

Information and Privacy Commissioner,
Ontario, Canada



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

ORDER PO-3491

Appeal PA14-256

University of Toronto

May 20, 2015

Summary: The appellant was an unsuccessful applicant for the internal medicine residency program at the university. He made a request to the university under the *Freedom of Information and Protection of Privacy Act* (the *Act*) for records relating to the selection process pertaining to the position for which he had applied. The university located records responsive to the request and disclosed them to the appellant, withholding the personal information of third parties pursuant to sections 49(b), 49(c.1)(ii) and 21(1) of the *Act*. The appellant appealed the university's decision on the basis that the university had not conducted a reasonable search for records. The adjudicator upholds the reasonableness of the university's search and dismisses the appeal.

OVERVIEW:

[1] The appellant applied as an International Medical Graduate to the University of Toronto (the university) for a residency position in the Internal Medicine Program beginning in July 2014. His application was unsuccessful.

[2] The appellant then made a request to the university under the *Freedom of Information and Protection of Privacy Act* (the *Act*) for records relating to the selection process pertaining to the residency position for which he had applied.

[3] The university issued a decision granting partial access to 156 pages of responsive records, with some information being withheld pursuant to the *Act's*

discretionary personal privacy exemptions at sections 49(b) (unjustified invasion of personal privacy) and 49(c.1)(ii) (personal information supplied in confidence compiled to determine eligibility for admission to an academic program), and the mandatory personal privacy exemption at section 21(1).

[4] The appellant appealed the university's decision to this office; during mediation, he advised that he is not pursuing the information that was withheld under the exemptions at sections 49(c.1)(ii), 49(b) and 21. However, he advised the mediator that he believes more records should exist. The university conducted another search for responsive records and issued a supplemental decision which granted partial access to an additional record, with portions of the record withheld pursuant to the discretionary personal privacy exemption at section 49(b) of the *Act*. The university stated that no other responsive records exist.

[5] Following receipt of the university's supplemental decision, the appellant again told the mediator that while he is not pursuing access to the withheld information in the records, he still believes that more responsive records should exist. The university takes the position that no additional responsive records exist.

[6] As no further mediation was possible, the appeal was transferred to the adjudication stage of the appeal process, where an adjudicator conducts an inquiry. I sought and received representations from the university, initially, followed by the appellant. The university's representations were shared with the appellant in accordance with the Information and Privacy Commissioner's *Practice Direction 7: Sharing of Representations*. Following receipt of the appellant's responding representations, I did not consider it necessary to invite reply representations from the university.

[7] In this order, I uphold the university's search for records as reasonable and dismiss the appeal.

ISSUES:

The only issue in this appeal is whether the university conducted a reasonable search for records.

DISCUSSION:

Background

[8] The following background is taken from a review of the material before me and provides some context for the issue in this appeal.

The appellant's application to the university's Internal Medicine Program

[9] The appellant is a Canadian Permanent Resident who received his medical degree outside of Canada. He applied for a residency position in the university's Internal Medicine Program with a starting date of July 2014.

[10] The university's Internal Medicine Program selects residents from three categories: Canadian Medical Graduate (CMG), International Medical Graduate (IMG) and Internationally Funded Trainee (IFT). IMGs are Canadian Citizens/Permanent Residents who have received their medical training outside of Canada. The appellant applied as an International Medical Graduate (IMG).

[11] According to one of the records partially disclosed by the university, the chart of all IMG applicants to the Internal Medicine Program for 2014-2015, there were approximately 850 such applicants. The applicant appears ranked number 514 on that list.

[12] Of the 850 applications, approximately 200 files were reviewed and of these, sixty-four applicants were offered interviews. The appellant was not among those whose files were reviewed and was not offered an interview. When the appellant learned that he had not been selected for an interview, he wrote to the Internal Medicine Program Director to ask why. In reply, the Program Director wrote:

This year, we had over 800 applications for our internal medicine program from Canadian citizens who received their medical training outside Canada...

We do have occasional interview positions that go unfilled after the first round of invitations are sent out. We then go down our list to the next most qualified applicant. Should your name be at the top of the secondary list, it is possible that you may get a late invitation for an interview...

[13] The appellant was later invited to interview and did so. Ultimately, however, his name was not one of the 34 best applicants who were assigned a numerical ranking that was submitted to CaRMS (the Canadian Residency Matching Service). CaRMS is a national organization that provides an application and matching service for entry into postgraduate medical training throughout Canada.

