



Human Resources and  
Skills Development Canada

Ressources humaines et  
Développement des compétences Canada



Human Resources and Skills Development Canada

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# *Annual Report on the Administration of the Privacy Act*

*Human Resources and Skills Development  
Canada*

*2010-2011*

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## 2010-2011 Highlights

- In 2010-2011, Human Resources and Skills Development Canada (HRSDC) had expenditures on programs and services of more than \$100 billion, of which approximately \$95 billion directly benefited Canadians through statutory transfer payment programs such as Employment Insurance, Canada Pension Plan, Universal Child Care Benefit, Old Age Security, as well as loans disbursed under the *Canada Student Financial Assistance Act*
- HRSDC received 12,136 formal requests under the *Privacy Act* in 2010-2011
- HRSDC staff in all regions processed 85% of formal requests under the *Privacy Act* within the 30 calendar day standard
- 1,914 HRSDC employees received privacy training on issues in 2010-2011 while many others made use of online privacy resources and tools
- A new Privacy and IT Security Committee provides high-level governance for privacy issues across the HRSDC portfolio
- The Privacy Impact Assessment process is being aligned to the HRSDC Program Activity Architecture for a more strategic and comprehensive approach
- HRSDC introduced a new management control framework that covers our Personal Information-Sharing Agreements with other organizations, other levels of government and other countries as well as our Privacy Impact Assessments and Personal Information Banks
- In 2011-2012 HRSDC will work to further strengthen its privacy management practices, in order to continue to meet the expectations of Canadians.

Highlights

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# *Introduction*

Privacy is a primary concern for Human Resources and Skills Development Canada (HRSDC) because of the department's vast personal information holdings required to deliver the programs under our mandate. We use personal information in the development and delivery of programs and services. We also share it with hundreds of partners including other governments (provincial/territorial, municipal, international) and other departments. This information sharing is subject to a complex legal framework composed of the *Privacy Act* and augmented by Privacy Codes contained in four pieces of Departmental legislation.

Every year, millions of Canadians deal directly with HRSDC. Millions more provide us with information about themselves over time. Whether we are dealing with a newborn infant's Social Insurance Number or a senior's Old Age Security application, our department takes the protection of the personal information that Canadians share with us very seriously.

HRSDC's approach to privacy issues is based on the direction and purpose set out in the *Privacy Act*, specifically, "to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information." The Department's Privacy Codes contain additional restrictions concerning disclosure of personal information.

When we see opportunities to improve our privacy performance and enhance our capacity to protect the privacy of personal information, we take action. When we see gaps, we address them. HRSDC's record during the 2010-2011 fiscal year clearly demonstrates our commitment to continually improving privacy protection for Canadians.

Section 72 of the *Privacy Act* requires departments to prepare annual reports on the performance of their privacy responsibilities. Accordingly, HRSDC is pleased to report on the actions undertaken, results achieved and progress made under the *Privacy Act* within the department (including Service Canada and the Labour Program) for the year ending March 31, 2011.

This report offers a summary of our activities and key performance indicators, and is supported by an annex providing additional details and statistics.

## **Why Privacy Matters to HRSDC: Our 2010-2011 Context**

### ***HRSDC: At Work for Canadians throughout Their Lives***

HRSDC's mission is to build a stronger, more competitive Canada, to support Canadians in making choices that help them live productive and rewarding lives, and to improve Canadians' quality of life.

Our Department delivers its mandate through three business lines: programs that support human resources and skills development, the Labour Program, and Service Canada. We deliver a range of programs and services that affect the lives of Canadians during all stages of life, including:

- Old Age Security;
- Canada Pension Plan;
- Employment Insurance;
- Canada Student Loans and Grants;
- the National Child Benefit; and
- the Universal Child Care Benefit.

HRSDC also provides funding to organizations and other levels of government through targeted labour market and social development programs that aim to improve Canada's competitiveness, increase opportunities for vulnerable or excluded populations, and help Canadians become resilient, skilled and adaptable.

Through the Labour program, HRSDC is responsible for labour laws and policies in federally regulated workplaces. Under this program, we promote and protect workplace health and safety and labour standards, facilitate constructive labour relations and address labour-related policy and program matters in Canada and with partners internationally.

Service Canada helps Canadians make use of programs from HRSDC and many other federal departments. Citizens can connect with us at more than 600 points of service across the country, online ([www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)) and by phone through 1 800 O-Canada and our integrated network of call centres.

The privacy implications of these responsibilities are significant because no other department has larger or more varied collections of personal information about Canadians than HRSDC.

Citizens provide us with their personal information so we can ensure individuals and families get the benefits and services to which they are entitled. Many other HRSDC policy and program employees draw on the information for the policy research and the program design efforts that enable us to meet the changing needs of Canadians and the evolving priorities of the Government of Canada.

HRSDC takes its privacy responsibilities under the *Privacy Act* and other legislation very seriously. We understand the impact of our contributions to Government of Canada-wide privacy results. However, our commitment to privacy is also driven by the fact that we

must meet the privacy expectations of Canadians if we are to earn and sustain their trust – a trust that is crucial to our ability to deliver on our mandate.

### ***Clear Privacy Governance and an Effective Operational Structure***

As the steward of so much information provided by so many individuals, HRSDC operates pursuant to a complex privacy regime that is based on the requirements set out under the *Privacy Act* and further elaborated in what HRSDC refers to as the “Privacy Codes”.

The Privacy Codes are specific sections of the *Department of Human Resources and Skills Development Act*, the *Department of Social Development Act*, the Canada Pension Plan and the *Old Age Security Act*, that establish privacy protections and responsibilities. Added to that, the *Employment Insurance Act* includes privacy direction related to the Social Insurance Register that we also manage.

These Privacy Codes were developed to ensure that we have the mechanisms to protect Canadians’ privacy and to manage the personal information that we collect. The existence of these Privacy Codes means that privacy is different at HRSDC, because where the Codes conflict with the *Privacy Act*, they supersede it.

