

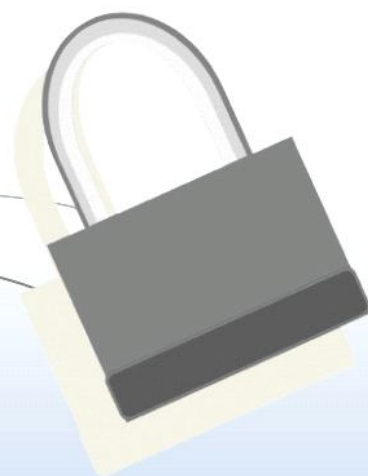


Aboriginal Affairs and
Northern Development Canada

Affaires autochtones et
Développement du Nord Canada

PRIVACY ACT

ANNUAL REPORT TO PARLIAMENT 2012-2013



Canada 

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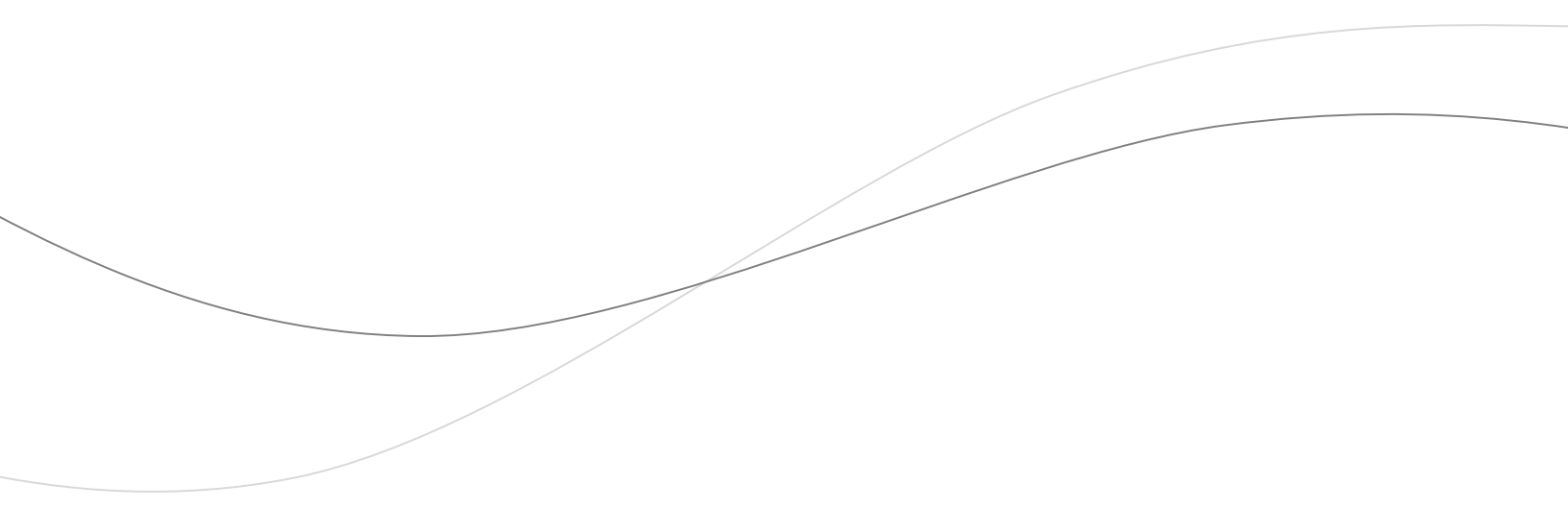
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INTRODUCTION

I. Introduction

The purpose of the *Privacy Act (PA)* is to protect the personal information of individuals held by federal institutions, and to provide individuals with a right of access to that information.

This report, submitted to Parliament pursuant to section 72 of the *Act*, describes the activities of Aboriginal Affairs and Northern Development Canada (AANDC) that support compliance with privacy legislation. The report details the activities and accomplishments of AANDC's Access to Information and Privacy (ATIP) Directorate, including highlights such as:

- Nearly full compliance (99.4%) with the *PA*;
- Establishing various internal privacy policies;
- Continued training initiatives to increase departmental ATIP capacity and awareness.

Our Department

AANDC supports Aboriginal peoples (First Nations, Inuit and Métis) and Northerners in their efforts to:

- Improve their social well-being and economic prosperity;
- Develop healthier, more sustainable communities; and
- Participate more fully in Canada's political, social and economic development – to the benefit of all Canadians.

AANDC is the federal department primarily responsible for meeting the Government of Canada's obligations and commitments to First Nations, Inuit and Métis, and for fulfilling the federal government's constitutional responsibilities in the North. AANDC's overall mandate and wide-ranging responsibilities are shaped by centuries of history and unique demographic and geographic challenges. The mandate is derived from the *Constitution Act 1982*, the *Indian Act*, the *Department of Indian Affairs and Northern Development Act*, territorial Acts, treaties, comprehensive claims and self-government agreements, as well as various other statutes affecting Aboriginal people and the North.

Most of the department's programs, representing a majority of its spending, are delivered through partnerships with First Nation

and Aboriginal communities and federal-provincial or federal-territorial agreements. AANDC also works with urban Aboriginal people, Métis and non-status Indians (many of whom live in rural areas).

