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# Freedom of Information and Protection of Privacy

Annual report 2021–2022



March 2023

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

Dear Sir:

In accordance with section 86 of the *Freedom of Information and Protection of Privacy Act* (FOIP Act), I submit the 26th Annual Report of the operation of this Act for the fiscal year 2021-22.

Respectfully submitted,

[Original signed by]

Honourable Dale Nally  
Minister of Service Alberta and Red Tape Reduction





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## Highlights

In the 2021-22 fiscal year (April 1, 2021 to March 31, 2022), provincial government public bodies, which include Government of Alberta departments, and agencies, boards and commissions, received over 2,800 general and personal access requests, a slight decrease compared to the previous year. Of the total requests processed, 96 per cent were handled without complaint to the Information and Privacy Commissioner.

The Government of Alberta provided guidance to Albertans on the FOIP Act and the *Personal Information and Protection Act* (PIPA) through the FOIP-PIPA Help Desk by responding to over 1,900 inquiries from the general public, public bodies, and non-profit and private sector organizations.

# FOIP Statistics – Requests to Provincial Government Public Bodies

'Provincial government public bodies' include government departments, and agencies, boards and commissions.

## 2.1 Providing Access to Provincial Government Public Body Records

*2,845 access requests were made to provincial government public bodies in 2021-22.*

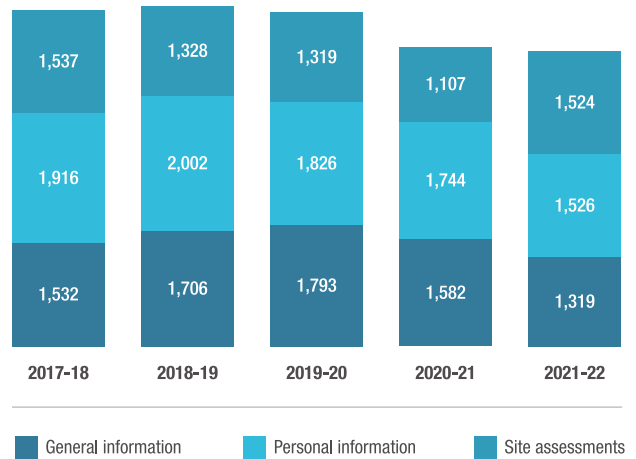
The number of access requests received include the number of general information requests and personal information requests. The total in 2021-22 is 14.5 per cent lower than the number received in the 2020-21.

Of the 2,845 access requests received by provincial government public bodies in 2021-22, 92.3 per cent were made to government departments, with the remaining 7.7 per cent going to other provincial government bodies, such as agencies, boards, and commissions.

In 2021-22, 53.6 per cent of the requests made to provincial government public bodies were from applicants requesting access to their own personal information (personal requests).

Requests for site assessments were also received. The following chart summarizes the number of each category of requests made to provincial government public bodies over the last five years.

**NUMBER OF ACCESS REQUESTS RECEIVED DURING THE LAST FIVE YEARS\***



\* Excludes requests for correction of personal information.

\* Site assessments are a type of access request made to Environment and Protected Areas for specific types of records typically identified by a land location. These requests are reported separately due to their high volumes.

\* Personal requests are requests in which individuals are requesting access to their own personal information.

\* General requests are any request relating to the business of provincial government public bodies and exclude site assessments and/or personal requests.

## SECTION 2

### 2.1.1 Provincial Government Public Bodies With Highest Number of Access Requests

General requests	
Environment and Protected Areas	168
Public Safety and Emergency Services	154
Health	133
Executive Council	125
Jobs, Economy and Northern Development	119
Energy	68
Treasury Board and Finance	54
Agriculture and Irrigation	43
Education	42
Service Alberta and Red Tape Reduction	35

\* Department names reflect Government of Alberta structure in the fiscal year 2022-23. In 2022, there was a reorganization where some departments were merged or renamed. The updates were made in the FOIP system shortly before data was pulled for this report and are reflected here.

