



Aboriginal Affairs and
Northern Development Canada

Affaires autochtones et
Développement du Nord Canada

PRIVACY ACT



ANNUAL REPORT TO PARLIAMENT **2014-2015**



Canada 

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Contents

INTRODUCTION..... 1

 I. Introduction 1

 II. Organization 1

 III. Delegation Order..... 2

STATISTICS 3

 IV. Interpretation of the Statistical Report..... 3

HIGHLIGHTS 9

 V. 2014-2015 Points of Interest..... 9

 VI. Changes to the Organization, Policies, Guidelines and Procedures..... 10

APPENDIX A..... 11

APPENDIX B..... 14

INTRODUCTION

I. Introduction

The purpose of the *Privacy Act (PA)* is to protect the personal information of individuals under the responsibility and control of federal institutions, and to provide individuals with a right of access to that information.

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

- Full compliance with the *PA*
- Creation of the ATIP Liaison Officer Manual
- Creation of the Privacy Breach Manual;
- Increased training initiatives to improve 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 federal-territorial 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 *Privacy Act*, for Privacy policy within the department, and the disclosures of personal information under the *PA*. The Directorate 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 *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 Directorate.

The Directorate comprises two sections: the Operations Unit and Privacy Policy Unit. While the Operations Unit handles incoming requests for record review, the Privacy Policy Unit's role is to 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 AANDC's programs and that informed policy decisions are made concerning the collection and use of personal information.

The AANDC Privacy Policy Unit provides advice and guidance to the Department on a number of topics:

- i. Conducting departmental Privacy Impact Assessments (PIAs)
- ii. Advising on permissible disclosures of personal information pursuant to subsection 8(2) of the *PA*
- iii. Including and using appropriate *PA* Statements on Data Collection Instruments (DCIs), i.e. forms, surveys, etc.
- iv. Updating Info Source and instructing in the preparation and registration of Personal Information Banks (PIBs) and their related Classes of Records (CORs)
- v. Educating and promoting awareness of privacy and privacy-related issues throughout the Department
- vi. Meeting the requirements of the *PA* and its related policies regarding the sharing of personal information when preparing Memoranda of Understanding (MOUs).

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 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.

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).

Privacy Policy Unit

The **Privacy Manager** (PM-05) is responsible for the oversight of the PPU team and review of completed requests.

The rest of the PPU team comprises:

- One **Privacy Advisor** (PM-04) who advises and guides departmental officials and specialists on systems implications of privacy legislation and policy;
- One **Privacy Project Officer** (PM-03), who reviews and processes permissible disclosures pursuant to section 8(2) of the *Privacy Act*;
- One **Privacy Policy Officer** (PM-02) who reviews, assesses and registers departmental collections of personal information for storage in PIBs and inclusion in Info Source; and
- Two **Part-Time Students** who assist the Privacy Advisor, Privacy Project Officer, and Privacy Policy Officer in their work.

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.

III. Delegation Order

Under section 73 of the *Privacy Act*, the Minister's authority may be delegated to departmental officials in order to administer the *Privacy 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 *Privacy Act*, the order delegates full authority and responsibility for the *PA* 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 *Privacy Act*

In 2014-2015, AANDC received 99 requests under the *PA* in addition to 6 requests that were carried over from the previous year (Table 1.1). Of these 105 requests, the ATIP Directorate completed 92 requests and carried 13 requests over into the 2015-2016 reporting period.

Table 1.1 Number of Requests from 2014-2015

| Number of Requests | 2013-2014 | 2014-2015 |
|----------------------------|------------|------------|
| Received | 101 | 99 |
| Outstanding from last year | 6 | 6 |
| Total | 107 | 105 |
| Closed this year | 100 | 92 |
| Carried over to next year | 7 | 13 |

Part 2. Requests closed during the reporting period

2.1 Disposition and completion time

Of the 92 requests closed during the reporting period (Table 2.1), AANDC was able to fully or partially disclose records in 51 cases; that is, 55.4% of the time a request was submitted to AANDC, the result was a disclosure of relevant information. The majority of requests (84, or 91.0%) took 30 days or less to complete. In 2014-2015, only one request took longer than 60 calendar days to be completed.

Twenty five percent of requests were abandoned by the requester, and in no cases was responsive information exempted from disclosure under provisions of the *PA* (see Part 2.2).

