



REVIEW REPORT 003-2022

Ministry of Health

December 15, 2022

Summary:

The Applicant submitted an access to information request to the Ministry of Health (Health) under *The Freedom of Information and Protection of Privacy Act* (FOIP). The Applicant did not receive a response. Therefore, they appealed to the Commissioner. Eventually, Health provided a “Part 1” response to the Applicant. Health indicated it was providing the Applicant with access to records, but withheld portions pursuant to subsections 15(1)(d), 17(1)(a), (b), and 29(1) of FOIP. Later, Health provided a “Part 2” response to the Applicant. Health provided the Applicant with access to some additional records, but withheld some pursuant to subsections 13(2), 15(1)(b)(i), (c), (d), 16(1)(a), 17(1)(a), (b)(i), 22(a), (b), (c) and 29(1) of FOIP and subsection 27(1) of *The Health Information Protection Act*. The Applicant requested that the Commissioner review Health’s response to their access request. The Commissioner made a number of findings, including that Health did not comply with section 7 of FOIP. He also found that while Health’s application of exemptions to some of the records were proper, Health did not properly apply exemptions in all instances. The Commissioner included an Appendix that sets out his findings and recommendations.

I BACKGROUND

[1] On July 22, 2021, Health received the following access to information request from the Applicant:

All records and correspondence [sic] regarding [name redacted] ALD and bone marrow transplant (stem cell transplant), including, but not limited to the following:

1. The Medical Services Branch (MSB) submission to the Minister (a briefing note) advising the Minister to reject the Health Services Review Committee’s

(HSRC) recommendation and any associated documentation used to support this opinion.

2. The July 2020 recommendation to the Minister/MSB from the Health Services Review Committee recommending covering [name redacted] out-of-country treatment and associated support documentation.
3. The correspondence between the Minister/Ministry/MSB and the medical expert on ALD discussing the availability of the proper treatment for ALD in Canada.

[2] On October 8, 2021, the Applicant contacted my office as they had not received records from Health.

[3] On December 10, 2021, my office notified Health and the Applicant that my office was undertaking a review of Health's failure to respond to the Applicant within the legislated timeline pursuant to section 7 of *The Freedom of Information and Protection of Privacy Act* (FOIP).

[4] On January 10, 2022, Health provided "Part 1" of its response to the Applicant. Health provided the Applicant with 22 pages of records but redacted portions. Health cited subsections 15(1)(d), 17(1)(a), (b), and 29(1) of FOIP as its reasons for withholding portions of the records.

[5] The Applicant requested a review of Health's "Part 1" response.

[6] On January 31, 2022, my office notified both Health and the Applicant that my office would be undertaking a review of Health's reliance on subsections 15(1)(d), 17(1)(a), (b), and 29(1) of FOIP.

[7] On May 4, 2022, Health provided "Part 2" of its response to the Applicant. Health's Part 2 response included 819 pages of records, where pages were withheld (in part or in full) pursuant to subsections 13(2), 15(1)(b)(i), (c), (d), 16(1)(a), 17(1)(a), (b)(i), 22(a), (b), (c) and 29(1) of FOIP and subsection 27(1) of *The Health Information Protection Act* (HIPA).

[8] On May 5, 2022, my office notified both Health and the Applicant that my office would be expanding the scope of its review to include considering the appropriateness of the exemptions applied to records provided in Health’s “Part 2” response. My office also sought information from Health for the following:

- The provision under section 38 of HIPA that Health was relying on to deny access to portions of the records that contain personal health information.
- If Health processed the access to information request in compliance with its obligations under FOIP.

[9] On September 21, 2022, my office notified both Health and the Applicant that my office would be further expanding the scope of the review to include Health’s search efforts to locate records responsive to the access request.

Ombudsman Saskatchewan’s June 2022 Report

[10] The Applicant submitted a complaint to the Ombudsman Saskatchewan (Ombudsman), which resulted in a report dated June 2022. The Applicant has a copy of the report.

[11] The Ombudsman’s June 2022 report quotes and summarizes many records that are at issue in this Report. Health’s Part 1 and Part 2 responses to the Applicant’s access request preceded the Ombudsman’s June 2022 report. However, where the record at issue has been quoted and/or summarized by the Ombudsman, I have recommended that the record be released to the Applicant. This is because it would be an [absurd result](#) for Health to continue to withhold or for my office to recommend that Health continue to withhold records that the Applicant already has.

II RECORDS AT ISSUE

[12] Health’s Part 1 response included 22 pages of records. Health’s Part 2 response included 819 pages. In total, there are 841 pages of records at issue.

III DISCUSSION OF THE ISSUES

1. Do I have jurisdiction?

[13] Health is a “government institution” pursuant to subsection 2(1)(d)(i) of FOIP. Health is also a “trustee” pursuant to subsection 2(t)(i) of HIPA. Therefore, I find that I have jurisdiction to conduct this review.

2. Did Health comply with section 7 of FOIP?

[14] Section 7 of FOIP provides that the government institution must respond to an applicant’s access request. The response must be within 30 days and must contain certain elements, which are listed at subsections 7(2) and 7(3) of FOIP (*Guide to FOIP*, Chapter 3, “Access to Records”, updated June 29, 2021 [*Guide to FOIP*, Ch. 3], p. 25).

[15] Subsection 7(2) of FOIP requires government institutions to respond to access requests within 30 days. In limited circumstances, subsection 12(1) of FOIP allows government institutions to extend the time period set out in section 7 of FOIP for a reasonable period not exceeding 30 days:

7(1) Where an application is made pursuant to this Act for access to a record, the head of the government institution to which the application is made shall:

(a) consider the application and give written notice to the applicant of the head’s decision with respect to the application in accordance with subsection (2);

...

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

...

12(1) The head of a government institution may extend the period set out in section 7 or 11 for a reasonable period not exceeding 30 days:

...

- [16] At most, government institutions have 60 days to respond to an access request if section 12 of FOIP is properly engaged. Health did not request an extension pursuant to section 12 of FOIP, so should have provided its full response within 30 days of receiving the Applicant's access to information request.
- [17] Health received the Applicant's access request on July 22, 2021. Health provided a Part 1 response dated January 10, 2022, which was 172 days after receiving the Applicant's access request. Then, Health provided its Part 2 response on May 4, 2022 to the Applicant, which was 286 days after receiving the Applicant's access request.
- [18] Health did not respond to the Applicant's access request within the legislated timelines, and so I find it did not comply with section 7 of FOIP.
- [19] On January 26, 2022, my office issued [Review Report 249-2021](#), where I found that Health did not meet its legislated timelines to respond to the Applicant's access to information request. In that report, I summarized Health's continued lack of compliance in responding to access requests in accordance with legislated timelines:

[17] Further, I have stated many times in past reports that public bodies cannot use a lack of resources as an excuse for excessive response times. If Health's access and privacy unit is short of resources or expects one person to respond to 28 active access to information requests, then it needs to address its resource issues so that the public is not negatively impacted by such lengthy delays. I find it concerning that, over the past several years, my office has continually needed to remind Health of its statutory obligation to meet legislated timelines. My office has done so, for example, in the following Review Reports:

- [Review Report 082-2019, 083-2019](#)
- [Review Report 036-2018](#)
- [Review Report 209-2015 to 213-2015](#)
- [Review Report 063-2015 to 077-2015](#)
- [Review Report 115/2014](#) and
- [Review Report 090-2014](#).

[20] In my office's Review Report 249-2021, I recommended Health address its resource issues to ensure it has adequate resources to help meet its obligations pursuant to FOIP. Health did not respond to my office's recommendation in spite of its obligations to do so pursuant to section 56 of FOIP.

[21] Transparency should be a priority for every government institution, including Health. Health's excessive response times to access requests is a long-standing issue and seems only to be worsening. Since 2015, Health has repeatedly cited the lack of resources as its reason for excessive response times. Seven years should be sufficient time for Health to have at least made some progress on this matter.

[22] I recommend that Health prioritize transparency. This means it is meeting legislated timelines when processing access requests and releasing as much information as possible. Exemptions should only be applied in limited and specific circumstances. If the lack of resources continues to be the reason for excessive delays, then I recommend that Health establish categories of records containing general information readily available pursuant to subsection 65.1(1) of FOIP, which provides:

65.1(1) Subject to subsection (2), the head may establish categories of records that are in the possession or under the control of the government institution and that are available to the public within a reasonable time without an application for access pursuant to this Act.

[23] By doing so, Health may be able to respond to access requests that contain personal information more efficiently.

[24] Further, I recommend that Health review its procedures to reduce the time it takes to process access requests. This includes, including consultations with its lawyers and examining its approval steps.

3. Did Health properly apply subsection 17(1)(a) of FOIP?

[25] Health applied subsection 17(1)(a) of FOIP to most of the records on the following pages:

- Pages 1 to 13, 15 to 19, 21 to 22 of the Part 1 records.
- Pages 1, 4, 6, 7, 8, 13 to 14, 16 to 21, 23 to 29, 31, 41, 44, 47, 50 to 51, 53 to 54, 58 to 59, 62 to 63, 65 to 66, 69 to 70, 73, 76 to 77, 79 to 80, 84 to 89, 126 to 127, 129 to 130, 132 to 134, 136 to 142, 145 to 173, 175 to 188, 190, 192 to 197, 202 to 207, 218, 226 to 228, 229, 235 to 238, 240 to 243, 245 to 248, 250 to 268, 270 to 278, 280 to 284, 294, 296 to 300, 302 to 304, 306 to 309, 313 to 315, 317, 321 to 334, 338 to 350, 351 to 361, 422 to 423, 427, 447, 452, 457, 459 to 460, 462, 464 to 465, 471, 473, 476, 477, 480, 489, 496 to 498, 502 to 504, 506 to 508, 510, 514, 516 to 520, 522 to 525, 527 to 531, 533 to 538, 540 to 560, 562 to 563, 565, 567 to 570, 572 to 622, 629 to 638, 644, 646, 652 to 655, 666 to 673, 674 to 677, 678, 679 to 680, 682 to 697, 699 to 706, 708, 715, 728 to 731, 735 to 739, 741 to 742, 744 to 753, 756 to 763, 765 to 775, 777 to 784, 792 to 819 of the Part 2 records.

[26] In most cases, where Health applied subsection 17(1)(a) of FOIP, it also applied subsection 17(1)(b)(i) of FOIP. Therefore, where I find that subsection 17(1)(a) of FOIP has not been properly applied, I will need to consider whether subsection 17(1)(b)(i) of FOIP applies later in this Report.

[27] Subsection 17(1)(a) of FOIP provides:

17(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

(a) advice, proposals, recommendations, analyses or policy options developed by or for a government institution or a member of the Executive Council;

[28] My office uses the following two-part test to determine if subsection 17(1)(a) of FOIP has been properly applied:

1. Does the information qualify as advice, proposals, recommendations, analyses or policy options?
2. Was the advice, proposals, recommendations, analyses and/or policy options developed by or for a government institution or a member of the Executive Council?

(*Guide to FOIP*, Chapter 4, “Exemptions from the Right of Access”, updated April 30, 2021 [*Guide to FOIP*, Ch. 4] pp. 125-126)

[29] The following is an analysis to determine if Health met the two-part test. Both parts of the test must be met for subsection 17(1)(a) of FOIP to apply.

1. Does the information qualify as advice, proposals, recommendations, analyses or policy options?

[30] In order for the first part of the test to be met, the redacted information must first qualify as advice, proposals, recommendations, analyses or policy options.

[31] “Advice” is guidance offered by one person to another. It can include the analysis of a situation or issue that may require action and the presentation of options for future action, but not the presentation of facts. Advice encompasses material that permits the drawing of inferences with respect to a suggested course of action, but which does not itself make a specific recommendation. It can be an implied recommendation. The “pros and cons” of various options also qualify as advice. It should not be given a restricted meaning. Rather, it should be interpreted to include an opinion that involves exercising judgement and skill in weighing the significance of fact. It includes expert opinion on matters of fact on which a government institution must make a decision for future action (*Guide to FOIP*, Ch. 4, p. 124).

[32] A “recommendation” is a specific piece of advice about what to do, especially when given officially; it is a suggestion that someone should choose a particular thing or person that one thinks particularly good or meritorious. Recommendations relate to a suggested course of action more explicitly and pointedly than “advice”. It can include material that relates to a suggested course of action that will ultimately be accepted or rejected by the person being advised. It includes suggestions for a course of action as well as the rationale or substance for a suggested course of action. A recommendation, whether express or inferable, is still a recommendation (*Guide to FOIP*, Ch. 4, p. 125).

[33] A “proposal” is something offered for consideration or acceptance (*Guide to FOIP*, Ch. 4, p. 125).

[34] “Analysis” (or analyses) is the detailed examination of the elements or structure of something; the process of separating something to its constituent elements (*Guide to FOIP*, Ch. 4, p. 125).

[35] “Policy options” are lists of alternative courses of action to be accepted or rejected in relation to a decision that is to be made. They would include matters such as the public servant’s identification and consideration of alternative decisions that could be made. In other words, they constitute an evaluative analysis as opposed to objective information (*Guide to FOIP*, Ch. 4, p. 125).

[36] It should be noted that subsection 17(1)(a) of FOIP does not apply to factual information. “Factual material” means a cohesive body of facts, which are distinct from advice, proposals, recommendations, analyses and/or policy options. A government institution can only withhold factual material or assertions of fact under subsection 17(1) of FOIP if the factual information is sufficiently interwoven with other advice, proposals, recommendations, analyses and/or policy options so that it cannot reasonably be considered separate and distinct (*Guide to FOIP*, Ch. 4, p. 128).

[37] In its submission, Health provides arguments for the following pages to represent the types of information to which it applied subsection 17(1)(a) of FOIP throughout all of the records at issue:

- Pages 1 to 11 of Part 1 records and pages 214 to 217, 589 to 593 and 700 of Part 2 records.
- Page 12 of the Part 1 records and page 26 of the Part 2 records.
- Page 13 of the Part 1 records and pages 6, 16, 349, 523 of the Part 2 records.
- Pages 15 to 18 of the Part 1 records and pages 19 to 22, 23 to 26, 132 to 135 of the Part 2 records.
- Pages 18, 19 and 20 of the Part 1 records and page 10, 11 and 12 of the Part 2 records.
- Pages 679 to 681, 683 to 685, and 686 to 689 of the Part 2 records.

