Dear Applicant:

**Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: HCS/012/2020]**

On January 23, 2020, the Department of Health and Community Services (the Department) received your request for access to the following records:

“Any (i) demand, notice, or request by Statistics Canada that the province return, remove, or destroy Canadian Community Health Survey data and (ii) communications relating to such a demand, notice, or request. Date Range: February 1, 2019 to present.”

On January 27, 2020, this request was refined to specify communication from the Department executive.

I am pleased to inform you that a decision has been made by the Department to provide access to most of the requested information. Access to the remaining information contained within the records has been refused in accordance with the following exceptions to disclosure as specified in the Access to Information and Protection of Privacy Act (the Act):

**Policy advice or recommendations**

29. (1)(a) The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.

**Legal advice**

30. (1) The head of a public body may refuse to disclose to an applicant information that is:

(a) subject to solicitor and client privilege or litigation privilege of a public body; or

(b) that would disclose legal opinions provided to a public body by a law officer of the Crown.

**Disclosure harmful to intergovernmental relations or negotiations**

34. (1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to:

(a) harm the conduct by the government of the province of relations between that government and the following or their agencies:

(i) the government of Canada or a province.

Please be advised that pages 28-32 and pages 35-37 and page 49 have been withheld in their entirety under s. 30(1)(a)(b).
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.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact the undersigned by telephone at 709-729-7010 or by email at MichaelCook@gov.nl.ca.

Sincerely,

Michael Cook  
Manager of Privacy and Information Security

/Enclosures
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 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).
Karen Stone  
Deputy Minister, Health and Community Services  
P.O. Box 8700  
1st Floor, West Block  
Confederation Building  
St. John's, NL A1B 4J6  

Michael Harvey  
Assistant Deputy Minister, Health and Community Services  
Executive Branch  
P.O. Box 8700  
1st Floor, West Block  
Confederation Building  
St. John's, NL A1B 4J6  

Dear Ms. Stone:  

Re: Notification of Termination of Agreements listed below:  

- Agreement Concerning the Collection and Sharing of Information from the National Population Health Survey between Statistics Canada and the Newfoundland Department of Health signed in 1995, (the ‘NPHS Agreement’)
- Agreement Concerning the Collection and Sharing of Information from the Canadian Community Health Survey between Statistics Canada and the Newfoundland and Labrador Department of Health and Community Services signed in 2001 (the ‘CCHS Agreement’)

In 1995 and 2001 respectively, Statistics Canada and the Newfoundland and Labrador Department of Health and Community Services (herein the ‘Department’) entered into the above mentioned Agreements that set out the terms for the Department to receive data files, for the Canadian
Community Health Survey (CCHS) and the National Population Health Survey (NPHS). The Agreements specify the requirement to protect the confidentiality of the files and includes an option to terminate, as well as other terms.

Lynn Barr-Telford, Assistant Chief Statistician, met with your Assistant Deputy Minister, Michael Harvey, on June 20, 2019, to discuss recent developments related to tobacco litigation in the provinces. While no individuals have been identified through the use of the shared data files, these recent developments have increased the level of risk with regards to the ability of our data sharing partners to protect the confidential information provided to them. In order to ensure that confidential information provided to us by respondents continues to be safeguarded, Statistics Canada will no longer provide, under data sharing agreements, any information that are impacted by the tobacco litigation.

Maintaining the trust of Canadians is of the utmost importance to Statistics Canada. At the time of the survey collection, Statistics Canada asked respondents for their permission to share their information with the Department and to allow the Department to use this survey information for statistical purposes, including linkage.

At the time of the NPHS collection, Statistics Canada asked respondents for their permission to share their information with the Ministry and to allow the Ministry to use this survey information for statistical purposes. As noted under section 5 of the NPHS Agreement, 'the Department shall not, by agreement or otherwise, share with any other party information provided to it pursuant to this Agreement relating to an identifiable respondent.' As a result, any sharing of respondent information provided to the Department by Statistics Canada under the NPHS Agreement would contravene the terms and conditions of the NPHS Agreement.

Furthermore, at the time of the CCHS collection, Statistics Canada asked respondents for their permission to share their information with the Department and to allow the Department to use this survey information for statistical purposes, including linkage activities. Respondents were also informed that the Department may share their information, without any names, addresses or identifying numbers, with the health regions within its jurisdiction.

In addition, the CCHS Agreement allowed the Department to provide access to survey information without identifiers to a researcher working under contract for the Department, a recognized provincial or university research institute or other organization or to the Newfoundland Statistics Agency for the same purposes under specific conditions noted in the CCHS Agreement. Any further non-authorized sharing of respondent information
provided to the Department by Statistics Canada under the CCHS Agreement would contravene the terms and conditions of the CCHS Agreement.

Recent court decisions in relation to the tobacco litigation pose a risk that the Department may be compelled by the court to share information with other parties. Non-authorized sharing of respondent information provided to the Department by Statistics Canada under the Agreements would violate the terms and conditions of the Agreements and put at risk the important trust relationship Statistics Canada has with the Canadian public.

Therefore, I am writing to notify Newfoundland and Labrador Department of Health and Community Services (the ‘Department’) that Statistics Canada is unilaterally terminating the above mentioned Agreements effective September 13, 2019.