Within this five-statute framework, HRSDC has an approach to privacy governance that ensures management oversight and decision making responsibilities for privacy. This takes place primarily through two bodies:

- The Privacy and IT Security Committee – This sub-committee of the HRSDC Corporate Management Committee provides advice and recommendations on departmental privacy and information technology security topics. It also examines privacy governance and oversees efforts to manage privacy risks in the department.
- The Databank Review Working Group – This sub-committee of the Privacy and IT Security Committee ensures that privacy is incorporated in the design and conduct of departmental policy analysis, research and evaluation activities. The Databank Review Working Group regularly brings forward submissions to the Privacy and IT Security Committee for consideration and recommendation for approval by the Deputy Minister.

These two sub-committees replaced the previous governance structure, which consisted of three separate bodies—the Privacy Management Framework Steering Committee, the Databank Review Committee and the IT Security Committee—in order to better align their work.

In addition, HRSDC uses internal working groups to address more specific needs within the department, and participates in interdepartmental privacy committees to help shape government-wide approaches concerning privacy and the protection of personal information.

Details of the HRSDC legislative framework, as well as privacy governance and operational structures, including current delegation authorities, are provided in the annex to this report.



# 2010-2011 Activities and Accomplishments

## Overview

Given the scale and importance of privacy protection for HRSDC, 2010-2011 featured action on the ongoing operational privacy responsibilities of the department. We also addressed opportunities for continuous improvement, based on our own analysis as well as insights provided by Treasury Board Secretariat and the Office of the Privacy Commissioner.

## Our Ongoing Operational Privacy Responsibilities

The bulk of the privacy work in HRSDC is the daily commitment to administer the *Privacy Act* and our privacy responsibilities under our own statutes (including the Privacy Codes), government-wide policies and departmental processes.

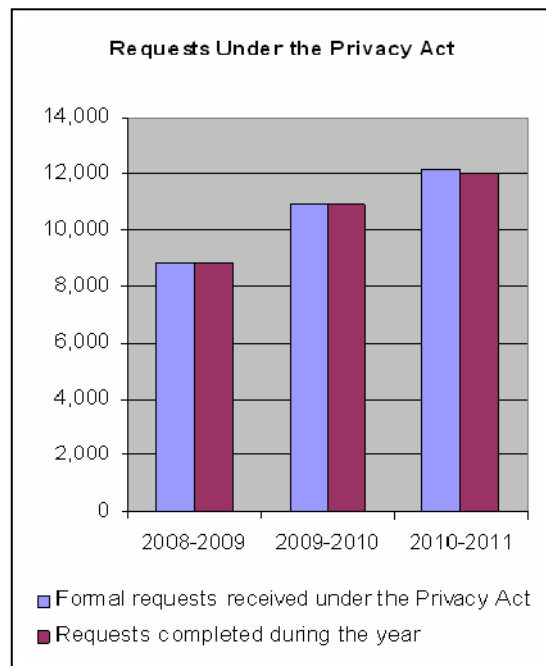
	2008-2009	2009-2010	2010-2011
Formal requests received under the Privacy Act	8,819	10,900	12,136
Requests completed during the year	8,858	10,927	12,010
Requests completed within:			
• 30 calendar days	8,032	9,493	10,179
• 31 – 60 calendar days	535	1,298	1,776
• 61 or more calendar days	194	136	55
Complaints to Privacy Commissioner of Canada	125	16	17
Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (including Preliminary Privacy Impact Assessments)	0	9	1
Disclosures in the Public Interest	5	26	40

## Operational Activities

The following section is a summary of the information contained in the statistical report found in the annex, which contains the exact numbers.

During the reporting period, HRSDC received 12,136 requests under the *Privacy Act* and responded to 12,010 requests. Typical privacy requests are from clients seeking to obtain a copy of their Canada Pension Plan file, their Old Age Security file, the contents of their Employment Insurance file, their Canada Student Loans file, as well as from employees seeking to obtain a copy of their personnel type information.

The Department submitted consultations on



12 requests to other government departments and third parties, and received 7 requests for consultations from other organizations.

Of the requests that were completed in 2010-2011, 89% resulted in at least a partial release of records to the applicant. The remaining 11% of requests fell into categories of unable to process, nothing disclosed (exemption), abandoned by applicant, and transferred.

On the requests where an exemption was invoked, by far the most common provision that was used was section 26, which seeks to protect personal information pertaining to individuals other than the requester.

Most requests (85%) were responded to within the first 30 calendar days, and 99.5% were processed within the first 60. Extensions were claimed in only 9% of requests.

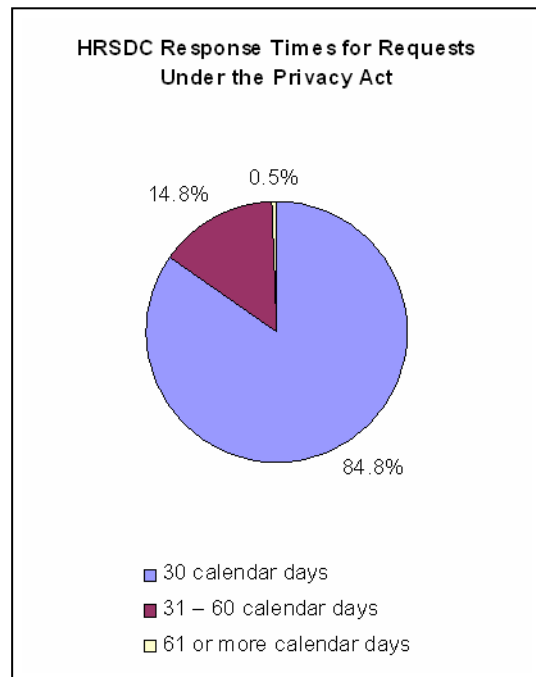
In HRSDC, the *Privacy Act* was administered through a staff complement of 45.4 full time equivalents resulting in salaries totalling \$2,312,000 and administration (non-salary) costs of \$279,000. This includes staff at National Headquarters and in the regions responsible for administering the *Act*.