[38] First, I cannot review pages 214 to 217. Health did not provide a copy of these pages since it claimed solicitor-client privilege applied to them. As I am not able to view some of the records to which Health claimed solicitor-client privilege, I am also not able to view these pages to determine if Health properly applied subsection 17(1)(a) of FOIP and so I find Health did not properly apply subsection 17(1)(a) of FOIP to pages 214 to 217 (see [Review Report 145-2019](#) at paragraph [48]). I will consider these pages later in this Report in my analysis of Health's reliance on subsection 22(a) of FOIP.

[39] Next, based on a review of the pages that were provided to my office listed at paragraph [37], I note that specific portions did indeed qualify as "recommendations" or "analysis" as follows:

- A recommendation appears in the middle of the page of page 2 of the Part 1 records;
- The one sentence under the header "Health Services Review Committee Recommendation" on page 3 of the Part 1 records;
- A one-sentence summary of a physician's recommendation that appears near the top of page on page 6 of Part 1 records;
- A one sentence summary of a recommendation that appears at the middle of the page on page 8 of Part 1 records;
- The first sentence of the first and fourth paragraphs on page 10 of the Part 1 records are recommendations;
- The first sentence of the second and fourth paragraphs on page 11 of the Part 1 records are recommendations;
- A recommendation appears in the middle of the page of page 589 of the Part 2 records;
- The track changes on pages 679 to 680 and 687 to 689 of the Part 2 records qualifies as recommendations;
- The redacted contents on pages 683 to 685 qualifies as "analysis" and recommendations;
- The "track changes" on pages 679 and 680 qualifies as recommendations;

- The redacted content on page 687 in the email timestamped 4:54 p.m. qualifies as recommendations; and
- The redacted content on pages 688 and 689 qualifies as recommendations.

[40] However, beyond the pages listed at paragraph [37], in most cases where Health applied subsection 17(1)(a) of FOIP throughout the records at issue, I find that the information did not qualify as advice, recommendations, proposals, analysis, or policy options. This includes factual information or transitory information. Transitory records are records of temporary usefulness that are needed only for a limited period of time, to complete a routine task or to prepare an ongoing document (*Guide to FOIP*, Ch. 3, pp. 3-4).

[41] For example, pages 182 to 184 of the Part 2 Records contain a chronology of events, which is factual information. Pages 189 to 191 of the Part 2 records contains emails from a Saskatchewan Health Authority (SHA) employee that provides purely factual information, including data published by the Centers for Disease Control and Prevention, which is a United States agency. Pages 338 to 341 of the Part 2 records are email exchanges between Health employees regarding the status and approval of a letter. Further pages 783 to 784 contain email exchanges between Health and Justice employees regarding the receipt of a letter. Such information is transitory information which does not qualify as advice, recommendations, proposals, analysis or policy options.

[42] Another example of where Health claimed subsection 17(1)(a) of FOIP, but I am not satisfied that the contents qualify as advice, recommendations, proposals, analysis or policy, includes pages 583 to 588 of the Part 2 records. These pages are a copy of a “Work Standard”, which is an internal standard for how staff are to complete a process. Subsection 65(1) of FOIP requires that government institutions make such information available. Subsection 65(1) of FOIP provides:

65(1) Every government institution shall take reasonable steps to:

- (a) make available on its website all manuals, policies, guidelines or procedures that are used in decision-making processes that affect the public by employees of

the government institution in administering or carrying out programs or activities of the government institution; or

(b) provide those documents when requested in electronic or paper form.

[43] Finally, there are instances in which Health applied subsection 17(1)(a) of FOIP to withhold information, but then disclosed a duplicate of the information contained on another page to the Applicant. For example, page 12 of the Part 1 records and page 26 of the Part 2 records features an email written by an SHA employee to a Health employee. The last sentence of the email contains a recommendation; however, Health released this email in its entirety to the Applicant on page 24 of the Part 2 records. Given that Health has already released the email to the Applicant, then Health should release page 12 of the Part 2 records and page 26 of the Part 2 records. Another example is pages 19 and 20 of the Part 1 records and pages 11 and 12 of the Part 2 records to which Health applied subsection 17(1)(a) of FOIP. However, a duplicate of these pages appears on pages 399 and 400 of the Part 2 records, which were released to the Applicant. Therefore, Health should release pages 19 and 20 of the Part 1 records and pages 11 and 12 of the Part 2 records.

2. *Was the advice, proposals, recommendations, analyses and/or policy options developed by or for a government institution or a member of the Executive Council?*

[44] Advice, proposals, recommendations, analyses and/or policy options can be developed by or for a government institution other than the one relying on the exemption (*Guide to FOIP*, Ch. 4, p. 126).

[45] “Executive Council” means the Executive Council appointed pursuant to *The Executive Government Administration Act*. It consists of the Premier and Cabinet Ministers. Executive Council is also referred to as “Cabinet”. Cabinet has also been defined as the committee of senior ministers (heading individual provincial government ministries) which acts collectively with the Premier to decide matters of government policy (*Guide to FOIP*, Ch. 4, p. 126).

[46] “Developed by or for” means the advice, proposals, recommendations, analyses and/or policy options must have been created either: 1) within the government institution, or 2) outside the government institution but *for* the government institution and at its request (for example, by a service provider or stakeholder) (*Guide to FOIP*, Ch. 4, p. 126).

[47] In the instances where I have found that the redacted information has met the first part of the two-part test for subsection 17(1)(a) of FOIP (as summarized in the Appendix), I have reviewed the information to determine if the information was “developed by or for” Health or for a member of the Executive Council (namely, the Minister of Health). Where I find that the information met the first part of the two-part test, I also find that such information was developed by or for Health or a member of the Executive Council. My findings and recommendations are summarized in the Appendix.

[48] I should note that subsection 17(1)(a) of FOIP is a discretionary exemption and not a mandatory exemption. After my analysis of subsection 17(1)(b)(i) of FOIP, I will discuss the exercise of discretion.

4. Did Health properly apply subsection 17(1)(b)(i) of FOIP?

[49] Health applied subsection 17(1)(b)(i) of FOIP to most of the records as follows:

- 1 to 7, 12 to 13, 15 to 19, 21 to 22 of the Part 1 records.
- 1, 4, 6, 7, 8, 13 to 14, 16 to 21, 23 to 29, 31, 41, 44, 47, 50 to 51, 53 to 54, 58 to 59, 62 to 63, 65 to 66, 69 to 70, 73, 76 to 77, 79 to 80, 84 to 89, 126 to 127, 129 to 130, 132 to 134, 136 to 142, 145 to 173, 175 to 188, 190, 192 to 197, 202 to 207, 218, 226 to 228, 229, 235 to 238, 240 to 243, 245 to 248, 250 to 268, 270 to 278, 280 to 284, 294, 296 to 300, 302 to 304, 306 to 309, 313 to 315, 317, 321 to 334, 338 to 350, 351 to 361, 422 to 423, 427, 447, 452, 457, 459 to 460, 462, 464 to 465, 471, 473, 476, 477, 480, 489, 496 to 498, 502 to 504, 506 to 508, 510, 514, 516 to 520, 522 to 525, 527 to 531, 533 to 538, 540 to 560, 562 to 563, 565, 567 to 570, 572 to 622, 629 to 638, 644, 646, 652 to 655, 666 to 673, 674 to 677, 678, 679 to 680, 682 to 697, 699 to 706, 708, 715, 728 to 731, 735 to 739, 741 to 742, 744 to 753, 756 to 763, 765 to 775, 777 to 784, 792 to 819 of the Part 2 records.

[50] Subsection 17(1)(b)(i) of FOIP provides:

17(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

...

(b) consultations or deliberations involving:

(i) officers or employees of a government institution;

[51] My office uses the following two-part test to determine if subsection 17(1)(b)(i) of FOIP applies:

1. Does the record contain consultations or deliberations?
2. Do the consultations or deliberations involve officers or employees of a government institution?

(*Guide to FOIP*, Ch. 4, p. 133)

[52] The following is an analysis to determine if the two-part test is met. Both parts must be met for subsection 17(1)(b)(i) of FOIP to apply.

1. Does the record contain consultations or deliberations?

[53] A “consultation” means the action of consulting or taking counsel together; deliberation, conference; a conference in which the parties consult and deliberate. A consultation can occur when the views of one or more officers or employees of a government institution are sought as to the appropriateness of a particular proposal or suggested action. It can include consultations about prospective future actions and outcomes in response to a developing situation. It can also include past courses of action. For example, where an employer is considering what to do with an employee in the future, what has been done in the past can be summarized and would qualify as part of the consultation or deliberation (*Guide to FOIP*, Ch. 4, p. 132).

[54] A “deliberation” means the action of deliberating. To weigh in mind; to consider carefully with a view to a decision; to think over; careful consideration with a view to a decision; the consideration and discussions of the reasons for and against a measure. A deliberation

can occur when there is a discussion or consideration of the reasons for or against an action. It can refer to discussions conducted with a view towards making a decision (*Guide to FOIP*, Ch. 4, pp. 132-133).

[55] Before I proceed, I add that as I stated in my analysis of subsection 17(1)(a) of FOIP, subsection 17(1)(b)(i) of FOIP also does not apply to factual information (*Guide to FOIP*, Ch. 4, p. 128).

[56] In its submission, Health provides arguments for the following pages to represent the types of information to which it applied subsection 17(1)(b)(i) of FOIP throughout the records at issue. Health asserted the following pages contained consultations and/or deliberations:

- Pages 1 to 11 of Part 1 records and pages 214 to 217, 589 to 593 and 700 of Part 2 records.
- Page 12 of the Part 1 records and page 26 of the Part 2 records.
- Page 13 of the Part 1 records.
- Pages 15 to 18 of the Part 1 records and pages 19 to 22, 23 to 26, 132 to 135 of the Part 2 records.
- Pages 18, 19 and 20 of the Part 1 records and page 10, 11 and 12 of the Part 2 records.
- Pages 21 to 22 of the Part 1 records.
- Pages 679 to 681, 683 to 685, and 686 to 689 of the Part 2 records.

[57] As I mentioned earlier, I cannot review pages 214 to 217 since Health did not provide a copy of these pages since it claimed solicitor-client privilege applied. Therefore, I cannot conclude that subsection 17(1)(b) of FOIP applies to these pages and find that it did not properly apply subsection 17(1)(b) to pages 214 to 217. I will consider these pages later in this Report in my analysis of Health's reliance on subsection 22(a) of FOIP to refuse access.

[58] Next, based on a review of the pages that were provided to my office listed above, I am satisfied that specific portions did indeed qualify as “consultations” or “deliberations”, including:

- Page 16 of the Part 1 records (the same email on page 20 of the Part 2 records)
 - The first of two indented paragraphs in the email timestamped 9:34 a.m. provides reasons for a particular action, which qualifies as a deliberation.
- The email timestamped 9:28 a.m. on page 686 of the Part 2 records qualify as a consultation.

[59] I find that consultations and deliberations exist in other parts of the pages listed above; however, the contents of those pages were disclosed in the Ombudsman’s June 2022 report. The Applicant has a copy of the Ombudsman’s report. Therefore, it would be an absurd result to withhold these pages from the Applicant. These pages include:

- The email timestamped 10:34 a.m. on page 15 of the Part 1 records and page 19 of the Part 2 records contains consultations. However, page 8 of the Ombudsman quoted this email.
- The email timestamped page 15 of the Part 1 records and page 19 of the Part 2 records contains consultations. However, page 7 of the Ombudsman’s report quoted this email.
- The second of two indented paragraphs in an email timestamped 9:34 a.m. of page 16 of the Part 1 records and page 20 of the Part 2 records contains consultations. However, page 7 of the Ombudsman’s report quoted this paragraph.
- Page 17 of the Part 1 records and pages 20 to 21 of the Part 2 records contains an email timestamped 9:18 a.m. Consultations appear after the phrase “Initial thoughts” in the email. However, page 7 of the Ombudsman’s report quotes and summarizes the consultations.

[60] Beyond the pages listed at paragraph [56], there are instances in which Health applied subsection 17(1)(b)(i) of FOIP to information that I agree with Health that the information qualifies as consultations or deliberations. However, in most cases where Health applied subsection 17(1)(b)(i) of FOIP, I am not satisfied that the information qualifies as consultations or deliberations. The reason for this finding is the same as my reason for not

finding subsection 17(1)(a) of FOIP applies – that subsection 17(1)(b)(i) of FOIP does not apply to factual information or transitory information. Examples of this are:

- Page 13 of the Part 1 records is a list of tasks completed.
- Page 18 of the Part 1 records and page 10 of the Part 2 records contains an email from an SHA employee to Health. The SHA employee is forwarding a document to the Ministry. The contents of the email does not qualify as a consultation or deliberation.

[61] For a summary of my findings and recommendations, please refer to the Appendix.

Exercise of discretion

[62] Both subsections 17(1)(a) and (b)(i) of FOIP are discretionary exemptions which means a government institution can decide whether to withhold or release information to which the exemption applies.

[63] One of the factors that should be taken into account when exercising discretion is the general purposes of the Act, which is that government institutions should make information available to the public, and that individuals should have access to personal information about themselves (*Guide to FOIP*, Ch. 4, p. 12).

[64] Taking a “blanket approach” to applying exemptions may demonstrate that the government institution has not exercised its discretion or has exercised it improperly. Although it may be proper for a decision-maker to adopt a policy under which decisions are made, it is not proper to apply this policy inflexibly to all cases. In order to preserve the discretionary aspect of a decision, the head must take into consideration factors personal to the Applicant, and must ensure that the decision conforms to the policies, objects and provisions of the Act (*Guide to FOIP*, Ch. 4, p. 12).

