

July 24, 2018



Dear [REDACTED]

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [File #: EC/25/2018]**

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On July 3, 2018, Executive Council – Communications and Public Engagement, received your request for access to the following records/information:

*“Please provide any communications (including but not limited to emails, letters, phone calls, records, minutes of meetings, and meeting invitations) between officials Jillian Hood, Scott Barfoot, [REDACTED] and Ms. Carla Foote. The timeline for this request is August 1 2016 to October 31 2016. The topic of this correspondence may be related to government social media including but not limited to the Department of Advanced Education, Skills and Labour’s Office of Immigration and Multiculturalism Facebook page.”*

On July 5, 2018, you indicated you were seeking “information related to a communications meeting, prompted by Minister Byrne, to discuss how government could emulate the success we were having with AESL’s Office of Immigration and Multiculturalism Facebook page (number of followers, etc...).” You indicated the meeting was most likely in September in the Communications Boardroom. The Communications and Public Engagement Branch has no record of a meeting related to this topic occurring for the time frame of August 1, 2016 to October 31, 2016.

You also indicated you were seeking emails from Carla Foote to [REDACTED] Scott Barfoot and Jillian Hood related to social media. A comprehensive search has been completed using the following search criteria:

• Twitter and Multi	• Twitter
• Facebook	• Multiculturalism
• Immigration and Multiculturalism	• Office of Immigration and Multiculturalism
• Facebook and AESL	• Twitter and AESL
• Facebook and Multiculturalism	• Twitter and Multiculturalism

Please be advised that Executive Council has no records responsive to your request.

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*. A copy of sections 42 and 52 of the *Act* has been enclosed for your reference.

This response will be published as outlined on the Completed Access to Information Requests website. (<http://atipp-search.gov.nl.ca/>). If you have any further questions, please feel free to contact me by telephone at (709)729-5691 or by e-mail at [rachellecutler@gov.nl.ca](mailto:rachellecutler@gov.nl.ca).

Sincerely,



Rachelle Cutler  
ATIPP Coordinator

## **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).