



2020 - 2021 Annual Report

*Office of the Information and
Privacy Commissioner for Nova Scotia*



Vision

Nova Scotia's public sector is open and accountable. Privacy rights of citizens are respected and protected.





Office of the Information & Privacy Commissioner

Nova Scotia

July 22, 2021

The Honourable Kevin Murphy
Speaker of the House of Assembly
1st Floor, Province House
PO Box 1617
Halifax, Nova Scotia B3J 2Y3

Dear Mr. Speaker,

Pursuant to s. 33(7) of the *Freedom of Information and Protection of Privacy Act*, s. 4(3) of the *Privacy Review Officer Act* and s. 93(b) of the *Personal Health Information Act*, I submit this annual report for the 12 month period of April 1, 2020 through to March 31, 2021.

Respectfully submitted,

Tricia Ralph
Information and Privacy Commissioner for Nova Scotia

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Abbreviations

OIPC	Office of the Information and Privacy Commissioner for Nova Scotia
IAP Services	Information Access & Privacy Services for the Government of Nova Scotia
FOIPOP	Freedom of Information and Protection of Privacy Act
MGA	Municipal Government Act
PHIA	Personal Health Information Act
PRO Act	Privacy Review Officer Act

If you are reading a paper copy of this report you will need to visit the electronic version of this report on our website to benefit from the hyperlinks throughout: <https://oipc.novascotia.ca>.



Commissioner's Message

When I began to write this year's message for the annual report and started thinking of what was most significant to include, the word that kept popping into my mind was "change". This past year has been one of enormous change: the world around us was altered significantly with the continued COVID-19 pandemic, our office implemented several new processes and we physically moved to a new office location. But there are some areas where we are still looking for change: our backlog remains significant and Nova Scotia's exceedingly dated access to information and privacy laws have not been modernized.

What has changed

The pandemic created change in some way or another for virtually every Canadian. It required the OIPC to become more flexible in some ways, but the message we continued to convey was that access to information and privacy legislation was still in force in Nova Scotia, despite the pandemic. Access to information is a quasi-constitutional right that is fundamental to the democratic process. This right was not suspended during the pandemic. Rather, the responsibilities of public bodies, municipalities and health custodians to give access to records and protect the privacy of individuals continued. For our part, the responsibility of this office to carry out its independent oversight function also remained.

Internally, we changed our procedure for processing reviews where information has been withheld under a statutory exemption. We examined the process for reviews in other jurisdictions and came up with a new process that puts much more onus on public bodies, municipalities and health custodians to adequately explain their rationale for withholding information. The goal is to speed up our ability to get through reviews. This new process was implemented in January 2021. We are hopeful that this new process will help us to reduce the backlog.

Access to information is a quasi-constitutional right that is fundamental to the democratic process. This right was not suspended during the pandemic.

We also changed our process with regard to consultations, requiring public bodies, municipalities and health custodians to complete a form to request our guidance. The goal of this change was to limit consultations to complex issues so that more time can be allocated for reviews. This was a tough call to make as the thought is that by giving advice on the earlier end, that may prevent the need for a review down the road.

Commissioner's Message

Normally we run many free training sessions each year. Unfortunately, we have made a decision to put training sessions on hold until we can reduce the backlog. We have posted our training materials online which hopefully reduces the negative impact of this decision.

What should change

There are two predominant things that have not changed and yet need to in order to better protect the access to information and privacy rights of Nova Scotians. The first is the legislation. Last year's annual report outlined the history of the calls for legislative amendments, and I added my voice to them. This year there is a glimmer of hope. The Premier's mandate letter to the Minister of Justice requested that an advisory committee be created to conduct a review of the *Freedom of Information and Protection of Privacy Act* and its related legislation and make recommendations on how it can be modernized. This is a step in the right direction. I am hopeful that this review will be conducted by an independent body, as was done in Newfoundland and Labrador in 2014, with opportunities for public and stakeholder input, including from my office.

The second thing that has not changed is the backlog of review files at this office. In fact, the backlog grew by 8% last year. While some staff vacancies and the pandemic likely contributed slightly to this increase, as I said last year, the real problem is that we simply do not have enough resources. We get more files than we can process in a year and that number rises every year.

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Last year we had an 18% increase in the number of files and complaints we opened from the year before. We simply cannot keep up with the demand. However, change is on the horizon. We have just received word that we will be allocated three two-year term positions. This will have an immense impact on our backlog. Nova Scotians value the opportunity to have an independent oversight office review the actions of public bodies, municipalities and health custodians. From any angle, it is obvious that waiting three to four years for that service is not ideal, nor acceptable. With these new resources, I am confident we can make an impact on our backlog.

In this year of change, I want to conclude by expressing my appreciation to the OIPC staff for their diligent work and adaptability. I also want to thank our many stakeholders including applicants and complainants, as well as public bodies, municipalities and health custodians, for their flexibility and continued cooperation with our office over this difficult past year.

Yours sincerely,



Tricia Ralph
Information and Privacy Commissioner
for Nova Scotia

THE YEAR IN NUMBERS

Total Number of
New Files

584

We received **221** reviews and complaints and **363** files initiated by public bodies, municipalities and health custodians.

