



Freedom of Information and Protection of Privacy

Annual Report 2020 - 2021

February 2022

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 25th Annual Report of the operation of this Act for the fiscal year 2020-21.

Respectfully submitted,



Honourable Nate Glubish
Minister, Service Alberta



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Highlights

In the 2020-21 fiscal year, provincial government public bodies, which include Government of Alberta departments, agencies, board and commissions, received over 3,300 general and personal access requests, a slight decrease compared to 2019-20. Of the total requests processed, 98 per cent were handled without complaint to the Information and Privacy Commissioner. Due to the COVID-19 pandemic and the critical need for the pandemic response to be the government's top priority, a temporary timeline change was introduced. The temporary extension ensured staff safety, record security, and applicant confidentiality during remote working directives and when more resources were focused on the pandemic response.

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 2,200 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.

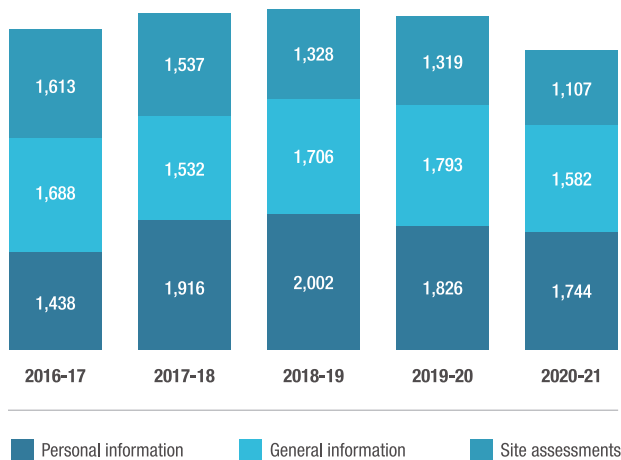
2.1 Providing Access to Provincial Government Public Body Records

3,326 access requests were made to provincial government public bodies in 2020-21.

Provincial government public bodies received 3,326 access requests in 2020-21, a slight decrease of 8.1 per cent in 2019-20. Of those, 47.6 per cent (1,582) of the requests were for records of general information with the remaining 52.4 per cent (1,744) requests for personal information.

Of the total 3,326 access requests received, 3,114 or 93.6 per cent were made to government departments, with the remaining 212 or 6.4 per cent going to other provincial government bodies, such as agencies, boards and commissions.

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 Parks for specific types of records typically identified by a land location. These requests are reported separately due to their high volumes. In 2020-21, Environment and Parks received 1,107 site assessment requests, a slight decrease from 2019-20 (1,319).

2.1.1 Provincial Government Public Bodies With Highest Number of Access Requests

General requests	
Environment and Parks	443
Health	194
Executive Council	121
Labour and Immigration	105
Justice and Solicitor General	85
Education	69
Transportation	56
Energy	53
Treasury Board and Finance	48
Agriculture and Forestry/Alberta Energy Regulator	47
Personal requests	
Children's Services	618
Justice and Solicitor General	492
Community and Social Services	362
Service Alberta	46
Transportation	42
Advanced Education	41
Workers' Compensation Board	21
Labour and Immigration	17
Public Service Commission	16
Health	15

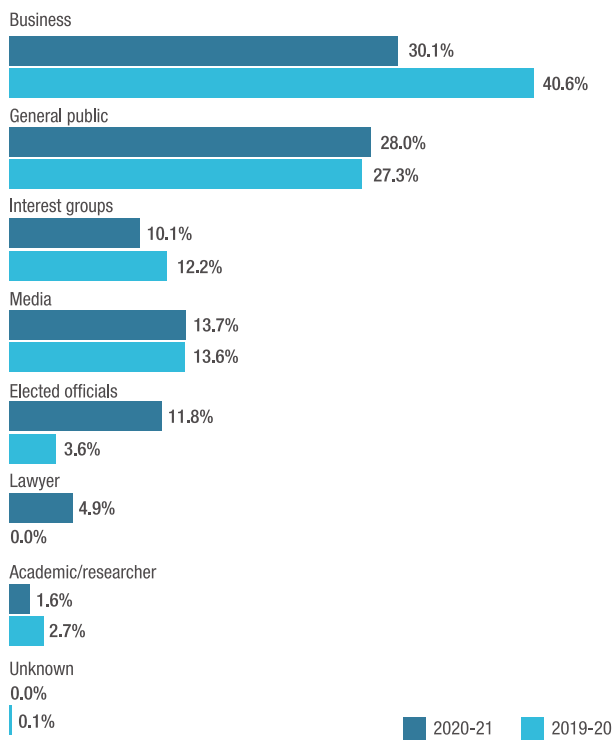
SECTION 2

2.1.2 Who Made Access Requests

In 2020-21, 52.4 per cent or 1,744 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 – 476, or 30.1 per cent. The next highest category of applicant was the “general public” at 28 per cent or 443 of general requests submitted.