The Department was notified of 17 complaints received by the Office of the Privacy Commissioner during 2010-2011. Fourteen of these cases related to the processing of *Privacy Act* requests, and three related to HRSDC's handling of personal information, specifically two allegations of improper collection and one of improper disclosure of personal information. With respect to the 14 complaints on privacy requests, six were allegations that exemptions were not properly invoked, four were due to delays, three were for an alleged denial of access, and two were for the time extensions claimed.

HRSDC received the findings on 11 complaints in 2010-2011. The Office of the Privacy Commissioner ruled that four complaints were not well founded and that four complaints were well founded. Two complaints were settled in the course of the investigation and one was resolved.

These complaints are isolated incidents and did not lead to a change in policies and procedures.

HRSDC was not notified of any applicants requesting a judicial review in 2010-2011.



## ***Operational Trends***

The growth over time in the volume of formal privacy requests appears to be driven by a variety of factors. There is some evidence that requests that might have been dealt with informally by Service Canada staff are increasingly becoming formal requests that our privacy staff process. As well, there seems to be an increased interest in privacy requests relating to Employment Insurance and pension program appeals and a growing awareness among Canadians that they may access the information we hold about them.

There is also a sense among our staff that some issues are specific to particular regions of Canada. For example, during the reporting period the Government of Ontario made it a requirement in motor vehicle accident cases that all employment information must be made available prior to a settlement being issued. After this change took effect in 2010, we saw an increase in privacy requests by lawyers on behalf of their clients. A similar pattern is taking place in the Atlantic Provinces. In the west and the territories, there appear to be more requests linked to the government's Indian residential schools process.

## **Continuous Improvement: Strategic Planning and Governance**

HRSDC recognizes that the responsibility for privacy and the protection of personal information extends from the Deputy Minister through executives and managers to individual employees across the portfolio. In August 2010, the Minister of Human Resources and Skills Development, the Honourable Diane Finley, approved new Delegations of Authority for the *Privacy Act*, Part 4 of the *Department of Human Resources and Skills Development Act* and Part 2 of the *Department of Social Development Act*. While these delegations of authority are consistent with previous versions, they also reflect current practices.

Effective April 1, 2010, the two sub-committees noted earlier in this report (the Privacy and IT Security Committee and its Databank Review Working Group) began operation in their new form. Also, in 2011 we began a reorganization of our Access to Information and Privacy Division (organizational structure is described in detail in Annex A) to improve operational efficiency and ensure better congruence in HRSDC's work on the policy, planning and operational aspects of privacy.

In recognition of the importance of having a full and accurate understanding of the vast range of personal information across the department, we improved the descriptions of HRSDC programs, activities and information holdings, including personal information, in *Info Source*. In doing so, we responded to a Treasury Board Secretariat recommendation.

## **Continuous Improvement: Risk Management and Assurance of Compliance**

In 2010-2011 HRSDC introduced significant innovations that strengthen both risk management and compliance. Our actions drew on feedback from Treasury Board Secretariat and the Office of the Privacy Commissioner, as well as our own analysis of opportunities for improvement. We made substantial progress in two key areas that are

already enabling us to identify and manage risks to the privacy of personal information early, and to do so in ways that are consistent with approaches across government.

### ***Strengthening Privacy Management Controls***

In 2009-2010, HRSDC began updating our departmental inventory of Personal Information Sharing Agreements and developing a Management Control Framework for Personal Information Sharing Agreements. The inventory identifies all agreements governing how our department shares personal information with organizations and other levels of government in order to administer and deliver programs and services to Canadians. The Framework ensures stewardship and effective management of agreements involving personal information. It provides a consistent basis for reviewing existing or possible agreements so we always have early warning of potential risks. It includes the following elements:

- central coordination and central branch management;
- strategic and business planning that identifies collaborative opportunities as well as requirements for the review, renewal and archiving of agreements;
- mandatory consultations with Legal Services, Information Technology and Access to Information and Privacy in relation to specific Personal Information Sharing Agreements, and with other areas of the department such as Programs, as required; and
- criteria for agreements such as the use of written agreements that include:
  - clear roles, responsibilities and accountabilities;
  - appropriate monitoring and evaluation activities;
  - alignment with delegated authorities when signing agreements;
  - compliance with appropriate legislation, regulations and policies; and
  - stewardship concerning protecting the personal information, security, investigations, Information Technology Security and mitigating risks.

In 2010-2011, the scope of the Management Control Framework was expanded in response to the new Treasury Board Secretariat Directive on Privacy Impact Assessments. Under this directive, which came into effect April 1, 2010, any new or substantially revised sharing of personal information by a government department or agency must be supported by an associated privacy impact assessment to ensure that privacy implications are appropriately identified, assessed and resolved. As well, the Directive requires any new or revised personal information banks to be supported by associated Privacy Impact Assessments in order to receive Treasury Board Secretariat approval and be published in *Info Source*.

As part of our response to the Directive, we expanded the scope of the existing Management Control Framework for Personal Information Sharing Agreements to include privacy impact assessments, personal information banks and information technology service level agreements. The result was a new integrated Management Control Framework for Personal Information Sharing Agreements and associated Privacy Impact Assessments.

### ***Privacy Impact Assessments aligned with the Department's Program Activity Architecture***

Along with the shift to a more comprehensive and integrated management control framework, HRSDC recognized the value of using the Program Activity Architecture as the basis for organizing and reporting on department-wide responsibilities.

Moving to Program Activity Architecture-aligned privacy impact assessments gives us a consistent framework to monitor existing and developing privacy risks and will support the development of new Personal Information Sharing Agreements and the creation and revision of personal information banks as required by the Directive on Privacy Impact Assessments.

To test this new approach, HRSDC's Access to Information and Privacy Division and the Learning Branch carried out Privacy Impact Assessments on Student Financial Assistance and the Canada Education Savings Program, which are the two sub-activities of the Learning Program activity in the Program Activity Architecture. With the assistance of the Division, and using Privacy Impact Assessment tools developed in consultation with the department, the Learning Branch developed Privacy Impact Assessments that describe the sub-activities and the personal information being collected, used, shared and retained; and identify risks associated with the program, to the department or individuals. Furthermore, all Learning Branch information sharing agreements have been linked to the appropriate Privacy Impact Assessment, and the personal information banks have been revised and submitted to the Treasury Board Secretariat for review. The Privacy Impact Assessment for Student Financial Assistance received the Deputy Minister's approval and was forwarded to the Office of the Privacy Commissioner for review and comment.

