

Reference Number: 2016-G-0065

May 30, 2016

Mr. Robert Ascah
7-18 Henry Marshall Tory Building
Edmonton AB T6G 2H4

Dear Mr. Robert Ascah:

Re: Freedom of Information and Protection of Privacy (FOIP) Act
Response to Request for Access to General Information

Your request for general information under the *Freedom of Information and Protection of Privacy (FOIP) Act* was received by Alberta Executive Council on March 10, 2016. Specifically, you requested access to the following records:

"I request a copy of a report, created by Hugh Bolton, Linda Hohol, and/or Larry Pollock while participating in a governance review. The report was commissioned by Premier Prentice in September 2014. I also ask for any contracts/payments, if any, pertaining to the preparation of the report and any supporting documents that were supplied to the government, timeline: September 1, 2014 to March 1, 2015."

25 pages of responsive records were located in response to your request. Some of these records contain information that may and/or must be withheld from disclosure under the FOIP Act. We have severed the excepted information so that we could disclose to you the remaining information within the records. The severed information has been withheld from disclosure under Section 24(1) (Advice from Officials of the FOIP Act).

If you feel that your request has not been answered completely or you require further clarification, please contact Jessica Flank, Senior FOIP Advisor, at 780-638-4700.

Please note that under section 65 of the *FOIP Act*, you may ask the Information and Privacy Commissioner of Alberta to review our foregoing response to your request. To request a review, you must complete and deliver a *Request for Review* form within 60 days from the date of this notice to:

Office of the Information and Privacy Commissioner
#410, 9925 – 109 Street NW
Edmonton, AB T5K 2J8

The form is available under the Resources tab on the Commissioner's website www.oipc.ab.ca or you can call 1-888-878-4044 (in Edmonton or outside Alberta, call 780-422-6860) to request a copy of the form.

If you wish to request a review, please provide the Office of the Information and Privacy Commissioner (OIPC) with the following information:

1. A copy of this letter.
2. A copy of your original request form that you sent to Executive Council.
3. A completed OIPC Request for Review Form.

Sincerely,



Sandra L. Boylan
FOIP Coordinator
Executive Council

Enclosure



Exception Sheet



File Number: 2016-G-0065

Disposition				
FOIP Page #	Release	Partial Release	No Release	FOIP Exception
1 to 3	x			Full Release
4 to 25			x	24(1)(a)

Advice from officials

24(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal

- (a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or a member of the Executive Council,
 - (b) consultations or deliberations involving
 - (i) officers or employees of a public body,
 - (ii) a member of the Executive Council, or
 - (iii) the staff of a member of the Executive Council,
 - (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the Government of Alberta or a public body, or considerations that relate to those negotiations,
 - (d) plans relating to the management of personnel or the administration of a public body that have not yet been implemented,
 - (e) the contents of draft legislation, regulations and orders of members of the Executive Council or the Lieutenant Governor in Council,
 - (f) the contents of agendas or minutes of meetings
 - (i) of the governing body of an agency, board, commission, corporation, office or other body that is designated as a public body in the regulations, or
 - (ii) of a committee of a governing body referred to in subclause (i),
 - (g) information, including the proposed plans, policies or projects of a public body, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision, or
 - (h) the contents of a formal research or audit report that in the opinion of the head of the public body is incomplete unless no progress has been made on the report for at least 3 years.
- (2)** This section does not apply to information that
- (a) has been in existence for 15 years or more,
 - (b) is a statement of the reasons for a decision that is made in the exercise of a discretionary power or an adjudicative function,
 - (c) is the result of product or environmental testing carried out by or for a public body, that is complete or on which no progress has been made for at least 3 years, unless the testing was done
 - (i) for a fee as a service to a person other than a public body, or
 - (ii) for the purpose of developing methods of testing or testing products for possible purchase,
 - (d) is a statistical survey,
 - (e) is the result of background research of a scientific or technical nature undertaken in connection with the formulation of a policy proposal, that is complete or on which no progress has been made for at least 3 years,
 - (f) is an instruction or guideline issued to the officers or employees of a public body, or