Education &
Outreach



879 Inquiries
25 Media Requests
30 Speaking Engagements
2 Training Sessions
16 New Tools



755

Breaches Reported -
Personal Health
Information Act

Under section 70 of the Personal Health Information Act, health custodians are required to notify the Information and Privacy Commissioner of breaches of personal health information where the custodian has determined there is no potential for harm or embarrassment to the individual and has not notified the affected individual.

109

Access and/or privacy
consultations with public
bodies, municipalities and
health custodians



91%

of review files resolved informally

In the Supreme Court of Nova Scotia

Houston v. Nova Scotia (Minister of Transportation and Infrastructure Renewal), 2021 NSSC 23

In Nova Scotia, the Commissioner has the power to make recommendations as opposed to binding orders. In situations where the Commissioner has made recommendations and a public body, municipality or health custodian does not accept them, an applicant's recourse is to appeal that decision to the Supreme Court of Nova Scotia (Court). It is rare to see applicants pursue such matters with the Court, but this year, we have the benefit of the Court decision in *Houston v. Nova Scotia (Minister of Transportation and Infrastructure Renewal)*.¹

The Commissioner conducted her review and recommended that the public body disclose the management fee.

In that case, the applicant requested access to the management fee paid by taxpayers to Bay Ferries Limited. The public body refused to disclose the management fee, relying on s. 17 and s. 21 of *FOIPOP*. Section 17 gives a public body the discretion to refuse to disclose information if doing so could harm the financial or economic interests of a public body or the Government of Nova Scotia. Section 21 requires a public body to refuse to disclose confidential information of a third party.



The applicant requested a review by the Commissioner of the public body's decision to refuse disclosure. The Commissioner conducted her review and recommended that the public body disclose the management fee.² The public body did not accept this recommendation. The applicant then appealed to the Court.

The Court heard the matter *de novo*, meaning the Court decided on the issues afresh and independently of the Commissioner's review report. The Court found there was no evidence that the management fee was supplied in confidence and found that the evidence submitted amounted to just the mere possibility of harm. As a result, the criteria required to apply s. 17 or s. 21 were not met and the Court ordered the release of the management fee. The court order was consistent with the Commissioner's recommendation.

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¹ [2021 NSSC 23](#).

² [Nova Scotia Review Report 18-11](#).

Know Your Rights



New Tools Created for the Public



Glossary: Access to Personal Health Information Terms in the Personal Health Information Act

This glossary describes several terms that appear frequently in the access to personal health information process.



How to Make a Privacy Complaint

Individuals have the right to file a privacy complaint when they are concerned that their personal information was collected, used or disclosed by a public body or municipality without the proper authority under the applicable privacy law. This guide explains the step-by-step process to make a privacy complaint.



Withheld (or Severed) Information

Anyone can make an application for access to records under Nova Scotia's access to information laws. This guide is intended to help the public understand how to interpret the information they get back from public bodies and municipalities in response to their requests for records.



Comment faire une demande efficace d'accès à l'information

Our How to Make an Effective Access Request guide has been translated and is now available in French.

« Comment faire une demande efficace d'accès à l'information » a été traduit et est maintenant disponible en français.

Regarding the Backlog

The OIPC has a significant backlog of cases.³ We have cases waiting to be assigned that were received as far back as 2017. In other words, it takes at least four years for applicants to have their requests for review heard by our office.

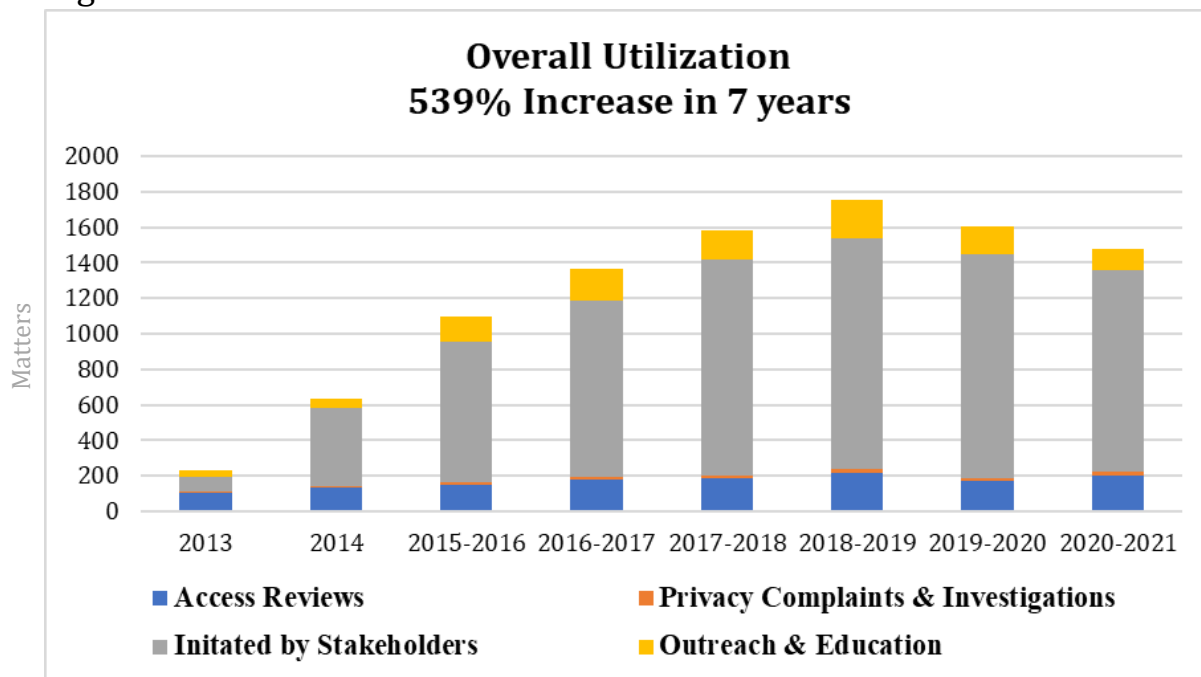
Our capacity reached a critical point years ago. We have exceeded the limit of our ability to keep pace with the utilization of our office. This is evidenced by our substantial backlog. The underlying objective of *FOIPOP, Part XX* of the *MGA, PRO* and *PHIA* is to provide an avenue for administrative justice that is inexpensive, expeditious and accessible to the public. The OIPC's lack of capacity to respond in a timely manner frustrates this objective.

