



Now and Tomorrow
Excellence in Everything We Do



Corporate Secretariat

October 2009

Annual Report on the Administration of the *Privacy Act* within Human Resources and Skills Development Canada 2008-2009

ISBN: 978-1-100-14379-8
Cat No: HS1-13/2-2009E-PDF

Table of Contents

Introduction	1
1 Summary of the Administration of the <i>Privacy Act</i>	5
2 Highlights of the Administration of the <i>Privacy Act</i>	7
3 Statistical Report on the <i>Privacy Act</i>	17

Introduction

This is the fourth annual report on the administration of the *Privacy Act* within Human Resources and Skills Development Canada (HRSDC), in accordance with section 72 of the Act. It covers the period April 1, 2008, to March 31, 2009.

The purpose of the *Privacy Act*, as stated in section 2 of the Act, is “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.” This report includes a narrative on the processing of formal requests submitted to the Department. It also highlights the administration of this statute and provides statistics on the year’s activities.

The report deals with the administration of the *Privacy Act* at HRSDC (including Service Canada and the Labour Program). In July 2008, the Department’s two offices charged with administering access to information and privacy legislation, namely the former Human Resources and Social Development’s “Access to Information and Privacy Directorate” and Service Canada’s “Access to Information and Privacy, Privacy Policy, and Human Rights Division,” were integrated. Following the merge and subsequent restructuring, the newly formed Access to Information and Privacy Division includes about 40 employees. The division is led by a Director reporting directly to HRSDC’s Corporate Secretary. The Director is supported by three managers, each responsible for the following sections:

- **The Operations Section:** This section is responsible for processing 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 and, for requests under the *Access to Information Act*, preparing and distributing weekly reports and briefings to interested parties within the Department. The section is also the main point of contact with the Office of the Information Commissioner of Canada, and with the Office of the Privacy Commissioner of Canada, for dealing with complaints about how access to information and privacy requests are handled. The Operations section is charged with preparing and delivering training and awareness sessions throughout the Department. Finally, the section coordinates the Department’s annual reporting requirements and HRSDC’s input into the Treasury Board of Canada Secretariat’s annual update of its *Info Source* publication. The majority of *Privacy Act* requests are processed by employees within HRSDC’s regions, and all requests submitted under the *Access to Information Act* are processed at National Headquarters by the Operations Section.
- **The Privacy Policy Management Section:** This 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 is also responsible for assisting program officials when they draft information sharing agreements to ensure that the applicable privacy laws are respected. The section provides advice to departmental officials on preparing Privacy Impact Assessments, responds to legal instruments in which the Department is asked to share personal information (i.e., subpoenas, court orders, search warrants), and acts as the main liaison with the Office of the Privacy Commissioner regarding complaints of improper handling of personal information and privacy breaches.

- **The Privacy and Access Policy Research Section:** This section develops and communicates standards and guidance consistent with Treasury Board policies related to privacy, including privacy impact assessments and responses to privacy audits. The section supports the Privacy Management Framework Steering Committee (described later in this report), and undertakes research in the areas of access to information and privacy.

HRSDC processed 8,858 formal requests under the *Privacy Act* in 2008–2009. In the three preceding years, the Department completed an average of 8,160 requests per year.

A few words about HRSDC, Service Canada and the Labour Program...

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

To do this, HRSDC:

- develops policies that makes Canada a society in which all can use their talents, skills and resources to participate in learning, work and community;
- creates programs and supports initiatives that help Canadians move through life's transitions—from families with children to seniors, from school to work, from one job to another, from unemployment to employment, from the workforce to retirement;
- creates better outcomes for Canadians through service excellence with Service Canada and other partners; and
- engages its employees, establishes a healthy work environment, nurtures a culture of teamwork, and builds its leadership capacity.

