

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] IN RELATION TO INFORMATION
REQUESTED FROM WORKERS' COMPENSATION BOARD**

[REDACTED] of Regina, Saskatchewan, (the "Applicant") filed with the Workers' Compensation Board of Saskatchewan (the "Respondent") an Access to Information Request Form in the following terms:

"I am requesting that I get, in writing, the name and/or names of the person and/or persons who are responsible for the information which led a W.C.B. client service rep to state in the document of Feb. 22nd, 2001: 'I understand your employer has been unable to get a hold of you'."

The Access to Information form was received by the Respondent April 26, 2001. The Respondent declined to provide the information and advised the Applicant in part as follows by letter dated May 8, 2001:

"Unfortunately, I am unable to comply with your request as the information that you are seeking would be considered personal information under *The Freedom of Information and Protection of Privacy Act* and is exempt from disclosure in accordance with clause 24(1)(k)(ii), and 29 of that Act. Copies of these sections are enclosed for your information."

I met with the Applicant for the purpose of obtaining details of the employment background that led to the request for information. At that time, I explained to the Applicant the role that I played as Freedom of Information and Privacy Commissioner and discussed with him some of the relevant provisions of *The Freedom of Information and Protection of Privacy Act* ("the Act").

I determined that I would carry out a Review as requested by the Applicant and duly advised the Respondent. At the same time, I requested the Respondent to provide to me the written materials on file with the Respondent which were the subject of the Access to Information Request of the Applicant. These materials were forwarded to me and I have reviewed them for the purpose of completing my review.

Section 29 of the *Act* directs that government institutions shall not disclose personal information in its possession except in the prescribed circumstances. The Respondent asserts that the personal information which is the subject of this review falls within the provisions of Section 24(1)(k)(ii) of the *Act*, which states as follows:

“24(1) Subject to subsection (2), “**personal information**” means personal information about an identifiable individual that is recorded in any form, and includes:

...

(k) the name of the individual where:

...

(ii) the disclosure of the name itself would reveal personal information about the individual.”

I have concluded that the release of the document that is the subject of this review would indeed result in the disclosure of the name of the individual who prepared the document, which disclosure would itself reveal personal information about the preparor of the subject document. That information would include, in my view, personal opinions or views of that individual, which information is included in the definition of personal information under Section 24(1)(f) of the *Act*. Additionally, the release of the document would reveal the business address of the preparor of the document which information is included in the definition of personal information under the provisions of Section 24(1)(e) of the *Act*.

For these reasons, I recommend that the Respondent not release to the Applicant the information which is the subject of the request and this review.

Dated at Regina, in the Province of Saskatchewan, this 15th day of June, 2001.

GERALD L. GERRAND, Q.C.
Commissioner of Information
and Privacy for Saskatchewan