

DEFENCE CONSTRUCTION CANADA

2013–2014 *PRIVACY ACT* ANNUAL REPORT

April 1, 2013, to March 31, 2014



Defence Construction Canada
Construction de Défense Canada

Canada

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REPORT ON THE *PRIVACY ACT*

INTRODUCTION

The *Privacy Act* (hereafter, the “*PA*”) protects the privacy of Canadian citizens and permanent residents against the unauthorized use and disclosure of personal information about themselves held by a government institution. It also provides individuals with a right of access to that information and the right to correct inaccurate personal information. In addition, the *PA* legislates how the government collects, stores, disposes of, uses and discloses personal information.

Section 72 of the *PA* requires the head of every federal government institution to submit an annual report to Parliament on the administration of this Act during the fiscal year. This Annual Report provides a summary of the management and administration of the *PA* within Defence Construction (1951) Limited (DCC) for 2013–14.

MANDATE OF DCC

The principal mandate of DCC, pursuant to the *Defence Production Act*, is to meet the infrastructure and environmental needs of the Department of National Defence and the Canadian Armed Forces (DND/CAF) by providing quality services. DCC’s mission is to provide timely, effective and efficient project delivery and full lifecycle support for infrastructure and environmental assets required for the defence of Canada. DCC is an agent of the Crown incorporated for the purpose of carrying out the procurement for and delivering of defence infrastructure projects. The *Defence Production Act* defines a defence contract as a contract with an agent of Her Majesty that in any way relates to defence projects or to the designing, manufacturing, producing, constructing, finishing, assembling, transporting, repairing, maintaining, servicing or storing of or dealing in defence projects. DCC’s Letters Patent permit DCC to, among other activities, take on, lease or in exchange, procure, purchase or otherwise acquire, construct, alter, renovate, add to, improve and to hold, manage, maintain, operate, supervise, repair, heat, lease, sell, salvage, realize or otherwise dispose of real and personal property and in particular, lands and buildings. DCC reports to Parliament through the Minister of Public Works and Government Services.

DCC’S ACCESS TO INFORMATION AND PRIVACY OFFICE

DCC’s Access to Information and Privacy (ATIP) Office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure that DCC meets its responsibilities under the *Access to Information Act (ATIA)* and the *PA*.

The main activities of the ATIP Office include:

- monitoring compliance with the acts, regulations, and relevant procedures and policies;
- processing requests under both acts;
- developing and maintaining policies, procedures and guidelines to ensure that DCC respects the acts;
- promoting awareness of the acts within DCC to ensure that employees are aware of their responsibilities;

- preparing annual reports to Parliament and other statutory reports, as well as other material that central agencies may require;
- representing DCC in dealings with Treasury Board of Canada Secretariat (TBS), the information and privacy commissioners, and other government departments and agencies to determine how the acts apply to DCC; and
- helping DCC meet its commitments to ensure openness and transparency, through proactive and informal disclosure of information.

The ATIP Office has two employees: the ATIP Coordinator and the ATIP Administrator.

DELEGATION OF AUTHORITY

Pursuant to section 73 of the *PA*, the President's authority has been delegated to enable the Corporation to meet its legislated requirements. The President delegated his powers and duties to the ATIP Coordinator.

See Appendix A for the Delegation Order.

SUMMARY AND HIGHLIGHTS OF ACTIVITIES

DCC did not receive any official requests under the *PA* in 2013–14. No activities are to be highlighted for this year.

EDUCATION AND TRAINING

During the 2013–14 reporting period, DCC provided employees with ATIP training in order to increase awareness and help the ATIP Office fulfill its mandate.

REPORT FOR SENIOR MANAGEMENT

An ATIP Quarterly Statistical Report was created by the ATIP Office to inform senior management and increase awareness of all DCC's *ATIA* and *PA* cases. On a quarterly basis, 10 senior managers are briefed on this reporting. Also, twice annually 19 senior managers are informed. Topics covered in the presentation include:

- Annual and quarterly comparison of access to information (ATI) cases and pages reviewed
- Consultation cases by region and government institution
- Annual ATI cases by source type
- 10-year analysis of ATI received
- Time entry related to ATIP work

INFORMAL TRAINING REFRESHER

The ATIP Office continues to promote *ATIA* awareness by providing an informal training refresher to all of DCC's Regional Offices when required. This informal training is provided by telephone on a case by case basis in order to educate employees on their roles and responsibilities upon receipt of an ATIP or consultation requests. Education included: duty to assist principles, defining obstruction of access, retrieval of relevant records pursuant to the *ATIA*, and fee calculation. Sessions and number of participants were not tracked, however these informal sessions were given to approximately 70% of all employees who received ATIP requests this fiscal year.