II. Organization

ATIP Directorate at AANDC

The ATIP Directorate is responsible for the administration of requests made under the *Privacy Act*, for personal information as well as for Privacy policy within the department and approval of all disclosures of personal information under the *Act*. It was established within the Corporate Secretariat and reports to the Corporate Secretary, who is directly accountable to the Deputy Head and is a member of the AANDC Senior Management Committee (SMC). The Directorate also coordinates and implements policies, guidelines and procedures to ensure departmental compliance with the *Act*. Workshop presentations, training courses and awareness sessions designed to increase access to information and privacy capacity across the Department are also provided by the Directorate.

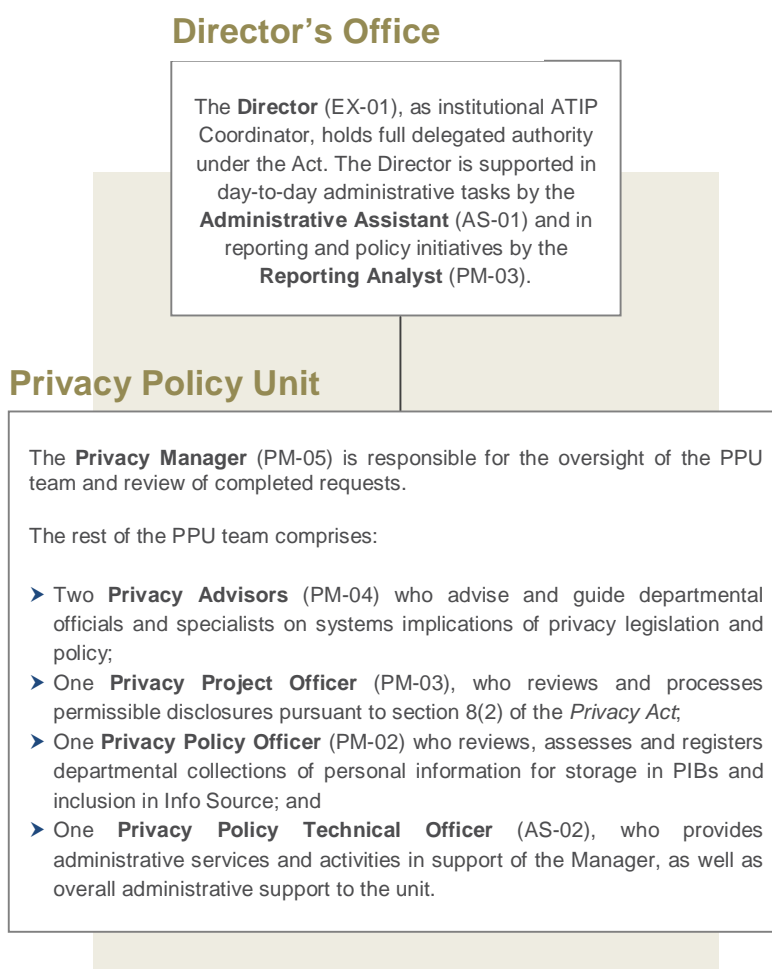
During the 2012-2013 reporting period, the ATIP Directorate was affected by the Budget 2012 Deficit Reduction Action Plan (DRAP), resulting in organizational restructuring and the elimination of two positions.

The Directorate comprises two sections, the Operations Unit and Privacy Policy Unit. While the Operations Unit handles incoming requests for record review, the Privacy Policy Unit's role is to provide critical privacy advice to new initiatives, resulting in changes that will improve privacy protection in departmental programs. Policies and procedures continue to be established to ensure that privacy is considered throughout the life cycle of AANDC's programs and that informed policy decisions are made concerning the collection and use of personal information. The AANDC Privacy Policy Unit provides advice and guidance to the Department on a number of topics:

- i. Conducting departmental Privacy Impact Assessments (PIAs)
- ii. Advising on permissible disclosures of personal information pursuant to subsection 8(2) of the *PA*
- iii. Including and using appropriate *PA* Statements on Data Collection Instruments (DCIs), i.e. forms, surveys, etc.
- iv. Updating Info Source and instructing in the preparation and registration of Personal Information Banks (PIBs) and their related Classes of Records (CORs)
- v. Educating and promoting awareness of privacy and privacy-related issues throughout the Department
- vi. Meeting the requirements of the *PA* and its related policies regarding the sharing of personal information when preparing Memoranda of Understanding (MOUs).

Within each of the sectors and regional offices of AANDC are ATIP Liaison Officers (ALOs) who receive callouts from the ATIP Directorate and subsequently task the request to appropriate areas within their sector. ALOs play a crucial role in ensuring requests are clear to the record retrievers and that the appropriate records, impact statements and approvals are obtained and communicated to ATIP Directorate officials in a timely manner.

In 2012-2013, PPU comprised the positions and structure under the ATIP Director's Office as shown below:



III. Delegation Order

Under section 73 of the *Privacy Act*, the Minister's authority is delegated to departmental officials in order to administer the *Privacy Act* within AANDC.

