



Veterans Review
and Appeal Board Canada

Tribunal des anciens
combattants (révision et appel)

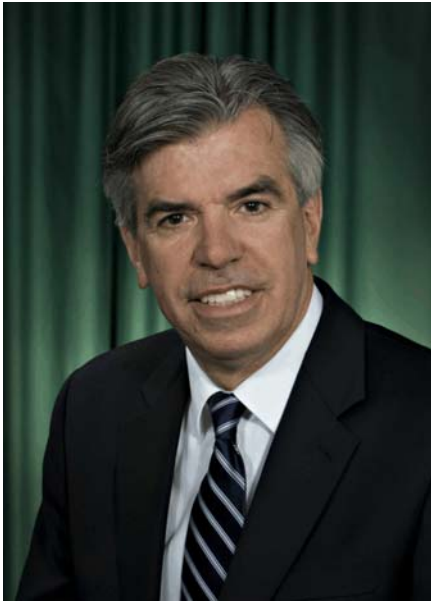
Report on the
Administration
of the
*Access to
Information Act*

2010–
2011

TABLE OF CONTENTS

The Veterans Review and Appeal Board.....	4
1. Introduction	5
2. Access to Information and Privacy Coordinator's Office	6
3. Designation and Delegation Order	7
(a) Chairperson's Delegation Order, 14 October 2009.....	7
(b) <i>Access to Information Act</i> Delegation Schedule, 14 October 2009	8
4. Statistical Report - Interpretation	9
Part I Requests under the <i>Access to Information Act</i>	9
Part II Disposition of requests completed	9
Part III Exemptions invoked	9
Part IV Exclusions cited	9
Part V Completion time	9
Part VI Extensions	9
Part VII Translations	9
Part VIII Method of access.....	9
Part IX Fees	10
Part X Costs	10
5. Access to Information Training and Awareness	10
6. Policies, Guidelines and Procedures	10
7. Complaints and Investigations	11
Annex 1	12

MESSAGE FROM THE CHAIRPERSON



I am very pleased to present the 2010-2011 annual report to Parliament for the Veterans Review and Appeal Board on the administration of the *Access to Information Act*.

This important legislation gives Canadian citizens the right to access information in records held by the Government of Canada. It exists to protect the rights of individuals and to promote accountability and dialogue between citizens and their government.

In 2010-2011, the Board received and processed an increased number of formal requests under the *Access to Information Act*, as more individuals exercised their rights under this legislation. One of the Board's priorities is, and will remain, the protection of our applicants' personal information. As such, our Access to Information and Privacy (ATIP) Office

continues to review the Board's work processes using a "privacy" lens. The Board has also renewed its focus on ATIP training for all employees to ensure appropriate access to applicant files.

In 2010-2011, the Board continued to provide applicants with an independent avenue of redress for their disability pension, disability award and War Veterans Allowance decisions. In fulfilling this mandate, it is committed to protecting individual rights by upholding the legislation and developing its capacity in matters of access to information and privacy.

A handwritten signature in dark ink, reading "John D. Larlee".

John D. Larlee
Chairperson

This important legislation exists to protect the rights of individuals and to promote accountability and dialogue between citizens and their government.

The Veterans Review and Appeal Board

The Veterans Review and Appeal Board (VRAB) is an independent, quasi-judicial tribunal that was created in 1995 through an Act of Parliament. It provides two levels of redress for disability pension and disability award applications and the final level of appeal for War Veterans Allowance decisions. The Board may affirm, vary or reverse decisions made by the Minister of Veterans Affairs or refer decisions back to the Minister for reconsideration.

The Veterans Review and Appeal Board's objective is to ensure that Canada's traditional Veterans, Canadian Forces members and Veterans, Royal Canadian Mounted Police members, qualified civilians and their families receive the disability pensions, disability awards and other benefits to which they are entitled under the law.

Organization

The Veterans Affairs Portfolio consists of three distinct and separate organizations: the Department of Veterans Affairs, the Office of the Veterans Ombudsman and the Veterans Review and Appeal Board. The Board operates at arm's-length from the Department and reports directly to Parliament through the Minister of Veterans Affairs.

In 2010-2011, the activities of the Board were delivered by 121 full-time equivalents and, as legislated under sections 4 and 6 of the *Veterans Review and Appeal Board Act*, not more than 29 permanent members to be appointed by the Governor in Council and such number of temporary members, whenever, in the opinion of the Governor in Council, the workload of the Board so requires. Approximately one-half of the members are located in Charlottetown and one-half are located in major cities across Canada. The Board holds review hearings in approximately 30 locations across Canada as well as by teleconference and video conference to ensure a timely process for applicants. Appeal hearings are usually held at the Board's Head Office in Charlottetown, Prince Edward Island, as well as by teleconference and video conference.

