

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ORDER P2025-01

February 7, 2025

CUPE ALBERTA REGIONAL OFFICE

Case File Number 020635

Office URL: www.oipc.ab.ca

Summary: The Applicant made an access request under the *Personal Information Protection Act* (PIPA) to CUPE Alberta Regional Office (the Organization) requesting all records regarding her.

The Organization located responsive records, withholding some in part and some in their entirety under various exceptions.

The Applicant requested a review into the Organization's search for records, as well as its application of exceptions to access. Following this review, the Applicant requested an inquiry into the Organization's decisions to withhold information in specific pages, under sections 24(2)(a), 24(2)(c), 24(3)(b), and 24(3)(c).

The Adjudicator found that much of the information in the records was not the Applicant's personal information. With respect to the Applicant's personal information in the records, the Adjudicator found that the Organization properly applied section 24(3)(b) to withhold that information, and that the Organization was not required under section 24(4) to sever the third party personal information and provide the remaining information to the Applicant.

Statutes Cited: **AB:** *Personal Information Protection Act*, S.A. 2003, c. P-6.5, ss. 1, 2, 24, 52

Authorities Cited: **AB:** Decision P2011-D-003, Orders P2006-005, P2007-002, P2008-007, P2008-010, P2012-09, P2013-13, P2015-05

I. BACKGROUND

[para 1] On February 3, 2021, the Applicant made an access request under the *Personal Information Protection Act* (PIPA) to CUPE Alberta Regional Office (the Organization) requesting:

All records with regard to me, [the Applicant], or [working title of Applicant]. Please do not include any that I was copied on at [email address] or that were sent directly to [email address]

Time frame: January 1, 2020 to present date.

[para 2] On March 31, 2021, the Organization responded to the Applicant. The Organization located 58 pages of records; it withheld 30 pages of records in their entirety, and provided the Applicant with 28 pages with information withheld under various exceptions.

[para 3] The Applicant requested a review into the Organization's search for records, as well as its application of exceptions to access. Following this review, the Applicant requested an inquiry into the Organization's decisions to withhold information in pages 3, 4, 5, 6, 7, 9, 11, 13, 14, 15, 16, and 17, under section 24(2)(a), 24(2)(c), 24(3)(b), and 24(3)(c).

II. INFORMATION AT ISSUE

[para 4] The information at issue consists of the information withheld in pages 3, 4, 5, 6, 7, 9, 11, 13, 14, 15, 16, and 17 of the responsive records.

III. ISSUES

[para 5] The Notice of Inquiry, dated January 24, 2024, states the issues for inquiry as the following:

1. Was the information the Organization withheld, or any of it, the Applicant's personal information?
2. If the Organization refused to provide access to the Applicant's personal information in its custody or control, did it do so in accordance with section 24(2) (discretionary grounds for refusal) or with section 24(3) (mandatory grounds for refusal)? In particular,
 - a. Did the Organization properly apply section 24(2)(a) (legal privilege)?
 - b. Did the Organization properly apply section 24(2)(c) (information collected for an investigation or legal proceeding) to certain requested records or parts thereof?
 - c. Does section 24(3)(b) (information revealing personal information about another individual) apply to certain requested records or parts thereof?

- d. Does section 24(3)(c) (information revealing identity of a person who provided opinion in confidence) apply to certain requested records or parts thereof?
3. If the withheld records contain or consist of personal information of the Applicant, and if section 24(3)(b) applies to these records, is the Organization reasonably able to sever the information to which these sections apply, and provide the personal information of the Applicant, as required by section 24(4)?

IV. DISCUSSION OF ISSUES

Preliminary matter – Is the Applicant an employee of the Organization?

[para 6] The Organization states that the Applicant was the Vice President of a particular local branch at the time the records were created and requested. The Organization states that this is a full-time position, paid by the Organization, pursuant to its bylaws and Constitution.

[para 7] The Applicant argues that she is not an employee of the Organization. Rather, she is (or was, at the relevant time) a full-time employee of a municipality and was on leave from that position to serve as Vice President of a local union branch. The Applicant argues that she is an employee of the municipality and not the Organization.

[para 8] It appears that the Applicant is an employee of the Organization, as it is responsible for her salary while she performs her duties as Vice President of the local branch. It is possible for the Applicant to be an employee of both the municipality and the Organization. Even if the Applicant is not properly considered an employee of the Organization, both parties agree that the Applicant held the position of Vice President of the particular local branch at the time the records were created.