HRSDC is committed to excellence in what it does:

- *For People* – as HRSDC serves Canadians with a focus on accountability and results.
- *Through Partnerships* – as HRSDC works with Canadians to find innovative ways to develop and deliver the policies and programs they need.
- *Through Knowledge* – generating, contributing, and sharing knowledge effectively to support and inform decision-making.

Service Canada was created in 2005 to improve the delivery of government programs and services to Canadians, by making access to them faster, easier, and more convenient.

Service Canada offers citizens single-window access to a wide range of Government of Canada programs and services through more than 600 points of service located across the country, call centres, and the Internet.

The federal Labour Program works for individuals and organizations by promoting safe, healthy, cooperative and productive workplaces that benefit everyone. Canadians are entitled to be treated fairly on the job and, through legislation, programs and services, the Labour Program fosters good working conditions, constructive labour-management relations and workplaces that are free from discrimination.

The workplace is changing rapidly and the Labour Program is helping Canadians to adjust and thrive in the new global economy. It does this by conducting research about developing trends, such as work-life balance, and by providing the latest information on collective bargaining and agreements.

The Labour Program has a long and proud history of protecting the rights and well being of both workers and employers since 1900.

The program administers and enforces workplace legislation and regulations, such as the *Canada Labour Code*, which covers industrial relations, health and safety, and employment standards, and the *Employment Equity Act*, which promotes workplace equality by removing the barriers faced by women, Aboriginal peoples, people with disabilities and visible minorities while on the job. These laws cover federally regulated workers and employers. Almost 10% of Canadians are employed in federally regulated sectors of the economy, including, banking, telecommunications, broadcasting, air, interprovincial rail, road and pipeline transportation, shipping and related services, uranium mining, and Crown corporations.

The Labour Program works closely with provincial and territorial governments, unions, employers, and international partners to enhance working conditions and ensure healthy and fair workplaces for all Canadians. Ultimately, the work done by this program and the information it provides covers subjects of interest to all Canadian workers and employers.

1 Summary of the Administration of the *Privacy Act*

The following statistics describe the administration of the *Privacy Act* within HRSDC for the period April 1, 2008, to March 31, 2009.

(a) Requests under the *Privacy Act*

HRSDC received 8,819 formal requests under the *Privacy Act* during the period in question.

HRSDC also received 11 requests for consultation from other government departments.

(b) Disposition of Requests Completed

A total of 8,858 requests were finalized during the period in question. The information requested was disclosed in its entirety in 2,854 of those cases. An additional 5,563 received a partial release of the information they requested. Thirteen requests resulted in the complete exemption of the requested information. The remaining 428 finalized requests fell into the categories of “unable to process,” “abandoned by the applicant” or “transferred.”

(c) Exemptions Invoked

Of those cases where HRSDC was able to fully process the request, exemptions were invoked 5,606 times. The majority of exemptions invoked fell under section 26, which was applied to 5,531 requests. Section 26 aims to protect personal information about individuals other than the requestor. Section 27, the exemption of personal information subject to solicitor-client privilege, was used 46 times, and subsection 22(1), on law enforcement and investigation, was applied 20 times. Other exemptions were applied in fewer than 10 cases.

(d) Completion Time

A total of 8,032 requests were processed within 30 calendar days. The remaining 826 cases took more than 30 days to process.

(e) Extensions

Extensions of 30 days or less were invoked 220 times.

An extension of more than 30 days was invoked for one request.

(f) Translations

Ten requests for translation were received during the period in question. All of these cases were a translation from French to English.

(g) Method of Access

In all instances (8,417), copies of original documents were provided and, in one of these cases, documents were also examined by the requestor on HRSDC’s premises.

(h) Costs

A total of 40 full-time equivalents were used to process formal requests and to administer the *Privacy Act* at HRSDC. Salaries amounted to \$2,306,000 and administration costs were \$313,000.

