



## April 3, 2020 - Statement from the Office of the Information and Privacy Commissioner of Saskatchewan on Access to Information During a Pandemic

The question has been raised: **What about access requests during a pandemic?**

In Saskatchewan, *The Freedom of Information and Protection of Privacy Act* (FOIP), *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), and *The Health Information Protection Act* (HIPA) are still in force. Citizens of Saskatchewan still have the right to request information or records. The public bodies still are required to accept and process access requests. If staff are assigned to pandemic or other essential issues, I understand. On the other hand, public bodies have designated FOI staff who may be now working from home, and the processing of access requests can continue. It might not be quite as efficient but it can and should continue. Public bodies when faced with a heavier than normal workload on access requests, can consider an extension but no public body should just refuse to process requests. If someone is working from home, they may need access to records which are at the office. Before stopping to work on the request, the public body should explore other ways of getting the record. It might be slower but the process can still move forward. Of course, with electronic records, working from home may still allow access to the necessary records.

When access requests focus on COVID-19, I would ask public bodies to accelerate those requests and give them priority. Citizens are naturally concerned and worried about the situation. Being transparent can reduce the anxiety that is in society right now. Getting an answer 30 or 60 days from now will not be of much assistance to the citizen.

When we thought this situation would take two weeks, suspension of service might have been reasonable. When isolation might occur for three months or longer, we need to have our information process systems operating, although maybe not quite as efficiently as before.

Finally, FOIP, LA FOIP and HIPA are still operative and requirements and timelines in legislation cannot be waived by me. My office can be flexible on timelines imposed by my office during reviews and investigations. For example, providing a submission, providing the record or answering questions. If you need an extension, please make those requests directly to the individual in my office working on that file with you.

I ask all public bodies to work with my office to keep the access to information system working.

Ronald J. Kruzeniski  
Information and Privacy Commissioner

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