



Employment and
Social Development Canada

Emploi et
Développement social Canada

Canada

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Annual Report on the Administration of the *Access to Information Act* 2014-15



Annual Report on the Administration of the Access to Information Act within ESDC 2014-15

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Executive Summary

Employment and Social Development Canada (ESDC) is responsible for a range of programs and services that support Canadians throughout their lives—from school to work, from one job to another, from unemployment to employment and from the workforce to retirement. The ESDC portfolio includes the Labour Program and Service Canada.

ESDC's mandate is to build a stronger, more competitive Canada, to support Canadians in making choices that help them live productive and rewarding lives, and to improve Canadians' quality of life. The ESDC mandate includes core programs such as the Social Insurance Number, the Canada Pension Plan, Employment Insurance and Old Age Security.

Through the *Access to Information Act* (ATIA or Act), the Canadian public has a right to access records held by ESDC, subject to certain exemptions and exclusions, such as cabinet confidences or the protection of personal information of Canadians.

In 2014-15, ESDC received 1160 access to information requests, an increase of 34.7% from the previous year and the number of pages processed increased by just over 37.4% (139, 549 in 2014-15 compared to 101,577 in 2013-14). In total, ESDC completed 13% more requests than the previous fiscal year and 75% of these requests were responded to within legislated timeframes. ESDC is making every effort to keep pace with the increase in access to information requests. To ensure judicious management of resources and the timely release of information, ESDC has undertaken a business process review and redesign to streamline workflow and leverage efficiencies in the processing of access to information requests.

The Act requires the head of every federal government institution to submit an annual report to Parliament on the administration of the Act following the close of each fiscal year. This report describes how ESDC fulfilled its ATIA responsibilities during fiscal year 2014–15.

1.0 Introduction

ESDC'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, we:

- develop policies that make Canada a society in which all can use their talents, skills and resources to participate in learning, work and their community;
- create programs and support 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;
- create better outcomes for Canadians through service excellence with Service Canada and other partners; and
- engage our employees, establish a healthy work environment, nurture a culture of teamwork and build our leadership capacity.

The Honourable Pierre Poilievre became Minister of Employment and Social Development, Minister for Democratic Reform and Minister responsible for the National Capital Commission in February 2015. He replaced the Honourable Jason Kenney, who became the Minister of National Defence and Minister for Multiculturalism.

The *Access to Information Act* (ATIA or Act) provides Canadian citizens and permanent residents a right of access to records held under the control of a government institution, subject to limited and specific exemptions and exclusions.

2.0 Access to Information at ESDC

The administration of the ATIA at ESDC is a cooperative effort between ATIP Operations at Headquarters and the programs and branches of the Department across the country. ESDC's obligation is to balance the right of the public to records under the control of the Department with the need to withhold some portions that meet criteria set out in the provisions of Act. A great deal of the information in the control of the Department contains personal information about individuals and must be withheld under mandatory exemptions of the Act unless specified conditions are met. ESDC subjects all records requested to a detailed review to ensure the information can be released.

2.1 Corporate Secretary and Chief Privacy Officer

The Corporate Secretary is responsible for the administration of the ATIA at ESDC and is supported in that function by a Director of ATIP Operations who is also the designated ATIP Coordinator. The Corporate Secretary is also the department's Chief Privacy Officer and is the Department's functional authority on all privacy matters, which includes the provision of authoritative advice and functional direction to all departmental branches and regions. More details on the role of the Chief Privacy Officer can be found in the Department's Annual Report on the Administration of the *Privacy Act* for 2014–15.

2.2 Access to Information and Privacy Operations Division

The **Access to Information and Privacy Operations Division** (ATIP Ops) carries out the Department's legislated requirements under the *Access to Information Act* and the *Privacy Act* by processing requests for access to records in the control of ESDC. ATIP Ops coordinates and advises on the processing of all requests under the ATIA and is supported by program Liaison Officers (LOs) and Regional ATIP Managers. This work involves responding to requests from the public and delivering training and awareness programs to employees with respect to the administration of the two Acts. ATIP Ops is responsible for providing guidance to the regions with respect to the operational and reporting components of the ATIP function.

ATIP Ops also liaises with the Office of the Information Commissioner and the Office of the Privacy Commissioner regarding complaints received against the Department.

The ATIP Operations Division includes two units:

The **Request Processing Unit (RPU)** performs a line-by-line review of records requested under the ATIA and the *Privacy Act*. The RPU provides weekly reports for information purposes to the Deputy Ministers' and Ministers' offices on both new ATIA requests and on upcoming ATIA releases.

The **Incident Management and Legislative Disclosures Unit (IMLDU)** determines when incidents involving personal information constitute privacy breaches and responds to legal instruments received by ESDC seeking the disclosure of personal information. The IMLDU also manages ESDC's response to complaints made to the OPC and interacts with the OPC on privacy breaches, working in partnership with the Departmental Security Office.

2.3 Branch and Regional Access to Information Activities

While the ATIP Operations Director, with support from the Division's ATIP Operations officers, has overall authority for the administration of the *Access to Information Act*, branches and regions also play a key role.

The Department has a network of LOs in the branches and Regional ATIP Managers who facilitate the work by providing expert ATIA and *Privacy Act* advice and guidance directly to program areas in consultation with ATIP Ops. The LOs also play a liaison role between ATIP analysts and subject matter experts.

3.0 Delegation Order

3.1 Access to Information Act Delegations

Under section 73 of the Act, "the head of a government institution may, by order, designate one or more officers or employees of that institution to exercise or perform any of the powers, duties or functions of the head of the institution under this Act that are specified in the order." The Honourable Diane Finley, former Minister of Human Resources and Skills Development, approved a Delegation Order in February 2009. This Delegation Order authorizes employees in certain positions to exercise the

powers, duties or functions of the head of the institution under the ATIA. The Delegation Order can be found in Annex A.

4.0 Performance Reporting for 2014–15

4.1 New Report Criteria

For 2014–15, the Treasury Board Secretariat made changes to the reporting criteria. The following reporting criteria are now included in the Statistical Report on the *Access to Information Act*, found at Annex B:

- the number of requests where the source is shown as “decline to identify”;
- the number of requests where the disposition is “treated informally”;
- the number of requests where the disposition is “neither confirmed nor denied”;
- the number of requests where section 14 and subsections 15(1) and 16(2) exemptions were applied, and the number of times records were excluded under subsection 69(1);
- the number of pages disclosed in relation to requests with Legal Services and requests with the Privy Council Office; and
- new reporting on complaints and investigations, and court action.

4.2 Requests for Information under the *Access to Information Act*

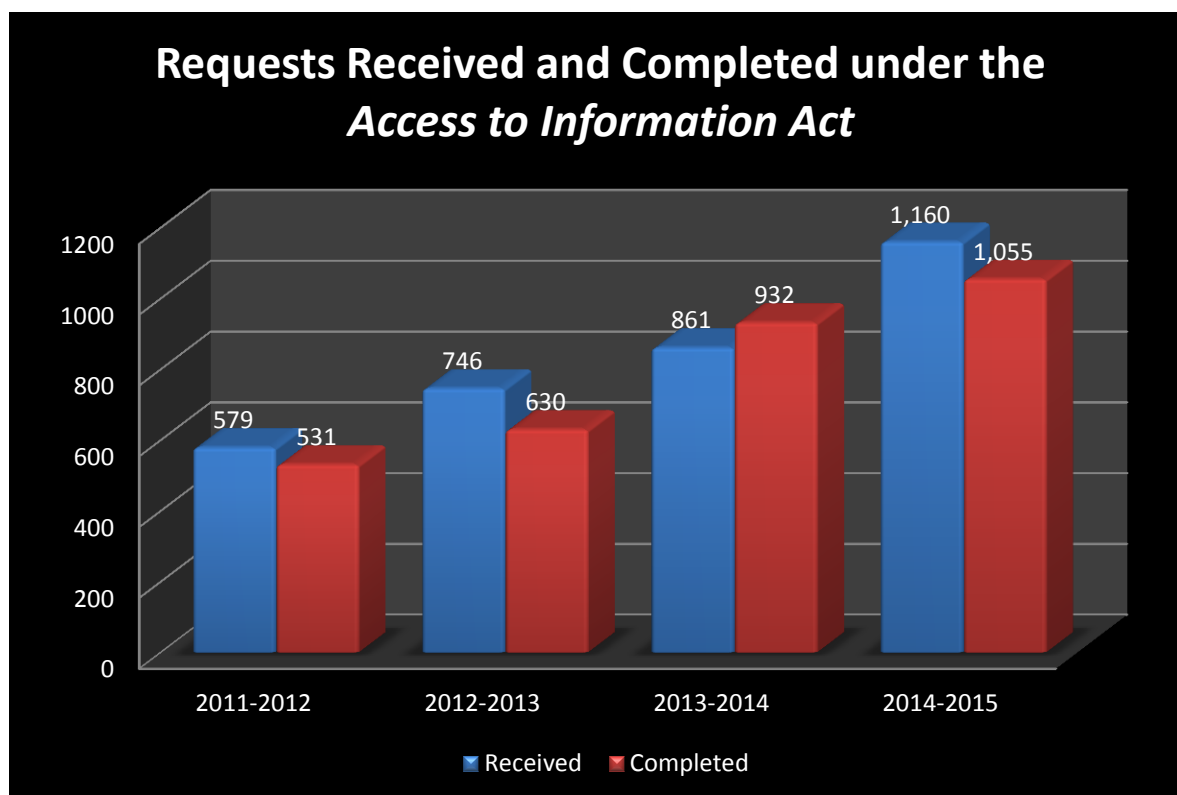
The following is a summary of the information contained in the Statistical Report on the *Access to Information Act* for 2014–15, attached as [Annex B](#).