(i) Complaints to the Privacy Commissioner of Canada

HRSDC was notified of 125 complaints during the reporting period. Thirty-seven of these complaints related to the processing of requests, which represents less than 0.5% of all requests received. The remaining 88 complaints alleged that the Department improperly collected, disposed of, or disclosed personal information. One single incident regarding the improper disclosure of personal information accounted for 78 of these complaints.

As a comparison, the Department received 44 complaints in 2007–2008.

In 2008–2009, HRSDC was notified of the outcome of 71 complaints. Thirty-seven of these cases were well founded. Thirteen complaints were not well founded, seven were settled in the course of investigation and two were resolved. The Office of the Privacy Commissioner discontinued the investigation in the remaining 12 instances.

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

(j) Applications for Judicial Review

In 2008–2009, HRSDC was notified that one applicant had requested a judicial review.

2 Highlights of the Administration of the *Privacy Act*

(a) Disclosure of Personal Information in General

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 a provision that prohibits the release of personal information except in accordance with that provision, the other Act has priority over subsection 8(2) of the *Privacy Act*.

At 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* (DHRSD Act), Part 2 of the *Department of Social Development Act* (DSD Act), section 104 et al. of the *Canada Pension Plan* (CPP) and section 33 et al. of the *Old Age Security Act* (OAS Act).

(b) Public Interest Disclosures

Four public interest disclosures were undertaken pursuant to subsection 37(1) of the DHRSD Act and one disclosure was made in the public interest under section 104.07(1) of the *Canada Pension Plan*.

No disclosures were undertaken pursuant to section 31 of the DSD Act, nor were any disclosures made pursuant to subsection 8(2)(m) of the *Privacy Act* during the reporting period.

Of the five disclosures, four were made as a result of threats that individuals made to themselves or to others. In the other case, it was to assist an individual in obtaining benefits not related to HRSDC's programs or activities. In one of the cases, the Office of the Privacy Commissioner was notified before the disclosure, and in the remaining four instances, the Office of the Privacy Commissioner was notified following the disclosure.

(c) Disclosures to Investigative Bodies

During the reporting period, HRSDC has not made any disclosures pursuant to subsection 8(2)(e) of the *Privacy Act*.

(d) Disclosures under Information Sharing Agreements

As noted above, the Department of Human Resources and Skills Development is subject to the *Privacy Act*, as well as to legislation pertaining to the Department's mandate. The Department might have to enter into information sharing agreements (ISAs) with other government institutions to administer and deliver programs and services to the public.

For instance, the Department has ISAs with provincial ministries to administer and enforce federal and provincial programs such as employment insurance and social assistance program regimes, and to administer Labour Market Development Agreements.

HRSDC also holds ISAs with certain federal institutions to assist with the administration and enforcement of their programs or activities; for example, with the Canada Revenue Agency for the *Income Tax Act*, Statistics Canada for the *Statistics Act*, and the Department of Citizenship and Immigration for the *Immigration and Refugee Protection Act*, to name a few.

Finally, HRSDC also has ISAs with other countries. For example, the Department holds international social security agreements with the government of several countries in order to deliver the International Benefits program of the Canada Pension Plan and the Old Age Security program.

In addition to the information the Department holds for the purposes of administering its own programs, HRSDC also delivers programs and services for other government departments and in that context manages personal information. These activities are also documented in ISA's.

These are examples only of the different scenarios in which HRSDC typically enters into an ISA, and should not be interpreted as an exhaustive list.

ISAs are drafted in line with the applicable departmental legislation (the privacy codes) and/or paragraph 8(2)(f) of the *Privacy Act*, where applicable.

HRSDC has two new data sharing activities to report in 2008–2009. During this period, the Department entered into an information sharing agreement with the Province of Manitoba for the purposes of administering the Temporary Foreign Worker Program. The Department has also moved from a co-managed to a full transfer Labour Market Development Agreement with the province of British Columbia.

(e) Disclosures to Members of Parliament

Paragraph 8(2)(g) of the *Privacy Act* and the Department's privacy codes (specifically subsection 33(2) of the DHRSD Act, subsection 27(2) of the DSD Act, subsection 104.01(3) of the CPP, and subsection 33.01(3) of the OAS 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 wanting to obtain 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.

