



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

ACCESS TO INFORMATION ACT



ANNUAL REPORT TO PARLIAMENT 2016-2017



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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 *ATIA*, describes the activities of Indigenous and Northern Affairs Canada (INAC) that support compliance with access to information legislation. The report details the activities and accomplishments of INAC's Access to Information and Privacy (ATIP) Directorate, including highlights such as:

- The ATIP Liaison Officer Manual;
- The Privacy Breach Manual;
- Posting of Summaries of Completed Access to Information requests on the Government of Canada website; and
- Continued training initiatives to increase departmental *ATIA* capacity and awareness.

Indigenous and Northern Affairs Canada's Mandate

INAC's mission is working together to make Canada a better place for Indigenous and northern people and communities.

INAC's mandate is to support Indigenous 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.

INAC 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. INAC'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 Indigenous Peoples and the North.

Most of the Department's programs, representing a majority of its spending, are delivered through partnerships with First Nation and Indigenous communities and federal-provincial or federal-territorial agreements. INAC also works with urban Indigenous people, Métis and Non-Status Indians (many of whom live in rural areas).

II. Organization

ATIP Directorate at INAC

The Access to Information and Privacy (ATIP) Directorate is responsible for the administration of requests made under the *ATIA* and the *Privacy Act (PA)*. 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 INAC Senior Management Committee (SMC). The Directorate also coordinates and implements policies, guidelines and procedures to ensure departmental compliance with the *ATIA* and *PA*. Workshop presentations, training courses and awareness sessions designed to increase access to information and privacy capacity across the Department are also provided by the ATIP Directorate.

ATIP Analysts process requests of varying volume and complexity based on their classification level. They also provide critical privacy advice for new initiatives, resulting in privacy protection in departmental programs. Policies and procedures continue to be established to ensure that privacy is considered throughout the life cycle of INAC's programs and that informed policy decisions are made concerning the collection, sharing and/or use of personal information.

They provide advice and guidance to the Department on a number of topics:

- i. The application of the *ATIA* and *PA*;
- ii. The release of sensitive or protected information to the public;
- iii. Departmental Privacy Impact Assessments (PIAs);
- iv. Permissible disclosures of personal information pursuant to subsection 8(2) of the *PA*;
- v. Appropriate *PA* Statements on Data Collection Instruments (DCIs), i.e. forms, surveys, etc.;

- vi. Updates to Info Source and the preparation and registration of Personal Information Banks (PIBs) and their related Classes of Records (CORs);
- vii. Protocols surrounding privacy breaches;
- viii. Education and awareness of access to information and privacy issues throughout the Department; and
- ix. The preparation of Memoranda of Understanding (MOUs).

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** is comprised of 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, interact with and respond to inquiries from the public, and are responsible for other administrative tasks.

Operations Team

The **Operations Team** is led by two **Team Leaders** (PM-05), who are responsible for the oversight of request processing by their team, including the review of completed requests. The Ops Team consists of **Analysts** PM-04, PM-03 and one PM-02 level, who process Access and Privacy requests of varying volume and complexity, respond to Privacy matters (such as breaches), provide training and provide Access and Privacy advice.

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

The Intake Team triages and 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*. The Operations Team ensures that a response is provided **within the legislated timeframe** (30 days). All requests are monitored using the tracking system Access Pro 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.

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 INAC.

During the reporting period, the delegation order signed by Minister Carolyn Bennett on March 14, 2016, were 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

INAC's Statistical Report was submitted to the Treasury Board Secretariat (TBS) on May 31, 2017 (Appendix B). The Report details various aspects of the requests INAC received and processed during the period of April 1, 2016 to March 31, 2017.

Part 1. Requests under the Access to Information Act

1.1 Number of requests

In 2016-2017 INAC received 732 requests, an increase of approximately 12% compared to 652 in 2015-2016 (Table 1.1), 138 carried over for a total of 870 requests. The ATIP Directorate completed 708 requests and carried 162 requests over into the next reporting period 2017-2018.

Table 1.1 Number of Requests from 2015-2016

Number of Requests	2015-2016	2016-2017
Received during reporting period	652	732
Outstanding from previous reporting period	123	138
Total	775	870
Closed during reporting period	627	708
Carried over to next reporting period	148	162

1.2 Sources of requests

Of the 732 requests received during the reporting period, 240 (32.8%) were from the general public, followed by 212 (28.9%) from the media, and 136 (18.6%) from businesses (Table 1.2). INAC continues to receive requests predominantly from the public and media.