[para 9] As will be discussed below, whether the Applicant is an employee of the Organization is not determinative of the issues in this inquiry. Rather, what is relevant is whether the records at issue relate to the Applicant acting in a professional capacity in her role with the Organization.

1. Was the information the Organization withheld, or any of it, the Applicant's personal information?

[para 10] Under PIPA, an applicant has a right of access only to their own personal information.

[para 11] Sections 24(1) and (1.1) of PIPA require an organization to provide access to an applicant's personal information; these provisions state:

24(1) An individual may, in accordance with section 26, request an organization

- (a) to provide the individual with access to personal information about the individual, or*
- (b) to provide the individual with information about the use or disclosure of personal information about the individual.*

(1.1) Subject to subsections (2) to (4), on the request of an applicant made under subsection (1)(a) and taking into consideration what is reasonable, an organization must provide the applicant with access to the applicant's personal information where that information is contained in a record that is in the custody or under the control of the organization.

[para 12] In Order P2006-005, former Commissioner Work stated (at paras. 46-47, 50).

In Order P2006-004, I considered the meaning of “personal information about an individual” within the meaning of the Act:

The Act defines “personal information” as “information about an identifiable individual”. In my view, “about” in the context of this phrase is a highly significant restrictive modifier. “About an applicant” is a much narrower idea than “related to an Applicant”. Information that is generated or collected in consequence of a complaint or some other action on the part of or associated with an applicant – and that is therefore connected to them in some way – is not necessarily “about” that person.

This reasoning applies equally to an individual’s work, which may be associated with an individual, but is not necessarily about the individual who performed the work.

...

I agree with the Organization’s position that the “work product” or records produced by an employee in the course of employment is generally not the personal information of the employee. Pipeline reports, asset allocation reports, client agreements, tapes of calls, customer satisfaction and referrals are records created by employees as a part of their employment duties. These records are not about the employee as an individual, but about the task at hand.

[para 13] Order P2012-09 found that the fact that information is located in an employee’s personnel file does not necessarily indicate that it contains the employee’s personal information. Examples of records that were found not to contain an employee’s personal information included training materials of the organization, including forms with the employee’s signature indicating that the training had been completed; copies of office-wide memos; records of work-related meetings and attendance at meetings; and shift-related information.

[para 14] In Decision P2011-D-003, former Commissioner Work considered a situation in which an applicant made an access request to a law firm seeking his personal information contained in a client file by the firm. The firm was representing the client whose file held the applicant’s personal information; the applicant was not the firm’s client. Commissioner Work said (at paras. 30, 32):

The fact the file contains information related to one of the Applicants because he was the opposing party in the legal matters does not of itself make the information “about him”. What is “about him” is information such as what he has said or expressed as an opinion, the fact he has done certain things or taken certain steps, details of his personal history, and personal details about him such as his name and other associated information such as where he lives or his telephone number. This is not meant to be an exhaustive list, but is provided to illustrate the type of information that is personal information, in contrast to information other than this type of information, that was generated or gathered by the law firm or its client for the purpose of

pursuing the litigation. The point is that much or most of the latter may well not be the first Applicant's personal information even though it relates to a legal matter that involved him. An obvious example would be legal opinions given to the law firm's client as to how to deal with the litigation with the Applicant or associated legal matters. The way in which the law firm was advising its client and dealing with the legal matters may have affected the Applicants, but it was not "about" them in the sense meant by the definition of personal information in the Act. (This information would also be privileged, but the point here is that much or most of it would likely not be the Applicant's personal information within the definition of the term contained in the Act.)

...

These observations are made to point out that if, which seems likely, there is information in the "client file" of the law firm's client that is not covered by solicitor-client privilege, or that is no longer covered by litigation privilege, it seems equally likely that much of it need not be disclosed to the Applicants in this access request because it is not their personal information. (I say this despite the fact that the Law Society seems to concede the converse in its third bullet in para 19 of its submission.)

[para 15] In Order P2015-05, the Director of Adjudication considered the above decision in the context similar to the one at hand. A former employee had made an access request to an Organization for his personnel file. She found (at paras. 31-33):

The greatest part of the withheld information consists of discussions about the Applicant and his job-related issues amongst other employees of the Organization whose role it was to deal with these issues, as well as statements of other employees who recounted events involving the Applicant. To a large extent, these discussions include ideas or intentions as to how his employment issues should be dealt with. The records also include descriptions of how the Applicant behaved or reacted in certain situations, that are value-laden in that they reveal the speakers' opinions about the Applicant and the way these persons interpreted events concerning him. (Because the discussions are work-related rather than personal, most of the 'opinion' information in this category does not appear to be – though some of it may be – the personal information of the employees engaged in these discussions and making these statements.)