1. Introduction

The *Access to Information Act (ATIA)* gives Canadian citizens and individuals present in Canada a broad right of access to information contained in government records under control of the institution, subject to certain specific and limited exceptions. It maintains that government information should be available to the public and should complement and not replace existing procedures for access to government information.

Section 72 of the *Access to Information Act* requires that the head of every government institution prepare an Annual Report, for submission to Parliament, on the administration of the Act within the institution during each fiscal year.

Mandate

The Veterans Review and Appeal Board has full and exclusive jurisdiction to hear, determine and deal with all applications for review and appeal that may be made to the Board under the *Pension Act*, the *Canadian Forces Members and Veterans Re-establishment and Compensation Act* - Part 3, the *War Veterans Allowance Act* and other Acts of Parliament. All matters related to appeals under this legislation are authorized under the *Veterans Review and Appeal Board Act*.

This Board also adjudicates duty related pension applications under the authority of the *Royal Canadian Mounted Police Pension Continuation Act* and the *Royal Canadian Mounted Police Superannuation Act*.

2. Access to Information and Privacy Coordinator's Office

The VRAB ATIP Coordinator's Office has now been in existence for two years. The VRAB Coordinator acts on behalf of the Chairperson of the Board to ensure compliance with the *Access to Information Act* and the *Privacy Act*. The VRAB ATIP Office consists of an ATIP Coordinator, ATIP Deputy Coordinator and VRAB Liaison Officer. The office has a dual function of serving both the public and the Board in matters relating to the *Access to Information Act* and the *Privacy Act*.

While responsibility for the administration of the *Access to Information Act* and the *Privacy Act* rests with the Chairperson of the Board and the Board's ATIP Coordinator, a Memorandum of Understanding (MOU) is in place with the Department that outlines an agreement between the two institutions to administer the ATIP legislation. The Board utilizes the expertise of the Department's ATIP Coordinator's Office to assist in the administration of its ATIP Operations.

The duties of the ATIP Coordinator's Office are:

- Process requests for information submitted under the *Access to Information Act* and the *Privacy Act* in accordance with the legislation, regulations and Treasury Board of Canada Secretariat (TBS) policies and guidelines;
- Provide VRAB managers and staff with advice and guidance regarding the interpretation and application of the *Access to Information Act*, the *Privacy Act*, and other related TBS policies and guidelines;
- Develop policies, procedures and guidelines for the administration of the Acts and other related TBS policies and guidelines;
- Conduct the completion of Privacy Impact Assessments (PIAs);
- Coordinate the resolution of any complaints against VRAB made to the Information Commissioner under the *Access to Information Act* and to the Privacy Commissioner under the *Privacy Act*;
- Promote awareness of the Acts to ensure the Board's responsiveness to the obligations imposed on federal institutions;
- Prepare the VRAB chapters in the Info Source publication; and
- Prepare annual reports to the Treasury Board of Canada Secretariat and Parliament on the *Access to Information Act* and the *Privacy Act*.

3. Designation and Delegation Order

(a) Chairperson's Delegation Order, 14 October 2009

The responsibilities associated with the administration of the *Access to Information Act*, such as notifying applicants of extensions and releasing records to applicants, are designated to the appropriate VRAB officials through a delegation instrument signed by the Chairperson, Veterans Review and Appeal Board.

ACCESS TO INFORMATION ACT DELEGATION ORDER

The Chairperson of the Veterans Review and Appeal Board, pursuant to section 73 of the *Access to Information Act**, hereby designates the persons holding the positions in the Veterans Review and Appeal Board set out in the schedule attached hereto, to exercise the powers and perform the duties and functions of the Chairperson as the head of a government institution under the sections of the Act set out in the schedule opposite the positions.

Dated at Charlottetown, this *14* day of *October*, 2009.


