



Canada Public Service Agency Agence de la fonction publique
du Canada

CANADA PUBLIC SERVICE AGENCY

ACCESS TO INFORMATION AND PRIVACY

ANNUAL REPORT

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Table of Contents

Introduction

1. About the Organization

- (i) Overview of the Canada Public Service Agency
- (ii) Administration and Delegation of Authority
- (iii) The Access to Information and Privacy Office
– Human Resources Management and Administrative Services Branch
- (iv) ATIP Office Accomplishments 2007–08
- (v) Case Load
- (vi) Fees
- (vii) Costs
- (viii) Reading Room

2. *Access to Information Act*

- (i) Statistical Report – Interpretation and Explanation
- (ii) Requests under the *Access to Information Act*
- (iii) Disposition of Completed Requests
- (iv) Exemptions Invoked
- (v) Exclusions Invoked
- (vi) Completion Time and Extensions
- (vii) Translation
- (viii) Method of Access
- (ix) Fees
- (x) Costs
- (xi) Complaints and Investigations
- (xii) Appeals to the Federal Court

3. *Privacy Act*

- (i) Statistical Report – Interpretation and Explanation
- (ii) Requests under the *Privacy Act*
- (iii) Disposition of Completed Requests
- (iv) Exemptions Invoked
- (v) Exclusions Invoked
- (vi) Completion Time and Extensions
- (vii) Translation
- (viii) Corrections and Notations
- (ix) Costs
- (x) Complaints and Investigations
- (xi) Appeals to the Federal Court
- (xii) 8(2) Disclosures
- (xiii) Data-matching and Data-sharing Activities
- (xiv) Privacy Impact Assessments

Canada Public Service Agency

- Appendix I Report on the *Access to Information Act* – Statistics Form
- Appendix II Report on the *Privacy Act* – Statistics Form
- Appendix III Delegation Instrument – *Access to Information Act*

Introduction

The *Access to Information Act* gives all individuals and corporations in Canada a right of access to information contained in federal government records, subject to certain specific and limited exceptions, as well as a right to request an independent review of the decisions made by government institutions regarding disclosure.

The *Privacy Act* serves to protect the privacy of individuals with respect to personal information held by government institutions and allows a right of access to one's own personal information held by a government institution.

Section 72 of both the *Access to Information Act* and the *Privacy Act* requires that the heads of federal government institutions prepare for submission to Parliament an annual report on the administration of these Acts for each fiscal year.

This report summarizes the activities of the Canada Public Service Agency relating to the *Access to Information Act* and the *Privacy Act* between April 1, 2007, and March 31, 2008.

1. About the Organization

(i) Overview of the Canada Public Service Agency

Effective May 1, 2007, the Public Service Human Resources Management Agency of Canada adopted a new applied title—the Canada Public Service Agency—which serves to identify the goal of its work more simply and helps strengthen its clients' recognition of the organization.

The Agency was created in 2003 to put in place a new human resources (HR) management regime in the Public Service of Canada by bringing together units from the Treasury Board Secretariat and the Public Service Commission. The Agency's mandate is to modernize HR management and strengthen accountability; ensure effective and ethical leadership and a quality work environment; and achieve a representative and accessible Public Service.

To achieve this mandate, the Agency brings together most of the HR management functions for which the Treasury Board is responsible, including: values and ethics; implementation of the *Public Service Modernization Act*; HR planning, accountability and reporting to Parliament; management and modernization of the classification system; employment policy; corporate learning policy; management of all aspects of the executive group; and management of employment equity and official languages.

For more information about the Agency, please visit our website at <http://www.psagency-agencefp.gc.ca>.

(ii) Administration and Delegation of Authority

The Access to Information and Privacy (ATIP) Coordinator and the Director General of the Human Resources Management and Administrative Services Branch (formerly the Strategic

Management Branch) are delegated full authority regarding the administration of and compliance with the *Access to Information Act* and the *Privacy Act*. (See Appendix III.)

(iii) The Access to Information and Privacy Office – Human Resources Management and Administrative Services Branch

The ATIP Office staff includes an ATIP Coordinator and a Junior ATIP Analyst. The Office is responsible for the development, coordination and implementation of effective policies, guidelines and procedures to manage the Agency's compliance with these Acts.

