



Graham Steele

Information and Privacy Commissioner

Email: admin@atipp-nu.ca

July 22, 2024

RE: Request for Access Review

Department file: 1029-20-2425EDU0217 - NUIPC file: 24-148

Dear Mr. Steele,

Thank you for your review and recommendation of file # 1029-20-2425EDU0217.

I agreed with your recommendation that the department reconsider its exercise of discretion in section 22 and directed my officials to look over the matter again.

My officials initially hesitated to release the reference because of concerns around confidentiality and the potential risk of sharing candid feedback if the employee (referee) believes reference checks will automatically be shared with the applicant.

As you noted in your review, the information provided to the referee is shared on a pre-printed form stating, "*Please be advised that all information obtained within this reference check is subject to ATIPP regulations.*"

In the interest of transparency, I have copied my department officials and asked them to provide the applicant with an unredacted copy of the reference transcribed from a phone call.

Moving forward, the Department of Education is considering amending its reference check forms to align with the current forms that the Department of Human Resources uses to ask referees if they consent to release the information.

Sincerely

Hon. Pamela Gross
Minister of Education

CC: Arielle Stockdale, Director of Policy and Planning, Education
Manu Kunuk, ATIPP/Records Management Coordinator