### **Continuous Improvement: Cultural Change**

Fostering a departmental culture that respects and protects personal information is crucial to privacy management. This is accomplished by embedding privacy principles into the practices and processes created to allow the department to fulfill its larger mandate, as well as through ongoing training for HRSDC employees.

During 2010-2011, we continued to provide training on privacy based on an approach that is tailored to meet specific needs. This training was provided through stand-alone sessions and as an integrated core component of our department's "Orientation for New Employees" program. We used questionnaires at the end of each session to capture participant comments in order to identify possible improvements in the content and methodology of the sessions. Statistics on training are provided in Annex F.

We have also recognized that formal training is not enough, and as a result we are expanding our awareness and outreach efforts through the development of a privacy communications strategy that will:

- raise awareness about privacy responsibilities at all levels across the portfolio;
- provide access to privacy tools; and
- provide enhanced privacy training opportunities.

In the Management Accountability Framework Round VIII (2010-2011), Treasury Board Secretariat recognized HRSDC's privacy training efforts as part of our strong privacy governance structure.

## *The Future of Privacy Management at HRSDC*

The many actions taken during 2010-2011 to strengthen the HRSDC approach to privacy are confirmation of the priority that HRSDC places on effective management of personal information. In its 2011-2012 Report on Plans and Priorities, HRSDC committed to strengthening management measures in support of legislative and policy requirements for privacy. In particular, the Department will work to reduce risks related to the management of personal information by increasing awareness through training and ensuring that the appropriate structures are in place to support the proper management of personal information. HRSDC will continue to chart a course for the portfolio to enhance privacy governance, strengthen risk management and compliance, and develop effective tools and resources, to continue to meet the privacy needs of our organization and the expectations of Canadians.

## *Annexes*

- A. How HRSDC is Organized to Manage and Support Privacy Protection
- B. HRSDC Privacy Act and Privacy Codes Delegations
- C. HRSDC Privacy Statistical Report 2010-2011
- D. Privacy Impact Assessments and Databank Review Working Group Submissions
- E. Disclosure of Personal Information
- F. Training Statistics

## **Annex A - How HRSDC is Organized to Manage and Support Privacy Protection**

### ***Governance and Accountability***

The Minister of Human Resources and Skills Development has legal responsibilities for privacy under the legislation and Privacy Codes described in the last section of this report. The Minister is accountable to Parliament for these responsibilities, with oversight by the Treasury Board Secretariat as well as the Office of the Privacy Commissioner.

In practice, the Minister delegates that authority for privacy to departmental officers who have the authority, knowledge and expertise to exercise the powers, duties or functions of the Minister under the legislation. In August 2010, the Minister of Human Resources and Skills Development, the Honourable Diane Finley, approved Delegations of Authority for the *Privacy Act*, Part 4 of the *Department of Human Resources and Skills Development Act* and Part 2 of the *Department of Social Development Act*. These are structured to ensure that powers, duties and functions are delegated appropriately to positions in which individuals will have the knowledge and expertise to meet their privacy responsibilities.

A copy of the current delegation document follows this section of the Annex.

### ***Internal Privacy Operations – Access to Information and Privacy Division***

HRSDC's Access to Information and Privacy Division has a lead role in administering access to information and privacy legislation for the HRSDC portfolio. A Director and Associate Director lead the Division's 45 employees and report to the Corporate Secretary. They are supported by three managers who are responsible for the following sections:

- **The Operations Section** processes requests under the *Access to Information Act* and the *Privacy Act*. This includes performing a line-by-line review of records requested under this legislation. The Operations Section is also the main point of contact with the Office of the Information Commissioner of Canada for complaint resolution. The Section prepares and delivers privacy training and awareness sessions throughout the department. It leads on departmental access to information reporting to Parliament and central agencies.
- **The Privacy Policy Management Section** provides policy advice and guidance on handling personal information (including the interpretation of the department's Privacy Codes) to officials of HRSDC across its portfolios. It assists program officials with drafting information-sharing agreements to ensure respect for privacy laws. This Section responds to legal instruments in which the department is asked to share personal information (e.g., subpoenas, court orders, search warrants), and liaises with the Office of the Privacy Commissioner on issues such as privacy breaches.
- **The Planning and Liaison Section** develops products and tools, including standards and guidance to the department on privacy issues. This Section also provides advice to departmental officials on preparing Privacy Impact



Assessments and monitors compliance with legislation, policy and directives by leading department-wide risk exercises. It leads on departmental privacy reporting to Parliament and central agencies.

***Internal Privacy Operations – Regional Privacy Activities***

While the Access to Information and Privacy Division has oversight and leadership responsibilities, our department looks to its network of regional, local and branch coordinators to undertake many of our key access to information and privacy responsibilities. The majority of the more than 10,000 *Privacy Act* requests that HRSDC receives in a typical year are processed by employees within HRSDC's regions, where, given the volumes involved, we have built substantial expertise and awareness. Our regional coordinators have a delegated authority to disclose personal information in response to formal privacy requests. With assistance from our National Headquarters officials, our regional coordinators also provide advice and guidance to management and the public.

## Annex B – HRSDC *Privacy Act* and Privacy Codes Delegations

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### ORDONNANCE DE DÉLÉGATION DE POUVOIRS

#### RESSOURCES HUMAINES ET DÉVELOPPEMENT DES COMPÉTENCES

En vertu de l'article 11 de la *Loi sur le ministère des Ressources humaines et du Développement des compétences*, de l'article 17 de la *Loi sur le ministère du Développement social* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, la ministre des Ressources humaines et du Développement des compétences délègue, par les présentes, aux personnes, cadres ou employés qui occupent les postes mentionnés en annexe au ministère des Ressources humaines et du Développement des compétences, ou aux personnes, cadres ou employés occupant ces postes à titre intérimaire, les attributions de la ministre ou du responsable de l'institution, comme il est indiqué en annexe.