Table 1.2 Sources of Requests

Source	2015-2016	2016-2017
Public	252 (39%)	240 (32.8%)
Media	176 (27%)	212 (28.9%)
Business	101 (15.5%)	136 (18.6%)
Organization	81 (12.4%)	64 (8.7%)
Academia	42 (6.4%)	58 (7.9%)
Decline to Identify	0	22 (3%)
Total	652	732

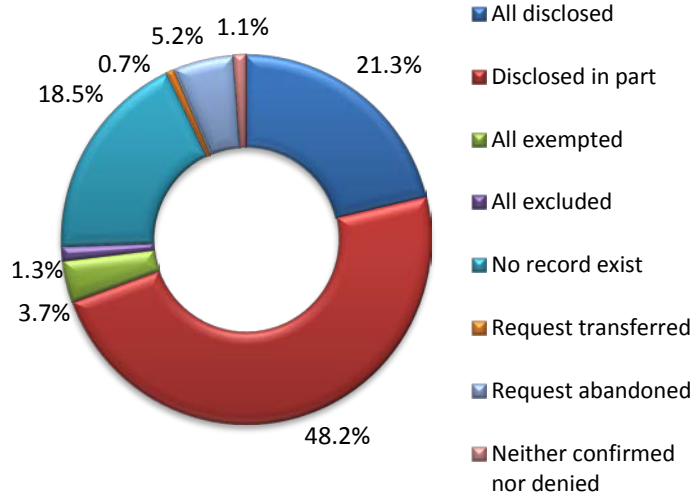
1.3 Informal Requests

During the 2016-2017 reporting period, INAC received and completed 231 informal requests compared to only 40 in 2015-2016. Ninety four percent (94%) of informal requests received last year were completed in less than 60 days.

Part 2. Requests closed During the Reporting Period

2.1 Disposition and completion time

Of the 708 requests closed during the reporting period, INAC was able to fully or partially disclose records in 492 cases; that is, 70% of the time a request was submitted to INAC, the result was a disclosure of records. Overall, 359 (51%) of the 708 requests were closed within the statutory 30 day timeframe.



Five percent of requests were abandoned by the requester, treated informally, or transferred to the appropriate government institution. Only in 26 cases (3.7% of all requests) were the relevant records fully exempted or excluded under provisions of the ATIA.

There were 349 requests that required greater than 30 days to process, 86 of which took greater than 120 days to complete.

The most frequent outcome of the requests processed during the reporting period was 'Disclosed in part', which was the result of 341 requests (48.2%), followed by 'All disclosed' which was the result of 151 requests (21.3%).

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

Disposition of requests	Completion Time							
	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	13	96	30	10	1	1	0	151
Disclosed in part	12	64	71	118	57	17	2	341
All exempted	0	8	6	11	1	0	0	26
All excluded	0	5	3	1	0	0	0	9
No records exist	37	83	6	3	0	1	1	131
Request transferred	3	1	0	0	1	0	0	5
Request abandoned	26	8	1	0	0	0	2	37
Neither confirmed nor denied	2	1	0	3	2	0	0	8
Total	93	266	117	146	62	19	5	708

2.2 Exemptions

As seen in previous years, the most commonly invoked exemption during the reporting period was advice to government pursuant to subsection 21(1) of the ATIA, which was cited in 329 requests (Table 2.2). The next most common exemptions applied were under subsections 19(1) (protection of personal information) which was cited in 241 instances, and 20(1) (251 instances) which protect personal information and certain third party information, respectively.

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)	8	16(2)	43	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	4	20.2	0

13(1)(c)	17	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	2	16(2)(c)	0	18(d)	0	21(1)(a)	114
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	95
14	33	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	93
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	27
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	7
15(1)	0	16.1(1)(d)	0	19(1)	241	22.1(1)	0
15(1) – I.A.*	0	16.2(1)	0	20(1)(a)	9	23	100
15(1) – Def.*	3	16.3	0	20(1)(b)	106	24(1)	3
15(1) – S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	9
16(1)(a)(i)	1	16.4(1)(b)	0	20(1)(c)	77	Total: 1059	
16(1)(a)(ii)	0	16.5	0	20(1)(d)	59		
16(1)(a)(iii)	0	17	1				
16(1)(b)	4						
16(1)(c)	3						
16(1)(d)	0	* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities					

2.3 Exclusions

In 2016-2017, 77 requests applied exclusion provisions. The most commonly applied exclusion was 69(1)(g), which applied to 40 of those 77 requests. 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)	3	69(1)	0	69(1)(g) re (a)	40
68(b)	0	69(1)(a)	14	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)	2	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	1	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	12	69(1)(g) re (f)	0
Total: 77		69(1)(f)	3	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 electronic format. In total, INAC conveyed response packages electronically in 387 requests (78.7% of all responses).

