

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

CYFSA DECISION 39

Complaint FA22-00018

Family and Children's Services of Lanark, Leeds and Grenville

March 31, 2026

Summary: Under Part X of the *Child, Youth and Family Services Act, 2017 (CYFSA)*, a father asked Family and Children's Services of Lanark, Leeds and Grenville (the agency) for access to information about himself and his two adopted children. The agency released some records, but withheld from a contact log the name of a school staff member who had called the agency to report concerns about one of the children. The father complained to the Office of the Information and Privacy Commissioner of Ontario (IPC) about the agency's reliance on section 312(1)(d)(ii) (identification of individual required by law to provide information) to withhold the school staff member's name from the contact log. During the IPC review, the agency raised additional grounds for denying the request, including questions around the application of Part X to the contact log, and about the father's substitute decision-making authority under the *CYFSA* for one of the children.

In this decision, the adjudicator explains why, even assuming without deciding that the father is entitled under the *CYFSA* to exercise a right of access to the contact log, the withheld portions would be exempt under section 312(1)(d)(ii). She dismisses the complaint.

Statutes Considered: *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Sch 1, sections 2(1), 2(2), and 281 (definitions); 125; 301 and 303; and 312(1)(d)(ii).

Decisions Considered: CYFSA Decisions 4 and 7.

BACKGROUND:

[1] Under the *Child, Youth and Family Services Act, 2017 (CYFSA)*, a father made a

request to Family and Children's Services of Lanark, Leeds and Grenville (the agency) for access to information relating to himself and his two adopted children, covering a specified time frame. The father explained that he seeks access to records including safety assessments, risk assessments, contact logs, and correspondence because of his concerns about a school board's safe school policies and special education practices, and the outcomes of an investigation into the children's elementary school.

[2] In response, the agency provided the father with a number of records, including a two-page contact log documenting an agency worker's receipt of a telephone call from a school staff member. The only portions withheld from this record was the name of the school staff member who made the call. The father was dissatisfied with the agency's decision, and filed a complaint with the Office of the Information and Privacy Commissioner of Ontario (IPC).

[3] During the mediation stage of the IPC process, the agency explained that it relies on section 312(1)(d)(ii) of the *CYFSA* to withhold references to the school staff member's name in the record. Section 312(1)(d)(ii) is an exemption from the right of access in the *CYFSA* that applies where granting access could reasonably be expected to lead to the identification of an individual who was required by law to provide information in the record to a service provider.

[4] The father maintains that the school staff member was not required by law to provide the information she did to the agency.¹ As the matter could not be resolved through mediation, the complaint was transferred to the adjudication stage of the IPC process. An IPC adjudicator conducted a review under the *CYFSA*, during which she sought and received representations from the parties and shared them in accordance with the IPC's guidance document *CYFSA Complaint Procedure at Adjudication*.

[5] During the review process, the agency raised, for the first time, several new issues around the father's entitlement to the requested records, including the contact log that is the sole record at issue in this complaint. These include issues around the provision of a "service" to the family, the agency's custody or control of the record, and the authority of the father to request access to the record. For his part, the father questioned the motivations of the school staff member who contacted the agency, and the agency's claim that she had a legal duty to report.

[6] The file was then transferred to me. I considered all the materials before me and determined I did not require further representations from the parties to dispose of the complaint. In this decision, I explain why, assuming without deciding that the father is entitled under the *CYFSA* to exercise a right of access to the record at issue, the withheld information would be exempt under section 312(1)(d)(ii) of the *CYFSA*. I dismiss the complaint.

¹ The released portions of the contact log identify the gender of the school staff member.

RECORD:

[7] At issue are the withheld portions of a two-page contact log documenting a school staff member's call to the agency. The withheld portions contain the school staff member's name.

ISSUES:

- A. Preliminary issues raised by the agency at the review stage
- B. Assuming the father is entitled under the *CYFSA* to exercise a right of access to the record, does the exemption at section 312(1)(d)(ii) apply to the withheld information?

DISCUSSION:

[8] Part X of the *CYFSA* grants an individual (or his or her lawfully authorized substitute decision-maker, as I will discuss further below) a right of access to a record of the individual's own "personal information" that is in the custody or control of a "service provider" and that relates to the provision of a "service" to the individual, subject to limited and specific exceptions. Most of these terms are defined in the *CYFSA*.

