. Bell Building	13
BMS #3 – Charles R. Bell Building	11
BMS #4 – Charles R. Bell Building	12
BMS #5 – Charles R. Bell Building	14
BMS #6 – Charles R. Bell Building	16
BMS #7 – Charles R. Bell Building	19
CENTRAL-EAST REGION	ACTIVE CASES – JULY 2019
Conception Bay South (CBS)	12
Bay Roberts	vacant
Whitbourne	12
Clareville	14
Marystown	12

Gander	22
Grand Falls – Windsor	13
WESTERN REGION	ACTIVE CASES – JULY 2019
Deer Lake	9
Stephenville	12
Corner Brook	12
Roddickton	10
LABRADOR REGION	ACTIVE CASES – JULY 2019
Happy Valley – Goose Bay	17
Labrador City	12
Hopedale	vacant
Sheshatshiu	vacant
PROVINCIAL AVERAGE	14

The *Access to Information and Protection of Privacy Act* requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (“the Act”). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

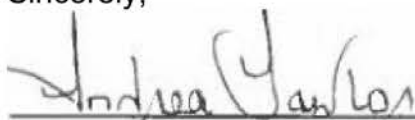
Office of the Information and Privacy Commissioner
 2 Canada Drive
 P. O. Box 13004, Stn. A
 St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
 Toll-Free: 1-877-729-6309
 Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

If you have any further questions, please feel free to contact me by telephone at (709) 729-6370 or by email at andrealawlor@gov.nl.ca.

Sincerely,



Andrea Lawlor, B.A., B.S.W. (Hons), R.S.W.
 Program and Policy Development Specialist / ATIPP Coordinator

Access to Information and Protection of Privacy Act

Access or Correction Complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct Appeal to Trial Division by an Applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).