The most frequent outcome of the requests processed during the reporting period was 'Disclosed in part', which was the result for 37 requests (40.2%), followed by 'No records exist', which occurred in 18 requests (19.6%). In 23 instances, the request was abandoned by the requester, likely because the original request was not complete or sufficient authorization for disclosure was not obtained.

Table 2.1 Disposition and completion time of requests made under the *Privacy Act*

| 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 | 8 | 4 | 2 | 0 | 0 | 0 | 0 | 14 |
| Disclosed in part | 6 | 25 | 5 | 1 | 0 | 0 | 0 | 37 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| No records exist | 8 | 10 | 0 | 0 | 0 | 0 | 0 | 18 |
| Request abandoned | 21 | 2 | 0 | 0 | 0 | 0 | 0 | 23 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 43 | 41 | 7 | 1 | 0 | 0 | 0 | 92 |

2.2 Exemptions

As seen in previous years, the provision under section 26 (information about another identifiable individual) was the most commonly utilized exemption (32 times) invoked during the reporting period (Table 2.2). The only other exemptions applied in 2014-2015 were under section 27 (solicitor-client privilege), which was invoked three times. In general, exemptions were used far

less frequently throughout 2014-2015, with 37 total exemptions applied across 51 requests where relevant records were retrieved and treated. Last year, 52 exemptions were applied across 65 requests where relevant records were 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 |
|----------|--------------------|---------------|--------------------|--------------|--------------------|
| 18(2) | 0 | 22(1)(a)(i) | 0 | 23(a) | 0 |
| 19(1)(a) | 0 | 22(1)(a)(ii) | 0 | 23(b) | 0 |
| 19(1)(b) | 0 | 22(1)(a)(iii) | 0 | 24(a) | 0 |
| 19(1)(c) | 0 | 22(1)(b) | 2 | 24(b) | 0 |
| 19(1)(d) | 0 | 22(1)(c) | 0 | 25 | 0 |
| 19(1)(e) | 0 | 22(2) | 0 | 26 | 32 |
| 19(1)(f) | 0 | 22.1 | 0 | 27 | 3 |
| 20 | 0 | 22.2 | 0 | 28 | 0 |
| 21 | 0 | 22.3 | 0 | Total | 37 |

2.3 Exclusions

No exclusion provisions were applied to requests that were closed in 2014-2015.

2.4 Format of information released

Over the course of this reporting period, requesters received more of their response packages via electronic format. AANDC conveyed response packages in electronic format for 44 requests (86.3%), and paper format for 7 requests (13.7%).

Table 2.4 Format of information released

| Disposition | Paper | Electronic | Other formats |
|-------------------|----------|------------|---------------|
| All disclosed | 4 | 10 | 0 |
| Disclosed in part | 3 | 34 | 0 |
| Total | 7 | 44 | 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 received 74 requests, resulting in the review of 14,404 pages of records under the control of the Department (Table 2.5.1). Nearly one half (5,422 pages, or 37.6%) of the total records processed during the reporting period were disclosed partially or in their entirety.

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 | 1,274 | 465 | 14 |
| Disclosed in part | 13,095 | 4,957 | 37 |
| All exempted | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 |
| Request abandoned | 35 | 0 | 23 |
| Neither confirmed nor denied | 0 | 0 | 0 |
| Total | 14,404 | 5,422 | 74 |

2.5.2 Relevant pages processed and disclosed by size of requests

Over three-quarters of completed requests (54 or 73.0%) required 100 pages of processing or less (Table 2.5.2). The 16 requests that required treatment of between 101-500 pages of records resulted in the disclosure of 2,129 (39.3%) of all pages of information released in 2014-2015.

AANDC treated three moderately large (1001-5000 pages) requests and partially disclosed information in completing three of them. These three requests accounted for 2,120 (39.1%) of all pages of information released during the reporting period.

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 | 13 | 311 | 1 | 154 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 18 | 290 | 15 | 1,975 | 1 | 572 | 3 | 2,120 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Abandoned | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Neither confirmed nor denied | | | | | | | | | | |
| Total | 54 | 601 | 16 | 2,129 | 1 | 572 | 3 | 2,120 | 0 | 0 |

2.5.3 Other complexities

In two cases, the ATIP Directorate required external consultations with other organizations before completing a request.

