

2014

# Annual Report to Parliament

## VIA Rail Canada

Administration of the  
*Privacy Act*

## **Table of Contents**

1. Introduction .....	1
2. Institution.....	1
3. VIA Rail's Access to Information and Privacy ("ATIP") Unit .....	2
4. Delegation order .....	3
5. Interpretation of the statistical report.....	3
6. ATIP educational and training activities .....	3
7. Policies, guidelines and procedures.....	4
8. Complaints.....	4
9. Monitoring of Processing Time .....	4
10. Material Privacy Breaches.....	4
11. Privacy Impact Assessment ("PIA").....	4
12. Disclosure pursuant paragraph 8(2)(m).....	4
Appendices.....	5

## 1. Introduction

According to the *Federal Accountability Act* effective September 1, 2007, VIA Rail Canada Inc. ("VIA Rail") is subject to the legal requirements of the *Privacy Act* ("PA").

The PA gives Canadian citizens and all people living in Canada the right to access information about them that is held by the institution. The PA also protects them against unauthorized disclosure of that personal information and controls how the institution will collect, use, store, disclose and dispose of personal information.

This annual report is tabled in Parliament according to section 72 of the PA and covers the period from April 1, 2014 to March 31, 2015.

## 2. Institution

VIA Rail operates Canada's national passenger rail service on behalf of the Government of Canada. An independent Crown corporation established in 1977, VIA Rail provides a national passenger rail transportation service that is safe, secure, efficient, reliable, and environmentally sustainable from coast to coast in both official languages. The Corporation operates over 500 trains weekly on 12,500 kilometers of track, connecting over 450 Canadian communities. With approximately 2,500 active employees, VIA Rail carried 3.8 million passengers in 2014.

### VIA Rail's Services

#### *Rapid Intercity Travel*

In the densely populated Corridor between Ontario and Quebec, more than 460 trains per week provide fast, convenient, downtown-to-downtown travel between major urban and suburban centers and communities. These trains carry more than 90 percent of Corporation's total ridership.

#### *Long-distance Travel and Tourism*

In Western and Eastern Canada, VIA Rail's trains attract travelers from around the world and support Canada's tourism industry. The Canadian, VIA Rail's western transcontinental train, provides service between Vancouver and Toronto. In Eastern Canada, The Ocean runs between Montreal and Halifax.

### *Mandatory Services*

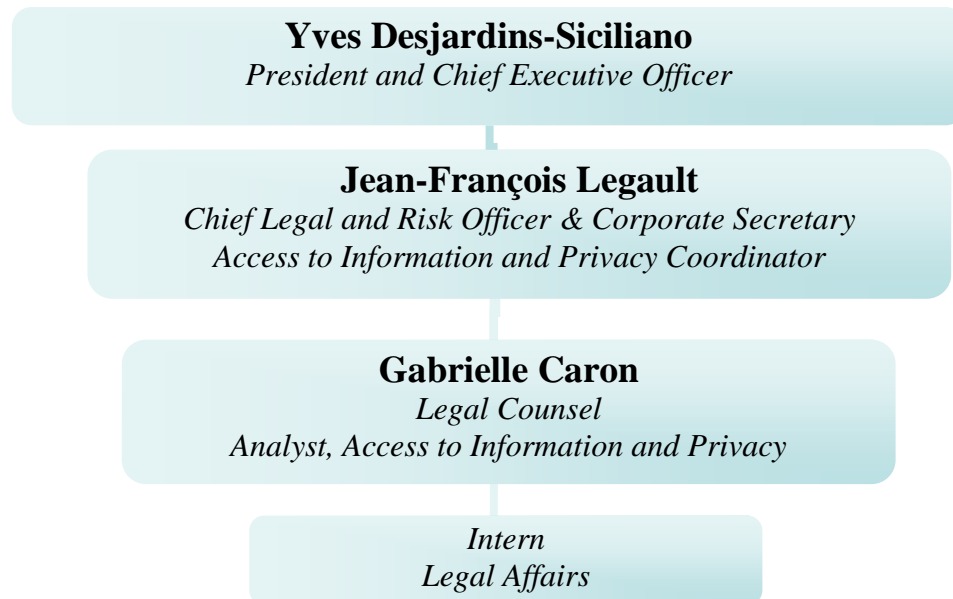
VIA Rail provides passenger service in several rural and remote regions of Canada. Mandated by the Government of Canada to meet essential transportation needs, these trains serve many communities where alternative year-round transportation is limited or unavailable.

## **3. VIA Rail's Access to Information and Privacy ("ATIP") Unit**

VIA Rail's ATIP unit was created in 2007. Since June 1, 2010, ATIP falls under the responsibility of the Chief Legal and Risk Officer & Corporate Secretary, the Coordinator for ATIP at VIA Rail.

This person is responsible for interpreting and applying the statutory and policy requirements as they relate to the public's right of access to VIA Rail's records under the *ATIA* and to personal information under the *PA*. In more complex cases, the Coordinator makes recommendations to senior management on the disclosure of information. The Coordinator's area of responsibility includes administering the process by which requests for access to information and for personal information are received and responded to, in compliance with the applicable statutory and policy requirements. It is to be noted that significant parts of these responsibilities are likely to be exercised by or in collaboration with the Analyst of the ATIP.

Here's the most recent organizational structure of VIA Rail's ATIP unit effective from August 15, 2014 to March 31, 2015:



## 4. Delegation order

Pursuant to section 73 of the *PA*, the President and Chief Executive Officer of VIA Rail has delegated the totality of his functions as they relate to the administration of the *PA* within VIA Rail to the Corporation's ATIP Coordinator and the ATIP Analyst.

