

## **SCOPE OF POLICY**

This policy describes: (1) the information collected by the Employment and Assistance Appeal Tribunal (the “Tribunal”) and how the Tribunal uses that information; (2) disclosure of information by the Tribunal; and (3) how to request information under the *Freedom of Information and Protection of Privacy Act* (“FOIPPA”).

### **Collection and Use of Personal Information**

The Tribunal is responsible for determining appeals of Ministry of Social Development and Poverty Reduction (“MSDPR”) reconsideration decisions made under the *Employment and Assistance Act* and the *Employment and Assistance for Persons with Disabilities Act*, and Ministry of Children and Family Development (“MCFD”) reconsideration decisions made under the *Child Care Subsidy Act*. The Tribunal collects and uses personal information to process appeals. In processing an appeal, the Tribunal will collect information relevant to the decision being appealed from the MSDPR and/or the MCFD.

The Tribunal also collects certain personal information from its decision-makers, known as Members, and from applicants applying to become a Member.

Finally, the Tribunal also collects and uses contact/personal information to conduct surveys to evaluate and improve its services under s. 59.1 of the *Administrative Tribunals Act*.

### **Disclosure of Information**

Information filed with respect to an appeal will be shared with the parties to the appeal which include the MSDPR and/or the MCFD. This information will also be shared with the Tribunal Members assigned to determine the appeal and certain Tribunal staff involved in processing the appeal.

The Tribunal will only make decisions publicly available after they have been anonymized (*i.e.* information that identifies, or that is likely to identify an individual has been removed).

Information collected from Members and applicants to become Members may be shared with the Crown Agency and Board Resourcing Office as required to appoint, evaluate and/or reappoint a Member or applicant. Tribunal-related expense reimbursement and remuneration for Members may be shared with the MSDPR, the MCFD, the Ministry of Finance and/or made public in accordance with legislative requirements.

## Freedom of Information Requests

To obtain access to information in the custody or control of the Tribunal, please make a request in writing (including by email) that provides sufficient detail to enable a Tribunal employee to reasonably identify the information sought. Please direct your request to:

Director, Policy and Appeal Management  
Employment and Assistance Appeal Tribunal  
PO Box 9994 Stn Prov Govt  
Victoria, BC V8W 9R7  
[info@eaat.ca](mailto:info@eaat.ca)  
Phone: 250-356-6374  
Toll Free: 1-866-557-0035  
Fax: 1-877-356-9687

Please note the following:

1. You can always request your own information and it will be provided to you without charge.
2. For requests other than your own information, depending on the nature of the request, fees may be charged by the Tribunal.
3. FOIPPA presumes that it is an unreasonable invasion of personal privacy if the request includes, among other information:
  - a. Personal information relating to medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;
  - b. Personal information relating to eligibility for income assistance or social service benefits or to the determination of benefit levels;
  - c. Personal information relating to employment, occupation or educational history;
  - d. Personal information describing finances, income, assets, liabilities, net worth, bank balances, financial history or activities or credit worthiness;
  - e. Personal information of personal recommendations or evaluations, character references or personnel evaluations; and/or
  - f. Personal information indicating an individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations.
4. The Chair of the Tribunal must refuse requests which would result in an unreasonable invasion of personal privacy.
5. Notes, communications, or draft decisions of a Tribunal Member are not subject to freedom of information requests.
6. Any information received by the Tribunal as part of a hearing is not subject to freedom of information requests.