OFFICE OF THE
INFORMATION &
PRIVACY
COMMISSIONER
for British Columbia

Protecting privacy. Promoting transparency.

Report Card on the Timeliness of Government's Access to Information Responses

April 1, 2010 – March 31, 2011

Report Issued September 22, 2011

COMMISSIONER'S MESSAGE

This is our third annual report analyzing how quickly provincial government ministries are responding to requests under the *Freedom of Information and Protection of Privacy Act* ("FIPPA"). When my predecessor issued the first timeliness report in 2009, just 71% of government's responses were on time. The following year, government's on-time performance jumped to 90%. This year, government has done even better. I am pleased to report that government's on-time performance now stands at 93%.

In this report we provide in-depth information about whether this number is accurate and what it means. Consistent with past practice, we met with Information Access Operations ("IAO"), the central government office that processes requests, to verify its reporting data. In most cases, the data matched what we reviewed in government's files. In cases where it did not, government provided explanations for the discrepancies. We have either accepted government's explanation or offered our recommendation for improvement.

This report would not be possible without the hard work and cooperation of many individuals. The Ministry of Labour, Citizens' Services and Open Government has once again provided us with the data we need to produce this report. I am particularly grateful to Kim Henderson, Deputy Minister, Kathleen Ward, Executive Director, IAO, and Brad Williams, Director, IAO. I would like to acknowledge members of my own staff including Tina Doehnel, Caitlin Lemiski and Troy Taillefer for their contributions to this report.

I would also like to acknowledge the excellent results government staff at IAO have achieved. Since we issued our last report, IAO staff closed an impressive 7,939 requests for records. File by file and day by day, these individuals fulfill the purposes of FIPPA by facilitating democracy and improving transparency.

September 22, 2011

ORIGINAL SIGNED BY

Elizabeth Denham
Information and Privacy Commissioner
 for British Columbia

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REPORT SUMMARY

This report addresses the timeliness of government ministries' responses to requests for records under the *Freedom of Information and Protection of Privacy Act* ("FIPPA"). It does *not* examine the quality or correctness of those responses. Under FIPPA, public bodies must respond to a request for records in 30 business days (hereafter referred to as "days") or less, subject to certain limited exceptions. The rate at which government has met this requirement this year is 93%, up from 90% last year. However, in assessing performance or timeliness, we also evaluated the number of days it took government to respond *on average* to a request. This year, the government's average response time was 22 days, down from 24 days reported by us last year.

Government states it has continued its strategy from the previous year to improve response times, including better executive level support, improved supervision, effective use of technology, delegation of decisions and a commitment to staff training and support. However, we cannot attribute the improvement on timeliness to these factors without a focussed study on government's approach.

Despite government's strong timeliness performance, I have the following concerns:

- The practice of waiting to confirm an individual's identity before taking steps to retrieve the records the individual requested, even when the individual was not requesting the records on behalf of someone else causes delay;

- Responses to requests from political parties as compared with other groups are taking too long; and

- The data reveals an unsettling upward trend of responses that do not result in the release of any records.

These concerns are addressed in greater detail in this report.

Next year, rather than reporting on timeliness, I will shift my focus, to assess government's efforts to make more information publicly available. To that end, I recommend in this report that government proactively release information relating to topics frequently requested by the public and I also recommend the proactive release of more data showing government's performance in responding to access to information requests.

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INTRODUCTION

As recently as May of this year, the Supreme Court of Canada reaffirmed that "[a]ccess to information legislation embodies values that are fundamental to our democracy."[1] Many jurisdictions around the world have enacted legislation similar to British Columbia's which create a statutory right to request records from government. Essential to the access process is the right of an individual to access information within a reasonable period of time.

The legal standard

Section 6 of FIPPA requires public bodies to make every reasonable effort to respond to access requests without delay.

Section 7 of FIPPA requires public bodies to respond within 30 business days of receiving a request. In certain circumstances, FIPPA allows for an extension of time. Those circumstances include the need to obtain more detail about the request, a large volume of records is requested, or if there is the need to consult with a third party or another public body. The time may also be extended with the Commissioner's permission if it is fair and reasonable to do so.

In limited circumstances, public bodies may put requests "on-hold", for example when a public body has issued a fee estimate and is awaiting a response from an applicant.

METHODOLOGY

Consistent with our past reports, our assessment is based on the following three key benchmarks:

- The percentage of requests responded to on time;

- The average number of days to process each request; and

- For overdue responses, the average number of days overdue.

These benchmarks are the same as those adopted in my report last year and are also similar to those adopted and applied to federal agencies by the Information Commissioner of Canada.

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[1] *Canada (Information Commissioner) v. Canada (Minister of National Defence)*, 2011 SCC 25 (CanLII) online at www.canlii.org/en/ca/scc/doc/2011/2011scc25/2011scc25.html at para. 79.

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We applied these benchmark measures to all access request files closed from April 1, 2010 to March 31, 2011.

Data from government's Corporate Request Tracking System ("CRTS")[2] was used to produce this report. CRTS is a database used by all government ministries to track their progress in responding to access requests under FIPPA.

Scoring performance

Each ministry received a score based on the following:

- The percentage of requests responded to on time;
- The average response time for *all* responses was calculated:
  - For every three days the average response time exceeded 30 days, one point was deducted from the base score;
- For overdue files, we calculated the average overdue days and deducted a point for every 10 days overdue.