Table 2.5.3 Other complexities related to requests closed during the reporting period

| Disposition | Consultation required | Legal Advice Sought | Interwoven Information | Other | Total |
|------------------------------|-----------------------|---------------------|------------------------|----------|----------|
| All disclosed | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 2 | 0 | 0 | 0 | 2 |
| All exempted | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 |
| Abandoned | 0 | 0 | 0 | 0 | 0 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 |
| Total | 2 | 0 | 0 | 0 | 2 |

2.6 Deemed refusals

During the reported period, AANDC completed all requests within their statutory deadline.

2.7 Requests for translation

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

Table 5.1 Reasons for extensions and disposition of requests

| Disposition of requests where an extension was taken | 15(a)(i) Interference with Operations | 15(a)(ii) Consultation | | 15(b) Translation or conversion |
|--|---------------------------------------|------------------------|----------|---------------------------------|
| | | Section 70 | Other | |
| All disclosed | 1 | 0 | 0 | 0 |
| Disclosed in part | 2 | 0 | 2 | 0 |
| All exempted | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 |
| No records exist | 1 | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 | 0 |
| Total | 3 | 0 | 2 | 0 |

Part 3. Disclosure under subsection 8(2)

AANDC is permitted to disclose personal information under subsection 8(2) of the *PA*. TBS requires AANDC to report the number of instances where personal information was disclosed specifically pursuant to paragraph 8(2)(e) and 8(2)(m).

Under paragraph 8(2)(e), personal information may be disclosed “to an investigative body [...] for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation...”. In 2014-2015, AANDC made 42 disclosures within this context.

Part 4. Requests for correction of personal information and notations

During the reporting period, there were no requests for correction of personal information and notations.

Part 5. Extensions

5.1 Reasons for extensions and disposition of requests

AANDC applied fewer extensions during the reporting period compared to the previous year (Table 5.1).

In 2014-2015, only three extensions were taken under section 15(a) of the *PA*. All three extensions taken under section 15(a)(i) (interference with operation) were under 30 days in length.

5.2 Length of extensions

All four extensions applied during the reporting period were between 16 to 30 days in length.

Table 5.2 Length of extensions

| Length of extension | 15(a)(i) Interference with Operations | 15(a)(ii) Consultation | | 15(b) Translation purposes |
|---------------------|---------------------------------------|------------------------|----------|----------------------------|
| | | Section 70 | Other | |
| 1 to 15 days | 0 | 0 | 0 | 0 |
| 16 to 30 days | 3 | 0 | 2 | 0 |
| Total | 3 | 0 | 2 | 0 |

Part 6. Consultations received from other Institutions and Organizations

AANDC received no consultations during 2014-2015.

Part 7. Completion time of consultations on Cabinet confidences

During the reporting period, no consultations on the application of section 70 of the *PA* were sent to DLSU for consultation on potential Cabinet confidences.

Part 8. Complaints and Investigations Notices Received

During the 2014-2015 reporting period, there were fifteen complaints registered with the Office of the Privacy Commissioner (OPC) against AANDC (Table 8.1). Three of the complaints were discontinued, while the remaining two were either settled, or not well-founded.

Table 8.1 Complaints and Investigation

| Section 31 | Section 33 | Section 35 | Court action | Total |
|------------|------------|------------|--------------|-------|
| 15 | 0 | 0 | 0 | 15 |

Part 9. Privacy Impact Assessments (PIAs)

Throughout the reporting period, the ATIP Directorate also processed other types of files beyond formal requests. These include informal requests from the public as well as various other

services provided internally to the Department by Privacy Policy Unit.

Privacy Impact Assessments (Appendix A of the TBS Statistical Report)

A PIA is a step-by-step evaluation of the flow of personal information held within a given program or service. This process enables the Department to determine whether new or substantially modified technologies, information systems, initiatives, and proposed programs or policies meet federal government privacy requirements.

Information Sharing Agreements (ISAs)

AANDC creates internal and external agreements that govern the sharing of personal information pursuant to section 8(2) of the *Act* and respecting TBS policy. These often take the form of Memoranda of Understanding (MOU) and outline key parameters, safeguards and timeframes regarding the purpose and disclosure of the personal information.

Privacy Act Statements

The Privacy Policy Unit (PPU) assists and reviews all AANDC programs in the development of appropriate Privacy Notice Statements to be included in any form(s) and/or shared during a consultation engagement process which collects personal information. Privacy Statements duly inform First Nations and the Canadian public of what is done with their personal information. In 2014-2015, the PPU responded to numerous Privacy Statements.