With respect to such information, I agree with the reasoning in the decision of Commissioner Work, cited above, as well as the reasoning of the Adjudicator in Order P2012-04. Insofar as this withheld information consists of the intentions, ideas and opinions of the other employees, it does not consist *solely* of the Applicant's personal information, nor does some of it consist of his personal information at all.

To illustrate the latter point, X's statement that "I believe we should take steps a, b and c to deal with Y's employment complaint" is not Y's personal information. While the fact Y has made an employment complaint is Y's personal information, the steps X believes should be taken to address it, though related to Y, are not. Ultimately, if the steps are taken and affect Y's situation, this may, at that point, be Y's personal information, for example, that Y accepted a new position. However, the intervening considerations or discussions by others about the merits of the complaint and how to resolve it, are not. Most certainly they are not if the suggested steps are never effected. Even if they are, only the way Y's situation is affected by the outcome, and not why and by whom this was effected, is personal information in the sense of being "about Y" within the terms of the Act.

[para 16] Lastly, an organization's duty in section 24(1.1) to provide requested personal information is subject to considerations of what is reasonable. As stated in Order P2008-007, the phrase "taking into consideration what is reasonable" under section 24(1.1) of the Act is informed by section 2, which states:

2 Where in this Act anything or any matter

(a) is described, characterized or referred to as reasonable or unreasonable, or

(b) is required or directed to be carried out or otherwise dealt with reasonably or in a reasonable manner,

the standard to be applied under this Act in determining whether the thing or matter is reasonable or unreasonable, or has been carried out or otherwise dealt with reasonably or in a reasonable manner, is what a reasonable person would consider appropriate in the circumstances.

[para 17] Former Commissioner Work discussed this limitation with respect to records containing only small 'snippets' of an applicant's personal information. He said (at para. 131):

I note as well that on the basis of the ability of organizations to take into account what is reasonable in responding to access requests under section 24 of the Act, it is open to an organization to argue, in appropriate circumstances, that it is not reasonable to provide access to an applicant's personal information, or parts of this information. This may apply for information that consists of meaningless or insignificant snippets, particularly if it reveals nothing of substance to an applicant. It may also apply where providing information would require an organization to review a large volume of information only to provide an applicant with minor items of information of which he is already well aware, especially where there is an indication that the access request for such information is not being made for a *bona fide* purpose.

[para 18] In Order P2008-010, the Director of Adjudication considered whether information relating to officers performing their job duties had a personal dimension when it was collected in a database that was created for the purpose of collecting and disseminating information about members of the EPS who had allegedly used force against individuals. She concluded (at paras. 30-31):

The very fact of what the officer did is not their personal information – it is their discharge of their work and of their duties to the public as a member of a public institution. This could be said of any records that reveal nothing other than what was done – for example, a video recording of an incident, or a factual account from an observer.

However, if the information that is entered is a record or report of a disciplinary process, it does not come in pure form – it comes associated with personal information as well. Information in the database that reveals what was done by the officer but that at the same time reveals something that is personal to the officer – for example, the fact that a disciplinary proceeding was conducted and that particular conclusions were drawn, or that a penalty was imposed (which might speak to the conduct itself insofar as it shows how egregious the person who heard direct evidence saw it to be), has both non-personal and personal aspects which are inextricably interwoven. Since the

personal information revealing what was done cannot be separated from the pure fact of what was done, such information must be regarded in totality as having a dual – non-personal as well as personal – character. A similar duality might exist in relation to an entry that both records what was done or allegedly done by an officer, and that has a personal aspect for some other reason, for example, that it was highly publicized.

Parties' arguments

[para 19] The Organization states that the records at issue relate to the performance of the Applicant's work duties as Vice President, including handling grievances on behalf of union members, addressing members' concerns, and local union governance. The Organization argues that none of the information relating to the Applicant in the records has a personal dimension such that it is her personal information; the Organization states that it nonetheless provided some information to the Applicant that related to her.

[para 20] The Applicant argues that she is not an employee of the Organization. The Applicant agrees she held the position of Vice President of a local branch at the time the records were created.

