ACCESS TO INFORMATION ACT



ANNUAL REPORT TO PARLIAMENT 2014-2015





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INTRODUCTION

I. Introduction

The purpose of the Access to Information Act (ATIA) is to provide Canadians with access to records under the control of federal institutions, except for records subject to limited and specific exemptions and exclusions.

The annual 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 access to information legislation. The report details the activities and accomplishments of AANDC's Access to Information and Privacy (ATIP) Directorate, including highlights such as:

- ➤ Creation of the ATIP Liaison Officer Manual
- > Creation of the Privacy Breach Manual
- > Posting of Summaries of Completed Access to Information on the Government of Canada website;
- > 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 federalterritorial 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 ATIA. 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 *ATIA.* 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.

The Directorate comprises two divisions: the Operations Unit and the Privacy Policy Unit. The structure of the Privacy Policy Unit can be found in the 2014-2015 AANDC Annual Report to Parliament on the Privacy Act, while the Operations Unit, which is responsible for the processing of requests and consultations, is structured as follows:

Director's Office

The Director (EX-01), as institutional ATIP Coordinator, holds full delegated authority under the Act. The Director is supported in day-to-day administrative tasks by the **Deputy Director (PM-06), Administrative** Assistant (AS-01) and in reporting and policy initiatives by the Reporting Analyst (PM-03).

Intake Team

The Intake Team comprises one Intake Officer (PM-01) and one Clerk (CR-04), who enter all applications into the electronic case management system, acknowledge receipt of requests, perform imaging services and are responsible for other administrative tasks.

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 plays 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.

The Access to Information and Privacy Operations Unit coordinates the receipt of requests for information under the control of the department made pursuant to the Access to Information Act and the Privacy Act, and ensures that a response is provided within the legislated timeframe (usually 30 days). All requests are monitored by using our tracking system AccessPro Case Management. To do so, ATIP analysts work closely with the relevant program areas in order to ensure that all responsive documents are provided and to ensure that the information contained within those documents is treated in accordance with the Acts to allow for government records to be safely disclosed to the Canadian public.

Ops Teams

Two **Ops Teams** are each lead by **Team Leaders** (PM-05), who are responsible for the oversight of request administration by their team, including review of completed requests, training and capacity building. Each Ops Team consists of Analysts (a varying mix of PM-04, PM-03 and PM-02 levels), who process requests of varying volume and complexity based on their level.

III. Delegation Order

Under section 73 of the ATIA, the Minister's authority may be delegated to departmental officials in order to administer the 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 Act, the order delegates full authority and responsibility for the ATIA 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 1, 2015 (Appendix B). The Report details various aspects of the requests AANDC received and processed during the period of April 1, 2014 to March 31, 2015.

Part 1. Requests under the Access to Information Act

1.1 Number of requests

In 2014-2015, AANDC received 720 requests under the ATIA in addition to 72 requests that were carried over from the previous year (Table 1.1). Of these 792 requests, the ATIP Directorate completed 667 requests and carried 125 requests over into the 2015-2016.

Table 1.1 Number of Requests from 2014-2015

Number of Requests	2013-2014	2014-2015	
Received during reporting period	556	720	
Outstanding from previous reporting period	101	72	
Total	657	792	
Closed during reporting period	586	667	
Carried over to next reporting period	71	125	

1.2 Sources of requests

Of the 720 requests received during the reporting period, 377 (52.4%) were received from members of the media, followed by 144 (20%) from the general public, and 88 (12.2%) from businesses (Table 1.2).

Table 1.2 Sources of Requests

Source	2013-2014	2014-2015	
Media	229 (41.4%)	377 (52.4%)	
Public	213 (39.3%)	144 (20%)	
Business	65 (11.7%)	88 (12.2%)	
Organization	27 (4.9%)	71 (9.9%)	
Academia	21 (3.8%)	40 (5.6%)	
Total	556	720	

AANDC continues to receive requests predominantly from the public and media. Media requests, in particular, became more frequent (148 or 82.7% more requests) as journalists sought records related to high-profile topics.

1.3 Informal Requests

During the 2014-2015 reporting period, AANDC received and completed 132 informal requests. Over 100% of these informal requests were completed in less than 60 days.

Part 2. Requests closed During the **Reporting Period**

2.1 Disposition and completion time

Of the 667 requests closed during the reporting period (Table 2.1), AANDC was able to fully or partially disclose records in 442 cases; that is, 66.3% of the time a request was submitted to AANDC, the result was a disclosure of records (significantly higher than the 43.4% rate reported in 2013-2014). In these cases, the majority of requests (203, or 45.9%) took 30 days or less to complete. Overall, 387 (58%) of the 667 requests were closed within the statutory 30 day timeframe.