Appendix 1 summarizes the scoring scheme. The most important factor is the percentage of responses *on time*. "On time" meant responses sent within the original 30 days, within the 30 days plus legitimate "on hold" time, or within the time frame that had been properly extended under the law.

Review of access request files

One hundred and forty one access request files—69 requests for general information and 72 requests for personal information, from 15 different ministries, were audited. We extracted 10 of the general requests whose timelines had been extended or put on hold to examine in greater detail.

The purpose of the review was to:

- confirm that dates entered into CRTS were accurate and supported by evidence in the file;

- determine whether on-hold time was authorized under s. 7 of FIPPA and supported by evidence in the file; and

- determine whether time extensions were authorized under s. 10 of FIPPA and supported by evidence in the file.

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[2] There is a great deal of information already publicly available out of CRTS on the Ministry of Labour, Citizens' Services and Open Government's website: http://www.gov.bc.ca/citz/iao/foi/crts_statistics/index.html

RESULTS

The chart below compares government's performance in calendar year 2008, fiscal year 2009/10 and fiscal year 2010/11 based on our three key benchmarks:

Year	Number of Requests Closed	Average Processing Time (Business Days)	% on Time	Average Number of Business Days Overdue
2008	5,999	35	71%	37
2009/10	7,750	24	90%	25
2010/11	7,939	22	93%	17

The results show that despite an increase in requests received, response times have improved for the second year in a row.

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Comparative Chart: Performance by Ministry

Individual scores are listed in the table below[3]:

Compliance Report Card Summary		
Status	Ministry	Score
Excellent ★★★		
Above Average ★★☆	Children & Family Development	98
	Education	96
	Social Development	94
	Forests, Lands & Natural Resource Operations	93
	Energy & Mines	92
	Advanced Education	92
	Attorney General	92
	Environment	91
	All Ministries	91
Average ★☆☆	Public Safety & Solicitor General	90
	Labour, Citizens' Services & Open Government	89
	Transportation & Infrastructure	88
	Community, Sport & Cultural Development	85
	Agriculture	85
Below Average ☆☆☆	Office of the Premier	84
	Health	82
	Aboriginal Relations & Reconciliation	82
	Jobs, Tourism & Innovation	80
	Finance	78

Percentage of Requests on Time

On average, ministries slightly increased the number of responses provided on time as compared to last year, with the average increasing to 93% from 90%. Some ministries reorganized last year, making it difficult to make direct comparisons with ministry scores from the previous year.

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[3] See Appendix 1 for a detailed explanation of the scoring scheme used for this table.

The lowest on time rate this year of any of the 18 ministries is 84%. Last year, one of the 21 ministries fell below the average on time rate of 80%. Two years ago, 18 of 22 ministries were below the average on time rate of 80%. This improvement is significant.

This year, the five ministries with the *highest* on time rates are:

➢ Children & Family Development	99%
➢ Education	96%
➢ Energy & Mines	95%
➢ Social Development	95%
➢ Forests, Lands & Natural Resources	94%

The five ministries with the *lowest* on time rates are:

➢ Office of the Premier	89%
➢ Aboriginal Relations & Reconciliation	88%
➢ Jobs, Tourism & Innovation	87%
➢ Health	85%
➢ Finance	84%

Average Processing Time

Processing time starts the day after a request is received and ends the day the response is provided and includes time taken for authorized extensions. This year, seven of the 18 ministries averaged processing time of 30 days or less, and the overall average decreased from 24 days to 22. Last year, 10 of 21 ministries averaged processing times of 30 days or less. Two years ago, only four of 22 ministries met this standard.

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Average Number of Days Overdue

A third scoring factor relates to the average number of days late responses were overdue.

On average, over the past two years, ministries have shown a significant improvement. Two years ago, the average overdue request was 37 days late. Last year, the average overdue request was 25 days late. This year, the average overdue request was 17 days late.

The government attributed this improvement to an ongoing commitment to improve timeliness and a concerted effort to curtail overdue responses by treating overdue requests with the same sense of urgency as requests that are not overdue, resulting in faster processing times.

The chart below illustrates the average number of days ministries were overdue for files closed between April 1, 2010 and March 31, 2011:

Average Number of Business Days Overdue
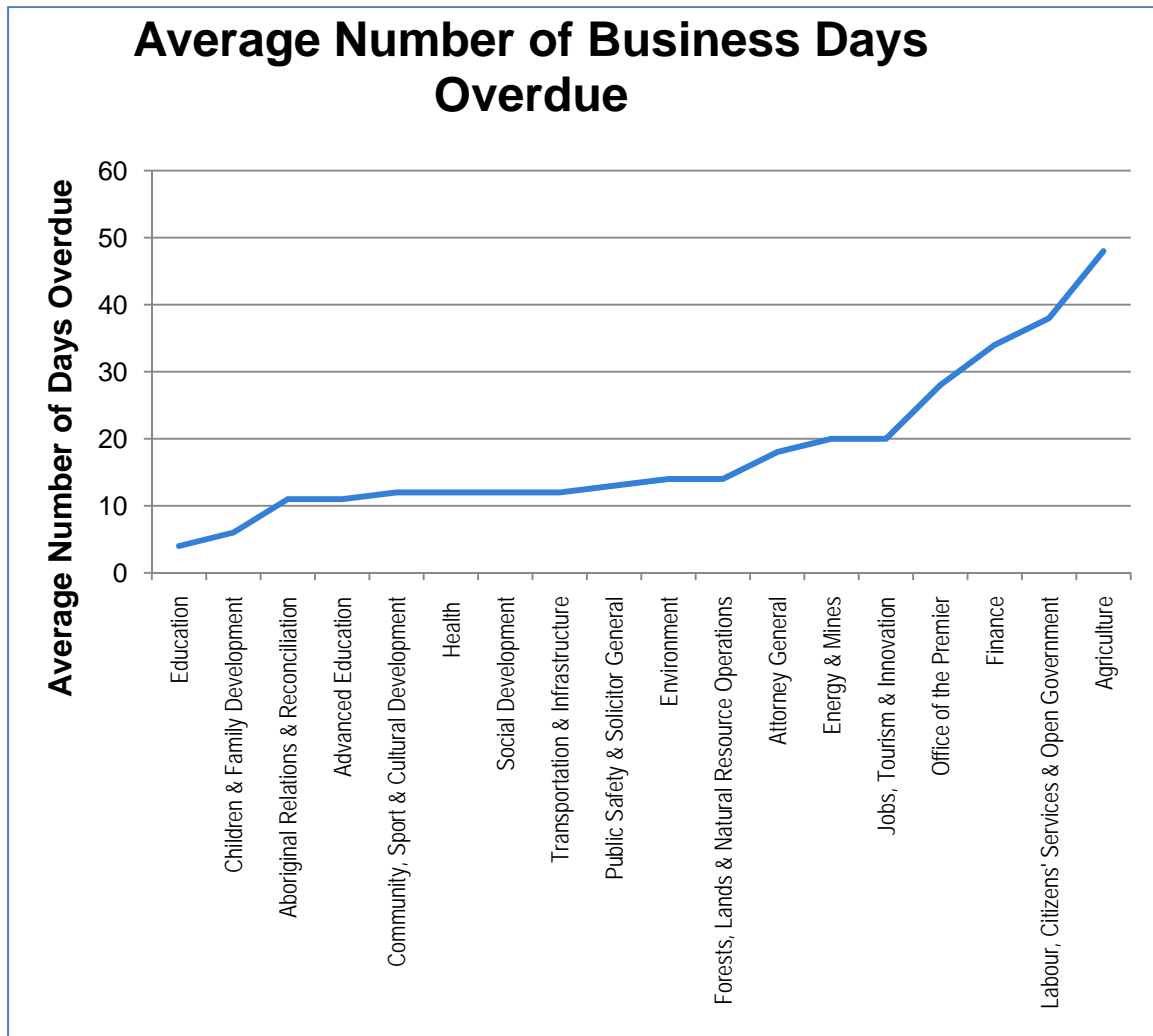
ANALYSIS AND DISCUSSION

Response Time by Applicant Type

We also evaluated the on-time responses in relation to who was asking for records, using the same benchmark criteria.

Government's on-time overall score for responding to media applicants last year was 82. Six months later, it was 88. This is the same score government has received in this annual report, bringing government's rating in responding to media requests from below average, to average.

Conversely, government's response rate to political parties has declined. Government's overall score for responding to political parties last year was 83.

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Six months later, it was 82. Today, government's score has declined even further to 78 – the lowest score of any applicant type.

The chart below shows the scores for response time by applicant type:

Score by Applicant Type		
Excellent ⭐⭐⭐		
Above Average ⭐⭐☆	Business	97
	Individual	94
	Law Firm	93
	Other Public Bodies	91
Average ⭐☆☆	Researcher	89
	Media	88
	Interest Group	87
Below Average ☆☆☆	Other Governments	83
	Political Party	78

Government's score with respect to how quickly it responds to requests for records from other governments is also below average. However, because requests from other governments represent only a small percentage of requests compared with political parties, I have decided to focus on government's response rate to requests by political parties.

Concerns with responses to political parties

Last year, I reported that government was responding more slowly to requests it received from the media and from political parties as compared to other applicant types. I was so concerned with government's response rate to media applicants and to political parties that I committed to reviewing and reporting on government's performance with respect to these two groups six months from when I issued my last report.

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I issued my interim report on April 11, 2011.[4]   In it, I evaluated government's response rate to these two applicant types between August 6, 2010 and February 5, 2011. I found that government had improved the rate at which it responded to requests from the media but that it was taking even longer to respond to requests from political parties.   To address this problem, I recommended government adopt proactive disclosure practices tailored to the kinds of records government was struggling to process in a timely manner, such as the calendars of government executives and records relating to current events.

Government is still taking too long to respond to requests from political parties as compared with other groups. I am urging government to address how quickly it responds to requests by political parties. While government has improved its response time to media applicants, its response time to political parties is declining. Proactively disclosing records that are routinely the subject of access requests by political parties, such as the calendars of senior government executives and records related to current events, may facilitate timeliness by reducing the need for political parties to request these records.

Additional Investigation criteria

As part of this investigation, we examined access to information files and compared the file data to the corresponding data contained in CRTS.   In particular, we wanted to satisfy ourselves that:

    a.   Inaccurate data had not been entered into CRTS;

    b.   Ministries had not excessively relied on on-hold time and time extensions; and

    c.   Improvements were not due only to improved responses by government to requests for personal records rather than requests for general records.

a.   Inaccurate data entered into CRTS?

Initially, we reviewed 69 requests for general records and 11 requests for personal records. Some discrepancies were detected between the processing dates on the file and the dates entered into CRTS.