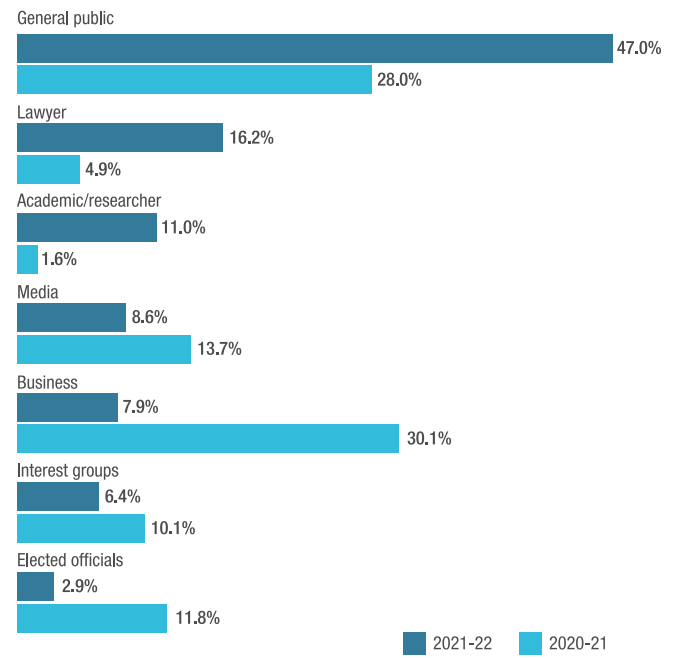
Personal requests	
Children's Services	527
Public Safety and Emergency Services	481
Seniors, Community and Social Services	271
Workers' Compensation Board	36
Public Service Commission	36
Service Alberta and Red Tape Reduction	20
Transportation and Economic Corridors	19
Advanced Education	18
Jobs, Economy and Northern Development	15
Health	12

\* Department names reflect Government of Alberta structure in the fiscal year 2022-23. In 2022, there was a reorganization where some departments were merged or renamed. The updates were made in the FOIP system shortly before data was pulled for this report and are reflected here.

### 2.1.2 Who Made Access Requests

As shown in the following table, the general public submitted the highest number of access requests.

#### WHO MADE ACCESS REQUESTS



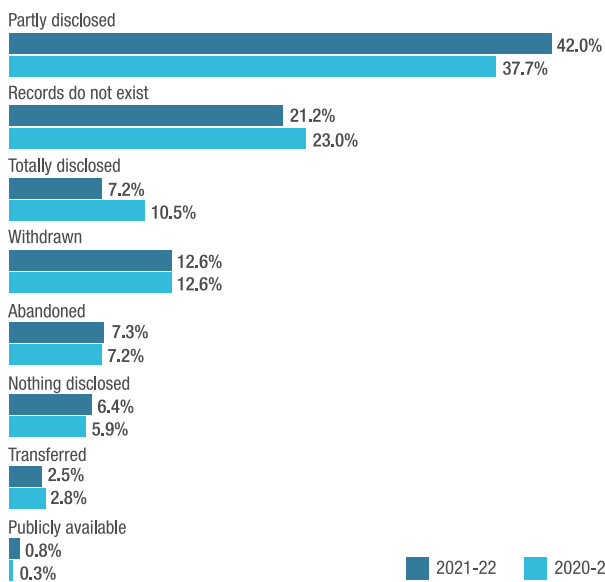


## SECTION 2

### 2.1.3 Information Released to Albertans

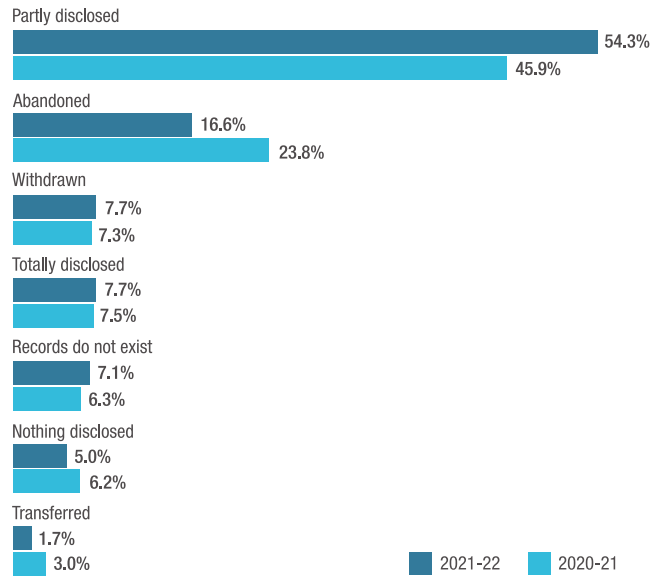
Access requests may be completed using a number of disposition methods. The following charts summarize the disposition methods for general access requests and personal access requests of provincial government public bodies.

