

Freedom of Information & Protection of Privacy

ANNUAL REPORT 2019-20

November 2020

Honourable Nathan Cooper
Speaker
Legislative Assembly of Alberta
325 Legislature Building
10800 – 97 Avenue
Edmonton, Alberta
T5K 2B6

Dear Sir:

In accordance with section 86 of the *Freedom of Information and Protection of Privacy Act*, I submit the 24th Annual Report of the operation of this Act for the fiscal year 2019-20.

Respectfully submitted,

A handwritten signature in black ink that reads "Nate Glubish". The signature is written in a cursive, flowing style.

Honourable Nate Glubish
Minister, Service Alberta

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1. Highlights

In 2019-20 fiscal year, provincial government public bodies, which includes Government of Alberta departments, agencies, board and commissions, received over 3,600 general and personal access requests, a slight decrease compared to 2018-19. Of the total requests processed, 98 per cent were handled without complaint to the Information and Privacy Commissioner.

The Government of Alberta provided guidance to Albertans on the *Freedom of Information and Protection of Privacy* (FOIP) Act and the *Personal Information and Protection Act* (PIPA) through the FOIP-PIPA Help Desk by responding to over 2,600 inquiries from the general public, public bodies, non-profit and private sector organizations.

2. FOIP Statistics – Requests to Provincial Government Public Bodies

“Provincial government public bodies” includes government departments, agencies, boards and commissions.

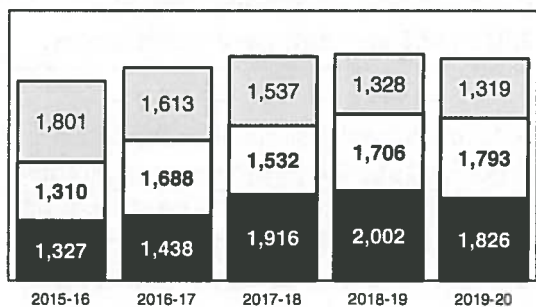
3,619 access requests were made to provincial government public bodies in 2019-20.

2.1 Providing Access to Provincial Government Public Body Records

Provincial government public bodies received 3,619 access requests in 2019-20, a slight decrease of 2.4 per cent from 2018-19. Of those 49.5 per cent (1,793) of the requests were for records of general information, with the remaining 50.5 per cent (1,826) requests for personal information.

Of the total 3,619 access requests received, 3,386 or 94 per cent were made to government departments, with the remaining 233 or 6 per cent going to other provincial government bodies, such as agencies, boards and commissions.

Number of Access Requests Received During the Last Five Years*



■ Personal Information ■ General Information ■ Site Assessments

* Excludes requests for correction of personal information.

* Site assessments are a type of access request made to Environment and Parks for specific types of records typically identified by a land location. These requests are reported separately due to their high volumes. In 2019-20, Environment and Parks received 1,319 site assessment requests, a slight decrease from 2018-19 (1,328).

2.1.1 Provincial Government Public Bodies with Highest Number of Access Requests

General Requests:

Environment and Parks	637
Treasury Board and Finance	121
Justice and Solicitor General	117
Labour and Immigration	114
Health	92
Energy	90
Executive Council and Intergovernmental Relations	76
Education	59
Transportation	54
Alberta Securities Commission	49

Personal Requests:

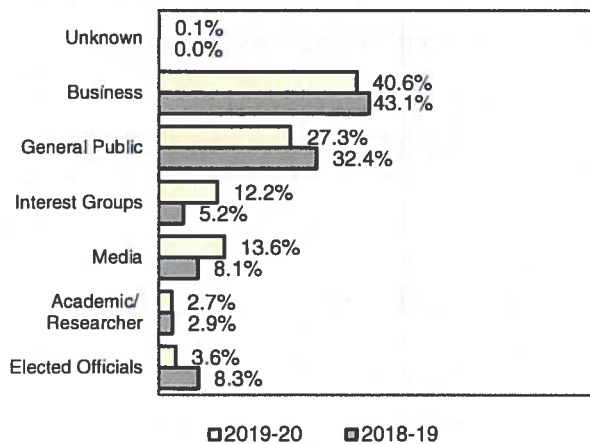
Children’s Services	669
Justice and Solicitor General	594
Community and Social Services	290
Advanced Education	44
Health	40
Transportation	33
Workers’ Compensation Board	32
Service Alberta	18
Public Service Commission	16
Labour and Immigration	14