Our resources have been stretched thin for many years. In 2013 our office underwent an independent review by the Nova Scotia Treasury Board to assess our efficiency.

Aside from a few recommendations, all of which have since been implemented, our office was found to be running efficiently at that time.

Since 2013, utilization of our office has steadily increased.⁴ Figure #1 below demonstrates the overall increase in utilization since 2013, broken down by our statutory mandate areas. Requests from public bodies, municipalities and health custodians for consultations, time extensions, late transfer approvals and training, as well as notifications of privacy breaches and other statutory notifications, increased 1299% since 2013. Utilization by the public for the independent review of public body, municipality and health custodian decisions on access to information and privacy matters⁵ increased 101% since 2013. Overall, the use of OIPC services has increased more than 539% since 2013. The increased utilization of the OIPC shows no sign of abating.

Figure #1



³ As of March 31, 2021, we had 314 review files and 8 privacy complaint files (322 total) waiting to be assigned to an investigator. This is considered the backlog.

⁴ All historical information, in the form of year-by year-statistical reporting, can be found on our website going back to 2011: <https://oipc.novascotia.ca/node/369#overlay-context=node/369> or back to 1999 in our Annual Reports: <https://oipc.novascotia.ca/annual-reports>.

⁵ The OIPC does not have jurisdiction to investigate privacy complaints made against municipalities under *Part XX* of the *MGA*.

Regarding the Backlog

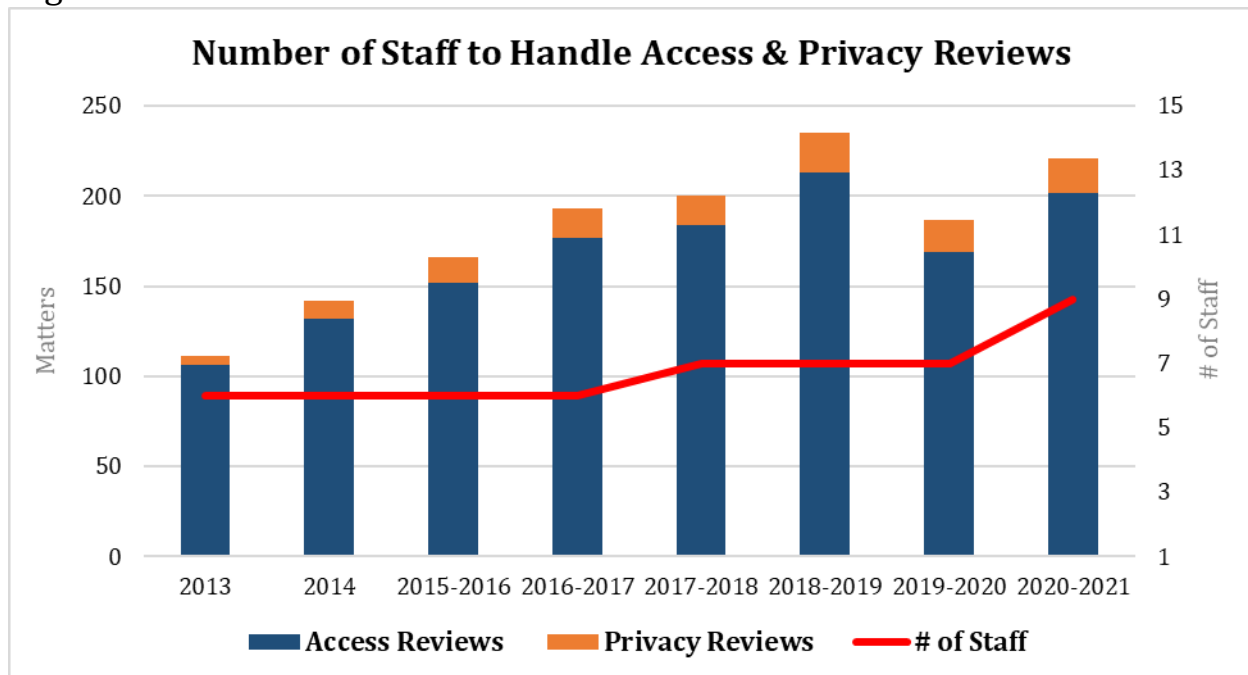
Despite the 2013 Treasury Board findings, we continue to look for ways to improve our processes to try to reduce the backlog. Over the past year we made several changes to our processes, including substantially modifying the process for conducting reviews. We are hopeful that these process amendments will enable us to process reviews more quickly.

Over the past year we made several changes to our processes, including substantially modifying the process for conducting reviews.

