



---

# Freedom of Information and Protection of Privacy

Annual report 2022–2023



February 2024

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 27th Annual Report of the operation of this Act for the fiscal year 2022–23.

Respectfully submitted,

[Original signed by]

Honourable Dale Nally  
Minister of Service Alberta and Red Tape Reduction





# Contents

<b>Section 1   Highlights</b> .....	<b>6</b>
<b>Section 2   FOIP Statistics – Requests to Provincial Government Public Bodies</b> .....	<b>7</b>
2.1 Providing Access to Provincial Government Public Body Records.....	7
2.1.1 Provincial Government Public Bodies With Highest Number of Access Requests.....	8
2.1.2 Who Made Access Requests .....	8
2.1.3 Information Released to Albertans .....	9
2.1.4 Why Information Was Not Released .....	10
2.1.5 Response Times .....	10
2.2 Resources .....	10
<b>Section 3   FOIP Statistics – Requests to Local Public Bodies</b> .....	<b>13</b>
3.1 Providing Access to Local Public Body Records.....	13
3.1.1 Local Public Bodies With Highest Number of Access Requests .....	14
3.1.2 Who Made Access Requests .....	14
3.1.3 Information Released to Albertans .....	15
3.1.4 Response Times .....	16

## Highlights

In the 2022-23 fiscal year (April 1, 2022 to March 31, 2023), provincial government public bodies, which include Government of Alberta departments, agencies, boards, and commissions, received over 2,300 general and personal access requests, a decrease compared to the previous year. Of the total requests processed, 95.5 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 1,900 inquiries from the general public, public bodies, non-profit, and private sector organizations.

# FOIP Statistics – Requests to Provincial Government Public Bodies

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

## 2.1 Providing Access to Provincial Government Public Body Records

*2,358 access requests were made to provincial government public bodies in 2022-23.*

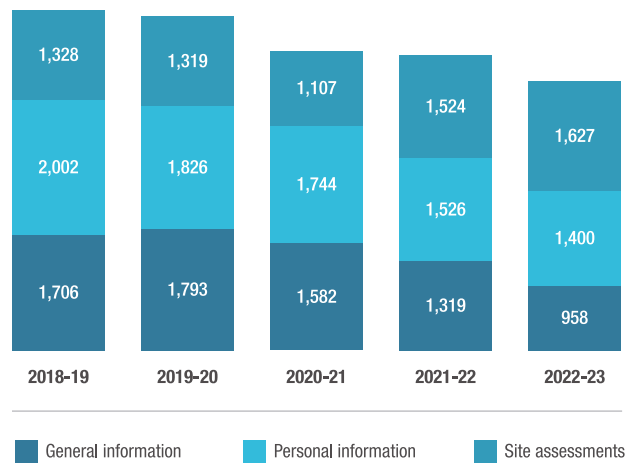
The number of access requests received include the number of general information requests and personal information requests. The total in 2022-23 is 17.1 per cent lower than the number received in the 2021-22.

Of the 2,358 access requests received by provincial government public bodies in 2021-22, 93.1 per cent were made to government departments, with the remaining 6.9 per cent going to other provincial government bodies, such as agencies, boards, and commissions.

In 2022-23, 59.4 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

The following tables show the top ten provincial government public bodies with the highest numbers for general and personal access requests, respectively.

General requests	
Jobs, Economy and Trade	111
Environment and Protected Areas	80
Health	80
Executive Council	72
Public Safety and Emergency Services	56
Treasury Board and Finance	49
Energy and Minerals	46
Alberta Energy Regulator	39
Agriculture and Irrigation	35
Justice	32

\* Department names reflect the Government of Alberta structure in the fiscal year 2022-2023. Updates made in the FOIP system before data was pulled for this report are reflected here.