Eight percent of requests were abandoned by the requester, treated informally, or transferred to the appropriate government institution. Only in 53 cases (8% of all requests) were the relevant records fully exempted or excluded under provisions of the ATIA.

There were 280 requests that required greater than 30 days to process, 59 of which took greater than 120 days to complete.

However, 54 of these 59 requests resulted in the full or partial disclosure of records

The most frequent outcome of the requests processed during the reporting period was 'Disclosed in part', which was the result of 318 requests (48%), followed by 'All disclosed' which was the result of 124 requests (18.6%). In 56 instances, the request was abandoned by the requester, likely because the original request was not complete, clarification could not be obtained, or because the cost estimate for search fees was not accepted.

Figure 2.1 Outcomes of Closed Requests

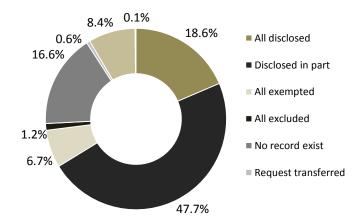


Table 2.1 Disposition and completion time of requests made under the Access to Information Act

D. III 6	Completion Time								
Disposition of 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	22	73	23	6	0	0	0	124	
Disclosed in part	19	89	43	113	47	7	0	318	
All exempted	10	13	5	13	3	1	0	45	
All excluded	1	0	0	6	1	0	0	8	
No records exist	63	41	3	4	0	0	0	111	
Request transferred	4	0	0	0	0	0	0	4	
Request abandoned	46	6	2	2	0	0	0	56	
Neither confirmed nor denied	0	0	1	0	0	0	0	1	
Total	165	222	77	144	51	8	0	667	

2.2 Exemptions

As seen in previous years, the most commonly invoked exemption during the reporting period was the severing of government operations information pursuant to subsection 21(1) of the *ATIA*, which was cited in 279 (73.7%) release packages (Table 2.2). The next most common exemptions applied were under those subsection 19(1) (222 instances (68.7%)) and 20(1) (147 instances (52.9%)), which protect personal information and certain third party information, respectively.

In general, exemptions were used more frequently throughout 2014-2015 in comparison to previous years, with 885 total exemptions applied across 495 requests where relevant records were retrieved and 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	Section	Number of requests	
13(1)(a)	4	16(2)	30	18(a)	2	20.1	0	
13(1)(b)	5	16(2)(a)	0	18(b)	2	20.2	0	
13(1)(c)	16	16(2)(b)	0	18(c)	0	20.4	0	
13(1)(d)	2	16(2)(c)	0	18(d)	0	21(1)(a)	102	
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	70	
14	28	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	85	
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	22	
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	5	
15(1)	0	16.1(1)(d)	0	19(1)	222	22.1(1)	0	
15(1) – I.A.*	2	16.2(1)	0	20(1)(a)	4	23	99	
15(1) – Def.*	5	16.3	0	20(1)(b)	78	24(1)	1	
15(1) – S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	11	
16(1)(a)(i)	2	16.4(1)(b)	0	20(1)(c)	32			
16(1)(a)(ii)	2	16.5	0	20(1)(d)	47			
16(1)(a)(iii)	0	17	7		'	Total: 885		
16(1)(b)	0			_				
16(1)(c)	0		* LA · International	Affairs Def Defend	re of Canada S A	: Subversive Activities		
16(1)(d)	0		iii iii iii iii iii ii ii ii ii ii ii i	mano Dom Dolom	oo or canada o.r.	. Can voi Sivo Motivitios		

2.3 Exclusions

In 2014-2015, out of 129 requests where relevant records were retrieved and exclusions were applied. Exclusions were predominantly cited pursuant to subsection 69(1)(g), which was applied in 80 requests (62%) (Table 2.3). These exclusions generally contained references to records related to funding via TBS Submissions and Memoranda to Cabinet.

Table 2.3 Number of requests closed where exclusion provisions were applied

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	2	69(1)	0	69(1)(g) re (a)	80
68(b)	0	69(1)(a)	10	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	2	69(1)(g) re (c)	0
68.1	0	69(1)(c)	4	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	7	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	15	69(1)(g) re (f)	0
Total: 129		69(1)(f)	9	69.1(1)	0

2.4 Format of information released

Over the course of this reporting period, the majority of responses were provided to the requester in CD ROM format. In total, AANDC conveyed response packages electronically in 393 requests (88.9% of all responses) where records were disclosed.