We have just received word that we can proceed with hiring three more investigators (two-year terms). The implications of this news for our backlog are tremendous. We look forward to reducing our backlog with these resources.

In terms of staffing, Figure #2 demonstrates the number of OIPC staff in comparison with the number of reviews we received per year. Since 2013, we have received approval for two additional positions: a senior investigator and an executive director. We have just received word that we can proceed with hiring three more investigators (two-year terms). The implications of this news for our backlog are tremendous. We look forward to reducing our backlog with these resources.

Figure #2



Appendix 1

Service Plan for the Office of the Information and Privacy Commissioner

April 1, 2021 – March 31, 2022

Introduction

This Service Plan serves as our Statement of Mandate and our Accountability Report. The Service Plan reports on the outcome of our performance in the past two years and sets new performance measures for the coming year.

Vision

- Nova Scotia's public sector is open and accountable.
- Privacy rights of citizens are respected and protected.

Statement of Mandate

The Office of the Information and Privacy Commissioner (OIPC) is the impartial oversight agency responsible for monitoring and overseeing compliance with four statutes: the *Freedom of Information and Protection of Privacy Act (FOIPOP)*, the *Privacy Review Officer Act (PRO)*, the *Municipal Government Act, Part XX (MGA)* and the *Personal Health Information Act (PHIA)*.

Under these four statutes, the OIPC provides impartial oversight over more than 400 public bodies⁶ and more than 26,000 health custodians.

Who We Serve

Under *FOIPOP*, *PRO*, *MGA* and *PHIA* we serve:

- Citizens
- The Legislative Assembly of Nova Scotia

How We Do Our Work

Pursuant to the statutory duties assigned to the OIPC, we investigate access to information appeals and privacy complaints, conduct investigations into privacy breaches (including through self-initiated investigations), provide comments on the privacy and access implications of proposed legislation, programs, policies and technologies, conduct research, and educate the public about their access and privacy rights and public bodies about their legal obligations. Where necessary, the Commissioner conducts formal hearings and issues recommendation reports.

Outcome Highlights

The results of our performance measures were mixed. We exceeded all four goals we set for ourselves but we failed to meet the three goals that we set for public bodies and health custodians. Several highlights of this past year were:

- Our informal resolution rate increased to 91%.
- Public bodies and health custodians accepted 37.5% of the Commissioner's recommendations.
- The time it took for provincial departments to respond to access to information requests stayed the same (73% within 30 days).
- Last year's concerning increase in the amount of deemed refusals and time extension requests was less pronounced.

⁶ Public bodies include government departments, universities, regional centres for education, municipalities and municipal bodies, municipal police, transit authorities, health authorities, agencies, boards and commissions.

Goal 1: An Open and Accountable Public Sector

The goal of having an open and accountable public sector goes to the heart of the purpose of access to information laws. One of the ways to measure the effectiveness of those laws is to monitor the timeliness of responses. After all, access delayed is access denied.

The first measure we use is a measure not within our control. It is the timeliness of government's responses to access to information requests as reported by the government in its annual report.⁷

2020/2021 Outcomes

The government does not report statistics on its performance until September following the close of the fiscal year. Therefore, the most recent statistics available for government performance are from 2019/2020. Information Access and Privacy (IAP) Services reported that in 2019/2020, government departments responded to access to information requests within 30 days 73% of the time. This is the same response rate as the previous year. The statistic is somewhat limited because while the law requires a response within 30 days, it also permits time extensions in some circumstances. What this means is that a perfect outcome will not necessarily be 100%, but certainly the departments should be aiming to be well above 90%. The 73% response rate in 2019/2020 falls well below the 90% target rate we set for this performance measure.

There are two other measures we track in terms of how long government takes to process access to information requests: time extension requests⁸ and deemed refusals.⁹ In 2020/2021, based on our own statistics, the trend we observed is promising because in both cases the increase was less than in previous years. Time extension requests to our office increased by 21% in 2020/2021, while in 2019/2020 they increased by 48%. Deemed refusal reviews increased by 33% in 2020/2021, while in 2019/2020 they increased by 88%. While still increases in 2020/2021, the increases are much less pronounced than in 2019/2020. This is a move in the right direction, but ideally, we would like to see both numbers come down further and applicants getting their decisions within 30 days most of the time.

2021/2022 Strategies

We have two main strategies this year:

- **Right to Know Week:** Right to Know Week calls attention to the significance of access to information legislation.
- **Duty to Assist:** A foundational responsibility of public bodies under our access to information laws is the duty to assist applicants who make access to information requests. We plan to continue our past work on this topic by developing and publishing guidance materials.

Performance Measure	2019/20	2020/21	2021/22
1. Percentage of requests processed within 30 days by government departments.	Goal = 90% Outcome = 73%	Goal = 90% Outcome = not yet reported	Goal = 90%

⁷ The most recent report available for Information Access and Privacy Services is the 2019/2020 Annual Report available at: <https://beta.novascotia.ca/documents/information-access-and-privacy-services-annual-report-2019-2020>.

⁸ Time extension requests occur when a public body or health custodian seeks approval from the OIPC to extend the time to respond to an access to information request to more than 60 days. There are several legislated criteria that the public body or health custodian must meet in order to be granted a time extension.

⁹ Deemed refusals are cases where the public body or health custodian has not responded at all within the legislated timelines (with or without a time extension) and so they are deemed to have refused to provide the information requested.