In two requests for personal records, government did not begin processing the individual's request until that individual supplied the government with photocopies of identification. Under FIPPA however, an individual is not required to prove

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[4] See "Six-month Check-up: Review of Government's Timeliness in Responding to Media and Political Parties' Requests" online at
www.oipc.bc.ca/pdfs/public/Timing%20is%20Everything%20April%202011%20FINAL.pdf.

their identity before a public body can begin process their request for records. The only exception is in cases where an individual acts on behalf of another. In those circumstances, written proof of their authority to act on behalf of the other person must be provided.

Subsequently, we reviewed another 61 requests for personal information made to eight different ministries. Absent from this second review were files from ministries that received only infrequent requests for personal records.

During this second review, in 10 instances we found that, upon receiving a request for an individual's own personal records, a file was not opened in CRTS. Instead, the applicant was asked to verify his or her identity. The requests were processed only after proof of identity was obtained. This delayed the process anywhere from one day to 33 days.

In some instances, in addition to confirming their identity, the applicant was asked to provide sufficient details to help identify the responsive records. Clarifying a request with an applicant is specifically authorized under FIPPA. However, in these cases, the reason documented for the delay was "identity verification" and not clarification.

To be clear, my concern is not that government is taking steps to make sure that the individual who requests their personal records is indeed who they say they are. In fact, the law requires public bodies to make reasonable security arrangements to protect personal information from unauthorized access. My concern is that in some cases, government confirmed an individual's identity before taking *any* action to respond to the applicant's request. As a result, some applicants waited considerably longer to receive a response to their request for records than did others.

The identity verification process is inconsistent not only across government but within individual ministries. We identified this problem in files of three (Ministry of Social Development, the Ministry of Finance and the Ministry of Labour, Citizens' Services and Open Government) of the eight ministries we reviewed. Even within these ministries, not all requests for personal information required identity verification prior to opening the file in CRTS. In other ministries, identity verification took place when the individual went to a government office to pick up the records they requested.

The Ministry of Social Development closed 1,295 requests for personal information. We identified an unauthorized delay for identity verification in four of the 23 files (17%) we examined.

The Ministry of Finance closed 140 requests for personal information. We identified an unauthorized delay for identity verification in three of 10 files (30%).

The Ministry of Labour, Citizens' Services and Open Government closed only 13 personal requests. We identified an unauthorized delay for identity verification in three of five files (60%).

While the sample of 72 personal request files we reviewed was relatively small, if we assume problems with identity verification for these three ministries exists at the same rate as our review, we could expect that approximately 275 personal requests from the ministries we checked have inaccurate data regarding the open date entered into CRTS. This number is not statistically significant enough to change the average number of processing days, but it would likely result in a decrease in the percentage of responses that were on time.

Government is currently working on a procedure to ensure that identity verification of applicants does not interfere with the timeliness of its responses to those requestors. Once a consistent process is in place across government, it is expected to eliminate this unauthorized delay and ensure CRTS processing data is accurate. In the meantime, government advises us that it will no longer delay the opening of requests before identity is confirmed.

We also found other data errors resulting from inaccurate opening and/or closing dates, which resulted in under-reporting of processing time in 6% of the files we reviewed. These errors did not relate to identity verification. In most instances, the discrepancy was between two and five business days. Of note, this 6% rate of errors in data entry is an improvement over the 11% rate we saw last year. Given the small number of days and the small number of files, we are satisfied that the CRTS data reviewed, while not 100% accurate, is sufficiently accurate for our purposes.

b.   *Excessive reliance on time extensions and on-hold time?*

To determine whether time extensions or on-hold time were used improperly, we looked at two things. First, we reviewed files to ensure that when government put files on-hold or extended the deadline, they did so in accordance with FIPPA. Second, we compared the number of files put on-hold and/or extended against data from previous years.

Our review of 20 such files confirmed that the extensions were legitimately applied.

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The following chart shows the total number of files delayed by on-hold time and by time extensions over each of my office's three reports:

Percentage of Requests with On-hold Time and Percentage of Requests with Time Extensions Taken			
Request Type	_Total # of Closed Requests_	_% of Requests with On-hold Time_	_% of Requests with Time Extensions Taken_
General			
2008	1828	23%	28%
2009/10	2479	19%	31%
2010/11	2774	18%	26%
Personal			
2008	4204	7%	10%
2009/10	5271	1%	13%
2010/11	5165	0.3%	13%
Total			
2008	6032	12%	16%
2009/10	7750	7%	19%
2010/11	7939	7%	17%

The percentage of files on hold has been reduced by 42% since this office issued its first timeliness report three years ago. Last year, fewer time extensions were also taken, further contributing to the improved timeliness performance.

Ministries releasing less information?

We sought to determine whether the improved response rates also corresponded with an increase in responses where few or no records at all were located or provided. Such responses could occur quickly thus reducing response times.

The chart below summarizes the outcomes of requests to access records:[5]

Outcome of Access to Records Requests[6]				
Disposition Type	*Number of Closed Files*	*2009/10 Percentage of Closed Files*	*Number of Closed Files*	*2010/11 Percentage of Closed Files*
No Response (Abandoned, Cancelled, Withdrawn, Undetermined)	1256	16%	1362	17%
No Records Released (Access Denied, Access Denied – s. 20, No Resp. Records Exist, Outside scope of Act	1895	24%	2192	28%
Partial Release (Partial Release)	3086	40%	3063	39%
Full Disclosure (Full Disclosure, Routinely Releasable)	1327	17%	1144	14%
Other (Annotated, Correction, Outside Consultation, Transferred)	186	3%	178	2%
TOTAL	7750	100%	7939	100%

There was a slight increase in the number of requests closed as "no response" or "no records released" and a slight decrease in the number of requests where government provided "full disclosure" of records to the individual who requested them. This is troubling as this same trend occurred in last year's report as compared to our first report.