Return/Destruction of Information

Pursuant to subsections 1(3) and 1(3)(c) of the NPHS Agreement and the CCHS Agreement respectively, it is the policy of Statistics Canada to request the return and/or confirmation of destruction of all information provided to you under the Agreements. Information held in any form must be returned or destroyed, including that held by your Department or provided to any health regions, provincial or university research institute, or other organization including the Newfoundland Statistics Agency, or to any individual person. The Department and all other persons or organizations to which you provided the Information must retain no copy or portion of the information whatsoever.

Statistics Canada requests the return and/or secure destruction of the information and your written confirmation (see Annex A) no later than September 13, 2019.

In addition, Statistics Canada confirms that all the terms and conditions relating to confidentiality and use of the respondent information shared under the Agreements survive these terminations, and no additional respondent information will be sent to the Department. Statistics Canada reserves the right to validate that records have been destroyed by the Department.
As discussed with your team, we recognize that this action may impact your program. As expressed to Michael Harvey, Statistics Canada remains strongly committed to supporting your information needs and to exploring alternative options through which these needs can be met. Moving forward, we will reach out to your team to discuss how your ongoing information needs can be addressed in ways that are both operationally feasible and respectful of the confidentiality of Statistics Canada's survey respondents and other related data holdings. Our aim is to work collaboratively with you to find such solutions, such as access to the CCHS and NPHS share files within our secure Research Data Centre in Newfoundland as deemed employees of Statistics Canada.

Yours sincerely,

[Signature]

Anil Arora
Chief Statistician of Canada

Attachment:

Appendix A Confirmation of return or destruction of information obtained from Statistics Canada by the Newfoundland and Labrador Department of Health and Community Services
CONFIRMATION OF RETURN OR DESTRUCTION OF INFORMATION OBTAINED FROM STATISTICS CANADA BY THE NEWFOUNDLAND AND LABRADOR DEPARTMENT OF HEALTH AND COMMUNITY SERVICES IN THE “Agreement Concerning the Collection and Sharing of Information from the National Population Health Survey between Statistics Canada and the Newfoundland Department of Health” signed in 1995, (the ‘NPHS Agreement’), and the “Agreement Concerning the Collection and Sharing of Information from the Canadian Community Health Survey between Statistics Canada and the Newfoundland and Labrador Department of Health and Community Services” signed in 2001 (the ‘CCHS Agreement’) collectively referred to as the ‘Agreements’

Statistics Canada is terminating the above mentioned Agreements.

The termination shall take effect on September 13, 2019.

The Newfoundland and Labrador Department of Health and Community Services confirms, by signing this document, that all data received from Statistics Canada pursuant to the Agreements have been destroyed in a secure manner and that no copy has been retained or that all information has been returned. This includes information held by your Department or provided to any health regions, provincial or university research institute, or other organization including the Newfoundland Statistics Agency, or to any individual person. The signed document shall be returned to Statistics Canada by September 13, 2019, addressed to:

Lynn Barr-Telford  
Assistant Chief Statistician  
100 Tunney’s Pasture Driveway  
Building RHC 19 N  
Ottawa, Ontario K1A 0T6

The Newfoundland and Labrador Department of Health and Community Services also confirms that sections of the NPHS Agreement and the CCHS Agreement regarding restrictions on use, confidentiality and any other provisions which by their nature survive the termination or expiry of these Agreements, survive this termination.

Please check applicable box:

☐ All Information returned to Statistics Canada

☐ All Information securely destroyed
Karen Stone
Deputy Minister
Newfoundland and Labrador Department of Health and Community Services

Date
August 28, 2019
COR-2019-081242/01

Mr. Anil Arora
Chief Statistician of Canada
100 Tunney's Pasture Driveway
Building RHC 19 N
Ottawa, Ontario
K1A OT6

Dear Mr. Arora:

Thank you for your correspondence dated August 7, 2019, regarding the termination of the National Population Health Survey (NPHS) and the Canadian Community Health Survey (CCHS) data sharing agreements.

I understand the termination of these agreements will be effective September 13, 2019. My officials are currently reviewing the impact of this notification and are working with a view to comply with your request. In the event there are any challenges with this request, I will follow-up in the very near term.

Should you have any questions or concerns, please contact me at 709-729-3125 or KarenS@gov.nl.ca.

Sincerely,

Karen Stone
Deputy Minister

cc: Ms. Andrea McKenna, Assistant Deputy Minister
Ms. Colleen Simms, Assistant Deputy Minister
Mr. Kevin Durdle, Manager of Information Systems and Information Management
September 10, 2019

Mr. Anil Arora
Chief Statistician of Canada
100 Tunneys Pasture Driveway
Building RHC 19 N
Ottawa, ON
K1A 0T6

Dear Mr. Arora:

I am writing to follow up on my previous correspondence dated August 28, 2019 regarding the termination of the Canadian Community Health Survey (CCHS) and National Population Health Survey (NPHS) data sharing agreements.

Officials within my department have been working to assess the impact of the termination of these agreements, which cannot be thoroughly assessed until a number of outstanding issues are addressed. Foremost, the department is seeking further information on options that may be available for the province to continue to access data, which we use extensively across a number of program areas. I understand my officials discussed potential options with Statistics Canada officials but are waiting on further information.

Additionally, my department has asked for information on whether any current work cycle or collection phase is in progress. As you are aware, these agreements cannot be terminated until the completion of a work cycle or collection phase. My officials have discussed this with Statistics Canada officials and are seeking confirmation on the status of any ongoing work.