POLICIES, GUIDELINES AND PROCEDURES

DCC did not implement any new or revised ATIP policies, guidelines or procedures during the reporting period.

PRIVACY ACT STATISTICAL REPORT

REQUESTS

Appendix B provides the statistical report on PA applications processed by DCC between April 1, 2013, and March 31, 2014.

DCC received no requests under the PA in 2013–14 and did not carry over any privacy requests from the previous fiscal year.

DISPOSITION OF REQUESTS

N/A

COMPLETION TIMES AND EXTENSIONS

N/A

EXEMPTIONS AND EXCLUSIONS INVOKED

N/A

CONSULTATIONS COMPLETED

N/A

MONITORING OF TIME TO PROCESS PRIVACY REQUESTS AND CORRECTION OF PERSONAL INFORMATION

N/A

PRIVACY BREACH SUMMARY

N/A

DISCLOSURES PURSUANT TO PARAGRAPH 8(2)(M)

N/A

TRANSLATION

N/A

COSTS

No costs were associated with the administration of the PA. All of DCC's ATIP costs were accrued under the ATIA and noted in the 2013–14 ATIA Annual Report.

COMPLAINTS AND REQUESTS FOR JUDICIAL REVIEW

DCC did not receive any complaints or nor were requests for investigations made to the DCC during the reporting period.

**APPENDIX A:
DELEGATION ORDER
– *ACCESS TO
INFORMATION ACT
AND PRIVACY ACT***



Defence Construction Canada
Construction de Défense Canada

ACCESS TO INFORMATION AND PRIVACY ACT DELEGATION ORDER

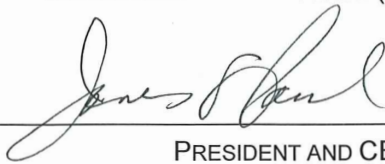
ARRÊTÉ SUR LA DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET DE LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

<p>The President and CEO of Defence Construction (1951) Limited, pursuant to section 73 of the <i>Access to Information Act</i> and the <i>Privacy Act</i>, hereby designates the person holding the position set out below, or the person occupying on an acting basis the position, to exercise the powers and functions of the President as the head of a government institution, under the section of the Act set out in the attached schedules. This Designation Order supersedes all previous Designation Orders.</p>	<p>En vertu de l'article 73 de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels, le Président et premier dirigeant de Construction de Défense (1951) Limitée délègue au titulaire du poste mentionné ci-après, ainsi qu'à la personne occupant à titre intérimaire ledit poste, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie par les articles des Loi mentionnées dans les annexes ci-jointes. Le présent décret de délégation remplace et annule tout décret antérieur.</p>
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Position / Poste	<i>Access to Information Act</i> and Regulations <i>Loi sur l'accès à l'information</i> et règlements	<i>Privacy Act</i> and Regulations <i>Loi sur la protection des renseignements personnels</i> et règlements
Corporate Manager, Governance Gestionnaire nationale, Gouvernance	Schedule A Annexe A	Schedule B Annexe B

Dated, at the City of Ottawa, this <u>25th</u> day of <u>September</u> , 2013.	Daté, en la ville d'Ottawa, ce <u>25</u> jour de <u>septembre</u> 2013.
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LE PRÉSIDENT ET PREMIER DIRIGEANT
CONSTRUCTION DE DEFENSE (1951) LIMITEE



PRESIDENT AND CEO
DEFENCE CONSTRUCTION (1951) LIMITED

**SCHEDULE B - DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO
SECTION 73 OF THE PRIVACY ACT**

**ANNEXE B - DÉLÉGATION DE POUVOIRS ET D'ATTRIBUTIONS EN VERTU DE L'ARTICLE
73 DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS**