Analysis

[para 21] As stated above, whether the Applicant is an employee of the Organization is not determinative of the issues here. The relevant question is whether the information in the records at issue relates to the Applicant acting in a professional capacity, as that concept has been discussed in past Orders set out above. The Applicant can be acting in a professional or work capacity even if she is not properly an employee of the Organization; for example, the Applicant would still be acting in a professional or work capacity if she were performing her duties under a contract with the Organization, or as a volunteer.

[para 22] Having reviewed the records, it is clear that they relate to the Applicant's performance of her work duties as Vice President of a local branch of the Organization.

[para 23] Pages 1-3 consist of handwritten notes of a meeting of the local branch, attended by the Applicant. The Organization disclosed one paragraph of the notes on page 3 to the Applicant, as those notes appear to relate to her vacation entitlement. The remainder of the notes on this page do not relate to the Applicant and are not her personal information.

[para 24] Pages 4-7 consist of a memo about concerns and issues relating to the local branch. The Organization withheld most of the information on page 4 and 6, three paragraphs on page 5, and all of the information on page 7.

[para 25] The withheld information on pages 4 and 5 does not relate to the Applicant at all and therefore does not contain her personal information.

[para 26] Some of the information withheld on pages 6 and 7 relate to the Applicant in her job role. Three paragraphs in the middle of page 6, and the paragraph at the bottom of page 6 to the top of page 7, relate to concerns raised about the Applicant. Only small portions of these

paragraphs are about the Applicant as opposed to other individuals; however, I find that this information has a personal dimension such that it is the Applicant's personal information. The remainder of the information in these pages does not relate to the Applicant and is not her personal information.

[para 27] The Organization's index of records describes page 9 as a confidential report. The Organization provided all but a portion of one sentence to the Applicant. The Organization argues that it provided this information to the Applicant even though it was not required to under PIPA as it does not contain the Applicant's personal information.

[para 28] The information on page 9 appears to relate to a concern raised about how the Applicant performs her work duties such that it has a personal dimension. That said, the portion of the sentence the Organization withheld does not relate to the Applicant and need not be provided to her. The same information appears on page 11 and the same finding applies.

[para 29] Pages 13-16 consist of an email chain regarding internal processes for obtaining legal assistance. The Organization argues that none of the information in these emails is the Applicant's personal information.

[para 30] I agree that these emails relate to discussions of the Organization's internal processes. The Applicant's name appears in one email, in the context of how the internal process applies to her work duties. In my view, this information is not about the Applicant, but rather the Organization's processes. I agree that none of the information in pages 13-16 contain the Applicant's personal information for the purposes of an access request under PIPA.

[para 31] Page 17 is the first page of a two-page email. The Organization argues that it relates to the Applicant only in her employment capacity. However, in this email concerns are raised about the manner in which the Applicant performed her duties in a particular instance. In my view, there is a personal dimension to the Applicant's information in the email.

Conclusion regarding the responsiveness of information in the records

[para 32] The information withheld on pages 3, 4, 5, 9, 11, 13, 14, 15, and 16 of the records does not contain information that is about the Applicant for the purpose of an access request under PIPA. Therefore, the Organization is not required to provide this information to the Applicant.

[para 33] Pages 6, 7, and 17 contain information about the Applicant that has a personal dimension such that it is her personal information for the purpose of an access request under PIPA. I will consider the Organization's application of exceptions to this information.

2. If the Organization refused to provide access to the Applicant's personal information in its custody or control, did it do so in accordance with section 24(2) (discretionary grounds for refusal) or with section 24(3) (mandatory grounds for refusal)? In particular,

a. Did the Organization properly apply section 24(2)(a) (legal privilege)?

[para 34] In its initial submission, the Organization confirmed that it is not applying section 24(2)(a) to information in the records.

2. b. Did the Organization properly apply section 24(2)(c) (information collected for an investigation or legal proceeding) to certain requested records or parts thereof?

[para 35] The Organization has applied this provision to all of the information it withheld in the responsive records. This provision states:

24(2) An organization may refuse to provide access to personal information under subsection (1) if

...

(c) the information was collected for an investigation or legal proceeding;

...