Table 2.4 Format of information released

Disposition	Paper	Electronic	Other formats					
All disclosed	25	99	0					
Disclosed in part	24	294	0					
Total	49	393	0					

2.5 Complexity

The following sections detail several factors affecting the complexity of requests that were completed throughout 2014-2015.

2.5.1 Relevant pages processed and disclosed

During the reporting period, the ATIP Directorate retrieved and reviewed 311,571 pages across 552 requests of records under the control of the Department (Table 2.5.1). This is a decrease of over 12,476 pages from 2013-2014. To view the full listing of AANDC's completed access to information requests since 2010, go to:

http://www.aadnc-aandc.gc.ca/eng/1392740423294/1392740855490

In addition, 44.7% (139,344 pages) of the total records processed during the reporting period were disclosed partially, or in their entirety, an increase of over the previous year's 38.7% release

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	17,563	9,548	124	
Disclosed in part	281,779	129,796	318	
All exempted	11,517	0	45	
All excluded	712	0	8	
Request abandoned	0	0	56	
Neither confirmed or denied	0	0	1	
Total	311,571	139,344	552	

2.5.2 Relevant pages processed and disclosed by size of requests

Over half of the requests (320 or 58%) required 100 pages of processing or less (Table 2.5.2). At the other end of the spectrum, 68 requests required the review of over 1,000 pages, including 11 requests of over 5,000 pages to process. These 68 high-volume requests accounted for 100,389 (72%) of all pages of records released over the course of 2014-2015.

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	
Disposition	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
All disclosed	98	1,407	21	3,257	2	1,255	3	3,629	0	0
Disclosed in part	128	2,381	91	14,678	37	15,977	51	53,228	11	43,532
All exempted	34	0	0	0	8	0	3	0	0	0
All excluded	6	0	2	0	0	0	0	0	0	0
Abandoned	54	0	2	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	1	0	0	0	0	0	0	0
Total	320	3,788	117	17,935	47	17,232	57	56,857	11	43,532

2.5.3 Other complexities

During the reporting period, AANDC faced several challenges that increased the complexity of its requests. Such requests sought records pertaining to high-profile issues in the media, budget and spending information related to Aboriginal groups, and allegations and complaints.

Consultations with stakeholders remained an important factor for the processing of requests at AANDC.AANDC most frequently consulted with the Departmental Legal Services Unit (DLSU) regarding potential Cabinet Confidences and the Department of Justice (DOJ) regarding information that is subject to solicitorclient privilege. AANDC also frequently consulted with Canada Post Corporation (CPC), Environment Canada (EC), the Department of Foreign Affairs and International Trade (DFAIT), Health Canada (HC), Natural Resources Canada (NRCAN), Public Works and Government Services Canada (PWGSC) and the Royal Canadian Mounted Police (RCMP).

AANDC continued to collect application fees with most new requests (see Part 4).

Table 2.5.3 Other complexities related to requests closed during

the reporting period

Disposition	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	16	0	0	0	16
Disclosed in part	171	5	70	0	246
All exempted	20	0	8	0	28
All excluded	7	0	7	0	14
Abandoned	1	6	0	0	7
Neither confirmed nor denied					
Total	215	11	85	0	311

As it did in 2013-2014, AANDC continued to encounter complex files with a high number of pages for review. One approach that was taken in previous years was used once more, and proved successful yet again in 2014-2015. When multiple requesters made identical or similar requests for the same large set of records, AANDC obtained consent from each of the requesters to apply an extension to their file and administer all requests as one single file. In return, AANDC committed to waiving all search and retrieval fees and making interim releases to the requesters if possible. The approach was well-received and each of these files was closed during 2014-2015 with no subsequent complaint filed.

2.6 Deemed refusals

During the reporting period, AANDC failed to comply with statutory deadlines on three occasions. One request was closed past the statutory deadline due to an external consultation, and two were closed past the statutory deadline due to an internal consultation. Workload was never the cause of a request closing past statutory deadline.

2.7 Requests for translation

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

Part 3. Extensions

3.1 Reasons for extensions and disposition of requests

A total of 308 extensions under section 9(1) of the ATIA were applied in 2014-2015. The most prevalent reason for extending deadlines this reporting period was for consultation with Other Government Departments (OGDs) (115 times, or 37.3% of all extensions) and legal advice (85 times, or 27.6% of all extensions).

In all cases where extensions pursuant to 9(1)(a) were taken, and records existed, the requests resulted in dispositions of 'Disclosed in part' 96% of the time. Where an extension was taken under either 9(1)(a), (b) or (c), records were fully or partially disclosed in 274 out of 308 (89%) instances (Table 3.1). Only in 12 cases were extensions applied for external consultations with OGDs or third parties and no records released due to exemptions.