The PPU continues to work with all AANDC program areas in the 2015-2016 fiscal year to update Privacy Notice Statements for all hard copy and online Data Collection Instruments (DCI's), forms and/or consultation processes.

Privacy Policy Questions

The Privacy Policy Unit also fields questions regarding privacy protocols, policies/directives, issues and other inquiries related to the collection, use, retention and disposal, and/or sharing of personal information. During the reporting period, the PPU responded to numerous questions from departmental clients for all AANDC related privacy matters.

Privacy Breaches

The PPU provides support to AANDC officials in addressing and containing potential privacy breaches. To this end, PPU has created Privacy Breach Guidelines available to all employees to assist individuals respond to a potential breach. In 2013-2014, PPU addressed 13 potential situations where allegations of improper disclosure of personal information were reported.

Informal Privacy Requests

AANDC receives requests for information that can be answered without citing the PA but keeping within the spirit of the legislation. In total, the ATIP Directorate treated 34 personal information-related requests through informal means in 2014-2015.

Part 10. Resources related to the Privacy Act

10.1 Costs

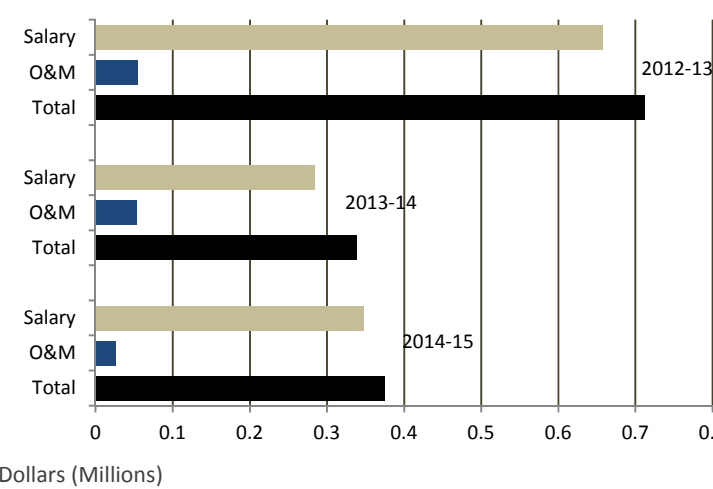
Table 10.1 Costs for the administration of the PA

| Expenditures | Amount |
|-----------------------------------|-----------|
| Salaries | \$348,097 |
| Overtime | \$0 |
| Goods and Services | \$26,354 |
| > Professional services contracts | \$7,347 |
| > Other | \$19,007 |
| Total | \$374,451 |

In 2014-2015, AANDC spent \$374,451 on the administration of the PA, an increase of \$36,250 (or 10.7%) from the \$338,201 expended in 2013-2014 (Table 10.1). An amount of \$63,640 more

was spent on salaries while \$27,390 was cut from goods and services.

Figure 10.1 Budget figures for the administration of the Privacy Act over the previous three years.



10.2 Human Resources

The Operations Unit within the ATIP Directorate consisted of 7.00 full-time equivalents (FTEs) (Table 10.2). All 7.00 FTEs representing the PPU were dedicated solely to privacy policy activities.

Table 10.2 Human resources dedicated to the administration of the Privacy Act

| Resources | Person Years Dedicated to Access to Information Activities |
|----------------------------------|--|
| Full-time employees | 5.00 |
| Part-time and casual employees | 0.00 |
| Regional staff | 0.00 |
| Consultants and agency personnel | 0.00 |
| Students | 2.00 |
| Total | 7.00 |

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 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 on the 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.

High Compliance with Statutory Deadlines

AANDC reported no deemed refusals this reporting period. Since May 2012, AANDC has not closed any formal privacy requests after its statutory deadline.

Education and Training

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

It is clear that the collection, use and disclosure of personal information by the Canadian government are of great interest and concern to the Canadian public. AANDC recognizes that a solid understanding of the *PA* allows officials to make informed decisions on policies and activities.

With respect to departmental training, AANDC continued its successful training campaign of 2014-2015. This year, the ATIP training presentation deck was revised to provide improved information and instruction to departmental staff relating to new processes. In total, the ATIP Directorate held 3 formal training sessions on the *PA*, as well as numerous informal *ad hoc* sessions as requested by AANDC program areas.

In addition, the PPU also delivered privacy training sessions. These sessions focused on departmental obligations related to Info Source and the conduct of PIAs.

