



Department of Education  
January 8, 2024

Applicant c/o  
Access and Privacy Officer  
Corporate Information Management, ATIPP Office

### **Final Response ATIPP Access Request 23-417**

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The Department of Education has searched Human Resources branch and Policy and Partnerships branch and has identified records responsive to Access Request 23-417 noted below:

In 2021/2022, the Department of Education made a decision to employ [NAME] to conduct an internal investigation into the use of restraints, holds and seclusion of children over several decades at Jack Hulland Elementary School. I am requesting documentation of the decision-making process around choosing this type of internal investigation. Specifically, I am requesting all communications and notes by, from and to the Director of Human Resources, [NAME] including emails, notebooks, digital records of voicemails, meeting notes, Teams posts, reports and recommendations using search strings such as but not limited to: [NAME] "Jack Hulland", "Jack Hulland Elementary", "investigation", "internal investigation", "HR Investigation", "human resources investigation", "call to the bar", "Yukon call to the bar", "mitha", "mitha law group", [NAME]  
Timeframe: November 10, 2021 - April 30, 2022.

### **Decision**

The Head of the Department of Education has approved the following response to this request:

### **Access Granted in Part**

Certain types of information have been withheld pursuant to the *Access to Information and Protection of Privacy Act*. A summary of records reviewed and withheld redactions is enclosed.

### **Right to Complain**

Pursuant to section 66 of the *Access to Information and Protection of Privacy Act* you may contact Yukon's Information and Privacy Commissioner with a complaint in respect to this response. Section 66 states:

*An applicant may, in respect of the head of a responsive public body's response to their access request under section 64, make a complaint to the commissioner by filing the complaint in accordance with section 90.*

Should you wish to do so, please refer your written complaint within 30 business days to the Information and Privacy Commissioner at:

Yukon Information and Privacy Commissioner  
3162 Third Avenue, Main Floor, Whitehorse, Yukon Y1A 1G3  
E-mail: [intake@yukonombudsman.ca](mailto:intake@yukonombudsman.ca)  
Phone: (867) 667-8468; (toll free: 1-800-661-0408 ext. 8468)

**Contact Person in Department**

If the applicant has any questions, please contact the Designated Access Officer for Department of Education at [edu.atipp@yukon.ca](mailto:edu.atipp@yukon.ca).

## Summary of Redactions

ATIPP Access Request 23-417

Records Summary	
Initial Page Count:	14
Duplicates:	5
Not responsive:	0
Pages withheld in full:	0
Final Page Count:	9

Redactions Summary	
Code #	Records fall under solicitor client privilege with the Department of Education.
73(a)	Records are not eligible for release to an individual or the public
74(1)(a)	Advice and recommendations prepared by or for a public body or Minister
71(2)	Records are part of a personnel assessment
70(1)	Third party names and employment history would be an unreasonable invasion of privacy to disclose