Of the 85 requests where extensions were taken for the purpose of consulting the DLSU on potential Cabinet confidences, 70 resulted in the disclosure of records (for more on DLSU consultations, see Part 6).

Figure 3.1 Extensions and workload over the past three years

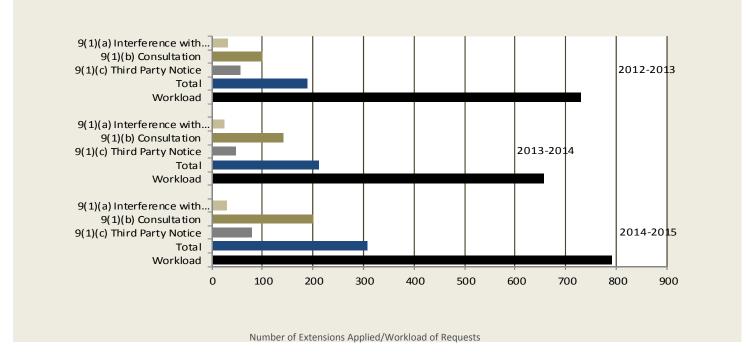


Table 3.1 Reasons for extensions and disposition of requests

Disposition of requests where	9(1)(a)	9(1)(b) Con	9(1)(b) Consultation			
an extension was taken	Interference with Operations	Section 69	Other	Party Notice		
All disclosed	0	0	12	5		
Disclosed in part	26	70	90	71		
All exempted	1	8	10	2		
All excluded	0	7	0	0		
No records exist	2	0	3	1		
Request abandoned	0	0	0	0		
Total	29	85	115	79		

Table 3.2 Length of extensions

	9(1)(a)	9(1)(a) 9(1)(b) Consultation			
Length of extension	Interference with Operations	Section 69	Other	9(1)(c) Third Party Notice	
30 days or less	0	5	1	2	
31 to 60 days	2	1	33	4	
61 to 120 days	13	74	64	50	
121 to 180 days	8	4	16	22	
181 to 365 days	6	1	1	1	
365 days or more	0	0	0	0	
Total	29	85	115	79	

3.2 Length of extensions

The majority (97.1%) of extensions applied during the reporting period were less than 180 days.

Extensions greater than 181 days were only taken on 9 requests, a significant decrease from the 44 instances of extensions greater than 181 days from 2013-2014. In addition to this, in 2014-2015, AANDC never took an extension greater than 365 days.

The length of extensions applied under paragraphs (b) was largely dependent on timeframes decided by the other organization. Whenever an extension of over 30 days was applied, AANDC notified the Office of the Information Commissioner (OIC).

Part 4. Fees

AANDC collected \$3,140 in application fees and waived \$690 in fees over the course of the reporting period (Table 4). For five requests, search fees were assessed and collected for a total of \$1,131.

The movement toward electronic release of information has allowed the Department to avoid assessing fees for reproduction and preparation costs in most scenarios. AANDC will continue to emphasize electronic release of records wherever possible.

Table 4. Fees collected and waived

		llected		or Refunded
Fee Type	# of Requests	Amount	# of Requests	Amount
Application	664	\$3,140	0	\$0
Search	3	\$1,131	3	\$690
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	667	\$4,271	3	\$690

Part 5. Consultations Received from other **Institutions and Organizations**

5.1 Consultations received from other Government of Canada institutions and organizations

AANDC received 164 consultations for a total of 6,385 pages from other government institutions. AANDC carried over another 4 files from last year, for a total of 168 consultations (Table 5.1). This figure represents a 9.5% decrease from the 184 consultations received in 2013-2014.

The ATIP Directorate completed 163 consultations, reviewing 6,433 pages in the process, and carried over 5 into the 2015-2016.

Consultations	Other government institutions	# Pages to review	Other organizations	# Pages to review
Received during reporting period	164	6,385	0	0
Outstanding from the previous reporting period	4	48	0	0
Total	168	6,433	0	0
Closed during the reporting period	163	6,291	0	0
Pending at the end of the reporting period	5	142	0	0

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

For the purposes of this section, "other government institutions" are other institutions subject to the Access to Information Act. In the majority of cases (118 consultation requests, or 72.4% of all consultation requests) AANDC recommended that the government institution disclose the consulted pages in their entirety (Figure 5.2).

The bulk of consultations processed by the ATIP Directorate (158 consultation requests, or 96.9% of all consultation requests) were completed within 30 days of their receipt (Table 5.2). There were no occurrences where AANDC required longer than 60 days providing a response to the consulting institution.