Chairperson, Veterans Review and Appeal Board

*R.S.C., 1985, c. A-1

(b) Access to Information Act Delegation Schedule, 14 October 2009

HEAD OF INSTITUTION		CHAIRPERSON, VETERANS REVIEW AND APPEAL BOARD
Sections of <i>ATI Act</i>	Powers, Duties or Functions	Institution and Titles
73	All powers, duties or functions of head of the institution	Chairperson
21	Approve exemptions	Chairperson
14; 15; 18	Approve exemptions	Director General
67.1	Obstructing Right of Access	Department of Veterans Affairs Security Officer
7(a)	Give notices re: access to records within 30 days	ATIP Coord./Deputy Coord.
8(1)	Transfer requests and material to other institutions	ATIP Coord./Deputy Coord.
9(1)(a)(b)	Extension of time limits	ATIP Coord./Deputy Coord.
9(2)	Give notice of time extensions to Information Commissioner	ATIP Coord./Deputy Coord.
11(2)(3)(4)(5)(6)	Payment or waiver of fees	ATIP Coord./Deputy Coord.
12(2)(3)	Language of access and access to record in alternative format	ATIP Coord./Deputy Coord.
13; 16; 17; 19; 20; 22; 23; 24; 25; 26	Approve exemptions	ATIP Coord./Deputy Coord.
27(1)(4); 28(1)(2)(4); 29(1); 33; 35(2); 37(4); 43(1); 44(2); 52; 69; 71(2)	Apply third party procedures and give notices	ATIP Coord./Deputy Coord.
72(1)	Prepare annual report to Parliament	ATIP Coord./Deputy Coord.

4. Statistical Report - Interpretation

The Statistical Report, included in Annex 1, provides a summary of the formal *Access to Information Act* requests processed between the reporting period of April 1, 2010, and March 31, 2011.

Part I Requests under the *Access to Information Act*

During the reporting period, VRAB received eight (8) requests under the *Access to Information Act*.

Part II Disposition of requests completed

During the reporting period, six (6) requests were completed. In four (4) of the requests, the information was partially disclosed. In one request, the information was fully disclosed, and VRAB was unable to process one of the requests.

Part III Exemptions invoked

This section of the statistical interpretation identifies the number of requests where specific types of exemptions have been invoked to deny access to government records. During the reporting period, VRAB invoked subsection 19(1) four times and section 22 two times.

Part IV Exclusions cited

Pursuant to sections 68 and 69, the *Access to Information Act* does not apply to published material, material available for purchase by the public, material placed in the Library and Archives of Canada or confidences of the Queen's Privy Council. During the reporting period, there were zero occasions in which exclusions were cited.

Part V Completion time

During the reporting period, six (6) requests were completed by VRAB. Four (4) were completed within the 30 day time limit; one (1) within 60 days and one (1) request took over 120 days to complete.

Part VI Extensions

During the reporting period, VRAB made zero requests for extensions of time limits.

Part VII Translations

No translations were required to respond to *Access to Information Act* requests during the 2010-2011 reporting period.

Part VIII Method of access

Statistics compiled for this section are based on those requests for which information was disclosed in part or in whole. For the six (6) requests completed during the reporting period, the requesters received five (5) copies in total.

Part IX Fees

In accordance with section 11 of the *Access to Information Act*, the fees collected during the reporting period totalled \$59.00; \$30.00 for application fees and \$29.00 was collected to cover fees associated with reproduction.

Part X Costs

During the reporting period, VRAB spent a total of \$5,359.80 administering the *Access to Information Act*. Staff salaries accounted for \$5,316.00 which is equivalent to <1.0 person-year utilization. Other administrative costs (representing operations and maintenance expenditures) amounted to \$43.80.

5. Access to Information Training and Awareness

During the reporting period, 83 VRAB staff at all levels were provided with a briefing session on Accessing Client Information. The VRAB ATIP Coordinator participated in a three (3) day Introduction to Access to Information and Privacy course. The VRAB ATIP Liaison Officer, two (2) Information Management staff, and the ATIP Coordinator participated in a two (2) day session on the *Access to Information Act* and *Privacy Act*. Both the VRAB ATIP Coordinator and Deputy Coordinator participated in an afternoon session on the *Access to Information Act* and *Privacy Act*. Two (2) staff participated in a basic course provided by the Department on Information Management and ATIP.

6. Policies, Guidelines and Procedures

- During the reporting period, VRAB finalized an Information Management (IM) Governance Framework which outlines the principles of managing information at the Veterans Review and Appeal Board. The IM Framework also indicates the roles and responsibilities of Senior Managers and VRAB employees.
- On an annual basis, memos are distributed to remind VRAB staff and Members of the importance of the security and privacy of client information.
- During this reporting period, operational procedures were being looked at through a privacy lens and adjusted accordingly. The Board has added more rigor to ensure that individuals' privacy is protected through the stages of the operational processes.
- Privacy Breach guidelines are being revised.
- VRAB IM Specialists continue to strengthen a solid partnership with the VAC ATIP Coordinator's Office and Information Management Service Directorate (IMSD) to promote

and implement updated ATIP policies, directives and Information Management best practices.

7. Complaints and Investigations

The VRAB ATIP Coordinator's Office is pleased to note there were no complaints received during the reporting period.

