



ARCS: 292- 30
File: HTH-2013-00181

April 15, 2014

Sent via email:

Dear :

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Health. You narrowed your request on December 6, 2013 through conversation and email with Scott Carroll. Your request is for:

Correspondence sent or received by Margaret MacDiarmid, Graham Whitmarsh, Dale Samsonoff, Sara Brownlee, Lindsay Kislock, Bruce Carleton, Wendy Taylor, Roger McGuire, Manjit Sidhu or Barbara Walman regarding an investigation into the possible privacy breaches that occurred in October 2010 or June 2012. Exclude any records that are subject to Section 3 of the Act or those that are publicly available. Date range is February 1, 2012 to June 26, 2013.

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to sections 13 (Policy advice or recommendations), 14 (Legal advice), 15 (Disclosure harmful to law enforcement), 17 (Disclosure harmful to the financial or economic interests of a public body), and 22 (Disclosure harmful to personal privacy) of FOIPPA. A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00

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Please note that some information has been removed under section s3.1.j of FOIPPA. The Ministry has advised that all e-mails sent from tno@gov.bc.ca are purged from the server after 30 days and therefore the records you seek would only be available by data retrieval from a government back-up server at a significant cost. The public body's obligation to create a record from machine readable records does not extend to electronic mail that has been deleted and exists only in back-up format (OIPC Order 73-1995). Further, only a small portion of TNO records fall under FOIPPA, including transcripts of media scrums and speeches prepared by government employees. The majority of TNO records consist of a variety of media formats which are available for purchase by the public through various media outlets, and therefore are not within the scope of the Act, see Section 3(1)(j).

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after electronic release or a minimum of five business days after release by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Scott Carroll, the analyst assigned to your request, at 250-387-4383. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-4383.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in cursive script that reads "Maxine Vanzetta".

Maxine Vanzetta, Manager
Health / Education Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.