#### HOW REQUESTS WERE PROCESSED: GENERAL REQUEST DISPOSITION



\* There was an error in 2020-21. The per cent 'Withdrawn' should have been 12.6%, as indicated in the chart above.

#### HOW REQUESTS WERE PROCESSED: PERSONAL REQUEST DISPOSITION\*



\* 'Publicly Available' is generally not a response for personal requests because personal records are not typically available to the public.

## SECTION 2

### 2.1.4 Why Information Was Not Released

*Of the 19,071 exceptions/exclusions that withheld information in 2021-22, 75.8 per cent were mandatory and 24.2 per cent were discretionary.*

Access to records is subject to specific mandatory and discretionary exceptions or exclusions that are set out in the FOIP Act.

Exclusions refer to types of records the FOIP Act does not apply to.

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 apply to a single request, the number of occurrences is not related to the number of requests.

Exceptions		
Sections of FOIP Act Used		Number of Occurrences
17	Third party – personal information	13,586
24	Advice from officials	1037
27	Privileged information	941
29	Information otherwise available to the public	646
20	Law enforcement	579
25	Harmful economic or other interests of a public body	572
19	Confidential evaluations	480
21	Intergovernmental relations	324
22	Cabinet and Treasury Board confidences	178
16	Third party – business/tax interests	99
18	Harmful to individual or public safety	20
26	Testing procedures, tests and audits	12

\*The increase of 'Exception' statistics over previous years is due to an updated system that captures the total number of occurrences where an 'Exception' is applied.

Exclusions		
Sections of FOIP Act Used		Number of Occurrences
4(1)(a)	Court/judicial records	262
4(1)(l)	Registry records	157
4(1)(o)	Personal/constituency records of members of Executive Council	76
4(1)(g)	Examination/test questions	61
4(1)(q)	Communications between MLAs and/or members of Executive Council	20
4(1)(k)	Incomplete prosecution records	7
4(1)(p)	Speaker/MLA records in the Legislative Assembly Office	4
4(1)(d)	Records of Officers of the Legislature	3
5	Other legislation paramount	3
12(2)	Refuse to confirm or deny existence of record	3
6(4)(b)	Ministerial briefing for a session of the Legislative Assembly	1

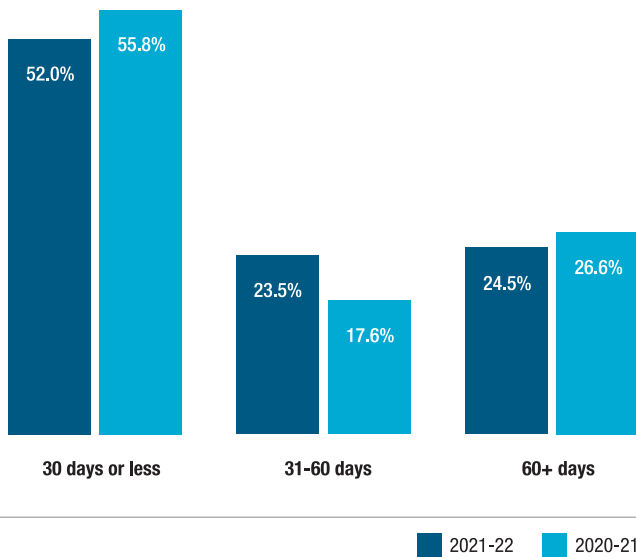
## SECTION 2

### 2.1.5 Response Times

*In 2021-22, 52 per cent of access requests to provincial government public bodies were processed in 30 days or less.*

The FOIP Act requires requests to be processed within 30 days. A time extension can be applied for processing a FOIP request, if needed. The 30-60-60+ statistics table below illustrates the rate of response time on the part of provincial government public bodies.

