

Response to Applicant – Full Disclosure

May 15, 2024

Dear Applicant:

Re: Your request for access to information under Part II of the **Access to Information and Protection of Privacy Act, 2015** [Our File #: HCS-105-2024]

On April 11, 2024 the Department of Health and Community Services received your request for access to the following records:

All data re number of workers recruited from recruitment trips undertaken since May 1, 2022.

The Department is responsible for strategic direction and oversight of recruitment and retention of health care professionals in the province, and is involved in the planning and facilitation of many recruitment trips along with Newfoundland and Labrador Health Services (NLHS) and other stakeholders. However, as the employer, NLHS is responsible for reviewing applications, assessment of candidates, and subsequent hiring as employees.

Health care professionals targeted as a result of these trips are required to obtain licensure in Newfoundland and Labrador, and in the case of international recruitment, are required to obtain a work permit before commencing employment. NLHS provides direct follow-up with suitable leads generated from these recruitment trips, as well as with those who were successful in obtaining conditional offers as a result of recruitment missions.

Not all recruitment trips result in conditional offers being made while on the trip. For trips such as conferences or career fairs, this is an opportunity to engage with health professionals, and follow-up with recruitment for suitable and interested candidates. As previously stated, NLHS follows-up on all leads from these trips.

Some recruitment missions such as India and Dubai (CHARM) resulted in conditional offers being made in-person and in the case of India, offers are ongoing as needed. However, no HCS employee travelled to India, but rather NLHS and IPGS and these offers were extended by NLHS. For further information, you may wish to submit a request to NLHS.

The recruitment trip to India has resulted in 379 offers made with 341 offers accepted. The Dubai(CHARM) trip has resulted in 68 offers made with 64 accepted.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Act (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive

P.O. Box 8700, St. John's, NL, Canada A1B 4J6



Government of Newfoundland and Labrador
Department of Health and Community Services

P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
commissioner@oipc.nl.ca

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section has been enclosed for your reference).

Please be advised that this request may be published on the [Completed Access to Information Requests](#) website. Requests will be posted when possible, but no sooner than three business days after a response is sent electronically, or five business days where a response is sent by mail. Please note that requests for personal information will not be posted online. Additional details regarding the process for publishing requests online can be found [here](#).

If you have any further questions, please feel free to contact me via email at ATIPP-Health@gov.nl.ca

Sincerely,

A handwritten signature in cursive script that reads "Kimberly Ryan".

Kimberly Ryan
Manager, Privacy and Information Security

Enclosures

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2)