| Figure 1 | 2011–12 | 2012–13 | 2013–14 | 2014–15 |
|--|---------|---------|---------|---------|
| Formal requests received under the <i>Access to Information Act</i> | 579 | 746 | 861 | 1,160 |
| Request completed/processed during the year | 531 | 630 | 932 | 1,055 |
| Number of pages processed | 120,109 | 112,087 | 101,577 | 139,549 |
| Requests completed within: | | | | |
| • 30 calendar days | 276 | 314 | 388 | 447 |
| • 31 to 60 calendar days | 171 | 195 | 273 | 312 |
| • 61 or more calendar days | 78 | 121 | 212 | 296 |
| Proportion of requests that were responded to within legislated time frames according to Information Commissioner's standards | 98% | 92% | 88% | 75% |
| Complaints to the Information Commissioner | 24 | 20 | 29 | 29 |

4.3 Total Access to Information Requests Completed

The Department received 1,160 requests during the reporting period and completed 1,055. This represents an increase of 34.7% for requests received and an increase of 13.2% for requests completed over the last fiscal year.

Figure 2

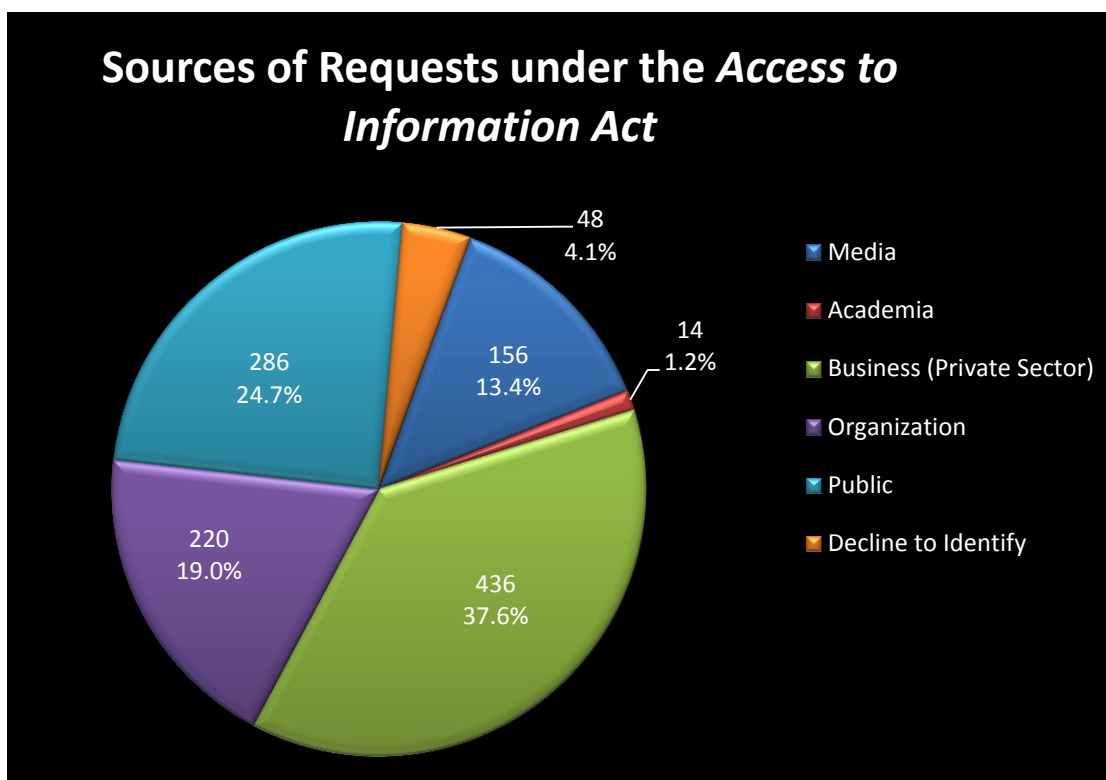


Since 2011, the number of requests received by ESDC has more than doubled, and ESDC has increased the number of completed requests by almost 100% in the same timeframe through more efficient and effective use of available resources.

4.4 Sources of Requests for 2014–15

The graph below shows the sources of ATIA requests for the 2014-15 reporting period. For the reporting period, the most common source of requests, in order, was from business (private sector) at 37.6%; the public (24.7%); organizations (19%); media (13.4%); and academia (1.2%). In 2014-15, 4.1% of requesters (48) declined to identify themselves in one of the foregoing categories of requester.

Figure 3

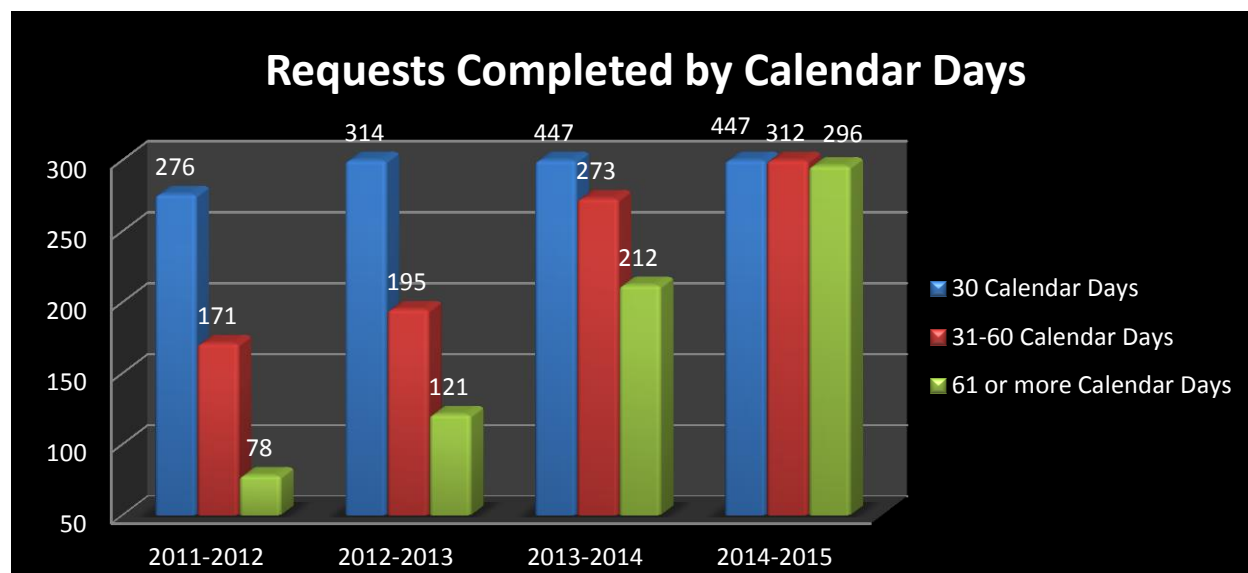


4.5 Processing Times and disclosure rates

For 2014–15, ESDC released records in full 27% of the time and withheld records, or parts of records, 45% of the time in accordance with exemption and exclusion provisions of the ATIA.

ESDC completed the majority of ATIA requests (72%) within 60 days, with 42.4% completed within the first 30 days. In addition to new requests, ESDC was able to close 67 requests from its backlog of late requests.