[14] Upon learning that he had not matched for a residency position in the Internal Medicine Program, the appellant wrote to the Vice Dean of Post Graduate Medical Education for further information on the application process and his rankings. The Vice Dean responded in part:

[Your standardized test score] resulted in a ranking substantially below the cut-off of those applicants who received a file review. However, since you appealed to the Program Director, she agreed to personally review your application file and ultimately determined that while your [standardized test] score was not sufficiently high enough to grant you a file review, she did acknowledge your MRCP designation in Internal Medicine. Accordingly, she determined that with that credential an interview would be granted...

In a later letter, the Vice Dean stated:

In terms of your questions regarding your ranking, I can confirm that based on your [standardized test score] you ranked 514 out of the initial 850 applicants (and as such you were not initially selected as part of the 200 candidates who received a file review).

The appellant's freedom of information request and appeal

[15] The appellant's freedom of information request to the university reads, in part, as follows:

I am requesting:

1. a complete copy of all my records and application held by the University of Toronto;
2. a complete copy of the "standardized" application process including the criteria used to assess and select applicants;
3. my ranking relative to all applicants prior to the interview process;
4. my ranking relative to all applicants who received an offer to interview;
5. my ranking relative to all applicants after the interview process;
6. a complete copy of the "in camera" discussions and findings of the selection committee;
7. and all emails between [two named university employees] and the selection committee and/or communications regarding my application.

I am also requesting:

1. copies of all information: including assessment criteria or policies used to assess and select "Canadian citizen IMGs" who received their medical training outside Canada;
2. Percentage and number of Canadian citizen IMGs who studied abroad versus the percentage of foreign/immigrated IMGs who applied to the internal Medicine Program this year;
3. Percentage and number of Canadian citizen IMGs who studied abroad versus the percentage of foreign/immigrated IMGs who were offered interviews for the internal Medicine Program this year;
4. Percentage and number of Canadian citizen IMGs who studied abroad versus the percentage of foreign/immigrated IMGs who were offered positions for the internal Medicine Program this year; and
5. Percentage and number of Canadian citizen IMGs who studied abroad versus the percentage of foreign/immigrated IMGs who were offered interviews for the internal Medicine Program this year.

[16] As noted above, the university issued a decision granting partial access to 156 pages of responsive records, with some information being withheld pursuant to the *Act's* personal privacy exemptions. The university's decision letter stated in part:

Please find below the University's response to the first seven parts [bullets] of your request.

I am pleased to advise you that access is granted to 32 pages of records responsive to Parts 1 and 2 of your request. The University also located three pages, to which access is denied, because they are personal information that was supplied explicitly or implicitly in confidence and is evaluative or opinion material compiled solely for the purpose of determining suitability, eligibility or qualifications for admission to an academic program of an educational institution and are exempt from disclosure under FIPPA section 49(c.1)(ii). ...

Partial access is granted to records responsive to Part 3. Access is granted to your own personal information that is found on portions of five pages. Personal information of all other applicants on these five pages was severed. In addition, access is denied to 116 other pages which are comprised entirely of personal information of other applicants. Personal information of other applicants is exempt under FIPPA section 49(b), supported by section 21, to protect personal privacy.

Please note that the severed records above indicate that you ranked 514 relative to all 850 applicants to the program.

Please find enclosed the above-noted records, which are being released to you.

There are no responsive records for Part 4. Of those applicants who received a file review, 64 were offered interviews. You were not ranked relative to those applicants who received an offer to interview because you received an offer to interview as a result of your appeal.

There are no responsive records for Part 5. You were not ranked relative to other applicants after the interview process because only the top 34 out of the 64 applicants interviewed were ranked.

There are no responsive records for Part 6 because there were no "in camera" discussions and findings of the selection committee.

There are no responsive records for Part 7 because there were no emails between [the two named university employees] and the selection committee and/or communications regarding your application.

Please find below the University's response to the last four parts [bullets] of your request.

There are no responsive records for Part 1 because there are no assessment criteria or policies used to assess and select "Canadian citizen IMGs" who received their medical training outside Canada. The same assessment criteria or policies are used to assess and select all applicants.

...

There are no responsive records for Parts 2, 3 and 4 because the program does not collect information about place of origin of applicants.