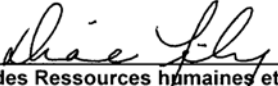
- Partie 4 de la *Loi sur le ministère des Ressources humaines et du Développement des compétences*
- Partie 2 de la *Loi sur le ministère du Développement social*
- *Loi sur la protection des renseignements personnels*

### DELEGATION ORDER

#### HUMAN RESOURCES AND SKILLS DEVELOPMENT

The Minister of Human Resources and Skills Development, pursuant to section 11 of the *Department of Human Resources and Skills Development Act*, section 17 of the *Department of Social Development Act* and section 73 of the *Privacy Act* hereby designates the persons, officers or employees holding the positions with Human Resources and Skills Development set out in the schedules attached hereto, or the persons, officers or employees occupying on an acting basis those positions, to exercise the powers or perform the duties or functions of the Minister or to exercise or perform the powers, duties or functions of the head of the institution, as specified in the attached schedules.

- Part 4 of the *Department of Human Resources and Skills Development Act*
- Part 2 of the *Department of Social Development Act*
- *Privacy Act*

  
Ministre des Ressources humaines et du  
Développement des compétences / Minister of  
Human Resources and Skills Development

AUG 17 2010  
date

**Department of Human Resources and Skills Development Act  
And  
Department of Social Development Act**

<b>Delegated Officials</b>	<b>Delegated Authority</b>	<b>Department of Human Resources and Skills Development Act provision</b>	<b>Department of Social Development Act provision</b>
Deputy Minister, HRSD Senior Associate Deputy Minister/ Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, Access to Information and Privacy (ATIP)	<i>Determining the conditions under which the information may be made available to an individual or their representative, or to a member of Parliament inquiring on behalf of an individual.</i>	33(2)	27(2)
Deputy Minister, HRSD	<i>Determining whether it is advisable to make information available, and agreeing to the conditions under which information may be made available, to a minister or a public officer of a prescribed federal institution for the administration or enforcement of a prescribed federal or provincial law or activity</i>	35(2)	29(2)
Deputy Minister, HRSD	<i>Determining whether it is advisable for the minister or a public officer of a prescribed federal institution to which information was made available under 35(2) of the DHRSD Act or 29(2) of the DSD Act to make that information available for the same purpose, and agreeing to the conditions under which that information may be made available, to any other person or body</i>	35(3)	29(3)

Deputy Minister, HRSD	<i>Determining whether it is advisable to make information available, and agreeing to the conditions under which the information may be made available, to the government of a province, or to a public body created under the law of a province, for the administration or enforcement of a federal law or activity or a provincial law</i>	36(1)	30(1)
Deputy Minister, HRSD	<i>Determining whether it is advisable to make information available, and agreeing to the conditions under which the information may be made available, to the government of a foreign state, an international organization of states or an international organization established by the governments of states, or any institution of any such government or organization, for the administration or enforcement of a law.</i>	36(2)	30(2)
Deputy Minister, HRSD	<i>Determining whether it is advisable for a government, public body, organization or institution to which information was made available under subsec. 36(1) or (2) of the DHRSD Act or 29(1) or (2) of the DSD Act to make that information available for the same purpose, and agreeing to the conditions under which that information may be made available, to any other person or body</i>	36(3)	30(3)
Deputy Minister, HRSD Senior Associate Deputy Minister/ Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP  <b>For only those situations where there is a threat to the safety and/or security of an individual:</b>	<i>Determining whether the public interest in disclosing the information clearly outweighs any invasion of privacy that could result from the disclosure or determining whether disclosure would clearly benefit the individual to whom the information relates.</i>	37(1)	31(1)

Departmental Security Officer Regional Security Officers Regional Privacy Coordinators Service Area Managers Call Centre Managers Manager, Corporate Security Security Advisor, Corporate Security			
Deputy Minister, HRSD Senior Associate Deputy Minister/ Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP	<i>Authority to notify the Privacy Commissioner</i>	37(2)	31(2)
Deputy Minister, HRSD	<i>Determining whether the disclosure for research or statistical purposes to any person or body, is consistent with the principles set out in paragraphs 39(1)a) to e) of the DHRSD Act or in paragraphs 33(1)(a) to (e) of the DSD Act.</i>	38(a)	32(a)
Deputy Minister, HRSD	<i>Determining whether the research or statistical purpose for which information is to be made available to any person or body cannot reasonably be accomplished unless the information is provided in a form that may identify the individual to whom the information relates</i>	38(b)	32(b)
Deputy Minister, HRSD	<i>Determining the conditions under which the information may be made available for research or statistical purposes to any person or body</i>	38(c)	32(c)

Deputy Minister, HRSD Senior Assistant Deputy Minister Strategic Policy and Research	<i>Authorizing a public officer to use information for the purpose of policy analysis, research or evaluation when the information would allow an individual to be identified.</i>	39(2)	33(2)
<u><b>CRIMINAL:</b></u>  Deputy Minister, HRSD Senior Associate Deputy Minister/ Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP  <u><b>CIVIL:</b></u>  Deputy Minister, HRSD Senior Associate Deputy Minister/ Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP ADM, Ontario Region Regional Executive Heads Regional Privacy Coordinators	<i>Determining whether it is appropriate for the Minister, members of the Employment Insurance Commission, or public officers to give, in connection with any legal proceedings, evidence relating to information that is privileged under s. 32 of the DHRSD Act or under s. 26 of the DSD Act or to produce a statement or other writing containing any such privileged information</i>	40	34

**Note:** The following delegation is limited to the collection of information:

<b>Delegated Officials</b>	<b>Delegated Authority</b>	<b>Department of Human Resources and Skills Development Act provision</b>	<b>Department of Social Development Act provision</b>
Deputy Minister, HRSD	<i>Authority to enter into agreements to obtain information for the administration or enforcement of a program with federal institutions, governments of provinces or public bodies created under provincial law, governments of foreign states, international organizations of states or international organizations established by the governments of states, any institution of any such government or organization, and other persons or bodies</i>	41	35