During the reporting period, the delegation order signed by Minister John Duncan on August 30, 2011 was in effect (Appendix A). Under section 73 of the *Privacy Act*, the order delegates full authority and responsibility for the *PA* to the following positions:

- Deputy Minister
- Associate Deputy Minister
- Corporate Secretary
- Departmental ATIP Coordinator

The ATIP Coordinator can also sub-delegate to either one of the Team Leader positions.

STATISTICS

IV. Interpretation of the Statistical Report

AANDC's Statistical Report was submitted to the Treasury Board Secretariat (TBS) on May 3, 2013 (Appendix B). The Report details various aspects of the requests AANDC received and processed during the period of April 1, 2012 to March 31, 2013. In contrast to last year's volume, AANDC registered substantially fewer new requests, receiving 94 less formal requests under the *Act* than in 2011-2012. While this 37.3% drop signifies a lower demand by Canadians for personal information held by the Department this year compared to last, AANDC nonetheless treated more requests in 2012-2013 than in 2009-2010 and 2010-2011 combined.

Part 1. Requests under the *Privacy Act*

In 2012-2013, AANDC received 143 requests under the *PA* in addition to 29 requests that were carried over from the previous year (Table 1.1). Of these 172 requests, the ATIP Directorate completed 166 requests and carries 6 requests over into the 2013-2014 fiscal year.

Table 1 Number of Requests from 2012-13

Number of Requests	2011-2012	2012-2013
Received	237	143
Outstanding from last year	15	29
Total	252	172
Closed this year	222	166
Carried over to next year	30	6

Part 2. Requests closed during the reporting period

2.1 Disposition and completion time

Of the 166 requests closed during the reporting period (Table 2.1), AANDC was able to fully or partially disclose records in 127 cases; that is, 76.5% of the time a request was submitted to AANDC, the result was a disclosure of relevant information (greater than the 67.6% rate reported in 2011-2012). In these cases, the majority of requests (100, or 78.7%) took 30 days or less to complete. Proportionately, more requests were closed within the statutory 30 day timeframe in 2012-2013 (137, 82.5%) than the previous year (164, 73.9%).

Less than seven percent of requests were abandoned by the requester and only in two cases (1.2% of all requests) was responsive information exempted from disclosure under provisions of the *Act* (see Part 2.2).

Two requests required greater than 60 calendar days to complete but were on day 61 and 62, respectively, which is a considerable improvement over the 17 requests that took beyond 60 days to complete in 2011-2012.

The most frequent outcome of the requests processed during the reporting period was 'Disclosed in part', which was the result for 115 requests (69.3%), followed by 'No records exist', which occurred in 50 requests (30.1%). In 11 instances, the request was abandoned by the requester, likely because the original request was not complete or sufficient authorization for disclosure not obtained.

Table 2.1 Disposition and completion time of requests made under the *Privacy Act*

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	5	4	3	0	0	0	0	12
Disclosed in part	10	81	23	1	0	0	0	115
All exempted	0	1	0	1	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	10	16	0	0	0	0	0	26
Request abandoned	8	2	1	0	0	0	0	11
Total	33	104	27	2	0	0	0	166

2.2 Exemptions

As seen in previous years, the provision under section 26 (information about another identifiable individual) was the most commonly utilized exemption (113 times) invoked during the reporting period (Table 2.2). The next most common exemptions applied were under sections 27 (solicitor-client privilege) and 25 (personal information which could reasonably be expected to threaten the safety of individuals), which were invoked six times

and twice, respectively. In general, exemptions were used more frequently over 2012-2013, with 122 total exemptions applied across 129 requests where relevant records were retrieved and treated. Last year, nearly the same number of exemptions (121) were applied across a greater volume of 152 requests where relevant records were treated.

Table 2.2 Number of requests closed where exemption provisions were invoked

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	1	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	2
19(1)(e)	0	22(2)	0	26	113
19(1)(f)	0	22.1	0	27	6
20	0	22.2	0	28	0
21	0	22.3	0	Total	122

2.3 Exclusions

No exclusion provisions were applied to requests that were closed in 2012-2013.

2.4 Format of information released

Over the course of the reporting period, requesters were equally divided when asking for their responsive information in paper or electronic format. Last year, paper copies were given only in exceptional cases where the scanning of records rendered portions difficult to read. In 2012-2013, however, paper copies were provided more frequently in keeping with the duty to assist requesters. AANDC conveyed response packages in paper format for 63 requests (49.6% of all responses) where records were disclosed; an equal 63 responses were provided electronically. In one instance, an individual's personal information was provided to them directly by phone.

Table 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All	7	4	1
Disclosed	56	59	0
Total	63	63	1

2.5 Complexity

The following sections detail several factors affecting the complexity of requests that were completed throughout 2012-2013.

2.5.1 Relevant pages processed and disclosed

During the reporting period, the ATIP Directorate retrieved and reviewed 28,334 pages of records under the control of the Department (Table 2.5.1). This is a decrease of 13,616 pages (32.5%) from 2011-2012.