[9] The parties do not dispute that the agency is a "service provider"² within the meaning of the *CYFSA*.

[10] They also agree that the records the father seeks contain "personal information" within the meaning of the *CYFSA*,³ and that this information relates to the father, his spouse, and the two children.

[11] As a result, the father has a right of access under the *CYFSA* to the records he requested from agency, provided:

- they are records in the "custody or control" of the agency;

² "Service provider" is defined in section 2 of the *CYFSA* to include a person or entity, including a "society," that provides a service funded under the *CYFSA*. "Society" is defined to mean an agency designated as a children's aid society under section 34(1) of the *CYFSA*. The term "service" is addressed in sections 2 and 281 of the *CYFSA*. See the discussion further below.

³ "Personal information" is defined in section 2 of the *CYFSA* to have the same meaning as in the *Freedom of Information and Protection of Privacy Act (FIPPA)*. Section 2(1) of *FIPPA* defines "personal information" to mean recorded information about an identifiable individual, including information relating to the marital or family status of an individual (at paragraph (a) of the definition), the views or opinions of another individual about the individual [paragraph (g)], and the individual's name where it appears with other personal information relating to the individual [paragraph (h)].

- they relate to the provision of a “service” to the father (or to other individuals for whom the father is lawfully authorized to act under the *CYFSA*); and
- they are not otherwise removed from the scope of Part X.

[12] During the review, the agency raised some concerns about whether these other criteria are met. I will address these preliminary matters first, at Issue A, before considering the agency’s main claim further below, at Issue B.

A. Preliminary issues raised by the agency at the review stage

[13] In its representations during the review stage, the agency raised some new questions about the appropriateness of the father’s request for access to records about the two children. Specifically, while the agency initially granted the father partial access in response to his request under the *CYFSA* for records about himself and his two children, it now raises concerns about his entitlement to these records, including to the contact log that is only record at issue in this complaint.

[14] Under the next heading, I will explain why, assuming without deciding that the father has a right of access to the contact log, I would dismiss the complaint based on the application of the exemption claimed by the agency. However, as the agency has raised some potential threshold issues around the application of Part X in the circumstances of this complaint (some of which also arise in a related complaint made by the father against a different service provider),⁴ I will briefly address these issues here.

[15] The first preliminary issue has to do with the characterization of the agency’s interactions with the child and the family, and thus the characterization of the contact log at issue in this complaint.

[16] The agency explains that it became involved with the family only as a result of the school staff member’s call to the agency to report her concerns about one of the children. This appears to have occurred because the school is located in the jurisdiction of the agency (rather than in the jurisdiction of another service provider with which the family already had a relationship). The agency says that while it received the call and documented the call in the form of the record at issue, it did not in so doing provide any “service” to the family within the meaning of the *CYFSA*.

[17] The agency also says that it took no further action (i.e., provided no other “service” within the meaning of *CYFSA*) in relation to the call because it learned that the father and children were already service recipients from another service provider. Specifically, after documenting the call, the agency uploaded the record into the Child Protection Information Network (CPIN), the shared provincial information system used by children’s

⁴ Related file FA22-00019, currently at the adjudication stage of the IPC process. File FA22-00019 involves the same requester and a different respondent, and includes the records that are at issue in the present complaint.

aid societies in the province. In doing so, the agency discovered that the family was receiving adoption services from another service provider, which had an open CPIN file for the family.

[18] The term "service" is defined in Part X of the *CYFSA* (at section 281) to mean "a service or program that is provided or funded under [the *CYFSA*] or provided under the authority of a licence." Section 2(1) of the *CYFSA* sets out examples of such services. The relevant part of section 2(1) states:

"service" includes,

(a) a service for a child with a developmental or physical disability or the child's family,

(b) a mental health service for a child or the child's family,

(c) a service related to residential care for a child,

(d) a service for a child who is or may be in need of protection or the child's family,

(e) a service related to adoption for a child, the child's family or others,

(f) counselling for a child or the child's family,

(g) a service for a child or the child's family that is in the nature of support or prevention and that is provided in the community,

(h) a service or program for or on behalf of a young person for the purposes of the *Youth Criminal Justice Act* (Canada) or the *Provincial Offences Act*, or

(i) a prescribed service[.]

