

Office of the Public Sector
Integrity Commissioner
of Canada



Commissariat à l'intégrité
du secteur public
du Canada

Annual Report on the Privacy Act 2020-2021

From April 1, 2020 to March 31, 2021

TABLE OF CONTENTS

1. Introduction.....	3
2. Description of the institution’s structure.....	3
3. Delegation.....	4
4. Interpretation of the annual statistical report.....	4
5. Interpretation of the supplemental statistical report.....	5
6. Education and training activities.....	5
7. Overview of new or revised institutional policies and procedures.....	5
8. Key issues related to privacy complaints and/or investigations.....	6
9. Time monitoring for processing privacy requests.....	6
10. Material privacy breaches.....	6
11. Privacy Impact Assessments.....	6
12. Personal information disclosed pursuant to 8(2) and 8(5) of the <i>Privacy Act</i>	6

Appendix A – Delegation Order

Appendix B – Annual Statistical Report

Appendix C – Supplemental Statistical Report

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 PA. 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, 2020 and March 31, 2021.

Five formal requests were received and closed during this reporting period, one of which required an extension under section 15(a)(i) of the PA. None were carried over from the previous period.

One request was fully disclosed, two partially disclosed and two fully exempted. The provisions of sections 22(1)(b), 22(2), 26 and 27 of the PA were applied.

Some 856 pages were processed of which 45 were fully and 443 partially disclosed. These records were provided on paper, none electronically.

No translations were required to respond to the requests.

No disclosures were made under sections 8(2) and 8(5) of the PA.

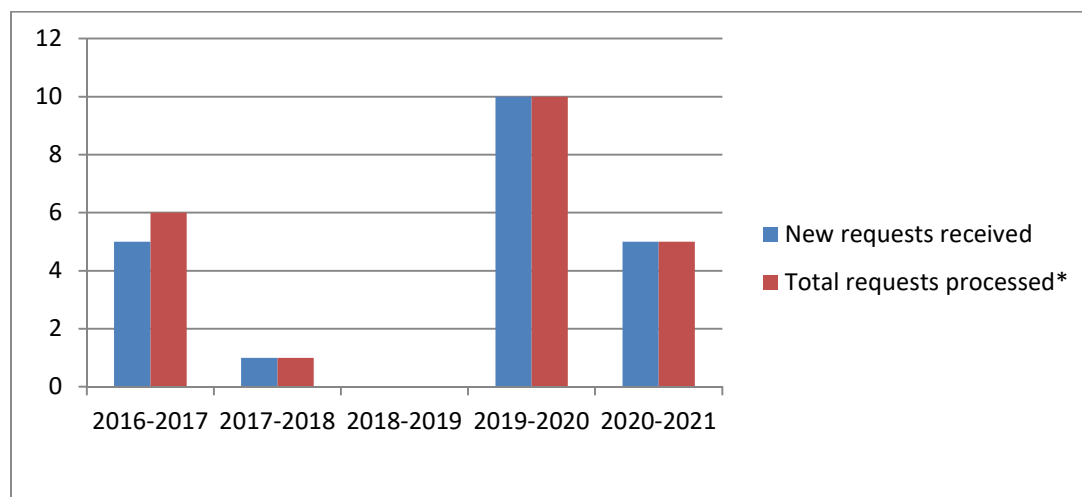
No requests for the correction of personal information or for the production of annotations were received.

No consultations were received from other federal government institutions.

No consultations on Cabinet Documents were received.

The Office spent some \$18,300 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 April 1, 2020 and March 31, 2021.

Education and training activities

A formal briefing session covering the notions of personal information and of privacy breach was delivered to all PSIC employees during this reporting period.

Overview of new or revised institutional policies and procedures

No new or revised institutional policies or procedures were implemented during this reporting period which would have had an impact on privacy.

Key issues relating to privacy complaints and/or investigations

No complaints were received from the Office of the Privacy Commissioner during this reporting period. However, one complaint received during the previous reporting period was investigated and deemed unfounded.

Time monitoring for processing privacy requests

Though no formal time monitoring was conducted during this 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

No serious material privacy breaches took place during this reporting period.

Privacy Impact Assessments

No Privacy Impact Assessments (PIA) were completed during this reporting period.

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

No disclosures were made under sections 8(2) and 8(5) of the PA during this reporting period.

Appendix A

Delegation Order

Office of the Public Sector
Integrity Commissioner
of Canada



Commissariat à l'intégrité
du secteur public
du Canada

Privacy Act Delegation Order

Loi sur la protection des renseignements personnels Arrêté sur la délégation

The Public Sector Integrity Commissioner of Canada, as the head of the government institution, hereby designates pursuant to section 73.1 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.

Positions	Sections of <i>Privacy Act</i>
<ul style="list-style-type: none"> ▪ Deputy Commissioner ▪ ATIP Coordinator 	Full Authority – pre and post C-58 Full Authority except for section 8(2)(m) – pre and post C-58

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

En vertu de l'article 73.1 de la *Loi sur la protection des renseignements personnels*, le commissaire à l'intégrité du secteur public du Canada, en sa qualité de responsable de l'institution, 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 tels que décrits ci-dessous.

Postes	Articles de la <i>Loi sur la protection des renseignements personnels</i>
<ul style="list-style-type: none"> ▪ Sous-commissaire ▪ Coordonnateur AIPRP 	Autorité absolue - pré et post C-58 Autorité absolue sauf l'article 8(2)(m) - pré et post C-58

Je nomme **Denis Bilodeau** comme coordonnateur de l'Accès à l'information et à la Protection des renseignements personnels.

Date: February 12, 2020 / le 12 février 2020

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: 2020-04-01 to 2021-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	5
Outstanding from previous reporting period	0
Total	5
Closed during reporting period	5
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	0	1	0	0	0	0	0	1
Disclosed in part	0	1	1	0	0	0	0	2
All exempted	0	2	0	0	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	4	1	0	0	0	0	5

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)	2	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	2	26	1
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	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
856	488	5

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	
	Number of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed	of Requests	Pages Disclosed
All disclosed	1	45	0	0	0	0	0	0	0	0
Disclosed in part	1	77	1	366	0	0	0	0	0	0
All exempted	2	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	4	122	1	366	0	0	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	2	0	0	2
All exempted	0	2	0	0	2
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	4	0	0	4

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	4
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
1	0	0	1	0

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

Number of Days Past Legislated Timelines	Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timelines Where an Extension Was Taken	Total
1 to 15 days	1	0	1
16 to 30 days	0	0	0
31 to 60 days	0	0	0
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	1	0	1

2.8 Requests for translation

Translation Request	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	
1	1	0	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	
to 15 days	1	0	0	0	0	0	0	0
6 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	1	0	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

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

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	
	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

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		\$6,700
Overtime		\$0
Goods and Services		\$11,600
• Professional services contracts	\$11,500	
• Other	\$100	
Total		\$18,300

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.050
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.050
Students	0.000
Total	0.100

Appendix C

Supplemental Statistical Report

Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	0	52	52
Protected B Paper Records	0	0	52	52
Secret and Top Secret Paper Records	0	0	52	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	0	0	52	52