October 9, 2018

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act - CSSD/28/2018

On September 12, 2018, the Department of Children, Seniors and Social Development received your request for access to the following records:

I am requesting a breakdown of caseload numbers, per CSSD office in Labrador (by location), by month, since December 2015.

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. Please see attached Appendix A - Number of cases by office (December 2015-June 2018) Quarterly Caseload Data. In consultation with the Quality Management team, please note the following information:

- CSSD cannot provide a breakdown of caseload numbers by month as it aggregates departmental wide case count data at the end of every quarter to inform staffing and budgetary decisions.
- The number of cases in the attached is “as of” the end of each quarter (e.g., As of June 30, 2018) and is not reflective of the overall number of cases which may have been active during the quarter. Case count data as of September 30, 2018 is not yet available. Please note cases in communities where CSSD does not have an office are counted on the caseloads of staff in offices in the region.
- Staff in Natuashish and Sheshatshiu have changed the way files are assigned when children are placed outside of their originating community. When children/youth are unable to reside safely in the family home, and placements are not available in their community, they may be placed outside their community. In these instances, CSSD currently transfers responsibility for the In Care file to the office responsible for the child’s placement. However, staff in Sheshatshiu and Natuashish previously maintained responsibility for the files for children/youth placed outside their community.

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 feel free to contact me by telephone at (709) 729-6370 or by e-mail at michellemurray@gov.nl.ca.

Sincerely,

Michelle Murray B.A., B.S.W., M.S.W.
Program & Policy Development Specialist/ATIPP Coordinator
Department of Children, Seniors and Social Development
P.O. Box 8700  St. John’s, NL A1B 4J6
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.
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).

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*Since December 2016 (Forteau) and March 2017 (Cartwright) cases have been counted as part of the Labrador City/ Wabush Team.

**The Makkovik office had staff vacancies from December 2016 to March 2017 and cases would have been covered by staff in the Nain and Hopedale Offices.