.../2
I trust that these questions can be answered expeditiously and I look forward to working with you on proposed solutions to continue access. In the meantime, should you have any questions or concerns, please feel free to contact me at 709-729-3125 or KarenS@gov.nl.ca.

Sincerely,

Karen Stone
Deputy Minister

cc: Ms. Andrea McKenna, Assistant Deputy Minister, Policy, Planning and Performance Monitoring
     Ms. Colleen Simms, Assistant Deputy Minister, Population Health
     Mr. Kevin Durdle, Director, Information Systems and Information Management
     Mr. Seamus Breen, Director, Policy, Planning and Evaluation
October 25, 2019

Mr. Anil Arora, Chief Statistician of Canada
100 Tunneys Pasture Driveway
Building RHC 19 N
Ottawa, ON
K1A 0T6

Dear Mr. Arora:

Thank you for your letter of October 9, 2019 regarding the March 12, 2020 extension of the tobacco litigation process stay of proceedings as related to the Canadian Community Health Survey (CCHS) and National Population Health Survey (NPHS) data sharing agreements.

The Department of Health and Community Services thanks you for your leadership in coordinating the work ahead and we reiterate our commitment to the collaborative efforts to find solutions that safeguard existing data and research assets, while protecting the confidentiality promised to survey respondents.

In response to Lynn Barr-Telford’s October 7, 2019 email, Kevin Durdle, Director of Information Management will be the departmental delegate for the CCHS Steering Committee. Depending on the agenda for any particular meeting, it may also be of value to include stakeholders from the Newfoundland and Labrador Statistics Agency and the Newfoundland and Labrador Centre for Health Information, our primary consumers of the data set(s). Mr. Durdle will enlist participation from those organizations as appropriate.

I look forward to working with you on proposed solutions to continue access to the CCHS data set. In the meantime, should you have any questions or concerns, please feel free to contact me at 709-729-3125 or KarenSt@gov.nl.ca.

Sincerely,

Karen Stone
Deputy Minister

cc: Ms. Andrea McKenna, ADM, Policy, Planning and Performance Monitoring
    Ms. Colleen Simms, ADM, Population Health
    Mr. Kevin Durdle, Director, Information Systems and Information Management
    Mr. Seamus Breen, Director, Policy, Planning and Evaluation
Karen Stone  
Deputy Minister, Health and Community Services  
P.O. Box 8700  
1st Floor, West Block  
Confederation Building  
St. John's, NL A1B 4J6

Kevin Durdle  
Director, Information Management  
Department of Health and Community Services  
P.O. Box 8700  
1st Floor, West Block  
Confederation Building  
St. John's, NL A1B 4J6

Dear Ms. Stone:

It has come to the attention of Statistics Canada that the provinces have received a letter from legal counsel for certain tobacco defendants advising that returning the Canadian Community Health Survey (CCHS) and National Population Health Survey (NPHS) data to Statistics Canada or destroying the data would contravene the Companies' Creditors Arrangement Act stay of proceedings order that suspended the tobacco cost recovery legal proceedings across the country while certain tobacco companies negotiate a settlement with their creditors.

I understand that this new development puts you in a difficult situation, as you are required to respect the stay of proceedings and at the same time, continue to have an obligation to protect the confidentiality of the data shared with you pursuant to the data sharing agreement entered into under section 12 of the Statistics Act (the “Agreement”). By entering into the Agreement, you have agreed to adhere to its terms and conditions.
In this context, Statistics Canada is in the process of assessing the legal options to ensure adherence to the Agreement and the Statistics Act, and to bring clarity to this situation, including all possible litigation options.

As a result, I have decided to put a hold on my written request for the return or destruction of the CCHS and NPHS data shared with your department under the Agreement. At the same time, Statistics Canada reserves all of its rights under the Agreement and the Statistics Act, including its rights relating to all requirements regarding the return and destruction of this data.

We are reminding you of your obligation to keep the CCHS and NPHS data confidential as required by virtue of the Statistics Act and the Agreement. As such, Statistics Canada asks that you protect all data in accordance with your obligations under the Agreement and the Statistics Act, without disclosure of any kind, during the period of the stay of proceedings.

We also ask that you immediately bring to our attention any matters that arise that could have an impact on your ability to protect the data, including any requests or demands to produce the data. Statistics Canada reserves its rights to respond to any such matters, however is required, to protect the data at issue.

We appreciate your willingness and openness as we continue to work together on this matter.

Yours sincerely,

[Signature]

Anil Arora
Chief Statistician of Canada
From: Harvey, Michael
To: Reid, Robert (FIN); Gogan, Aisling; Evans, Brian; Nesbitt, Megan; Simms, Colleen; "mwtizzard@nlhc.nl.ca"; O'Toole, Maggie; Martin, Craig; "Dan MacDonald"
Cc: Stone, Karen; Bannister, Michael (KCS); Green, Seamus
Subject: Statistics Canada Datasets
Date: Friday, June 28, 2019 3:12:20 PM

Colleagues,

I am writing to give you advance notice following a surprising telephone call I received from Statistics Canada officials (Regional Director and Assistant Chief Statistician) last week. I was advised on that phone call that formal correspondence would be following shortly thereon, but I have not received it to date and so thought I would provide you with this preliminary report in the time being.