[65] In my analysis of subsections 17(1)(a) and (b)(i) of FOIP, I note that Health broadly applied these two exemptions, including factual information and transitory information. This suggests that Health took a blanket approach to the application of these two discretionary

exemptions when processing the Applicant's access request. I cannot substitute my discretion for that of the head. However, where I have found that subsections 17(1)(a) and (b)(i) of FOIP applied, I recommend that Health reconsider its exercise of discretion in its application of these two discretionary exemptions and release additional records to the Applicant.

5. Did Health properly apply subsection 15(1)(d) of FOIP?

[66] Health applied subsection 15(1)(d) of FOIP to the following pages, in full or in part:

- Pages 2, 8 to 11, 15 to 16, 21 of the Part 1 records.
- Pages 6, 19, 62, 149, 422, 589, 770, 773 to 774 of the Part 2 records.

[67] Subsection 15(1)(d) of FOIP provides as follows:

15(1) A head may refuse to give access to a record, the release of which could:

...

(d) be injurious to the Government of Saskatchewan or a government institution in the conduct of existing or anticipated legal proceedings;

[68] My office uses the following two-part test to determine if subsection 15(1)(d) of FOIP applies:

1. Do the proceedings qualify as existing or anticipated legal proceedings?
2. Could the disclosure of the records be injurious to the government institution in the conduct of the legal proceedings?

[69] The following is an analysis to determine if the two-part test is met. Both parts must be met in order for subsection 15(1)(d) of FOIP to apply.

1. Do the proceedings qualify as existing or anticipated legal proceedings?

- [70] “Legal proceedings” are any civil or criminal proceeding or inquiry in which evidence is or may be given, and includes an arbitration. It includes proceedings governed by rules of court or rules of judicial or quasi-judicial tribunals that can result in a judgement of a court or a ruling by a tribunal. Legal proceedings include all proceedings authorized or sanctioned by law, and brought or instituted in a court or legal tribunal, for the acquiring of a right or the enforcement of a remedy (*Guide to FOIP*, Ch. 4, p. 55).
- [71] “Anticipated” means more than merely possible. To regard as probable (*Guide to FOIP*, Ch. 4, p. 55).
- [72] In its submission, Health stated it had received a letter dated May 25, 2021, from the Applicant’s legal counsel that indicated that the Applicant would consider legal options including taking legal action against the Ministry. Health also received a notification on April 7, 2021 from Ombudsman Saskatchewan indicating that they were investigating the matter between the Applicant and Health. As such, Health stated that “at the time of this request”, legal proceedings were anticipated.
- [73] Based on a review of the letter dated May 25, 2021 to Health, the Applicant’s legal counsel had urged the Minister to reconsider the decision to deny funding for out-of-county medical expenses for the Applicant’s son. If the Minister did not reconsider the decision, then legal counsel would continue to advise the Applicant of their legal rights, including the possibility of proceeding to litigation.
- [74] However, my office verified there was an Order in Council that ordered the Minister of Health to initiate an ex gratia payment to the Applicant. Therefore, the Minister had reconsidered the decision to deny funding. The Minister provided funding for the out-of-country medical procedure. As such, the condition for the possibility of litigation set out in the May 25, 2021, was not met. In other words, the grounds upon which the Applicant would proceed to litigation do not exist. The Applicant is not proceeding to litigation.

[75] In their submission to my office, the Applicant indicated they have settled with the Ministry and have been compensated. The purpose of their access request under FOIP was to understand what happened and find closure to the matter.

[76] Further, the investigation undertaken by the Ombudsman is concluded. The Ombudsman issued their report dated June 2022.

[77] There is, therefore, no existing or anticipated legal proceeding. The first part of the two-part test is not met. There is no need to consider the second part of the test. I find that subsection 15(1)(d) of FOIP does not apply to the records. My findings and recommendations are set out in the Appendix.

6. Did Health properly apply subsection 15(1)(c) of FOIP?

[78] Health applied subsection 15(1)(c) of FOIP to the following pages:

- 351 to 361, 565, 572, 574 to 582, 617 to 622, 629 to 632, 633, 634 to 638, 646, 652 to 655, 675 to 677, 678, 682, 690 to 697, 701 to 705, 728 to 731, 732 to 734, 735 to 739, 744 to 749, 765 to 768, 777 to 782 792 to 806 of the Part 2 records.

[79] Subsection 15(1)(c) of FOIP provides:

15(1) A head may refuse to give access to a record, the release of which could:

...

(c) interfere with a lawful investigation or disclose information with respect to a lawful investigation;

[80] My office uses the following two-part test to determine if subsection 15(1)(c) of FOIP applies:

1. Does the government institution's activity qualify as a "lawful investigation"?
2. Does one of the following exist?
 - a) Could release of the information interfere with a lawful investigation?
 - b) Could release disclose information with respect to a lawful investigation?

[81] The following is an analysis to determine if the two-part test is met.

1. Does the government institution's activity qualify as a "lawful investigation"?

[82] A "lawful investigation" is an investigation that is authorized or required and permitted by law. The government institution should identify the legislation under which the investigation is occurring (or has occurred). The investigation can be concluded, active and ongoing, or be occurring in the future. Finally, this provision is not limited to investigations that are conducted by a government institution. In other words, it can include investigations conducted by other organizations (*Guide to FOIP*, Ch. 4, p. 52).

[83] Health applied subsection 15(1)(c) of FOIP to records related to the investigation undertaken by Ombudsman Saskatchewan. In its submission, Health indicated that subsection 14(2) of *The Ombudsman Act* authorized the investigation. I note that subsection 14(2) of *The Ombudsman Act* provides the Ombudsman with the power to investigate. It is not enough to demonstrate that the Ombudsman undertook an investigation.

[84] At paragraph [25] of my office's [Review Report 233-2020](#), I noted subsections 23(1) and (2) of *The Ombudsman Act* and how the Ombudsman provides a written notice of their intention to investigate. Section 23(1) and (2) of *The Ombudsman Act* provides:

23(1) Before investigating any matter pursuant to this Act, the Ombudsman shall notify the deputy minister of the affected ministry, or the administrative or executive head of the affected agency of the government or publicly-funded health entity, of the Ombudsman's intention to make the investigation.

(2) The notice must:

(a) be in writing; and

(b) set out the nature of the complaint, if any, received by the Ombudsman.

[85] Based on a review of the responsive records themselves, I note that page 572 of the Part 2 records is a written notice by Ombudsman Saskatchewan to Health indicating it is

undertaking an investigation pursuant to subsection 23(1) of *The Ombudsman Act*. Therefore, the first part of the two-part test is met.

2. Does one of the following exist?

a) Could release of the information interfere with a lawful investigation?

b) Could release disclose information with respect to a lawful investigation?

[86] In its submission, Health asserted that the records to which it applied subsection 15(1)(c) of FOIP “is with respect to a lawful investigation”.

[87] “With respect to” are words of the widest possible scope; the phrase is probably the widest of any expression intended to convey some connection between two related subject matters (*Guide to FOIP*, Ch. 4, p. 53).

[88] Section 15 of FOIP also uses the word “could” instead of “could reasonably be expected to” as seen in other provisions of FOIP. The threshold for “could” is somewhat lower than a reasonable expectation. The requirement for “could” is simply that the release of the information “could” have the specified result. There would still have to be a basis for asserting the outcome could occur. If it is fanciful or exceedingly remote, the exemption should not be invoked (*Guide to FOIP*, Ch. 4, p. 53).

[89] Based on a review of the pages set out at paragraph [78], the records are indeed related to the investigation undertaken by Ombudsman Saskatchewan. As described earlier, page 572 of the Part 2 records is a written notice by Ombudsman Saskatchewan to Health. Other pages are transitory in nature, including email exchanges on pages 574 and 575 of the Part 2 records which are about setting up a meeting. The bulk of the remaining pages include external emails with the Ombudsman requesting documents, and internal email exchanges amongst Health employees about the Ombudsman’s investigation.

[90] However, I note that pages 692, 693, 768 and 769 of the Part 2 records contain a document that existed prior to the investigation undertaken by Ombudsman Saskatchewan. At

paragraphs [34] to [37] of my office's [Review Report 223-2016](#), I had said that records that pre-existed an investigation do not qualify for exemption under subsection 15(1)(c) of FOIP. Records caught by subsection 15(1)(c) of FOIP should relate to the process of the investigation itself, not records that existed before the investigation. Similarly, I find that pages 692, 693, 768 and 769 of the Part 2 records contains a record that existed prior to the investigation and was created for a purpose outside the investigation by Ombudsman Saskatchewan.

[91] Therefore, I find that subsection 15(1)(c) of FOIP applies to the pages set out at paragraph [78] except for pages 692, 693, 768 and 769 of the Part 2 records. I should also note that the document found on these four pages are summarized at pages 6 and 9 of the final investigation report by the Ombudsman Saskatchewan, including the recommendation that appears. Therefore, it would be an absurd result to withhold the contents of pages 692, 693, 768 and 769 of the Part 2 records, and so I find Health did not properly apply subsection 15(1)(c) of FOIP to these pages. My recommendation is in the Appendix of this Report.

Exercise of Discretion

[92] Health took a blanket approach to applying subsection 15(1)(c) of FOIP. Entire pages of records were redacted without consideration for the obligation under section 8 of FOIP to conduct a line-by-line review of the records to determine what information could be released. I cannot substitute my discretion for that of the head. I recommend that Health reconsider its exercise of discretion in its application of subsection 15(1)(c) and release additional records to the Applicant.

7. Did Health properly apply subsection 15(1)(b)(i) of FOIP?

[93] Health applied subsection 15(1)(b)(i) of FOIP to the same pages it applied subsection 15(1)(c) of FOIP.

[94] I have already found that subsection 15(1)(c) of FOIP applies to all the pages, except for pages 692, 693, 768 and 769 of the Part 2 records. However, I have also said it is an absurd

result to continue to withhold these pages since pages 6 and 9 of the final investigation report by Ombudsman Saskatchewan already summarizes the document found on these four pages, including the recommendation that appears. Similarly, I find that it would be an absurd result to withhold pages 692, 693, 768 and 769 of the Part 2 records pursuant to subsection 15(1)(b)(i) of FOIP. I recommend that Health release these pages.

8. Did Health properly apply subsection 13(2) of FOIP?

[95] Health applied subsection 13(2) of FOIP to the following pages:

- 12, 18, 19 of the Part 1 records.
- 9 to 11, 15, 18, 21, 23, 26, 29, 42, 44, 47, 48, 114 to 117, 189 to 191, 349, 450, 452, 453, 457, 459 to 462, 466, 708 to 714, 775 to 776 of the Part 2 records.

[96] Subsection 13(2) of FOIP provides:

13(2) A head may refuse to give access to information contained in a record that was obtained in confidence, implicitly or explicitly, from a local authority as defined in the regulations.

[97] My office uses the following two-part test to determine if subsection 13(2) of FOIP applies:

1. Was the information obtained from a local authority?
2. Was the information obtained implicitly or explicitly in confidence?

[98] The following is an analysis to determine if the two-part test is met.

1. Was the information obtained from a local authority?

[99] “Information” means facts or knowledge provided or learned as a result of research or Study (*Guide to FOIP*, Ch. 4, p. 34).

[100] “Obtained” means to acquire in any way; to get possession of; to procedure; or to get a hold of by effort (*Guide to FOIP*, Ch. 4, p. 34).

[101] Based on Health's submission and a review of the records, Health applied subsection 13(2) of FOIP to information it received from the SHA and from Saskatchewan Cancer Agency (SCA). I note that the SHA qualifies as a "local authority" as defined by subsection 2(f)(xiii) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). The SCA qualifies as a local authority as defined by subsection 2(f)(xvii) of LA FOIP and subsection 3(2) and Part II of the Appendix in *The Local Authority Freedom of Information and Protection of Privacy Regulations* (LA FOIP Regulations).

[102] I am satisfied that the first part of the test is met.

2. Was the information obtained implicitly or explicitly in confidence?

[103] "In confidence" usually describes a situation of mutual trust in which private matters are relayed or reported. Information obtained in confidence means that the provider of the information has stipulated how the information can be disseminated. In order for confidence to be found, there must be an implicit or explicit agreement or understanding of confidentiality on the part of both the government institution and the local authority at the time the information was obtained (*Guide to FOIP*, Ch. 4, p. 35).

[104] In its submission, Health argued that Health obtained the information from the SHA implicitly in confidence (Health did not provide arguments regarding obtaining information in confidence from the SCA). Its argument was based on the nature of the information. It argued:

Discussion of matters related to the medical diagnosis of an individual, the medical services needed by that individual, and analyses as to whether the cost of those medical services could be recovered from the Province, is the type of information that is reasonably expected to be kept confidential between the Ministry and the SHA.

[105] "Implicitly" means that the confidentiality is understood even though there is no actual statement of confidentiality, agreement, or other physical evidence of the understanding that the information will be kept confidential (*Guide to FOIP*, Ch. 4, p. 35).

- [106] When I review the information to which Health applied subsection 13(2) of FOIP, it appears that Health merely applied subsection 13(2) of FOIP to any and all information it obtained from SHA and SCA without any regard for the nature of the information. For example, Health applied subsection 13(2) of FOIP to a sentence in an email timestamped 3:08pm on page 47 of the Part 2 records. The SHA employee expresses gratitude. Based on the nature of the information, I find that such information is not obtained implicitly in confidence.
- [107] Further, Health applied subsection 13(2) of FOIP to an email timestamped 3:28pm on page 114 of the Part 2 records where a SHA physician indicated their availability for a meeting and to an email timestamped 2:06pm on page 115 of the Part 2 records where another SHA physician indicated their willingness to participate in a meeting. Again, based on the nature of the information, I find that such information is not obtained implicitly in confidence.
- [108] Also, Health applied subsection 13(2) of FOIP to an email that appears on page 12 of the Part 1 records and pages 26 and 29 of the Part 2 records. However, as I have already noted earlier in this Report, this email appears on page 24 of the Part 2 records. The email on page 24 of the Part 2 records was released to the Applicant already. Another example of this is Health applying subsection 13(2) of FOIP to a letter that appears on page 19 of the Part 1 records and page 466 of the Part 2 records. This letter was already disclosed to the Applicant on page 399 of the Part 2 records.
- [109] Health also applied subsection 13(2) of FOIP to emails that appear on pages 189 to 191 of the Part 2 records. As mentioned before, the information in the emails includes data published by the Centers for Disease Control and Prevention. Since the information is publicly available, Health has not demonstrated such information was obtained implicitly in confidence.
- [110] Finally, Health applied subsection 13(2) of FOIP to pages 710 to 714, which are the minutes of a conference call. The Applicant and their spouse were attendees of the conference call. It would be an absurd result to withhold these pages from the Applicant.