- (g) is a substantive rule or statement of policy that has been adopted by a public body for the purpose of interpreting an Act or regulation or administering a program or activity of the public body.
- (2.1) The head of a public body must refuse to disclose to an applicant**
- (a) a record relating to an audit by the Chief Internal Auditor of Alberta that is created by or for the Chief Internal Auditor of Alberta, or
 - (b) information that would reveal information about an audit by the Chief Internal Auditor of Alberta.
- (2.2) Subsection (2.1) does not apply to a record or information described in that subsection**
- (a) if 15 years or more has elapsed since the audit to which the record or information relates was completed, or
 - (b) if the audit to which the record or information relates was discontinued or if no progress has been made on the audit for 15 years or more.
- (3) In this section, “audit” means a financial or other formal and systematic examination or review of a program, portion of a program or activity.**



© Sep 25, 2014

Prentice government to review agencies, boards and commissions

Premier Jim Prentice today announced that government will, as promised, begin a review of all agencies, boards and commissions (ABCs) to ensure they are performing for Albertans.

Premier Prentice has committed to merit-based appointments to ensure the right people are in the right jobs in all organizations associated with the Government of Alberta.

The 52 agencies reporting directly to government and the 142 ABCs under the *Alberta Public Agencies Governance Act* will be reviewed in each of the following areas:

- governance
- director appointment processes
- president/CEO assessment processes and succession planning
- risk management strategies; and,
- conflict-of-interest policies.

"Agencies, boards and commissions play a huge role in the success of any government. I am committed to strong public agency board governance, accountability and transparency."

- Jim Prentice, Premier

Publicly available:
<http://www.alberta.ca/release.cfm?xID=37104C8009C55-EA8A-2379-153440C28EC0CF58>

The first phase will be a governance review of the key financial institutions whose financial performance is critical to Albertans. Good governance is essential to sound financial performance. These include:

- Alberta Treasury Branches (\$37.7 billion in assets)
- Alberta Capital Finance Authority (\$14.4 billion in assets)
- Agriculture Financial Services (\$4 billion in assets)
- Alberta Investment Management Corporation (managing a portfolio of \$87 billion in financial assets)

Premier Prentice has asked three Albertans with extensive knowledge in board governance of financial institutions – Hugh Bolton, Linda Hohol and Larry Pollock – to participate in this specific governance review. All have agreed to accept \$1 a year for their services.

This first round of reviews will be completed within two months.

Given the large number of entities, attention will be next directed to the remainder of the 52 agencies that report directly to government.

“Under my leadership, your government will ensure the best Albertan for the job is appointed. Political party affiliation is not a relevant consideration.”

- *Jim Prentice, Premier*

ABCs are established by the government to fulfill a range of services and functions including: provision of health care, social services, services for children, corporate enterprises, regulatory oversight, post-secondary education and advice to the government.

Backgrounder

Review panel members

Hugh Bolton

Hugh Bolton is the retired Chair and CEO of Coopers & Lybrand Canada, a past director of TD Bank Financial Group and Canadian National Railway, Chair of the Board of Epcor, and on the boards of Capital Power, Teck Resources, and WestJet Airlines. He is a

fellow of the Institute of Corporate Directors and also a fellow of the Alberta Institute of Chartered Accountants. Hugh Bolton alone will conduct the governance review of ATB Financial.

Linda Hohol

Linda Hohol is past President of the TSX Venture Exchange, retired Executive Vice-President, Wealth Management of CIBC, former Director of ATB Financial, director of Canadian Western Bank, and has served on other boards including the Canadian Chamber of Commerce and the Calgary Chamber of Commerce. She is also a member of the Institute of Corporate Directors.

Larry Pollock

Larry Pollock retired as President and CEO of Canadian Western Bank in 2014. He serves on the Boards of Epcor, WestJet, and Canadian Helicopters, and has been a member of the Executive Council of the Canadian Bankers Association.

Media inquiries

 **Emily Woods**

 780-668-8617

Press Secretary to the Premier