[19] The agency proposes that merely receiving and documenting a phone call reporting concerns about a child is not a "service" under the *CYFSA*. The agency also suggests it is relevant that the agency did not itself follow up with the family after receiving the phone call to provide any further service under the *CYFSA*, given that another service provider already had a relationship with the family.

[20] I am not persuaded that a child protection society's receipt and documentation of concerns about a child reported by a member of the public cannot qualify as a "service" under the *CYFSA*. I am also not persuaded that the fact of whether the receiving society, or another one, has a pre-existing relationship with the child or the child's family should determine whether the receiving society has provided a "service" under the *CYFSA*. In my view, it is at least arguable that the agency's actions in this case amounted to the

provision of a service for a child who is or who may be in need of protection (paragraph (d) of the definition at section 2(1) of the *CYFSA*).

[21] However, it is not necessary for me to definitively answer that question here, because there is no dispute that the child and the family were the recipients of a service, within the meaning of the *CYFSA*, from another service provider. Specifically, there is no dispute that the child and family were receiving adoption services from that other service provider at the time of the events at issue.⁵

[22] Section 312 of the *CYFSA* confers a right of access to certain records that are in the custody or control of a service provider and that relate to the provision of a service to the individual on whose behalf the request is made (provided other conditions are met). There is no requirement in the text of section 312 that the records relate to the provision of a service by the service provider to whom the access request is made, and I see no basis for reading in such a requirement here.

[23] CPIN is a shared, provincewide information system that compiles, in a single electronic file for each individual, information about services the individual has received, including where those services are received from multiple service providers.⁶ Given this, it would not be unusual for a service provider who receives an access request from an individual to identify a responsive CPIN file that contains records relating to services the individual received from multiple service providers. In that circumstance, it would be the duty of the service provider who receives the request to determine the extent of the individual's right of access to any responsive records in the service provider's custody or control. The fact that responsive records may relate to services the individual received elsewhere would not relieve the service provider from its obligations to respond to the access request in accordance with Part X.

[24] A related preliminary concern raised by the agency has to do with the agency's custody or control of the record at issue. The agency says that after creating the record, it "redirected" the record to the appropriate service provider (i.e., by uploading the record to that other's service provider's open CPIN file for the family). The agency questions whether in this circumstance it can be considered to have custody or control of the record, which is located in the shared CPIN system, and specifically in the open CPIN file of another service provider that was providing services to the family.

[25] The parties were not asked to address this threshold issue in detail during the review, and because of my finding under the next heading, it is not necessary for me to make a definitive finding here. However, on the more general question of custody and

⁵ I recognize that the agency may also be raising the issue of whether the record contains "information that relates to an adoption" within the meaning of section 285(4) of the *CYFSA*, which exempts this kind of information from the application of certain sections of Part X (including the right of access in section 312). As the parties were not specifically asked for and did not provide representations on this threshold issue, and as it is unnecessary for me to decide this matter to dispose of the complaint, I decline to do so.

⁶ <https://www.ontario.ca/page/childrens-aid-societies>.

control in the context of a shared electronic records system like CPIN, I make the following observations.

[26] “Custody” and “control” are not defined terms in the *CYFSA*. However, the IPC has interpreted these terms in the *CYFSA* in a manner consistent with the IPC’s broad and liberal approach to interpreting these same terms in *FIPPA* and its municipal counterpart, the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, and in the *Personal Health Information Protection Act, 2004 (PHIPA)*. In making determinations about custody or control for the purposes of the *CYFSA*, the IPC has found instructive and applicable the principles outlined in IPC orders and decisions issued under those other statutes.⁷

[27] Under *PHIPA*, the IPC has considered the question of custody or control in the context of shared electronic information systems. The IPC has found that multiple users of shared systems can, at once, have custody or control of personal information⁸ contained in those systems. In particular, the IPC has found that both the user who contributes personal information to a shared system and the user who accesses the information from the shared system have custody or control of that information, within the meaning of *PHIPA*, for the purposes of determining the different users’ obligations under *PHIPA*.⁹ In view of the IPC’s consideration of similar situations under a similar statutory scheme, I would not be prepared to accept in this complaint the agency’s brief and unsupported alternative claim about custody or control under the *CYFSA* in respect of shared records in CPIN.