We were given a possible explanation for this increase in "no records" or "no response". Applicants sometimes request the same records from multiple ministries at once. If only one or two ministries hold the responsive records, all of the other responses will come back to the applicant as "no responsive records". Government believes that this type of situation is more common now that a centralized request form available online makes it easier for individuals to request records from multiple ministries.

We will examine this issue further and have asked for more detailed reports including a breakdown of response outcomes for each ministry as well as by applicant type. This will help us better understand what is taking place and will help us determine whether this is a trend across government or whether it is limited to a few ministries or applicant types.

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[5] Government publishes CRTS data on the breakdown of requests online at: http://www.gov.bc.ca/citz/iao/foi/crts_statistics/index.html (see "Closed by Disposition Type").
[6] A detailed breakdown of the outcome of access requests is provided in Appendix 6.

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c.   *Requests for personal information versus requests for general information?*

We looked again this year to see if government responded to requests for personal records more quickly than requests for general government records. Requests for general records can take longer to respond to than requests for personal records because of the type of information contained in general records. Those requests, for example, might require consultation with third parties or other ministries before a decision can be made on what information is releasable. Also, requests for general information take longer to process because staff may need to search multiple program areas for records, resulting in longer search times. The chart below shows government's response times based on the nature of the request – personal or general requests – for the past three years.

Processing Time by Request Type[7] Personal v. General				
Request Type	*Number of Requests Closed*	*Average Processing Time (business days)*	*% On Time*	*Average number of business. days overdue*
Personal				
2008	4204	28	75%	33
2009/10	5271	20	90%	21
2010/11	5165	16	95%	12
General				
2008	1828	51	61%	44
2009/10	2479	33	89%	40
2010/11	2774	34	91%	22
Total				
2008	6032	35	71%	38
2009/10	7750	24	90%	27
2010/11	7939	22	93%	17

The information shows that ministries made significant improvements in processing both personal and general access requests during the past two years. Response times to both types of requests are within the statutory limit more than 90% of the time. However, the average response time for personal requests is only 16 business days, while the average response time for general requests is 34 business days.

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[7] To see a ministry-by-ministry breakdown of requests, see Appendix 7.

Government has reduced its average overdue days by almost 50% for general requests from 40 to 22 business days. The average number of overdue days for personal requests has also been reduced from 21 to 12 business days. As with last year however, the average number of business days overdue is almost twice as long for general requests as compared to personal requests.

RECOMMENDATIONS

I am pleased with the positive changes in the government's timeliness in responding to access requests.   This year, I make the following recommendations:

RECOMMENDATION 1:

IDENTITY VERIFICATION FOR PERSONAL REQUESTS

I have identified inconsistencies with government's handling of identity verification for applicants requesting their own personal information. FIPPA does not provide authority for a public body to delay the processing of a request until it is satisfied of the identity of the individual requesting their own personal information.

I recommend government put in place a consistent practice for identifying applicants requesting personal records, but ensure this practice does not result in an unauthorized delay in the processing of a request.

RECOMMENDATION 2:

PROACTIVELY RELEASE CRTS REPORTS

Each year, government provides my office with various reports generated by CRTS that enable us to analyze how effectively government is meeting its timeliness requirements under FIPPA.   These reports are essential to the production of our timeliness reports.

As part of government's Open Information and Open Data initiative, I recommend that government proactively and regularly publish all the CRTS reports that it provides to my office so that the citizens of British Columbia can track government's progress in responding to access requests under FIPPA.

RECOMMENDATION 3:

REGULAR REPORTING BY THE RESPONSIBLE MINISTER

Section 68 of FIPPA requires the minister responsible to "prepare an annual report on its administration and lay the report before the Legislative Assembly as soon as possible." This Office has reminded the Minister of the responsibility to fulfill this obligation on more than one occasion. With the recent release of government's Open Information and Open Data initiative, now is the ideal time for government to take stock of how effectively it is meeting its obligations under FIPPA.

RECOMMENDATION 4:

IMPROVE RESPONSE TIMES FOR REQUESTS MADE BY POLITICAL PARTIES

Timely processing of requests from political parties continues to be a challenge for government ministries. I recommend that government proactively disclose, to the greatest extent possible, the calendars of senior government executives such as Ministers and Deputy Ministers. Government should also proactively disclose records pertaining to current events of interest to the public.

CONCLUSION

Government has once again achieved a high rate of success in responding to requests for records in accordance with the time limits set out in FIPPA. Overall, government has increased its on-time response rate to 93%.

I will be looking into the recent increase in the number of access requests that do not result in the release of any responsive records. We need to understand why this is taking place and to determine whether this is a trend across government or whether it is limited to a few ministries or applicant types.

While government has received a strong score each of the last two years, I believe it will take a sustained and determined effort to maintain and improve this rating in years to come. One of the key ways government can improve timeliness is by proactively releasing records, particularly those that are of interest to the public. I am optimistic that all ministries will be able to achieve compliance with the time requirements under FIPPA. I am confident that the

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combination of a robust open data program and strong executive support will assist government in accomplishing this goal.