#### 30-60-60+ DATA



## 2.2 Resources

### FOIP-PIPA Help Desk

*In 2021-22, Help Desk staff responded to 1,982 queries about access and privacy.*

The FOIP-PIPA Help Desk provides general guidance and policy interpretation on the FOIP Act and PIPA to public bodies, non profits, private sector organizations and the general public.

Of the total 1,982 calls received, 66 per cent were about the FOIP Act and 24 per cent were about PIPA. The remaining 10 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

Number of calls answered by the Help Desk (2021-22)	
FOIP	1,304
PIPA	466
Redirects	212
Total	1,982

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

## FOIP Statistics – Requests to Local Public Bodies

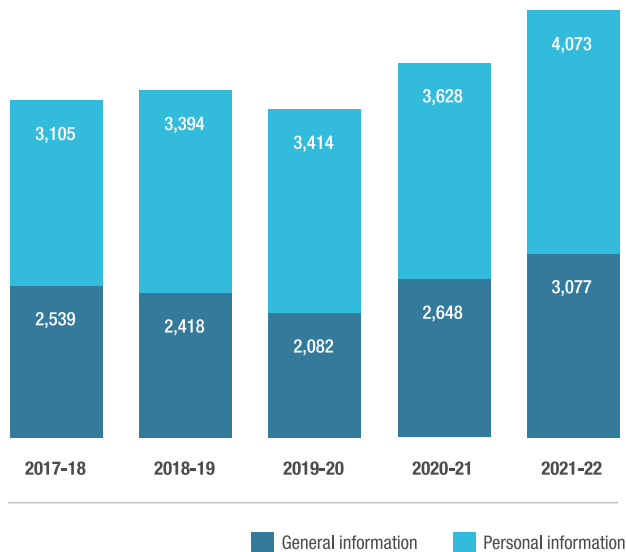
“Local Public Bodies” include municipalities and other local governing bodies, schools, post-secondary institutions, health management bodies, housing management bodies, police services and commissions, Métis Settlements, public libraries, drainage districts, and irrigation districts.

### 3.1 Providing Access to Local Public Body Records

*7,150 access requests were made to local public bodies in 2021-22.*

In 2021-22, there was a 13.9 per cent increase in access requests made to local public bodies compared to 2020-21. Of the requests made, 57.0 per cent were personal requests.

#### NUMBER OF REQUESTS TO LOCAL PUBLIC BODIES\*

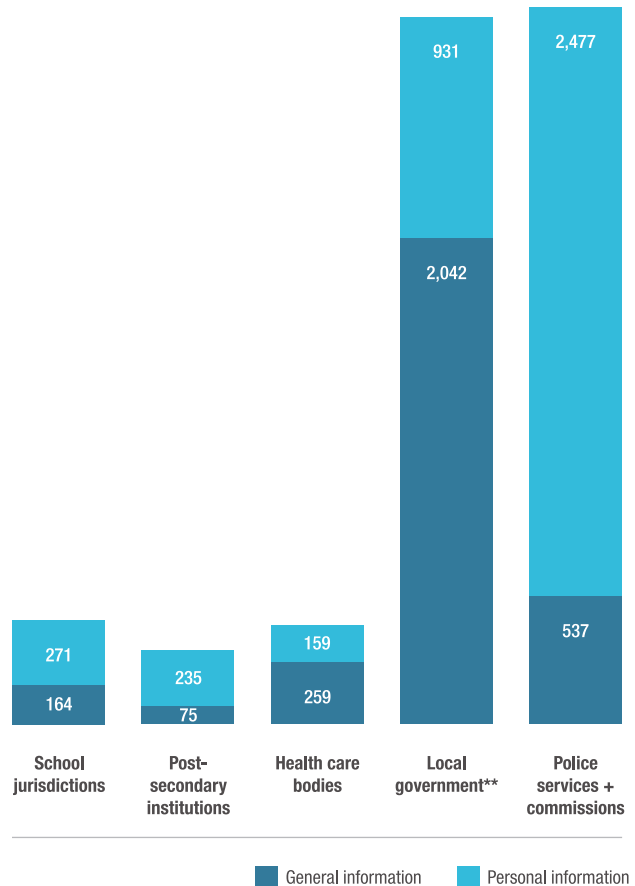


\* Excludes requests for correction of personal information.

