



BC Community Living Action Group (BC-CLAG)

A provincial network of service, support, and advocacy organizations, family groups, & other community living stakeholders

August 4, 2011

Via fax: 250-387-1696

Elizabeth Denham
Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria, BC V8W 9A4

Dear Ms. Denham:

Re: Request for review (Ministry file #292-30/CLB-2011-00019)

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (the "Act"), I write to ask for a review of a decision related my request for records in the custody or under the control of Community Living British Columbia ("CLBC"). My request was assigned the above-noted file number by the Ministry of Labour, Citizens' Services and Open Government (the "Ministry").

Original request

On July 14, 2011, I asked for the following CLBC records:

- ◆ Records indicating the average number of hours of CLBC-funded respite services provider per family for the following years: 2007, 2008, 2009, 2010, and 2011.

A copy of my original request is enclosed.

Ministry response

On July 27, 2011, Vicki Hudson, Manager, Justice/Social Team, Information Access Operations, responded to my original request. She advised, in part, as follows:

Although a thorough search was conducted, no records were located in response to your request. Community Living BC does not track the average number of respite hours used by families as these can be offered individually, through global contracts, etc. and **are not broken out by person or groups of persons**. Your file is now closed... [emphasis added].

A copy of the Ministry's response is enclosed. I am asking for a review of this decision.



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Reasons for requesting review

The following are my reasons for requesting a review.

The Ministry has indicated that CLBC does not break down respite hours by person or groups of persons in its records. However, information available on CLBC's website seems to conflict with this statement. Specifically, page 23 of CLBC's March 2010 service plan presents data on the "Number of families who receive direct payments for adult respite," and page 24 indicates that the sources of this data are "the PARIS service delivery management system and CLBC's accounting systems." This data and information seems to indicate that CLBC does, in fact, break down respite hours by person or groups of persons in its records. Thus, it appears that CLBC has not responded to my request "accurately and completely," as it is required to do under section 6(1) of the Act.

Moreover, if the data on page 23 of the service plan is kept by CLBC, or if it can be created via the sources indicated on page 24 of the service plan, it seems entirely possible that the same is true with respect to the information that I have requested. In other words, CLBC may also be in breach of section 6(2) of the Act.

Copies of pages 22 to 26 of CLBC's March 2010 service plan are enclosed. The complete service plan is currently available on CLBC's website.

Request for review

On the basis of the information and submissions above, the relevant provisions of the Act, and the enclosed materials, I respectfully request a review of the Ministry's decision in this matter.

To resolve this matter, at the very least, I am seeking information from CLBC indicating the types of records and data kept regarding respite services and supports for families. For example, the service plan discussed above indicates that CLBC keeps records and data on the number of families who receive direct payments for respite; does CLBC also keep records and data on the total amount of direct payments provided to families for respite?

Please feel free to contact me with any questions or for further information. Thank you for your consideration.

Yours truly,

Jonathan Chapnick
Staff Representative – BCGEU
On behalf of the BC Community Living Action Group

Encl.

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