The substantial improvement of response times, allows me to shift my focus to examining the quality of the responses. This process has already begun. I will still monitor government`s timeliness by conducting specific audits and reviews and by continuing to urge government to fulfill its reporting obligations under s. 68 of FIPPA.

Government has taken a positive step towards promoting openness with the introduction of its Open Information and Open Data initiative. As part of my shift to move beyond evaluating timeliness, I will report publicly on my assessment of how well government is doing once a reasonable amount of time has elapsed for government to implement this initiative. In particular, I will evaluate government's ability to proactively release information that is useful to the public. As a starting point, I will use the best practices I set out in my report on BC Ferries as the benchmarks for my evaluation.[8]

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[8] See Investigation Report F11-02 at para.129 – 150. Report available online at www.oipc.bc.ca.

COMPLIANCE REPORT CARD APPENDICES

Appendix 1: Scoring Scheme

Overall Score	Factors
Excellent ★★★ 100	• 100% of requests processed on time. • Average overall processing time less than or equal to 30 business days. • No overdue time.
Above Average ★★☆ 91-99	• 93% – 100% of requests processed on time. • Average overall processing time less than or equal to 40 business days. • Average overdue time less than or equal to 35 business days.
Average ★☆☆ 85-90	• 90% -95% of requests processed on time. • Average overall processing time less than or equal to 40 business days. • Average overdue time less than or equal to 50 business days.
Below Average ☆☆☆ <85	• 75% -95% of requests processed on time. • High average overall processing time of up to 45 business days. • Excessive average overdue time up to 65 business days.

Appendix 2: All Ministries – Compliance Report Card Summary

Status	Ministry	Score
Excellent ★★★		
Above Average ★★☆	Children & Family Development	98
	Education	96
	Social Development	94
	Forests, Lands & Natural Resource Operations	93
	Energy & Mines	92
	Advanced Education	92
	Attorney General	92
	Environment	91
	All Ministries	91
Average ★☆☆	Public Safety & Solicitor General	90
	Labour, Citizens' Services & Open Government	89
	Transportation & Infrastructure	88
	Community, Sport & Cultural Development	85
	Agriculture	85
Below Average ☆☆☆	Office of the Premier	84
	Health	82
	Aboriginal Relations & Reconciliation	82
	Jobs, Tourism & Innovation	80
	Finance	78

Appendix 3: All Ministries – CRTS Data
April 1, 2010 – March 31, 2011

Public Body	Number of Requests Closed	Average Processing Time (business days)	% On Time	Avg. # Business Days Overdue	Score
All Ministries Total	**7939**	**22**	**93%**	**17**	**91**
Aboriginal Relations & Reconciliation	33	45	88%	11	82
Advanced Education	91	27	93%	11	92
Agriculture	70	43	94%	48	85
Attorney General	226	25	94%	18	92
Children & Family Development	1623	19	99%	6	98
Community, Sport & Cultural Development	45	44	91%	12	85
Education	74	24	96%	4	96
Energy & Mines	95	34	95%	20	92
Environment	249	32	93%	14	91
Finance	400	38	84%	34	78
Forests, Lands & Natural Resource Operations	296	25	94%	14	93
Health	200	36	85%	12	82
Jobs, Tourism & Innovation	87	44	87%	20	80
Labour, Citizens' Services & Open Government	248	33	94%	38	89
Office of the Premier	187	37	89%	28	84
Public Safety & Solicitor General	2307	18	91%	13	90
Social Development	1438	15	95%	12	94
Transportation & Infrastructure	270	34	90%	12	88

Appendix 4 – Comparisons between Fiscal 2009/10 & Fiscal 2010/11

Public Body	Number of Requests Closed		Average Processing Time (business days)		% on Time		Average # Business Days Overdue	
	2010	2011	2010	2011	2010	2011	2010	2011
All Ministries Total	**7750**	**7939**	**24**	**22**	**90%**	**93%**	**25**	**17**
Aboriginal Relations & Reconciliation	32	33	39	45	78%	88%	22	11
Advanced Education [9]	77	91	34	27	95%	93%	50	11
Agriculture [10]	52	70	35	43	92%	94%	9	48
Attorney General	184	226	28	25	88%	94%	51	18
Children & Family Development	1687	1623	19	19	99%	99%	16	6
Community, Sport & Cultural Development [11]	58	45	36	44	98%	91%	28	12
Education	82	74	31	24	93%	96%	25	4
Energy & Mines [12]	75	95	38	34	89%	95%	63	20
Environment	180	249	35	32	92%	93%	21	14
Finance	208	400	40	38	84%	84%	35	34
Forests, Lands & Natural Resource Operations [13]	235	296	27	25	95%	94%	13	14
Health Services	171		22		98%		33	
Healthy Living & Sport	124		28		94%		20	
Health [14]		200		36		85%		12
Social Development [15]	1759	1438	18	15	84%	95%	16	12
Citizens' Services	320		32		93%		23	
Labour	41		35		98%		12	
Labour, Citizens' Services & Open Government [16]		248		33		94%		38

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[9] Formerly Advanced Education & Labour Market Development
[10] Formerly Agriculture & Lands
[11] Formerly Community & Rural Development
[12] Formerly Energy Mines & Petroleum Resources
[13] Formerly Forests & Range
[14] Formerly Health Services and Healthy Living & Sport
[15] Formerly Housing & Social Development
[16] Formerly Citizens' Services and Labour