Of the total access requests made to local public bodies, 42.2 per cent were to police services and commissions. Of those, 82.2 per cent were requests for personal information.

The next-highest sector was local government at 41.6 per cent of access requests. Of this total, 68.7 per cent of the access requests made to local governments were for general information.

#### 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.

## SECTION 3

### 3.1.1 Local Public Bodies With Highest Number of Access Requests

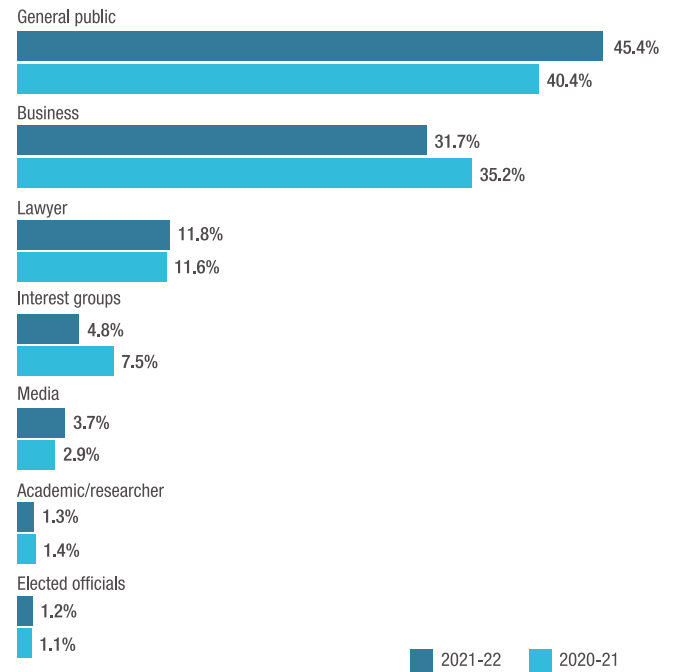
The list below identifies the local public bodies receiving the highest volume of general requests and personal requests.

General Requests	
County of Forty Mile No. 8	343
City of Edmonton	336
City of Calgary	287
Alberta Health Services	256
Calgary Police Service	248
Edmonton Police Service	218
Rocky View County	184
County of Grande Prairie No. 1	65
City of Red Deer	63
City of St. Albert	61
Personal Requests	
Calgary Police Service	1,438
Edmonton Police Service	834
City of Edmonton	329
County of Forty Mile No. 8	260
Lethbridge Police Service	153
Alberta Health Services	150
City of Calgary	140
Rocky View School Division	133
Medicine Hat College	92
University of Calgary	52

### 3.1.2 Who Made Access Requests

The following chart shows the percentage of general requests made to local public bodies by applicant category.

#### WHO MADE ACCESS REQUESTS



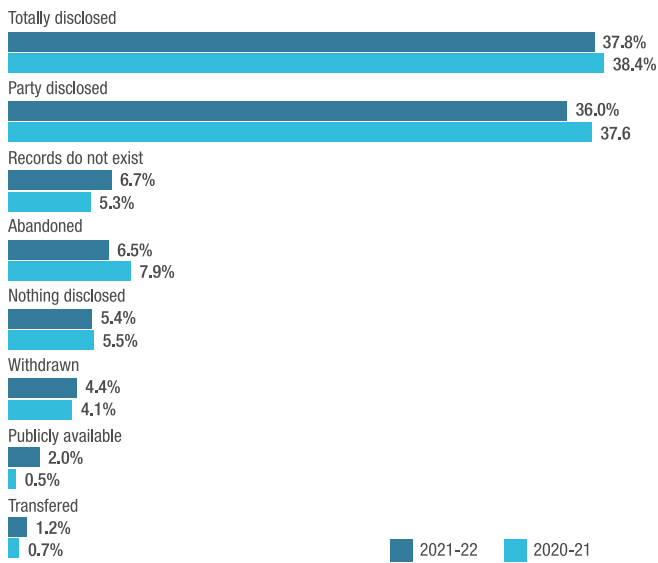
\* 'Unknown' stopped being tracked in 2020-21 and has been removed.

