

**ALBERTA**

**OFFICE OF THE INFORMATION AND PRIVACY  
COMMISSIONER**

**ORDER ATIA2025-02**

December 18, 2025

**CALGARY POLICE SERVICE**

Case File Number 040703

**Office URL:** [www.oipc.ab.ca](http://www.oipc.ab.ca)

**Summary:** On August 8, 2025, the Applicant made a request under the Access to Information Act (ATIA) to the Calgary Police Service (the Public Body) for access to the Applicant's personal information. The Public Body did not respond to the Applicant's access request. On October 10, 2025, the Applicant requested review by the Commissioner of the Public Body's failure to respond.

The adjudicator determined that the Public Body had failed to meet the duty under section 13 of ATIA to respond to an applicant within 30 business days of receiving an access request compliant with section 7(2) of ATIA. The adjudicator ordered the Public Body to respond to the access request.

**Statutes Cited:** **AB:** *Access to Information Act*, S.A. 2024, c. A-1.4, ss. 7, 13, 64, 66

**I. BACKGROUND**

[para 1] On August 8, 2025, the Applicant made a request under the Access to Information Act (ATIA) to the Calgary Police Service (the Public Body) for access to the Applicant's personal information. The Public Body did not respond to the Applicant's access

request. On October 10, 2025, the Applicant requested review by the Commissioner of the Public Body's failure to respond.

**II. ISSUE: Did the Public Body comply with section 13 of the Act (time limit for responding)?**

[para 2] Section 13 of ATIA states:

*13(1) The head of a public body must make every reasonable effort to respond to a request not later than 30 business days after the requirements of section 7(2) have been met unless*

- (a) the request has been disregarded under section 9 or declared abandoned under section 10,*
- (b) the time limit is extended under section 16, or*
- (c) the request has been transferred under section 17 to another public body.*

*(2) The failure of the head to respond to a request within the 30-day period or any extended period is to be treated as a decision to refuse access to the record.*

[para 3] Section 13 of the ATIA requires the head of a public body to make all reasonable efforts to respond to a request not later than 30 business days after the request for access meets the requirements of section 7(2) of the ATIA. That is, the request is in writing, submitted to the public body the applicant believes has custody or control of the record, provides enough detail to enable the public body to locate and identify the record within a reasonable time with reasonable effort, and is accompanied by a fee if one is required by the Act.

[para 4] The Public Body argues:

The Calgary Police Service accepts that we have not complied with the processing timelines of the Freedom of Information and Protection of Privacy Act. We have one of the largest volumes of requests under this Act and had a number of employees go on medical leaves, retire and promote within a short period of time. Leaving us with two Analysts who could process requests under the Act. We have been actively hiring and as you can imagine not everyone who thinks they can review police records can actually do so and continue to do it long term while maintaining good mental health. As a result, we have had to continue our efforts to hire people and train them on these complex files. This has created a substantial backlog within the Access & Privacy Section which has been well documented at the Calgary Police Commission, communicated to applicants and to the Office of the Information and Privacy Commissioner on a regular basis. Given the complexity of many of the requests we process, hiring, training and learning takes time.

We have also advocated for additional resources for 2026 with Executive Leadership and the Calgary Police Commission and are being fully supported with the mid-budget adjustment with

Calgary City Council for 2026. We have asked for an additional Intake Coordinator to assist with the volume of emails and incoming requests bringing our total to 2 and have recently hired an Administrative Assistant who is currently in training who is addressing our backlog of emails. We have also requested 4 additional Disclosure Analysts. As of last week, we received notification that this has been approved.

Regarding this specific request, 2025-P-2466, we have opened the request and sent the Acknowledgement email to the Applicant on December 9, 2025. As this file was sent to us by the OIPC, we have assigned an Analyst. Currently, they are gathering the records for review and waiting on responses for requests for records

[para 5] The Public Body concedes that it failed to respond to the Applicant as required by section 13 of ATIA. It attributes the failure to staffing issues and has explained the steps taken to rectify these issues. It states that it has assigned the request to an analyst and has begun the process of requesting records from program areas in which records may be located.

[para 6] As it appears that the Public Body is in a position to respond to the Applicant within 50 business days of receiving my order, as required by section 66(1) of ATIA, I will issue an order under section 64(3) of ATIA. That is, I will order the Public Body to comply with the duty to respond to the Applicant included in section 13 of ATIA.

### **III. ORDER**

[para 7] I make this Order under section 64(3) of ATIA.

[para 8] I order the head of the Public Body to respond to the Applicant, as required by section 13 of ATIA.

[para 9] I further order the Public Body to notify me in writing, within 50 days of receiving a copy of this Order, that it has complied with it.

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Teresa Cunningham  
Adjudicator