Figure 4



4.6 Exemptions and Exclusions

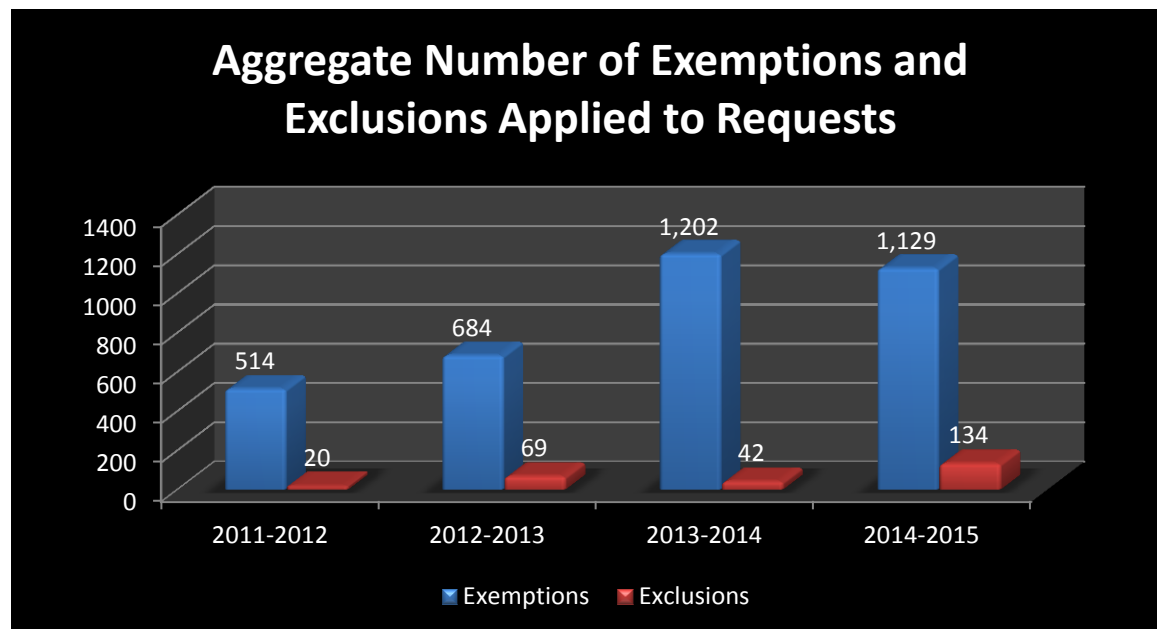
While the Act gives a right of access to records held by government institutions, information within these records may be withheld by applying limited and specific exemptions. There was a slight decrease in the number of exemptions applied by ESDC, despite the increase in volume of requests.

Due to the nature of the mandate of ESDC and its personal information holdings, the exemption applied most frequently by ESDC is subsection 19(1), which protects personal information as defined by section 3 of the *Privacy Act*.

Other exemptions that frequently apply to ESDC's records include: section 21 (integrity of the Government's decision making process including advice, recommendations, deliberations, plans and positions relating to ongoing negotiations); section 20 (third-party confidential information held in government records); subsection 24(1), (disclosure prohibited by other federal laws); section 16 (information that could be injurious to lawful investigations or could facilitate the commission of an offence); section 23 (information subject to solicitor-client privilege); and section 14 (federal-provincial relations/negotiations). ESDC invoked other exemptions in 24 or fewer requests during the year.

The Act excludes certain types of information from its application, specifically records that are already available to the public (section 68) and confidences of the Queen's Privy Council for Canada (section 69). For 2014–15, 112 ESDC excluded records based on section 69 of the ATIA in a total of 31 requests.

Figure 5



4.7 Pages Processed and format of disclosure

The Department provided records in paper format 596 times and electronically (CD) 140 times. Out of 139,549 pages processed, 121,801 (87.3%) were disclosed either in full or in part. The remaining 17,748 pages processed were either totally exempted, excluded from the Act or were part of requests that were subsequently abandoned by the requester.

Of the total requests processed, 79% involved a review of 500 pages or less and 23 requests (2.2%) required a review of more than 1,000 pages each. These latter 23 requests resulted in the disclosure of 59,826 pages, or 42.8% of the total number of pages processed by ESDC during the reporting period.

Figure 6

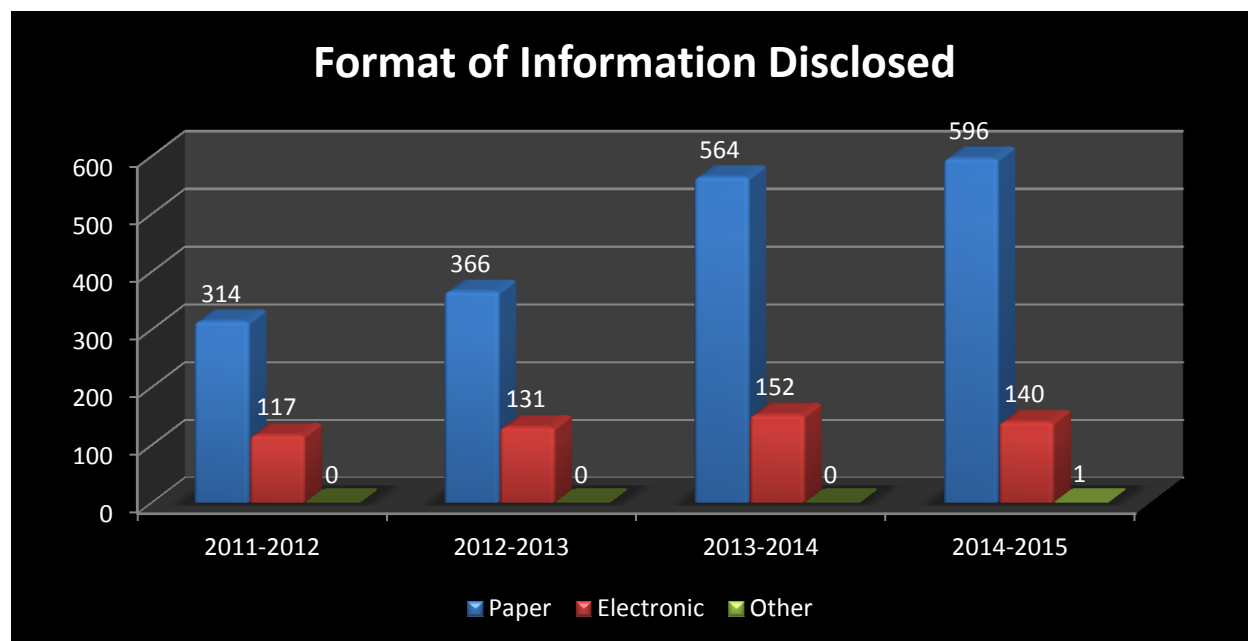
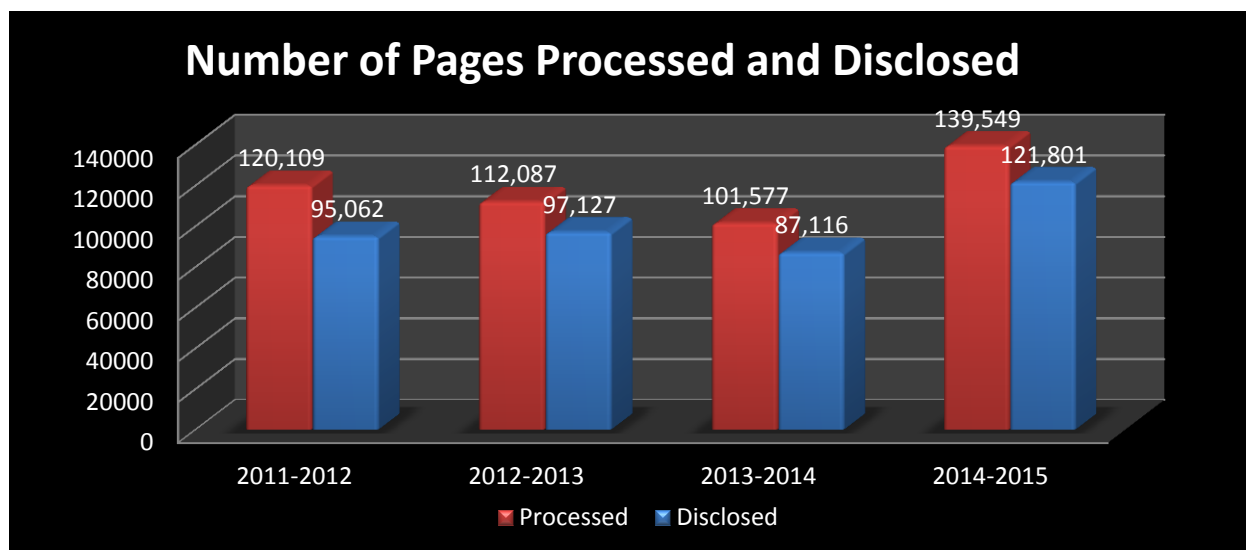