Table 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	58	93	0
Disclosed in part	47	294	0
Total	105	387	0

2.5 Complexity

The following sections detail several factors affecting the complexity of requests that were completed throughout 2016-2017.

2.5.1 Relevant pages processed and disclosed

Of the 708 requests received, 131 had no records and 5 were transferred to other departments. The remaining 572 requests generated 253,288 pages to review. The total amount of pages disclosed was 134,898 during the reporting period.

The listing of INAC's completed access to information requests can be found at: <http://www.aadnc-aandc.gc.ca/eng/1392740423294/1392740855490>

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	25,648	20,036	151
Disclosed in part	205,809	114,862	341
All exempted	11,543	0	26
All excluded	4,300	0	9
Request abandoned	5,968	0	37
Neither confirmed or denied	0	0	8
Total	253,288	134,889	572

2.5.2 Relevant pages processed and disclosed by size of requests

Half of the requests (286 or 50%) processed 100 pages or less (Table 2.5.2). At the other end of the spectrum, 62 requests required the review of over 1,000 pages, including 6 requests of over 5,000 pages to process. Sixty-two (62) high-volume requests accounted for 80,466 (60%) pages of records released over the course of 2016-2017.

Table 2.5.2 Relevant pages processed and disclosed by size of request

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
All disclosed	107	1,959	33	5,844	5	2,561	6	9,672	0	0
Disclosed in part	122	9,603	123	17,316	44	17,149	46	49,264	6	21,530
All exempted	11	0	12	0	1	0	2	0	0	0
All excluded	6	0	2	0	1	0	0	0	0	0
Abandoned	33	0	0	0	2	0	2	0	0	0
Neither confirmed nor denied	7	0	0	0	1	0	0	0	0	0
Total	286	11,562	170	23,106	54	19,710	56	58,936	6	21,530

2.5.3 Other complexities

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

Consultations with stakeholders remained an important factor for the processing of requests at INAC. INAC 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 solicitor-client privilege. INAC 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), and the Royal Canadian Mounted Police (RCMP).

INAC consulted with 200 other government departments.

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	19	0	0	0	19
Disclosed in part	164	0	0	0	164
All exempted	10	0	0	0	10
All excluded	2	0	0	0	2
Abandoned	2	0	0	0	2
Neither confirmed nor denied	3	0	0	0	3
Total	200	0	0	0	200

2.6 Deemed refusals

During the reporting period, INAC failed to comply with statutory deadlines on 20 occasions. Five were due to external consultations and nine were due to operational limitations.

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

With a workload of 870 requests for 2016-2017, a total of 380 extensions under section 9(1) of the ATIA were applied in 2016-2017. The most prevalent reason for extending deadlines during this reporting period was for consultation with Other Government Departments (OGDs) (171 times, or 45% of all extensions) and to obtain Legal advice regarding possible Cabinet Confidence (20 times, or 5.3% of all extensions).

In cases where extensions pursuant to 9(1)(a) were taken, and records existed, the requests resulted in dispositions of 'Disclosed in part' 76% of the time. Where an extension was taken under either 9(1)(a), (b) or (c), records were fully or partially disclosed in 331 out of 359 (92%) instances (Table 3.1). Only in 3 cases were extensions applied for external consultations with OGDs or third parties where no records were released due to exemptions.

Of the 20 requests where extensions were taken for the purpose of consulting the Departmental Legal Services Unit (DLSU) on potential Cabinet Confidences, one resulted in the disclosure of records.