2.1.2 Who Made Access Requests

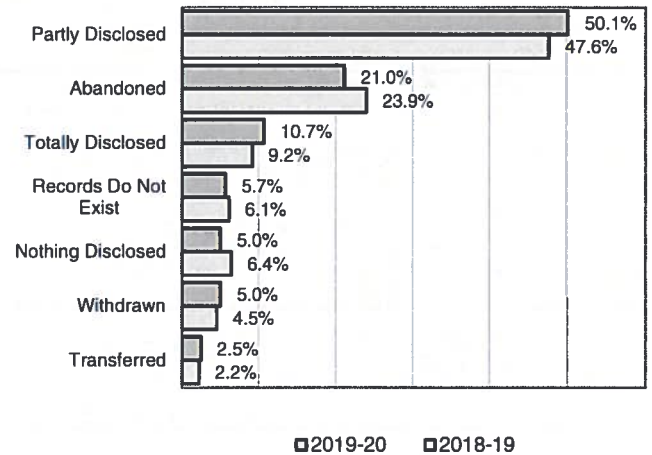
In 2019-20, 50.5 per cent or 1,826 of the total requests to provincial government public bodies were from individuals (general public) requesting access to their own personal information.

For general requests, “business” submitted the highest number of general requests – 728, or 40.6 per cent. The next highest category of applicant was the “general public” at 27.3 per cent or 489 of general requests submitted.

Who Made Access Requests



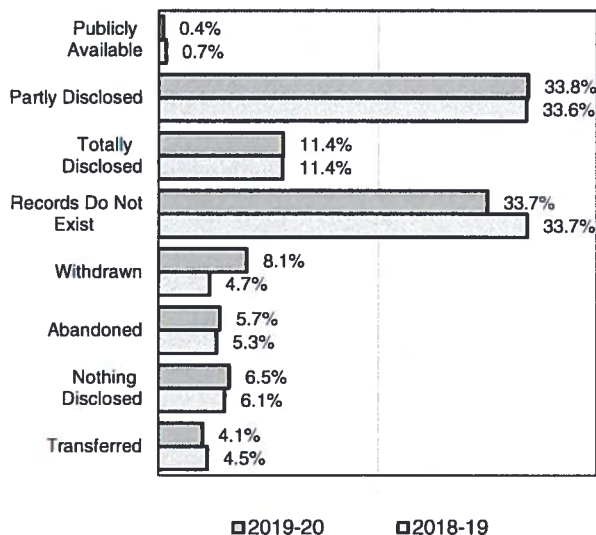
How Requests Were Processed: Personal Request Disposition*



2.1.3 Information Released to Albertans

Access requests have several disposition options. The two charts below summarize the disposition of general access requests and personal access requests to provincial government public bodies.

How Requests Were Processed: General Request Disposition



*“Publicly available” is generally not a response for personal requests because personal records are not typically available to the public.

2.1.4 Why Information Was Not Released

Of the 4,120 exceptions/exclusion that withheld information in 2019-20, 2,077 (50.4 per cent) were mandatory and 2,043 (49.6 per cent) were discretionary.

The following tables summarize the sections of the FOIP Act applied by provincial government public bodies to refuse disclosure to all or part of a record. The number of occurrences indicates the number of requests where a particular section was referenced. Because several sections may be used on a single request, the number of occurrences is not related to the number of requests.

Exceptions

Sections of FOIP Act Used		Number of Information Occurrences
17	Third party – personal information	1,272
24	Advice from officials	663
27	Privileged information	474
21	Intergovernmental relations	349
20	Law enforcement	277
16	Third party – business/tax interests	174
25	Harmful to economic or other interests of a public body	172
22	Cabinet and Treasury Board confidences	92
29	Information otherwise available to the public	48
19	Confidential evaluations	27
18	Harmful to individual or public safety	19
26	Testing procedures, tests and audits	14