[para 36] Section 24(2)(c) of the Act permits an organization to withhold personal information that was collected for an investigation or legal proceeding. Section 1(1)(f) of PIPA defines “investigation”, in part, as follows:

1(1)(f) “investigation” means an investigation related to

(i) a breach of agreement,

(ii) a contravention of an enactment of Alberta or Canada or of another province of Canada, or

(iii) circumstances or conduct that may result in a remedy or relief being available at law,

if the breach, contravention, circumstances or conduct in question has or may have occurred or is likely to occur and it is reasonable to conduct an investigation;

[para 37] Past Orders of this Office have found that an investigation under section 1(1)(f) can be an investigation of possible misconduct or non-compliance in relation to a rule or policy incorporated into an employment agreement (see Order P2013-13). Other Orders, such as Order P2008-007, relate to investigations into particular conduct, such as an allegation of harassment, that may constitute a breach of an employment agreement.

Parties’ arguments

[para 38] The Organization states that the Applicant has sworn an oath of membership and an oath of office, and that the Organization has a duty to ensure that officers, such as the Applicant in her role as Vice President, abide by their responsibilities.

[para 39] The Applicant argues that she is not employed by the Organization and is unclear what investigation took place.

Conclusions regarding section 24(2)(c)

[para 40] I find that section 24(2)(c) does not apply to the information withheld in pages 6, 7 or 17. It is clear that the information relates to concerns raised about how the Applicant conducted certain job duties. However, the mere fact that a complaint is received or that a concern is raised does not mean that the complaint or concern was collected for an investigation.

[para 41] The Organization has said only that it has a duty to ensure officers abide by their responsibilities. However, it has not pointed to any breach of agreement, or possible breach of agreement that it was investigating. In order for section 24(2)(c) to apply, the information at issue must have been *collected for* an investigation. The Organization has not provided sufficient information for me to find that any investigation was contemplated; therefore, I cannot conclude that section 24(2)(c) applies.

2. c. Does section 24(3)(b) (information revealing personal information about another individual) apply to certain requested records or parts thereof?

[para 42] This provision requires the Organization to refuse access to information about third party individuals. It states:

24(3) An organization shall not provide access to personal information under subsection (1) if

...

(b) the information would reveal personal information about another individual;

...

[para 43] The Organization argues that the records contain information about individuals other than the Applicant.

[para 44] The Applicant has not made submissions on this point.

[para 45] Many of the individuals whose names appear in the records are acting in their work capacities. Therefore, section 24(3)(b) cannot be applied to withhold information relating to these individuals unless it has a personal dimension. This includes opinions about others (such as opinions of an employee's work performance) where the opinion-giver is giving the opinion as part of their job duties (see Order P2012-09).

[para 46] Some of the individuals whose name appears in the records are not acting in their work capacities; rather, their information appears in the context of their seeking help from the Organization, as members of the union. In my view, this information has a personal dimension.

[para 47] I have found that small portions of the information withheld in pages 6, 7, and 17 relate to concerns about the Applicant. With respect to pages 6 and 7, these concerns are raised by individuals not acting in a work capacity but rather by union members working with the Organization to address problems they have with their workplaces. Although some information is about the Applicant, the information is primarily about these individuals and the problems they

have with their employers. I find that section 24(3)(b) applies to all of the information that is also the Applicant's personal information on pages 6 and 7.

[para 48] With respect to page 17, the concern is being raised by a person acting in their work capacity. More specifically, from the records and submissions before me, it appears that the individual raising the concern is doing so as part of their work duties. However, the discussion involves the Applicant's interaction with a member of the Organization who is not acting in a professional capacity. Therefore, this discussion contains personal information of a third party and section 24(3)(b) applies to the Applicant's personal information appearing on page 17 as well.

2. d. Does section 24(3)(c) (information revealing identity of a person who provided opinion in confidence) apply to certain requested records or parts thereof?

[para 49] The Organization has applied this provision to the information withheld on pages 6, 7, and 17.

[para 50] This provision states:

24(3) An organization shall not provide access to personal information under subsection (1) if

...

(c) the information would reveal the identity of an individual who has in confidence provided an opinion about another individual and the individual providing the opinion does not consent to disclosure of his or her identity;

...

[para 51] The application of this provision and its interpretation given the possible overlap with section 24(1)(b) was explained by the Director of Adjudication, in Order P2007-002 (at paras. 23-24, footnotes omitted):

Adopting this more intuitive approach to opinions under PIPA, assuming the 'given in confidence' and 'no consent' conditions of section 24(3)(c) are met, this provision can be treated as applying to those opinions given by others in which there is no personal element. If such opinions meet the conditions in the provision, they are to be withheld even in the absence of a personal element relative to the maker.