Table 5.2 Recommendations and completion time for consultations received from other government institutions

December detices	Number of days required to complete consultations								
Recommendations	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	86	31	1	0	0	0	0	118	
Disclose in part	19	13	3	0	0	0	0	35	
Exempt entirely	3	2	0	0	0	0	0	3	
Exclude entirely	0	2	0	0	0	0	0	2	
Consult other institution	1	0	1	0	0	0	0	2	
Other	3	0	0	0	0	0	0	3	
Total	112	46	5	0	0	0	0	163	

5.3 Recommendations and completion time for consultations received from other organizations

In 2014-2015, AANDC received no consultation requests from other organizations. For the purposes of this section, other organizations include the governments of the provinces, territories and municipalities and of other countries.

Table 5.3 Recommendations and completion time for consultations received from other organizations

		Number of days required to complete consultations									
Recommendations	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	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 6. Completion time of Consultations on Cabinet Confidences

During 2014-2015, AANDC sent 83 consultations on the application of section 69 of the ATIA to DLSU for Cabinet confidences certification (Table 6). Only three consultations on Cabinet confidences took greater than 180 days to complete

Throughout 2014-2015, AANDC did not send any consultation requests to the Privy Council Office.

Table 6.1 Requests with Legal Services

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
Disposition	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	1	147	0	0	0	0	0	0
31 to 60	2	15	1	274	0	0	0	0	1	4,792
61 to 120	24	260	12	1,726	3	1,009	5	5,125	0	0
121 to 180	0	0	10	942	9	2,978	10	9,667	2	8,124
181 to 365	0	0	0	0	0	0	2	361	1	4,036
More than 365	0	0	0	0	0	0	0	0	0	0
Total	26	275	24	3,089	12	3,987	17	15,153	4	16,952

Table 6.2 Requests with Privy Council Office

Disposition	Less than 100 pages processed			101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
ווסייניסיים	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	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

During the 2014-2015 reporting period, there were 23 complaints registered with the Office of the Information Commissioner (OIC) against AANDC (Table V.1). Approximately 65% of the complaints received cited one of two reasons: the application of exemptions or exclusions (26 complaints, 43.3%) or the 'no records'/incomplete response that was received by the requester (13 complaints, 21.7%).

Of the 20 complaints that were closed during the reporting period, half (9, or 45.0%) were deemed well-founded by the OIC but all were resolved without the OIC providing AANDC with recommendations (Table V.2). Almost a third (6, or 30%) was deemed not well-founded while five complaints were discontinued by the requester.

Table 7.1 Complaints and Investigation

Section 32	Section 35	Section 37	Total
23	0	0	23

Part 8. Court Action

During 2014-2015, the ATIP Directorate within AANDC did not partake in any court action.

Part 9. Resources related to the Access to Information Act

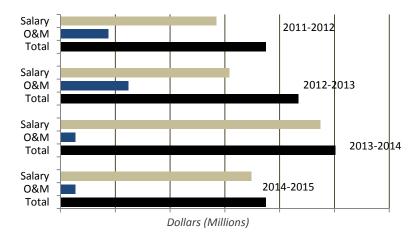
9.1 Costs

Table 9.1 Costs for the administration of the ATIA

Expenditures	Amount
Salaries	\$696,194
Overtime	\$0
Goods and Services	\$53,506
Professional services contracts	\$14,917
➤ Other	\$38,589
Total	\$749,700

In 2014-2015, AANDC spent \$749,700 on the administration of the ATIA, which is a decrease of \$253,410 (or 25.3%) from the \$1,003,100 expended in 2013-2014 (Table 9.1). In particular, \$251,795 less was devoted to salary.

Figure 9.1 Budget figures for the administration of the Access to *Information Act* over the previous four years



9.2 Human Resources

The Operations Unit within the ATIP Directorate consisted of 8.00 full-time equivalents (FTEs) dedicated to access to information activities (Table 9.2). All 8.00 FTEs were dedicated fully to access to information activities. Over the course of the reporting period, AANDC hired 2.00 FTEs of Students or agency personnel.

Table 9.2 Human resources dedicated to the administration of the Access to Information Act

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	8.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	2.00
Total	10.00

HIGHLIGHTS

V. 2014-2015 Points of Interest

Under the leadership and support of the Corporate Secretary and ATIP director, the ATIP Directorate focused its business in 2014-2015 upon three key pillars: legislative and policy compliance, modernization, and engagement and support. The following are highlights of some activities undertaken this year under these key areas.