The ATIP Office makes decisions on the disposition of access requests, promotes awareness of the legislation to ensure departmental responsiveness to the obligations imposed on the government; monitors and advises on compliance with the Acts, regulations, procedures and policies; and acts as spokesperson for the Agency in dealings with the Treasury Board Secretariat, the Information and Privacy Commissioners and other government departments and agencies.

The ATIP Office is responsible for conducting consultations with other governments and federal departments.

The ATIP Coordinator is the Agency's primary point of contact for Treasury Board officials and other government departments and agencies on issues involving the collection of personal information and privacy.

(iv) ATIP Office Accomplishments 2007–08

Awareness Raising Initiatives

The ATIP Office offers monthly awareness sessions to employees of the Agency to ensure all current and new employees are aware of their rights and responsibilities under the *Access to Information Act* and the *Privacy Act*. During fiscal year 2007–08 there were 11 sessions and 64 employees attended.

The ATIP Office has an ATIP web page on the Agency's intranet site, which provides employees with numerous awareness tools, fact sheets and internal policies, as well as a variety of other resources relating to the *Access to Information Act* and the *Privacy Act*.

(v) Case Load

During fiscal year 2007–08, the Agency received 25 requests under the *Access to Information Act*, 13 requests under the *Privacy Act*, and an additional 28 consultation requests from other federal government institutions.

(vi) Fees

The *Access to Information Act* authorizes fees for certain activities related to the processing of formal requests under the Act. In addition to a \$5 application fee, search, preparation and

reproduction charges may also apply. However, in accordance with section 11 of this Act, no fees are charged for the first five hours required to search for a record or prepare any part of it for disclosure.

No fees are applicable under the *Privacy Act*.

(vii) Costs

During 2007–08, an estimated \$84,700 in salary costs and \$18,820 in administrative costs were incurred by the ATIP Office to administer the *Access to Information Act* and the *Privacy Act*. The associated full-time employee resources for this reporting period is 1.3. The services of two consultants were also required. (These costs do not include the resources expended by the program areas of the Agency to meet the requirements of the Acts.)

(viii) Reading Room

A reading room is located in the library of the Department of Finance Canada and the Treasury Board Secretariat at L'Esplanade Laurier, East Tower, 11th Floor, 140 O'Connor Street, Ottawa, Ontario.

This facility contains current volumes of Info Source as well as access and privacy request forms. Lists of previous requests for information are also available on application. In addition, these facilities house copies of all call-up forms for temporary help services, which are reviewed informally by a specialized clientele on a regular basis.

2. Access to Information Act

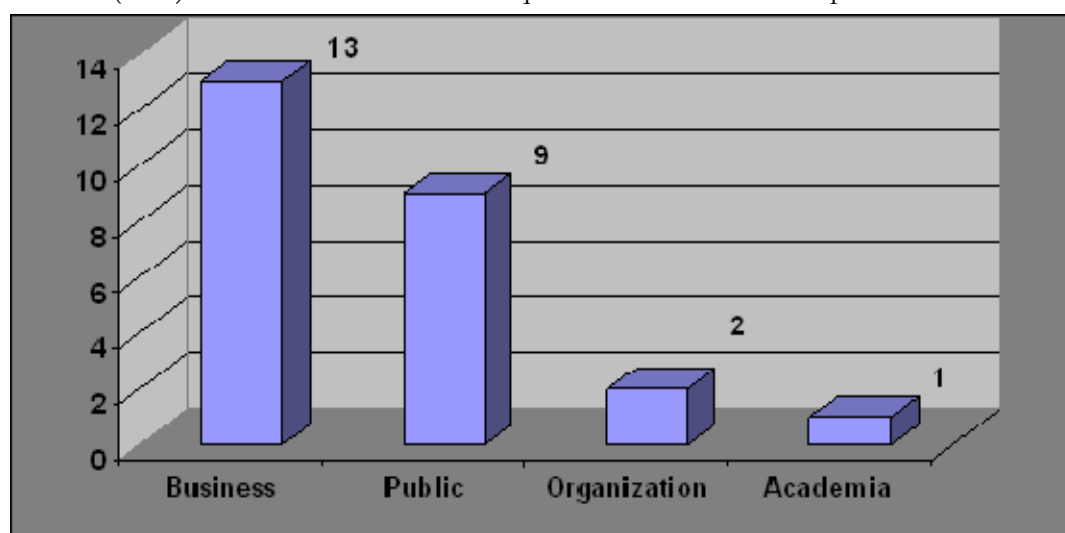
(i) Statistical Report – Interpretation and Explanation

