

Office of the Public Sector
Integrity Commissioner
of Canada



Commissariat à l'intégrité
du secteur public
du Canada

Annual Report on the Privacy Act 2019-2020

From April 1, 2019 to March 31, 2020

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Introduction

The *Privacy Act* (PA – the Act) gives Canadians the broad legal right to access and correct their personal information contained in federal government records. The Act also places limits on the collection, use and disclosure of personal information.

The Act provides government institutions with 30 days to respond to personal information requests. Additional time may be granted if there are many records to examine, other government agencies to be consulted, or documents to be translated. Access rights are subject to specific and limited exemptions.

This annual report to Parliament is submitted by the Public Sector Integrity Commissioner (the Commissioner) pursuant to section 72 of the *Privacy Act*.

On April 15, 2007, the *Public Servants Disclosure Protection Act* (PSDPA) came into force. It created the Office of the Public Sector Integrity Commissioner of Canada (the Office). The new legislation replaced the Treasury Board *Policy on the Internal Disclosure of Information Concerning Wrongdoing in the Workplace*.

The Office is mandated to establish a safe, independent and confidential process for public servants and members of the public to disclose potential wrongdoing in the federal public sector. The Office also helps to protect from reprisal public servants who have filed disclosures or participated in related investigations.

The Commissioner is an independent Agent of Parliament.

Description of the institution's structure

The Access to Information and Privacy (ATIP) Coordinator is the only employee dedicated, on a part-time basis, to fulfil the *Privacy Act* responsibilities. The Coordinator is assisted by a contractor for the processing of the requests, for training and education, and for reporting activities.

This last reporting period, the services of a program officer and of the Commission's legal advisor were also sought to assist in the processing of a substantive request.

Delegation

The Commissioner, as the head of the government institution, has designated, pursuant to section 73 of the PA, the persons holding the positions set out in the delegation order, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Commissioner as specified therein. A copy of the delegation order is included in Appendix A.

Interpretation of the annual statistical report

Appendix B provides a statistical report on the PA applications processed by the Office between April 1, 2019 and March 31, 2020.

There were ten formal requests received and closed during this reporting period, two of which required an extension under paragraph 15(a)(i) of the PA. None was carried over from the previous period.

One request was fully disclosed. Six requests had no records as a response. The remaining three requests were partially exempted under the provisions of subsection 22(2) of the PA, one of which was also partially exempted under section 27.

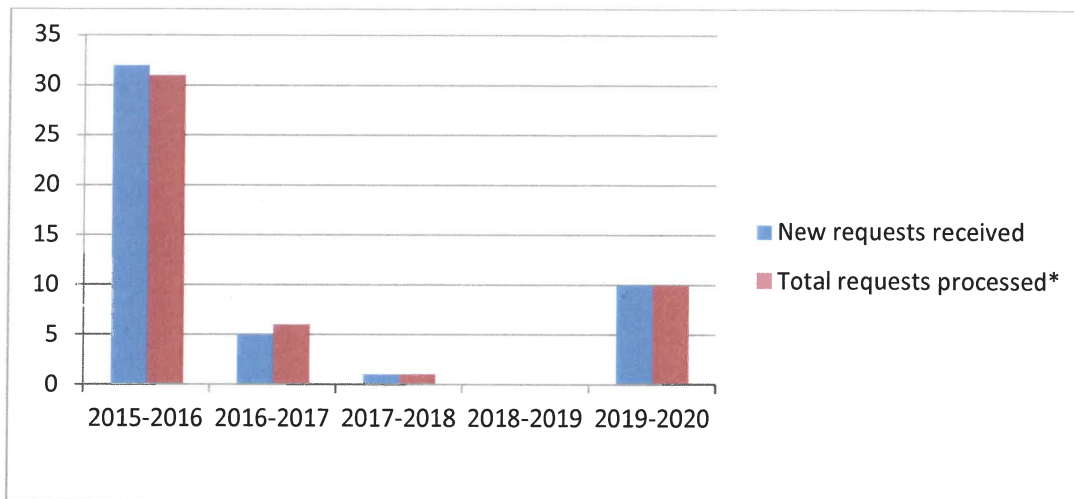
Some 937 pages were processed of which 877 were fully disclosed. The records of three requests were provided on paper and the other electronically.

No consultations were received from other government institutions.

No translations were required to respond to the requests.

The Office spent \$28,828 in resources administering the PA.

Table 1 – Five-year trend of privacy requests



*Total requests processed include any requests carried over from previous reporting periods.

Interpretation of the supplemental statistical report

Appendix C provides a statistical report on the COVID-19 measures applied by the Office between March 1, 2019 and March 31, 2020.

There were no requests, formal or informal, nor any consultations received during this COVID-19 period.