StatsCan was calling to indicate that it would be terminating the current data sharing agreements that the Department has with it related to the Canada Community Health Survey (CCHS) and the National Population Health Survey (NPHS).

StatsCan therefore determined that it would need to terminate the agreements and create new a new data sharing agreement that gives it sole custodianship of these data. Currently, each province and territory has a separate data sharing agreement and is itself a custodian.

StatsCan indicated would be asking that existing CCHS data be returned or else received DM confirmation that it was being destroyed. My understanding from the call was that this decision applied to all PTs and that StatsCan officials were calling them one by one.

When we receive more detailed information from the federal government and can properly analyse it, it may be appropriate for us (and other interested parties whom you may think of) to convene and discuss how to respond, both operationally and to the federal government. I will let you know when we have something detailed and formal.

All the best,
Michael

Michael Harvey
Assistant Deputy Minister
Policy, Planning and Performance Monitoring
Department of Health and Community Services
Government of Newfoundland and Labrador
Tel: 709 729 3103
Cel: 709 693 8570
Hello Mr. Harvey,

Thank you for taking the time to meet with us about the data sharing agreements between Statistics Canada and your organization. As per our discussion, recent events have led Statistics Canada to re-evaluate the risk associated with data disclosure for the Canadian Community Health Survey and National Population Health Survey through such agreements.

The Chief Statistician has sent a letter today to your organization about the modifications to the agreements we have with you regarding these surveys and requesting follow-up to be completed by September 13, 2019. An electronic copy of this letter is attached to this email for your information.

In the meantime, we continue to assess possible solutions to meet your information needs. We will be in touch with you and your colleagues very soon to explore these solutions and identify a strategy to meet your needs.

Please do not hesitate to contact me if you wish to discuss this matter further.

Ron Gravel
Directeur intérimaire — Centre de données sur la santé de la population, Secteur de la statistique sociale, de la santé et du travail
Statistique Canada / Gouvernement du Canada
ron.gravel@canada.ca / Tél. : 613-951-9039 / cell. : 613-298-9415

Acting Director – Centre for Population Health Data, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
ron.gravel@canada.ca / Tel: 613-951-9039 / Cell: 613-298-9415
Good day everyone,

Please find attached recent correspondence from Statistics Canada regarding the termination of data sharing agreements with respect to the National Population Health Survey (NPHS) and the Canadian Community Health Survey (CCHS). Previously, you would have also received an email from Michael Harvey on Friday, June 28, 2019, with respect to this evolving situation. 

such, can you please review the attached correspondence and Michael’s previous email, and provide your responses to the following questions:

1. Do you have any general comments regarding this announcement and its associated implications?

2. Please describe any impacts this announcement will have on individual/departmental work and any other concerns on the termination of the data sharing agreements that you feel are pertinent.

Given the importance of this information and its implications, can you please provide your responses by end of day Tuesday, Sept. 3rd. Thank you for your cooperation. Should you have any questions, please let myself, Vanessa Reddick, or Seamus Breen know.

Regards,

Rick

Rick Pittman
Policy, Planning and Research Analyst
Department of Health and Community Services
729-2262
FYI, just one sample of what will come back from other depts/entities on the impacts of this termination. As mentioned, we will collate this for DHCS executive.

Thanks,
seamus

---

From: Reid, Robert (FIN) <robertr@gov.nl.ca>
Sent: Tuesday, September 3, 2019 11:50 AM
To: Pittman, Rick <RickPittman@gov.nl.ca>
Cc: Breen, Seamus <SeamusBreen@gov.nl.ca>; Reddick, Vanessa <vanessareddick@gov.nl.ca>; Tucker, Greg (FIN) <gtucker@gov.nl.ca>
Subject: RE: Notification of Termination of Agreements - NPHS Agreement and the CCHS Agreement

Hi Rick,

Here are answers to the questions from the Newfoundland and Labrador Statistics Agency (NLSA).

1. Do you have any general comments regarding this announcement and its associated implications?  

2. Please describe any impacts this announcement will have on individual/departmental work and any other concerns on the termination of the data sharing agreements that you feel are pertinent.

s. 29(1)(a), s. 34(1)(a)(i)
Please let me know if you need clarification on any of these answers. Also, I would like to be included in discussions with Statistics Canada regarding options to address these impacts.

Robert Reid
Director
Newfoundland and Labrador Statistics Agency

From: Pittman, Rick
Sent: Tuesday, August 27, 2019 1:57 PM
To: Reid, Robert (FIN); Gogan, Aisling; Evans, Brian; Nesbitt, Megan; Simms, Colleen; 'mwtizzard@nlhc.nl.ca'; O'Toole, Maggie; Martin, Craig; 'don.macdonald@nlchi.nl.ca'; Stone, Karen; Bannister, Michael (HCS)
Cc: Breen, Seamus; Reddick, Vanessa
Subject: Notification of Termination of Agreements - NPHS Agreement and the CCHS Agreement

Good day everyone,

Please find attached recent correspondence from Statistics Canada regarding the termination of data sharing agreements with respect to the National Population Health Survey (NPHS) and the Canadian Community Health Survey (CCHS). Previously, you would have also received an email from Michael Harvey on Friday, June 28, 2019, with respect to this evolving situation. As such, can you please review the attached correspondence and Michael’s previous email, and provide your responses to the following questions:

1. Do you have any general comments regarding this announcement and its associated
implications?

2. Please describe any impacts this announcement will have on individual/departmental work and any other concerns on the termination of the data sharing agreements that you feel are pertinent. s. 29(1)(a) s. 34(1)(a)(i)

Given the importance of this information and its implications, can you please provide your responses by end of day Tuesday, Sept. 3rd. Thank you for your cooperation. Should you have any questions, please let myself, Vanessa Reddick, or Seamus Breen know.