Figure 3.1 Extensions and workload over the past three years

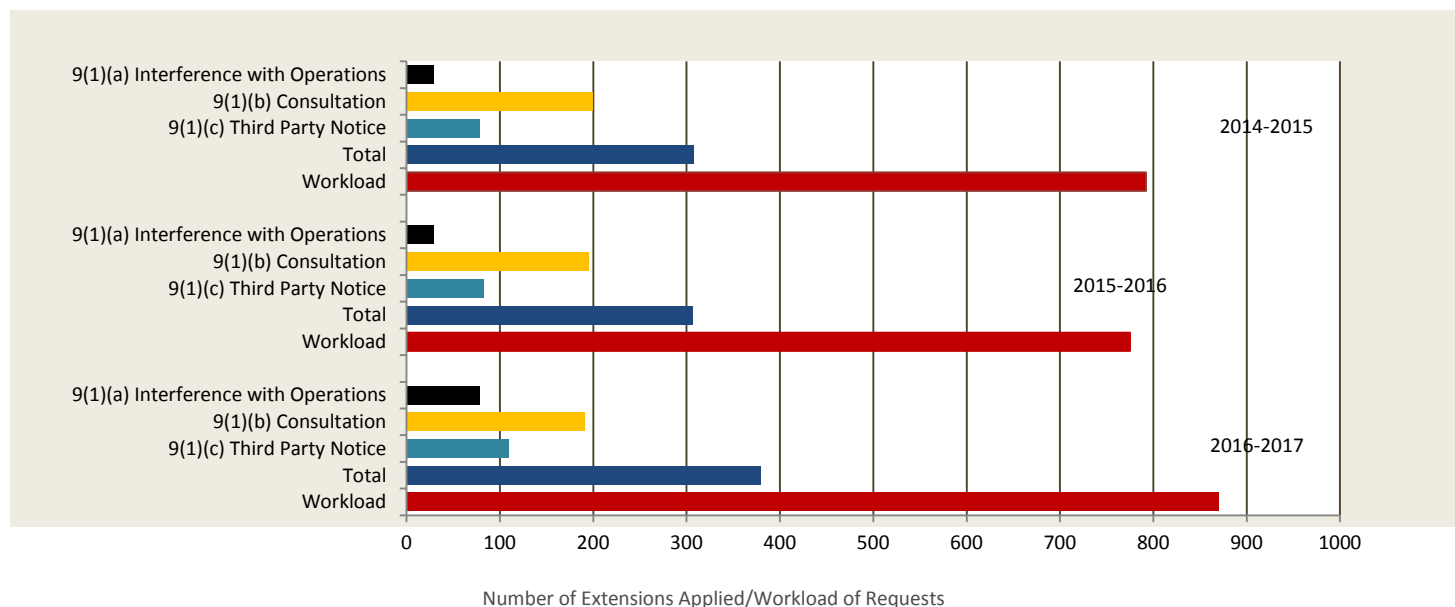


Table 3.1 Reasons for extensions and disposition of requests

Disposition of requests where 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	7	1	52	1
Disclosed in part	60	0	23	38
All exempted	3	15	78	52
All excluded	0	2	10	11
No records exist	6	2	8	6
Request abandoned	3	0	0	2
Total	79	20	171	110

3.2 Length of extensions

The majority of extensions applied during the reporting period were less than 120 days (92%).

Extensions greater than 121 days were only taken on 66 requests. In addition to this, in 2016-2017, of those, INAC took 4 extensions greater than 365 days.

Table 3.2 Length of extensions

Length of extension	9(1)(a) Interference with Operations	9(1)(b) Consultation		9(1)(c) Third Party Notice
		Section 69	Other	
30 days or less	13	1	52	1
31 to 60 days	7	0	23	38
61 to 120 days	34	15	78	52
121 to 180 days	15	2	10	11
181 to 365 days	8	2	8	6
365 days or more	2	0	0	2
Total	79	20	171	110

The length of extensions applied under paragraph (a) and (b) was largely dependent on timeframes decided by the other organizations. Whenever an extension of over 30 days was applied, INAC notified the Office of the Information Commissioner (OIC).

Part 4. Fees

INAC collected \$3,660 in application fees over the course of the reporting period (Table 4).

Table 4. Fees collected and waived

Fee Type	Fee Collected		Fee Waived or Refunded	
	# of Requests	Amount	# of Requests	Amount
Application	732	\$3,660	0	0
Search	0	0	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	732	\$3,660	0	0

Part 5. Consultations Received from other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

INAC received 175 consultations for a total of 13,116 pages from other government institutions. INAC carried over another 6 files from last year, for a total of 181 consultations in 2016-2017 (Table 5.1).

The ATIP Directorate completed 164 consultations, reviewing 12,046 pages and carried over 17 into the 2016-2017.