[111] Based on the above, the second part of the two-part test is not met. I find that Health has not properly applied subsection 13(2) of FOIP. My findings and recommendations are set out in the Appendix.

9. Did Health properly apply subsection 16(1)(a) of FOIP?

[112] Health applied subsection 16(1)(a) of FOIP to page 195 of the Part 2 records.

[113] Subsection 16(1)(a) of FOIP provides:

16(1) A head shall refuse to give access to a record that discloses a confidence of the Executive Council, including:

(a) records created to present advice, proposals, recommendations, analyses or policy options to the Executive Council or any of its committees;

[114] My office uses the following two-part test to determine if subsection 16(1)(a) of FOIP applies:

1. Does the record contain advice, proposals, recommendations, analyses or policy options?
2. Was the record created to present to Cabinet or any of its committees?

[115] The following is an analysis to determine if the two-part test is met.

1. Does the record contain advice, proposals, recommendations, analyses or policy options?

[116] Earlier, in my analysis of subsection 17(1)(a) of FOIP, I provided definitions of advice, proposals, recommendations, analyses or policy options.

[117] Health did not provide arguments in its submission for its application of subsection 16(1)(a) of FOIP.

[118] However, since subsection 16(1)(a) of FOIP is a mandatory exemption, I must still determine if the exemption applies based on a review of the face of the record. Page 195 of the Part 2 records is a post-it note. Based on a review, the contents of the post-it note does not contain advice, proposals, recommendations, analyses or policy options. The first part of the two-part test is not met. I find that Health did not properly apply subsection 16(1)(a) of FOIP. My findings and recommendations are set out in the Appendix.

10. Did Health properly apply subsection 22(a) of FOIP?

[119] Health applied subsection 22(a) of FOIP to the following pages:

- 58, 65, 66, 69, 212 to 213, 214 to 217, 222 to 225, 231 to 234, 311, 351 to 361, 639 to 643, 647 to 651, 656 to 661, 664 to 665, 678, 732 to 734, 754 to 755, and 807 to 808 of the Part 2 records.

[120] Subsection 22(a) of FOIP provides:

22 A head may refuse to give access to a record that:

(a) contains any information that is subject to any privilege that is available at law, including solicitor-client privilege;

[121] My office's [*Rules of Procedure, Part 9: Solicitor-Client or Litigation Privilege*](#) (revised September 2022) at page 34 outlines the process a government institution is to follow when claiming solicitor-client or litigation privilege:

9-1 Claiming solicitor-client or litigation privilege

(1) Where solicitor-client or litigation privilege is being claimed as an exemption by the head or delegate, the commissioner's office will request the head or delegate to provide a copy of the records, or an affidavit of records, schedule and redacted record over which solicitor-client or litigation privilege is claimed setting out the elements requested in Form B.

[122] Health provided my office with pages 351 to 361, 678, 732 to 734, 807 to 808 of the Part 2 records. These pages contained the contents that it claimed solicitor-client or litigation privilege for my office's review. I note I have already determined that subsection 15(1)(c)

of FOIP applies to pages 678 and 732 to 734 of the Part 2 records. Therefore, I will not consider these pages in my analysis of subsection 22(a) of FOIP.

[123] Then, Health provided my office with an affidavit of records with a schedule listing the records to which it was claiming solicitor-client privilege. That is, Health is making a *prima facie* case that subsection 22(a) of FOIP applies. The schedule of records listed the following:

- record 25 (pages 58 to 61 of the Part 2 records);
- record 27 (pages 65 to 68 of the Part 2 records);
- record 28 (pages 69 to 72 of the Part 2 records);
- record 76 (pages 212 to 213 of the Part 2 records);
- record 77 (pages 214 to 217 of the Part 2 records);
- record 81 (pages 222 to 225 of the Part 2 records);
- record 85 (pages 231 to 234 of the Part 2 records);
- record 111 (page 311 of the Part 2 records);
- record 178 (pages 639 to 643 of the Part 2 records);
- record 181 (pages 647 to 651 of the Part 2 records);
- record 184 (pages 656 to 661 of the Part 2 records);
- record 222 (pages 754 to 755 of the Part 2 records); and
- record 236 (pages 807 to 808 of the Part 2 records).

[124] In order for subsection 22(a) of FOIP to apply to a record, the following three-part test must be met:

1. Is the record a communication between solicitor and client?
2. Does the communication entail the seeking or giving of legal advice?
3. Was the communication intended to be confidential?

(*Guide to FOIP*, Ch. 4, pp. 258-262)

[125] First, I will determine if the three-part test is met for pages 351 to 361, 807 to 808 of the Part 2 records. Then, I will consider if Health made a *prima facie* case that subsection 22(a) of FOIP applies to the records listed in its schedule.

Pages 351 to 361, 807 and 808 of the Part 2 records

1. Is the record a communication between solicitor and client?

[126] A “communication” is the process of bringing an idea to another’s perception; the message or ideas so expressed or exchanged; the interchange of messages or ideas by speech, writing, gestures or conduct (*Guide to FOIP*, Ch. 4, p. 258).

[127] A “client” means a person who consults a lawyer and on whose behalf the lawyer renders or agrees to render legal services; or having consulted the lawyer, reasonably concludes that the lawyer has agreed to render legal services on their behalf. It includes a client of the law firm in which the lawyer is a partner or associate, whether the lawyer handles the client’s work (*Guide to FOIP*, Ch. 4, p. 258).

[128] A “lawyer” means a member of the Law Society and includes a law student registered in the Society’s pre-call training program (*Guide to FOIP*, Ch. 4, p. 259).

[129] The government institution should make it clear who the solicitor is and who the client is (*Guide to FOIP*, Ch. 4, p. 259).

[130] Pages 351 to 361 of the Part 2 records is an email exchange between Health and the Ombudsman’s office. The Ombudsman’s office posed questions to Health. Health provided responses to the questions. I note that at the middle of page 358 of the Part 2 records contains a quote of communication between Health and its legal counsel. The first part of the test is met for the quote that appears at page 358. However, pages 351 to 357 and 359 to 361 do not contain communication between a solicitor and client. The first part of the test is not met for pages 351 to 357 and 359 to 361 of the part 2 records.

[131] Pages 807 and 808 of the Part 2 records are email exchanges between a Health employee and Crown counsel at the Ministry of Justice. The first part of the test is met.

[132] I will continue to analyze the second part of the three-part test for pages 358, 807, and 808 of the Part 2 records.

2. Does the communication entail the seeking or giving of legal advice?

[133] “Legal advice” means a legal opinion about a legal issue and a recommended course of action, based on legal considerations, regarding a matter with legal implications (*Guide to FOIP*, Ch. 4, p. 261).

[134] The quote that appears in the middle of the page 358 of the Part 2 records is a quote of a legal opinion given to Health. Therefore, the second part of the test is met for the quote in the middle of the page of page 358 of the Part 2 records.

[135] Pages 807 and 808 of the Part 2 records of the email exchanges appear to be administrative in nature. There does not appear to be any seeking or giving of legal advice. As such, I find the second part of the two-part test is not met. I find that subsection 22(a) of FOIP does not apply to pages 807 and 808 of the Part 2 records.

[136] I will continue to analyze the third part of the three-part test for page 358 of the Part 2 records.

3. Was the communication intended to be confidential?

[137] There must be an expectation on the part of the government institution that the communication will be confidential. Conduct which is inconsistent with an expectation of confidentiality can constitute a waiver of privilege (*Guide to FOIP*, Ch. 4, p. 262).

[138] Page 358 contains a quote of a legal opinion provided to Health by its legal counsel. In its submission, Health asserted that the communication was intended to be confidential. Based

on a review of the record, I find that the communication was intended to be confidential. I find that the third part of the three-part test is met. I find that subsection 22(a) of FOIP applies to the quote of the legal opinion that appears in the middle of page 358 of the Part 2 records. My recommendation is set out in the Appendix.

[139] Since Health applied subsections 22(b) and (c) of FOIP to pages 807 and 808 of the Part 2 records, I will consider these pages under those two exemptions later in this Report.

Records to which Health is making a prima face case that subsection 22(a) of FOIP applies

[140] In its affidavit, Health indicated that the records listed in the schedule are records (or portions of records) related to communications and information shared:

- 1) Between solicitor and client, and/or third party, with sufficient common interest in the same transactions;
- 2) For the purpose of the seeking or obtaining of legal advice;
- 3) Intended to be kept confidential and have been consistently treated as confidential.

[141] I have broken down the remainder of the pages listed in the schedule of records into two groups. The first group is communications between Health employees. The second group is communications between Health and its lawyers.

First group: Communications between Health Employees

[142] According to the affidavit and schedule of records, record 25 (pages 58 to 61 of the Part 2 records), record 27 (pages 65 to 68 of the Part 2 records), record 28 (pages 69 to 72 of the Part 2 records), record 76 (pages 212 to 213 of the Part 2 records), record 77 (pages 214 to 217 of the Part 2 records), record 81 (pages 222 to 225 of the Part 2 records), record 85 (pages 231 to 234 of the Part 2 records), record 111 (page 311 of the Part 2 records), record 181 (pages 647 to 351 of the Part 2 records), record 184 (pages 656 to 661 of the Part 2 records), record 187 (pages 664 to 665 of the Part 2 records), record 222 (pages 754 to 755 of the Part 2 records) are communications between Health employees. In other words, these

records do not appear to be records between solicitor and client. However, at paragraph [39] of my office's [Review Report 078-2018](#), I discussed the "continuum of legal advice":

In Review Report 005-2017, 214-2015 – PART II, I discussed the continuum of legal advice. I noted that documents that are not actually a communication between a solicitor and a client may be part of the continuum of legal advice, or reveal information subject to solicitor-client privilege. I listed the following examples that could qualify as part of the continuum:

- A discussion between two public officials about how to frame the question that is to be asked of the lawyer;
- Written communications between officials or employees of a public body, in which they quote or discuss the legal advice given by the public body's solicitor;
- Communications discussing the application of legal advice given by a solicitor;
- An employee's notes regarding a solicitor's legal advice, and comments on that advice;
- Notes "to file" in which legal advice is quoted or discussed; and
- Solicitors' briefing notes and working papers that are directly related to the seeking or giving of legal advice.

[143] Therefore, documents that are not actually a communication between a solicitor and a client may be part of the continuum of legal advice, or reveal information subject to solicitor client privilege.

[144] Based on the affidavit and schedule of records, I find that the records listed at paragraph [142] are on the continuum of legal advice. Within its submission, Health described these records as communications among Health employees that discusses legal opinions it has received from its lawyers. As such, I find that Health has made a *prima facie* case that subsection 22(a) of FOIP applies to the records listed at paragraph [142].

Second group: Communications between Health and its lawyers

[145] Record 178 (page 639 to 643 of the Part 2 records) is communication between Health and its solicitors. Based on the affidavit, which asserts that the communication is intended to be confidential, I find Health has made a *prima facie* case that subsection 22(a) of FOIP applies to record 178 (pages 639 to 643 of the Part 2 records).

11. Did Health properly apply subsection 22(b) of FOIP?

[146] Health applied subsection 22(b) of FOIP to pages 807 and 808 and of the Part 2 records. Subsection 22(b) of FOIP provides:

22 A head may refuse to give access to a record that:

...

(b) was prepared by or for an agent of the Attorney General for Saskatchewan or legal counsel for a government institution in relation to a matter involving the provision of advice or other services by the agent or legal counsel;

[147] My office uses the following two-part test to determine if subsection 22(b) of FOIP applies:

1. Where the records “prepared by or for” an agent or legal counsel for a government institution?
2. Were the records prepared in relation to a matter involving the provision of advice or other services by the agent or legal counsel?

(Guide to FOIP, Ch. 4, p. 278)

[148] The following is an analysis to determine if the two-part test is met.

1. Were the records “prepared by or for” an agent or legal counsel for a government institution?

[149] The record must be “prepared”, as the term is understood, in relation to the advice or services or compiled or created for the purpose of providing the advice or services (*Guide to FOIP, Ch. 4, p. 278*).

[150] “Prepared” means to be made ready for use or consideration (*Guide to FOIP, Ch. 4, p. 278*).

[151] “By or for” means the person preparing the record must be either the person providing the legal advice or legal service or a person who is preparing the record in question on behalf of, or, for the use of, the provider of legal advice or legal related services (*Guide to FOIP*, Ch. 4, p. 278).

[152] Pages 807 and 808 of the Part 2 records are email exchanges between a Health employee and Crown counsel at the Ministry of Justice. Earlier, I mentioned that the contents of the email exchange is administrative in nature. Specifically, Health is seeking instruction on how to prepare records for the Ministry of Justice’s review, but does not contain the actual records. I find that pages 807 and 808 are not records prepared by or for an agent or legal counsel for a government institution, and so the first part of the test is not met. I find that subsection 22(b) of FOIP does not apply to pages 807 and 808 of the Part 2 records. I will consider if subsection 22(c) of FOIP applies to these two pages.

12. Did Health properly apply subsection 22(c) of FOIP?

[153] Health applied subsection 22(c) of FOIP to pages 807 and 808 of the Part 2 records.

22 A head may refuse to give access to a record that:

...