I adopt this interpretation of the combined provisions. In the result, to the extent opinions convey personal information about the giver of the opinion, they must be withheld under 24(3)(b). Whether or not they have such a personal element, if they were given by an individual (whom they necessarily identify) in confidence, and the giver does not consent to disclosure of their identity, opinions must also be withheld under section 24(3)(c).

[para 52] Regarding the requirement of section 24(3)(c), that information was provided in confidence and the person providing the information has not consented to its disclosure, the Director of Adjudication said in Order P2015-05 (at para. 53):

I accept that the discussions in which the Applicant did not participate were of the sort that would normally be held in confidence, and the recordings of the discussions, including some of those in which the Applicant participated, were such as were created and provided in confidence. I have no direct evidence that the persons giving the opinions have not consented (or whether they were asked if they did so), but given their nature (including the fact, as revealed in the statements, that some of the individuals did express concerns about being intimidated and about their safety) I may assume the personnel involved in resolving the issues, and the people asked to provide opinions and accounts of events given from their own perspectives, would refuse their consent.

[para 53] The Organization states that this provision applies to information on pages 4-7 and 17. With respect to pages 4-7, the Organization states that it is labelled as a confidential memo. With respect to page 17, the Organization states only that disclosing the information in the email on that page “would also reveal the identity of persons who provided opinions in confidence.”

[para 54] The Applicant has not made submissions on this point.

[para 55] I agree that pages 4-7 are part of a memo that is marked as confidential. However, the portions on pages 6-7 that are the Applicant’s personal information consist of information provided to the memo’s author by other individuals. In other words, the author is relaying opinions that were provided to them by other individuals. There is no indication whether these other individuals provided their opinions in confidence. From other information in the records it appears that at least one of these opinion-givers has shared their opinion with several Organization employees, including the Applicant, with no indication that the opinion was given in confidence. The first paragraph of the email on page 17 also includes an opinion about the Applicant but there is no indication on this page that this opinion was provided in confidence.

[para 56] It is not sufficient for the Organization to merely state that an opinion was provided in confidence if nothing in the record, including the context of the record, supports this position. I find that section 24(3)(c) does not apply to the information withheld on pages 6, 7, or 17.

3. If the withheld records contain or consist of personal information of the Applicant, and if section 24(3)(b) applies to these records, is the Organization reasonably able to sever the information to which these sections apply, and provide the personal information of the Applicant, as required by section 24(4)?

[para 57] I have found that section 24(3)(b) applies to the information withheld under that provision on pages 6, 7 and 17. Section 24(4) states that if the third party personal information can reasonably be severed from the Applicant’s personal information, the Organization must provide access to the remainder:

24(4) If, in respect of a record, an organization is reasonably able to sever the information referred to in subsection (2)(b) or (3)(a), (b) or (c) from a copy of the record that contains personal information about the individual who requested it, the organization must provide the individual with access to the record after the information referred to in subsection (2)(b) or (3)(a), (b) or (c) has been severed.

[para 58] Former Commissioner Work discussed what may be reasonable with respect to records containing only small ‘snippets’ of an applicant’s personal information. He said (Decision P2011-D-003, para. 131):

I note as well that on the basis of the ability of organizations to take into account what is reasonable in responding to access requests under section 24 of the Act, it is open to an organization to argue, in appropriate circumstances, that it is not reasonable to provide access to an applicant’s personal information, or parts of this information. This may apply for information that consists of meaningless or insignificant snippets, particularly if it reveals nothing of substance to an applicant. It may also apply where providing information would require an organization to review a large volume of information only to provide an applicant with minor items of information of which he is already well aware, especially where there is an indication that the access request for such information is not being made for a bona fide purpose.

[para 59] In this case, the small amount of information on pages 6, 7, and 17 that is the Applicant’s personal information is intertwined with personal information of third parties to which I have found section 24(3)(b) applies. Were the Organization to sever out the third parties’ personal information, only meaningless snippets of the Applicant’s personal information, such as her name, would remain. Such information would not have sufficient context so as to be meaningful; as such, I find that section 24(4) does not require the Organization to provide the Applicant with the snippets of her own personal information that remain after severing the third party personal information in these pages.

V. ORDER

[para 60] I make this Order under section 52 of the Act.

[para 61] I find that some of the information in the records is the Applicant’s personal information. I find that the Organization properly applied section 24(3)(b) to withhold that information, and that the Organization is not required under section 24(4) to sever the third party personal information and provide the remaining information to the Applicant.

Amanda Swanek
Adjudicator