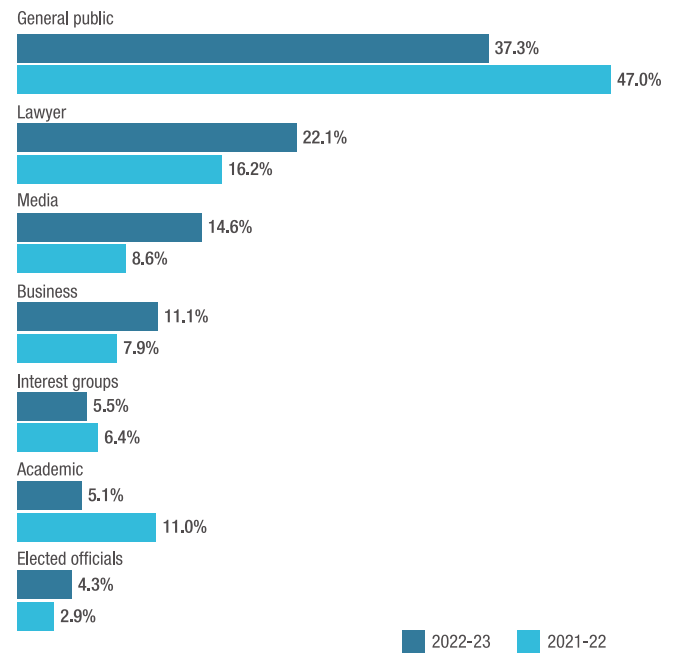
Personal requests	
Children and Family Services	441
Public Safety and Emergency Services	380
Seniors, Community and Social Services	325
Workers' Compensation Board	65
Advanced Education	30
Justice	26
Service Alberta and Red Tape Reduction	18
Transportation and Economic Corridors	15
Environment and Protected Areas	10
Education	9

\* Department names reflect the Government of Alberta structure in the fiscal year 2022-2023. Updates made in the FOIP system before data was pulled for this report 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



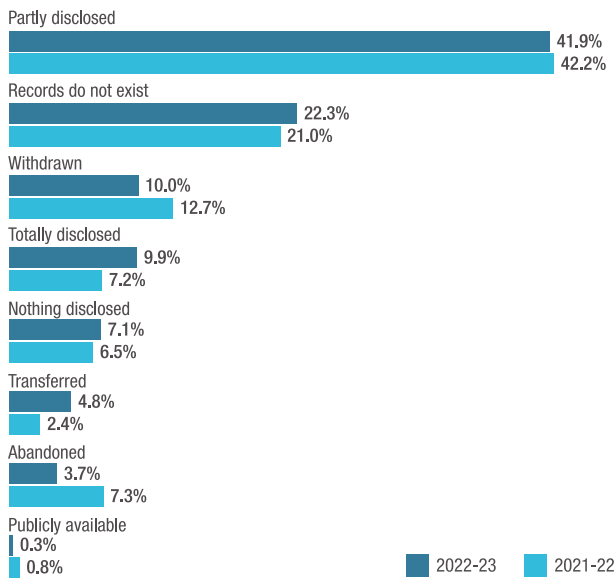


## SECTION 2

### 2.1.3 Information Released to Albertans

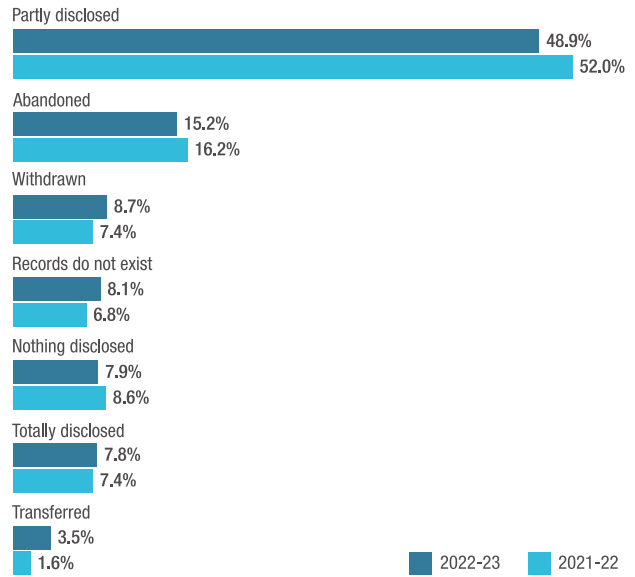
Access requests may be completed using several disposition methods. The following charts summarize the disposition methods for general access requests and personal access requests of provincial government public bodies.