Table 5.1 Consultation received from other Government of Canada institutions and organizations

Consultations	Other government institutions	# Pages to review	Other organizations	# Pages to review
Received during reporting period	175	13,116	0	0
Outstanding from the previous reporting period	6	98	0	0
Total	181	13,214	0	0
Closed during the reporting period	164	12,046	0	0
Pending at the end of the reporting period	17	1,168	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 (122 consultation requests, or 74% of all consultation requests) INAC recommended that the government institution disclose the consulted pages in their entirety (Table 5.2).

The bulk of consultations processed by the ATIP Directorate (143 consultation requests, or 97% of all consultation requests) were completed within 30 days of their receipt (Table 5.2). There were two occurrences where INAC 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

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

Recommendations	Number of days required to complete consultations							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
Disclose entirely	42	66	13	1	0	0	0	122
Disclose in part	7	13	4	1	0	0	0	25
Exempt entirely	1	4	1	0	0	0	0	6
Exclude entirely	0	1	1	0	0	0	0	2
Consult other institution	3	4	0	0	0	0	0	7
Other	0	2	0	0	0	0	0	2
Total	53	90	19	2	0	0	0	164

5.3 Recommendations and completion time for consultations received from other organizations

In 2016-2017, INAC 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

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

Part 6. Completion time of Consultations on Cabinet Confidences

During 2016-2017, INAC sent 27 consultations on the application of section 69 of the ATIA to Departmental Legal Services Unit (DLSU) for Cabinet confidences Consultation (Table 6). Only two consultations on Cabinet confidences took greater than 180 days to complete. A total of 10,834 pages were recommended to be disclosed.

Throughout 2016-2017, INAC 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	
	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	1	1,575	0	0
31 to 60	1	7	0	0	0	0	0	0	0	0
61 to 120	3	9	6	623	2	646	0	0	0	0
121 to 180	2	29	3	419	3	228	3	2,838	1	4,295
181 to 365	0	0	0	0	0	0	1	747	0	0
More than 365	0	0	1	205	0	0	0	0	0	0
Total	6	45	10	1,247	5	874	5	5,160	1	4,295

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	
	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 2016-2017 reporting period, 47 new complaints were registered with the Office of the Information Commissioner (OIC) against INAC (Table 7.1). The Treasury Board of Canada requires institutions track in the statistical report section 35 and 37 of the *Access to Information Act*. These sections are not cumulative. Section 35 is when the OIC requires the ATIP directorate to make representations on complaints they received. INAC ATIP had 83 section 35 letters from the OIC. Section 37 of the *Act* is when the OIC makes a finding on existing complaints. They made 40 findings on complaints. Note section 35 and 37 are more than the 47 complaints received in 2016-2017 as they make reference to complaints INAC received in previous years.

Table 7.1 Complaints and Investigation

Section 32	Section 35	Section 37	Total
47	83	40	170

Part 8. Court Action

The ATIP Directorate with INAC did not partake in any court action during this reporting period.

Part 9. Resources related to the *Access to Information Act*

9.1 Costs

The ATIP office as a whole spent \$655,070 on staffing, and goods and services with 16.5 Human Resources. The amount was separated as 80% for the Access to Information, and 20% for the Privacy.

In 2016-2017, INAC spent \$524,057 on the administration of the *Access to Information Act*.

Figure 9.1 Resources related to the *Access to Information Act*

Expenditures	Amount	
Salaries	\$384,816	
Overtime	\$0	
Goods and Services	\$139,240	
> Professional services contracts	\$89,036	
> Other	\$50,204	
Total	\$524,056	

9.2 Human Resources

The Operations Unit within the ATIP Directorate consisted of 8.4 full-time equivalents (FTEs) dedicated to access to information activities (Table 9.2). Over the course of the reporting period, INAC hired 2.20 FTEs of students or consultants.

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	8.4
Part-time and casual employees	1.8
Regional staff	0.0
Consultants and agency personnel	.80
Students	2.20
Total	13.20

HIGHLIGHTS

V. 2016-2017 Points of Interest

The ATIP Directorate continues to receive a large influx of requests, with specific focus on Nutrition North Canada, the litigation involving the First Nations Child and Family Caring Society, Qalipu Mi'kmaq First Nation enrolment process and expense claims for the Minister and exempt staff.

The Directorate closed the fiscal year 2016-2017 with a 96% compliance rate with the *Access to Information Act*.