ATIP Liaison Officer Manual

An ATIP Liaison Officer Manual was created to answer and support all questions of the work at AANDC ATIP Liaison Officer's (ALOs) across the country. ALOs act as the main point of contact between the ATIP Directorate and sectors. ALOs ensure that requests are clear, and that the appropriate records, impact statements, and approvals are communicated to the ATIP Directorate. This manual is intended to be used as a general reference tool to build the knowledge about ATIP, provide guidance and advice to our Office of the Primary Interest (OPIs) and senior management; and overall, to ensure a consistent approach to treating access to information requests.

Posting of Completed ATI Request Summaries on Open.Canada.ca

In 2014-2015, AANDC started to post all of their completed Access to Information Summaries on Open.Canada.ca. A direct link has been installed by AANDC to Open.Canada.ca, the new Open Government centralized system for posting of all completed ATI request summaries. This system supports a standardized search function, and a common look and feel for users.

Ongoing ATIP Online Request Pilot Project

The Access to Information and Privacy Online Request Pilot Project is still ongoing. Of the 720 requests received during the reporting period, 259 (36%) were received through the online process.

Education and Training

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

AANDC recognizes that a solid understanding of the ATIA allows analysts to better handle requests for records and respond with greater confidence and efficiency. Ongoing training of ATIP staff will positively impact how AANDC meets its legislative obligations and implements TBS policies and procedures including the "Duty to Assist" requesters.

To this end, several training sessions were offered over the year to ATIP employees regarding jurisprudence and the application of specific sections of the ATIA. ATIP employees are also encouraged to attend ATIP community conferences hosted by TBS or the OIC. In addition, opportunities were given to several ATIP employees to provide training to departmental staff and to build relationships with the various program areas of AANDC.

With respect to departmental training, AANDC continued its successful training campaign of 2014-2015. In total, the ATIP Directorate held 21 formal training sessions on the ATIA to an average of 8 to 10 employees, as well as numerous informal ad hoc sessions as requested by AANDC program areas.

VI. Changes to the Organization, Policies, **Guidelines and Procedures**

Organization Changes

In 2014-2015, the Directorate had a few modifications to the organization structure. An acting Director (EX-1) was appointed to head the directorate and a Team Leader position (PM-05) was filled through the use of another departmental pool. The Directorate also established a Deputy Director position (PM-06) to provide further organizational support to the Director and to manage daily ATIP activities.

The Directorate launched four competitive staffing processes (PM-01, PM-03, PM-04, and PM-06). The goal of these processes was to establish pools of qualified candidates in each PM level which would be open to all ATIP offices across government. In the spirit of further collaboration, the PM-04 competitive process

was chaired jointly by AANDC and Industry Canada's ATIP Directors.

The Directorate also continued its practice of hiring several Federal Student Work Experience Program (FSWEP) students and providing them with a meaningful work experience, which included a rotation through each of the Privacy Policy, Intake and Operations Units.

Procedural Changes

Beyond the transition to electronic record retrieval, and creation of the ATIP Liaison Shared Drive, no significant procedural changes were undertaken in 2014-2015.

APPENDIX A

Order of Delegation of the Access to Information 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 Interly for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

Loi sur l'accès à l'information -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 l'accès à l'information, j'autorise par les présentes les employés exerçant des fonctions ou occupant le poste de sousministre (numéro de poste 00001), sousministre délégué(e) (numéro de poste 0000006), bureau du sous-ministre; secrétaire du Ministère, (numéro de poste 12294), secrétariat du Ministère, et le coordonnateur de l'Accès à l'information et de la protection des renseignements personnels (numéro de poste 20003872) 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 dévolus 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.

Access to Information Act – Delegation Order

Pursuant to the powers of designation conferred upon me by Section 73 of the Access to Information 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 (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.

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

Signé à Gatineau, le Dated at Gatineau, the $\frac{1}{5}$ 0 of

2011

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SCHEDULE A

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT SCHEDULE TO DELEGATION ORDER