Goal 2: Respect for and Protection of Privacy by Public Bodies and Health Custodians

2020/2021 Outcomes

It is difficult to measure respect for and protection of privacy by public bodies and health custodians. One way is to examine the number of privacy complaints we receive on a yearly basis. In 2019/2020 we introduced a new measure to track this change and set a goal of reducing the number of new privacy complaints by 20%. Instead, we saw an increase of 15% in the number of privacy complaints we received. This is a disappointing outcome. On the one hand, it could reflect that more affected individuals are being notified that their privacy has been breached, which is a positive step forward. On the other hand, it nevertheless shows an increase in the number of privacy complaints.

A good way to improve respect for and protection of privacy among public bodies and health custodians is to provide training and information so that those tasked with ensuring compliance with privacy laws understand the rules. Last year, in total more than 722 people attended training, speeches and events hosted by this office.

We also offer a variety of services to public bodies and health custodians to assist them with privacy issues. This year, the following services were sought by public bodies and health custodians looking for advice and guidance:

- 61 privacy consultations were completed.
- 15 voluntary breach reports were received and feedback was given.
- 4 privacy impact assessments were reviewed and feedback was given.

We view this as being a good indicator that public bodies and health custodians are showing respect for privacy.

2021/2022 Strategies

Because it is still not clear how the pandemic will continue to impact our ability to provide training, next year's focus is to produce guidance materials for public bodies and health custodians. As things get back to normal, we will revisit our ability to provide training, even if in limited form and virtually. Specifically, we will:

- Produce privacy-related materials.
- Continue to contribute articles to the Doctors Nova Scotia newsletter.

Performance Measure	2019/20	2020/21	2021/22
2. Reduction in the number of privacy complaints received.	Baseline = 13	Goal = ↓20% Outcome = ↑15%	Goal= ↓20%

Goal 3: Public Awareness of Access and Privacy Rights

2020/2021 Outcomes

Our third goal was to increase the public's awareness of their access to information and privacy rights. We measure this goal by keeping track of the number of individuals who attend OIPC presentations and by tracking our presentations, tools and media articles.

This year it was not possible to do in-person activities to promote awareness due to the COVID-19 pandemic restrictions, so we focused our efforts on virtual sessions. Most topics centered on privacy issues during the COVID-19 pandemic, such as the implications of contact tracing, but we also presented on issues like the need for modernization of Nova Scotia's legislation and concerns with internet voting.

We produced five new written tools aimed at educating citizens about their access to information and privacy rights:

- [Know Your Rights: Withheld \(or Severed\) Information](#)
- [Know Your Rights: Glossary: Access to Personal Health Information Terms \(PHIA\)](#)
- [Know Your Rights: How to Make a Privacy Complaint](#)
- [Infographic: How to Make an Access to Information Request](#)
- [Connaissez vos droits: Comment faire une demande efficace d'accès à l'information](#)

2021/2022 Strategies

We anticipate that the COVID-19 pandemic will continue to negatively impact our ability to host in-person presentations for Nova Scotians so we will likely continue with the virtual setting.

We will also be looking for opportunities to engage in public interaction once the COVID-19 pandemic rules are relaxed. If possible, we will look to attend any trade shows.

In addition, we will continue to develop tools for the public to post on our website. We will continue to develop and publish more Know Your Rights series tools.



Performance Measure	2019/20	2020/21	2021/22
3. Total number of individuals who attend OIPC presentations in Nova Scotia. ¹⁰	Goal = 700 Outcome = 847	Goal = 700 Outcome = 722+ ¹¹	Goal = 700
4. Number of OIPC presentations, media articles and tools. ¹²	Goal = 40 Outcome = 85	Goal = 40 Outcome = 66	Goal = 40

¹⁰ Presentations include speeches, meetings, training sessions and public education sessions.

¹¹ Four of our virtual sessions were hosted by different organizations so we do not know the number of participants that attended. It is likely that this number was much higher but we cannot say for certain.

¹² Presentations include speeches, meetings, training sessions and public education sessions, not necessarily in Nova Scotia.

Goal 4: Efficient and Effective OIPC Operations

2020/2021 Outcomes

Our final goal was to implement efficient and effective OIPC operations. Every year it becomes more difficult to achieve this goal because every year we get more files than the year before. Our file load increased 18% in 2020/2021 when we were already in a situation of having a backlog of more than three years. Our backlog grew even greater and is now about four years. The graph below illustrates our constantly expanding case load over the years.