[28] Lastly, the agency raises concerns about the authority of the father to request the record at issue under the *CYFSA*. The agency says that at the time of the father’s request, he was a prospective adoptive parent for the younger child (and was the person with whom both children lived), but was not the younger child’s legal adoptive parent, as the adoption had not yet been finalized. (I understand that the adoption was finalized about two months after the access request giving rise to this complaint.) The agency thus takes the position that at the time of the request, the father was not a legal parent for the younger child.

[29] This claim raises a threshold issue because the right of access in Part X belongs only to the individual to whom the requested personal information relates. That right may be exercised by a lawfully authorized “substitute decision-maker” for the individual within the meaning of the *CYFSA* (sections 281, 303).

[30] Section 301 of the *CYFSA* describes persons who may act as substitute decision-makers for individuals in different circumstances. Different paragraphs of section 301 address the authority of a “parent” of a child to act as the child’s substitute decision-maker, depending on circumstances including the child’s age, the child’s mental

⁷ *CYFSA* Decisions 4, 19, and 23, among others.

⁸ “Personal health information” in the language of *PHIPA*.

⁹ *PHIPA* Decisions 176 and 177. See also *PHIPA* Decisions 102 and 110.

capacity,¹⁰ and the nature of the personal information of the child at issue. The term "parent" is defined in the *CYFSA* to mean a person who has "lawful custody of the child."¹¹

[31] I understand the agency to be asserting that because the father's adoption of the younger child had not been finalized at the time of his access request, the father did not have lawful custody of the younger child, and therefore was not a "parent" authorized to exercise substitute decision-making authority for him under the *CYFSA*. For his part, the father argues that prospective adoptive parents ought to be treated as substitute decision-makers under the *CYFSA* for the children who are placed with them (as prospective adoptees), in the same manner that prospective adoptive parents are treated as substitute decision-makers for these children in the context of their schooling and certain medical and legal decisions. The father says that denying prospective adoptive parents access to information about the children in these circumstances would be contrary to the purpose of the access provisions in the *CYFSA*, and would amount to discrimination against the children based on family status, contrary to the Ontario *Human Rights Code*.

[32] As above, the parties were not asked for and did not provide detailed representations on this issue. Without deciding the matter, I note that the agency does not dispute that the father is now the legal adoptive parent of the younger child. The agency appears to take the position that had the father made the request at issue in this complaint after the finalization of the adoption (about two months after the time of the request), it would have recognized the father as the younger child's lawfully authorized substitute decision-maker under the *CYFSA*, and would have responded to his request in the same manner that it did here (i.e., by granting partial access to the record at issue). Through this complaint, the father has also confirmed his ongoing interest in seeking access to the withheld information that is at issue before me.

[33] In these circumstances, I see no purpose in re-opening the review to address this threshold issue, or in having the father re-file his access request, now as the legally recognized adoptive parent for the younger child. For the purposes of this complaint, I will assume without deciding that the father is the lawfully authorized substitute decision-maker for the younger child. Under the next heading, I will consider whether the claimed exemption applies to the information he seeks in the record.

¹⁰ To be mentally "capable" within the meaning of the *CYFSA*, an individual must be able to understand the information that is relevant to deciding whether to consent to the collection, use, or disclosure of personal information, and to appreciate the reasonably foreseeable consequences of giving, withholding or withdrawing the consent (section 281).

¹¹ At paragraph (a) of the definition at section 2(2) of the *CYFSA*. Paragraph (b) provides that if more than one person has lawful custody of the child, the term "parent" refers to all those persons with lawful custody.

B. Assuming the father is entitled under the *CYFSA* to exercise a right of access to the record, does the exemption at section 312(1)(d)(ii) apply to the withheld information?