Articles	Privacy Law	Loi sur la protection des renseignements personnels
8(2)(j)	Disclose personal information for research purposes	Communication à des fins de recherche
8(2)(m)	Disclosure in the public interest or in the interest of the individual	Communication dans l'intérêt public ou d'une personne
8(4)	Copies of requests under 8(2)(e) to be retained	Conservation des copies des demandes en vertu de 8(2)(e)
8(5)	Notice of disclosure under 8(2)(m)	Avis de communication en vertu de 8(2)(m)
9(1)	Record of disclosures to be retained	Conservation d'un relevé des cas d'usage
9(4)	Consistent uses	Usages compatibles
10	Personal information to be included in personal information banks	Versement des renseignements personnels dans des fichiers de renseignements personnels
14	Notice where access requested	Notification lors de demande de communication
15	Extension of time limits	Prorogation du délai
17(2)(b)	Language of access	Version de la communication
17(3)(b)	Access to personal information in alternative format	Communication sur support de substitution
18(2)	Exemption (exempt bank) - Disclosure may be refused	Exception (fichiers inconsultables)- autorisation de refuser
19(1)	Exemption - Personal information obtained in confidence	Exception - renseignements obtenus à titre confidentiel
19(2)	Exemption - Where authorized to disclose	Exception - cas où la divulgation est autorisée
20	Exemption - Federal-provincial affairs	Exception - affaires fédéro-provinciales
21	Exemption - International affairs and defence	Exception - affaires internationales et défense
22	Exemption - Law enforcement and investigation	Exception - application de la loi et enquêtes
22.3	Exemption - <i>Public Servants Disclosure Protection Act</i>	Exception - <i>Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles</i>
23	Exemption - Security clearances	Exception - enquêtes de sécurité
24	Exemption - Individuals sentenced for an offence	Exception - individus condamnés pour une infraction
25	Exemption - Safety of individuals	Exception - sécurité des individus

26	Exemption – Information about another individual	Exception - renseignements concernant un autre individu
27	Exception – Solicitor-Client privilege	Exception - secret professionnel des avocats
28	Exception – Medical record	Exception - dossiers médicaux
31	Notice of intention to investigate	Avis d'enquête
33(2)	Right to make representation	Droit de présenter ses observations
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	Conclusions et recommandations du Commissaire à la protection de la vie privée
35(4)	Access to be given	Communication accordée
36(3)	Report of findings and recommendations (exempt banks)	Rapport des conclusions et recommandations (fichier inconsultable)
37(3)	Report of findings and recommendations (compliance review)	Rapport des conclusions et recommandations du Commissaire (Contrôle d'application)
51(2)(b)	Special rules for hearings	Règles spéciales (auditions)
51(3)	<i>Ex parte</i> representations	Présentation d'arguments en l'absence d'une partie

Articles	Privacy Regulations	Règlements sur la protection des renseignements personnels
9	Reasonable facilities and time provided to examine personal information	Fournir des installations convenables et fixer un moment pour examiner les renseignements personnels
11(2)	Notification that correction to personal information has been made	Avis que les corrections demandées ont été effectuées
11(4)	Notification that correction to personal information has been refused	Avis que les corrections demandées ont été refusées
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	Le cas échéant, autoriser la communication des renseignements personnels concernant son état physique ou mental à un médecin ou à un psychologue en situation légale d'exercice, afin que celui-ci puisse donner son avis quant à savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice.
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	Le cas échéant, communiquer les renseignements personnels concernant son état physique ou mental à l'individu en la présence d'un médecin ou à un psychologue en situation légale d'exercice.

**APPENDIX B:
STATISTICAL
REPORT ON THE
*PRIVACY ACT***



Statistical Report on the *Privacy Act*

Name of institution: Defence Construction Canada
Construction Défense Canada

Reporting period: 2013-01-04 to 2014-01-03

Part 1 Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Completed during reporting period	0
Carried over to next reporting period	0

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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

2.2 Exemptions

Section	Number of requests	Sections	Number of requests	Sections	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)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
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	0	0	0
Disclosed in part	0	0	0
Total	0	0	0

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	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages reviewed		101-500 pages processed		501-1,000 pages processed		1,001-5,000 pages processed		More than 5,000 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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	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	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
Total	0	0	0	0	0

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
0	0	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	0	0	0
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	0	0	0

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
0	0	0

Part 4 Request 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) Consultations		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	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	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	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 reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Completed during the reporting period	0	0	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	More 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

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	More 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		\$0
Overtime		\$0
Goods and Services		\$0
• Contracts for privacy impact assessments	\$0	
• Professional Services Contracts	\$0	
• Other	\$0	
Total		\$0

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0	0	0
Part-time and casual employees	0	0	0
Regional staff	0	0	0
Consultants and agency personnel	0	0	0
Students	0	0	0
Total	0	0	0

APPENDIX C: SUPPLEMENTARY STATISTICAL REPORTING

Completed Privacy Impact Assessments (PIAs)

Institution	Number of Completed PIAs
Defence Construction Canada	Nil

Completion Time of Consultations on Cabinet Confidences

Completion Time of Consultations on Cabinet Confidences under the PA - Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501–1,000 Pages Processed		1,001–5,000 Pages Processed		More Than 5,000 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Completion Time of Consultations on Cabinet Confidences under the PA - Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501–1,000 Pages Processed		1,001–5,000 Pages Processed		More Than 5,000 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0