(c) contains correspondence between an agent of the Attorney General for Saskatchewan or legal counsel for a government institution and any other person in relation to a matter involving the provision of advice or other services by the agent or legal counsel.

[154] My office uses the following two-part test to determine if subsection 22(c) of FOIP applies:

1. Is the record a correspondence between the government institution’s legal counsel (or an agent of the Attorney General) and any other person?
2. Does the correspondence relate to a matter that involves the provision of advice or other services by the agent or legal counsel?

(*Guide to FOIP*, Ch. 4, p. 280)

[155] The following is an analysis to determine if the two-part test is met.

1. *Is the record a correspondence between the government institution's legal counsel (or an agent of the Attorney General) and any other person?*

[156] "Correspondence" means letters sent or received. It is an interchange of written communication (*Guide to FOIP*, Ch. 4, p. 280).

[157] "Agent" means someone who is authorized to act for or in place of another (*Guide to FOIP*, Ch. 4, p. 280).

[158] "Any other person" was an intentional and inclusive phrase to capture just that - *any other person*. The government institution must make it sufficiently clear as to what the nature of that other person's role in the correspondence was (*Guide to FOIP*, Ch. 4, p. 280).

[159] Pages 807 and 808 of the Part 2 records are email exchanges between a Health employee and Crown counsel at the Ministry of Justice. The first part of the two-part test is met for pages 807 and 808, and so I will consider the second part.

2. *Does the correspondence relate to a matter that involves the provision of advice or other services by the agent or legal counsel?*

[160] "In relation to" has been found to have a similar meaning as "in respect of". As noted at page 280 of Chapter 4 of my office's *Guide to FOIP*, the Supreme Court of Canada's decision in *Nowegijick v. The Queen*, [1983] 1 SCR 29, 1983 CanLII 18 (SCC) at [39] says:

The words "in respect of" are, in my opinion, words of the widest possible scope. They import such meanings as "in relation to", "with reference to" or "in connection with". The phrase "in respect of" is probably the widest of any expression intended to convey some connection between two related subject-matters.

(*Guide to FOIP*, Ch. 4, p. 280)

[161] “Legal advice” includes a legal opinion about a legal issue, and a recommended course of action, based on legal considerations, regarding a matter with legal implications (*Guide to FOIP*, Ch. 4, p. 280).

[162] “Legal service” includes a law-related service performed by a person engaged by a government institution and who is licensed to practice law (*Guide to FOIP*, Ch. 4, p. 281).

[163] Pages 807 and 808 of the Part 2 records are emails regarding how Health is to prepare records for the Ministry of Justice’s review. The correspondence is related to the provision of legal services by Health’s legal counsel, which meets the second part of the two-part test. I find that subsection 22(c) of FOIP applies to pages 807 and 808 of the Part 2 records. My findings and recommendations are set out in the Appendix.

13. Did Health properly apply subsection 29(1) of FOIP?

[164] Health applied subsection 29(1) of FOIP to portions of the following pages:

- Pages 15 to 21 of the Part 1 records.
- Pages 6, 13, 14, 16, 17, 20, 73, 76, 77, 79, 130, 134, 150, 168, 173, 187, 192, 193, 207, 218, 219, 220, 236, 238, 239, 241, 243, 244, 245, 344 to 349, 533, 555, 563, 564, 571, 572, 574 to 582, 618 to 619, 621 to 622, 630, 631, 634 to 638, 645, 646, 652 to 655, 683 to 684, 687 to 688, 694, 696 to 697, 702, 704, 728 to 731, 736 to 738, 744 to 746, 748, 766 to 767, 770, 773 to 774, 778 to 782, 793 to 796, 799 to 803, 805, 808 of the Part 2 records.

[165] Subsection 29(1) of FOIP provides:

29(1) No government institution shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 30.

[166] In order for subsection 29(1) of FOIP to apply, the withheld information must qualify as a third party’s “personal information” as defined by subsection 24(1) of FOIP. In its

submission, Health asserted that the redacted information qualified as personal information as defined by subsections 24(1)(b) and (k) of FOIP.

[167] Subsection 24(1) of FOIP defines “personal information” as follows:

24(1) Subject to subsections (1.1) and (2), “**personal information**” means personal information about an identifiable individual that is recorded in any form, and includes:

...
(b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

[168] Based on a review of the records, Health applied subsection 29(1) of FOIP to portions of records that describe the reason for a person’s absence, such as taking leave. Health also applied subsection 29(1) of FOIP to business card information, such as the name and email address of an employee at Ombudsman Saskatchewan that appears on pages 644 and 655 of the Part 2 records.

[169] In my office’s [Review Report 035-2019](#), I found that the term “employment history” in subsection 24(1)(b) of FOIP included leave transactions. I said:

[19] *Employment history* is the type of information normally found in a personnel file such as performance reviews, evaluations, disciplinary actions taken, reasons for leaving a job or leave transactions. It could also include the start date and end date of employment.

[170] Where Health applied subsection 29(1) of FOIP to portions of records which describes a person’s leave, I am satisfied that such information qualifies as “personal information” as defined by subsection 24(1)(b) of FOIP.

[171] In my office’s [Review Report 186-2019](#), I found that business card information does not qualify as personal information as follows:

Business card information is the type of information found on a business card (name, job title, work address, work phone numbers and work email address). This type of information is generally not personal in nature and therefore would not be considered

personal information. Further, in Review Report 149-2019, 191-209, I noted that business card information does not qualify as personal information when found with work product. Work product is information generated by or otherwise associated with an individual in the normal course of performing his or her professional or employment responsibilities, whether in a public or private setting. Work product is also not considered personal information.

[172] I am not satisfied that the portions of the records where Health applied subsection 29(1) of FOIP that contain “business card information” qualify as “personal information” as defined by subsection 24(1) of FOIP. My findings and recommendations regarding subsection 29(1) of FOIP are summarized in the Appendix.

14. Did Health properly apply subsection 27(1) of HIPA?

[173] Health applied subsection 27(1) of HIPA to pages 73, 76 and 77 of the Part 2 records.

[174] Subsection 27(1) of HIPA provides:

27(1) A trustee shall not disclose personal health information in the custody or control of the trustee except with the consent of the subject individual or in accordance with this section, section 28 or section 29.

[175] Subsection 27(1) of HIPA applies to the personal health information of an individual, which a trustee cannot disclose unless the trustee has the consent of the subject individual (*Guide to HIPA*, updated December 16, 2016 [*Guide to HIPA*], p. 44).

[176] In its submission, Health asserted that the pages to which it applied subsection 27(1) of HIPA contained personal health information of individuals whose cases “were used in the analysis for purposes of comparison”.

[177] Page 73 of the Part 2 records contains two emails, one timestamped 8:16 a.m. and another timestamped 9:11:10 a.m. Page 76 of the Part 2 records contains three emails, one of which is timestamped 8:16 a.m. I note these emails contain the personal health information of two third party individuals as defined by subsection 2(m)(i) of HIPA, which provides:

2 In this Act:

...

(m) **“personal health information”** means, with respect to an individual, whether living or deceased:

(i) information with respect to the physical or mental health of the individual;

[178] Health also applied subsection 27(1) of HIPA to page 77; however, based on a review, the page does not contain personal health information as defined by subsection 2(m) of HIPA.

[179] My findings and recommendations regarding subsection 27(1) of HIPA are in the Appendix.

15. Did Health conduct a reasonable search for records?

[180] The Applicant raised concerns regarding records they believed to be missing from the record they received from Health on January 10, 2022 and on May 4, 2022. The Applicant believed Health did not search for “all records and correspondence [sic],” but only searched for the three enumerated items in their access request. The basis for believing records were missing was based on a copy of the Ombudsman’s June 2022 report. The Ombudsman’s report quoted and referenced records that the Applicant asserted were not part of the responsive records.

[181] Section 5 of FOIP provides as follows:

5 Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a government institution.

[182] Section 5 of FOIP is clear that access to records must be granted if they are in the possession or under the control of the government institution subject to any exemptions that may apply pursuant to FOIP.

[183] Government institutions must grant access to records in their possession or control subject to any exemptions in Parts III and IV of FOIP. FOIP does not require a government

institution to provide with absolute certainty that records do not exist, but it must demonstrate it has conducted a reasonable search to locate the responsive records.

[184] A reasonable search is one in which an employee, experienced in the subject matter, expends a reasonable effort to locate records reasonably related to the access to information request. A reasonable effort is the level of effort you would expect of any fair, sensible person searching areas where records are likely to be stored. What is reasonable depends on the request and related circumstances. Examples of information to support its search efforts that government institutions can provide to my office include the following:

- For personal information requests – explain how the individual is involved with the government institution (i.e. client, employee, former employee etc.) and why certain departments/divisions/branches were included in the search.
- For general requests – tie the subject matter of the request to the departments/divisions/branches included in the search. In other words, explain why certain areas were searched and not others.
- Identify the employee(s) involved in the search and explain how the employee(s) is experienced in the subject matter.
- Explain how the records management system is organized (both paper & electronic) in the departments/divisions/branches included in the search.
- Describe how records are classified within the records management system. For example, are the records classified by:
 - alphabet
 - year
 - function
 - subject
- Consider providing a copy of your organization’s record schedule and screen shots of the electronic directory (folders & subfolders).
- If the record has been destroyed, provide copies of record schedules and/or destruction certificates.
- Explain how you have considered records stored off-site.

- Explain how records that may be in the possession of a third party but in the government institution's control have been searched such as a contractor or information management service provider.
- Explain how a search of mobile electronic devices was conducted (i.e. laptops, smart phones, cell phones, tablets).
- Explain which folders within the records management system were searched and how these folders link back to the subject matter requested. For electronic folders – indicate what key terms were used to search if applicable.
- Indicate the calendar dates each employee searched.
- Indicate how long the search took for each employee.
- Indicate what the results were for each employee's search.
- Consider having the employee that is searching provide an affidavit to support the position that no record exists or to support the details provided. For more on this, see my office's resource *Using Affidavits in a Review with the IPC* available on my office's website.

(*Guide to FOIP*, Ch. 3, p. 9)

[185] Health explained that it searched for records within its Medical Services Branch (MSB) since it “leads the negotiations, implementation, processing, and evaluation of insured health services including, out-of-province, and out-of-country.” It explained that it searched for records with MSB's Executive Director, Casework Supervisor, two Directors, a Medical Consultant, an Executive Coordinator, and a Senior Insured Service Consultant.

[186] Health had searched through their electronic drives and employees' emails using the following keywords:

- Applicant's son's first and last name;
- “[Applicant's son's first name] out-of-country treatment”;
- “Health Services Review Committees' (HRSC) recommendation”; and
- “ALD”.

[187] Health asserted it also searched through the emails and files of the former Associate Deputy Minister, Denise Macza (who oversaw MSB) and the former Deputy Minister, Max Hendricks.

[188] My office provided to Health a list of records that either 1) the Applicant believed to exist but were not included in the responsive records and 2) documents that were quoted and/or referenced in the Ombudsman’s June 2022 report but did not seem to be in the responsive records. Below is the list of records and Health’s response:

| Record # | Description of record | Health’s response |
|-----------------|--|---|
| 1 | <p>An email by the Applicant to an administrative assistant at the SHA regarding the meeting minutes of a July 20th video call where the Applicant documented errors in the meeting minutes.</p> <p>The Applicant asserted the email and any other record making changes to the minutes were not included in the responsive record.</p> | <p>Health asserted that the Applicant’s email and attachment was on pages 720 to 727 of the responsive record, which was provided to the Applicant.</p> |
| 2 | <p>The Ombudsman’s report referenced two briefing notes were provided to the Minister of Health – one dated August 11, 2022 and another dated September 8, 2020.</p> <p>The Applicant noted that the responsive records contained one briefing note but not the other.</p> | <p>Health clarified there were verbal briefings on August 11, 2020 and September 8, 2020. There were no briefing notes dated August 11, 2020 and September 8, 2020.</p> |
| 3 | <p>The Applicant sent an email dated November 12, 2020 to a SHA employee regarding care for their son and about the Ombudsman’s report.</p> | <p>Health asserted that the email is not under the possession or under its control as the employee is not a Health employee. The employee is a SHA employee.</p> |
| 4 | <p>The Applicant asserted there should be an email from a physician regarding gene therapy to MSB.</p> | <p>Health asserted the email is on pages 12 and 13 of the Part 1 records and on pages 349 to 350 of the “Part 2” records.</p> |

| | | |
|----|---|--|
| 5 | Page 7 of the Ombudsman's June 2022 report references a chronology of events. | Health asserted that the chronology of events appears on page 182 of the Part 2 records, but it was withheld. |
| 6 | Pages 17 to 18 of the Ombudsman's June 2022 report quoted an email dated August 21, 2020 of the MSB Director of Insured Services to the Ministry of Justice | Health asserted that this email appears on page 212 of the Part 2 records; however, the Applicant was refused access to the record. |
| 7 | Page 18 of the Ombudsman's June 2022 report indicated that the Minister of Health rejected HSRC's recommendation on September 21, 2020. | Health asserted that this record appears on pages 309 to 311 of the Part 2 records. |
| 8 | Page 28 of the Ombudsman's June 2022 report describes correspondence between Health and the Ombudsman's office but the correspondence does not appear in the responsive record. | Health asserted that correspondence between Health and the Ombudsman's office appears on pages 574 to 577, 579, 637 to 638, 646, 696 to 698, 702 to 703, 744 to 746, 780 to 782, 802 to 806 of the Part 2 records. Health had refused the Applicant access to these pages. |
| 9 | Page 31 of the Ombudsman's June 2022 report describe a particular correspondence between Health and the Saskatchewan Cancer Agency. | Health asserted that the correspondence is on page 21 to 22 of the Part 1 records, and pages 349 to 350 and 679 of the Part 2 records. |
| 10 | Page 41 of the Ombudsman's June 2022 report quotes a letter dated February 11, 2020 from the Deputy Minister of Health to the Ombudsman. | Health asserted that the letter is regarding a previous Ombudsman's investigation that was completed prior to Health receiving the Applicant's case. Therefore, the letter is not responsive to the Applicant's access request. |
| 11 | Page 42 of the Ombudsman's June 2022 report describes a briefing note's implication. | Health asserted that the briefing note appears on pages 146 and 148 of the Part 2 records. Health refused the Applicant access to these pages. |

[189] I am only concerned with Health's search efforts. I am not looking at whether records should exist or not. I find that many of Health's explanations summarized in the above

table to be satisfactory, including the explanations for records 1, 2, 3, 4, 5, 6, 7, 10, and 11. Below are some additional comments I have regarding records 2, 4, 6 and 7.