[34] As described above, for the purposes of this discussion, I will assume without deciding that the father is entitled under the *CYFSA* to exercise a right of access to the sole record at issue in this complaint.¹² In that circumstance, the question before me is whether the section 312(1)(d)(ii) exemption claimed by the agency applies to the withheld school staff member's name in the record.¹³ This section states:

An individual has a right of access to a record of personal information about the individual that is in a service provider's custody or control and that relates to the provision of a service to the individual unless granting the access could reasonably be expected to lead to the identification of an individual who was required by law to provide information in the record to the service provider[.]

[35] For the section 312(1)(d)(ii) exemption to apply, the agency must show that granting access to the withheld information "could reasonably be expected to" lead to the identified consequence—namely, the identification of an individual who was required by law to provide information in the record to the agency.

[36] In previous decisions considering the standard of proof in section 312(1)(d)(ii), the IPC has had regard to its interpretation of the identical phrase ("could reasonably be expected to") in other legislation it administers, including *PHIPA* and *FIPPA*.¹⁴ In so doing, the IPC has found that the phrase "could reasonably be expected to" in all these sections should be interpreted consistently, and in accordance with the direction of the Supreme Court of Canada on the interpretation of this phrase in *FIPPA*. Specifically, the Supreme Court has found that to meet the standard of proof indicated by this language, the body with the burden of proof must provide evidence about the potential for harm. It must demonstrate a risk of harm that is well beyond the merely possible or speculative, although it need not prove that disclosure will in fact result in such harm. How much and what kind of evidence is needed will depend on the type of issue and seriousness of the

¹² In this context, the father would be requesting access to a record of his own personal information, and the personal information of his spouse (the other adoptive parent for the children) and of the children, as the lawfully authorized substitute decision-maker for them all: sections 281, 301, and 303 of the *CYFSA*.

¹³ It is unnecessary to make a finding on whether the record is or is not "dedicated primarily to the provision of a service to the individual requesting access" (i.e., whether the right of access is under section 312(1) or (3) of the *CYFSA*). This is because I will assume for the purposes of this complaint that in either case the information at issue is personal information to which the father may exercise a right of access.

¹⁴ Section 52(1)(e)(ii) of *PHIPA*, which sets out an exemption to access where "granting the access could reasonably be expected to [...] lead to the identification of a person who was required by law to provide information in the record to the custodian[.]" Also the harms-based exemptions in sections 14(1), 20, and 49(d) of *FIPPA*.

consequences.¹⁵

[37] I agree with the IPC's adoption of this interpretation of the identical phrase in the *CYFSA*, including in section 312(1)(d)(ii).¹⁶ Thus, for the section 312(1)(d)(ii) exemption to apply in the circumstances, the agency must provide evidence about the risk of identification of an individual who was required by law to provide information in the record to the agency. The agency must show a risk of harm that is well beyond the merely possibly or speculative. How much and what kind of evidence is needed will depend on the type of issue and seriousness of the consequences.

[38] In this case, the agency explains that it withheld the name of the school staff member under section 312(1)(d)(ii) because it identifies a person who provided the information in the record under the duty to report in section 125 of the *CYFSA*.

[39] Section 125(1) of the *CYFSA* establishes a duty to make a report to a children's aid society in certain circumstances. It states:

Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall immediately report the suspicion and the information on which it is based to a society [...]

[40] There follows a list of 13 situations that trigger the duty to report. They include, among others:

1. The child has suffered physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child,

¹⁵ *Ontario (Community Safety and Correctional Services) v. Ontario (Information and Privacy Commissioner)*, 2014 SCC 31 (CanLII), at paras 52-54.

¹⁶ See *CYFSA Decision 7*, followed in *CYFSA Decisions 10, 34, and 35*, among others.

ii. pattern of neglect in caring for, providing for, supervising or protecting the child.

3. The child has been sexually abused or sexually exploited by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual abuse or sexual exploitation and fails to protect the child.

5. The child requires treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide the treatment or access to the treatment, or, where the child is incapable of consenting to the treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, the treatment on the child's behalf.

[41] Sections 125(5) and (6) of the *CYFSA* provide that certain persons who perform professional or official duties with respect to children—including teachers and other types of school staff—are guilty of an offence if they do not report a suspicion, including under section 125(1), that is based on information the person obtained through his or her professional or official duties. In this way, section 125 establishes a scheme of mandatory reporting of certain child protection concerns that makes the failure to report an offence in some circumstances.