AANDC received fewer requests for personal information and also collected fewer pages per request during 2012-2013. In 2011-2012, 152 requests resulted in the retrieval and processing of 41,950 pages of records, or an average of 276.0 pages per request; in 2012-2013, 129 requests resulted in the processing of 28,334 pages or an average of 219.6 pages per request. Interestingly, AANDC released many more pages per request in 2012-2013, disclosing approximately 99.4 pages per request

compared to the 87.6 per request released in 2011-2012. In addition, nearly one half (12,820 pages, or 45.2%) of the total records processed during the reporting period were disclosed partially or in their entirety, up significantly from the 31.8% release rate of the previous year.

Rather than attributing this fact to a single cause, this may simply be a result of the particular nature and content of the records that were retrieved throughout 2012-2013.

Table 2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	971	846	12
Disclosed in part	25,680	11,974	115
All exempted	1,558	0	2
All excluded	0	0	0
Request abandoned	125	0	11
Total	28,334	12,820	140

2.5.2 Relevant pages processed and disclosed by size of requests

Well over half of completed requests (88 or 62.9%) required 100 pages of processing or less (Table 2.5.2). The 39 requests that required treatment of between 101-500 pages of records resulted in the disclosure of 6,165 (48.1%) of all pages of information released in 2012-2013.

AANDC treated seven moderately large (1001-5000 pages) requests and partially disclosed information in completing six of them. These six requests accounted for 2,875 (22.4%) of all pages of information released during the reporting period.

Table 2.5.2 Relevant pages processed and disclosed by size of request

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
All disclosed	11	239	0	0	1	607	0	0	0	0
Disclosed in part	66	1,676	39	6,165	4	1,258	6	2,875	0	0
All exempted	1	0	0	0	0	0	1	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	10	0	1	0	0	0	0	0	0	0
Total	88	1,915	40	6,165	5	1,865	7	2,875	0	0

2.5.3 Other complexities

In four cases, the ATIP Directorate required external consultations with other organizations before completing a request. In 113 cases, personal information about other individuals was interwoven into the information that was retrieved pursuant to privacy requests; this information was redacted under section 26 as described in section 2.2.

Table 2.5.3 Other complexities related to requests closed during the reporting period

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in	3	0	112	0	115
All exempted	1	0	0	0	1
All excluded	0	0	0	0	0
Abandoned	0	0	1	0	1
Total	4	0	113	0	117

2.6 Deemed refusals

During the reported period, AANDC completed all but one request within their statutory deadline. No extension had been taken on this request, which was closed three days after its 30-calendar day timeframe due to workload.

2.7 Requests for translation

During the reporting period, there were no instances where requesters asked that responsive records be translated to another official language.

Part 3. Disclosure under subsection 8(2)

AANDC is permitted to disclose personal information under subsection 8(2) of the *PA*. TBS requires AANDC to report the number of instances where personal information was disclosed specifically pursuant to paragraph 8(2)(e) and 8(2)(m).

Under paragraph 8(2)(e), personal information may be disclosed “to an investigative body [...] for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation...”. In 2012-2013, AANDC made 63 disclosures within this context.

The ATIP Directorate also disclosed personal information verifying Indian status on one occasion under 8(2)(m), “where, in the opinion of the head of this institution, (i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure, or (ii) disclosure would clearly benefit the individual to whom the information relates”. In this instance, AANDC notified the Privacy Commissioner of Canada (OPC) following the disclosure, as required under section 8(5).

In total, there were 575 files requesting disclosures of personal information pursuant to the paragraphs under subsection 8(2) of the *Act* (Table 3.1). The most frequent types of disclosure file were under paragraphs 8(2)(f), 8(2)(a), 8(2)(e), 8(2)(d), and 8(2)(k), which accounted for 98.4% of the requests completed during the reporting period.

Table 3.1 Disclosures of personal information permissible under subsection 8(2) of the *Privacy Act*

Paragraph	Number of Disclosures	Percentage (%)
8(2)(a)	100	17.4
8(2)(b)	0	0
8(2)(c)	1	0.2
8(2)(d)	39	6.8
8(2)(e)	63	10.9
8(2)(f)	327	56.9
8(2)(g)	0	0
8(2)(h)	0	0
8(2)(i)	0	0
8(2)(j)	3	0.5
8(2)(k)	37	6.4
8(2)(l)	4	0.7
8(2)(m)	1	0.2
Total	575	100.0

Part 4. Requests for correction of personal information and notations

During the reporting period, there were no requests for correction of personal information and notations.

Part 5. Extensions

5.1 Reasons for extensions and disposition of requests

AANDC applied considerably fewer extensions during the reporting period compared to the previous year (Table 5.1). A total of seven extensions under section 15(a) of the *Act* were applied in 2012-2013, less than the 55 applied in 2011-2012. That year, 51 requests were extended pursuant to subsection 15(a)(i) (interference with operations), predominantly in efforts to resolve backlog files. This year, extensions under 15(a)(i) were used just three times and subsection 15(a)(ii) (external consultation) was cited in extending four files.

Where an extension was applied to a request, the result of the request was a full or partial disclosure of records five out of six times.

Table 5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with Operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	1	0	0	0
Disclosed in part	2	0	3	0
All exempted	0	0	1	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	3	0	4	0

5.2 Length of extensions

All but one extension applied during the reporting period (six out of seven) was between 16 to 30 days in length.