Exclusions

Sections of FOIP Act Used		Number of Information Occurrences
4(1)(l)	Registry records	220
4(1)(a)	Court/judicial records	198
4(1)(q)	Communications between MLAs and/or members of Executive Council	26
4(1)(k)	Incomplete prosecution records	17
5	Other legislation paramount	15
4(1)(d)	Records of Officers of the Legislature	14
4(1)(u)	Health information as defined in the <i>Health Information Act</i>	11
6(4)(b)	Ministerial briefing for a session of the Legislative Assembly	11
6(4)(a)	Ministerial briefing for a new portfolio	10
4(1)(o)	Personal/constituency records of members of Executive Council	5
4(1)(p)	Speaker/MLA records in the Legislative Assembly Office	4
4(1)(i)	Post-secondary research material	2
6(7)	Audit records of the Chief Internal Auditor of Alberta	1
4(1)(b)	(Quasi) judicial notes, communications, draft decisions	1
4(1)(g)	Examination/test questions	1
4(1)(j)	Non-public body records in Provincial Archives	1
4(1)(j.1)	Published works collected by a library	1

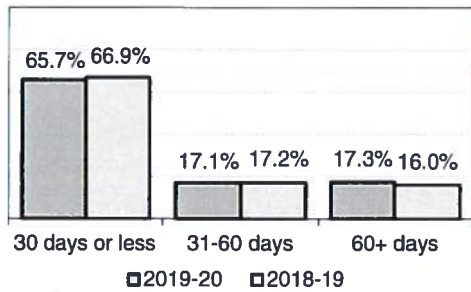
2.1.5 Response Times

In 2019-20, 2,474 or 65.7 per cent of access requests were processed in 30 days or less.

The 30-60-60+ statistics table illustrates the rate of 'response time' on the part of provincial government public bodies. The percentage of access requests processed in 30 days or less slightly decreased in 2019-20 to 65.7 per cent, from 66.9 per cent in 2018-19.

In the period of 31-60 days, 17.1 per cent or 643 of access requests were completed, no change from 17.2 per cent in 2018-19. The percentage of access requests completed in 60 days or more increased from 16 per cent in 2018-19 to 17.3 per cent in 2019-20.

30-60-60+ Data



2.2 Resources

FOIP-PIPA Help Desk

The FOIP-PIPA Help Desk provides general guidance and policy interpretation on the FOIP Act and the *Personal Information Protection Act* (PIPA) to public bodies, organizations and the general public. In 2019-20, Help Desk staff responded to 2,617 queries about access and privacy. Of the 2,617 calls, 866 or 33.1 per cent were about the FOIP Act and 719 or 27.5 per cent were about PIPA. The remaining 1,032 or 39.4 per cent were "redirects" where callers received assistance to find information elsewhere. This included redirecting callers to the Government of Canada, *Health Information Act* Help Desk, Registry Services, or the Office of the Information and Privacy Commissioner.

FOIP-PIPA Help Desk Data

FOIP Act	866
PIPA	719
Redirects*	1,032
Total	2,617

* For "Redirects" callers are assisted in finding the information they require elsewhere.

3. FOIP Statistics – Requests to Local Public Bodies

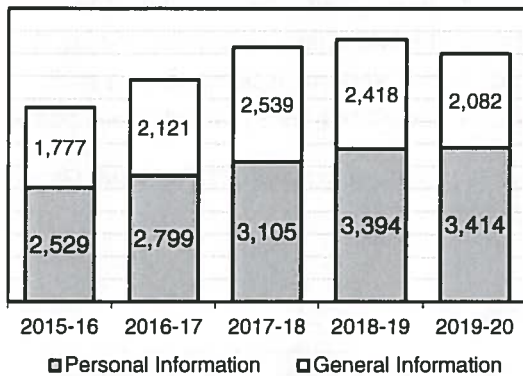
“Local Public Bodies” include municipalities and other local governing bodies, schools, post-secondary institutions, health management bodies, housing management bodies, police services and commissions, Métis Settlements, public libraries, drainage districts, and, irrigation districts.

5,496 access requests were made to local public bodies in 2019-20.

3.1 Providing Access to Local Public Body Records

In 2019-20, 5,496 access requests were made to local public bodies, a decrease of 5.4 per cent in 2018-19 (5,812). Of the 5,496 requests, 2,082 or 37.9 per cent were general requests and 3,414 or 62.1 per cent were personal requests.