**Privacy Act - Delegation of Authority**  
**Human Resources and Skills Development Canada**

Description	Section	Delegated Authority
Approval to disclose for research or statistical purposes	8(2)(j)	Deputy Minister
Approval to disclose personal information when the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure or the disclosure would clearly benefit the individual to whom the information relates	8(2)(m)	<p>Deputy Minister  Senior Associate Deputy Minister/Chief Operating Officer  Associate Deputy Minister  Corporate Secretary  Director, ATIP</p> <p><b>For those situations where there is a threat to the safety and/or security of an individual:</b></p> <p>Departmental Security Officer  Regional Security Officers  Regional Privacy Coordinators  Service Area Managers  Call Centre Managers  Manager, Corporate Security  Security Advisor, Corporate Security</p>
Retention of a record of requests and disclosed records to investigative bodies under section 8(2)(e) of the Privacy Act.	8(4)	<p>Deputy Minister  Senior Associate Deputy Minister/Chief Operating Officer  Associate Deputy Minister  Corporate Secretary  Director, ATIP  Managers, ATIP</p>



		Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators
Notification of the Privacy Commissioner of all disclosures made under paragraph 8(2)(m) of the Privacy Act (public interest).	8(5)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP
Retention of records of uses of personal information	9(1)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP
Notification of the Privacy Commissioner of any new consistent uses of personal information and ensure use is included in next statement of consistent uses set forth in the Index	9(4)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP
Include personal information in personal information banks	10(1)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP

Respond to request for access within 30 days and give written notice and, if access to be given, give access.	14	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Extension of the 30 day time limit to respond to a privacy request.	15	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Decision on whether to translate a response to a privacy request in one of the two official languages.	17(2)(b)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP

		Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Decision on whether to convert information to an alternate format	17(3)(b)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Decision to refuse to disclose information contained in an exempt bank.	18(2)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP
Decision to refuse access to information that was obtained in confidence from the government of a foreign state or institution, an international organization of states or an institution thereof, the government of a province or institution thereof, a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government, or the council, as defined in the Westbank First Nation Self- Government Agreement given effect by the Westbank First Nation Self-Government Act.	19(1)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators

Authority to disclose information referred to in 19(1) if the government, organization or institution described in 19(1) consents to the disclosure or makes the information public.	19(2)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators
Refuse to disclose information that may be injurious to the conduct of federal-provincial affairs	20	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP
Refuse to disclose information that may be injurious to international affairs or the defence of Canada or one of its allies.	21	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP
Refuse to disclose information prepared by an investigative body, information injurious to the enforcement of a law, or information injurious to the security of penal institutions	22	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP

		Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Refuse to disclose information prepared by an investigative body for security clearance.	23	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators
Refuse to disclose information that was collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board while the individual was under sentence if the conditions in the section are met	24	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators
Refuse to disclose information which could threaten the safety of individuals	25	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP
Refuse to disclose information about another individual and shall refuse to disclose such information where disclosure is prohibited	26	Deputy Minister Senior Associate Deputy Minister/Chief

under section 8		Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators Positions as per Annex A
Refuse to disclose information that is subject to solicitor-client privilege.	27	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators
Refuse to disclose information relating to the individual's physical or mental health where the disclosure is contrary to the best interests of the individual	28	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Regional Privacy Coordinators
Receive notice of investigation by the Privacy Commissioner	31	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary

		Director, ATIP
Right to make representations to the Privacy Commissioner during an investigation	33(2)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators
Receive Privacy Commissioner's report of findings of an investigation and give notice of action taken	35(1)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators
Provision of addition information to a complainant after receiving a 35(1)(b) notice.	35(4)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP Senior Public Rights Administrator, ATIP Senior Public Rights Officer, ATIP

		Public Rights Officer, ATIP Public Rights Analyst, ATIP Regional Privacy Coordinators
Receive Privacy Commissioner's report of findings of investigation of exempt bank	36(3)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP
Receive report of Privacy Commissioner's findings after compliance investigation	37(3)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP
Request that a court hearing, undertaken with respect to certain sections of the Act, be held in the National Capital Region.	51(2)(b)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP
Request and be given right to make representations in section 51 hearings	51(3)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP Managers, ATIP



Prepare annual report to Parliament	72(1)	Deputy Minister Senior Associate Deputy Minister/Chief Operating Officer Associate Deputy Minister Corporate Secretary Director, ATIP
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## ANNEX A

### POSITIONS DELEGATED IN THE REGIONS, AS NOTED IN THE DELEGATION INSTRUMENT

#### Atlantic Region

No additional positions identified

#### Québec Region

Title	Position number	Sections
<i>Regional Office</i>		
Project Lead, Access to Information and Privacy (Public Rights)	29737	14, 15, 17(2)(b), 17(3)(b), 22, 26
Advisor, Access to Information and Privacy (Public Rights)	24448	14, 15, 17(2)(b), 17(3)(b), 22, 26

#### Ontario Region

Title	Position number	Sections
<i>Regional Office</i>		
Access to Information and Privacy (ATIP) Officer	54687	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28
Team Leader	59839	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28
ATIP Officer	40700 (bil)	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28
ATIP Officer	54688 (bil)	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28
ATIP Officer	53113	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28
ATIP Officer	53112	14, 15, 17(2)(b), 17(3)(b), 22, 26, 27, 28