Regards,

Rick

Rick Pittman
Policy, Planning and Research Analyst
Department of Health and Community Services
729-2262
Good morning everyone,

For those who have not yet responded, can you please do so as soon as possible because we are in the process of compiling your responses for Executive and would very much appreciate your input on this important matter. Likewise, if you do not have any input, please reply accordingly.

Thank you to those who have responded thus far.

Regards,

Rick Pittman

---

From: Pittman, Rick
Sent: Tuesday, August 27, 2019 1:57 PM
To: Reid, Robert (FIN) <robertr@gov.nl.ca>; Gogan, Aisling <aislinggogan@gov.nl.ca>; Evans, Brian <brianevans@gov.nl.ca>; Nesbitt, Megan <MeganNesbitt@gov.nl.ca>; Simms, Colleen <ColleenSimms@gov.nl.ca>; ‘don.macdonald@nlchi.nl.ca’ <mwtizzard@nlhc.nl.ca>; O’Toole, Maggie <MaggieOToole@gov.nl.ca>; Martin, Craig <CMartin@gov.nl.ca>; Stone, Karen <KarenS@gov.nl.ca>; Bannister, Michael (HCS) <michaelbannister@gov.nl.ca>
Cc: Breen, Seamus <SeamusBreen@gov.nl.ca>; Reddick, Vanessa <vanessareddick@gov.nl.ca>
Subject: Notification of Termination of Agreements - NPHS Agreement and the CCHS Agreement

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Given the importance of this information and its implications, can you please provide your responses by end of day Tuesday, Sept. 3rd. Thank you for your cooperation. Should you have any questions, please let myself, Vanessa Reddick, or Seamus Breen know.

Regards,

Rick

Rick Pittman
Policy, Planning and Research Analyst
Department of Health and Community Services
729-2262
Thanks Colleen for your feedback.

I will let you know if Seamus has any follow-up questions.

Rick

Good morning Rick,

s. 29(1)(a), s. 34(1)(a)(i)

Thanks, Colleen
Good morning everyone,

For those who have not yet responded, can you please do so as soon as possible because we are in the process of compiling your responses for Executive and would very much appreciate your input on this important matter. Likewise, if you do not have any input, please reply accordingly.

Thank you to those who have responded thus far.

Regards,

Rick Pittman

From: Pittman, Rick
Sent: Tuesday, August 27, 2019 1:57 PM
To: Reid, Robert (FIN) <robertr@gov.nl.ca>; Gogan, Aisling <aislinggogan@gov.nl.ca>; Evans, Brian <brianevans@gov.nl.ca>; Nesbitt, Megan <MeganNesbitt@gov.nl.ca>; Simms, Colleen <ColleenSimms@gov.nl.ca>; 'mwtizzard@nlhc.nl.ca' <mwtizzard@nlhc.nl.ca>; O'Toole, Maggie <MaggieOToole@gov.nl.ca>; Martin, Craig <CMartin@gov.nl.ca>; 'don.macdonald@nlchi.nl.ca' <don.macdonald@nlchi.nl.ca>; Stone, Karen <KarenS@gov.nl.ca>; Bannister, Michael (HCS) <michaelbannister@gov.nl.ca>
Cc: Breen, Seamus <SeamusBreen@gov.nl.ca>; Reddick, Vanessa <vanessareddick@gov.nl.ca>
Subject: Notification of Termination of Agreements - NPHS Agreement and the CCHS Agreement

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Regards,

Rick

Rick Pittman
Policy, Planning and Research Analyst
Department of Health and Community Services
729-2262
Hello Mr. Harvey,

Following our discussion on June 20th, we are looking to work with you to determine appropriate solutions for accessing the CCHS data files effected by the changes to the data sharing agreement. We would like to suggest a 30 minute teleconference call. The following times are proposed:

Friday September 6th between 11:30am and 2:30 pm (your local time)
Friday September 13th between 3:00pm and 5:00pm (Your local time)
Friday September 13th at 1:00 to 1:30 (your local time)

Please let us know which one is the most convenient for you.

Looking forward to working with you.

Ron Gravel
Directeur intérimaire — Centre de données sur la santé de la population, Secteur de la statistique sociale, de la santé et du travail
Société de Statistique Canada / Gouvernement du Canada
ron.gravel@canada.ca / Tél. : 613-951-9039 / cell. : 613-298-9415

Acting Director – Centre for Population Health Data, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
ron.gravel@canada.ca / Tel: 613-951-9039 / Cell: 613-298-9415

Hi Michael,

As a follow up to the conversation you had with Ron Gravel and Lynn Barr-Telford on June 20th, we will be working with you to determine appropriate solutions for accessing the NPHS and CCHS data files affected by changes to the data sharing agreements.

We would like to suggest an informal 30 minute teleconference between August 21st and August 28th. Please provide me a few options of times that you are available and I will coordinate with our schedules here and confirm with you as soon as possible.