(f) Training

A key focus in the Access to Information and Privacy Division at HRSDC is the delivery of training courses. During the period in question, the Access to Information and Privacy Division provided 81 training sessions to 1,031 employees across the Department.

These sessions were provided to employees and senior management at National Headquarters and in the regions, and also include the access to information and privacy component of the Department's "Orientation for New Employees" sessions.

In addition to the sessions that were offered by the Access to Information and Privacy Division, the officials responsible for access to information and privacy in some regions also provided information sessions to their colleagues. Forty-three privacy awareness sessions were given to 515 employees.

(g) Privacy Management Framework Steering Committee

The Privacy Management Framework Steering Committee is responsible for overseeing the implementation of the Privacy Management Framework throughout HRSDC and Service Canada. Consistent with commitments made to the Office of the Privacy Commissioner following its audit of privacy management frameworks of selected federal institutions (published in 2009), the

Committee is examining privacy governance and updating its work plan focusing on institution-wide privacy issues and actions.

The Privacy Management Framework Steering Committee examines the administrative and research uses of personal information to ensure that all privacy issues are identified and either resolved or mitigated through a framework of policies, guidelines, best practices and tools. The Committee also tests that current management of personal information is sound and that it addresses the ongoing development of new programs and the redevelopment of existing ones.

During 2008–2009, the Privacy Management Framework Steering Committee was convened on nine separate occasions and reviewed a total of eight Privacy Impact Assessment or Preliminary Privacy Impact Assessment reports. Committee members review the Privacy Impact Assessment submissions with a focus on privacy and policy issues associated with each proposal and their recommendations to mitigate or resolve any identified privacy issues.

(h) The Databank Review Committee

The Databank Review Committee is a major component of the Privacy Management Framework governing the management and protection of personal information within HRSDC, including Service Canada and the Labour Program.

The committee's primary function is to ensure that privacy considerations are paramount in the design and conduct of departmental policy analysis, research and evaluation activities. To do this, the committee is required to review all policy analysis, research and evaluation activities that involve the linkage of separate databanks and/or the use of unmasked personal identifiers, and to ensure that appropriate privacy protection measures are taken into consideration and are implemented, in accordance with Government of Canada and departmental privacy legislation and the departmental protocol.

All departmental projects that are reviewed and recommended by the Databank Review Committee are subsequently referred to the Deputy Minister (HRSDC) or to the Chief Operating Officer (Service Canada) for approval.

During 2008-2009, the Databank Review Committee was convened on five separate occasions and reviewed a total of 27 project proposals that requested the use of unmasked personal information and/or the linkage of separate databanks for policy analysis, research, or evaluation purposes, to ensure that all proposals conformed with privacy requirements. In addition, 18 research projects, not involving the exchange of any unmasked personal identifiers between HRSDC and the external contractors, were tabled for the committee's information during 2008-2009.

(i) Policy Development and Privacy Impact Assessments

The Access to Information and Privacy Division provides advice and guidance to ensure that the principles of the *Privacy Act* are respected during the design or redesign of programs and services at HRSDC.

Apart from providing general advice and guidance, the ATIP policy units of HRSDC have also produced a departmental privacy policy and guidelines document, which is available to all employees on the Department's intranet site.

During the reporting period, HRSDC initiated five Privacy Impact Assessments and four Preliminary Privacy Impact Assessments. Of these, eight were reviewed by the Privacy Management Framework Steering Committee and recommended for approval. Pursuant to the current Treasury Board Policy

on Privacy Impact Assessments, PIA's approved by the Deputy Minister will subsequently be forwarded to the Office of the Privacy Commissioner. Thereafter, summaries of the PIA's will be posted on the Department's website.

There are no new data matching activities to report for 2008–2009.

