



Graham Steele

Information and Privacy Commissioner

Email: admin@atipp-nu.ca

September 12, 2024

RE: Request for Access Review

Department file: 1029-20-2324EDU24140 - NUIPC file: 24-128

Dear Mr. Steele,

Thank you for your review and recommendation of file # 1029-20-2324EDU24140.

I will address each of your four recommendations separately below.

Recommendation 1 (paragraph 96)

Based on your recommendation, and in reconsidering the redaction of information under section 23 of the *ATIPP Act*, I have directed my officials to disclose the following information to the applicant:

- DP1, Part 1, page 94
- DP3, pages 27-18

With regards to DP1, Part 1, page 98, I have directed my officials to disclose the majority of the redacted information on this page, however, the final sentence of the redacted paragraph will be redacted under section 21(1) of the *ATIPP Act*.

Similarly, with regards to DP4, pages 633-634, this information was incorrectly redacted under section 23 of the *ATIPP Act*, however, the information shall remain redacted under section 21(1) of the *ATIPP Act*.

In reconsidering the redaction of information under section 21 of the *ATIPP Act* as identified in your review; DP1, Part 5, page 13; and DP3, pages 95 and 97, I have directed my officials not to disclose this information. To clarify the ambiguity identified in your report, the redactions to the aforementioned sections were made under section 21(1) of the *ATIPP Act*.

Recommendation 2 (paragraph 97)

To explore this recommendation further, the senior official retrieved the full record, dated December 5, 2023, cut off from DP1, Part 5, page 13. Upon review, the remaining text



was unrelated to the applicant and therefore, further disclosure would not provide the applicant with any information related to their ATIPP request.

Recommendation 3 (paragraph 98)

I understand there may be concerns regarding the search of WhatsApp records. In this case, I believe the material released was comprehensive and responsive to the request of the applicant. Our senior officials must follow the Public Service Code of Values and Ethics, as well as follow ATIPP legislation, as is their obligation and my expectation.

While I note your concerns related to employee searches of their own records, in this case, I will not direct officials to undertake a new search.

Recommendation 4 (paragraph 99)

Following the release of this report, the use of WhatsApp by Government of Nunavut officials is being reviewed interdepartmentally, including exploring options for the use of other messaging apps such as Teams.

Thank you again for your thoughtful review report.

Sincerely,

Hon. Pamela Gross
Minister of Education

CC: Rebecca Hainnu, Deputy Minister