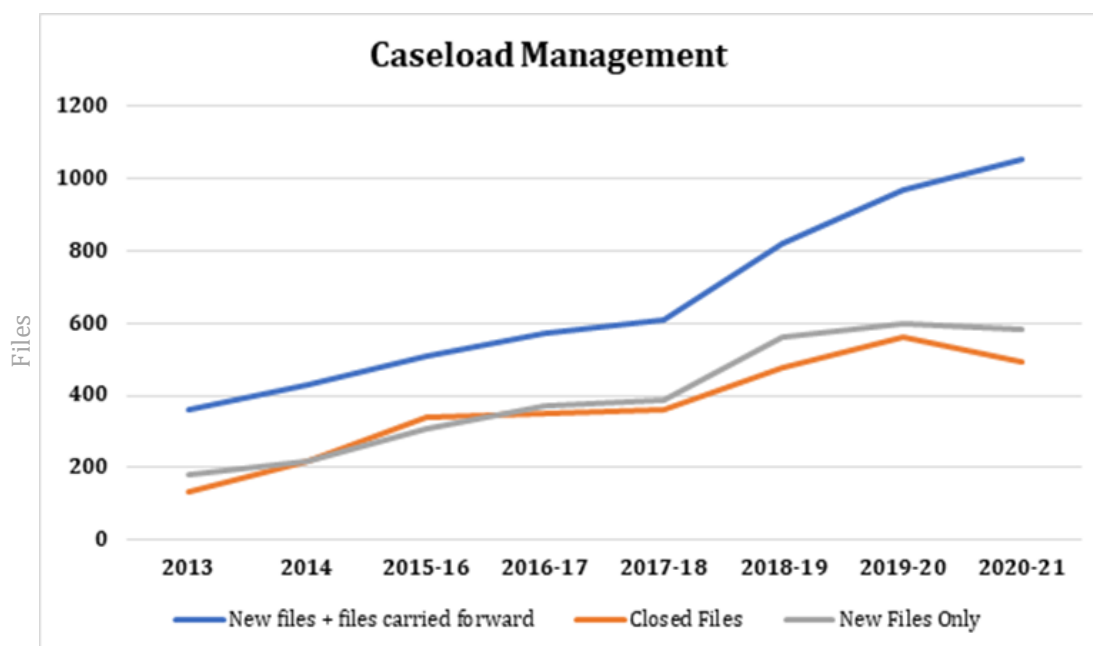
In the interest of continuing to improve our own processes, this year we undertook a major project to overhaul and revamp our procedure for processing applicants' requests for review. The new procedure puts much more onus on public bodies and health custodians to adequately explain their rationale for withholding information earlier in the review process. The thought is that this approach should allow our investigators to more quickly close files, which in turn will allow them to close more files in a year.

We also changed our consultation program. We offer free consultations to public bodies and health custodians on any access to information and privacy issues they may be facing, which is part of our public education mandate. This is an important service we offer because it is a

proactive means to address concerns and may result in fewer complaints to our office. However, due to our large backlog, we changed the process this year to put more onus on public bodies and health custodians to explain their issue and what steps they'd taken to try to solve their issue before reaching out to our office. The thought behind this is that it will limit consultations to complex issues and free up more time for reviews.

The third change we made was how we process incoming deemed refusal reviews. As of October 2020, we made changes that reduce our contribution to the delay by making it clear at the outset that the public body or health custodian has only 15 days to issue a decision, or a review report will be issued. At least 30 days is shaved off the delay in getting a review report issued, and in most cases, a decision ends up getting issued in the first 15 days. This has proven to be a successful change.

There are two areas where we were highly successful in 2020/2021. The first was our response time to inquiries about access to information and privacy issues. We responded to inquiries within two days 99% of the time even though we were working remotely for the majority of the year due to the pandemic.



Where we were not so successful was in the uptake of the Commissioner's recommendations. This year we saw the trend continuing of public bodies and health custodians rejecting the Commissioner's recommendations at an ever-increasing rate. Disappointingly, only 37.5% of recommendations were accepted this past year. The fact that public bodies and health custodians are not required to comply with the Commissioner's recommendations is a significant weakness in our access to information laws. If these bodies reject the Commissioner's recommendations, an applicant's only recourse is to file an often costly appeal to court, which the average person can rarely afford to do. It is long past time that this weakness be fixed by modernized legislation.

2021/2022 Strategies

The main way we achieve efficient and effective operations is to provide our staff with the training and support they need to do their jobs well. This year was challenging due to the COVID-19 pandemic restrictions. Nevertheless, we continued our strategies of regular case file reviews, team meetings and staff training. In 2020/2021 staff attended online training designed to improve investigation skills that we would not have been able to achieve had it not been offered online. We will continue with these strategies this year and avail ourselves of new online offerings.

In terms of the low acceptance rate of the Commissioner's recommendations, this measure is largely out of our control. The Commissioner makes recommendations to public bodies and health custodians to bring them into compliance with the law, and they can choose to refuse to follow them. When that happens, we rarely learn why. In Nova Scotia, the laws allow this, which is a serious weakness. To address this flaw in the laws, we will continue to highlight the need for modernized legislation in Nova Scotia. It is long past time that Nova Scotia catches up with other jurisdictions and provides the Commissioner with the ability to make orders or provides for a hybrid model (like in Newfoundland and Labrador). Additionally, we have and will continue to encourage the government to strike an independent committee that seeks input from various stakeholders, including the OIPC, when it complies with its own mandate¹³ to review the legislation.

Finally, we received confirmation that starting in 2021/2022, we will be allocated three new positions for a two-year term. We are excited to see the impact this will have on our backlog. We will also continue to examine our processes for improvement opportunities.

Performance Measure	2019/20	2020/21	2021/22
5. Percentage of access and privacy inquiries that receive a response within two days. ¹⁴	Goal = 98% Outcome = 99%	Goal = 98% Outcome = 99%	Goal = 98%
6. Percentage of reviews (<i>FOIPOP</i> , <i>MGA</i> and <i>PHIA</i>) that are resolved informally. ¹⁵	Goal = 85% Outcome = 75%	Goal = 85% Outcome = 91%	Goal = 85%
7. Percentage of review report recommendations accepted by public bodies and municipal bodies.	Goal = 65% Outcome = 41%	Goal = 65% Outcome = 37.5% ¹⁶	Goal = 65%

¹³ This mandate was issued to the Minister of Justice by Premier Rankin on March 24, 2021.