Table 5.2 Length of extensions

Length of extension	15(a)(i) Interference with Operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	1	0	0	0
16 to 30 days	2	0	4	0
Total	3	0	4	0

Part 6. Consultations received from other institutions and organizations

6.1 Consultations received from other institutions and organizations

AANDC received one consultation from another government institution. The consultation package consisted of 259 files for review and was completed during the reporting period. The consultation took 45 days to complete and AANDC recommended a partial disclosure of the records.

Part 7. Completion time of consultations on Cabinet confidences

During the reporting period, no consultations on the application of section 70 of the *Act* were sent to the Cabinet Confidences Section of the Privacy Council Office.

Part 8. Resources related to the *Privacy Act*

8.1 Costs

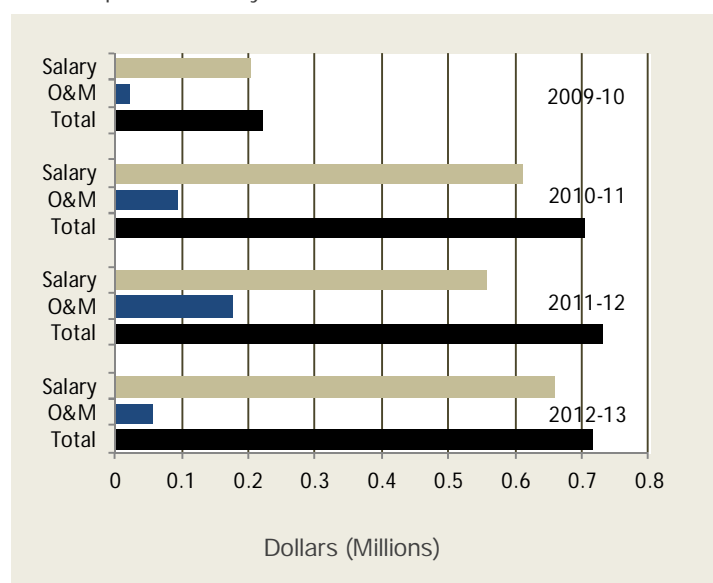
Table 8.1 Costs for the administration of the *PA*

Expenditures	Amount
Salaries	\$657,811
Overtime	\$0
Goods and Services	\$54,453
► Professional	\$20,995
► Other	\$33,458
Total	\$712,264

In 2012-2013, AANDC spent \$712,264 on the administration of the *Act*, which is a decrease of \$17,419 (or 2.4%) from the \$729,683 expended in 2011-2012 (Table 8.1). An amount of \$121,605 less was devoted to professional services contracts while AANDC spent \$103,291 more on salary.

Since the end of 2009-2010, AANDC has spent more on the administration of the privacy legislation and policy, particularly on salary for full-time privacy officers (Figure 8.1). In 2010-2011 and 2011-2012, the ATIP Directorate spent significantly more on O&M, particularly professional services; however, this year saw a reduction in O&M spending (over half of the amount spent was for supplies, translation, and other non-temporary help or consultant services).

Figure 8.1 Budget figures for the administration of the *Privacy Act* over the previous four years



8.2 Human Resources

The Operations Unit within the ATIP Directorate consisted of 10.25 full-time equivalents (FTEs) dedicated to access to information activities (Table 8.2). A full 6.00 FTEs representing the PPU were dedicated solely to privacy policy activities while the remainder of full-time employees belonged to the Operations Unit and split time processing requests under the *Access to Information Act* as well. Over the course of the reporting period,

AANDC hired a consultant for approximately 0.12 FTE to aid in the PPU, particularly in determining the status of Privacy Impact Assessments and Memoranda of Understanding that were outstanding from the period when PPU had numerous vacancies. In general, AANDC had a smaller contingent of Operations personnel working on privacy-related requests than in previous years.

Table 8.2 Human resources dedicated to the administration of the *Privacy Act*

Resources	Dedicated full-time to ATI Activities	Dedicated part-time to ATI activities	Total
Full-time employees	6.00	4.25	10.25
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.12	0.00	0.12
Students	0.00	1.00	1.00
Total	6.12	5.25	11.37

Part 9. Completed Privacy Impact Assessments (PIAs) and Other ATIP Directorate Functions

Throughout the reporting period, the ATIP Directorate also processed other types of files beyond formal requests and consultations received from other organizations. These include informal requests from the public as well as various other services provided internally to the Department by PPU. In total, the Directorate processed over 1,200 privacy-related files in 2012-2013.

Privacy Impact Assessments (Appendix A of the TBS Statistical Report)

A PIA is a step-by-step evaluation of the flow of personal information held within a given program or service. This process enables the Department to determine whether new or substantially modified technologies, information systems, initiatives, and proposed programs or policies meet federal government privacy requirements. During the 2012-2013 reporting period, the Privacy Policy Unit re-designed its critical pathway for the PIA process and experienced an increasing workload of potential PIAs for AANDC programs and activities, initiating 18 new PIAs. In two instances, it was determined by

ATIP officials that a full-scale assessment was unnecessary for the proposed activity. AANDC also completed the following full PIA during the reporting period:

► Education Information System (EIS)

The PIA report addresses all elements of personal information related to the new AANDC Education Branch Program IM/IT solution, the Education Information System (EIS). EIS delivers on the opportunity to develop a comprehensive national education information system for school/institution-based learning in which AANDC and First Nations have a shared interest and responsibility. AANDC, in participation with First Nations, collects pertinent and personal information to confirm the identity of individuals and to assign, track and monitor specific elements of the services offered by AANDC's Education Branch.