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



\* The slight discrepancy between the 2021-22 numbers presented in this chart compared to the numbers published in the previous report is due to minor updates made after the numbers were re-verified.

#### 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.

\* The slight discrepancy between the 2021-22 numbers presented in this chart compared to the numbers published in the previous report is due to minor updates made after the numbers were re-verified.

## SECTION 2

### 2.1.4 Why Information Was Not Released

*Of the 215,337 exceptions/exclusions that withheld information in 2022-23, 70.4 per cent were mandatory and 29.6 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	Exceptions	Number of Occurrences
17	Third party - personal information	130,477
24	Advice from officials	19,678
25	Harmful economic or other interests of a public body	16,018
16	Third party - business/ tax interests	11,048
27	Privileged information	9,955
20	Law enforcement	6,940
29	Information otherwise available to the public	5,882
22	Cabinet and Treasury Board confidences	3,914
21	Intergovernmental relations	3,866
18	Harmful to individual or public safety	1,210
19	Confidential evaluations	144
26	Testing procedures, tests, and audits	119
23	Local public body confidences	2
28	Harmful to conservation of Heritage sites/ vulnerable forms of life	2

\*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	Exclusions	Number of Occurrences
4(1)(a)	Court/judicial records	4,624
4(1)(l)	Registry records	857
4(1)(q)	Communications between MLAs and/or members of Executive Council	344
4(1)(d)	Records of Officers of the Legislature	112
5	Other legislation paramount	85
4(1)(o)	Personal/constituency records of members of Executive Council	29
4(1)(p)	Speaker/MLA records in the Legislative Assembly Office	4
4(1)(h)	Post-secondary teaching material	3
4(1)(i)	Post-secondary research material	3
4(1)(b)	(Quasi) judicial notes, communications, draft decisions	2
4(1)(k)	Incomplete prosecution records	2
4(1)(u)	Health Information as defined in the Health Information Act	2
4(1)(c)	Quality assurance records (health)	1
4(1)(e)	Disclosure to the Ethics Commissioner	1
4(1)(f)	Advice to Ethics Commissioner re: Conflict of Interest	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
4(1)(m)	Personal/constituency records of an elected official	1
4(1)(n)	Personal records of an appointed/elected official of the governing body	1
4(1)(r)	Treasury Branch records not related to a non-arm's length transaction between GoA/another party	1
4(1)(s)	Credit union records not related to a non-arm's length transaction between GoA/another party	1
4(1)(t)	Records relating to long-term and unclaimed balances with/assumed by the Credit Union Deposit Guarantee Corporation	1
6(4)(a)	Ministerial briefing for a new portfolio	1
6(4)(b)	Ministerial briefing for a session of the Legislative Assembly	1
6(7)	Audit records of the Chief Internal Auditor of Alberta	1
12(2)	Refuse to confirm or deny existence of record	1