Figure 7

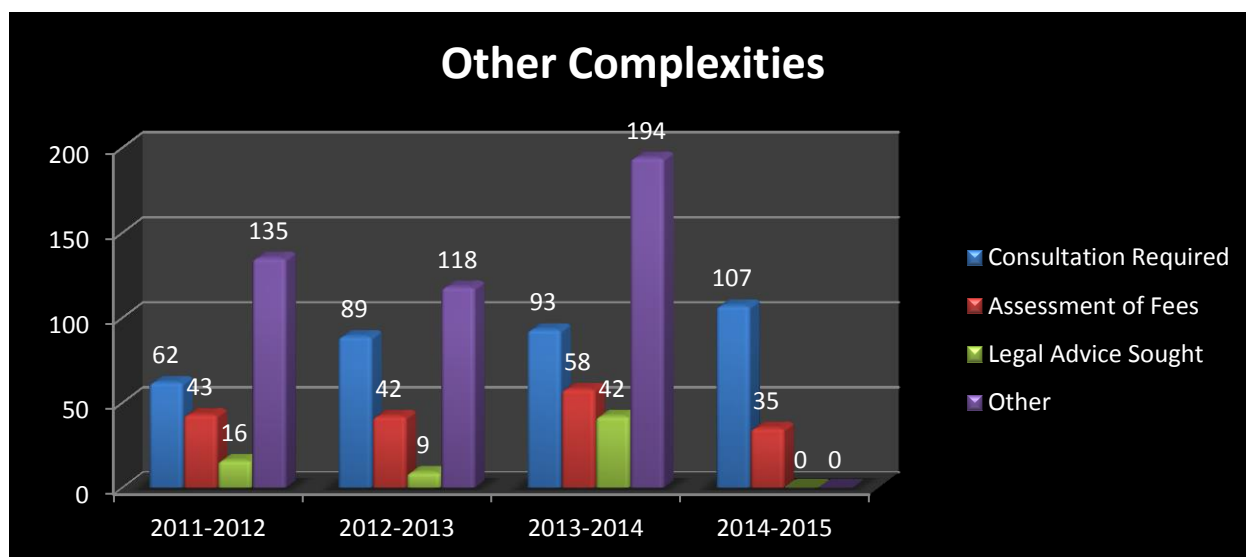


4.8 Other Complexities

This section reflects the number of requests where consultation was required, where there was an assessment of fees, where ESDC sought legal advice and “other,” defined as information that “... comprises high profile subject matter, requests where records are in a region or other country, and requests where the records are in a language other than English or French.”

For 2014–15, consultation was required 107 times and fees were assessed for 35 requests. There were no requests where either legal advice was sought or the “other” category was applied.

Figure 8



4.9 Performance

The Department was able to meet the statutory timeframe 75.7% of the time. Of the 256 requests disclosed beyond the time set by the ATIA, workload was the largest reason (72%) while external and internal consultations accounted for delays in 24 requests. The remainder were late for “other” reasons.

The Department went beyond the legislated disclosure date by 30 days or less in 116 requests; 77 requests required 31 to 120 days past the legislated date; and 63 requests required 121 to more than 365 additional days.

Sixty-seven (26%) of the late requests completed were processed as part of a backlog reduction strategy implemented in January 2015. This strategy will close 123 late requests by the end of the 2015-16 fiscal year in addition to new requests.

Figure 9

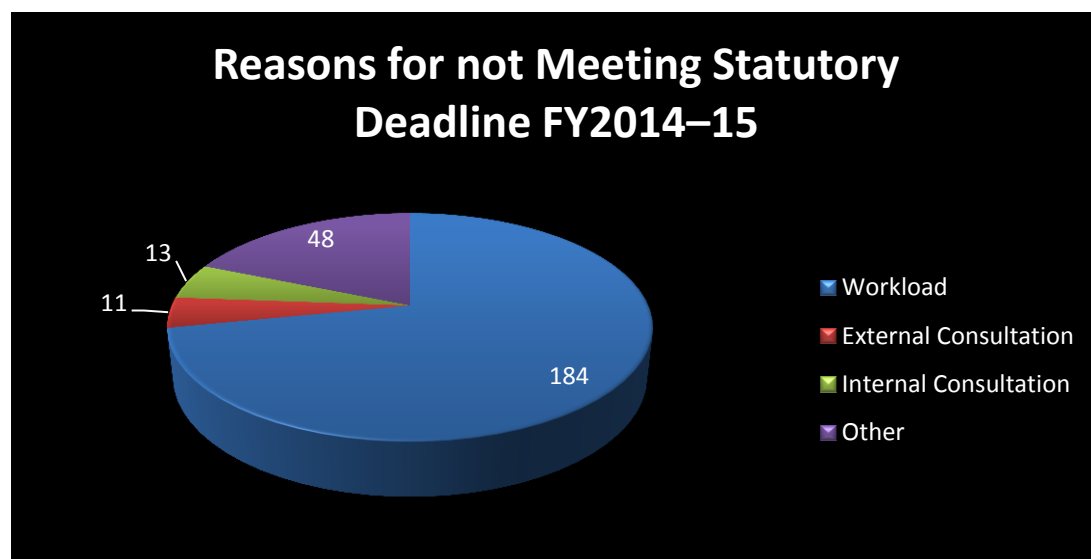
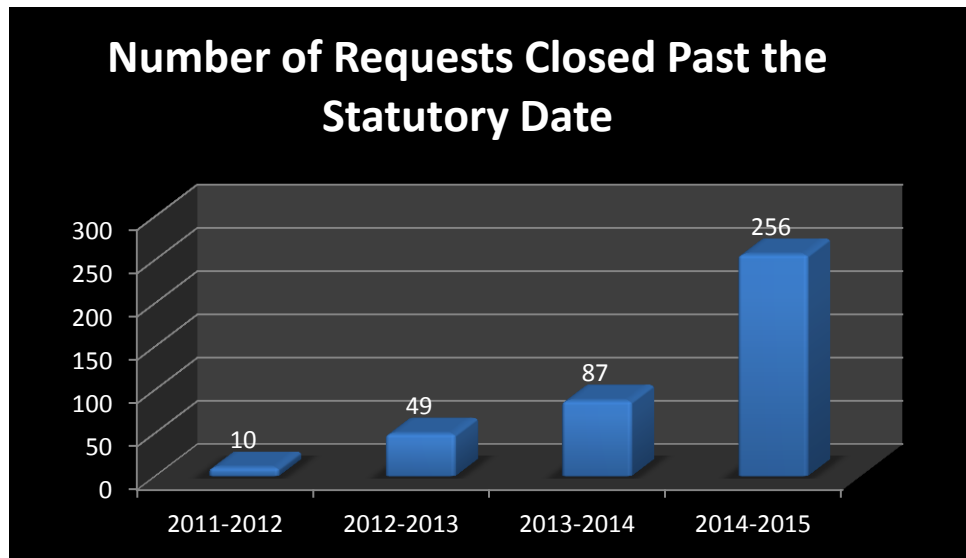


Figure 10

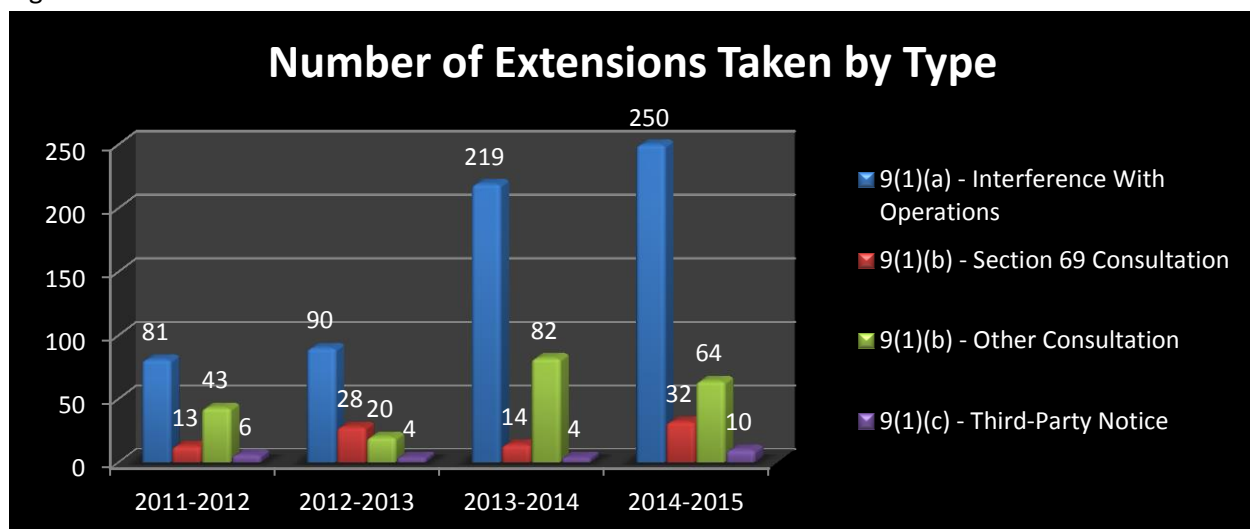


4.10 Extensions

Institutions may apply for an extension beyond the original 30-day statutory disclosure date where meeting the statutory date would unreasonably interfere with operations of the Department (s. 9(1)(a)); where consultation is required that could not reasonably be conducted within the 30 days (s. 9(1)(b)); or where notice is given to a third party (s. 9(1)(c)).