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

INAC continued to post at the end of each month all of its completed Access to Information Summaries on Open.Canada.ca (the Open Government centralized system for posting of all completed ATI request summaries). Users can view the Access to Information Summaries by going to the direct link installed by INAC to Open.Canada.ca. This system supports a standardized search function, and a common look and feel for users.

Education and Training

Educating staff on the *Act* as well as its implications for the Department and its operations continues to be of high importance to INAC.

The Department recognizes that a solid understanding of the *Act* allows analysts to better handle requests for records and respond with greater confidence and efficiency. Ongoing training of ATIP staff is expected to positively impact how INAC meets its legislative obligations and implements TBS policies and procedures including the "Duty to Assist" requestors.

To this end, several training sessions were offered over the year to ATIP employees regarding jurisprudence and the application of specific sections of the *Act*. ATIP employees are also encouraged to attend ATIP community conferences hosted by the Treasury Board of Canada Secretariat or the Office of the Information Commissioner.

With respect to departmental training, INAC continued its successful training campaign in 2016-2017. In total, the ATIP Directorate held 21 training sessions within the NCR and the regions such as Toronto, Winnipeg, Quebec City and Vancouver. Over 339 staff were trained representing one hundred more than in 2015-2016.

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

Organization Changes

The Directorate continued its practice of hiring several Federal Student Work Experience Program (FSWEP) students, providing them with a meaningful work experience, which included a rotation through both the Intake and Operations Units and direct work experience with the Director's Office.

Procedural Changes

Beyond the continued transition to electronic record retrieval, and creation of the ATIP Liaison Shared Drive, no significant procedural changes were undertaken in 2016-2017.

APPENDIX A

Order of Delegation of the *Access to Information Act* dated March 14, 2016.

Ministre des Affaires
autochtones et du Nord



Minister of Indigenous and
Northern Affairs

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 la présente les employés exerçant les fonctions ou occupant le poste de sous-ministre (numéro de poste 00000001), sous-ministre délégué(e) (numéro de poste 00000006), secrétaire du Ministère, (numéro de poste 00012294), coordonnateur/directeur de l'Accès à l'information et de la protection des renseignements personnels (numéro de poste 20003872) et leurs successeurs respectifs et 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 le Directeur adjoint (numéro de poste 20007504) et les Chefs d'équipe de l'Accès à l'information et de la protection des renseignements personnels (numéros de postes 00012590 et 00012061), y compris, en leur absence, toute personne ou agent désigné par écrit pour agir en son nom, à exercer les

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 00000001), Associate Deputy Minister (position number 00000006), Corporate Secretary (position number 00012294), and the departmental Access to Information and Privacy Coordinator/Director (position number 20003872) and their respective successors, including in their absence, a person or officer designated in writing to act in the place of the holder of any such functions or positions are hereby designated to exercise those powers, duties or functions of the Minister as the Head of the government institution under the Act, and as set out in the attached Schedule A.

The departmental Access to Information and Privacy Deputy Director (position number 20007504) and Team Leaders (position numbers 00012590 and 00012061) 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


Canada

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.

Signé le March 14, 2016

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.

Signed on March 14, 2016


L'honorable ~~The~~ Honourable Carolyn Bennett
Ministre des Affaires indiennes et du Nord canadien
Minister of Indian Affairs and Northern Development

SCHEDULE A

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

- 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 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 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

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

- 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
- 11 Charge additional fees
- 27(1)(4) Notify third parties of their rights to provide comments/representations regarding the disclosure of their records
- 28 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
- 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

APPENDIX B



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Indigenous and Northern Affairs Canada

Reporting period: 2016-04-01 to 2017-03-31

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

1.1 Number of requests

	Number of Requests
Received during reporting period	732
Outstanding from previous reporting period	138
Total	870
Closed during reporting period	708
Carried over to next reporting period	162

1.2 Sources of requests

Source	Number of Requests
Media	212
Academia	58
Business (private sector)	136
Organization	64
Public	240
Decline to Identify	22
Total	732

1.3 Informal requests

Completion Time							
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
122	56	38	13	2	0	0	231

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

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	13	96	30	10	1	1	0	151
Disclosed in part	12	64	71	118	57	17	2	341
All exempted	0	8	6	11	1	0	0	26
All excluded	0	5	3	1	0	0	0	9
No records exist	37	83	6	3	0	1	1	131
Request transferred	3	1	0	0	1	0	0	5
Request abandoned	26	8	1	0	0	0	2	37
Neither confirmed nor denied	2	1	0	3	2	0	0	8
Total	93	266	117	146	62	19	5	708