Public Body	Number of Requests Closed		Average Processing Time (Business Days)		% on Time		Average Number Business Days Overdue	
	2010	2011	2010	2011	2010	2011	2010	2011
Office of the Premier	144	187	43	37	95%	89%	53	28
Public Safety and Solicitor General	2003	2307	25	18	83%	91%	29	13
Small Business, Technology & Economic Development	46		27		93%		8	
Tourism, Culture & the Arts	55		30		100%		0	
Jobs, Tourism & Innovation [17]		87		44		87%		20
Transportation & Infrastructure	217	270	28	34	95%	90%	13	12

[17] Formerly Small Business, Technology & Economic Development and Tourism, Culture & the Arts

Appendix 5: Score Breakdown by Applicant Type

Applicant Type	Number of Requests Closed	Average Processing Time (business days)	% on time	Average number of business days overdue	Score
Business	323	19	98%	8	97
Individual	3575	20	95%	11	94
Interest Group	183	30	89%	18	87
Law Firm	2488	18	94%	15	93
Media	628	29	89%	13	88
Other Governments	25	23	84%	11	83
Other Public Bodies	26	16	92%	10	91
Political Party	672	45	87%	37	78
Researcher	19	22	89%	2	89
Total	7939	22	93%	17	91

**Appendix 6: Outcome of Access Request
2009/10 – 2010/11 Comparison
Detailed Breakdown**

Outcome	2009/10		2010/11	
	Number of closed requests	*Percentage*	*Number of closed requests*	*Percentage*
Abandoned	757	9.8%	911	11.5%
Access Denied	199	2.6%	180	2.3%
Access Denied – Section 20	24	0.3%	14	0.2%
Annotated	2	0.03%	2	0.03%
Cancelled	139	1.8%	119	1.5%
Correction	5	0.06%	2	0.03%
Full Disclosure	1251	16.1%	1089	13.7%
No Resp. Records Exist/Located	1625	21.0%	1942	24.5%
Outside Consultation	1	0.01%	1	0.01%
Outside Scope of Act	47	0.6%	56	0.7%
Partial Disclosure	3086	39.8%	3063	38.6%
Routinely Releasable	76	1.0%	55	0.7%
Transferred	178	2.3%	173	2.2%
Undetermined	25	0.3%	14	0.2%
Withdrawn	335	4.3%	318	4.0%
TOTAL	7750		7939	

**Appendix 6: Outcome of Access Request (cont'd)
2009/10 – 2010/11 Comparison
Summary**

	2009/10		2010/11	
Disposition Type	*Number of closed requests*	*Percentage*	*Number of closed requests*	*Percentage*
No Response (Abandoned, Cancelled, Withdrawn, Undetermined)	1256	16%	1362	17%
No Records Released (Access Denied, Access Denied – s. 20, No Resp. Records Exist/Located, Outside scope of Act	1895	24%	2192	28%
Partial Disclosure (Partial Disclosure)	3086	40%	3063	39%
Full Disclosure (Full Disclosure, Routinely Releasable)	1327	17%	1144	14%
Other (Annotated, Correction, Outside Consultation, Transferred)	186	3%	178	2%
TOTAL	7750	100%	7939	100%

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Appendix 7: Individual Ministry Compliance Reports

Ministry of Aboriginal Relations & Reconciliation				**Below Average 82**
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	33	45	88%	11
Personal	0			
General	33	45	88%	11

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	2	100%	0
Individual	4	100%	0
Interest Group	3	67%	10
Law Firm	3	67%	29
Media	2	100%	0
Other Public Body	2	100%	0
Political Party	17	88%	3

Ministry of Advanced Education				Above Average 92
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	91	27	93%	11
Personal	30	23	83%	7
General	61	29	98%	31

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	11	91%	31
Individual	36	92%	7
Interest Group	3	100%	0
Law Firm	2	50%	8
Media	7	100%	0
Other Public Body	1	0%	8
Political Party	31	100%	0

Ministry of Agriculture				Average 85
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	70	43	94%	48
Personal	1	3	100%	0
General	69	44	94%	48

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	5	100%	0
Individual	23	96%	11
Interest Group	2	100%	0
Law Firm	6	83%	1
Media	10	100%	0
Other Public Body	1	100%	0
Political Party	23	91%	89

Ministry of Attorney General				Above Average 92
	Number of Closed Requests	Average Processing Time (business days)	% on Time	Average Number of Business Days Overdue
All Requests	226	25	94%	18
Personal	93	12	97%	6
General	133	34	92%	22

Breakdown by Applicant Type			
	Number of Closed Requests	% on Time	Average Number of Business Days Overdue
Business	4	100%	0
Individual	123	97%	6
Interest Group	6	83%	1
Law Firm	18	94%	18
Media	38	92%	34
Other Governments	1	100%	0
Political Party	34	85%	23
Political Party	2	100%	0

Ministry of Children & Family Development				**Above Average 98**
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	1623	19	99%	6
Personal	1541	18	99%	6
General	82	31	98%	7

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	1	100%	0
Individual	1450	99%	6
Interest Group	20	100%	0
Law Firm	109	99%	4
Media	15	100%	0
Other Public Body	3	100%	0
Political Party	24	92%	7
Researcher	1	100%	0

Ministry of Community, Sport & Cultural Development				Average 85
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	45	44	91%	12
Personal	1	0	100%	0
General	44	45	91%	12

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	1	100%	0
Individual	13	100%	0
Interest Group	3	100%	0
Law Firm	1	100%	0
Media	4	100%	0
Political Party	23	83%	12

