



ARCS: 292-30
File: CFD-2018-81389

April 11, 2018

Sent via email:

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 Children and Family Development. Your request is for:

Records indicating: The number of court appearances by Ivy-Jean Staats in the year 2017, divided into a number before the 18th of August 2017, and a number after said date; Job title of Ivy-Jean Staats; Average number of court appearances per year for holders of said job title, for each provincial courthouse; Job description of Diane Livingstone; Number of complaints Ms. Livingstone has investigated in the last year, and five year period; Number of times that disciplinary action has been taken as a result of Ms. Livingstone's investigations in the last year, and five year period; Number of complaints registered against MCFD or its social workers in the last year, and five year period; Number of aforementioned complaints that resulted in disciplinary action. (Date Range for Record Search: From 01/01/2012 To 02/25/2018)

Please find enclosed a copy of records located in response to a portion of your request. These records are provided to you in their entirety.

In regards to your request for: *The number of court appearances by Ivy-Jean Staats in the year 2017, divided into a number before the 18th of August 2017, and a number after said date; Average number of court appearances per year for holders of said job title, for each provincial courthouse; Number of complaints Ms. Livingstone has investigated in the last year, and five year period; Number of times that disciplinary action has been taken as a result of Ms. Livingstone's investigations in the last year, and five year period; Number of complaints*

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registered against MCFD or its social workers in the last year, and five year period; Number of aforementioned complaints that resulted in disciplinary action. (Date Range for Record Search: From 01/01/2012 To 02/25/2018)

The records you requested cannot be created from a machine readable record using normal computer hardware and software and technical expertise. The creation of these records would unreasonably interfere with the operations of the public body. Under these circumstances, the public body is not obligated to create a new record to fulfill your request as per section 6 (duty to assist applicants) of FOIPPA.

General information for the Ministry of Children and Family Development complaints are available on the ministry website:

<https://mcfcd.gov.bc.ca/reporting/services>

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of five business days after release. To find out more about Open Information, please access the Open Information website at: www.gov.bc.ca/openinformation

If you have any questions regarding your request, please contact Mikaela Bertucci, the analyst assigned to your request, at 778 698-2675. 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 778 698-2675.

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 black ink that reads "Mikaela Bertucci". The signature is written in a cursive, flowing style.

Mikaela Bertucci, Senior FOI Analyst
On behalf of Jamie Onciul-Omelus, Manager
Social / Tech 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.

Freedom of Information and Protection of Privacy Act**Duty to assist applicants**

6 (1) The head of a public body must make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely.

(2) Moreover, the head of a public body must create a record for an applicant if

(a) the record can be created from a machine readable record in the custody or under the control of the public body using its normal computer hardware and software and technical expertise, and

(b) creating the record would not unreasonably interfere with the operations of the public body.