(j) Privacy Breaches

The Treasury Board Secretariat defines a privacy breach as the “improper or unauthorized collection, use, disclosure, retention and/or disposal of personal information.” Given the vast amount of personal information held by HRSDC in order to deliver its programs and services to Canadians throughout their lives, privacy breaches sometimes occur. HRSDC takes every one of these occurrences very seriously and has a process in place to evaluate each incident in order to ensure that any systemic issues are corrected immediately and to reduce or eliminate the risk of recurrences.

(k) Overview of New Institutional *Privacy Act* – Related Policies and Procedures Implemented During the Reporting Period

As mentioned in the introduction, HRSDC's two teams responsible for administering the access to information and privacy functions were integrated into one division during the 2008–2009 fiscal year. While both units worked very closely together before the integration to ensure consistency in applying the legislation, a few internal processes were revisited in order to bring both teams together and to support harmonization of policies and procedures. For example, the internally established timeframes for processing requests was adjusted slightly to ensure that all parties had sufficient time to respond to requests. Also, the signing authority for certain functions has been elevated to the Director and/or manager levels.

(l) Delegation of Authorities for the Administration of the *Privacy Act*

Administration of the *Privacy Act* within HRSDC is not strictly a centralized function; rather, it is the result of the combined effort of the Access to Information and Privacy Division at National Headquarters and a network of branch and regional coordinators.

Policy advice and guidance are provided by the Access to Information and Privacy Division in liaison with the branch and regional offices to ensure that the needs of National Headquarters, regional headquarters and local offices are met. Regional coordinators are responsible for the day-to-day administration of the *Privacy Act* and other applicable privacy laws within their own regions. Along with the local coordinators, who administer the Act at the local level, regional coordinators have been delegated responsibility for disclosing personal information in response to formal privacy requests. With assistance from National Headquarters, regional coordinators also provide advice and guidance to management and the public at large.

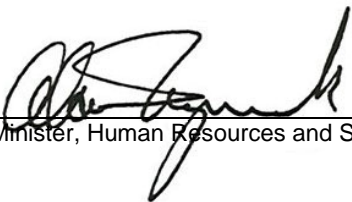
The Delegation Order on the following pages was signed by former Minister Belinda Stronach in 2005, and is currently in force at HRSDC.

Annex A


HUMAN RESOURCES AND SKILLS DEVELOPMENT

Pursuant to section 21 of the *Department of Human Resources Development Act*, sections 32, 33 and 34 of the *Financial Administration Act*, subsection 6(4) of the *Public Service Employment Act*, sections 9 and 12 of the Interest and Administrative Charges Regulations, section 4 of the Debt Write Off Regulations and section 4 of the Ex Gratia Payments Order, 1991, and to the Treasury Board Directives on Travel, Relocation and Isolated Posts and Housing, and the Treasury Board Policies on Hospitality, Memberships, Recognition, Conferences and Claims and Ex Gratia Payments, the positions and those groups and other individuals identified within these delegation documents are authorized to exercise the authorities as indicated in the attached annexes.

- Submissions to Treasury Board;
- Financial delegations – Operating Funds (HNQ/Region);
- Special Financial authorities (HNQ/Region);
- Restrictions concerning Financial authorities
- Write-off of debt (HNQ/Region);
- Waiver/reduction of interest
- Grant and Contribution programs (CRF, EBSM, Learn\$ave, Learning, Workplace Skills);
- Homelessness (NHI, SCPI)
- NHI and SCPI (Section 34 FAA)
- International Trade and Labour Program
- Labour Management Partnerships Program
- Occupational Safety and Health and Fire Prevention
- Authority to Make Information Available pursuant to Section 127 of the *Employment Insurance Act*
- Authority to Release Information pursuant to the *Employment Insurance Act*
- Authorization to Make Information Available, pursuant to Section 128 of the *Employment Insurance Act*
- Call Centers
- Certified True copies or certified true extracts of official records;
- *Federal Real Property and Federal Immovables Act*;
- *Access to Information Act*, and
- *Privacy Act*.
- Contracts and Endorsements under the *Government Annuities Act*
- Certification of Educational Institutions
- Transactions against the EI Account