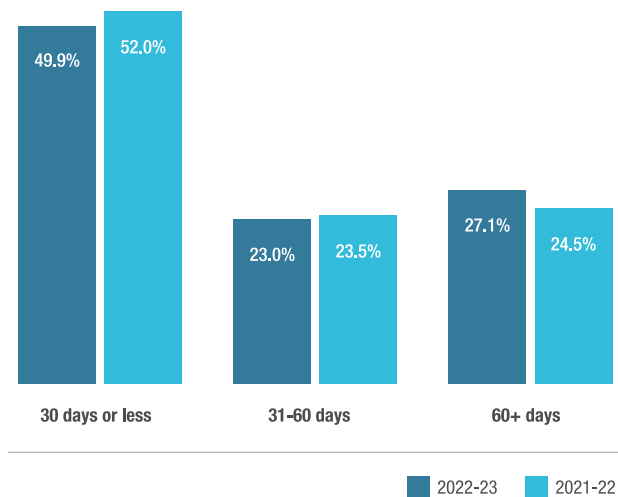
## SECTION 2

### 2.1.5 Response Times

*In 2022-23, 49.9 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 2022-23, Help Desk staff responded to 1,930 queries about access and privacy.*

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

Of the total 1,930 calls received, 48.3 per cent were about the FOIP Act and 30.9 per cent were about PIPA. The remaining calls were 'redirects' (20.0 per cent), where callers received assistance to find information elsewhere, or 'unknowns' (0.8 per cent) where the reason for the call could not be determined. The 'redirects' 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 (2022-23)	
FOIP	932
PIPA	597
Redirects *	386
Unknown **	15
Total	1,930

\* 'Redirects' refers to instances where the callers are assisted in finding the information they require elsewhere.

\*\* 'Unknown' refers to inquiries where the caller provided contact information, but did not provide their reason for calling or did not respond to calls/emails from the Help Desk team.

## FOIP Statistics – Requests to Local Public Bodies

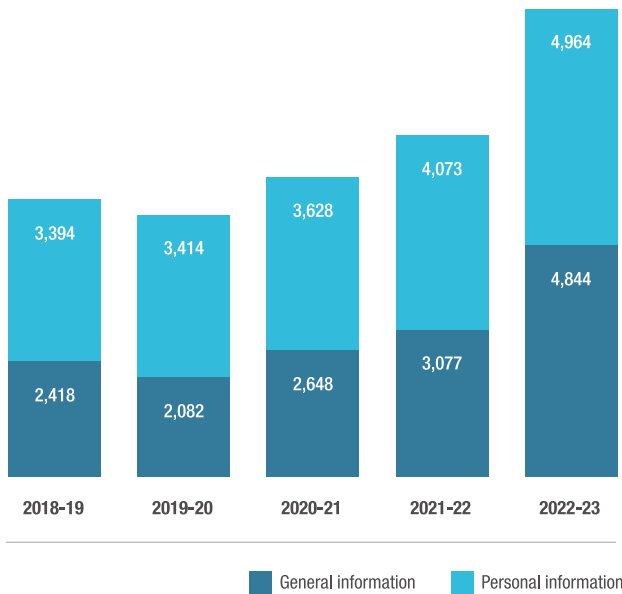
'Local Public Bodies' include municipalities and other local governing bodies, schools, post-secondary institutions, health management bodies, housing management bodies, police services and commissions, Metis Settlements, public libraries, drainage districts, and irrigation districts.

### 3.1 Providing Access to Local Public Body Records

9,808 access requests were made to local public bodies in 2022-23.

In 2022-23, there was a 37.2 per cent increase in access requests made to local public bodies compared to 2021-22. Of the requests made, 50.6 per cent were personal requests.