<u>DESIGNATION PURSUANT TO SECTION 73 OF</u> <u>THE ACCESS TO INFORMATION ACT</u>

Sections and Powers, Duties or Functions

6	Advise requesters that we need additional information to proceed with their request
7(a)	Give written notice to requestor that we can proceed with the request
8(1)	Transfer request to another institution or accept transfer from another institution
9	Extend time limits
10	Refuse to acknowledge or deny the existence of records
11	Charge additional fees
12(2)(3)	Provide access in alternate format
13	Exempt information obtained in confidence
14	Exempt information pertaining to federal-provincial affairs
15	Exempt information pertaining to international affairs and/or defence
16	Exempt information pertaining to law enforcement and investigations
17	Exempt information pertaining to the safety of individuals
18	Exempt information pertaining to the economic interests of Canada
19	Exempt personal information
20	Exempt or disclose third party information
21	Exempt information pertaining to advice, decision-making processes of government
	plans and positions etc.
22	Exempt information pertaining to testing procedures or audits
23	Exempt information pertaining to solicitor-client privilege
24	Exempt information subject to statutory prohibitions or other Acts of Parliament
25	Sever information
26	Exempt information to be published within 90 days
27(1)(4)	Notify third parties of their rights to provide comments/representations regarding the disclosure of
	their records
28(4)	Receive third party representations; make a decision as to whether to disclose the record or part
	thereof; and, notify third party of right to appeal to Federal Court
29(1)	Disclose information on Information Commissioner's recommendation
33	Advise the Information Commissioner of any third party involvement
35(2)	Make representations to the Information Commissioner during an investigation
37(4)	Release information to complainant
43(1)	Issue a notice to a third party of an application for Court review

44(2)	issue a notice to an applicant that a third party has applied for Court review
52	Request special rules for hearings
69	Exclude Cabinet Confidences
71	Inspect and exempt information in manuals
72(1)	Prepare Annual Report to Parliament
77	Carry out responsibilities conferred to the Head of the institution by the regulations made under
	section 77 which are not included in the above

SCHEDULE B

6

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT SCHEDULE TO DELEGATION ORDER

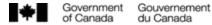
DESIGNATION PURSUANT TO SECTION 73 OF THE ACCESS TO INFORMATION ACT

Sections and Powers, Duties or Functions

7(a)	Give written notice to requestor that we can proceed with the request
8(1)	Transfer request to another institution or accept transfer from another institution
9	Extend time limits
11	Charge additional fees
27(1)(4)	Notify third parties of their rights to provide comments/representations regarding the disclosure of
	their records
28(1)(2)	Receive third party representations.
28(4)	Make a decision as to whether to disclose the record or part thereof; and, notify third party of right to appeal to Federal Court
33	Advise the Information Commissioner of any third party involvement
35(2)	Make representations to the Information Commissioner during an investigation
43(1)	Issue a notice to a third party of an application for Court review
44(2)	Issue a notice to an applicant that a third party has applied for Court review

Advise requesters that we need additional information to proceed with their request

APPENDIX B



du Canada

Statistical Report on the Access to Information Act

Name of institution: Aboriginal and Northern Development Canada

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

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	720
Outstanding from previous reporting period	72
Total	792
Closed during reporting period	667
Carried over to next reporting period	125

1.2 Sources of requests

Source	Number of Requests
Media	377
Academia	40
Business (private sector)	88
Organization	71
Public	144
Decline to Identify	0
Total	720

1.3 Informal requests

Completion Time								
1 to 15								
74	27	19	10	0	2		132	

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

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Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

		Completion Time								
Disposition of 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	Than 365 Days	Total		
All disclosed	22	73	23	6				124		
Disclosed in part	19	89	43	113	47	7		318		
All exempted	10	13	5	13	3	1		45		
All excluded	1			6	1			8		
No records exist	63	41	3	4				111		
Request transferred	4							4		
Request abandoned	46	6	2	2				56		
Neither confirmed nor denied			1					1		
Total	165	222	77	144	51	8	0	667		

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	4	16(2)	30	18(a)	2	20.1	0
13(1)(b)	5	16(2)(a)	0	18(b)	2	20.2	0
13(1)(c)	16	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	2	16(2)(c)	0	18(d)	0	21(1)(a)	102
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	70
14	28	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	85
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	22
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	5
15(1)	0	16.1(1)(d)	0	19(1)	222	22.1(1)	0
15(1) - I.A.*	2	16.2(1)	0	20(1)(a)	4	23	99
15(1) - Def.*	5	16.3	0	20(1)(b)	78	24(1)	1
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	11
16(1)(a)(i)	2	16.4(1)(b)	0	20(1)(c)	32		
16(1)(a)(ii)	2	16.5	0	20(1)(d)	47		
16(1)(a)(iii)	0	17	7				
16(1)(b)	0			_			
16(1)(c)	0						
16(1)(d)	0	* I.A.: Inte	ernational Af	fairs Def.: Defend	e of Canada	a S.A.: Subversive	Activities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	2	69(1)	0	69(1)(g) re (a)	80
68(b)	0	69(1)(a)	10	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	2	69(1)(g) re (c)	0
68.1	0	69(1)(c)	4	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	7	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	15	69(1)(g) re (f)	0
		69(1)(f)	9	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	25	99	0
Disclosed in part	24	294	0
Total	49	393	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of	Number of Pages	Number of Pages	
Requests	Processed	Disclosed	Number of Requests
All disclosed	17563	9548	124
Disclosed in part	281779	129796	318
All exempted	11517	0	45
All excluded	712	0	8
Request abandoned	0	0	56
Neither confirmed nor			
denied	0	0	1