**Western Canada and Territories Region**

<b>Title</b>	<b>Position number</b>	<b>Sections</b>
<i>Regional Offices</i>		
Official Languages and Public Rights Officer	67433	14, 15, 17(2)(b), 17(3)(b), 22, 26
Communications Officer	52807	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program Officer	75661	14, 15, 17(2)(b), 17(3)(b), 22, 26
Regional Access to Information and Privacy (ATIP) Officer	49263	14, 15, 17(2)(b), 17(3)(b), 22, 26
<i>Local Offices</i>		
Strategic Planning/Continuous Improvement Consultant	43611	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	76691	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	76609	14, 15, 17(2)(b), 17(3)(b), 22, 26
Team Leader	76280	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	69517	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	70255	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	75411	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	74949	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	74043	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	74154	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	76079	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	71724	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	69487	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	66706	14, 15, 17(2)(b), 17(3)(b), 22, 26
Service Canada Benefit Officer	67988	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	48612	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	48127	14, 15, 17(2)(b), 17(3)(b), 22, 26
Team Leader	66148	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	72470	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	52549	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	67205	14, 15, 17(2)(b), 17(3)(b), 22, 26
Program and Service Delivery Clerk	67612	14, 15, 17(2)(b), 17(3)(b), 22, 26

Program and Service Delivery Clerk	75255	14, 15, 17(2)(b), 17(3)(b), 22, 26
Payment Service Officer	68379	14, 15, 17(2)(b), 17(3)(b), 22, 26

## **Annex C - HRSDC Privacy Statistical Report 2010-2011**

Institution Développement des compétences Canada	Human Resources and Skills Development Canada / Ressources humaines et Développement des compétences Canada	Reporting period / Période visée par le rapport 2010/04/01 – 2011/03/31
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<b>I</b>	<b>Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels</b>	
	Received during reporting period / Reçues pendant la période visée par le rapport	12,136
	Outstanding from previous period / En suspens depuis la période antérieure	436
	<b>TOTAL</b>	12,572
	Completed during reporting period / Traitées pendant la période visées par le rapport	12,010
	Carried forward / Reportées	562

<b>II</b>	<b>Disposition of request completed / Disposition à l'égard des demandes traitées</b>	
1.	All disclosed / Communication totale	3,666
2.	Disclosed in part / Communication partielle	7,073
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	0
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	61
5.	Unable to process / Traitement impossible	710
6.	Abandoned by applicant / Abandon de la demande	144
7.	Transferred / Transmission	356
	<b>TOTAL</b>	12,010

<b>III</b>	<b>Exemptions invoked / Exceptions invoquées</b>	
S. Art. 18(2)		0
S. Art. 19(1)(a)		0
(b)		0
(c)		1
(d)		0
S. Art. 20		0
S. Art. 21		0
S. Art. 22(1)(a)		2
(b)		20
(c)		0
S. Art. 22(2)		0
S. Art. 23 (a)		0
(b)		0
S. Art. 24		0
S. Art. 25		2
S. Art. 26		7,094
S. Art. 27		41
S. Art. 28		4

<b>IV</b>	<b>Exclusions cited / Exclusions citées</b>	
S. Art. 69(1)(a)		0
(b)		0
S. Art. 70(1)(a)		1
(b)		0
(c)		1
(d)		0
(e)		0
(f)		0

<b>V</b>	<b>Completion time / Délai de traitement</b>	
30 days or under / 30 jours ou moins		10,179
31 to 60 days / De 31 à 60 jours		1,776
61 to 120 days / De 61 à 120 jours		38
121 days or over / 121 jours ou plus		17

<b>VI</b>	<b>Extentions / Prorogations des délais</b>		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus	
Interference with operations / Interruption des opérations	1,067	0	
Consultation	12	0	
Translation / Traduction	5	0	
<b>TOTAL</b>	1,084	0	

<b>VII</b>	<b>Translations / Traductions</b>	
	Translations requested / Traductions demandées	5
	Translations prepared /	
	English to French / De l'anglais au français	1
	French to English / Du français à l'anglais	4

<b>VIII</b>	<b>Method of access / Méthode de consultation</b>	
	Copies given / Copies de l'original	10,722
	Examination / Examen de l'original	9
	Copies and examination / Copies et examen	8

<b>IX</b>	<b>Corrections and notation / Corrections et mention</b>	
	Corrections requested / Corrections demandées	8
	Corrections made / Corrections effectuées	5
	Notation attached / Mention annexée	3

<b>X</b>	<b>Costs / Coûts</b>	
	Financial (all reasons) / Financiers (raisons)	
	Salary / Traitement	\$ 2,312,000
	Administration (O and M) / Administration (fonctionnement et maintien)	\$ 279,000
	<b>TOTAL</b>	<b>\$ 2,591,000</b>
	Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
	Person year (decimal format) / Années-personnes (nombre décimal)	45.4

<p><b>Additional Reporting Requirements – Privacy Act</b></p> <p>Treasury Board Secretariat is monitoring compliance with the Privacy Impact Assessment (PIA) Policy (which came into effect on May 2, 2002) and the Directive on Privacy Impact Assessment (which takes effect April 1, 2010) through a variety of means. Institutions are therefore required to report the following information for this reporting period. Note that because some institutions are using the Core PIA as outlined in the Directive in advance of the implementation deadline, they will not have Preliminary PIAs to report.</p> <p>Indicate the number of:</p>	<p><b>Exigences additionnelles en matière d'établissement de rapports – Loi sur la protection des renseignements personnels</b></p> <p>Le Secrétariat du Conseil du Trésor surveille la conformité à la Politique sur l'Évaluation des facteurs relatifs à la vie privée (ÉFVP) (qui est entrée en vigueur le 2 mai 2002) et à la Directive sur l'évaluation des facteurs relatifs à la vie privée (qui est entrée en vigueur le 1<sup>er</sup> avril 2010) par divers moyens. Les institutions sont donc tenues de déclarer les renseignements suivants pour cette période de déclaration. À noter que comme certaines institutions utilisent l'ÉFVP de base, tel que mentionné dans la Directive, avant la date limite de la mise en œuvre, elles ne seront pas tenues de présenter un rapport d'ÉFVP préliminaire.</p> <p>Veuillez indiquer le nombre :</p>
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Preliminary Privacy Impact Assessments initiated / d'évaluations préliminaires des facteurs relatifs à la vie privée amorcées	0
Preliminary Privacy Impact Assessments completed / d'évaluations préliminaires des facteurs relatifs à la vie privée achevées	0
Privacy Impact Assessments initiated / d'évaluations des facteurs relatifs à la vie privée amorcées;	10
Privacy Impact Assessments completed / d'évaluations des facteurs relatifs à la vie privée achevées	2
Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC) / d'évaluations des facteurs relatifs à la vie privée acheminées au Commissariat à la protection de la vie privée (CPVP).	1

Note: If your institution did not undertake any of the activities noted above during the reporting period, this must be stated explicitly. / Nota : Si votre institution n'a pas entrepris l'une ou l'autre des activités susmentionnées durant la période d'établissement de rapports, cela doit être mentionné de façon explicite.