The EIS Application is a systematic improvement in the collection, centralization and management of information currently gathered by First Nations and AANDC Regional staff members via disparate, largely manual, processes. EIS is the enabling component of the *2008 Reforming First Nation Education* initiative. The full summary of this PIA can be found on AANDC's official website here: <http://www.aadnc-aandc.gc.ca/eng/1348671248669/1348671314357>.

Information Sharing Agreements (ISAs)

AANDC creates internal and external agreements that govern the sharing of personal information pursuant to section 8(2) of the *Act* and respecting TBS policy. These often take the form of Memoranda of Understanding (MOU) and outline key parameters, safeguards and timeframes regarding the purpose and disclosure of the personal information. In 2012-2013, AANDC initiated a review of all active ISAs between departmental sectors and between the Department and other external parties. Over the year, two agreements were signed and completed.

Privacy Act Statements

The PPU reviews Data Collection Instruments (DCIs) and assists program officials in the development of appropriate Privacy Statements to be included in any form collecting personal information. During 2012-2013, the PPU advised AANDC officials on 26 Privacy Statements to be included on DCIs.

Privacy Policy Questions

The PPU also fields questions regarding privacy protocols and other inquiries related to personal information. During the reporting period, the PPU responded to 36 questions from departmental clients regarding privacy matters.

Privacy Breaches

The PPU provides support to AANDC officials in addressing and containing potential privacy breaches. To this end, PPU has created Privacy Breach Guidelines available to all employees to assist individuals respond to a potential breach. In 2012-2013, PPU addressed ten potential situations where allegations of improper disclosure of personal information were reported.

Informal Privacy Requests

AANDC receives requests for information that can be answered without citing the *PA* but keeping within the spirit of the legislation. In total, the ATIP Directorate treated 514 personal information-related requests through informal means in 2012-2013. It should be noted that the majority of these requests pertained to Residential School records for Common Experience Payment (CEP) purposes; these files were transferred to AANDC's Resolution Branch in early 2012-2013.

V. Complaints and Investigations

During the 2012-2013 reporting period, there were two complaints registered with the Office of the Privacy Commissioner (OPC) against AANDC (Table V.1).

Table V.1 Number of complaints received

Type of Complaint	Number of Complaints
Use and Disclosure	1
Access	1
Total	2

AANDC has provided representations for the above complaints to the OPC for its investigations and is awaiting the OPC's findings.

HIGHLIGHTS

VI. 2012-2013 Points of Interest

Under the leadership and support of the Corporate Secretary and ATIP Coordinator, the ATIP Directorate focused its business in 2012-2013 upon three key pillars: modernization, engagement and support, and legislative and policy compliance. The following are highlights of some activities undertaken this year under these key areas.

High Compliance with Statutory Deadlines

AANDC reported only one deemed refusal and closed the remainder of each of the 166 requests it processed in 2012-2013 on time. Since May 2012, AANDC has not closed any formal privacy requests after its statutory deadline.

Electronic Retrieval of Records

One of the major accomplishments of the ATIP Directorate during 2012-2013 was its transition to a fully electronic record retrieval process. Effective October 2012, all Impact Statements and records retrieved by AANDC's sectors and regional offices were to be submitted in PDF or TIFF format to the ATIP Directorate. This involved consultation with departmental ALOs and working with Information Management Branch to arrange CIDM library access rights. It is estimated that this move to electronic retrieval of all incoming records has resulted in savings of approximately one million sheets of paper, 500 CDs and 1,500 hours of scanning time in administration of both the *ATIA* and *PA*.

Education and Training

Educating staff on the *PA* as well as its implications on the Department and its operations continues to be of high importance to AANDC.

It is clear that the collection, use and disclosure of personal information by the Canadian government are of great interest and concern to the Canadian public. AANDC recognizes that a solid understanding of the *PA* allows officials to make informed decisions on policies and activities.

With respect to departmental training, AANDC continued its successful training campaign of 2011-2012. This year, the ATIP training presentation deck was overhauled to provide improved information and instruction to departmental staff. In total, the ATIP Directorate held over 40 formal training sessions (to nearly 400 employees, including headquarters and regional offices) on the *PA*, as well as numerous informal *ad hoc* sessions as requested by AANDC program areas.

In addition, the PPU delivered nine privacy training sessions to 67 invitees across 13 sectors and regional offices. These sessions focused on departmental obligations related to Info Source and the conduct of PIAs.

Meetings with AANDC Sector Heads on ATIP Roles and Responsibilities

Beginning in late 2011-2012, the Corporate Secretary and ATIP Director began meeting with the Assistant Deputy Ministers (ADMs) of each sector to describe their roles and responsibilities with respect to the administration of the *PA* within the Department. These informational meetings describe the importance of the *PA*, the functions of the ATIP Directorate and the critical path of formal requests from their receipt to completion. ADMs were made aware of key players, processes, timeframes, sign-offs and reporting instruments that are involved so that AANDC remains consistent and timely in its responses.