For 2014–15, ESDC required an extension 356 times: 250 times because the timeframe posed unreasonable interference with departmental operations; 96 times for consultation; and 10 times for third-party notice. This reflects an 11.6% increase in the number of extensions taken despite an increase in the total number of requests of over 34% from the last fiscal year, due largely to the Business Process Redesign undertaken by ESDC.

Figure 11



4.11 Translation of Records

No requests for translation were received during the 2014–15 fiscal year.

4.12 Fees

The Department collected \$5,520 in application fees and waived \$510 in application fees in 102 completed requests.

4.13 Consultations Received by ESDC

In 2014–15, ESDC reviewed 6,373 pages in 142 consultations from other institutions and organizations. In 72.5% of the consultations, the Department was able to respond in 30 days or less. In 49% of consultations, ESDC recommended complete disclosure, and in 41% of consultations, ESDC recommended exemption(s) or exclusion. In the remaining 10% of consultations, ESDC recommended that the consulting body consult another institution or take a different course of action (other).

Figure 12

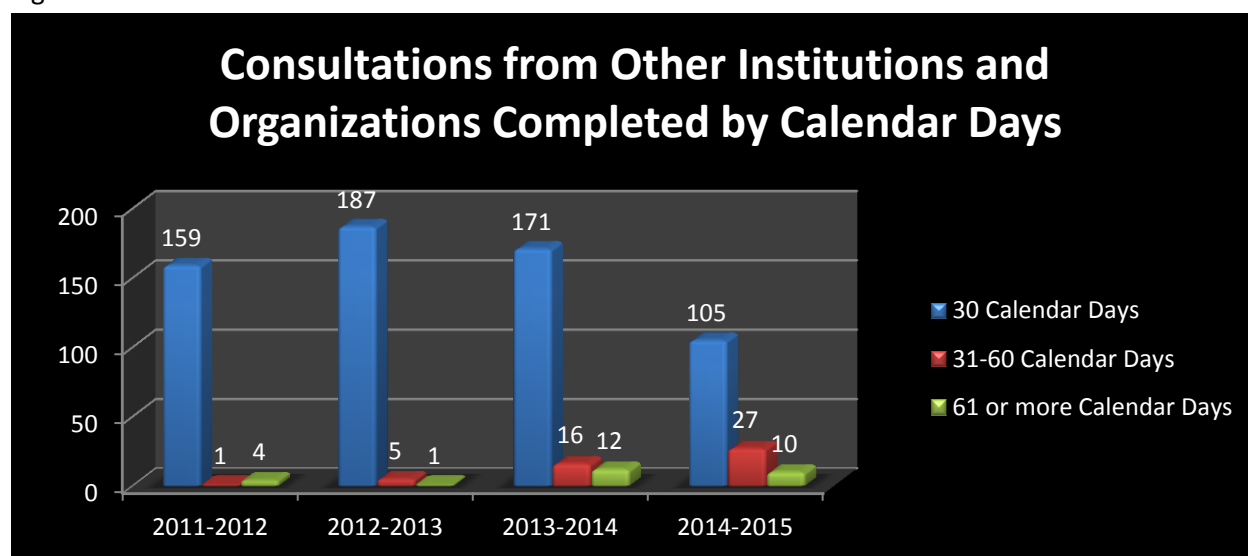
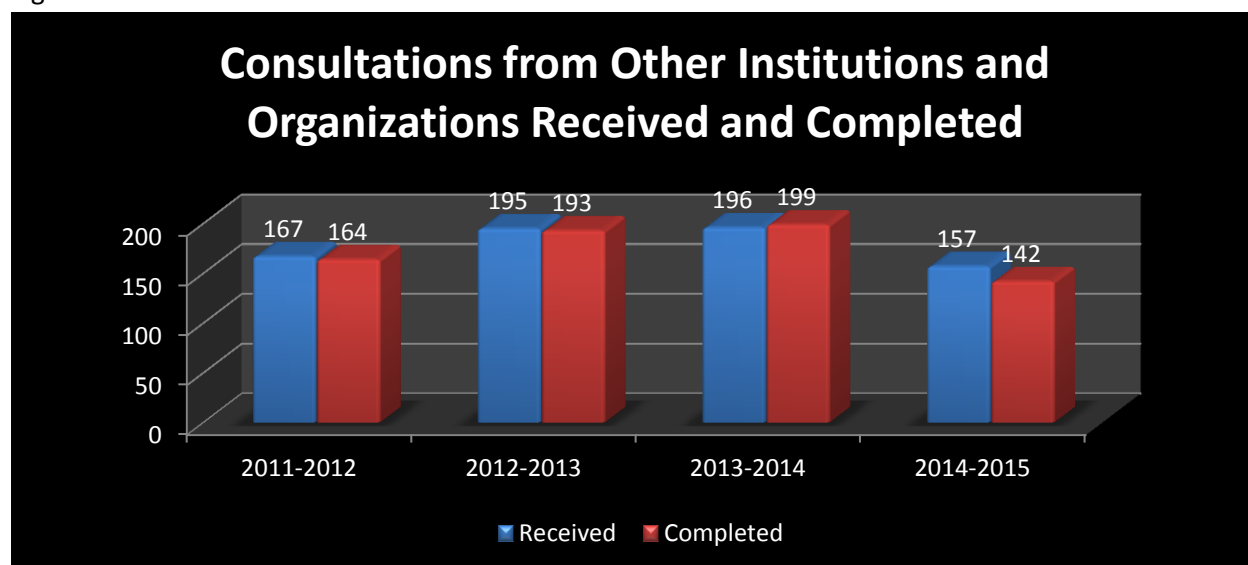


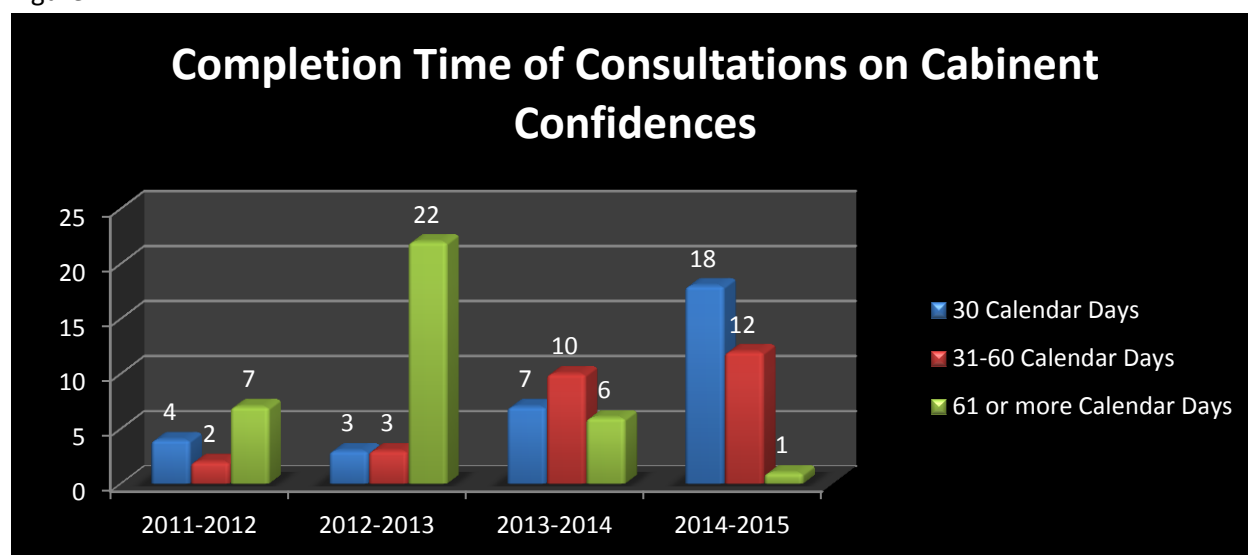
Figure 13



4.14 Consultations on Cabinet Confidences

For the 2014–15 reporting cycle, the Treasury Board Secretariat requires departments to track the completion time of consultations on possible Cabinet confidences. Following new procedures implemented in July 2013, all possible Cabinet confidences previously sent to the Privy Council Office for determination are now sent to EDSC's Legal Services Unit for recommendation. The Department sent 31 requests to Legal Services for recommendation. Of these, 68% had fewer than 100 pages. Compared with the previous fiscal year, when 30% of consultations were completed within 30 days, 58% of consultations were completed within 30 days this fiscal year, despite a 35% increase in the number of consultations.

Figure 14



4.15 Financial Considerations

The Department spent \$1,705,976 to administer the *Access to Information Act*; \$15,354 of that total was in non-salary costs.

