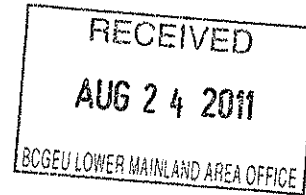




August 18, 2011

Jonathan Chapnick
Staff Representative
BCGEU
4911 Canada Way
BURNABY BC V5G 3W3



Dear Jonathan Chapnick:

**Re: Complaint - Duty required by Act
Community Living BC File CLB-2011-00012
OIPC File F11-46495**

We have received your complaint that Community Living BC has failed to comply with the *Freedom of Information and Protection of Privacy Act*.

It is the policy of the Office of the Information and Privacy Commissioner (OIPC) to refer a complainant back to the public body where the complainant has not first given the public body an opportunity to respond to and attempt to resolve the issue. There is no indication in your letter that you have contacted Community Living BC regarding your concerns. We are therefore not assigning your complaint to an officer for investigation at this time. You may instead contact Community Living BC regarding your complaint. Please include a copy of this letter with your complaint to the public body.

Once you have received a response from Community Living BC about your concerns, if you believe that they have not dealt with it adequately, you may wish to write to OIPC again. If you decide to do this, please provide us with written details of both your complaint to Community Living BC and their response. At that point, we will consider whether further investigation by OIPC is warranted.

If you have any questions about this letter, please contact me by calling (250) 387-5629 directly, or by using the toll-free Enquiry BC phone line, which is (604) 660-2421 for the Greater Vancouver Area or 1-800-663-7867, where a telephone operator will transfer your call free of charge.

Sincerely,

Morag Ross
Intake Officer



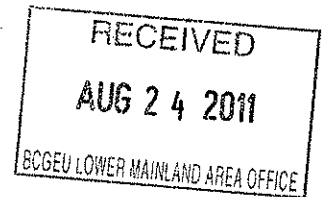
OIPC File: F11-46496
Community Living BC File: CLB-2011-00012

NOTICE OF REQUEST FOR REVIEW
Freedom of Information and Protection of Privacy Act

August 18, 2011

To: The Applicant

Jonathan Chapnick
Staff Representative
BCGEU
4911 Canada Way
BURNABY BC V5G 3W3



To: The Public Body

Vicki Hudson
Manager
IAO, Shared Services BC, Ministry of Citizens' Services
PO Box 9569 STN PROV GOVT
VICTORIA BC V8W 9K1

The applicant has requested that this Office (OIPC) review the public body's decision to withhold information under section 22 of the *Freedom of Information and Protection of Privacy Act* (FIPPA) in response to the applicant's request of May 30, 2011 under section 5 of FIPPA. As required by section 54 of FIPPA, I am enclosing a copy of the applicant's request for review for the public body.

OIPC Procedure:

We opened this case as of August 4, 2011 and have assigned it to Early Resolution Officer Trevor Presley. Section 56 of FIPPA provides 90 working days to resolve this request for review. We have a two-phased approach to mediating requests for review, to speed processing. In the first phase, the Early Resolution Officer will review the request, clarify the issues under review, collect relevant documentation and identify opportunities for early resolution of the matter, where appropriate.

If the matter is not resolved in the early resolution phase, we will then notify the parties that we have transferred the file to an Investigator who will conduct a mediation of the request for review. The intent of the mediation process is to facilitate a settlement of the issues and to ensure that the applicant has received access to all records to which the applicant is entitled under FIPPA. If the parties are unable to reach a settlement, we may hold an inquiry. The Investigator has the delegated authority to decide whether or not all or part of a matter should

proceed to inquiry. If an inquiry is held, an adjudicator will decide the issues in dispute and issue an order.

Request for production of the records in dispute:

I request that Community Living BC produce a complete **unsevered** copy of the records in dispute to the attention of Trevor Presley. Please prepare the records as follows:


1. The pages of disputed records must be numbered clearly.
2. Information that has been severed and withheld must be highlighted, boxed or otherwise clearly marked to show that it has been withheld or severed.
3. The section number (and subsection where applicable) of FIPPA that is relied upon for each severance must be clearly indicated next to the withheld information.
4. We also request public bodies, wherever practicable, to provide a table listing the records in dispute by record or page number and listing the section of FIPPA applied by record or page number.

We would appreciate receiving these records within 10 business days of the date of this letter. Please contact Trevor Presley before the date the records are due if circumstances exist preventing compliance with this request or if you have any questions or concerns relating to this request.

Contact Information:

Please address future correspondence to Trevor Presley. You may contact Trevor Presley directly at (250) 387-0289, or by using the toll-free Enquiry BC phone line, which is (604) 660-2421 for the Greater Vancouver Area or 1-800-663-7867, where a telephone operator will transfer your call without charge.

Sincerely,



Morag Ross
Intake Officer

Encl.