Info Source

To fulfill the requirements of the Management Accountability Framework (MAF) Area of Management (AoM) 12.5 criteria, extensive effort was once again made during the reporting period to ensure all PIBs and CoRs were updated and registered in accordance with TBS policy. No new PIBs were registered with TBS while six updates to existing PIBs were approved by TBS during 2012-2013. The Department's 2012 Info Source Chapter was submitted to TBS in fall 2012 and met all mandatory requirements set out by TBS.

Accountability Reporting to Senior Management

As an accountability measure within the Department, the ATIP Directorate continues to produce a monthly report to Senior Management Committee (SMC) indicating sector and regional office performance with respect to the retrieval of records. The report captures workload and performance trends as well as information on request subject matter.

5 and 7 Day Reminder System

Integrated into the critical path of formal requests is a reminder system to advise sectors of their impending due dates for record retrieval. When the ATIP Directorate tasks a sector with retrieving records that are relevant to a request, the sector is given seven calendar days to complete an Impact Statement and provide these records. During this timeframe, the Intake Unit will send email reminders to sector ALOs on the fifth and seventh days to ensure that ALOs are aware of approaching deadlines.

VII. Changes to the Organization, Policies, Guidelines and Procedures

Organization Changes

The Directorate stabilized its organizational structure with no significant turnover of staff or decrease in operational support. As a result, the Directorate was able to adequately handle the increase in workload without a significant impact on operations. For 2012-2013, the Director position in the Directorate has remained temporarily staffed, as has a Team Leader position.

While these vacancies permitted acting opportunities and career rotation to staff, the Directorate has put in place a succession plan with the goal to permanently fill these positions. Despite these staffing challenges, there were no integral changes to the organizational structure overall.

Procedural Changes

Beyond the transition to electronic record retrieval, no significant procedural changes were undertaken in 2012-2013.

APPENDIX A

Order of Delegation of the *Privacy Act* dated August 30, 2011.

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal In
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

**Loi sur la protection des
renseignements personnels -
Ordonnance de délégation de pouvoirs**

En application des pouvoirs de désignation qui me sont conférés en vertu de l'article 73 de la *Loi sur la protection des renseignements personnels*, j'autorise par la présente les employés exerçant des fonctions ou occupant le poste de sous-ministre (numéro de poste 00001), sous-ministre délégué(e) (numéro de poste 00000006), bureau du sous-ministre, secrétaire du Ministère (numéro de poste 12294), secrétariat du Ministère, coordonnateur/directrice (numéro de poste 20003872) de l'Accès à l'information et de la protection des renseignements personnels et les employés qui les succéderont, y compris les employés qui les remplacent en leur absence, ou toute personne ou agent désigné par écrit pour les remplacer à exercer ces pouvoirs, responsabilités ou fonctions dévolus au ministre en tant que chef de cette institution administrative en vertu de la Loi, et tel qu'énoncés dans l'annexe A ci-jointe.

J'autorise par la présente les conseillers principaux de l'Accès à l'information et de la protection des renseignements personnels (numéros de postes 62364, 12590 et 12061) et ceux qui les succéderont, y compris, en leur absence, toute personne ou agent désigné par écrit pour agir en son nom, à exercer les pouvoirs, les responsabilités ou les fonctions dévolues au ministre en tant que chef de cette institution administrative du gouvernement en vertu de la Loi et tel qu'énoncés dans l'annexe B ci-jointe.

**Privacy Act –
Delegation Order**

Pursuant to the powers of designation conferred upon me by Section 73 of the *Privacy Act*, the persons exercising the functions or positions of Deputy Minister (position number 00001), Associate Deputy Minister (position number 00000006), Deputy Minister's office, Corporate Secretary (position number 12294), Corporate Secretariat, and the departmental Access to Information and Privacy Coordinator/Director (position number 20003872) and their respective successors, including in their absence, a person or officer designated in writing to act in the place of the holder of any such functions or positions are hereby designated to exercise those powers, duties or functions of the Minister as the Head of the government institution under the Act, and as set out in the attached Schedule A.

The departmental Access to Information and Privacy Senior Advisors (position numbers 62364, 12590 and 12061) and their respective successors, including in her/his absence, a person or officer designated in writing as being authorized to act in the place of the holder of any such function or position, are hereby designated to exercise those powers, duties or functions of the Minister as the Head of the government institution under the Act, and as set out in the attached Schedule B.