Ministry of Education				**Above Average 96**
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	74	24	96%	4
Personal	12	7	100%	0
General	62	27	95%	4

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	1	100%	0
Individual	20	95%	3
Interest Group	2	100%	0
Law Firm	12	100%	0
Media	17	94%	4
Political Party	20	95%	4
Researcher	2	100%	0

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Ministry of Energy & Mines			Above Average 92
	Number of Closed Requests	Average Processing Time (business days)	% on Time	Average Number of Business Days Overdue
All Requests	95	34	95%	20
Personal	1	22	100%	0
General	94	34	95%	20

Breakdown by Applicant Type			
	Number of Closed Requests	% on Time	Average Number of Business Days Overdue
Business	11	100%	0
Individual	13	100%	0
Interest Group	8	88%	3
Law Firm	9	100%	0
Media	27	96%	12
Political Party	27	89%	28

Ministry of Environment			Above Average 91
	Number of Closed Requests	Average Processing Time (business days)	% on Time	Average Number of Business Days Overdue
All Requests	249	32	93%	14
Personal	3	19	100%	0
General	246	32	93%	14

Breakdown by Applicant Type			
	Number of Closed Requests	% on Time	Average Number of Business Days Overdue
Business	47	100%	0
Individual	84	94%	9
Interest Group	16	88%	3
Law Firm	41	88%	25
Media	31	97%	9
Other Governments	3	67%	4
Other Public Body	3	100%	0
Political Party	22	86%	16
Researcher	2	100%	0

Ministry of Finance				**Below Average 78**
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	400	38	84%	34
Personal	140	30	87%	28
General	260	43	82%	36

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	7	100%	0
Individual	122	85%	19
Interest Group	7	86%	5
Law Firm	78	91%	33
Media	111	83%	6
Political Party	75	73%	75

Ministry of Forests, Lands & Natural Resource Operations				Above Average 93
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	296	25	94%	14
Personal	7	35	86%	93
General	289	25	94%	9

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	55	96%	1
Individual	114	95%	20
Interest Group	26	92%	10
Law Firm	44	93%	7
Media	18	83%	22
Other Governments	2	100%	0
Other Public Body	4	100%	0
Political Party	30	93%	12
Researcher	3	100%	0

Ministry of Health				**Below Average 82**
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	200	36	85%	12
Personal	22	13	100%	0
General	178	38	83%	12

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	6	83%	4
Individual	63	92%	8
Interest Group	15	73%	18
Law Firm	31	74%	17
Media	43	91%	13
Other Governments	1	100%	0
Political Party	39	79%	5
Researcher	2	100%	0

Ministry of Jobs, Tourism & Innovation				Below Average 80
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	87	44	87%	20
Personal	0			
General	87	44	87%	20

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	2	100%	0
Individual	14	86%	2
Law Firm	1	100%	0
Media	19	100%	0
Political Party	51	82%	24

Ministry of Labour, Citizens' Services & Open Government				Average 89
	Number of Closed Requests	Average Processing Time (business days)	% on Time	Average Number of Business Days Overdue
All Requests	248	33	94%	38
Personal	13	29	77%	10
General	235	34	95%	45

Breakdown by Applicant Type			
	Number of Closed Requests	% on Time	Average Number of Business Days Overdue
Business	8	100%	0
Individual	95	96%	8
Interest Group	4	100%	0
Law Firm	7	86%	66
Media	54	93%	9
Other Public Body	1	100%	0
Political Party	78	92%	72
Researcher	1	100%	0

Office of the Premier				Below Average 84
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	187	37	89%	28
Personal	1	8	100%	0
General	186	37	89%	28

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	1	100%	0
Individual	23	91%	7
Interest Group	2	50%	150
Law Firm	6	100%	0
Media	71	87%	6
Other Governments	1	100%	0
Political Party	83	90%	43

Ministry of Public Safety & Solicitor General				Average 90
	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	2307	18	91%	13
Personal	2002	17	92%	12
General	305	29	91%	16

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	100	99%	8
Individual	905	90%	12
Interest Group	19	95%	12
Law Firm	1133	93%	14
Media	102	87%	9
Other Governments	10	80%	16
Other Public Body	4	75%	12
Political Party	33	85%	23
Researcher	1	0%	1

Ministry of Social Development			**Above Average 94**

	Number of Closed Requests	*Average Processing Time (business days)*	*% on Time*	*Average Number of Business Days Overdue*
All Requests	1438	15	95%	12
Personal	1295	16	96%	6
General	143	35	88%	29

Breakdown by Applicant Type			
	Number of Closed Requests	*% on Time*	*Average Number of Business Days Overdue*
Business	18	100%	0
Individual	378	92%	6
Interest Group	29	83%	4
Law Firm	945	97%	10
Media	26	77%	50
Other Governments	3	100%	0
Other Public Body	6	100%	0
Political Party	33	100%	0

Ministry of Transportation & Infrastructure			Below Average 88

	Number of Closed Requests	Average Processing Time (business days)	% on Time	Average Number of Business Days Overdue
All Requests	270	34	90%	12
Personal	3	34	67%	7
General	267	34	90%	12

Breakdown by Applicant Type			
	Number of Closed Requests	% on Time	Average Number of Business Days Overdue
Business	43	98%	1
Individual	95	94%	11
Interest Group	18	89%	38
Law Firm	42	95%	5
Media	33	85%	8
Other Governments	4	75%	8
Other Public Body	1	100%	0
Political Party	29	69%	13
Researcher	5	80%	2