Education and training activities

A formal briefing session covering the Bill C-58 amendments to the ATIA was delivered to all PSIC employees. The session also provided an overview of both the *Access to Information Act* and the *Privacy Act*.

Overview of new or revised institutional policies and procedures

There were no new or revised institutional policies or procedures implemented in the reporting period that had an impact on privacy.

Key issues relating to privacy complaints and/or investigations

No complaints were received by the Office during this reporting period. However, as referred to in the report of the previous period, the complaints still remaining from the

2015-2016 period were resolved in this reporting period. As for the complaint received in the 2018-2019 period, it is still pending investigation by the Office of the Privacy Commissioner.

Time monitoring for processing privacy requests

Though no formal time monitoring was conducted during the reporting period, the Office uses a case management system to track processing times regarding privacy requests. This tool assists the Access to Information and Privacy Coordinator and the contractor dedicated to this function in monitoring timelines to ensure compliancy with legislated deadlines.

Material privacy breaches

There were no material privacy breaches during this reporting period.

Privacy Impact Assessments

The Office did not complete any Privacy Impact Assessment (PIA) during this reporting period.

Personal information disclosed pursuant to 8(2) and 8(5) of the *Privacy Act*

There were no disclosures made under subsections 8(2) and 8(5) during this reporting period.

Appendix A

Delegation Order

Commissaire
à l'intégrité du secteur public



Public Sector
Integrity Commissioner

Ottawa, Canada K1P 5Y7

Privacy Act
Delegation Order
Loi sur la protection des renseignements personnels
Arrêté autorisant la délégation de pouvoirs

The Public Sector Integrity Commissioner of Canada, as the head of the government institution, hereby designates, pursuant to section 73 of the *Privacy Act*, the person holding the position set out below, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Public Sector Integrity Commissioner as specified below.

Position	Sections of <i>Privacy Act</i>
Deputy Commissioner ATIP Coordinator	Full Authority Full Authority except Section 8(2)(m)

I hereby name Denis Bilodeau as the Access to Information and Privacy Coordinator.

Le commissaire à l'intégrité du secteur public du Canada, en sa qualité de responsable de l'institution, conformément à l'article 73 de la *Loi sur la protection des renseignements personnels*, délègue aux titulaires des postes mentionnés ci-dessous ou aux personnes occupant à titre intérimaire les dits postes, les pouvoirs et attributions du commissaire à l'intégrité du secteur public tel que décrits ci-dessous.

Poste	Articles de la <i>Loi sur la protection des renseignements personnels</i>
Sous-commissaire Coordonnateur AIPRP	Autorité absolue Autorité absolue sauf l'article 8(2)(m)

Je nomme Denis Bilodeau à titre de coordonnateur de l'accès à l'information et de la protection des renseignements personnels.

Date: June 28, 2018 / Le 28 juin 2018

Joe Friday
Public Sector Integrity Commissioner
Commissaire à l'intégrité du secteur public

Appendix B

Annual Statistical Report

Statistical Report on the *Privacy Act*

Name of institution: Office of the Public Sector Integrity Commissioner of Canada

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	10
Outstanding from previous reporting period	0
Total	10
Closed during reporting period	10
Carried over to next reporting period	0

Section 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	1	2	0	0	0	0	3
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	4	2	0	0	0	0	0	6
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	5	3	2	0	0	0	0	10

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	3	26	3
19(1)(f)	0	22,1	0	27	1
20	0	22,2	0	27,1	0
21	0	22,3	0	28	0
		22,4	0		

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69,1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70,1	0

2.4 Format of information released

Paper	Electronic	Other
3	1	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
937	877	4

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	2	0	0	0	0	0	0	0	0
Disclosed in part	0	0	2	337	1	538	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	2	2	337	1	538	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	8
Percentage of requests closed within legislated timelines (%)	80

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
2	2	0	0	0

2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timelines Where an Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	2	2
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	2	2

2.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
2	0	2	0	0	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	2	0	0	0	0	0	0
31 days or greater								0
Total	0	2	0	0	0	0	0	0

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over to the next reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	0	0	0

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

Section 11: Resources Related to the Privacy Act**11.1 Costs**

Expenditures		Amount
Salaries		\$18 000
Overtime		\$0
Goods and Services		\$10 828
• Professional services contracts	\$10 728	
• Other	\$100	
Total		\$28 828

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,05
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,05
Students	0,00
Total	0,10

Appendix C

Supplemental Statistical Report

Requests Received	Number of requests
Received from 2019-04-01 to 2020-03-13	10
Received from 2020-03-14 to 2020-03-31	0
Total	10

Requests Closed	Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	8	2
Received from 2020-03-14 to 2020-03-31	0	0
Total	8	2

Requests Carried Over	Number of requests
Requests from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Requests from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Total	0