Resources related to the *Access to Information Act* totalled 24.82 person years for 2014–15: 20.10 for full-time staff; 1.64 for part-time and casual; 3.00 for consultants and agency personnel; and 0.08 for students. This represents a decrease of person year resources from 29 in 2011-12, at a time when the number of pages processed has increased by 16.2%, representing a 35.7% increase in workload per person year.

5.0 Access to Information and Privacy Training and Awareness Activities

5.1 Training Overview

In January and February 2015, NHQ provided 6 information sessions to 93 participants in the Skills and Employment Branch, 20 of whom were at the Director level and above.

An additional 13,800 employees completed the Stewardship of Information online training.

5.2 Regional Training

In addition to the sessions offered by the ATIP Operations Division, under the direction of the Regional ATIP Managers, training was provided to 871 employees as follows:

Atlantic

- One ATIP Orientation Session – regional executives (30 participants)
 - Twelve ATIP Info Sessions – employees (195 participants)
- Total 225 participants

Quebec

- One session to Team Leaders in the Integrity Services Branch: 15 participants
 - One session to Investigators in the Integrity Services Branch: 35 participants
 - One session to Officers of the Regional Enquiries Unit: 12 participants
- Total: 62 participants

Ontario

- One ATIP Awareness Session delivered to HR across the country (English session) (42 participants)
 - One ATIP Awareness Session delivered to HR across the country (French session) (12 participants)
 - Four ATIP Awareness Sessions delivered to regional staff (total of between 80–100 participants)
 - Business Expertise Forum mini ATIP information session (approximately 330 participants)
 - ORIOLE training mini ATIP information session (approximately 100 participants)
- Total: 584 participants in 8 sessions

Western

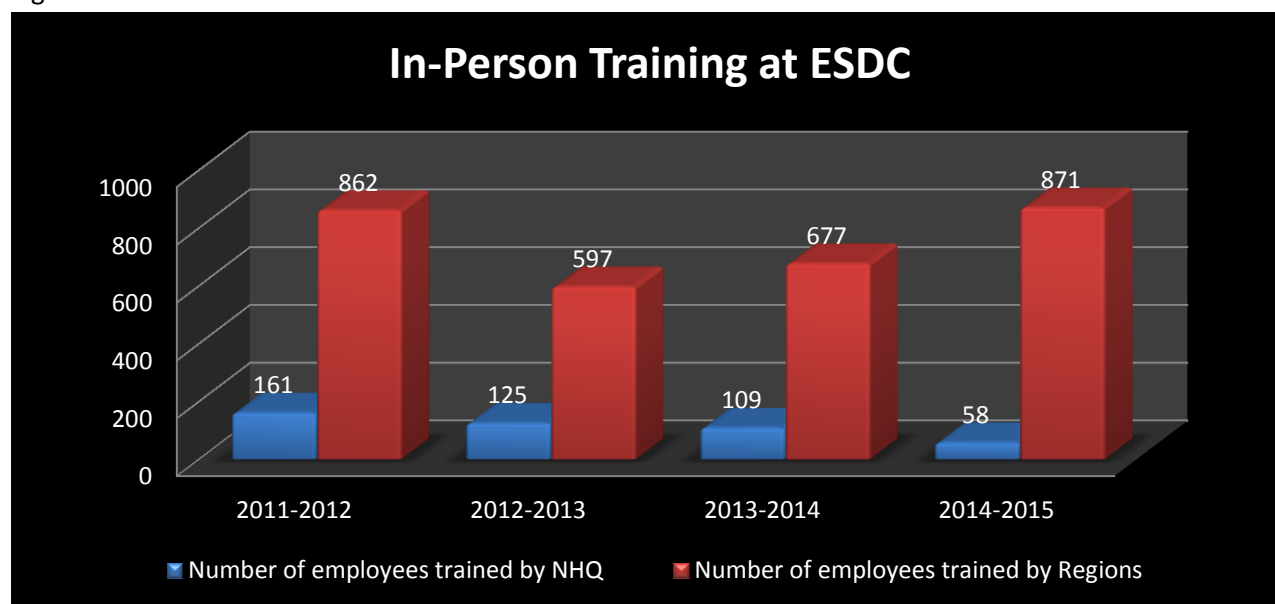
The W-T region did not provide any training to other business lines or units for the 2014–15 fiscal year.

Total: 0 participants

Regional Total: 871

5.3 In-Person Training Multi-Year Overview

Figure 15



6.0 Activities and Challenges in 2014–15

Over the 2014–15 fiscal year, ATIP Ops received 34.7% more requests than in the preceding fiscal year. Resources were diverted because of litigation and a Business Process Review and Redesign project, intended to increase processing efficiencies in the longer term. ESDC has taken proactive strategic measures to address the chronic ATIP resource challenges.

ATIP Ops is working towards becoming a paperless office to increase efficiencies in both the program areas as well as in ATIP Ops and the regions. This year was marked by adding more information to ATIP SharePoint, an online resource-sharing tool. This will make it easier for those in the Department to find released ATIA requests and appropriate tools and information related to access to information and privacy. The full implementation of SharePoint will be rolled out over the next fiscal year.

7.0 Complaints, Investigations and Court Action

The Office of the Information Commissioner (OIC) notified ESDC of 29 complaints during 2014–15. This included 9 complaints alleging a denial of access; 9 complaints of unreasonable time extensions taken by ESDC; 4 complaints for processing delays; 2 allegations of exemptions applied improperly; 1 complaint failed to specify a reason; and 1 miscellaneous complaint. Three complainants believed their file had been improperly disclosed (2 of these were discontinued).

The OIC found 13 complaints to be well founded in 2014–15; 12 were resolved informally, 6 of them without recommendations; and 1 was well founded after formal investigation by the OIC.

There were no requests received in 2014–15 that required court action, although there was a court hearing on a request from a previous year.

8.0 ESDC's Commitment to Respect Timeframes

Except for certain circumstances that allow for claiming extensions, the *Access to Information Act* contains a statutory timeline of 30 calendar days for responding to requests. Given these timeframes and ESDC's commitment to respecting both the letter and spirit of the Act, the Department established the following process and responsibilities:

Retrieval of Relevant Records and Formulation of Recommendations: Relevant branches and regions (offices of primary interest or OPIs) have eight working days to retrieve all responsive records and present them, along with any recommendations, to the ATIP Operations Division.

Line-by-line Review of the Responsive Records: The Request Processing Unit (RPU) has eight working days to do a thorough line-by-line review of the records and to invoke the applicable exemptions and exclusions.

Advance Release Notice: In all cases, the Executive Head of the relevant branch or region receives a copy of the release package at least four working days prior to the scheduled release date. Employees from the Deputy Ministers' offices and the Ministers' offices are also given a copy of the package for information purposes, when requested. At the same time that the records are provided to the OPI, copies of the package are provided to departmental communications officials. The Communications Branch and the OPI prepare any necessary communications products. This does not affect the timely processing of access to information requests.

Together, the three steps described above total 20 working days (30 calendar days). ESDC's ATIP Operations Division has a long-standing history of keeping its colleagues informed throughout the process when responding to ATIA requests. This collaborative approach supports a no-surprise environment for stakeholders within ESDC, enabling officials in the ATIP Operations Division to administer the legislation appropriately, with minimal delay.

9.0 Request Summaries Posted to Open Canada Website

In January 2012, ESDC began posting monthly summaries of completed *Access to Information Act* requests on the Open Canada website, in accordance with the Treasury Board Secretariat's directives. In 2014–15, 612 requests for access were treated informally by providing copies of requests previously released.

10.0 Annex A: Delegation Order

DEPARTMENT OF HUMAN RESOURCES AND SKILLS DEVELOPMENT

DELEGATION ORDER

ACCESS TO INFORMATION ACT

I, Diane Finley, Minister of Human Resources and Skills Development, pursuant to Section 73 of the *Access to Information Act*, hereby designate the officer or employee of the Department of Human Resources and Skills Development whose position or title is set out in the attached Schedule, or the officers or employees occupying, on an acting basis or otherwise, those positions, to exercise the powers, duties or functions of the head of the institution under the Act that are set in the Schedule in relation to that officer or employee.

This delegation order supersedes any previous order executed pursuant to section 73 of the Act.

