

**SASKATCHEWAN
INFORMATION AND PRIVACY COMMISSIONER**

REVIEW REPORT 063-2015 to 077-2015

Ministry of Health

Summary: The Applicant submitted 15 access to information requests to the Ministry of Health (Health) over the course of four months. She appealed to the Information and Privacy Commissioner (IPC) when she did not receive responses to the requests. During the review, Health responded to 14 of the 15 access to information requests. It also stated it would conduct a kaizen event that will focus on the routing, review and approval of responses to access to information requests. The IPC found that Health did not respond to the access to information requests within the legislated timelines. The IPC recommended that Health respond to the remaining access to information request within a week of the issuance of this Review Report. He also recommended that Health conduct the kaizen event within a month of the issuance of this Review Report.

I BACKGROUND

[1] At issue on this file are 15 access to information requests that the Applicant submitted to the Ministry of Health (Health) over the course of four months. Since she did not receive responses from Health within the legislated timelines, she appealed to my office.

[2] Below is a table that lists the dates that Health received the request, the dates that Health had advised the Applicant that she'd receive a response, the date of Health's response to the request (if there was a response), the number of days that it took Health to respond if there was a response, and the number of days elapsed since Health received the request but no response was provided.

IPC File Number	Health File Number	Health Received Date according to Health's acknowledgement letter to Applicant	Due date for section 7 response	Date of section 7 response	Number of days elapsed it took for Health to respond	Number of days elapsed since Health received request but no response has been provided
063-2015	HE49-15G	October 24, 2014	December 24, 2014	April 27, 2015	185	
064-2015	HE50-15G	October 24, 2014	December 24, 2014	April 23, 2015	181	
065-2015	HE53-15G	October 27, 2014	December 26, 2014	April 17, 2015	172	
066-2015	HE57-15G	November 12, 2014	December 12, 2014	No response	No response	168
067-2015	HE58-15G	November 18, 2014	December 18, 2014	April 29, 2015	162	
068-2015	HE59-15G	November 14, 2014	January 26, 2015	April 17, 2015	154	
069-2015	HE67-15G	December 8, 2014	February 6, 2015	April 21, 2015	134	
070-2015	HE91-15G	January 9, 2015	February 9, 2015	April 6, 2015	87	
071-2015	HE94-15G	January 21, 2015	March 25, 2015	April 23, 2015	93	
072-2015	HE95-15G	January 21, 2015	February 23, 2015	April 17, 2015	86	
073-2015	HE101-15G	February 9, 2015	March 11, 2015	April 16, 2015	66	
074-2015	HE103-15G	February 26, 2015	March 27, 2015	April 8, 2015	41	
075-2015	HE104-15G	February 26, 2015	March 28, 2015	April 27, 2015	60	
076-2015	HE106-15G	February 26, 2015	March 30, 2015	April 8, 2015	41	
077-2015	HE108-15G	February 26, 2015	March 30, 2015	April 17, 2015	50	

[3] Since the commencement of the reviews with my office, Health responded to 14 of the 15 access to information requests.

II RECORDS AT ISSUE

[4] This report focuses on the length of time it takes for Health to respond to the access to information requests.

III DISCUSSION OF THE ISSUES

1. Did Health respond to the Applicant's access to information request within the legislated timeline?

[5] Subsection 7(2) of *The Freedom of Information and Protection of Privacy Act* (FOIP) requires government institutions to respond to access to information requests within 30 days after the request is made. Subsection 7(2) provides:

7(2) The head shall give written notice to the applicant within 30 days after the application is made:...

[6] Subsection 12(1) of FOIP enables government institutions to extend the 30 days for a reasonable period not exceeding 30 days.

[7] Based on the table in the background section, Health's response time to these access requests exceed the legislated timelines.

[8] Recently, I issued six Review Reports about the length of time it takes for Health to respond to access requests. In response to those Review Reports, Health stated that it would take a number of steps to improve its response times. While I acknowledge that it takes time to implement change and see progress, it seems as though Health still has serious difficulty in meeting the legislated timelines.

[9] Health sent the Applicant emails dated March 16, 2015 and March 17, 2015 that indicate that the 15 access requests are stalled in “routing”. I do not know what “routing” entails or why it appears that requests are stalled at this stage.

[10] In its Draft Review Report, my office recommended Health conduct a lean event to make its processing of access to information requests more efficient with a particular focus on the “routing” stage of the process. Health responded by stating it is planning a kaizen event that will focus on the routing, review and approval of responses to access to information requests.

V FINDINGS

[11] I find that Health did not respond to the Applicant’s access to information requests within the legislated timelines.

VI RECOMMENDATIONS

[12] I recommend that Health respond to the remaining access to information request within a week of the issuance of this Review Report.

[13] I recommend that Health conduct its kaizen event within a month of the issuance of this Review Report.

Dated at Regina, in the Province of Saskatchewan, this 30th day of April, 2015.

Ronald J. Kruzeniski, Q.C.
Saskatchewan Information and Privacy
Commissioner