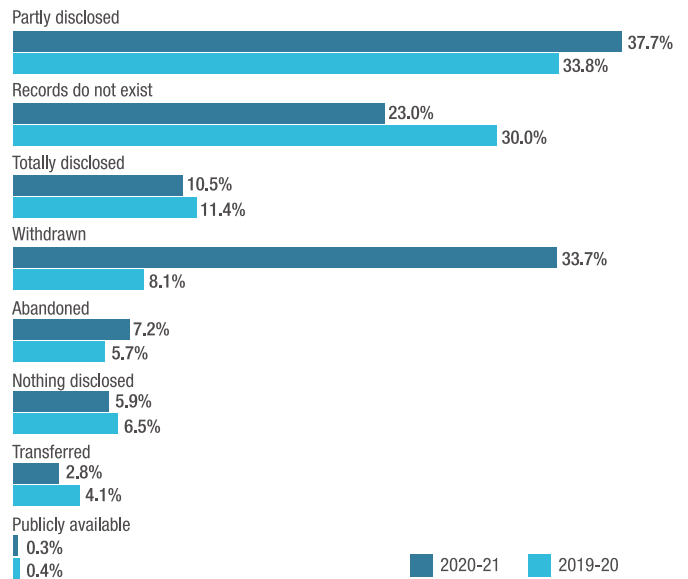
WHO MADE ACCESS REQUESTS



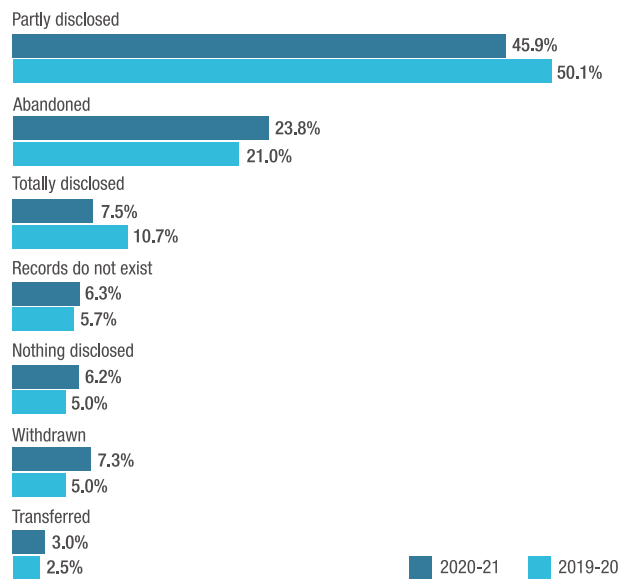
2.1.3 Information Released to Albertans

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

HOW REQUESTS WERE PROCESSED: GENERAL REQUEST DISPOSITION



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 3,881 exceptions/exclusions that withheld information in 2020-21, 2,091 (54 per cent) were mandatory and 1,785 (46 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.

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	1,520
24	Advice from officials	695
27	Privileged information	395
21	Intergovernmental relations	320
20	Law enforcement	191
25	Harmful to economic or other interests of a public body	110
22	Cabinet and Treasury Board confidences	101
16	Third party – business/tax interests	83
29	Information otherwise available to the public	52
26	Testing procedures, tests and audits	12
19	Confidential evaluations	10
18	Harmful to individual or public safety	5

Exclusions		
Sections of FOIP Act Used		Number of Occurrences
4(1)(l)	Registry records	170
4(1)(a)	Court/judicial records	160
4(1)(q)	Communications between MLAs and/or members of Executive Council	23
5	Other legislation paramount	8
6(4)(b)	Ministerial briefing for a session of the Legislative Assembly	7
4(1)(d)	Records of Officers of the Legislature	4
4(1)(k)	Incomplete prosecution records	4
4(1)(o)	Personal/constituency records of members of Executive Council	4
6(4)(g)	Examination/tests questions	2
4(1)(u)	Health information as defined in the <i>Health Information Act</i>	2
4(1)(m)	Personal/constituency records of an elected official	1
4(1)(p)	Speaker/MLA records in the Legislative Assembly Office	1
6(7)	Audit records of the Chief Internal Auditor of Alberta	1