<b>In addition, institutions are required to report on the following:</b>	<b>De plus, les institutions sont tenues de déclarer ce qui suit :</b>
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### **Part III – Exemptions invoked / Partie III – Exceptions invoquées**

Paragraph / Paragraphe 19(1)(e) :	<b>0</b>
Paragraph / Paragraphe 19(1)(f) :	<b>0</b>
Subsection / Paragraphe 22.1 :	<b>0</b>
Subsection / Paragraphe 22.2 :	<b>0</b>
Subsection / Paragraphe 22.3 :	<b>0</b>

### **Part IV – Exclusions cited / Exclusions citées**

Subsection / Paragraphe 69.1 :	<b>0</b>
Subsection / Paragraphe 70.1 :	<b>0</b>

*Note:* If your institution did not invoke any exemptions or cite any exclusion noted above during the reporting period, this must be stated explicitly.

**HRSDC DID NOT INVOKE ANY OF THESE EXEMPTIONS NOR CITE ANY OF THESE EXCLUSIONS DURING THE REPORTING PERIOD.**

/

*Nota :* Si votre institution n’a invoqué aucune exception ni cité aucune exclusion pendant la période d’établissement de rapports visée, cela doit être mentionné de façon explicite.

**RHDCC N’A INVOQUÉ AUCUNE DE CES EXCEPTIONS ET N’A CITÉ AUCUNE DE CES EXCLUSIONS DURANT LA PÉRIODE VISÉE.**



## **Annex D – Privacy Impact Assessments and Databank Review Working Group Submissions**

### ***Privacy Impact Assessments***

Privacy Impact Assessments are required when the department undertakes a new collection, use or disclosure of personal information or introduces a new system. During 2010-2011, HRSDC completed the two Privacy Impact Assessments described below and initiated 10 others.

### ***Provision of Employment Insurance Special Benefits for the Self-Employed and the Requirement for Data Exchanges between HRSDC and CRA***

The *Fairness for the Self-Employed Act* introduced amendments to the *Employment Insurance Act* mainly in a new Part VII.1 of the *EI Act*, which provides for the payment of maternity, parental, sickness and compassionate care benefits to self-employed persons who have voluntarily elected to participate in the program by entering into an agreement with the Canada Employment Insurance Commission, provided that they meet the eligibility requirements set out in the legislation. The benefits being offered to self-employed persons will generally mirror the special benefits currently available to salaried employees under the EI program.

A Privacy Impact Assessment was completed and received the Deputy Minister's approval.

### ***Student Financial Assistance***

In partnership with provinces and one territory, educational institutions and agencies, financial aid administrators, financial institutions and service providers, repayable loans and non-repayable grants enable Canadians to finance their participation in post-secondary education. Clients and beneficiaries include youth, full-time and part-time students, people with disabilities, students with dependents, high need students, students from low-middle income families and borrowers repaying their loans.

A Privacy Impact Assessment was completed and received the Deputy Minister's approval. The assessment was forwarded to the Office of the Privacy Commissioner for review and comment.

### ***Databank Review Working Group Submissions***

Our Databank Review Working Group reviewed 22 proposals for the privacy protection needed in a range of policy analysis, research and evaluation activities. The Working Group also reviewed and updated its processes for dealing with major, minor, and clerical amendments to approved projects.

## **Annex E - Disclosure of Personal Information**

The communication of personal information without the consent of the person concerned is permitted in circumstances specified in subsection 8(2) of the *Privacy Act*.

Nevertheless, if another Act contains provisions that cover the release of personal information except in accordance with that legislation, the other Act has priority over subsection 8(2) of the *Privacy Act*.

HRSDC departmental and program legislation have disclosure provisions that supersede subsection 8(2) of the *Privacy Act*. These provisions are contained in Part 4 of the *Department of Human Resources and Skills Development Act*, Part 2 of the *Department of Social Development Act*, section 104 of the *Canada Pension Plan* and section 33 of the *Old Age Security Act*.

### ***Disclosures Made in the Public Interest***

During the 2010–2011 fiscal year, the department had 35 public interest disclosures. Most related to personal information collected to administer the *Employment Insurance Act*, which falls under Part 4 of the *Department of Human Resources and Skills Development Act*. While the disclosures were made for various reasons, the majority dealt with the safety and security of individuals. They took the form of disclosures to the police regarding individuals who threatened to harm themselves or others. When appropriate, the Office of the Privacy Commissioner was notified in advance of the disclosure.

### ***Disclosures to Parliamentarians***

Paragraph 8(2)(g) of the *Privacy Act* and the department's privacy codes (specifically subsection 33(2) of the *Department of Human Resources and Skills Development Act*, subsection 27(2) of the *Department of Social Development Act*, subsection 104.01(3) of the *Canada Pension Plan*, and subsection 33.01(3) of the *Old Age Security Act*) allow for the disclosure of personal information to a federal Member of Parliament or Senator, without the consent of the individual, as long as the official is acting on behalf of that individual, representing his or her interests. HRSDC routinely discloses information to Members of Parliament and Senators who are representing individuals in their constituencies in applying for (or seeking assistance in relation to) Employment Insurance, Canada Pension Plan or Old Age Security benefits, Canada Student Loans, or any other program or service offered by the department.

The department has a Telephone Inquiries Resolution Service for Parliamentarians. It follows procedures that facilitate good stewardship of personal information and respect the responsibilities of parliamentarians.

## **Annex F - Training Statistics**

During 2010-2011, our Access to Information and Privacy Division provided 106 training sessions to 996 employees and senior management across the department, and regional officials provided six awareness sessions to 918 employees.