## SECTION 3

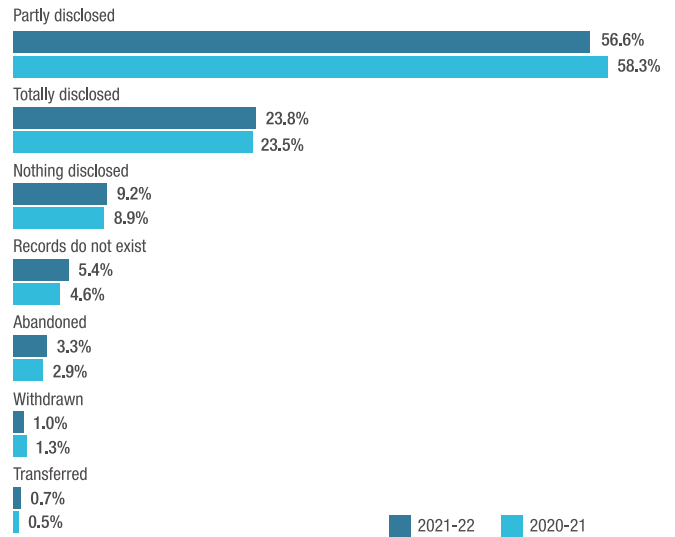
### 3.1.3 Information Released to Albertans

There are several disposition statuses for access requests. The two charts below summarize the disposition of general access requests and personal access requests of local public bodies.

#### HOW ACCESS REQUESTS WERE PROCESSED: GENERAL REQUESTS



#### HOW ACCESS REQUESTS WERE PROCESSED: PERSONAL REQUESTS

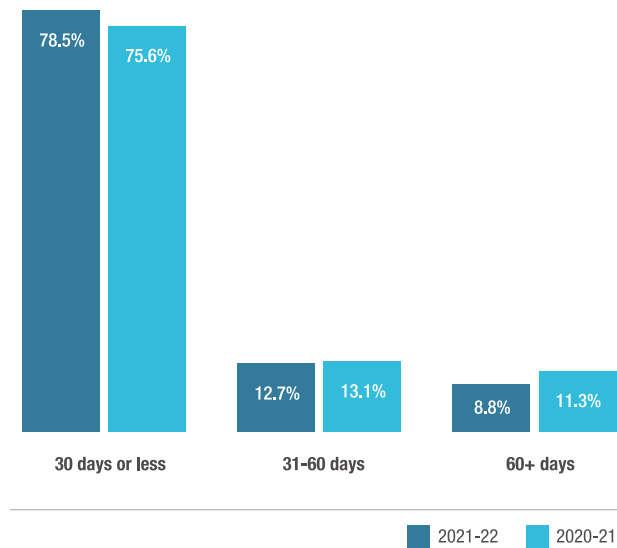


### 3.1.4 Response Times

*In 2021-22, 78.5 per cent of access requests to local public bodies were processed in 30 days or less.*

The FOIP Act requires requests to be processed within 30 days. A time extension can be applied for processing a FOIP request, if needed. The 30-60-60+ statistics table illustrates the rate of response time on the part of local public bodies.

#### 30-60-60+ DATA FOR LOCAL PUBLIC BODIES



Contact Information  
FOIP/PIPA Help Desk

Web form	<a href="http://www.alberta.ca/contact-the-foip-pipa-help-desk.aspx">www.alberta.ca/contact-the-foip-pipa-help-desk.aspx</a>
Voicemail	780-427-5848
Toll free	In Alberta, dial 310-0000 then enter 780-427-5848
Website	<a href="http://www.alberta.ca/freedom-of-information-and-protection-of-privacy.aspx">www.alberta.ca/freedom-of-information-and-protection-of-privacy.aspx</a>