SECTION 2

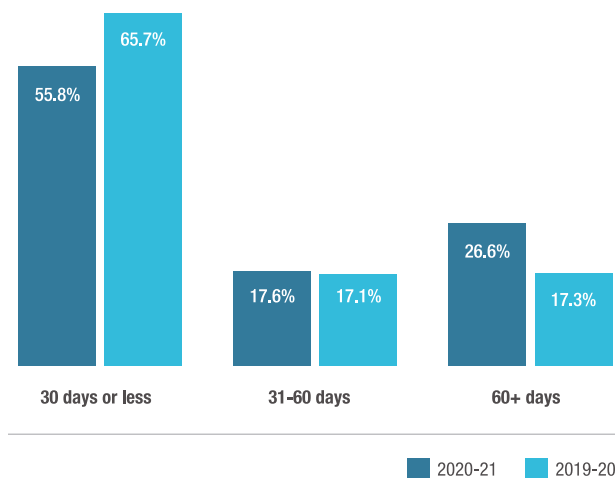
2.1.5 Response Times

In 2020-21, 1,755 or 55.8 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 decreased in 2020-21 to 55.8 per cent, compared to 65.7 per cent in 2019-20.

In the period of 31-60 days, 17.6 per cent or 553 access requests were completed, a slight increase from 17.1 per cent in 2019-20. A total of 26.6 per cent or 835 of access requests were completed in 61 days or more, an increase from 17.3 per cent in 2019-20.

30-60-60+ DATA



* On April 9, 2020, a [Public Health Act Order](#) changed the FOIP Act timelines.

2.2 Resources

FOIP-PIPA Help Desk

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.

In 2020-21, Help Desk staff responded to 2,285 queries about access and privacy. Of the 2,285 calls, 1,069 or 46.8 per cent were about the FOIP Act and 616 or 27 per cent were about PIPA. The remaining 600 or 26.2 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 (2020-21)	
FOIP Act	1,069
PIPA	616
Redirects*	600
Total	2,285

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

FOIP Statistics – Requests to Local Public Bodies

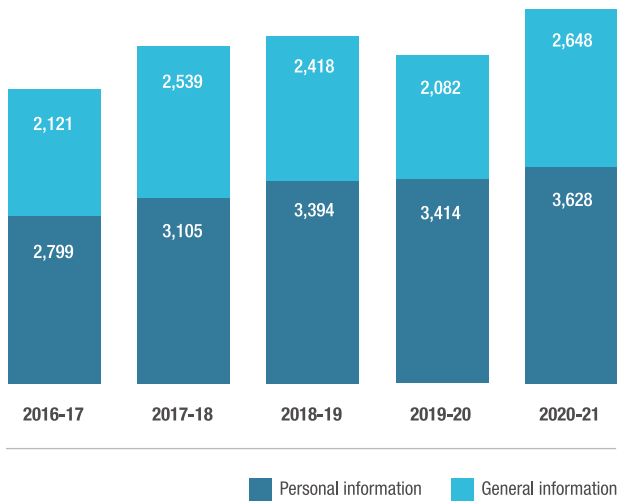
“Local Public Bodies” include municipalities and other local governing bodies, schools, post-secondary institutions, health management bodies, housing management bodies, police services and commissions, Métis Settlements, public libraries, drainage districts, and irrigation districts.

3.1 Providing Access to Local Public Body Records

6,276 access requests were made to local public bodies in 2020-21.

In 2020-21, 6,276 access requests were made to local public bodies, a 14.2 per cent increase from 2019-20 (5,496). Of the 6,276 requests made, 2,648 or 42.2 per cent were general requests and 3,628 or 57.8 per cent were personal requests.