Number of Requests to Local Public Bodies*



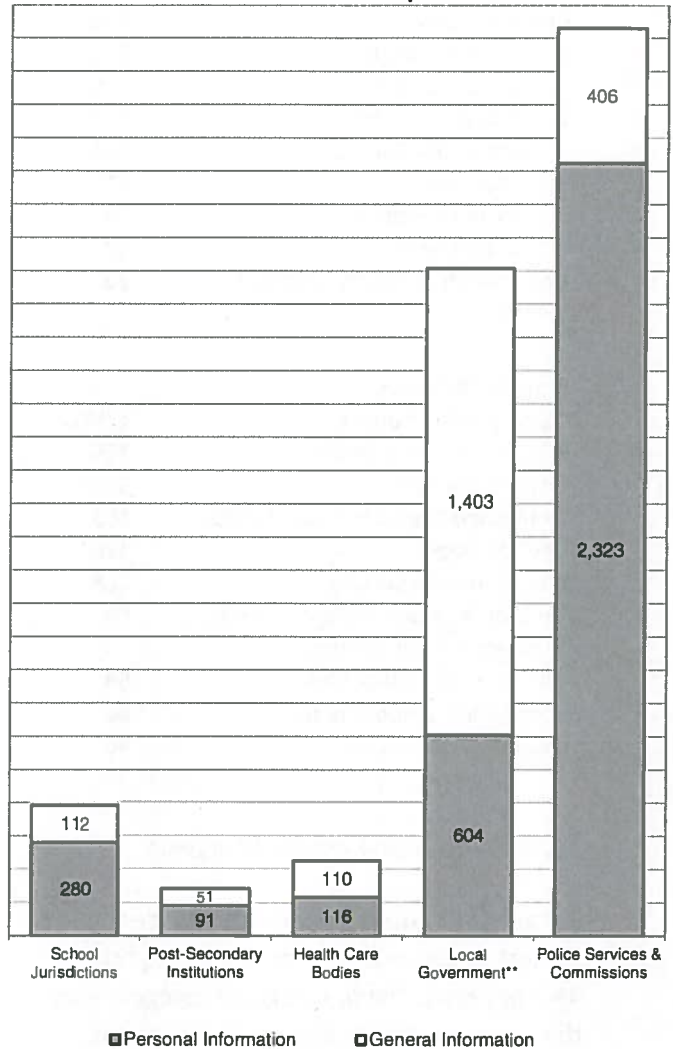
* Excludes requests for correction of personal information.

Of the total access requests made to local public bodies, 2,729 or 49.6 per cent were to Alberta’s police services and police commissions. And of those, 2,323 or 85.1 per cent were requests for personal information.

The next-highest sector was local government at 2,007 or 36.5 per cent of access requests. Of this total, 1,403 or 69.9 per cent of the access requests were for general information.

The third highest were school jurisdictions at 392 or 7.1 per cent of access requests. Followed by Health Care Bodies with 226 or 4.1 per cent.

Sectors that Received Access Requests*



* Excludes requests for correction of personal information.

** Includes municipalities, improvement districts, special areas, regional service commissions, drainage and irrigation districts, housing management bodies, Métis Settlements/General Council, and public libraries.

3.1.1 Local Public Bodies with Highest Number of Access Requests

The list below identifies the local public bodies receiving the highest volume of general requests and personal requests.

General Requests:

City of Edmonton	312
City of Calgary	236
Calgary Police Service	221
Rocky View County	149
Edmonton Police Service	147
Alberta Health Services	106
City of St. Albert	71
County of Grande Prairie	53
City of Red Deer	52
Regional Municipality of Wood Buffalo	38

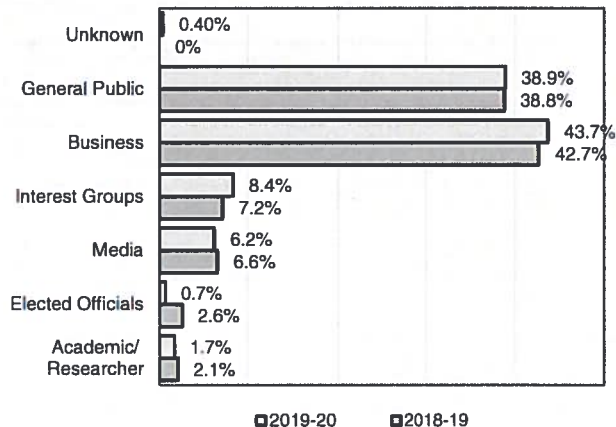
Personal Requests:

Calgary Police Service	1,341
Edmonton Police Service	753
City of Edmonton	304
Lethbridge Regional Police Service	155
City of Calgary	126
Alberta Health Services	108
Greater St. Albert Roman Catholic Separate School Division	69
Medicine Hat Police Service	64
Rocky View School Division	60
University of Calgary	40

3.1.2 Who Made Access Requests

For general requests, "business" were the highest category applicant submitting 910 or 43.7 per cent. The next highest category was the general public at 810 or 38.9 per cent.

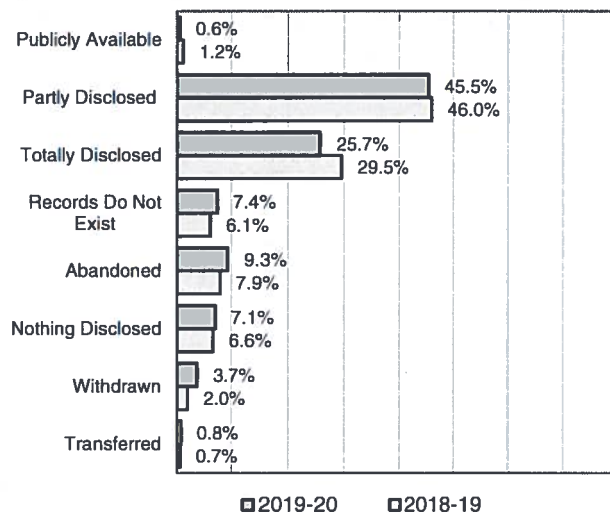
Who Made Access Requests



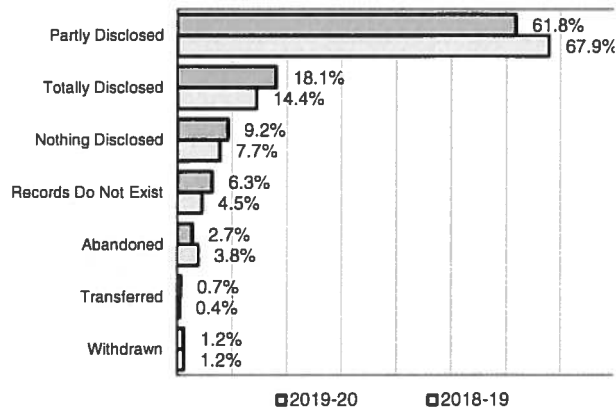
3.1.3 Information Released to Albertans

Access requests have several disposition options. The two charts below summarize the disposition of general access requests and personal access requests to local public bodies.

How Access Requests were Processed: General Requests



How access requests were processed: Personal Requests

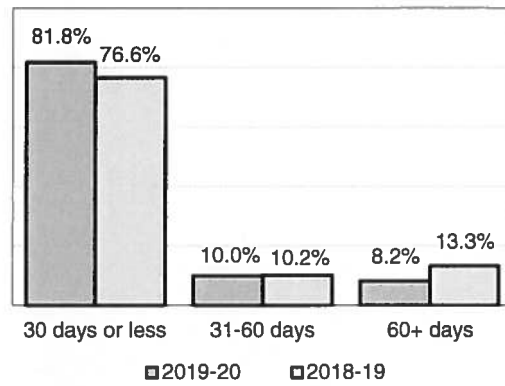


3.1.4 Response Times

Local public bodies responded to 81.8 per cent or 4,748 of access requests in 30 days or less.

In the period of 31-60 days, 10 per cent or 582 of access requests were completed. A total of 8.2 per or 477 cent were completed in 61 days or more.

30-60-60+ Data for Local Public Bodies



Contact Information

FOIP Services
Service Alberta

Office hours: Monday to Friday, 8:15 a.m. to 4:30 p.m.
Office phone: 780-422-2657
FOIP-PIPA Help Desk: 780-427-5848
Toll free: In Alberta, dial 310-0000 then enter 780-427-5848
Email: sa.accessandprivacy@gov.ab.ca
Website: www.servicealberta.ca/foip
FOIP Statistics: www.servicealberta.ca/foip/resources/statistics.cfm