[42] The record at issue contains details of the school staff member's report to the agency of her observations of the two children—specifically, of the older child's maltreatment of the younger child—when neither the father nor the other adoptive parent was present. The father says the duty in section 125(1) cannot apply in this circumstance.

[43] First, the father notes that, as in the categories reproduced above, each of the 13 enumerated situations in section 125(1) has to do with an instance in which the parent and/or "the person having charge" of a child is causing or is failing to prevent harm or a risk of harm to the child. In this case, the father says, the older child does not have care or charge of the younger child. I understand the father to be asserting that a situation where the older child was perceived to be harming the younger child cannot fall within the duty to report, because any harm the younger child suffers in that situation is inflicted by someone who is not "the person having charge" of the younger child.

[44] Second, the father says the school staff member would have had no reasonable grounds to believe that the younger child was in need of protection from the persons actually "having charge" of the younger child (i.e., the father and the other adoptive parent). In support, the father provides an extract from a letter drafted by a worker at the service provider with which the family had a pre-existing relationship. The father says this letter shows that the service provider that knows the family had no concerns about the children or the family, and itself questioned the appropriateness of the school staff member's report to the agency. In the father's view, this letter shows that the school

staff member did not have any reasonable grounds to contact the agency with her concerns about the younger child.

[45] In addition, the father questions the school staff member's motivations in making the call to the agency. He believes the school staff member contacted the agency not to report any legitimate child protection concerns, but rather to offer her unsolicited opinion on the appropriateness of the father's adoption of the younger child. The father says these types of opinions are not protected from release under Part X.

[46] It is not in dispute that the school staff member is a person who would be subject to the duty to report if any of the circumstances enumerated in section 125(1) were present. The father asserts that the situation at hand could not have engaged the duty in section 125(1). I do not agree.

[47] The duty to report in section 125(1) does not apply only in situations where the suspected harm to the child is perpetrated directly by the child's legal caregiver. This is made clear by the text of section 125(1), which makes reporting mandatory in situations where the specified harm is "inflicted by" the person having charge of the child, or is "caused by or resulting from" that person's action or inaction, including that person's neglect or failure to provide adequate care, protection, or supervision for the child.¹⁷ Based on a plain reading of this section, I do not accept the father's argument that the section 125(1) duty to report cannot apply simply because the report was about suspected harm perpetrated between siblings.

[48] I have also considered the father's arguments about the reasonableness of the school staff member's concerns leading to her call to the agency. I understand the father to be making the case that the school staff member's concerns about the well-being of the younger child, to the extent they were genuine, were not grounded in reality. While the father provides evidence that a different service provider had no concerns about the family, this does not establish that the school staff member did not have reasonable grounds, at the time of her report to the agency, to suspect the younger child was suffering harm, or was at risk of harm.

[49] In addition, while the father alleges that the school staff member raised child protection concerns merely as a pretext to report her concerns about the family's adoption plans, I am not persuaded the evidence bears out this claim. The previous adjudicator with carriage of this file (and the related file involving the father and a different service provider)¹⁸ wrote to the father to invite any further representations on the section 125 duty to report, but he did not provide any.

[50] In the circumstances, I accept the agency's position that the record at issue documents the school staff member's report to the agency of a reasonably held suspicion, at the time of the report, of harm or risk of harm to the younger child. I find that the

¹⁷ See, for example, paragraphs 1, 2, and 3 of section 125(1).

¹⁸ See footnote 4.

report was made in accordance with a duty to report under section 125(1) of the *CYFSA*.

[51] I also find that granting access to the withheld information would reveal the identity of the individual who contacted the agency under this duty to report. The withheld information therefore qualifies for exemption under section 312(1)(d)(ii) of the *CYFSA*.

[52] As a result, assuming the father has a right of access to the record under the *CYFSA*, I conclude that the exemption at section 312(1)(d)(ii) would apply to the withheld information in the record. I would uphold the agency's refusal of access on this basis.

NO ORDER:

For the foregoing reasons, I dismiss the complaint without issuing an order.

Original Signed by: _____
Jenny Ryu
Adjudicator

_____ March 31, 2026