AANDC also offers training for all new ATIP Directorate employees. Training includes familiarizing analysts with the *ATIA* and *PA*, as well as technical training in all ATIP-related software, including Access Pro Case Management and PrivaSoft Access Pro Redaction.

Info Source

Once again, significant effort was made during the 2014-2015 reporting period to ensure all Personal Information Banks (PIBs) and Classes of Records (CORs) were updated in accordance with applicable policies and directives, as well as reflecting the amendments made to AANDC's Program Alignment Architecture structure. This year, the ATIP Directorate submitted 12 PIB updates to Treasury Board. The Department's 2014 Annual Info Source chapter was submitted to Treasury Board Secretariat June 2014 in accordance with requirements as outlined in the TBS directive, Info Source Decentralized Publishing Requirements.

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.

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.

APPENDIX A

Order of Delegation of the *Privacy 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 In-
terlocutor for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

Loi sur la protection des renseignements personnels - 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 la protection des renseignements personnels*, j'autorise par la présente les employés exerçant des fonctions ou occupant le poste de sous-ministre (numéro de poste 00001), sous-ministre délégué(e) (numéro de poste 00000006), bureau du sous-ministre, secrétaire du Ministère (numéro de poste 12294), secrétariat du Ministère, coordonnateur/directrice (numéro de poste 20003872) de l'Accès à l'information et de la protection des renseignements personnels 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 dévolues 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.

Privacy Act – Delegation Order

Pursuant to the powers of designation conferred upon me by Section 73 of the *Privacy 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/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 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 30 of Aug 2011
Dated at Gatineau, the 30 of Aug 2011

Canada

SCHEDULE A

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT SCHEDULE TO DELEGATION ORDER

DESIGNATION PURSUANT TO SECTION 73 OF THE *PRIVACY ACT*

Sections and Powers, Duties or Functions

- 8(2) Disclose personal information without the consent of the individual to whom it relates
- 8(4) Keep copies of requests made under 8(2)(e), keep records of information disclosed pursuant to such requests and to make those records available to Privacy Commissioner
- 8(5) Notify the Privacy Commissioner in writing of disclosure under paragraph 8(2)(m)
- 9(1) Retain a record of use of personal information
- 9(4) Notify the Privacy Commissioner of consistent use of personal information and update index accordingly
- 10 Include personal information in personal information banks
- 11(a) Publish annually an index of all personal information banks and their respective contents
- 11(b) Publish annually an index of all personal information held by the institution which is not part of a bank
- 14 Respond to request for access, within statutory deadline; give access or give notice
- 15 Extend time limit and notify applicant
- 16 Where access is refused
- 17(2)(b) Language of access or alternative format of access
- 17(3)(b) Access to personal information in alternative format
- 18(2) May refuse to disclose information contained in an exempt bank
- 19(1) Shall refuse to disclose information obtained in confidence from another government
- 19(2) May disclose any information referred to in 19(1) if the other government consents to the disclosure or makes the information public
- 20 May refuse to disclose information injurious to federal-provincial affairs
- 21 May refuse to disclose information injurious to international affairs and/or defence
- 22 May refuse to disclose information injurious to law enforcement and investigation
- 23 May refuse to disclose information injurious to security clearances
- 24 May refuse to disclose information collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board
- 25 May refuse to disclose information injurious to which could threaten the safety of individuals
- 26 May refuse to disclose information about other individuals, and shall refuse to disclose such information where disclosure is prohibited under section 8
- 27 May refuse to disclose information subject to solicitor-client privilege
- 28 May refuse to disclose information relating to an individual's physical or mental health where disclosure is contrary to the best interests of the individual
- 31 Receive notice of investigation by the Privacy Commissioner
- 33(2) Make representations to the Privacy Commissioner during an investigation

- 35(1) Receive the Privacy Commissioner's report of findings of the investigation and give notice of action taken
- 35(4) Give complainant access to information after 35(1)(b) notice
- 36(3) Receive Privacy Commissioner's report of findings of investigation of exempt
- 37(3) Receive report of Privacy Commissioner's findings after compliance investigation where the institution has not complied with sections 4 to 8
- 51(2)(b) Request that matter be heard and determined in National Capital Region
- 51(3) Request and be given right to make representations in Section 51 hearing
- 72(1) Prepare Annual Report to Parliament
- 77 Carry out responsibilities conferred on the Head of the institution by the regulations made under section 77 which are not included above

SCHEDULE B

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT **SCHEDULE TO DELEGATION ORDER**

