

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

April 1, 2019

S.40(1)



S.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/24/2019

On March 6, 2019, the Department of Children, Seniors and Social Development received your request for access to the following records/information:

“Please provide a list of all consultants employed by the government of Newfoundland and Labrador (by department), including their name, company name (if applicable) and the amounts they have been paid for the fiscal years 2016-17, 2017-18, 2018-19 to date. Please include how these contracts were awarded, such as through an RFP/Competitive Process; Standing Offer; or non-Competitive/Sole Source. Consultants would be:

- individuals and/or companies hired outside of regular government payroll;*
- individuals and/or companies who have been awarded contracts through the RFP process and outside of the RFP process; or*
- individuals and/or companies who would provide a specific service.”*

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Children, Seniors and Social Development to provide access to the requested records. In response to your request, the following information has been provided:

- The responsive records for your request are already available to the public and can be located under ATIPP Request CSSD/02/2019 on the ATIPP Office website at <https://atipp-search.gov.nl.ca>.
- The vendor referenced in ATIPP request CSSD/02/2019 was awarded the contracts through non-competitive/sole source procurement.

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) 729-5084 or by e-mail at andrealawlor@gov.nl.ca.

Sincerely,



Andrea Lawlor, B.A., B.S.W. (Hons), R.S.W.
 ATIPP Backup 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.

2015 cA-1.2 s42

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).

2015 cA-1.2 s52