¹⁴ Inquiries are telephone calls, letters, emails and faxes that request basic access and privacy information such as how to file an access request, where to file a request, how to file a review and general privacy rights. In 2020/2021 we responded to 868/876 inquiries within two days.

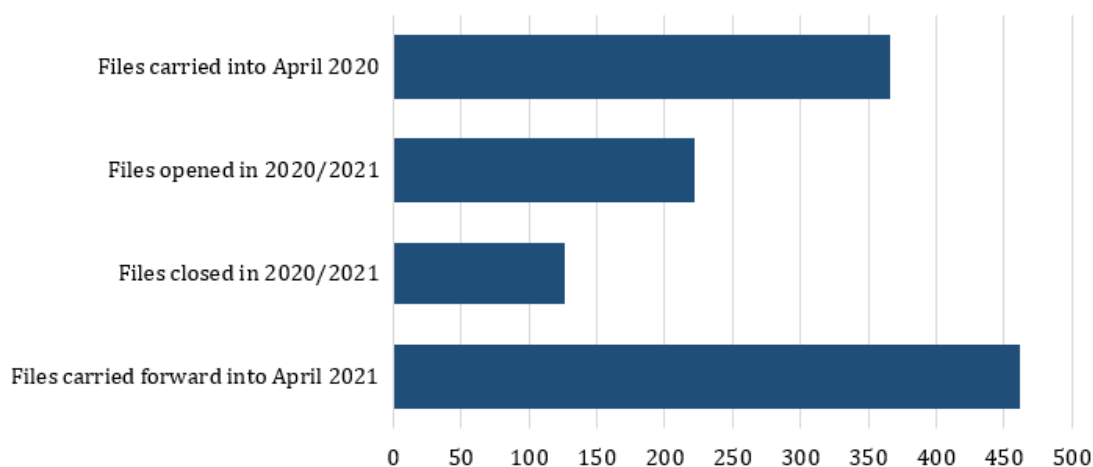
¹⁵ Mediation, informal resolution, screened and withdrawn cases are included in this category. In 2020/2021, 106 of 117 *FOIPOP*, *MGA* and *PHIA* reviews were resolved informally. 53/60 (88%) government department appeal files were resolved informally and other public bodies resolved 53/57 (93%) informally.

¹⁶ Between April 1, 2020 and March 31, 2021, the Commissioner issued 9 review reports that related to 10 files. In total, the Commissioner made 24 recommendations of which 9 were accepted and 15 were rejected.

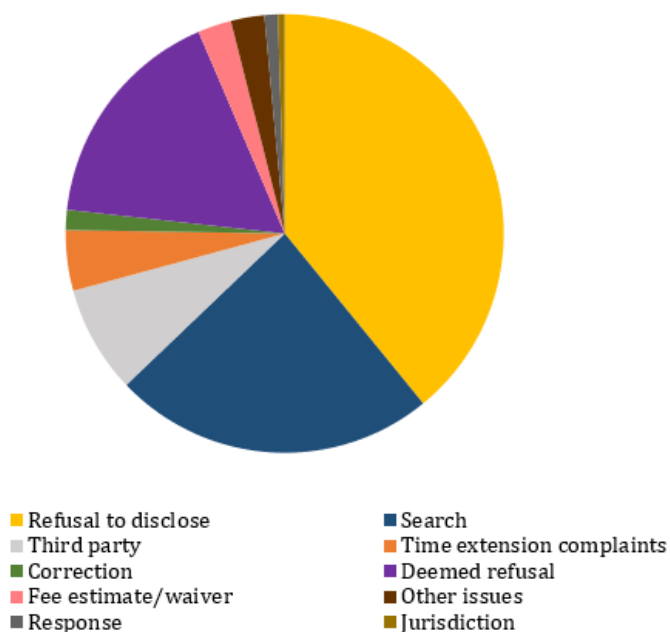
Appendix 2
Annual Report Statistics
All Files Opened and Closed Under
*Freedom of Information and Protection of Privacy Act, Privacy Review Officer Act,
Municipal Government Act (Part XX), Personal Health Information Act*

	FOIPOP, PRO & MGA OPENED	PHIA OPENED	TOTAL OPENED	FOIPOP, PRO & MGA CLOSED	PHIA CLOSED	TOTAL CLOSED
Access and Correction Requests for Review						
Reviews	199	3	202	114	4	118
Privacy Complaints						
Privacy complaints received	5	10	15	3	2	5
Commissioner own-motion	0	4	4	0	3	3
Files Initiated by Public Bodies						
Breach notifications	11	4	15	14	4	18
Privacy impact assessments	4	0	4	5	0	5
Access and privacy consultations	65	46	111	64	45	109
Time extension requests	228	1	229	228	1	229
Late transfer requests	4	0	4	4	0	4
Disclosures without consent to researcher		21	21		21	21
Breaches with no potential for harm or embarrassment		755	755		755	755
Prescribed entity's information practices		0	0		0	0
Outreach and Education						
Inquiries	762	117	879	759	117	876
Media requests	18	7	25	18	7	25
Speaking engagements	26	6	32	33	9	42
Public education	0	0	0	0	0	0
Staff training and conferences	8	0	8	8	0	8
Tools made available	14	2	16	6	1	7
Committees	7	1	8	10	1	11
Projects	11	1	12	12	2	14
Other	9	5	14	10	6	16
Total	1371	983	2354	1288	978	2266