Deputy Minister, Human Resources and Skills Development

Date


Minister of State, Human Resources and Skills Development

Date

Privacy Act - Delegation of Authority							
Description	Section	Director ATIP	Chief ATIP	Officers ATIP	RPC	HRCC Managers	**
Approval to disclose for the purpose the information was obtained or for consistent use	8(2)(a)	x	x				
Approval to disclose in accordance with any Act of Parliament or regulations	8(2)(b)	x	x				
Approval to disclose for complying to subpoena, warrant or order made by a court	8(2)(c)	x	x	x	x	x	
Approval to disclose to the Attorney General for use in legal proceedings	8(2)(d)	x	x	x	x	x	
Approval to disclose to investigative bodies	8(2)(e)	x	x	x		x	
Approval to disclose pursuant to an agreement between HRDC and another federal institution, foreign, provincial or municipal government or a third party (<i>authority to disclose as specified in the Agreement</i>)	8(2)(f)	x	x	x	x	x	x ¹
Approval to disclose to a Member of Parliament or Senator	8(2)(g)	x	x	x	x	x	x ²
Approval to disclose to employees of HRDC for internal audit purposes or to the Comptroller General for audit purposes	8(2)(h)	x	x	x	x	x	
Approval to disclose to National Archives for archival purposes	8(2)(i)	x	x	x	x	x	
Approval to disclose for research and statistical purposes	8(2)(j)	x	x				
Approval to disclose to any association of aboriginal people, Indian Band	8(2)(k)	x	x				
Approval to disclose to locate a debtor owing to Her Majesty or make a payment owing to that individual by Her Majesty	8(2)(l)	x	x	x	x	x	
Approval to disclose in the public interest or if the disclosure would benefit the individual	8(2)(m)	x	x				

Director, ATIP: Director, Access to Information and Privacy, NHQ

Chief, ATIP: Chief, Access to Information and Privacy, NHQ

Officers, ATIP: All officers within Access to Information and Privacy, NHQ

RPC: Regional Privacy Coordinator

Managers: Managers of Human Resource Centres of Canada

1**: Employees as specified in the agreement

2**: Designated employees

Description	Section	Director ATIP	Chief ATIP	Officers ATIP	RPC	HRCC Managers	**
Record of disclosure for investigation	8(4)	x	x	x			
Notify Privacy Commissioner of 8(2)(m)	8(5)	x	x				
Record of consistent uses	9(1)	x	x	x			
Notify Privacy Commissioner of consistent uses	9(4)	x	x				
Personal information banks	10(1)	x	x	x			
Notice where access is granted	14	x	x	x	x	x	x
Extension of time limits	15	x	x	x	x	x	x
Notice where access is refused	16	x	x	x	x	x	x
Decision regarding translation	17(2)(b)	x	x	x	x		
Conversion to alternate format	17(3)(b)	x	x	x	x	x	x
Refuse access – exempt bank	18(2)	x	x				
Refuse access – confidential information	19(1)	x	x	x	x		
Disclose confidential information	19(2)	x	x	x	x		

Director, ATIP: Director, Access to Information and Privacy, NHQ

Chief, ATIP: Chief, Access to Information and Privacy, NHQ

Officers, ATIP: All officers within Access to Information and Privacy, NHQ

RPC: Regional Privacy Coordinator

Managers: Managers of Human Resource Centres of Canada

** : Designated employees

Description	Section	Director ATIP	Chief ATIP	Officers ATIP	RPC	HRCC Managers	**
Refuse access – federal-provincial affairs	20	x	x	x			
Refuse access – international affairs, defense	21	x	x	x			
Refuse access – law enforcement and investigation	22	x	x	x	x		x
Refuse access – security clearance	23	x	x	x	x		
Refuse access – person under sentence	24	x	x	x	x		
Refuse access – safety of individuals	25	x	x	x			
Refuse access – another person's information	26	x	x	x	x		x
Refuse access – solicitor-client privilege	27	x	x	x	x		x
Refuse access – medical records	28	x	x	x	x		x
Representation to Privacy Commissioner	33(2)	x	x	x	x		
Response to Privacy Commissioner's request to disclose information previously exempted	35(1)(b)	x	x	x	x		
Access given to complainant	35(4)	x	x	x	x		

