



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

April 19, 2016

To: The Applicant

Ron Bolin
3165 King Richard Drive
NANAIMO BC V9T 4A1

To: The Public Body

Sheila Gurrie
Claims & FOI Coordinator
City of Nanaimo
455 Wallace Street
NANAIMO BC V9R 5J6

The applicant has requested that this Office ("OIPC") review the public body's decision to withhold information under sections 17 and 22 of the *Freedom of Information and Protection of Privacy Act* ("FIPPA") in response to the applicant's request of January 8, 2016 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 February 18, 2016. Due to case volumes, we anticipate it may be a number of months before this file is assigned to an investigator. The investigator will notify the parties when the file is assigned and will conduct a mediation of the request for review. Section 56 of FIPPA provides 90 working days to resolve a request for review.

The mediation process is intended to facilitate a settlement of the issues and to ensure that the applicant has received access to all records to which he or she 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 consider the issues in dispute and issue an order.

Request to the public body for production of the records in dispute:

I request that the City of Nanaimo produce a complete **unsevered** copy of the records in dispute to the attention of OIPC file F16-64946. 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; and
4. Wherever practicable, 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 15 business days of the date of this letter.

As records often contain personal information or other sensitive information, the OIPC suggests that electronic records be sent using a secure method of transmission. Sending unencrypted records by email attachment is not considered a secure method of transmission. Files attached to an email should be encrypted and sent to info@oipc.bc.ca. Files can also be encrypted and saved on mobile storage devices such as flash drives or DVDs, and sent by post or courier. The encryption key should be sent by a different method.

If sending paper records ensure the method of delivery includes the ability to track the package through the delivery process.

If you are attempting to send a large volume (10-20MB) of records by email our firewall may reject it. Please ask us about our secure file transfer application for large files.

Review Period Extended

The Office of the Information and Privacy Commissioner seeks to provide all applicants with fair and timely access to our services. This has become more challenging as the volume of complaints and requests for review have increased while the resources available to the OIPC are limited. Due to very high caseloads applicants are waiting months before their reviews are investigated.

Consequently, the review period for this file is being extended beyond the original 90 day period while it remains in the queue waiting to be assigned to an investigator. The review period now expires on December 20, 2016. Under the circumstances the OIPC assumes that each party agrees that the Office of the Information and Privacy Commissioner is entitled to extend the review period and, if necessary, that the OIPC will receive submissions and hold an inquiry under s. 56 of FIPPA beyond the original 90 day period.

If you have any questions about this extension please call Patrick Egan, Director of Investigations at 250.356.2529 or email at pegan@oipc.bc.ca.

Contact Information:

Please address future correspondence to the attention of OIPC file F16-64946 until the file is assigned to an Investigator.

If you have questions regarding this office's review and other processes, please see our FIPPA Guide to OIPC Processes, available on our website at <http://www.oipc.bc.ca/guidance-documents/1599>.

If you have questions regarding the status of this file, I can be reached at (250) 387-5629, or by using the toll-free Enquiry BC phone line, which is (604) 660-2421 if you are calling from the Greater Vancouver area, or 1-800-663-7867 if you are calling from elsewhere in the province. A telephone operator will transfer your call free of charge.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Ross".

Morag Ross
Intake Officer