Dated at Ottawa, Ontario,

this 26th day of February 2008

Diane Finley

The Honourable Diane Finley
Minister of Human Resources and Skills Development

Figure 1 Delegation Order

Access to Information Act – Delegation of Authority

Employment and Social Development Canada

| Description | Section | Deputy Minister ESDC | Deputy Minister Labour | Deputy Head Service Canada | ADMs of PPCA and Labour | Corporate Secretary ESDC | Director ATIP Operations | Manager ATIP Operations | ATIP Officers |
|---|----------|----------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------|--------------------------------|-------------------------------|------------------|
| Responsibility of government institutions | 4(2.1) | X | X | X | X | X | X | X | |
| Notice where access requested | 7(a) | X | X | X | X | X | X | X | X |
| Giving access to record | 7(b) | X | X | X | X | X | X | X | |
| Transfer of request to another government institution | 8(1) | X | X | X | X | X | X | X | X |
| Extension of time limits | 9 | X | X | X | X | X | X | X | |
| Payment of additional fees | 11(2) | X | X | X | X | X | X | X | X |
| Payment of fees for EDP record | 11(3) | X | X | X | X | X | X | X | X |
| Deposit | 11(4) | X | X | X | X | X | X | X | X |
| Notice of fee payment | 11(5) | X | X | X | X | X | X | X | X |
| Waiver of refund of fees | 11(6) | X | X | X | X | X | X | X | |
| Language of access | 12(2)(b) | X | X | X | X | X | X | X | X |
| Access to alternate format | 12(3)(b) | X | X | X | X | X | X | X | X |

| Description | Section | Deputy Minister ESDC | Deputy Minister Labour | Deputy Head Service Canada | ADMs of PPCA and Labour | Corporate Secretary ESDC | Director ATIP Operations | Manager ATIP Operations | ATIP Officers |
|--|---------|----------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------|--------------------------------|-------------------------------|------------------|
| Refuse access – Obtained in confidence | 13 | X | X | X | X | X | X | X | |
| Refuse access – Federal-provincial affairs | 14 | X | X | X | X | X | X | X | |
| Refuse access – International affairs and defence | 15 | X | X | X | X | X | X | X | |
| Refuse access – Law enforcement, investigations | 16 | X | X | X | X | X | X | X | |
| Refuse access – <i>Public Servants Disclosure Protection Act</i> | 16.5 | X | X | X | X | X | X | X | |
| Refuse access – Safety of individuals | 17 | X | X | X | X | X | X | X | |
| Refuse access – Economic interests of Canada | 18 | X | X | X | X | X | X | X | |
| Refuse access – Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc. | 18.1 | X | X | X | X | X | X | X | |
| Refuse access – Personal information | 19 | X | X | X | X | X | X | X | |
| Refuse access – Third-party information | 20 | X | X | X | X | X | X | X | |

| Description | Section | Deputy Minister ESDC | Deputy Minister Labour | Deputy Head Service Canada | ADMs of PPCA and Labour | Corporate Secretary ESDC | Director ATIP Operations | Manager ATIP Operations | ATIP Officers |
|--|----------|----------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------|--------------------------------|-------------------------------|------------------|
| Refuse access – Operations of government | 21 | X | X | X | X | X | X | X | |
| Refuse access – Testing procedures, tests, audits | 22 | X | X | X | X | X | X | X | |
| Refuse access – Audit working papers and draft audit reports | 22.1 | X | X | X | X | X | X | X | |
| Refuse access – Solicitor-client privilege | 23 | X | X | X | X | X | X | X | |
| Refuse access – Statutory prohibitions | 24 | X | X | X | X | X | X | X | |
| Severability | 25 | X | X | X | X | X | X | X | |
| Information to be published | 26 | X | X | X | X | X | X | X | |
| Third-party notification | 27(1) | X | X | X | X | X | X | X | |
| Third-party notification – Extension of time limit | 27(4) | X | X | X | X | X | X | X | |
| Third-party notification – Notice of decision | 28(1)(b) | X | X | X | X | X | X | X | |
| Third-party notification – Representations in writing | 28(2) | X | X | X | X | X | X | X | |

| Description | Section | Deputy Minister ESDC | Deputy Minister Labour | Deputy Head Service Canada | ADMs of PPCA and Labour | Corporate Secretary ESDC | Director ATIP Operations | Manager ATIP Operations | ATIP Officers |
|---|----------|----------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------|--------------------------------|-------------------------------|------------------|
| Third-party notification – Disclosure of record | 28(4) | X | X | X | X | X | X | X | |
| Where the Information Commissioner recommends disclosure | 29(1) | X | X | X | X | X | X | X | |
| Advising Information Commissioner of third-party involvement | 33 | X | X | X | X | X | X | X | |
| Right to make representations | 35(2)(b) | X | X | X | X | X | X | X | |
| Access to be given to complainant | 37(4) | X | X | X | X | X | X | X | |
| Notice to third party (application to Federal Court) | 43(1) | X | X | X | X | X | X | X | X |
| Notice to applicant (application to Federal Court by third party) | 44(2) | X | X | X | X | X | X | X | X |
| Special rules for hearings | 52(2)(b) | X | X | X | X | X | X | X | |
| <i>Ex parte</i> representations (Federal Court) | 52(3) | X | X | X | X | X | X | X | |
| Facilities for inspection of manuals | 71(1) | X | X | X | X | X | X | X | |
| Annual report to Parliament | 72 | X | X | X | X | X | X | X | |

11.0 Annex B: Statistical Report on the *Access to Information Act*



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Employment and Social Development Canada

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the *Access to Information Act*

1.1 Number of requests

| | Number of Requests |
|--|--------------------|
| Received during reporting period | 1,160 |
| Outstanding from previous reporting period | 157 |
| Total | 1,317 |
| Closed during reporting period | 1,055 |
| Carried over to next reporting period | 262 |

1.2 Sources of requests

| Source | Number of Requests |
|---------------------------|--------------------|
| Media | 156 |
| Academia | 14 |
| Business (private sector) | 436 |
| Organization | 220 |
| Public | 286 |
| Decline to identify | 48 |
| Total | 1,160 |

1.3 Informal 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 | |
| 376 | 66 | 65 | 103 | 1 | 1 | 0 | 612 |

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.



TBS/SCT 350-63 (Rev. 2011/03)

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 | 11 | 159 | 89 | 19 | 2 | 3 | 2 | 285 |
| Disclosed in part | 5 | 87 | 144 | 114 | 44 | 41 | 20 | 455 |
| All exempted | 0 | 5 | 5 | 2 | 0 | 2 | 1 | 15 |
| All excluded | 0 | 1 | 0 | 2 | 2 | 0 | 0 | 5 |
| No records exist | 1 | 84 | 66 | 6 | 0 | 1 | 0 | 158 |
| Request transferred | 6 | 3 | 0 | 0 | 0 | 0 | 0 | 9 |
| Request abandoned | 57 | 28 | 8 | 11 | 7 | 8 | 9 | 128 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 80 | 367 | 312 | 154 | 55 | 55 | 32 | 1,055 |

2.2 Exemptions

| Section | Number of Requests | Section | Number of Requests | Section | Number of Requests | Section | Number of Requests |
|---------------|--------------------|------------|--------------------|------------|--------------------|----------|--------------------|
| 13(1)(a) | 2 | 16(2) | 185 | 18(a) | 1 | 20.1 | 0 |
| 13(1)(b) | 3 | 16(2)(a) | 0 | 18(b) | 2 | 20.2 | 0 |
| 13(1)(c) | 9 | 16(2)(b) | 0 | 18(c) | 0 | 20.4 | 0 |
| 13(1)(d) | 1 | 16(2)(c) | 0 | 18(d) | 5 | 21(1)(a) | 92 |
| 13(1)(e) | 1 | 16(3) | 0 | 18.1(1)(a) | 0 | 21(1)(b) | 98 |
| 14 | 25 | 16.1(1)(a) | 0 | 18.1(1)(b) | 0 | 21(1)(c) | 3 |
| 14(a) | 0 | 16.1(1)(b) | 0 | 18.1(1)(c) | 0 | 21(1)(d) | 9 |
| 14(b) | 2 | 16.1(1)(c) | 0 | 18.1(1)(d) | 0 | 22 | 5 |
| 15(1) | 4 | 16.1(1)(d) | 0 | 19(1) | 347 | 22.1(1) | 5 |
| 15(1) - I.A.* | 4 | 16.2(1) | 0 | 20(1)(a) | 0 | 23 | 45 |
| 15(1) - Def.* | 0 | 16.3 | 0 | 20(1)(b) | 76 | 24(1) | 74 |
| 15(1) - S.A.* | 2 | 16.4(1)(a) | 0 | 20(1)(b.1) | 0 | 26 | 1 |
| 16(1)(a)(i) | 0 | 16.4(1)(b) | 0 | 20(1)(c) | 89 | | |

| | | | | | |
|---------------|----|------|---|----------|---|
| 16(1)(a)(ii) | 0 | 16.5 | 0 | 20(1)(d) | 9 |
| 16(1)(a)(iii) | 1 | 17 | 1 | | |
| 16(1)(b) | 28 | | | | |
| 16(1)(c) | 0 | | | | |
| 16(1)(d) | 0 | | | | |