Canada



Ministre des Affaires indiennes et du développement du Nord
Minister of Indian Affairs and Northern Development

Signé à Gatineau, le 3, of Aug 2011
Dated at Gatineau, the 3, of Aug 2011

SCHEDULE A

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT SCHEDULE TO DELEGATION ORDER

DESIGNATION PURSUANT TO SECTION 73 OF THE *PRIVACY ACT*

Sections and Powers, Duties or Functions

- 8(2) Disclose personal information without the consent of the individual to whom it relates
- 8(4) Keep copies of requests made under 8(2)(e), keep records of information disclosed pursuant to such requests and to make those records available to Privacy Commissioner
- 8(5) Notify the Privacy Commissioner in writing of disclosure under paragraph 8(2)(m)
- 9(1) Retain a record of use of personal information
- 9(4) Notify the Privacy Commissioner of consistent use of personal information and update index accordingly
- 10 Include personal information in personal information banks
- 11(a) Publish annually an index of all personal information banks and their respective contents
- 11(b) Publish annually an index of all personal information held by the institution which is not part of a bank
- 14 Respond to request for access, within statutory deadline; give access or give notice
- 15 Extend time limit and notify applicant
- 16 Where access is refused
- 17(2)(b) Language of access or alternative format of access
- 17(3)(b) Access to personal information in alternative format
- 18(2) May refuse to disclose information contained in an exempt bank
- 19(1) Shall refuse to disclose information obtained in confidence from another government
- 19(2) May disclose any information referred to in 19(1) if the other government consents to the disclosure or makes the information public
- 20 May refuse to disclose information injurious to federal-provincial affairs
- 21 May refuse to disclose information injurious to international affairs and/or defence
- 22 May refuse to disclose information injurious to law enforcement and investigation
- 23 May refuse to disclose information injurious to security clearances
- 24 May refuse to disclose information collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board
- 25 May refuse to disclose information injurious to which could threaten the safety of individuals
- 26 May refuse to disclose information about other individuals, and shall refuse to disclose such information where disclosure is prohibited under section 8
- 27 May refuse to disclose information subject to solicitor-client privilege
- 28 May refuse to disclose information relating to an individual's physical or mental health where disclosure is contrary to the best interests of the individual
- 31 Receive notice of investigation by the Privacy Commissioner

- 33(2) Make representations to the Privacy Commissioner during an investigation
- 35(1) Receive the Privacy Commissioner's report of findings of the investigation and give notice of action taken
- 35(4) Give complainant access to information after 35(1)(b) notice
- 36(3) Receive Privacy Commissioner's report of findings of investigation of exempt
- 37(3) Receive report of Privacy Commissioner's findings after compliance investigation where the institution has not complied with sections 4 to 8
- 51(2)(b) Request that matter be heard and determined in National Capital Region
- 51(3) Request and be given right to make representations in Section 51 hearing
- 72(1) Prepare Annual Report to Parliament
- 77 Carry out responsibilities conferred on the Head of the institution by the regulations made under section 77 which are not included above

SCHEDULE B

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT **SCHEDULE TO DELEGATION ORDER**

DESIGNATION PURSUANT TO SECTION 73 OF THE *PRIVACY ACT*

Sections and Powers, Duties or Functions

- 10 Include personal information in personal information banks
- 11(a) Publish annually an index of all personal information banks and their respective contents
- 11(b) Publish annually an index of all personal information held by the institution which is not part of a bank
- 15 Extend time limit and notify applicant
- 31 Receive notice of investigation by the Privacy Commissioner

APPENDIX B

AANDC 2012-2013 Statistical Report on the Administration of the *Privacy Act*.



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Privacy Act*

Name of institution: Aboriginal Affairs and Northern Development Canada

Reporting period: 4/1/2012 to 3/31/2013

PART 1 – Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	143
Outstanding from previous reporting period	29
Total	172
Closed during reporting period	166
Carried over to next reporting period	6

PART 2 – Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	5	4	3	0	0	0	0	12
Disclosed in part	10	81	23	1	0	0	0	115
All exempted	0	1	0	1	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	10	16	0	0	0	0	0	26
Request abandoned	8	2	1	0	0	0	0	11
Total	33	104	27	2	0	0	0	166

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	1	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	2
19(1)(e)	0	22(2)	0	26	113
19(1)(f)	0	22.1	0	27	6
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	7	4	1
Disclosed in part	56	59	0
Total	63	63	1

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	971	846	12
Disclosed in part	25,680	11,974	115
All exempted	1558	0	2
All excluded	0	0	0
Request abandoned	125	0	11

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	11	239	0	0	1	607	0	0	0	0
Disclosed in part	66	1676	39	6165	4	1258	6	2875	0	0
All exempted	1	0	0	0	0	0	1	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	10	0	1	0	0	0	0	0	0	0
Total	88	1915	40	6165	5	1865	7	2875	0	0

2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	3	0	112	0	115
All exempted	1	0	0	0	1
All excluded	0	0	0	0	0
Abandoned	0	0	1	0	1
Total	4	0	113	0	117

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
1	1	0	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	1	0	1
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	1	0	1

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
63	1	64

PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

PART 5 – Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	1	0	0	0
Disclosed in part	2	0	3	0
All exempted	0	0	1	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	3	0	4	0

5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	1	0	0	0
16 to 30 days	2	0	4	0
Total	3	0	4	0

PART 6 – Consultations received from other institutions and organizations

6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	1	259	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	259	0	0
Closed during the reporting period	1	259	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	1	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	1	0	0	0	0	1

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

PART 8 – Resources related to the *Privacy Act*

8.1 Costs

Expenditures		Amount
Salaries		\$657,811
Overtime		\$0
Goods and Services		\$54,453
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$20,995	
• Other	\$33,458	
Total		\$712,264

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	6.00	4.25	10.25
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.12	0.00	0.12
Students	0.00	1.00	1.00
Total	6.12	5.25	11.37