[17] During the mediation stage of this appeal, the appellant raised the following concerns:

- He believes there should be more records about the standardized application process;
- He believes there should be more records setting out his rankings relative to other applicants;
- He believes there should be more notes and/or emails arising out of the selection meeting;
- He notes that CaRMS publishes statistics of the breakdown of applicants from various countries. He believes that the university may be giving these percentages to CaRMS.

[18] In response to the appellant's concerns, the university conducted another search for responsive records and issued a supplemental decision which addressed the issues he had raised and granted partial access to an additional record, a worksheet created by the Program Director of Internal Medicine that records comments made at the selection meeting. Those portions of the record relating to other applicants were withheld pursuant to the discretionary personal privacy exemption at section 49(b) of the *Act*. The university stated that no other responsive records exist.

[19] In the Notice of Inquiry that I issued to the university, I asked it to provide an affidavit containing a summary of all of the steps taken in response to the appellant's request. I also asked it to respond to the specific concerns raised by the appellant during mediation, relating to documents that he feels should exist. In the Notice of Inquiry that I issued to the appellant, I asked him to provide reasons for his continued belief that additional records exist.

Representations

[20] The university made representations, accompanied by an affidavit sworn by the Vice Dean, Postgraduate Medical Education, Faculty of Medicine.

[21] By way of background, the university submits as follows:

The appellant was ranked 514 out of the 850 total applicants to the program for the year. Interviews were offered to the 64 top applicants out of the 850 total applicants. Having been ranked 514 relative to all applicants, the appellant was not given an interview. However, he appealed to the postgraduate Medical Education Office, Faculty of Medicine, and was given an interview, as an interview opening had become available.

After the interview process, the 34 best applicants were ranked in order to be offered residency positions in the Internal Medicine Program. The appellant was not among these 34 best applicants and thus was not selected for a residency position.

[22] The university submits that it conducted two searches for all records reasonably related to every portion of the request, and in its second search, also included the concerns of the appellant raised during mediation. It submits that everyone who searched is an experienced employee or official knowledgeable in the subject matter of the request, and is either faculty or staff of the Postgraduate Medical Education Office and the Department of Medicine. The university submits that the searches included communicating with all officials who would have had knowledge of or dealt with any record responsive to the request which might have existed.

[23] The affidavit of the Vice Dean of Postgraduate Medical Education (the Vice Dean) sets out details of the searches conducted by the university staff. In his affidavit, the Vice Dean explains that he is responsible for all of the 79 medical residency programs at the university and for the oversight of all admission processes to residency training. In his role, he works closely with Residency Program Directors who are educational leaders in each specialty and have a detailed understanding of the Postgraduate Medical Education program.

[24] He states that, in response to the request, he searched diligently for records in the Postgraduate Medical Education Office. He states that records held in that office are well organized and he was able to access them fully and efficiently. He and the Director of Postgraduate Medical Education searched for emails and correspondence reasonably related to each part of the request. They both searched email folders in Outlook for current and archived correspondence.

[25] In addition, they asked the Program Director of Internal Medicine for copies of email correspondence passing between her, other staff and the appellant; the appellant's application file and interview notes; copies of interview and rank list worksheets; a copy of the CaRMS description and file review process for the Internal Medicine Program.

[26] In response, the Program Director of Internal Medicine consulted with other staff and carried out the following searches:

- She and a staff member in the Postgraduate Education Office of the Department of Medicine searched through the CaRMS file of the Internal Medicine Program Assistant, who had kept all CaRMS records and who had recently retired;

- The staff member in the Postgraduate Education Office of the Department of Medicine obtained access to data from the retired Program Assistant's electronic diaries and files;
- An Education Research Officer in the Department of Medicine located additional electronic CaRMS files;
- The Program Director searched her own files and Outlook records, and well as other potentially relevant hard copy files and electronic files in the Department of Medicine;
- It was confirmed that an Internal Medicine CaRMS selection meeting had been held on February 7, 2014, at which committee members had reviewed the records of each applicant interviewed. These records included the Program Director's file review notes about the appellant, the appellant's interview score sheet, and his application, including his CV and supporting documents;
- It was further confirmed that, at the selection meeting, there were verbal "in-camera" discussions of the applicants who had been interviewed. The findings of the meeting were the final rankings of the 34 best applicants, which were recorded;
- There were no additional notes taken, nor written records made, other than those noted above, except for a worksheet that was located later during a second search undertaken during mediation of this appeal.

