

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ORDER FOIP 2026-03

January 14, 2026

CALGARY POLICE SERVICE

Case File Number 040617

Office URL: www.oipc.ab.ca

Summary: The Applicant made an access request under the *Freedom of Information and Protection of Privacy Act* (the FOIP Act) to the Calgary Police Service (the Public Body). The Public Body did not respond to the access request and the Applicant requested review.

The adjudicator ordered the Public Body to respond to the access request.

Statutes Cited: **AB:** *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, ss. 11, 14, 72

I. BACKGROUND

[para 1] On April 8, 2025, the Applicant made a request for access under the *Freedom of Information and Protection of Privacy Act* (the FOIP act) to the Calgary Police Service (the Public Body). The Applicant requested “email correspondence, reports, or notes” containing the Applicant’s name during a particular date range.

[para 2] The Public Body did not respond to the access request.

[para 3] The Applicant requested review of the Public Body's failure to respond to the access request.

II. ISSUE: Did the Public Body comply with section 11 (time limit for responding)?

[para 4] Section 11 of the FOIP Act requires a public body to make all reasonable efforts to respond to an access request within 30 days of receiving it. This provision states:

11(1) The head of a public body must make every reasonable effort to respond to a request not later than 30 days after receiving it unless

(a) that time limit is extended under section 14, or

(b) the request has been transferred under section 15 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 5] If a public body does not respond within 30 days or extend the time for doing so under section 14 of the FOIP Act, the Applicant may ask the Commissioner to review the Public Body's failure to respond.

[para 6] The Public Body stated in its submissions for the inquiry:

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-1486, the request was opened on August 4, 2025, and the acknowledgement letter was sent on August 7, 2025. It was moved ahead in the queue on November 21, 2025, due to the OIPC inquiry and is currently in the records review stage. We received an amended request after clarification was sent on Dec 1, 2025. We anticipate providing a response to the Applicant by the end of the week.

[para 7] The Public Body conceded that it had not complied with section 11 of the FOIP Act with regard to the Applicant's access request. The Public Body stated that it anticipated responding to the Applicant by the "end of the week". The Public Body's submissions are dated December 8, 2025.

[para 8] On December 14, 2025 the Applicant informed this that a response to the access request had not been received. The Applicant stated:

Thank you in advance for considering my submission. I have had an opportunity to review the submission dated December 8, 2025, put forward by [...] on behalf of the public body. I can advise that I did not receive a response from the public body regarding my request by the end of last week. Perhaps this a good place to start my submission – the public body's chronic inability to comply with the legislation. It has been documented in F22025-14, F2025-07, F2025-06, F2025 – 05 and F2025 – 04 that the public body has been unable to furnish requests in accordance with the legislated timelines. I can only speculate about the number of requests for a review that are waiting for assignment or how many Albertans have simply given up and abandoned their requests.

In her submission [...] cites retirements, promotions and medical leaves as causes for the significant backlog. These are all realities when managing a workforce and ought to have been anticipated and planned for in advance. The human resources excuse has been used time and again by the public body and there does not appear to any improvement in their responsiveness. On today's date I checked Calgary.ca/careers and was unable to find any posting for a Disclosure Analyst, so I am unclear how the four new Disclosure Analysts are to be hired.

I feel that it is important to emphasize that the public body is a police service. An organization that touts public trust and transparency and is sworn to be accountable to the public. Of all public bodies, one would think that a police service would be setting the example for public bodies in Alberta. Sadly, this is not the case with the Calgary Police Service.

[para 9] It is unclear to me why the Public Body has not yet responded to the Applicant's access request, despite anticipating that it would be in a position to do so in December of 2025. I agree with the Applicant's statements regarding the purpose of the FOIP Act – to promote public trust and accountability in public bodies – and I agree that this purpose is undermined if public bodies do not respond to access requests.

[para 10] As the Public Body has not responded to the access request, I must order the Public Body to do so.

III. ORDER

[para 11] I make this Order under section 72 of the FOIP Act. I order the Public Body to meet its duty to respond to the Applicant's access request as required by section 11 of the FOIP Act.

[para 12] 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 the Order.

Teresa Cunningham,
Adjudicator