In preparation for our discussion, I have provided some questions below that will help us determine which solution we will be considering for your organization. All of this to be discussed at our call.

Please let me know if this should be directed to someone other than yourself and/or if you have any questions.
Please indicate the type of data usage and analysis activities performed when using the CCHS and/or NPHS files we provide you:

- Cross Tab / Frequencies /
- Estimates
- Data integration / Record linkage
  (to administrative data files)
- Complex modeling
- Other

Are all your researchers or data file users located in one physical location?

- Yes
- No, if no, please indicate in how many locations principal users of the data files are located

How frequently do you access the data?

- Daily
- Weekly
- Monthly
- Other

You will be destroying data files
You will be returning data files through the vault (electronic file transfer)
Need interim storage of integrated files until access methods are set up

Looking forward to working with you.

Thank you,

Amanda Wright

Unit Head (CCHS), Centre for Population Health Data (CPHD)
Statistics Canada / Government of Canada
Amanda.Wright@canada.ca / Tel: 613-854-6951

Chef de sous-section (ESCC), Centre de données sur la santé de la population
Statistique Canada / Gouvernement du Canada
Amanda.Wright@canada.ca / Tél: 613-854-6951

Amanda Wright

Unit Head (CCHS), Centre for Population Health Data (CPHD)
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Chef de sous-section (ESCC), Centre de données sur la santé de la population
Statistique Canada / Gouvernement du Canada
Amanda.Wright@canada.ca / Tel: 613-854-6951
Karen, Stats Can has extended the deadline until October 1.

Thanks,
Andrea

Andrea McKenna
Assistant Deputy Minister
Department of Health and Community Services

Begin forwarded message:

From: "Breen, Seamus" <SeamusBreen@gov.nl.ca>
Date: September 12, 2019 at 7:28:15 PM NDT
To: "McKenna, Andrea" <AndreaMcKenna@gov.nl.ca>
Subject: Fwd: Notification of Extension

FYI

Sent from my iPhone

Begin forwarded message:

From: "Barr-Telford, Lynn (STATCAN)" <lynn.barr-telford@canada.ca>
Date: September 12, 2019 at 7:26:10 PM NDT
To: "RickPittman@gov.nl.ca", "seamusbreen@gov.nl.ca" <seamusbreen@gov.nl.ca>
Subject: Notification of Extension

Hello/Bonjour,

I would like to take this opportunity to thank you for taking the time to engage with us about the data sharing agreement between Statistics Canada and your organization. We are committed to working with you to find solutions that will meet your health data needs with regards to the Canadian Community Health Survey and the National Population Health Survey.

Further to the letter from the Chief Statistician of Canada dated August 7, 2019, you will be receiving another letter to extend the date from September 13, 2019 to October 1, 2019.
In the meantime, we will continue to work with your organization to identify a strategy that will meet your information needs.

Please do not hesitate to contact me if you wish to discuss this matter further.

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J’aimerais profiter de l’occasion pour vous remercier d’avoir pris le temps de collaborer avec nous au sujet de l’entente de partage des données entre Statistique Canada et votre organisme. Nous nous engageons à travailler avec vous pour trouver des solutions qui répondront à vos besoins en données sur la santé dans le cadre de l’Enquête sur la santé dans les collectivités canadiennes et de l’Enquête nationale sur la santé de la population.


Entre-temps, nous continuerons de travailler avec votre organisation pour définir une stratégie qui répondra à vos besoins d’information.

N’hésitez pas à me contacter si vous souhaitez en discuter davantage.

Lynn Barr-Telford

Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
lynn.barr-telford@canada.ca / Tel: 613-951-1518

Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
Statistique Canada / Gouvernement du Canada
lynn.barr-telford@canada.ca / Tél.: 613-951-1518
From: Durdle, Kevin
To: Breen, Seamus; McKenna, Andrea
Subject: RE: Process for deleting NPHS and CCHS data...
Date: Wednesday, September 25, 2019 2:09:33 PM

No I don’t know about MUN...do you know if we ever handed copies of the data over to MUN in the past?

I may have an IT contact over there who used to be in the Health System. Before I reach out to that person, do you have a contact over there who we might be able to query?

KevD

From: Breen, Seamus <SeamusBreen@gov.nl.ca>
Sent: Wednesday, September 25, 2019 1:47 PM
To: Durdle, Kevin <KevinDurdle@gov.nl.ca>; McKenna, Andrea <AndreaMcKenna@gov.nl.ca>
Subject: RE: Process for deleting NPHS and CCHS data...

Kevin, do we know for sure MUN does not have access to CCHS or NPHS?

Thanks, seamus

From: Durdle, Kevin <KevinDurdle@gov.nl.ca>
Sent: Wednesday, September 25, 2019 11:42 AM
To: McKenna, Andrea <AndreaMcKenna@gov.nl.ca>; Breen, Seamus <SeamusBreen@gov.nl.ca>
Subject: Process for deleting NPHS and CCHS data...