[27] The Vice Dean's affidavit describes the records that were located as a result of the above searches:

- The appellant's records and application, including the Program Director's file review notes about the appellant; the appellant's interview score sheet; the appellant's application, including his CV and supporting documents; and the Application Summary;
- Records describing the application process including the criteria used to assess and select applicants;
- A spreadsheet which contains the appellant's ranking relative to all applicants prior to the interview process, which was 514 out of all 850 applicants to the program.

[28] The university's representations and affidavit also respond to each of the appellant's specific requests as well as concerns that he raised during mediation.

The standardized application process, including the criteria used to assess and select applicants

[29] The Vice Dean deposes in his affidavit that he is fully knowledgeable about the CaRMS application process, including the various criteria that programs use to assess and select applicants. He states that all of the kinds of records that he would have expected to find respecting the application process were located during the searches and provided to the appellant. He states that these records set out the process that the Internal Medicine Program uses, and that the university relies upon no other process for this purpose.

The appellant's rankings

[30] The Vice Dean states that the records provided to the appellant set out the appellant's ranking, which was 514 out of all 850 applicants. He states that there are no records regarding the appellant's ranking relative to all applicants who received an interview, because he was not ranked relative to those applicants. He was given an interview after his appeal to the Postgraduate Medical Education office because an interview time had become available.

[31] The university further submits that there are no responsive records regarding the appellant's ranking relative to all applicants after the interview process, because only the best 34 applicants were ranked, and the appellant was not one of these.

"In camera" discussions and findings of the selection committee

[32] The university submits that at the selection meeting on February 7, 2014, the selection committee members reviewed the records of each applicant who had been interviewed; these records included the file review notes of the Internal Medicine Program Director about the appellant, the appellant's interview score sheet, and his application documents. The university submits that all of these documents have been provided to the appellant. The university submits that the candidates were discussed verbally and that the findings of the meeting were the final rankings of the 34 best applicants.

[33] The Vice Dean states that, following discussions with this office's mediator, a second search was conducted by himself, the Internal Medicine Program Director and every member of the selection committee, for additional records including those relating to "in camera" discussions and findings of the selection committee. Each member of the selection committee conducted a careful and thorough search for records (hard copy or electronic) about the appellant relating the selection committee meeting. The Internal Medicine Program Director located one additional record: she had created a worksheet in preparation for final ranking that records comments from the meeting. All

the information about the appellant in this record was provided to him. None of the other members had created any records about the appellant in relation to this meeting.

Emails between the Internal Medicine Program Director, the Vice-Dean of Postgraduate Medical Education and other members of the selection committee

[34] The Vice Dean states that in response to the mediator's inquiries, the members of the selection committee searched for any responsive emails or hard copy communications between their members regarding the appellant's application. None of them had any responsive records, nor had any of them deleted any emails that would have been responsive.

Assessment criteria or policies used to assess and select Canadian citizen IMGs who received their medical training outside Canada

[35] The Vice Dean explains that there are no records of assessment criteria or policies used to assess and select "Canadian Citizen IMGs" who received their medical training outside Canada at a medical school not accredited by the North American Accreditation body, because there are no assessment criteria or policies use to assess and select "Canadian citizen IMGs" who received their medical training outside of Canada. The same assessment criteria or policies are used to assess and select all applicants.

Percentages and numbers of: Canadian citizen IMGs who studied abroad versus foreign/immigrated IMGs who applied to the Internal Medicine Program; Canadian citizen IMGs who studied abroad versus foreign/immigrated IMGs who were offered interviews for the Internal Medicine Program; Canadian citizen IMGs who studied abroad versus foreign/immigrated IMGs who were offered positions for the Internal Medicine Program

[36] The Vice Dean explains that there are no responsive records because the program does not collect information about the place of origin of applicants.

Information provided to CaRMS

[37] During mediation, the appellant asked what information the university provides annually to CaRMS. The Vice Dean explained that applicants enter their own information into CaRMS, which then provides the university with the application files. The university gives CaRMS the rank order list of the best applicants; in this case, the 34 best for the program. CaRMS then uses its own database, plus the rank order lists that it receives from universities, to issue an annual report with statistical breakdowns.

[38] In conclusion, the university submits that it conducted two careful and thorough searches for all records reasonably related to the request. It submits that, in the context of the original request and the appellant's subsequent questions, these searches were reasonable and exhaustive. The university submits that no responsive further responsive records exist, and further, that there were no responsive records that existed and were destroyed. The university submits that the appellant has not provided a reasonable basis to support a belief that other responsive records could reasonably exist.