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	8	16(2)	43	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	4	20.2	0
13(1)(c)	17	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	2	16(2)(c)	0	18(d)	0	21(1)(a)	114
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	95
14	33	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	93
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	27
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	7
15(1)	0	16.1(1)(d)	0	19(1)	241	22.1(1)	
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	9	23	100
15(1) - Def.*	3	16.3	0	20(1)(b)	102	24(1)	3
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	9
16(1)(a)(i)	1	16.4(1)(b)	0	20(1)(c)	77		
16(1)(a)(ii)		16.5	0	20(1)(d)	59		
16(1)(a)(iii)	0	17	1				
16(1)(b)	4						
16(1)(c)	3						
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)	3	69(1)	0	69(1)(g) re (a)	40
68(b)	0	69(1)(a)	14	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)	2	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	1	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	12	69(1)(g) re (f)	0
		69(1)(f)	3	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	58	93	0
Disclosed in part	47	294	0
Total	105	387	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	25648	20036	151
Disclosed in part	205809	114862	341
All exempted	11543	0	26
All excluded	4300	0	9
Request abandoned	5968	0	37
Neither confirmed nor denied	0	0	8

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	107	1959	33	5844	5	2561	6	9672	0	0
Disclosed in part	122	9603	123	17316	44	17149	46	49264	6	21530
All exempted	11	0	12	0	1	0	2	0	0	0
All excluded	6	0	2	0	1	0	0	0	0	0
Request abandoned	33	0		0	2	0	2	0	0	0
Neither confirmed nor denied	7	0	0	0	1	0	0	0	0	0
Total	286	11562	170	23160	54	19710	56	58936	6	21530

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	19	0	0	0	19
Disclosed in part	164	0	0	0	164
All exempted	10	0	0	0	10
All excluded	2	0	0	0	2
Request abandoned	2	0	0	0	2
Neither confirmed nor denied	3	0	0	0	3
Total	200	0	0	0	200

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
20	1	5	8	6

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	2	3	5
16 to 30 days	1	1	2
31 to 60 days	2	2	4
61 to 120 days	2	1	3
121 to 180 days	0	4	4
181 to 365 days	0	1	1
More than 365 days	0	1	1
Total	7	13	20

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	7	0	21	6
Disclosed in part	60	17	150	91
All exempted	3	1	0	6
All excluded	0	1	0	1
No records exist	6	1	0	3
Request abandoned	3	0	0	3
Total	79	20	171	110

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	13	1	52	1
31 to 60 days	7	0	23	38
61 to 120 days	34	15	78	52
121 to 180 days	15	2	10	11
181 to 365 days	8	2	8	6
365 days or more	2	0	0	2
Total	79	20	171	110

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	732	\$3,660	0	\$0
Search	0	\$0	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	732	\$3,660	0	\$0

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	175	13116	0	0
Outstanding from the previous reporting period	6	98	0	0
Total	181	13214	0	0
Closed during the reporting period	164	12046	0	0
Pending at the end of the reporting period	17	1168	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							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	42	66	13	1	0	0	0	122
Disclose in part	7	13	4	1	0	0	0	25
Exempt entirely	1	4	1	0	0	0	0	6
Exclude entirely	0	1	1	0	0	0	0	2
Consult other institution	3	4	0	0	0	0	0	7
Other	0	2	0	0	0	0	0	2
Total	53	90	19	2	0	0	0	164

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	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

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	1	1575	0	0
31 to 60	1	7	0	0	0	0	0	0	0	0
61 to 120	3	9	6	623	2	646	0	0	0	0
121 to 180	2	29	3	419	3	228	3	2838	1	4295
181 to 365	0	0	0	0	0	0	1	747	0	0
More than 365	0	0	1	205	0	0	0	0	0	0
Total	6	45	10	1247	5	874	5	5160	1	4295

6.2 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
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
47	83	40	170

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		\$384,816
Overtime		\$0
Goods and Services		\$139,240
• Professional services contracts	\$89,036	
• Other	\$50,204	
Total		\$524,056

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	8.4
Part-time and casual employees	1.8
Regional staff	0.00
Consultants and agency personnel	0.80
Students	2.20
Total	13.20