Andrea/Seamus,

Below is a concise process (as I see it) for deleting NPHS and CCHS data if/when we decide to proceed with same: s. 29(1)(a), s. 34(1)(a)(i)
KEVIN DURDLE | Director, Information Management (A)
Information Management Division
Department of Health and Community Services
Government of Newfoundland & Labrador
P.O. Box 8700
1st Floor, West Block
Confederation Building
100 Prince Philip Drive
St. John’s, NL A1B 4J6
709 729-3421 (t) | 709 729-0640 (f) | kevindurdle@gov.nl.ca
FYI

Andrea McKenna
Assistant Deputy Minister
Department of Health and Community Services

Begin forwarded message:

From: "Breen, Seamus" <SeamusBreen@gov.nl.ca>
Date: September 28, 2019 at 1:12:44 PM NDT
To: "McKenna, Andrea" <AndreaMcKenna@gov.nl.ca>
Subject: Fwd: Notification of Extension

FYI

Sent from my iPhone

Begin forwarded message:

From: "Barr-Telford, Lynn (STATCAN)" <lynn.barr-
telford@canada.ca>
Date: September 27, 2019 at 8:20:43 PM NDT
To: "RickPittman@gov.nl.ca" <RickPittman@gov.nl.ca>,
"seamusbreen@gov.nl.ca" <seamusbreen@gov.nl.ca>
Cc: "Kropp, Rhonda (STATCAN)" <rhonda.kropp@canada.ca>
Subject: RE: Notification of Extension

Hello,

Earlier this month, you received a message from me noting an extension for the return of CCHS/NPHS data to Statistics Canada to October 1, 2019.

Given the progress that has been made towards finding solutions to bring the data under the control of Statistics Canada, the complexity of this undertaking, and in the spirit of us all managing the risks, the Chief Statistician will not be enforcing the October 1 deadline. As you know, the stay of proceedings is scheduled to be lifted on October 4, 2019. In the spirit of collaboration, if the stay is extended, we will inform you immediately about a further extension.
Bonjour,

Plus tôt ce mois-ci, je vous ai fait parvenir un message indiquant que le retour des données de l’ESCC/ENSP était reporté au 1er octobre 2019.

Compte tenu des progrès accomplis à ce jour dans le but de trouver des solutions pour placer les données sous le contrôle de Statistique Canada, de la complexité de cette démarche, et dans un esprit de partage des risques par nous tous, le statisticien en chef ne mettra pas à exécution la date butoir du 1er octobre. Comme vous le savez, la date de suspension de l’instance devrait être levée le 4 octobre 2019. Dans un esprit de collaboration, si cette date est reportée à plus tard, nous vous informerons immédiatement du nouveau report de date.

Lynn Barr-Telford
Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
613-951-1518

From: Barr-Telford, Lynn (STATCAN)
Sent: September-12-19 5:56 PM
To: 'RickPittman@gov.nl.ca' <RickPittman@gov.nl.ca>; 'seamusbreen@gov.nl.ca' <seamusbreen@gov.nl.ca>
Subject: Notification of Extension

Hello/Bonjour,

I would like to take this opportunity to thank you for taking the time to engage with us about the data sharing agreement between Statistics Canada and your organization. We are committed to working with you to find solutions that will meet your health data needs with regards to the Canadian Community Health Survey and the National Population Health Survey.

Further to the letter from the Chief Statistician of Canada dated August 7, 2019, you will be receiving another letter to extend the date from September 13, 2019 to October 1, 2019.
In the meantime, we will continue to work with your organization to identify a strategy that will meet your information needs.

Please do not hesitate to contact me if you wish to discuss this matter further.

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J'aimerais profiter de l'occasion pour vous remercier d'avoir pris le temps de collaborer avec nous au sujet de l'entente de partage des données entre Statistique Canada et votre organisme. Nous nous engageons à travailler avec vous pour trouver des solutions qui répondront à vos besoins en données sur la santé dans le cadre de l'Enquête sur la santé dans les collectivités canadiennes et de l'Enquête nationale sur la santé de la population.


Entre-temps, nous continuerons de travailler avec votre organisation pour définir une stratégie qui répondra à vos besoins d'information.

N'hésitez pas à me contacter si vous souhaitez en discuter davantage.

Lynn Barr-Telford

Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
lynn.barr-telford@canada.ca / Tel: 613-951-1518

Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
Statistique Canada / Gouvernement du Canada
lynn.barr-telford@canada.ca / Tél.: 613-951-1518
See below Andrea...

K

Sent from my iPhone

Begin forwarded message:

From: "Barr-Telford, Lynn (STATCAN)" <lynn.barr-telford@canada.ca>
Date: October 4, 2019 at 4:51:01 PM NDT
To: Jennifer Potvin - Yukon <Jennifer.Potvin@gov.yk.ca>, "Kevin Durdle - Newfoundland" <KevinDurdle@gov.nl.ca>, Lisa Cardinal - Northwest Territories <Lisa.Cardinal@gov.nt.ca>, Lisa Dietrich - Saskatchewan <Lisa.Dietrich@health.gov.sk.ca>, Manon Boily - Québec MSSS <manon.boily@msss.gouv.qc.ca>, Michael Hillmer - Ontario <michael.hillmer@ontario.ca>, "Nathan Hoeppner - Manitoba" <Nathan.Hoeppner@gov.mb.ca>, Patricia Caris - Québec - ISQ <patricia.caris@stat.gouv.qc.ca>, Shamira Baidoobonso - PEI <sbaidoobonso@ihis.org>, Sylvie Poirier - Québec MSSS <sylvie.poirier@msss.gouv.qc.ca>, "Tom Sidebottom - Nunavut" <TSidebottom@GOV.NU.CA>
Cc: Charles Burchill - Manitoba <Charles_Burchill@cpe.umanitoba.ca>, "Charles Victor - Ontario" <charles.victor@ices.on.ca>, Jason Berry - Manitoba <Jason.Berry@gov.mb.ca>, Michael Schull - Ontario <michael.schull@ices.on.ca>, Michelle Doucette - Nunavut <MDoucette1ssaluk@GOV.NU.CA>, "Nam Bains - Ontario" <Nam.Bains@ontario.ca>, Patricia Caris <patricia.caris@stat.gouv.qc.ca>, Peter Donnelly - Ontario <Peter.Donnelly@oahpp.ca>, Rick Pittman - Newfoundland <RickPittman@gov.nl.ca>, "Seamus Breen - Newfoundland" <seamusbreen@gov.nl.ca>, Vishni Peeris - Northwest Territories <Vishni_Peeris@gov.nt.ca>, "alan_katz@cpe.umanitoba.ca" <alan_katz@cpe.umanitoba.ca>, "Kropp, Rhonda (STATCAN)" <rhonda.kropp@canada.ca>, "Gravel, Ron (STATCAN)" <ron.gravel@canada.ca>
Subject: CCHS Data Holdings Partners - Partenaires de l’ensemble des données de l’ESCC

Hello colleagues,

Further to my email on September 27, 2019, I would like to inform you that the stay of proceedings for the tobacco litigation process has been extended to March 12, 2020.
Letters notifying of this extension will be sent to data sharing partners from the Chief Statistician shortly.

This new milestone provides us more time to discuss and implement solutions, but should not slow our collective efforts already underway. We are making progress, and look forward to continuing our collaboration to find solutions in safeguarding existing assets, and appropriate access to files. Such access is necessary to support the great work being done with these files to enhance the health and public health of Canadians.

To support our ongoing progress, a Steering Committee will oversee this work and provide a venue to exchange ideas and information. We will also be connecting with you on weekly progress reports to allow us all to monitor and track our progress.

I would also like to let you know that Statistics Canada has been contacted by the media regarding the CCHS file, so you are not caught off guard if you are contacted or see an article published. If you have any questions in this regard, please feel free to contact me.

Thank you for your continued partnership, Lynn

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Bonjour chers collègues,

À la suite de mon courriel du 27 septembre 2019, je voudrais vous informer que la suspension des procédures liées au litige relatif au tabac a été prolongée jusqu’au 12 mars 2020.

Des lettres indiquant cette extension seront prochainement envoyées aux partenaires de partage de données par le statisticien en chef.

Cette nouvelle étape nous donne plus de temps pour discuter et mettre en œuvre des solutions, mais ne devrait pas ralentir nos efforts collectifs déjà en cours. Nous progressons et sommes impatient de poursuivre notre collaboration afin de trouver des solutions visant la protection des actifs existants et un accès approprié aux fichiers. Cet accès est nécessaire pour appuyer le travail remarquable accompli dans ces dossiers afin d’améliorer les stratégies en santé publique et la santé des Canadiens.
Afin de soutenir nos efforts, un comité directeur chargé de superviser ce travail et de fournir un lieu d'échange d'idées et d'informations sera bientôt mis en place. Nous communiquerons également avec vous au sujet de rapports de progrès hebdomadaires pour nous permettre à tous de faire un suivi approprié.

J'aimerais également vous informer que les médias ont communiqué avec Statistique Canada à propos du dossier de l'ESCC. Vous ne serez donc pas pris au dépourvu si vous êtes contacté ou si vous voyez un article publié à ce sujet. Si vous avez des questions à cet égard, n'hésitez pas à me contacter.

Merci pour votre partenariat continu, Lynn

Lynn Barr-Telford

Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
lynn.barr-telford@canada.ca / Tel: 613-951-1518

Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
Statistique Canada / Gouvernement du Canada
lynn.barr-telford@canada.ca / Tél.: 613-951-1518
FYI below...

K

From: Barr-Telford, Lynn (STATCAN) <lynn.barr-telford@canada.ca>
Sent: Thursday, October 10, 2019 5:39 PM
Subject: RE: CCHS Data Holdings Partners - Partenaires de l’ensemble des données de l’ESCC

Colleagues,

A Globe and Mail article regarding the CCHS data holdings was released Tuesday. A link to the article is below. Thank you, Lynn


*******************************************************************************
Collègues,

Le Globe and Mail a publié mardi un article sur les données de l’ESCC. Voici un hyperlien pour accéder à cet article. Merci - Lynn.


Lynn Barr-Telford

Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
613-951-1518
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Afin de soutenir nos efforts, un comité directeur chargé de superviser ce travail et de fournir un lieu d’échange d’idées et d’informations sera bientôt mis en place. Nous communiquerons également avec vous au sujet de rapports de progrès hebdomadaires pour nous permettre à tous de faire un suivi approprié.

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Merci pour votre partenariat continu, Lynn

Lynn Barr-Telford
Assistant Chief Statistician, Social, Health and Labour Statistics Field
Statistics Canada / Government of Canada
lynn.barr-telford@canada.ca / Tel: 613-951-1518

Statisticienne en chef adjointe, Secteur de la statistique sociale, de la santé et du travail
Statistique Canada / Gouvernement du Canada
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