[39] The appellant also filed representations, which I have carefully reviewed in their entirety. I will refer to those representations below in my findings.

Analysis and conclusion

[40] The *Act* does not require the institution to prove with absolute certainty that further records do not exist. However, the institution must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records.¹ For the following reasons, I find that the university has conducted a reasonable search for records responsive to the appellant's request.

[41] A reasonable search is one in which an experienced employee knowledgeable in the subject matter of the request expends a reasonable effort to locate records which are reasonably related to the request.² From my review of the university's representations, including the affidavit of the Vice Dean, I find that the search was conducted by employees experienced in the subject matter of the request and that these individuals expended reasonable efforts to locate responsive records. The search was coordinated and partially carried out by the Vice Dean of Postgraduate Medical Education who is responsible for all of the 79 medical residency programs at the university and for the oversight of all admission processes to residency training. He is familiar with the CaRMS application and residency selection process. In addition to his searches, searches were also carried out by the Internal Medicine Program Director, who has a detailed understanding of the Postgraduate Medical Education program, the members of the selection committee and other staff in the Postgraduate Education Office, Department of Medicine. In my view, these individuals are experienced officers of the university who would be expected to be knowledgeable in the subject matter of the request.

[42] The details of the searches conducted by these personnel are set out in the affidavit of the Vice Dean, and I have summarized those searches above. I find that these individuals conducted a reasonable search. They searched in the areas most likely to contain responsive records, and searched archived and current electronic

¹ Orders P-624 and PO-2559.

² Orders M-909, PO-2469 and PO-2592.

folders as well as hard copy folders. At the request of the mediator, they completed a second search for further records arising out of the selection committee meeting.

[43] I conclude that the university took a reasonable approach to searching for records responsive to the appellant's request and expended reasonable efforts to locate such records.

[44] I now turn to the appellant's specific concerns with respect to the adequacy of the searches performed by the university. Although a requester will rarely be in a position to indicate precisely which records the institution has not identified, he or she still must provide a reasonable basis for concluding that such records exist.³ In this case, the appellant, both during mediation and in his representations, raised several concerns with respect to the university's search. For the following reasons, I find that none of the concerns raised by the appellant forms a reasonable basis for concluding that further responsive records exist.

[45] First, the appellant believes there should be more records about the standardized application process. The university states that all the records that it would have expected to find were found and disclosed to the appellant. The records disclosed to the appellant include many documents relating to the standardized application process. These include documents entitled:

- CaRMS Selection Process: Core Internal Medicine Program
- An application instruction document (4 pages) entitled 2014 R-1 Match Main Residency Match... IMG Stream
- CaRMS File Review Criteria for both CMG and IMG Applicants
- Internal Medicine IMG Application Review
- Interviewers' Instructions
- Interview Scoring Sheet

[46] The appellant has not specified what, in particular, he believe should exist over and above these records. I find there is no reasonable basis for concluding that further records about the standardized application process exist.

[47] Second, the appellant stated during mediation that he believes there should be more records setting out his rankings relative to other applicants. In my view, the university has clearly responded to this issue. The appellant's initial ranking, 514 out of all 850 applicants, is noted on the spreadsheet of all IMG applicants. I accept that the reason there are no records regarding the appellant's ranking relative to all applicants who received an interview, is that he was not ranked relative to those applicants. I also accept that there are no responsive records regarding the appellant's

³ Order MO-2246.

ranking relative to all applicants after the interview process, because only the best 34 applicants were ranked, and the appellant was not one of these.

[48] In his representations, the appellant also submits that the university has not clarified in detail the specific criteria used for the initial ranking (i.e. the appellant's ranking of 514) and subsequent rankings.

[49] Having reviewed the records disclosed to the appellant and the parties' representations, I disagree. As noted above, the Vice Dean informed the appellant that his initial ranking was based on his standardized test score. The records disclosed to the appellant include documents used for the subsequent file review and ranking of appellants in preparation for offers to interview. The applicant has not provided a reasonable basis for concluding that further records exist.