Appendix I provides a summarized statistical report on the *Access to Information Act* applications dealt with during the period from April 1, 2007, to March 31, 2008. The following provides explanations and interpretations for information contained in this report.

(ii) Requests under the *Access to Information Act*

In addition to the 25 requests received by the Agency in 2007–08, 3 requests were carried over from fiscal year 2006–07. Two of the 25 requests were carried over into fiscal year 2008–09.

During this reporting period, the largest number of access requests received originated from business (54%). A breakdown of ATIP requesters for the 2007–08 period is as follows:



(iii) Disposition of Completed Requests

Of the 28 requests processed, 26 were completed during this fiscal period. The completed requests are categorized as follows:

All Disclosed	8
Disclosed in Part	10
Transferred	2
Unable to process	5
Treated informally	1

(iv) Exemptions Invoked

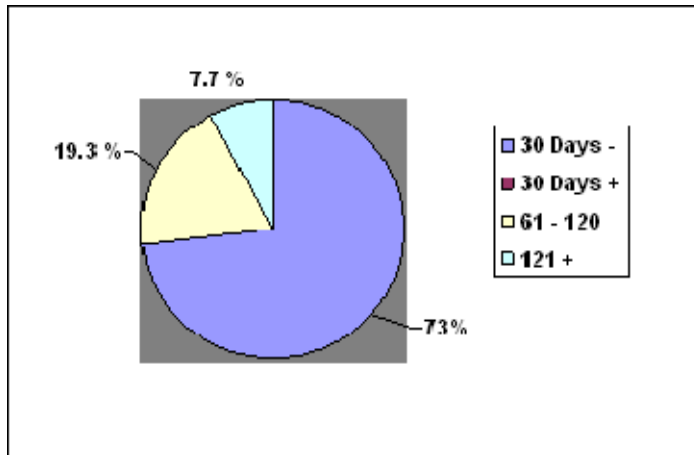
Exemptions were invoked under sections 19(1), 20(1)(a)(b), 21(1)(a)(b)(c)(d), 22 and 26 of the Act.

(v) Exclusions Invoked

Pursuant to sections 68 and 69, the *Access to Information Act* does not apply to published material, material available for purchase by the public or confidences of the Queen's Privy Council. Accordingly, the Agency invoked exclusions under both these provisions as outlined in Appendix I.

(vi) Completion Time and Extensions

Of the 26 requests completed during this reporting period, 88 percent were completed within the statutory time limits. In 73 percent of completed cases, the Agency was able to respond within 30 days or less. Approximately 27 percent of completed cases required extensions under the Act in order to undertake consultations with other federal government institutions or third parties.



(vii) Translation

Translation was not required during this reporting period.

(viii) Method of Access

All applicants requested copies of the information except one who viewed the records onsite.

(ix) Fees

The fees collected during the reporting period totalled \$156.

(x) Costs

Total salary costs associated with *Access to Information Act* activities were estimated at \$63,530 for 2007–08. Other costs associated with administering the program were approximately \$14,200.

(xi) Complaints and Investigations

Three complaints were received during this fiscal reporting period. A complaint about a delay was resolved; one about the length of an extension was unsubstantiated; and one concerning an incomplete response was still outstanding at the end of the fiscal year.

(xii) Appeals to the Federal Court

No appeals were filed with the Federal Court.

3. *Privacy Act*

(i) Statistical Report – Interpretation and Explanation

The ATIP Office provides regular advice and guidance on important and sensitive policy issues relating to privacy, including the handling and protection of personal information gathered and held in departmental files.