NUMBER OF REQUESTS TO LOCAL PUBLIC BODIES*

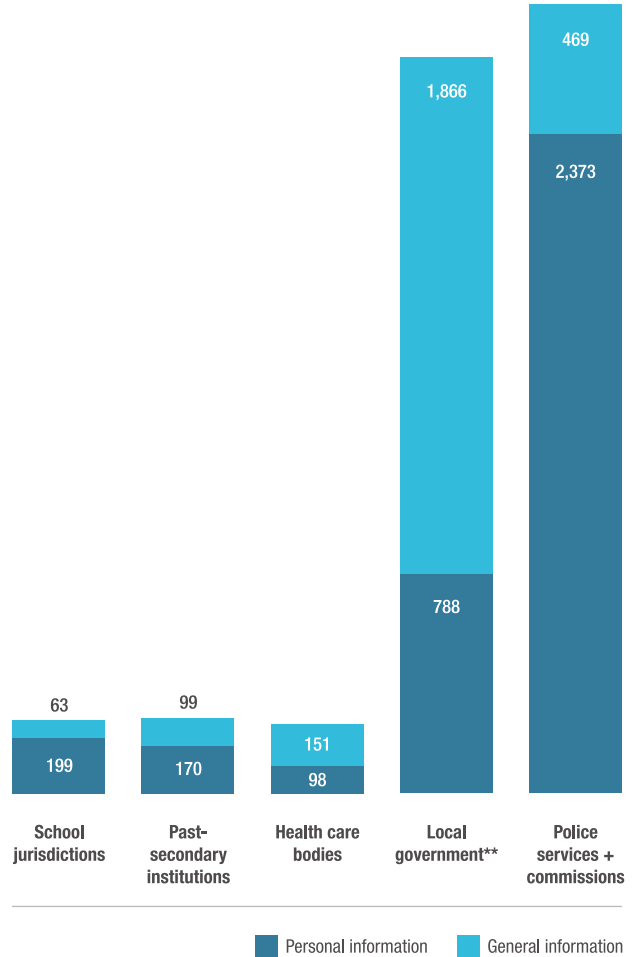


* Excludes requests for correction of personal information.

Of the total access requests made to local public bodies, 2,842 or 45.3 per cent were to Alberta’s police services and police commissions. Of those, 2,373 or 83.5 per cent were requests for personal information.

The next-highest sector was local government at 2,654 or 42.3 per cent of access requests. Of this total, 1,866 or 70.3 per cent of the access requests 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

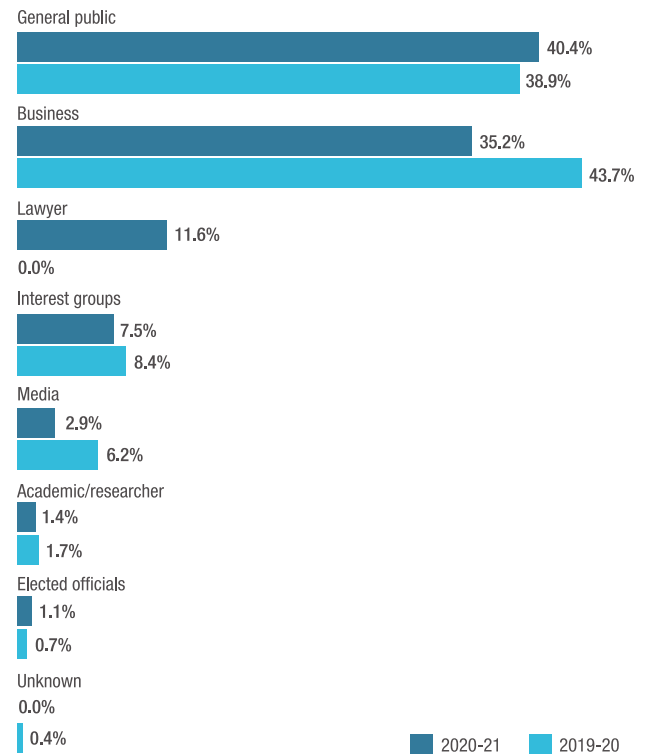
The list below identifies the local public bodies receiving the highest volume of general requests and personal requests.

General Requests	
City of Edmonton	386
County of Forty Mile No.8	296
Calgary Police Service	219
Edmonton Police Service	218
City of Calgary	206
Rocky View County	163
Alberta Health Services	148
County of Grande Prairie No.1	63
City of St. Albert	58
Town of Cochrane	53
Personal Requests	
Calgary Police Service	1,294
Edmonton Police Service	834
City of Edmonton	277
County of Forty Mile No.8	252
Lethbridge Police Service	144
City of Calgary	107
Alberta Health Services	96
University of Calgary	76
Medicine Hat Police Service	75
Fort Vermillion School Division	58

3.1.2 Who Made Access Requests

For general requests, the general public were also the highest category applicant submitting 1,069 or 40.4 per cent. The next highest category were businesses at 931 or 35.3 per cent.