Director, ATIP: Director, Access to Information and Privacy, NHQ

Chief, ATIP: Chief, Access to Information and Privacy, NHQ

Officers, ATIP: All officers within Access to Information and Privacy, NHQ

RPC: Regional Privacy Coordinator

Managers: Managers of Human Resource Centres of Canada

** : Designated employees

Description	Section	Director ATIP	Chief ATIP	Officers ATIP	RPC	HRCC Managers	**
Action with respect to the review of exempt bank	36(3)(b)	x	x				
Response to review of compliance	37	x	x				
Request court hearing in National Capital Region	51(2)	x	x				
Ex parte representations to court	51(3)	x	x				

Director, ATIP: Director, Access to Information and Privacy, NHQ

Chief, ATIP: Chief, Access to Information and Privacy, NHQ

Officers, ATIP: All officers within Access to Information and Privacy, NHQ

RPC: Regional Privacy Coordinator

Managers: Managers of Human Resource Centres of Canada

** : Designated employees

3 Statistical Report on the *Privacy Act*

Institution	Human Resources and Skills Development Canada / Ressources humaines et Développement des compétences Canada
-------------	--

Reporting period / Période visée par le rapport	2008/04/01 to 2009/03/31
---	--------------------------

I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels	
Received during reporting period / Reçues pendant la période visée par le rapport	8,819
Outstanding from previous period / En suspens depuis la période antérieure	452
TOTAL	9,271
Completed during reporting period / Traitées pendant la période visée par le rapport	8,858
Carried forward / Reportées	413

II Disposition of request completed / Disposition à l'égard des demandes traitées	
1. All disclosed / Communication totale	2,854
2. Disclosed in part / Communication partielle	5,563
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	13
5. Unable to process / Traitement impossible	359
6. Abandoned by applicant / Abandon de la demande	66
7. Transferred / Transmission	3
TOTAL	8,858

III Exemptions invoked / Exceptions invoquées	
S. Art. 18(2)	0
S. Art. 19(1)(a)	0
(b)	0
(c)	1
(d)	0
S. Art. 20	0
S. Art. 21	3
S. Art. 22(1)(a)	2
(b)	18
(c)	0
S. Art. 22(2)	0
S. Art. 23 (a)	0
(b)	0
S. Art. 24	0
S. Art. 25	4
S. Art. 26	5,531
S. Art. 27	46
S. Art. 28	1

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

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	8,032
31 to 60 days / De 31 à 60 jours	535
61 to 120 days / De 61 à 120 jours	194
121 days or over / 121 jours ou plus	97

VI Extentions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations	194	1
Consultation	17	0
Translation / Traduction	9	0
TOTAL	220	1

VII Translations / Traductions		
Translations requested / Traductions demandées		10
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	10

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	8,416
Examination / Examen de l'original	0
Copies and examination / Copies et examen	1

IX Corrections and notation / Corrections et mention	
Corrections requested / Corrections demandées	14
Corrections made / Corrections effectuées	3
Notation attached / Mention annexée	12

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 2,306,000
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 313,000
TOTAL	\$ 2,619,000
Person-year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person-year (decimal format) / Années-personnes (nombre décimal)	40