The delegation order is included in Appendix 1.

## 5. Interpretation of the statistical report

The completed statistical report for 2014 previously submitted to the Treasury Board Secretariat is included in Appendix 2.

### *Requests:*

VIA Rail received fourteen (14) requests between April 1, 2014 and March 31, 2015 and no request was carried over from the previous reporting period. The fourteen (14) requests were closed during this reporting period.

### *Completion time:*

VIA Rail's completion time for requests closed during the reporting period is 28 days compared to the legislative requirement of 30 days.

### *Costs:*

The total costs incurred by the unit regarding privacy were \$17,071. This amount includes \$4,610 in salary, \$12,361 for consultation fees and \$100 for expenditures related to the standard operation of the service.

ATIP staff resources dedicated to privacy represent 0,08 FTE (full time employee).

## 6. ATIP educational and training activities

Listed below are some of VIA Rail's activities for 2014 in order to meet the legal requirements of the *PA*:

- A report on privacy was included in every VIA Rail annual report as well as in each quarterly report.
- Employees are required to complete an on-line Code of Conduct module which includes questions on privacy with respect to both individual and corporate responsibility.

## **7. Policies, guidelines and procedures**

VIA Rail did not implement or review any policies, guidelines or procedures related to privacy during the reporting period.

## **8. Complaints**

No complaint was filed between April 1, 2014 and March 31, 2015.

## **9. Monitoring of Processing Time**

VIA Rail did not monitor time to process requests during the reporting period.

## **10. Material Privacy Breaches**

No material breach of privacy took place during the reporting period.

## **11. Privacy Impact Assessment ("PIA")**

No formal PIA was initiated or completed during the reporting period.

## **12. Disclosure pursuant paragraph 8(2)(m)**

There was no disclosure of personal information pursuant to subsection 8(2)m) during the reporting period.

## **Appendix 1**



## **DELEGATION OF AUTHORITY**

### **ACCESS TO INFORMATION ACT AND PRIVACY ACT**

I, the undersigned, President and Chief Executive Officer, pursuant to Section 73 of the *Access to Information Act* and Section 73 of the *Privacy Act*, hereby designates the officers and employees of VIA Rail holding the positions of Coordinator and Analyst of Access to information and Privacy to exercise or perform any of the powers, duties or functions that are to be exercised or performed by me under the *Access to Information Act*, the *Privacy Act* and the applicable regulations.

This Delegation Order supersedes all previous Delegation Orders.

Signed at Montréal this May 22, 2015.

## **DÉLÉGATION DE POUVOIRS**

### **LOI SUR L'ACCÈS À L'INFORMATION ET LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS**

Je, soussigné, Président et chef de la direction, conformément à l'article 73 de la *Loi sur l'accès à l'information* et l'article 73 de la *Loi sur la protection des renseignements personnels*, délègue, par la présente, aux agents et employés de VIA Rail occupant les postes de Coordonnateur et d'Analyste d'accès à l'information et protection des renseignements personnels l'exercice de l'ensemble des pouvoirs, fonctions et tâches dont je suis investi par la *Loi sur l'accès à l'information*, la *Loi sur la protection des renseignements personnels* et les règlements applicables.

Le présent décret de délégation remplace et annule tout décret antérieur.

Signé à Montréal, ce 22 mai 2015.

Yves Desjardins-Siciliano  
President and Chief Executive Officer  
Président et chef de la direction



## **Appendix 2**



## Statistical Report on the *Privacy Act*

Name of institution: VIA Rail Canada Inc.

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

### Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	14
Outstanding from previous reporting period	0
<b>Total</b>	14
Closed during reporting period	14
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	5	0	1	0	0	0	0	6
Disclosed in part	2	2	1	2	0	0	0	7
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	8	2	2	2	0	0	0	14

## 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)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	5
19(1)(f)	0	22.1	0	27	2
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)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	3	3	0
Disclosed in part	4	3	0
<b>Total</b>	<b>7</b>	<b>6</b>	<b>0</b>

## 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	15	15	6
Disclosed in part	398	398	7
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
<b>Total</b>	<b>413</b>	<b>413</b>	<b>13</b>

## 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	6	15			0	0	0	0	0	0
Disclosed in part	6	243	1	155	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
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>12</b>	<b>258</b>	<b>1</b>	<b>155</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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
4	4	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	1	2	3
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
<b>Total</b>	2	2	4

## 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

## Part 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

## Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	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	0	0		0
Disclosed in part	0	0	3	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
<b>Total</b>	0	0	3	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	3	0
<b>Total</b>	0	0	3	0

## Part 6: Consultations Received From Other Institutions and Organizations

### 6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	0	0	0	0
Closed 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 of Canada 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	
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
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	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							
	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
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
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0

## Part 7: Completion Time of Consultations on Cabinet Confidences

### 7.1 Requests with Legal Services

Number of Days	Fewer 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
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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

### 7.2 Requests with Privy Council Office

Number of Days	Fewer 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
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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

**Part 8: Complaints and Investigations Notices Received**

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

**Part 9: Privacy Impact Assessments (PIAs)**

Number of PIA(s) completed	0
----------------------------	---

**Part 10: Resources Related to the *Privacy Act*****10.1 Costs**

Expenditures		Amount
Salaries		\$4,610
Overtime		\$0
Goods and Services		\$12,461
• Professional services contracts	\$12,361	
• Other	\$100	
<b>Total</b>		<b>\$17,071</b>

**10.2 Human Resources**

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.08
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>0.08</b>

**Note:** Enter values to two decimal places.