WHO MADE ACCESS REQUESTS

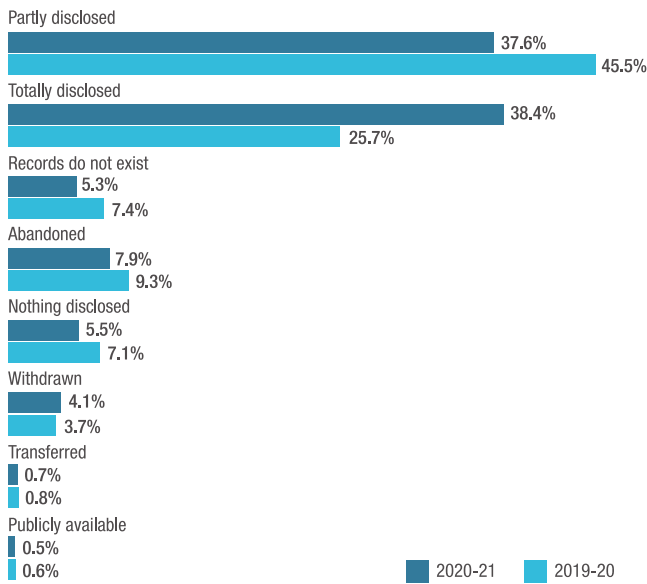


SECTION 3

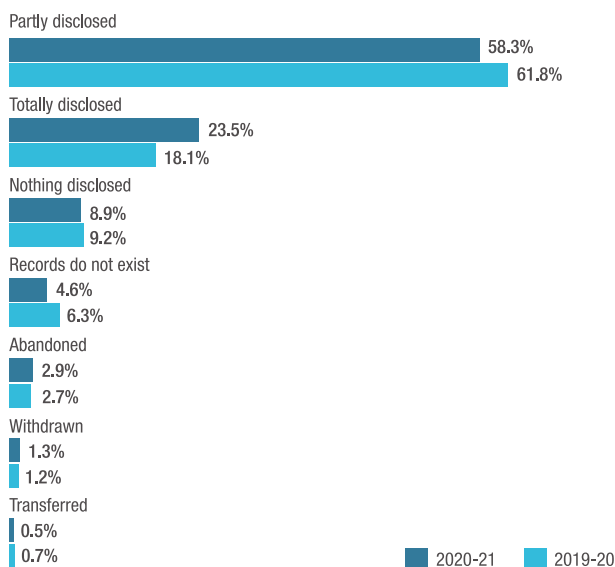
3.1.3 Information Released to Albertans

Access requests have several disposition statuses. 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



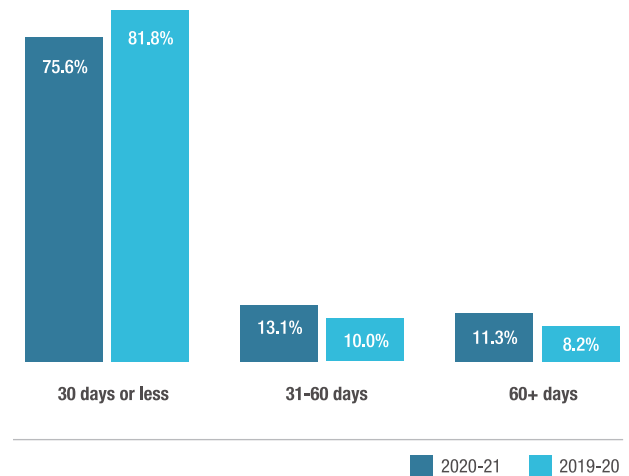
* On April 9, 2020, a [Public Health Act Order](#) changed the FOIP Act timelines.

3.1.4 Response Times

Local public bodies responded to 75.6 per cent or 4,644 of access requests in 30 days or less, a slight decrease from 81.8 per cent in 2019-20.

In the period of 31-60 days, 13.1 per cent or 803 of access requests were completed, an increase from 10 per cent in 2019-20. A total of 11.3 per cent or 695 were completed in 61 days or more, also increase from 8.2 per cent in 2019-20.

30-60-60+ DATA FOR LOCAL PUBLIC BODIES



Contact Information
Data, Information and Privacy Services
Service Alberta

Office hours	Monday to Friday, 8:15 a.m. to 4:30 p.m.
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