Annex 1



Government
of Canada

Gouvernement
du Canada

REPORT ON THE ACCESS TO INFORMATION ACT RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution Veterans Review and Appeal Board / Tribunal des anciens combattants (révision et appel)				Reporting period/Période visée par le rapport 2010-04-01 to/à 2011-03-31	
Source	Media/Médias 3	Academie/Secteur universitaire 0	Business/Secteur commercial 0	Organization/Organisme 0	Public 5

I Request under the Access to Information Act/ Demand en vertu de la Loi sur l'accès à l'information

Received during reporting period/ Reçues pendant la période visée par le rapport	8
Outstanding from previous period/ En suspens depuis la période antérieure	0
TOTAL	8
Completed during reporting period/ Traitées pendant la période visées par le rapport	6
Carried forward/ Reportées	2

II Disposition of request completed/ Disposition à l'égard des demandes traitées

1. All disclosed/ Communication totale	1	6. Unable to process/ Traitement impossible	1
2. Disclosed in part/ Communication partielle	4	7. Abandoned by applicant/ Abandon de la demande	0
3. Nothing disclosed (excluded)/ Aucune communication (exclusion)	0	8. Treated informally/ Traitement non officiel	0
4. Nothing disclosed (exempt)/ Aucune communication (exemption)	0	TOTAL	6
5. Transferred/ Transmission	0		

III Exemptions invoked/ Exceptions invoquées

S. Art. 13 (1) (a)	0	S. Art. 16 (1) (a)	0	S. Art. 18 (b)	0	S. Art. 21 (1) (a)	0
(b)	0	(b)	0	(c)	0	(b)	0
(c)	0	(c)	0	(d)	0	(c)	0
(d)	0	(d)	0	S. Art. 19 (1)	4	(d)	0
S. Art. 14	0	S. Art. 16 (2)	0	S. Art. 20 (1) (a)	0	S. Art. 22	2
S. Art. 15 (1) International rel/ Relations intern.	0	S. Art. 16 (3)	0	(b)	0	S. Art. 23	0
Defence/ Défense	0	S. Art. 17	0	(c)	0	S. Art. 24	0
Subversive activities/ Activités subversives	0	S. Art. 18 (a)	0	(d)	0	S. Art. 26	0

IV Exclusions cited/ Exclusions citées

S. Art. 68 (a)	0	S. Art. 69 (1) (c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69 (1) (a)	0	(f)	0
(b)	0	(g)	0

V Completion time/ Délai de traitement

30 days or under/ 30 jours ou moins	4
31 to 60 days/ De 31 à 60 jours	1
61 to 120 days/ De 61 à 120 jours	0
121 days or over/ 121 jours ou plus	1

VI Extensions/ Prorogations des délais

	30 days or under/ 30 jours ou moins	31 days or over/ 31 jours ou plus
Searching/ Recherche	0	0
Consultation	0	0
Third party/ Tiers	0	0
TOTAL	0	0

VII Translations/ Traductions

Translations requested/ Traductions demandées	0
Translations prepared/ Traductions préparées	0
English to French/ De l'anglais au français	0
French to English/ Du français à l'anglais	0

VIII Method of access/ Méthode de consultation

Copies given/ Copies de l'original	5
Examination/ Examen de l'original	0
Copies and examination/ Copies et examen	0

IX Fees/ Frais

Net fees collected/ Frais net perçus			
Application fees/ Frais de la demande	\$ 30.00	Preparation/ Préparation	0
Reproduction	\$ 29.00	Computer processing/ Traitement informatique	0
Searching/ Recherche	\$ 0.00	TOTAL	\$ 59.00
Fees waived/ Dispense de frais		No. of times/ N° de fois	\$
\$25.00 or under 25 \$ ou moins		0	\$ 0.00
Over \$25.00/ De plus de 25 \$		0	\$ 0.00

TBS/SCT 350-62 (Rev. 1999/03)

IX Costs/ Coûts

Financial (all reasons)/ Financiers (raisons)	
Salary/ Traitement	\$ 5,316.00
Administration (O and M)/ Administration (fonctionnement et maintien)	\$ 43.80
TOTAL	\$ 5,359.80
Person year utilization (all reasons)/ Années-personnes utilisées (raison)	
Person year (decimal format)/ Années-personnes (N° décimal)	< 1.0

Canada

This publication can be made available upon request. For further information or to obtain additional copies please contact:

VRAB ATIP Coordinator's Office
PO Box 9900
Charlottetown, Prince Edward Island
C1A 8V7

VRAB-ATIP_TACRA-AIPRP@VRAB-TACRA.GC.CA

VISIT OUR WEBSITE AT: **WWW.VRAB-TACRA.GC.CA**

In Canada and the United States,
call us toll-free at
1-800-450-8006 (English)
1-877-368-0859 (French)

Outside Canada, call us collect at
0-902-566-8751 (English)
0-902-566-8835 (French)