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

| Section | Number of Requests | Section | Number of Requests | Section | Number of Requests |
|---------|--------------------|----------|--------------------|-----------------|--------------------|
| 68(a) | 2 | 69(1) | 6 | 69(1)(g) re (a) | 15 |
| 68(b) | 0 | 69(1)(a) | 13 | 69(1)(g) re (b) | 1 |
| 68(c) | 0 | 69(1)(b) | 7 | 69(1)(g) re (c) | 10 |
| 68.1 | 0 | 69(1)(c) | 7 | 69(1)(g) re (d) | 14 |
| 68.2(a) | 0 | 69(1)(d) | 15 | 69(1)(g) re (e) | 10 |
| 68.2(b) | 0 | 69(1)(e) | 17 | 69(1)(g) re (f) | 8 |
| | | 69(1)(f) | 9 | 69.1(1) | 0 |

2.4 Format of information released

| Disposition | Paper | Electronic | Other Formats |
|-------------------|------------|------------|---------------|
| All disclosed | 266 | 16 | 1 |
| Disclosed in part | 330 | 124 | 0 |
| Total | 596 | 140 | 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 | 10,525 | 10,491 | 285 |
| Disclosed in part | 122,954 | 106,827 | 455 |
| All exempted | 408 | 0 | 15 |
| All excluded | 446 | 0 | 5 |
| Request abandoned | 5,216 | 4,483 | 128 |
| Neither confirmed nor denied | 0 | 0 | 0 |

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 | 264 | 3,214 | 17 | 3,563 | 3 | 1,917 | 1 | 1,797 | 0 | 0 |
| Disclosed in part | 290 | 8,972 | 113 | 23,912 | 31 | 19,914 | 19 | 31,096 | 2 | 22,933 |
| All exempted | 14 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Request abandoned | 124 | 176 | 3 | 307 | 0 | 0 | 1 | 4,000 | 0 | 0 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 695 | 12,362 | 136 | 27,782 | 34 | 21,831 | 21 | 36,893 | 2 | 22,933 |

2.5.3 Other complexities

| Disposition | Consultation Required | Assessment of Fees | Legal Advice Sought | Other | Total |
|------------------------------|-----------------------|--------------------|---------------------|-------|-------|
| All disclosed | 7 | 0 | 0 | 0 | 7 |
| Disclosed in part | 89 | 10 | 0 | 0 | 99 |
| All exempted | 4 | 1 | 0 | 0 | 5 |
| All excluded | 3 | 0 | 0 | 0 | 3 |
| Request abandoned | 4 | 24 | 0 | 0 | 28 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 |
| Total | 107 | 35 | 0 | 0 | 142 |

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 |
| 256 | 184 | 11 | 13 | 48 |

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 | 48 | 35 | 83 |
| 16 to 30 days | 19 | 14 | 33 |
| 31 to 60 days | 24 | 12 | 36 |
| 61 to 120 days | 15 | 26 | 41 |
| 121 to 180 days | 6 | 8 | 14 |
| 181 to 365 days | 4 | 24 | 28 |
| More than 365 days | 5 | 16 | 21 |
| Total | 121 | 135 | 256 |

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: Extensions

3.1 Reasons for extensions and disposition of requests

| Disposition of Requests Where an Extension Was Taken | 9(1)(a) Interference with Operations | 9(1)(b) Consultation | | 9(1)(c) Third-Party Notice |
|--|---|-------------------------|-------|-------------------------------|
| | | Section 69 | Other | |
| All disclosed | 24 | 0 | 5 | 0 |
| Disclosed in part | 202 | 25 | 51 | 10 |
| All exempted | 3 | 1 | 3 | 0 |
| All excluded | 0 | 3 | 1 | 0 |
| No records exist | 4 | 0 | 0 | 0 |
| Request abandoned | 17 | 3 | 4 | 0 |
| Total | 250 | 32 | 64 | 10 |

3.2 Length of extensions

| Length of Extensions | 9(1)(a) Interference with Operations | 9(1)(b) Consultation | | 9(1)(c) Third-Party Notice |
|----------------------|---|-------------------------|-------|-------------------------------|
| | | Section 69 | Other | |
| 30 days or less | 129 | 0 | 17 | 0 |

| | | | | |
|------------------|-----|----|----|----|
| 31 to 60 days | 60 | 12 | 24 | 3 |
| 61 to 120 days | 55 | 14 | 20 | 6 |
| 121 to 180 days | 4 | 0 | 3 | 1 |
| 181 to 365 days | 2 | 6 | 0 | 0 |
| 365 days or more | 0 | 0 | 0 | 0 |
| Total | 250 | 32 | 64 | 10 |

Part 4: Fees

| Fee Type | Fee Collected | | Fee Waived or Refunded | |
|--------------------|--------------------|---------|------------------------|--------|
| | Number of Requests | Amount | Number of Requests | Amount |
| Application | 953 | \$5,520 | 102 | \$510 |
| Search | 6 | \$1,605 | 0 | \$0 |
| Production | 0 | \$0 | 0 | \$0 |
| Programming | 0 | \$0 | 0 | \$0 |
| Preparation | 0 | \$0 | 0 | \$0 |
| Alternative format | 0 | \$0 | 0 | \$0 |
| Reproduction | 0 | \$0 | 0 | \$0 |
| Total | 959 | \$7,125 | 102 | \$510 |

Part 5: Consultations Received from Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

| Consultations | Other Government of Canada Institutions | Number of Pages to Review | Other Organizations | Number of Pages to Review |
|--|---|---------------------------|---------------------|---------------------------|
| Received during reporting period | 155 | 6,373 | 2 | 17 |
| Outstanding from the previous reporting period | 7 | 148 | 0 | 0 |
| Total | 162 | 6,521 | 2 | 17 |
| Closed during the reporting period | 140 | 6,356 | 2 | 17 |
| Pending at the end of the reporting period | 22 | 165 | 0 | 0 |

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

| Recommendation | Number of Days Required to Complete Consultation Requests | | | | | | | |
|---------------------------|---|---------------|---------------|----------------|-----------------|-----------------|--------------------|-------|
| | 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 | Total |
| Disclose entirely | 31 | 26 | 12 | 0 | 0 | 0 | 0 | 69 |
| Disclose in part | 9 | 26 | 10 | 5 | 1 | 0 | 0 | 51 |
| Exempt entirely | 0 | 3 | 1 | 1 | 0 | 0 | 0 | 5 |
| Exclude entirely | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Consult other institution | 2 | 4 | 2 | 0 | 0 | 0 | 0 | 8 |
| Other | 0 | 1 | 2 | 3 | 0 | 0 | 0 | 6 |
| Total | 43 | 60 | 27 | 9 | 1 | 0 | 0 | 140 |

5.3 Recommendations and completion time for consultations received from other organizations

| Recommendation | Number of Days Required to Complete Consultation Requests | | | | | | | |
|---------------------------|---|---------------|---------------|----------------|-----------------|-----------------|--------------------|-------|
| | 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 | Total |
| Disclose entirely | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Disclose in part | 1 | 0 | 0 | 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 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 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 | 4 | 119 | 2 | 335 | 0 | 0 | 0 | 0 | 0 | 0 |
| 16 to 30 | 11 | 240 | 1 | 160 | 0 | 0 | 0 | 0 | 0 | 0 |
| 31 to 60 | 6 | 270 | 0 | 0 | 6 | 3,804 | 0 | 0 | 0 | 0 |
| 61 to 120 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | | |
|---------------|----|-----|---|-----|---|-------|---|---|---|---|
| 121 to 180 | 0 | 0 | 1 | 107 | 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 | 21 | 629 | 4 | 602 | 6 | 3,804 | 0 | 0 | 0 | 0 |

6.2 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 |

Part 7: Complaints and Investigations

| Section 32 | Section 35 | Section 37 | Total |
|------------|------------|------------|-------|
| 29 | 26 | 13 | 68 |

Part 8: Court Action

| Section 41 | Section 42 | Section 44 | Total |
|------------|------------|------------|-------|
| 0 | 0 | 0 | 0 |

Part 9: Resources Related to the *Access to Information Act*

9.1 Costs

| Expenditures | | Amount |
|-----------------------------------|----------|-------------|
| Salaries | | \$1,688,768 |
| Overtime | | \$1,854 |
| Goods and services | | \$15,354 |
| • Professional services contracts | \$15,354 | |
| • Other | \$0 | |

| | |
|--------------|--------------------|
| Total | \$1,705,976 |
|--------------|--------------------|

9.2 Human Resources

| Resources | Person Years Dedicated to Access to Information Activities |
|----------------------------------|---|
| Full-time employees | 20.10 |
| Part-time and casual employees | 1.64 |
| Regional staff | 0.00 |
| Consultants and agency personnel | 3.00 |
| Students | 0.08 |
| Total | 24.82 |

Note: Enter values to two decimal places.