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

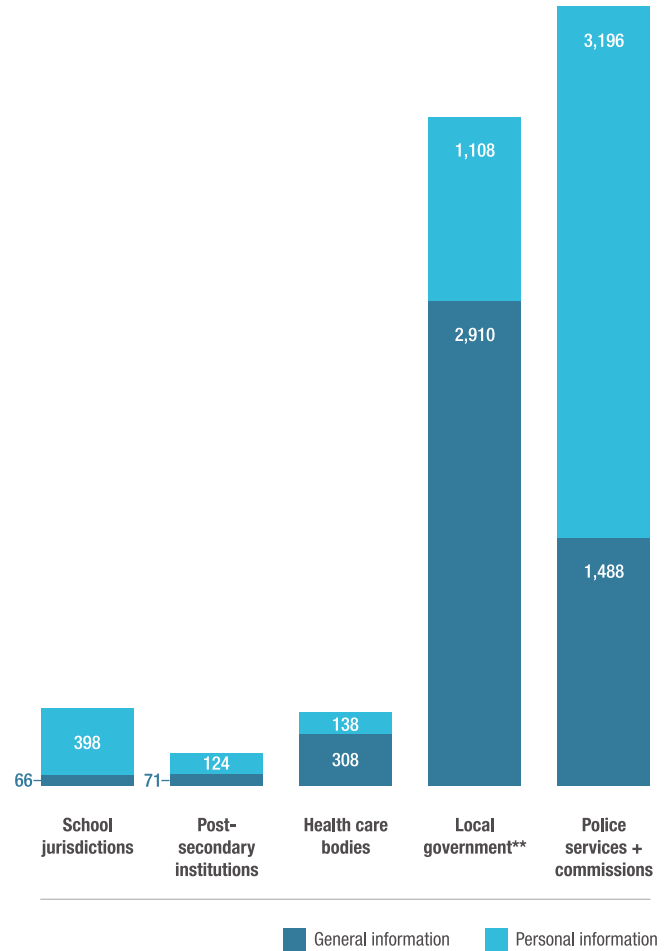


\* Excludes requests for correction of personal information.

Of the total access requests made to local public bodies, 47.8 per cent were to police services and commissions. Of those, 68.2 per cent were requests for personal information.

The next-highest sector was local government at 41.0 per cent of access requests. Of this total, 72.4 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, Metis Settlements/General Council, and public libraries.

## SECTION 3

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

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

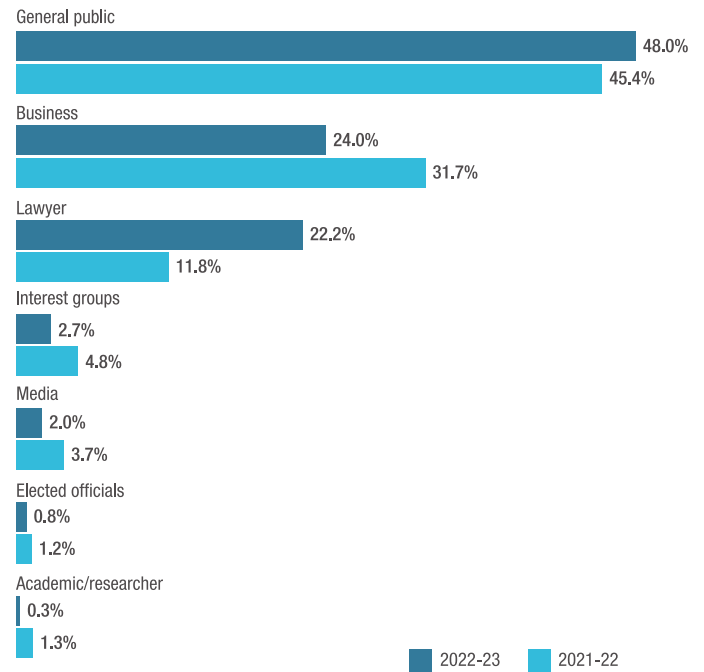
General Requests	
Edmonton Police Service	1,104
County of Forty Mile No. 8	750
City of Edmonton	403
Calgary Police Service	360
Alberta Health Services	296
City of Calgary	296
Rocky View County	155
Wheatland County	129
City of Lethbridge	102
City of Red Deer	90

Personal Requests	
Calgary Police Service	1,588
Edmonton Police Service	1,398
City of Edmonton	334
County of Forty Mile No. 8	260
City of Calgary	220
Rocky View School Division	180
Lethbridge Police Service	140
Alberta Health Services	135
Regional Municipality of Wood Buffalo	68
University of Calgary	64