- Regarding record 2 and the two briefing notes. Upon closer review, the Ombudsman's June 2022 report indicated that Health provided briefing "packages" (not necessarily briefing notes) to the Minister's office on August 11, 2022 and another dated September 8, 2020. Page 17 of the Ombudsman's report references a 5-page briefing note, which is in the Part 1 records. Page 18 of the Ombudsman's report references a "second briefing package" was provided to the Minister on September 8, 2020, including the HSRC's chair's opinion (which appears on pages 168 to 173 of the Part 2 records). Therefore, I am satisfied that Health's search efforts captured record 2 described in the table above.
- Regarding record 4 in the table above, I noted that the email sought by the Applicant is on page 12 of the Part 1 records and on pages 24, 26, and 29 of the Part 2 records (note on pages 349 to 350 of the Part 2 records as indicated by Health). Since the email was already released in its entirety at page 24 of the Part 2 records, I recommend that Health release the same email that appears on page 12 of the Part 1 records, and pages 26 and 29 of the Part 2 records.
- Regarding records 6 and 7 in the table above, pages 212 and 311 are records to which Health applied solicitor-client privilege (section 22(a) of FOIP). Since the Ombudsman's report already reveals the contents of these pages, I recommend that Health disclose these pages to the Applicant.

[190] However, I am not satisfied with Health's explanations regarding its search efforts for records 8 and 9 listed in the above table. Record 8 is about page 28 of the Ombudsman's report. Page 28 of the Ombudsman's report contains a quote of correspondence by Health to the Ombudsman's office. Health asserted that the correspondence can be found on pages 574 to 577, 579, 637 to 638, 646, 696 to 698, 702 to 703, 744 to 746, 780 to 782, 802 to 806 of the Part 2 records. I note that these pages of the Part 2 records certainly contain correspondence between Health and the Ombudsman's office; however, they do not contain the specific correspondence referenced at page 28 of the Ombudsman's report.

[191] Record 9 in the above table is regarding page 31 of the Ombudsman's report. Page 31 of the Ombudsman's report contains a quote of correspondence from the Saskatchewan Agency to Health. Health asserted that the correspondence can be located at pages 21 to 22 of the Part 1 records and pages 6 to 7, 349 to 350 and 679 of the Part 2 records. I note that these pages contain correspondence between Health and the Saskatchewan Cancer Agency;

however, they do not contain the specific correspondence referenced at page 31 of the Ombudsman's report.

[192] I recognize the enormity of the records responsive to the Applicant's access request. I find that Health has made reasonable efforts to search for records. However, I cannot ignore the evidence that records 8 and 9 as described in the table above exist, but have not been included in the responsive records. I recommend that Health conduct another search for the records 8 and 9 described in the table at paragraph [188] and inform my office and the Applicant of the results of its search within 30 days of the issuance of this Report.

IV FINDINGS

[193] I find that I have jurisdiction to conduct this review.

[194] I find that Health did not comply with section 7 of FOIP.

[195] I find that Health properly applied subsection 17(1)(a) of FOIP to some of the records but not all. See Appendix for details.

[196] I find that Health properly applied subsection 17(1)(b) of FOIP to some of the records but not all. See Appendix for details.

[197] I find that subsection 15(1)(d) of FOIP does not apply to the records.

[198] I find that subsection 15(1)(c) of FOIP applies to the pages set out at paragraph [78] except for pages 692, 693, 768 and 769 of the Part 2 records.

[199] I find that Health has not properly applied subsection 13(2) of FOIP.

[200] I find that Health did not properly apply subsection 16(1)(a) of FOIP.

- [201] I find that subsection 22(a) of FOIP does not apply to pages 351 to 357, 359 to 361, 807 to 808 of the Part 2 records.
- [202] I find that subsection 22(a) of FOIP applies to the quote of the legal opinion that appears in the middle of page 358 of the Part 2 records.
- [203] I find that Health has made a *prima facie* case that subsection 22(a) of FOIP applies to the records listed at paragraph [142].
- [204] I find that Health has made a *prima facie* case that subsection 22(a) of FOIP applies to record 178 (pages 639 to 643 of the Part 2 records).
- [205] I find that subsection 22(c) of FOIP applies to pages 807 and 808 of the Part 2 records.
- [206] Where Health applied subsection 29(1) of FOIP to portions of records which describes a person's leave, I find that such information qualifies as "personal information" as defined by subsection 24(1)(b) of FOIP.
- [207] Where Health applied subsection 29(1) of FOIP to portions of records which qualifies as "business card information", I find that such information does not qualify as "personal information" as defined in subsection 24(1) of FOIP.
- [208] I find that subsection 27(1) of HIPA applies to pages 73 and 76 of the Part 2 records.
- [209] I find that subsection 27(1) of HIPA does not apply to page 77 of the Part 2 records.
- [210] I find that many of Health's explanations summarized in the above table to be satisfactory, including the explanations for record 1, 2, 3, 4, 5, 6, 7, 10, and 11, as described in the table at paragraph [188].
- [211] I find that Health has made reasonable efforts to search for records.

V RECOMMENDATIONS

[212] I recommend that Health prioritize transparency, as described at paragraph [22].

[213] If the lack of resources continues to be the reason for excessive delays, then I recommend that Health establish categories of records containing general information readily available pursuant to subsection 65.1(1) of FOIP.

[214] I recommend that Health review its procedures to reduce the time it takes to process access requests. This includes, including consultations with its lawyers and its approval steps.

[215] Where I have found that subsections 17(1)(a) and (b)(i) of FOIP applied, I recommend that Health reconsider its exercise of discretion in its application of these two discretionary exemptions and release additional records to the Applicant.

[216] I recommend that Health reconsider its exercise of discretion in its application of subsection 15(1)(c) and release additional records to the Applicant.

[217] I recommend that Health disclose page 212 of record 76 and page 311 of record 111.

[218] I recommend that Health conduct another search for the records 8 and 9 described in the table at paragraph [188] and inform my office and the Applicant the results of its search within 30 days of the issuance of this Report.

[219] I recommend that Health comply with the recommendations set out in the Appendix regarding with records to withhold or release within 30 days of issuance of this Report.

Dated at Regina, in the Province of Saskatchewan, this 15th day of December, 2022.

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

Appendix

Part 1 Records

| Page | Exemption(s) applied by Health | IPC Findings | IPC Recommendations |
|-------------|--|---|--|
| 1 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b) of FOIP apply. | Release |
| 2 | 15(1)(d);17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the one-sentence recommendation in the middle of the page. | Withhold the one sentence recommendation in the middle of the page per 17(1)(a) of FOIP; release remainder of the page. |
| 3 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the one-sentence recommendation under the header “Health Services Review Committee Recommendation”. | Withhold the one sentence recommendation under the header “Health Services Review Committee Recommendation” per 17(1)(a) of FOIP; release remainder of the page. |
| 4 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b) of FOIP apply. | Release |
| 5 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b) of FOIP apply. | Release |
| 6 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the one-sentence summary of physician’s recommendation near the top of page 4 of the briefing note. | Withhold the one sentence summary of physician’s recommendation near the top of page 4 of the briefing note per 17(1)(a) of FOIP; release remainder. |
| 7 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b) of FOIP apply. | Release |
| 8 | 15(1)(d); 17(1)(a) of FOIP. | 17(1)(a) of FOIP applies to the one-sentence recommendation in the middle of the page. | Withhold the one sentence recommendation in the middle of the page per 17(1)(a) of FOIP; release remainder. |

| | | | |
|----|---|--|--|
| 9 | 15(1)(d); 17(1)(a) of FOIP. | Neither 15(1)(d) nor 17(1)(a) of FOIP apply. | Release |
| 10 | 15(1)(d); 17(1)(a) of FOIP. | 17(1)(a) of FOIP applies to the first sentence of the first and fourth paragraphs. 15(1)(d) of FOIP does not apply. | Withhold the first sentence of the first and fourth paragraphs per 17(1)(a) of FOIP; release remainder. |
| 11 | 15(1)(d); 17(1)(a) of FOIP. | 17(1)(a) of FOIP applies to the first sentence of the second paragraph and the fourth paragraph. 15(1)(d) of FOIP does not apply. | Withhold the first sentence of the second and the fourth paragraph per 17(1)(a) of FOIP; release remainder. |
| 12 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | | Release since this email was already released in its entirety at page 24 of the Part 2 Records. |
| 13 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b) of FOIP apply. | Release |
| 14 | Released | | |
| 15 | 15(1)(d); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies to four words in email timestamped 10:38 a.m. that describes an employee's leave. | For emails timestamped 9:54 a.m. and 10:34 a.m., release as this email was quoted at page 8 of the Ombudsman Saskatchewan's June 2022 report. For email timestamped 10:38 a.m., release all except the four words describing an employee's leave. |
| 16 | 15(1)(d); 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs in the email timestamped 9:34 a.m. | For email timestamped 9:34 a.m.: <ul style="list-style-type: none"> • withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP • release the second of two indented paragraphs since contents was revealed at page 7 of the Ombudsman Saskatchewan's June 2022 report. • release remainder of email. |

| | | | |
|----|---|--|--|
| | | | <ul style="list-style-type: none"> release the redacted sentence at top of the page since it was quoted at page 8 of the Ombudsman Saskatchewan's June 2022 report. |
| 17 | 17(1)(a); 17(1)(b)(i) of FOIP. | 29(1) of FOIP applies to four-word sentence regarding leave in email timestamped 9:18 a.m. | <p>Release email timestamped 8:23 a.m. as it was released at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> <p>Redact four-word sentence regarding leave in email timestamped 9:18 a.m. per 29(1) of FOIP; release remainder email timestamped 9:18 a.m. as it was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> |
| 18 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | <p>Release in its entirety.</p> <p>Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report.</p> |
| 19 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as a duplicate of this page was released to the Applicant at page 399 of the Part 2 records. |
| 20 | Released | | |
| 21 | 15(1)(d); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | | Release as these emails were quoted and summarized at page 8 of the Ombudsman Saskatchewan's June 2022 report. |
| 22 | 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as this email was quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |

Part 2 Records

| Page | Exemption(s) applied by Health | IPC Findings | IPC Recommendations |
|--------|-----------------------------------|---|---------------------|
| 1 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP applies. | Release |
| 2 to 3 | Released | | |
| 4 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP applies. | Release |
| 5 | Released | | |

| | | | |
|----|--|---|--|
| 6 | 15(1)(d); 17(1)(a), 17(1)(b)(i); 29(1) of FOIP. | | Release as these emails were quoted and summarized at page 8 of the Ombudsman Saskatchewan's June 2022 report. |
| 7 | 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as this email was quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |
| 8 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP applies. | Release |
| 9 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 10 | 13(2) of FOIP. | | Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 11 | 13(2) of FOIP. | | Release as a duplicate of this page was released to the Applicant at page 399 of the Part 2 records. |
| 12 | Released | | |
| 13 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs in the email timestamped 9:34 a.m. | For email timestamped 9:34 a.m.: <ul style="list-style-type: none"> withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP release the second of two indented paragraphs since contents was revealed at page 7 of the Ombudsman Saskatchewan's June 2022 report. release remainder of email. |
| 14 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | | Release since both emails were summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |
| 15 | 13(2) of FOIP. | | Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 16 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs. | For email timestamped 9:34 a.m.: <ul style="list-style-type: none"> withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP |

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| | | | <ul style="list-style-type: none"> release the second of two indented paragraphs since contents was revealed at page 7 of the Ombudsman Saskatchewan’s June 2022 report. release remainder of email. <p>Release emails timestamped 9:54am and 10:34am as they are quoted at page 8 of the Ombudsman Saskatchewan’s June 2022 report.</p> |
| 17 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs. 29(1) of FOIP applies to four-word sentence regarding leave in email timestamped 9:18 a.m. | <p>For email timestamped 9:34 a.m.:</p> <ul style="list-style-type: none"> withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP release the second of two indented paragraphs since contents was revealed at page 7 of the Ombudsman Saskatchewan’s June 2022 report. release remainder of email. <p>Redact four-word sentence regarding leave in email timestamped 9:18 a.m. per 29(1) of FOIP; release remainder email timestamped 9:18 a.m. as it was summarized and quoted at page 7 of the Ombudsman Saskatchewan’s June 2022 report.</p> |
| 18 | 13(2); 17(1)(a); 17(1)(b) of FOIP. | | Release as both emails were quoted and summarized at page 7 of the Ombudsman Saskatchewan’s June 2022 report. |
| 19 | 15(1)(d); 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as both emails were quoted at page 8 of the Ombudsman Saskatchewan’s June 2022 report. |
| 20 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs. 29(1) of FOIP applies to four-word sentence regarding | <p>For email timestamped 9:34 a.m.:</p> <ul style="list-style-type: none"> withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP release the second of two indented paragraphs since contents was |

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| | | leave in email timestamped 9:18 a.m. | <p>revealed at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> <ul style="list-style-type: none"> release remainder of email. <p>Redact four-word sentence regarding leave in email timestamped 9:18 a.m. per 29(1) of FOIP; release remainder email timestamped 9:18 a.m. as it was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> |
| 21 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 29(1) of FOIP applies to four-word sentence regarding leave in email timestamped 9:18 a.m. | <p>Release email timestamped 8:23 a.m. as it was released at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> <p>Redact four-word sentence regarding leave in email timestamped 9:18 a.m. per 29(1) of FOIP; release remainder email timestamped 9:18 a.m. as it was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report.</p> <p>Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan's June 2022 report.</p> |
| 22 | Released | | |
| 23 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 24 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 25 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 26 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | <p>Release</p> <p>Email timestamped 2:58pm is duplicated at page 24 and was released in full to the Applicant.</p> |
| 27 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |

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| 28 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 29 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release Email timestamped 2:58pm is duplicated at page 24 and was released in full to the Applicant. |
| 30 | Released | | |
| 31 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 32 to 40 | Released | | |
| 41 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 42 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 43 | Released | | |
| 44 | 13(2); 17(1)(a); 17(1)(b) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 45 to 46 | Released | | |
| 47 | 13(2); 17(1)(a); 17(1)(b) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 48 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 49 | Released | | |
| 50 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 51 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 52 | Released | | |
| 53 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 54 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 55 to 57 | Released | | |

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| 58 | 17(1)(a); 17(1)(b)(i); 22(a) of FOIP | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. 22(a) of FOIP applies to the redacted portion. | Release email timestamped 1:45:21 p.m. Release second paragraph of email timestamped 1:41 p.m. Continue to withhold paragraph where 22(a) of FOIP was applied. |
| 59 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 60 to 61 | Released | | |
| 62 | 15(1)(d); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(d); 17(1)(a); 17(1)(b) do not apply. | Release |
| 63 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 64 | Released | | |
| 65 | 17(1)(a); 17(1)(b); 22(a) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. 22(a) applies to the redacted portion | Release except for portion redacted per 22(a) of FOIP. Continue to withhold paragraph where 22(a) of FOIP was applied. |
| 66 | 17(1)(a); 17(1)(b); 22(a) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. 22(a) applies to the redacted portion | Release except for portion redacted per 22(a) of FOIP. Continue to withhold paragraph where 22(a) of FOIP was applied. |
| 67 to 68 | Released | | |
| 69 | 17(1)(a); 17(1)(b); 22(a) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. 22(a) applies to the redacted portion. | Release except for portion redacted per 22(a) of FOIP. Continue to withhold paragraph where 22(a) of FOIP was applied. |
| 70 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 71 to 72 | Released | | |

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| 73 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP; 27(1) of HIPA. | 27(1)(a) of HIPA applies to names of third party individuals. | For email timestamped 8:16 a.m., redact names of two individuals pursuant to 27(1) of HIPA, then release remainder; For email timestamped 9:11:10 a.m., redact name of individuals that appear in the second and third sentence of email per 27(1) of HIPA, then release remainder. |
| 74 to 75 | Released | | |
| 76 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP; 27(1) of HIPA. | 27(1)(a) of HIPA applies to names of third party individuals. | For email timestamped 8:16 a.m., redact names of two individuals pursuant to 27(1) of HIPA, then release remainder; Release emails timestamped 8:41 a.m. and 9:19:42 a.m. |
| 77 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP; 27(1) of HIPA. | 17(1)(a), 17(1)(b)(i), 29(1) of FOIP and 27(1) of HIPA do not apply. | Release |
| 78 | Released | | |
| 79 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(a), 17(1)(b)(i), 29(1) of FOIP. | Release |
| 80 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 81 to 83 | Release | | |
| 84 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 85 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 86 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 87 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 88 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 89 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |

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| 90 to 113 | Released | | |
| 114 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 115 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 116 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 117 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 118 to 125 | Released | | |
| 126 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 127 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 128 | Released. | | |
| 129 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 130 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applied to half-sentence regarding leave in email timestamped 1:46pm. Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | For email timestamped 1:46pm, redact half-sentence about leave, then release remainder of page 130. |
| 131 | Released | | |
| 132 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 133 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 134 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP apply to half sentence regarding leave in email timestamped 4:28pm. | Release |

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| | | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | |
| 135 | Released | | |
| 136 to 140 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 141 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b), 29(1) do not apply. | Release |
| 142 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 143 to 144 | Released | | |
| 145 to 147 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 148 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 149 | 15(1)(d); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(d), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 150 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b), 29(1) do not apply. | Release |
| 151 to 154 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 155 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to two bullet points in email timestamped 5:48 p.m. | Withhold the two bullet points in email timestamped 5:48 p.m., then release remainder of page 155. |
| 156 to 161 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the track changes. | Withhold pages 156 to 161 per 17(1)(a) of FOIP. |
| 162 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to two bullet points in email timestamped 5:48 p.m. | Withhold the two bullet points in email timestamped 5:48 p.m., then release remainder of page 155. |
| 163 to 167 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the track changes. | Withhold pages 156 to 161 per 17(1)(a) of FOIP. |

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| 168 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b)(i), 29(1) of FOIP do not apply. | Release |
| 169 to 170 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 171 to 172 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to content after the heading “The July 28 HSRC Decision”. | Withhold content under the heading “The July 28 HSRC Decision) per 17(1)(a) of FOIP. Release content under the heading “Final Comments”. |
| 173 | 17(1)(a); 17(1)(b)(i), 29(1) of FOIP. | 17(1)(a), 17(1)(b), 29(1) of FOIP do not apply. | Release |
| 174 | Released | | |
| 175 to 179 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 180 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to content under the heading “Analysis”. | Withhold content under the heading “Analysis”. |
| 181 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 182 to 184 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 185 to 186 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 187 | 17(1)(a); 17(1)(b)(i), 29(1) of FOIP. | 29(1) of FOIP applies to half- sentence in email timestamped 11:52 a.m. | Withhold half-sentence in email timestamped 11:52 a.m. per 29(1) of FOIP, then release remainder of page 187. |
| 188 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 189 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 190 | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b) of FOIP does not apply. | Release |

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| 191 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 192 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 29(1) of FOIP applies to cell phone number. Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Redact cell phone number per 29(1) of FOIP, then release remainder. |
| 193 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 17(1)(a, 17(1)(b)(i), 29(1) of FOIP do not apply. | Release |
| 194 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 195 | 16(1)(a), 17(1)(a), 17(1)(b)(i) of FOIP. | 16(1)(a), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 196 to 197 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 198 to 201 | Released | | |
| 202 to 203 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 204 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 205 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 206 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 207 | 17(1)(a); 17(1)(b); 29(1) of FOIP. | 29(1) of FOIP applies to half- sentence regarding leave in email timestamped 4:28 p.m. Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Withhold half-sentence regarding leave in email timestamped 4:28 p.m., then release remainder. |
| 208 to 211 | Released | | |

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| 212 to 217 | 22(a) of FOIP. | 22(a) of FOIP applies; however, page 212 is quoted at pages 17 and 18 of the Ombudsman's June 2022 report. | Release page 212 to the Applicant; Continue to withhold pages 213 to 217 pursuant to 22(a) of FOIP. |
| 218 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies to attachment description and name in body of email timestamped 11:42:49 a.m. Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Withhold attachment description and name in body of email timestamped 11:42:49 a.m., then release remainder of page 218. |
| 219 | 29(1) of FOIP. | 29(1) of FOIP applies. | Withhold |
| 220 | 29(1) of FOIP. | 29(1) of FOIP applies. | Withhold |
| 221 | Released | | |
| 222 to 225 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 226 to 228 | 17(1)(a); 17(1)(b)(i) of FOIP | 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 229 | 17(1)(a); 17(1)(b)(i); of FOIP. | 17(1)(a), 17(1)(b)(i), of FOIP do not apply. | Release |
| 230 | Released | | |
| 231 to 234 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 235 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 236 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a) of FOIP applies to second sentence in email timestamped 10:35 p.m. | Withhold second sentence in email timestamped 10:35 p.m. per 17(1)(a) of FOIP, then release remainder of page 236. |
| 237 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 238 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b)(i), 29(1) of FOIP do not apply. | Release |

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| 239 | 29(1) of FOIP. | 29(1) of FOIP does not apply. | Release |
| 240 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 241 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a) of FOIP applies to second sentence in email timestamped 10:35 p.m. | Withhold second sentence in email timestamped 10:35 p.m. per 17(1)(a) of FOIP, then release remainder of page 241. |
| 242 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 243 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b)(i), 29(1) of FOIP do not apply. | Release |
| 244 | 29(1) of FOIP. | 29(1) of FOIP does not apply. | Release |
| 245 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to third paragraph of email timestamped 21:13. | Release emails time stamped 8:13 p.m., 21:18, 9:21:06 p.m. For email timestamped 21:13, redact third paragraph pursuant to 17(1)(b)(i), release remainder; |
| 246 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the paragraphs at the top of the page. 17(1)(b)(i) applies to the second paragraph of email timestamped 4:22 p.m. | Withhold second paragraph of email timestamped 4:22 p.m. per 17(1)(b)(i) of FOIP but release paragraph; Redact paragraphs that appear at top of the page per 17(1)(b)(i) of FOIP. |
| 247 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to bullet points in email timestamped 11:10 a.m. | Withhold bullet points in email timestamped 11:10 a.m. per 17(1)(b)(i) of FOIP, release remainder of page 247. |
| 248 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 249 | Released | | |
| 250 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |

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| 251 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 252 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 253 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 254 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 255 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 256 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 257 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 258 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 259 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 260 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 261 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 262 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 263 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 264 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) applies to highlighted text. | Withhold highlighted text per 17(1)(a), release remainder. |
| 265 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |

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| 266 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to second sentence in first paragraph of email timestamped 7:46 a.m. | Withhold second sentence in first paragraph of email timestamped 7:46 a.m., release remainder of page 266. |
| 267 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the second paragraph of the email timestamped 4:22 p.m. 17(1)(b)(i) applies to the second and third paragraph of the email timestamped 8:14 p.m. | Withhold the second paragraph of email timestamped 4:22 p.m. per 17(1)(b)(i) of FOIP, then release remainder of email. Withhold second and third paragraphs of email timestamped 8:14 p.m. per 17(1)(b)(i) of FOIP, release remainder of email. |
| 268 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to bullet points in email timestamped 11:10 a.m. | Withhold bullet points in email timestamped 11:10 a.m. per 17(1)(b)(i) of FOIP, then release remainder of page 268. |
| 269 | 17(1)(a); 17(1)(b)(i) of FOIP. | Released | |
| 270 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies. | Continue to withhold redacted content. |
| 271 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 272 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to redacted content in emails timestamped 2:40 p.m. and 2:47 p.m. | Continue to withhold redacted content in emails timestamped 2:40 p.m. and 2:47 p.m. per 17(1)(b)(i) of FOIP. Release email timestamped 2:49:30 p.m. |
| 273 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 274 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 275 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |

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| 276 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 277 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 278 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 279 | Released | | |
| 280 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 281 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to suggested response in email timestamped 12:33 p.m. | Withhold suggested response in email timestamped 12:33 p.m. per 17(1)(a) of FOIP, then release remainder of page 281. |
| 282 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold per 17(1)(a) of FOIP. |
| 283 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 284 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 284 to 293 | Released | | |
| 294 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 295 | Released | | |
| 296 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to body of email timestamped 2:43 p.m. | Withhold body of email timestamped 2:43 p.m. per 17(1)(b)(i) of FOIP. |
| 297 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the two paragraphs at the top of page 297. | Withhold the two paragraphs at top of page 297 per 17(1)(b)(i) of FOIP. Release remainder of page 297. |
| 298 to 300 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 301 | Released | | |

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| 302 to 304 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 305 | Released | | |
| 306 to 309 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 310 | Released | | |
| 311 | 22(a) | 22(a) of FOIP applies; however, page 18 of the Ombudsman's June 2022 report reveals substance of this page. | Release since page 18 of the Ombudsman's June 2022 report reveals the substance of this page. |
| 312 | Released | | |
| 313 to 315 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 316 | Released | | |
| 317 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 318 to 320 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 321 to 334 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 335 to 337 | Released | | |
| 338 to 340 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 341 to 343 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 344 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies to name of third party in subject line of emails timestamped 10:42 a.m., 4:02 p.m., and 4:23 p.m. | Withhold third party name in the subject line of emails timestamped 10:42 a.m., 4:02 p.m., 4:23 p.m, then release remainder of page 344. |

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| 345 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies to the name of the third party in the subject line of emails timestamped 3:58 p.m. and 1:03 p.m. 17(1)(a) of FOIP applies to body of email timestamped 1:03 p.m. | Withhold name of third party individual in subject lines of emails timestamped 3:58 p.m. and 1:03 p.m per 29(1) of FOIP. Withhold body of email timestamped 1:03 p.m. per 17(1)(a) of FOIP. Release remainder of page 345. |
| 346 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies to the names of third party individuals. | Withhold the names of third party individuals, release remainder of page 346. |
| 347 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies. | Continue to withhold per 29(1) of FOIP. |
| 348 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 29(1) of FOIP applies. | Continue to withhold per 29(1) of FOIP. |
| 349 | 13(2); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | | Release in entirety as emails have been quoted and summarized at pages 7 and 8 of the Ombudsman Saskatchewan's June 2022 investigation report. |
| 350 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a), 17(1)(b), and 29(1) of FOIP do not apply. | Release |
| 351 to 361 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 22(a) of FOIP. | 22(a) of FOIP applies to quote of legal advice that appears in the middle of page 358. 15(1)(c) of FOIP applies to pages 351 to 361. | Continue to withhold the quote of the legal opinion that appears in the middle of page 358 pursuant to 22(a) of FOIP. Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 362 to 421 | Released | | |
| 422 | 15(1)(d); 17(1)(a) of FOIP. | Neither 15(1)(d) nor 17(1)(a) of FOIP apply. | Release |
| 423 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |

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| 424 to 426 | Released | | |
| 427 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 428 to 446 | Released | | |
| 447 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 448 to 449 | Released | | |
| 450 | 13(2) | 13(2) of FOIP does not apply. | Release |
| 451 | Released | | |
| 452 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP does not apply. | Release |
| 453 | 13(2) | | Release |
| 454 to 456 | Released | | |
| 457 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release in its entirety. Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 458 | Released | | |
| 459 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 460 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release in its entirety. Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 461 | 13(2) | | Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 462 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | | Release email timestamped 8:23 a.m. as it was released at page 7 of the Ombudsman Saskatchewan's June 2022 report. |