[50] With respect to post-interview rankings, the university has stated that various records were reviewed at the selection committee meeting, including the Program Director's file review notes about the appellant, the appellant's interview score sheet, and his application, including his CV and supporting documents. The university has confirmed that, at the selection meeting, there were verbal discussions of the applicants who had been interviewed and that the findings of the meeting were the final rankings of the 34 best applicants. The university states that there were no additional notes taken, nor written records made, other than those noted above, except for a worksheet that was located later during a second search undertaken during mediation of this appeal. I accept the university's explanation that much of the discussion at the meeting would have been verbal, and thus not documented. I have no reason to believe that there would be further records about the applicants' post-interview rankings.

[51] Third, during mediation, the appellant stated that he believes there should be more notes and/or emails arising out of the selection meeting. In response, the university asked every member of the selection committee to check his or her records. As a result of this search, one additional record was located and provided to the appellant. I find that there is now no basis for believing that further records related to the selection meeting exist.

[52] Fourth, in his representations, the appellant submits that, in the Program Director's letter responding to his inquiry, she stated that the internal medicine program had "over 800 applications from Canadian citizens who received their medical training outside Canada". The appellant submits that this suggests that the Internal Medicine Program does differentiate between Canadian citizen IMGs who studied abroad and "foreign IMGs", being doctors who are immigrating or wish to further their training in Canada.

[53] I find, however, that the appellant is mistaken in believing that the Program Director was making the distinction that he suggests. I have reviewed the records

disclosed to the appellant and I note that university uses the term "Canadian Citizen" as a reference to either Canadian Citizens or Permanent Residents. For example, the first page of the Residency Match instructions for the university's Internal Medicine program contains the following instructions:

Supporting Documentation

Required

Canadian Citizenship (*Document must be notarized/certified*)

Submit one of the following documents to verify your citizenship.

- Canadian Birth Certificate or Act of Birth
- Certificate of Canadian Citizenship
- Confirmation of Permanent Residence in Canada
- Passport page showing Canadian Citizenship
- Canadian Permanent Resident Card (both sides of card)

IMGs must be Canadian Citizens/Permanent Residents...

[54] In my view, in informing the applicant that the Internal Medicine Program had "over 800 applications from Canadian citizens who received their medical training outside Canada", the Internal Medicine Program Director was simply confirming that over 800 eligible applicants – that is, individuals who were Canadian Citizens/Permanent Residents – had applied to the Internal Medicine Program through the IMG stream.

[55] On a related matter, during mediation, the appellant noted that CaRMS publishes statistics of the breakdown of applicants from various countries. He told the mediator that he believes that the university may be giving these percentages to CaRMS.

[56] I find, however, that there is no reasonable basis for concluding that the university has further records about the country of origin of its applicants. The university has stated that it does not collect information about the country of origin of its applicants. It provides its final rankings to CaRMS. Through the application process, CaRMS itself holds information about applicants' countries of origin. CaRMS uses its own database, plus the rank order lists that it receives from universities, to issue an annual report with statistical breakdowns.

[57] Fifth, the appellant states in his representations that he was advised that if there were a declined interview position it would go to next qualified person or to the name on the top of the list. He then received an invitation to interview. He states that it was not until later that he was informed that one of his standardized test scores was below the cut off for the applicants selected for interviews. He questions whether he wasted his hope, time and money to go to Toronto to be interviewed for a position that the Program Director had already decided not to consider him for.

[58] While it is evident that the appellant feels that he was not treated fairly, he has not identified how his concern relates to the search issue before me. I note that, in his exchanges of correspondence with the Internal Medicine Program Director and the Vice Dean following the selection process, he was provided with an explanation for why he was granted an interview despite his relatively low standardized test score. Whether the explanation is a satisfactory one or not is not an issue before me. I find that there is no reasonable basis for concluding that further records exist regarding the university's decision to interview the appellant.

[59] Finally, the appellant submits that the university has not disclosed information that would enable him to determine whether its system is discriminatory or not. He believes that the process of the university's Internal Medicine program discriminates on the basis of race, age, ethnicity and national origin.

[60] Again, the issue before me is whether the university's search for records was reasonable. I do not have jurisdiction to comment on whether the university ought to have additional policies or criteria relating to how applications are assessed. For the reasons set out above, I find that the search for records was carried out by experienced staff who searched in the areas most likely to contain responsive records. The appellant has not raised any basis upon which it is reasonable to believe that further records exist. I am satisfied that the university conducted a reasonable search for records responsive to the appellant's request.

ORDER:

I uphold the university's search as reasonable and dismiss the appeal.

Original Signed By:
Gillian Shaw
Adjudicator

May 20, 2015