2.5.2 Relevant pages processed and disclosed by size of requests

	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
Disposition	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	98	1407	21	3257	2	1255	3	3629	0	0
Disclosed in part	128	2381	91	14678	37	15977	51	53228	11	43532
All exempted	34	0		0	8	0	3	0	0	0
All excluded	6	0	2	0	0	0	0	0	0	0
Request abandoned	54	0	2	0	0	0	0	0	0	
Neither confirmed nor denied		0	1	0	0	0	0	0	0	0
Total	320	3788	117	17935	47	17232	57	56857	11	43532

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	16	0	0	0	16
Disclosed in part	171	5	70	0	246
All exempted	20	0	8	0	28
All excluded	7	0	7	0	14
Request abandoned	1	6	0	0	7
Neither confirmed nor	0	0	0	0	0
Total	215	11	85	0	311

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed	Principal Reason				
Past the Statutory Deadline		External Internal			
rast the Statutory Deadline	Workload	Consultation	Consultation	Other	
3	0	1	2	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	3	3
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	3	3

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

	9(1)(a)	9(1)(b) 9(1)(a) Consultation			
Disposition of Requests Where an Extension Was Taken	Interference With Operations	Section 69	Other	Third-Party Notice	
All disclosed	0	0	12	5	
Disclosed in part	26	70	90	71	
All exempted	1	8	10	2	
All excluded	0	7	0	0	
No records exist	2	0	3	1	
Request abandoned	0	0	0	0	
Total	29	85	115	79	

3.2 Length of extensions

	9(1)(a)	9(1) Consu	9(1)(c)	
Length of Extensions	Interference With Operations	Section 69	Other	Third-Party Notice
30 days or less	0	5	1	2
31 to 60 days	2	1 33		4
61 to 120 days	13	74	64	50
121 to 180 days	8	4	16	22
181 to 365 days	6	1	1	1
365 days or more	0	0	0	0
Total	29	85	115	79

Part 4: Fees

	Fee Co	ollected	Fee Waived	or Refunded
	Number of		Number of	
Fee Type	Requests	Amount	Requests	Amount
Application	664	\$3,140	0	\$0
Search	3	\$1,131	3	\$690
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	667	\$4,271	3	\$690

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	164	6385	0	0
Outstanding from the previous reporting period	4	48	0	0
Total	168	6433	0	0
Closed during the reporting period	163	6291	0	0
Pending at the end of the reporting period	5	142	0	0

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

	Numbe	r of Day	s Requi	red to C	omplete	Consult	ation Re	equests
		16 to	31 to	61 to	121 to	181 to	More Than	
Recommendation	1 to 15 Days	30 Days	60 Days	120 Days	180 Days	365 Days	365 Days	Total
Disclose entirely	86	31	1	0	0	0	0	118
Disclose in part	19	13	3	0	0	0	0	35
Exempt entirely	3	0	0	0	0	0	0	3
Exclude entirely	0	2	0	0	0	0	0	2
Consult other institution	1	0	1	0	0	0	0	2
Other	3	0	0	0	0	0	0	3
Total	112	46	5	0	0	0	0	163

5.3 Recommendations and completion time for consultations received from other organizations

Number of Days Required to Complete Consultation Requ								equests
Recommendation	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	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 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

	Pa	han 100 ges essed	101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
Number of Days	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	1	147	0	0	0	0	0	0
31 to 60	2	15	1	274	0	0	0	0	1	4792
61 to 120	24	260	12	1726	3	1009	5	5125	0	0
121 to 180	0	0	10	942	9	2978	10	9667	2	8124
181 to 365	0	0	0	0	0	0	2	361	1	4036
More than 365	0	0	0	0	0	0	0	0	0	0
Total	26	275	24	3089	12	3987	17	15153	4	16952

6.2 Requests with Privy Council Office

	Pa	han 100 ges essed	101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
Number of Days	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	, , ,
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
23	0	0	23

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		\$696,194
Overtime		\$0
Goods and Services		\$53,506
Professional services contracts	\$14,917	
Other	\$38,589	
Total		\$749,700

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	8.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	2.00
Total	10.00

Filename: NCR-#7396199-v1-ATIP_ANNUAL_REPORT_TO_PARLIAMENT_2014-

2015_ATIA_ENG

Directory: C:\Windows\system32

Template:

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Title: Subject:

Author: bellt

Keywords: Comments:

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