Appendix II provides a summarized statistical report on the requests for personal information received under the *Privacy Act* that were dealt with during the period from April 1, 2007, to March 31, 2008. The following provides explanations and interpretations for information contained in this report.

(ii) Requests under the *Privacy Act*

All 13 requests processed by the ATIP Office during this reporting period were new.

(iii) Disposition of Completed Requests

Eleven of the 13 requests received by the Agency during 2007–08 were completed during the reporting period. The completed requests are categorized as follows:

All Disclosed	1
Disclosed in Part	8
Abandoned	1
Transferred	1

(iv) Exemptions Invoked

As noted in Appendix II, exemptions pursuant to sections 26 and 27 were applied.

(v) Exclusions Invoked

One exclusion was invoked by the Agency pursuant to section 70.

(vi) Completion Time and Extensions

Ten of the eleven requests were completed within the statutory time limits.

(vii) Translation

No translations were done during this reporting period.

(viii) Corrections and Notations

No requests for corrections or notations were received.

(ix) Costs

Salary costs associated with *Privacy Act* activities were estimated at \$21,170 for 2007–08. Other costs were estimated at \$4,620.

(x) Complaints and Investigations

There were no complaints received by the Privacy Commissioner during this fiscal reporting period.

(xi) Appeals to the Federal Court

No appeals were filed with the Federal Court.

(xii) 8(2) Disclosures

All section 8(2) disclosures made by the Agency in 2007–08 were made under section 8(2)(a) of the *Privacy Act*. The Agency made no other types of 8(2) disclosures during this reporting period.

(xiii) Data-matching and Data-sharing Activities

The Agency did not conduct any new data-matching or data-sharing activities during this reporting period.

(xiv) Privacy Impact Assessments

A summary of the Privacy Impact Assessments (PIA) that were reviewed in 2007–08 is described below.

Baseline Study of Leadership Programs

This PIA relates to a study the Canada Public Service Agency will be conducting as a consequence of a Results-Based Management Accountability Framework commitment to measure the effectiveness of changes to the Management Trainee Program and the Career Assignment Program, with a 2010 date set for this evaluation. To measure the success of the program changes, a baseline study is needed to gather data in 2007 against which to compare the 2010 results.

The baseline study execution strategy will support the goals of the Agency's Leadership and Talent Management Sector through identification and verification of existing information gathering and management tools and instruments, gap identification and resolution strategies, and increased recognition by partners and stakeholders of required roles, responsibilities and activities to monitor and report on results.

In order to address two minor issues identified through the Privacy Impact Assessment, the Canada Public Service Agency chose internal resources to develop the online tool,

thereby ensuring that the online tool will comply with all federal government privacy and security policies. Also, the internal developers will follow the established government process for retention and disposal of data gathered for the baseline study.

The Privacy Impact Assessment concluded that the baseline study was deemed to be a low privacy risk and that, as long as the above measures were followed, there would be enough safeguards in the process to ensure that the baseline study complied with government privacy requirements.

Talent Management Plus Database (formerly Curriculum Vitae Plus)

The Leadership and Talent Management Sector developed a database to gather talent-related data and intelligence on the executive (EX) community, to analyze demographic trends and to facilitate corporate talent management within the Public Service. The database is an organizational-based data holding of information on current EX community learning, performance and career information, with select views available to individual EXs, and a supporting corporate dashboard to monitor and report on the status of the EX community.

A Personal Information Bank was created in February 2008.

Employee Passport Application

Public Works and Government Services Canada prepared this PIA for the Agency during 2007–08. The Employee Passport is an add-on to the existing Human Resources Information Management Systems that will enable the electronic transfer of employee HR records when an employee accepts a new position in another department. The PIA will be sent to the Office of the Privacy Commissioner in the next fiscal year.

Assistant Deputy Minister Talent Management Database

The Leadership and Talent Management Sector is developing a database to gather talent-related data and intelligence on the Assistant Deputy Minister (ADM) community, to analyze demographic trends and to facilitate corporate talent management within the Public Service. The database will be an organizational-based data holding of information on current ADM community learning, performance and career information, with select views available to individual ADMs, and a supporting corporate dashboard to monitor and report on the status of the ADM community. The PIA was sent to the Privacy Commissioner for her review in March 2008.