### 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



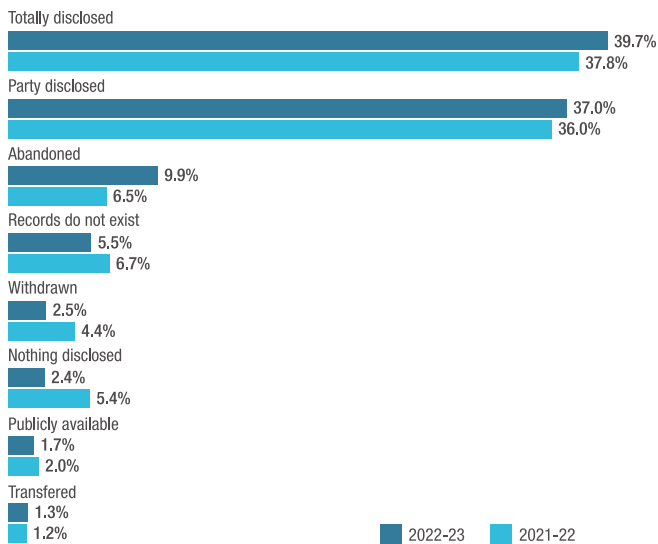
\* 'Unknown' stopped being tracked in 2020-21 and has been removed.

## SECTION 3

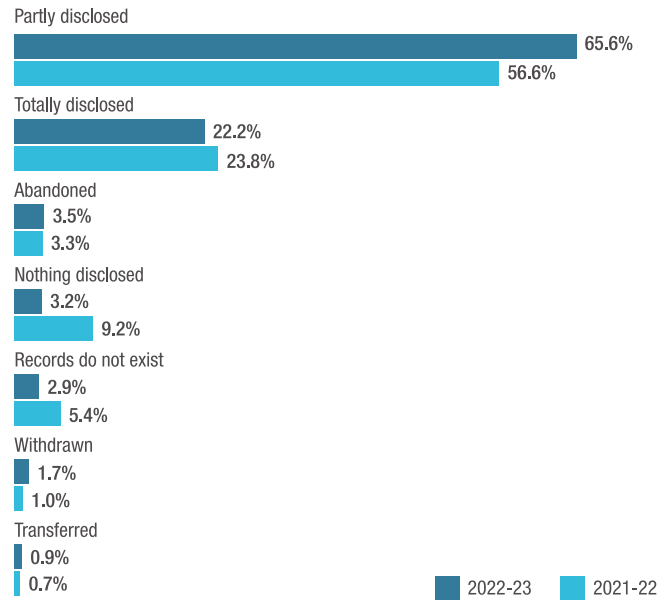
### 3.1.3 Information Released to Albertans

There are several disposition statuses for access requests. The two charts in this section 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

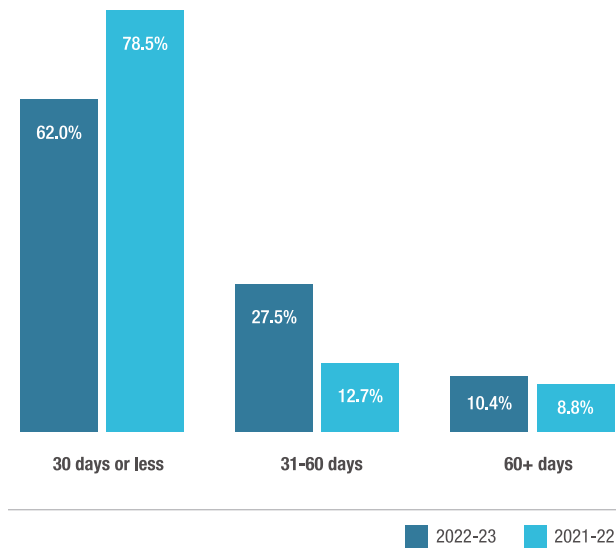


### 3.1.4 Response Times

*In 2022-23, 62.0 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>