Supplemental Reporting Requirements <i>Privacy Act</i>	Exigences en matière d'établissement de rapports supplémentaires <i>Loi sur la protection des renseignements personnels</i>
<p>Treasury Board Secretariat is monitoring compliance with the Privacy Impact Assessment (PIA) Policy (which came into effect on May 2, 2002) through a variety of means. Institutions are therefore required to report the following information for this reporting period.</p> <p>Indicate the number of:</p> <p>Preliminary Privacy Impact Assessments initiated: _____ 4 _____</p> <p>Preliminary Privacy Impact Assessments completed: _____ 0 _____</p> <p>Privacy Impact Assessments initiated: _____ 5 _____</p> <p>Privacy Impact Assessments completed: _____ 0 _____</p> <p>Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC): _____ 0 _____</p> <p>If your institution did not undertake any of the activities noted above during the reporting period, this must be stated explicitly.</p> <p><small>* In addition to the activities cited above, HRSDC is also in the process of finalizing an Addendum to the previously completed Ontario Vital Events Data Exchange PIA.</small></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) par divers moyens. Les institutions sont donc tenues de déclarer les renseignements suivants pour cette période de déclaration.</p> <p>Veillez indiquer le nombre :</p> <p>d'évaluations préliminaires des facteurs relatifs à la vie privée amorcées : _____ 4 _____</p> <p>d'évaluations préliminaires des facteurs relatifs à la vie privée achevées : _____ 0 _____</p> <p>d'évaluations des facteurs relatifs à la vie privée amorcées : _____ 5 _____</p> <p>d'évaluations des facteurs relatifs à la vie privée achevées : _____ 0 _____</p> <p>d'évaluations des facteurs relatifs à la vie privée acheminées au Commissariat à la protection de la vie privée (CPVP) : _____ 0 _____</p> <p>Si votre institution n'a pas entrepris l'une ou l'autre des activités susmentionnées durant la période de rapport, cela doit être mentionné de façon explicite.</p> <p><small>* En plus des activités susmentionnées, RHDC finalise présentement un Addenda à l'ÉFVP sur l'échange de données de l'état civil de l'Ontario, une évaluation complétée antérieurement.</small></p>

Discrepancies	Divergences
<p>Report on the <i>Privacy Act</i></p> <p>Section IX – Corrections and notation</p> <ul style="list-style-type: none">• The value in the “Corrections requested” box is not equal to the sum of “Corrections made” and “Notations attached”, for the following reasons:<ul style="list-style-type: none">○ In 2007–2008, a correction request was carried forward, and completed in 2008-2009.○ In 2008–2009, a correction request was carried forward, to be completed in 2009-2010. <p>* the first two bullets should have the effect of cancelling one another out and leading to a balanced number. However...</p> <ul style="list-style-type: none">○ one of the corrections that was requested was partially granted, which means that HRSDC was able to make a correction to some of the information, as requested. However, some of the information did not qualify for correction as per TBS's criteria for making the determination. Consequently, a notation was attached to the individual's file.	<p>Rapport concernant la <i>Loi sur la Protection des renseignements personnels</i></p> <p>Section IX – Corrections et mention</p> <ul style="list-style-type: none">• La valeur dans la case “Corrections demandées” n’est pas égale à la somme des cases “Corrections effectuées” et “Mention annexée” pour les raisons suivantes :<ul style="list-style-type: none">○ En 2007-2008, une demande de correction a été reportée. Cette demande a été complétée en 2008-2009.○ En 2008-2009, une demande de correction a été reportée, à être complétée en 2009-2010. <p>* les 2 premiers points vignettes devraient avoir comme effet de s’annuler l’un et l’autre, ce qui mènerait à ce que les chiffres balancent. Par contre...</p> <ul style="list-style-type: none">○ une des demandes de correction a été acceptée en partie, ce qui veut dire que RHDCC était en mesure de corriger certains renseignements, tel que demandé. Cependant, les autres renseignements n’ont pas qualifié pour une correction selon les critères émis par le SCT. En conséquence, une mention a été annexée au dossier de l’individu.