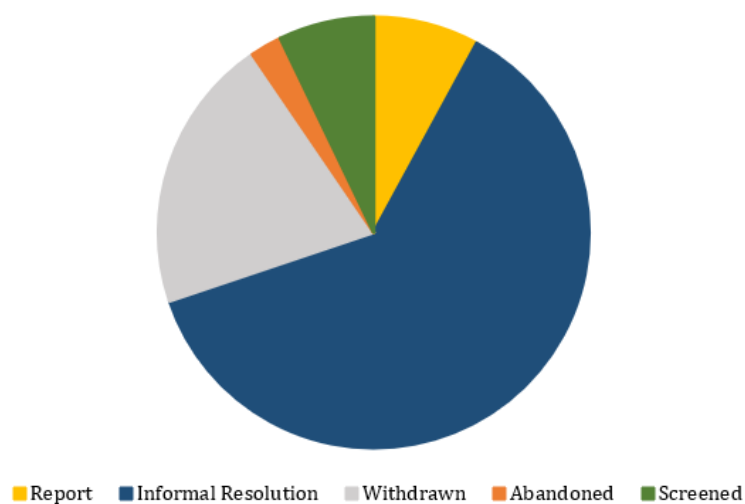
Management of All Review & Complaint Files



Issues Under Review - Access & Correction Reviews



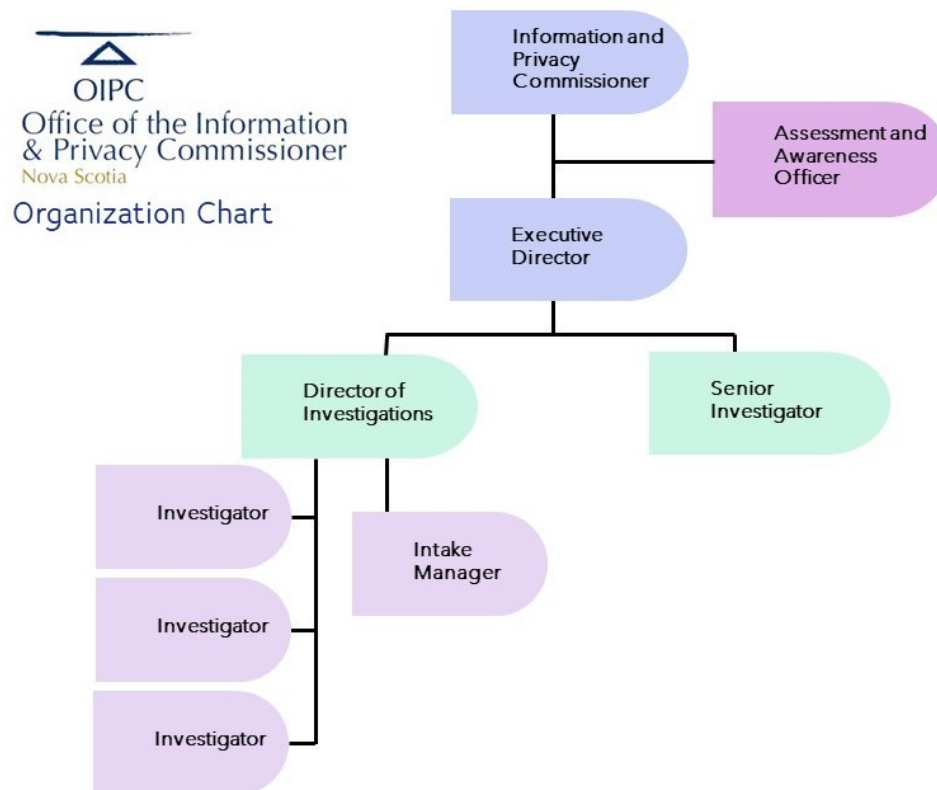
Outcome for Review & Complaint Files Closed



Appendix 3

Budget History (for <i>FOIPOP</i>, <i>MGA</i>, and <i>PRO</i>)			
Category	Forecast for 2021-2022	Actual for 2020-2021	Actual for 2019-2020
Salaries and Benefits	867,000	798,882	610,235
Travel	6,200	124	9,569
Professional/Special Services ¹⁷	5,100	43,727	51,276
Supplies and Services	19,300	17,537	12,420
Other	59,400	74,126	52,853
Adjustments	0	0	0
Total Budget Spent	957,000	934,396	736,353
Total Budget Given	957,000	947,000	715,000
% of Budget Spent	100%	98.7%	103%

¹⁷ This amount includes funding a full-time temporary agency employee to address our staffing needs for a full year in 2019/2020. As we have now been given a position starting in 2020/2021, these funds were transferred into our salaries category.



Appendix 4
Annual Report Under Section 18 of the
Public Interest Disclosure of Wrongdoing Act

The following is a summary of disclosures received by the Office of the Information and Privacy Commissioner for Nova Scotia:

Information Required Under Section 18 of the Act	Fiscal Year 2020/2021
The number of disclosures received	0
The number of findings of wrongdoing	N/A
Details of wrongdoing	N/A
Recommendations and actions taken on each wrongdoing	N/A



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