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| | | | Release as email timestamped 7:35 a.m. was summarized at page 6 of the Ombudsman Saskatchewan' June 2022 report. |
| 463 | Released | | |
| 464 | 17(1)(a); 17(1)(b)(i) of FOIP. | 29(1) of FOIP applies to four-word sentence regarding leave. | Withhold four-word sentence regarding leave, then release remainder as contents was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |
| 465 | 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as contents was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |
| 466 | 13(2) of FOIP | | Release since a duplicate of this page was released at page 399 of the Part 2 records. |
| 467 to 470 | Released | | |
| 471 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 472 | Released | | |
| 473 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 474 to 475 | Released | | |
| 476 to 477 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 478 to 479 | Released | | |
| 480 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 481 to 488 | Released | | |
| 489 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 490 | Released | | |
| 491 | 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP does not apply. | Release |
| 492 to 495 | Released | | |

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| 496 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 497 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to text in red font. | Withhold text in red font per 17(1)(a) of FOIP; release remainder. |
| 498 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 499 to 501 | Released | | |
| 502 to 504 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 505 | Released | | |
| 506 to 508 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 509 | 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP does not apply. | Release |
| 510 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 511 | 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP does not apply. | Release |
| 512 | Released | | |
| 513 | 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP does not apply. | Release |
| 514 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 515 | 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP does not apply. | Release |
| 516 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to second paragraph and onwards. | Withhold 2 nd paragraph and onwards 17(1)(a) of FOIP. |
| 517 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold per 17(1)(a) of FOIP. |
| 518 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to body of email timestamped 8:19 a.m. | Withhold body of email timestamped 8:19 a.m. per 17(1)(b)(i) of FOIP, then release remainder of page 518. |

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| 519 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 520 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the red font. | Withhold the red font per 17(1)(a) of FOIP and then release the remainder. |
| 521 | Released | | |
| 522 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 523 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 524 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted text. | Withhold the highlighted text per 17(1)(a) of FOIP and then release the remainder of page 524. |
| 525 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted text. | Withhold the highlighted text per 17(1)(a) of FOIP and then release the remainder of page 525. |
| 526 | Released | | |
| 527 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 528 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 529 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted text. | Withhold the highlighted text per 17(1)(a) of FOIP and then release the remainder of page 529. |
| 530 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted text. | Withhold the highlighted text per 17(1)(a) of FOIP and then release the remainder of page 530. |
| 531 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted text. | Withhold the highlighted text per 17(1)(a) of FOIP and then release the remainder of page 531. |
| 532 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 533 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 534 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold per 17(1)(a) of FOIP. |

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| 535 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold per 17(1)(a) of FOIP. |
| 536 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b) of FOIP applies to email timestamped 8:19 a.m. | Withhold email timestamped 8:19 a.m. per 17(1)(b) of FOIP, then release remainder of page 536. |
| 537 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 538 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to text in red font. | Withhold the text in red font per 17(1)(a) of FOIP, then release remainder of page 538. |
| 539 | Released | | |
| 540 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies. | Continue to withhold per 17(1)(b)(i) of FOIP. |
| 541 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies in the text in yellow highlight in the email timestamped 1:10 p.m. 17(1)(b)(i) of FOIP applies to the redacted content in the email timestamped 3:03 p.m. 17(1)(b)(i) of FOIP applies to the two redacted sentences at the top of the page. | Withhold the text in the yellow highlight per 17(1)(a) of FOIP in the email timestamped 1:10 p.m. Continue to withhold redacted content in the email stamped 3:03 p.m. per 17(1)(b)(i) of FOIP. Continue to withhold the two redacted sentence at the top of the page per 17(1)(b)(i) of FOIP. |
| 542 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to text in yellow highlight. | Withhold the text in the yellow highlight per 17(1)(a) of FOIP, then release the remainder of page 542. |
| 543 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 544 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 545 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to text in yellow highlight. | Withhold the text in the yellow highlight per 17(1)(a) of FOIP, then release the remainder of page 545. |

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| 546 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 547 | 17(1)(a); 17(1)(b)(i) of FOIP. | | For email timestamped 3:03pm, 17(1)(b)(i) applies to redacted content; For email timestamped 3:50pm, redact pursuant to 17(1)(b)(i); For three bullet points that appear at top of the page, release (no adv/rec/con/del) |
| 548 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies in the text in yellow highlight in the email timestamped 1:10 p.m. 17(1)(b)(i) of FOIP applies to the three lines at the top of the page. | Withhold the text in the yellow highlight per 17(1)(a) of FOIP in the email timestamped 1:10 p.m. Continue to withhold the three lines at the top of the page per 17(1)(b)(i) of FOIP. |
| 549 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the text in the yellow highlight. | Withhold the text in the yellow highlight per 17(1)(a) of FOIP, then release the remainder of page 549. |
| 550 to 553 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 554 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the two words that have been struck out. | Withhold the two words that have been struck out but then release the remainder of page 554. |
| 555 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to email timestamped 3:52 p.m. 17(1)(b)(i) of FOIP applies to email timestamped 1:33 p.m. | Withhold email timestamped 3:52 p.m. per 17(1)(b)(i) of FOIP. Withhold email timestamped 1:3 p.m. per 17(1)(b)(i) of FOIP. Release the remainder of page 555. |
| 556 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies. | Continue to withhold. |
| 557 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies. | Continue to withhold per 17(1)(b)(i) of FOIP. |

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| 558 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to four bullet points at the top of the page. | Withhold four bullet points at the top of the page per 17(1)(b)(i) of FOIP, then release remainder of page 558. |
| 559 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the text in red font. | Withhold the text in red font per 17(1)(a) of FOIP, then release the remainder of page 559. |
| 560 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 561 | Released | | |
| 562 to 563 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 564 | 29(1) of FOIP. | 29(1) of FOIP does not apply. | Release |
| 565 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 566 | Released | | |
| 567 to 570 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 571 | 29(1) of FOIP | 29(1) of FOIP does not apply. | Release |
| 572 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 573 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 574 to 582 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 583 to 588 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 589 | 15(1)(d); 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to the one-sentence recommendations | Withhold the recommendation that appears at the middle of the page per 17(1)(a) of FOIP, then release the remainder of the page. |

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| | | that appears at the middle of the page. | |
| 590 to 616 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 617 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 618 to 619 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 620 | 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 621 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 622 | 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 623 to 628 | Released | | |
| 629 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 630 to 631 | 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 632 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 633 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 634 to 638 | 15(1)(c); 17(1)(a); | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |

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| | 17(1)(b)(i); 29(1) of FOIP. | | |
| 639 to 643 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 644 | 17(1)(a); 17(1)(b); 29(1) of FOIP | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 645 | 29(1) of FOIP | 29(1) of FOIP does not apply. | Release |
| 646 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 647 to 651 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 652 to 655 | 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 656 to 661 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 662 | No redactions applied. | | Release |
| 663 | No redactions applied. | | Release |
| 664 to 665 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 666 to 673 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a); 17(1)(b)(i) of FOIP does not apply. | Release |
| 674 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 675 to 677 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 678 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) 22(a), 29(1) of FOIP. | 15(1)(c) of FOIP applies. 22(a) of FOIP does not apply. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |

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| 679 to 680 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold. |
| 681 | Released | | |
| 682 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 683 to 685 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a) of FOIP applies. | Continue to withhold. |
| 686 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to redacted content in email timestamped 9:28 a.m. | Withhold redacted content in email timestamped 9:28 a.m., then release remainder of page 686. |
| 687 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a) of FOIP applies to redact contents in email timestamped 4:54 p.m. | Withhold redacted contents in email timestamped 4:54 p.m., then release remainder of page 687. |
| 688 to 689 | 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(a) of FOIP applies to redacted contents. | Continue to withhold. |
| 690 to 691 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 692 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP does not apply. | Release since recommendation was discussed at page 9 of the Ombudsman Saskatchewan's June 2022 report. |
| 693 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP does not apply. | Release since recommendation was discussed at page 9 of the Ombudsman Saskatchewan's June 2022 report. |
| 694 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 695 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |

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| 696 to 697 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 698 | Released | | |
| 699 to 700 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 701 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 702 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 703 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 704 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 705 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 706 | 17(1)(a); 17(1)(b) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 707 | Released | | |
| 708 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP. | 13(2), 17(1)(a), 17(1)(b)(i) of FOIP do not apply. | Release |
| 709 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |
| 710 to 714 | 13(2) of FOIP. | 13(2) of FOIP does not apply. | Release |

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| 715 | 17(1)(a); 17(1)(b) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 716 to 727 | Released | | |
| 725 to 731 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 732 to 734 | 15(1)(b)(i), 15(1)(c), 17(1)(a), 17(1)(b)(i) 22(a), 29(1) of FOIP. | 15(1)(c) of FOIP applies. 22(a) of FOIP does not apply. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 735 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 736 to 738 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 739 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 740 | Released | | |
| 741 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to email timestamped 3:05 p.m. | Continue to withhold redacted content in email timestamped 3:05 p.m. |
| 742 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 743 | Released | | |
| 744 to 746 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 747 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |

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| 748 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 749 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 750 to 753 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 754 to 755 | 22(a) of FOIP. | 22(a) of FOIP applies. | Continue to withhold pursuant to 22(a) of FOIP. |
| 756 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to highlighted content in email timestamped 11:17 a.m. 17(1)(b)(i) of FOIP applies to redacted content in email timestamped 11:17 a.m. 17(1)(b)(i) of FOIP applies redacted content in email timestamped 11:25 a.m. | Withhold emails timestamped 11:17 a.m. per 17(1)(a) and 17(1)(b)(i) of FOIP. Withhold email timestamped 11:25 a.m. per 17(1)(b)(i) of FOIP. Release remainder of page 756. |
| 757 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to redacted content in email timestamped 8:26 a.m. 17(1)(a) of FOIP applies to email timestamped 11:10 a.m. | Withhold redacted content in emails timestamped 8:26 a.m. and 11:10 a.m. per 17(1)(a) of FOIP. Release remainder of page 757. |
| 758 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(a) of FOIP applies to email timestamped 4:51 p.m. | Continue to withhold redacted content in email timestamped 4:51 p.m. per 17(1)(a) of FOIP. |

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| | | 17(1)(b)(i) of FOIP applies to email timestamped 8:12 a.m. | Continue to withhold redacted content in email timestamped 8:12am per 17(1)(b)(i) of FOIP. |
| 759 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 760 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the first paragraph of email timestamped 4:36 p.m. | Withhold first paragraph of email timestamped 4:36 p.m. per 17(1)(b)(i) of FOIP, then release the remainder of the page. |
| 761 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies | Continue to withhold. |
| 762 | 17(1)(a); 17(1)(b)(i) of FOIP. | 17(1)(b)(i) of FOIP applies to the text in italicized font in the email timestamped 3:26 p.m. (email head is on page 761). | Withhold text in italicized font in email timestamped 3:26 p.m., then release the remainder of page 762. |
| 763 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 764 | Released | | |
| 765 | 15(1)(c); 17(1)(a); 17(1)(b) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 766 to 767 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 768 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP does not apply. | Release since recommendation was discussed at page 9 of the Ombudsman Saskatchewan's June 2022 report. |
| 769 | 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP does not apply. | Release since recommendation was discussed at page 9 of the Ombudsman Saskatchewan's June 2022 report. |
| 770 | 15(1)(d); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | | Release as these emails were quoted and summarized at page 8 of the Ombudsman Saskatchewan's June 2022 report. |

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| 771 | 17(1)(a); 17(1)(b)(i) of FOIP. | | Release as this email was quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report |
| 772 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 773 | 15(1)(d); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | | Release as these emails were quoted and summarized at page 8 of the Ombudsman Saskatchewan's June 2022 report. |
| 774 | 15(1)(d); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 17(1)(b)(i) of FOIP applies to the first of two indented paragraphs in the email timestamped 9:34 a.m. 29(1) of FOIP applies to four-word sentence regarding leave in email timestamped 9:18 a.m. | For email timestamped 9:34 a.m.: <ul style="list-style-type: none"> withhold first of two indented paragraphs per 17(1)(b)(i) of FOIP release the second of two indented paragraphs since contents was revealed at page 7 of the Ombudsman Saskatchewan's June 2022 report. Release remainder of email. Redact four-word sentence regarding leave in email timestamped 9:18 a.m. per 29(1) of FOIP; release remainder email timestamped 9:18 a.m. as it was summarized and quoted at page 7 of the Ombudsman Saskatchewan's June 2022 report. |
| 775 | 13(2); 17(1)(a); 17(1)(b)(i) of FOIP | | Release as contents was summarized and quoted at pages 6, 7 and 8 of the Ombudsman Saskatchewan' June 2022 report. |
| 776 | 13(2) | 13(2) does not apply. | Release |
| 777 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 778 to 782 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |

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| 783 to 784 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
| 785 to 791 | Released | | |
| 792 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 793 to 796 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 797 to 798 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 799 to 803 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 804 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 805 | 15(1)(b)(i); 15(1)(c); 17(1)(a); 17(1)(b)(i); 29(1) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 806 | 15(1)(c); 17(1)(a); 17(1)(b)(i) of FOIP. | 15(1)(c) of FOIP applies. | Reconsider discretion to withhold record per 15(1)(c) of FOIP. |
| 807 | 17(1)(a); 17(1)(b)(i), 22(a); 22(b); 22(c) of FOIP. | 22(c) of FOIP applies. | Continue to withhold pursuant to 22(c) of FOIP. |
| 808 | 17(1)(a); 17(1)(b)(i), 22(a); 22(b); 22(c); 29(1) of FOIP. | 22(c) of FOIP applies. | Continue to withhold pursuant to 22(c) of FOIP. |

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| 809 to 819 | 17(1)(a); 17(1)(b)(i) of FOIP. | Neither 17(1)(a) nor 17(1)(b)(i) of FOIP apply. | Release |
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