DESIGNATION PURSUANT TO SECTION 73 OF THE *PRIVACY ACT*

Sections and Powers, Duties or Functions

- 10 Include personal information in personal information banks
- 11(a) Publish annually an index of all personal information banks and their respective contents
- 11(b) Publish annually an index of all personal information held by the institution which is not part of a bank
- 15 Extend time limit and notify applicant
- 31 Receive notice of investigation by the Privacy Commissioner

APPENDIX B



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Privacy Act*

Name of institution: Aboriginal and Northern Development Canada

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

Part 1: Requests Under the *Privacy Act*

| | Number of Requests |
|--|--------------------|
| Received during reporting period | 99 |
| Outstanding from previous reporting period | 6 |
| Total | 105 |
| Closed during reporting period | 92 |
| Carried over to next reporting period | 13 |

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 | 8 | 4 | 2 | 0 | 0 | 0 | 0 | 14 |
| Disclosed in part | 6 | 25 | 5 | 1 | 0 | 0 | 0 | 37 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| No records exist | 8 | 10 | 0 | 0 | 0 | 0 | 0 | 18 |
| Request abandoned | 21 | 2 | 0 | 0 | 0 | 0 | 0 | 23 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 43 | 41 | 7 | 1 | 0 | 0 | 0 | 92 |

2.2 Exemptions

| Section | Number of Requests | Section | Number of Requests | Section | Number of Requests |
|----------|--------------------|---------------|--------------------|---------|--------------------|
| 18(2) | 0 | 22(1)(a)(i) | 0 | 23(a) | 0 |
| 19(1)(a) | 0 | 22(1)(a)(ii) | 0 | 23(b) | 0 |
| 19(1)(b) | 0 | 22(1)(a)(iii) | 0 | 24(a) | 0 |
| 19(1)(c) | 0 | 22(1)(b) | 2 | 24(b) | 0 |
| 19(1)(d) | 0 | 22(1)(c) | 0 | 25 | 0 |
| 19(1)(e) | 0 | 22(2) | 0 | 26 | 32 |
| 19(1)(f) | 0 | 22.1 | 0 | 27 | 3 |
| 20 | 0 | 22.2 | 0 | 28 | 0 |
| 21 | 0 | 22.3 | 0 | | |

2.3 Exclusions

| Section | Number of Requests | Section | Number of Requests | Section | Number of Requests |
|----------|--------------------|----------|--------------------|----------|--------------------|
| 69(1)(a) | 0 | 70(1) | 0 | 70(1)(d) | 0 |
| 69(1)(b) | 0 | 70(1)(a) | 0 | 70(1)(e) | 0 |
| 69.1 | 0 | 70(1)(b) | 0 | 70(1)(f) | 0 |
| | | 70(1)(c) | 0 | 70.1 | 0 |

2.4 Format of information released

| Disposition | Paper | Electronic | Other formats |
|-------------------|----------|------------|---------------|
| All disclosed | 4 | 10 | 0 |
| Disclosed in part | 3 | 34 | 0 |
| Total | 7 | 44 | 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 | 1274 | 465 | 14 |
| Disclosed in part | 13095 | 4957 | 37 |
| All exempted | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 |
| Request abandoned | 35 | 0 | 23 |
| Neither confirmed nor denied | 0 | 0 | 0 |
| Total | 14404 | 5422 | 74 |

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 | 13 | 311 | 1 | 154 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 18 | 290 | 15 | 1975 | 1 | 572 | 3 | 2120 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Request abandoned | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Neither confirmed nor denied | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 54 | 601 | 16 | 2129 | 1 | 572 | 3 | 2120 | 0 | 0 |

2.5.3 Other complexities

| Disposition | Consultation Required | Legal Advice Sought | Interwoven Information | Other | Total |
|------------------------------|-----------------------|---------------------|------------------------|----------|----------|
| All disclosed | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 2 | 0 | 0 | 0 | 2 |
| All exempted | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 | 0 | 0 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 |
| Total | 2 | 0 | 0 | 0 | 2 |

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

| Number of Requests Closed Past the Statutory Deadline | Principal Reason | | | |
|---|------------------|-----------------------|-----------------------|-------|
| | Workload | External Consultation | Internal Consultation | Other |
| 0 | 0 | | | 0 |

2.6.2 Number of days past deadline

| Number of Days Past Deadline | Number of Requests Past Deadline Where No Extension Was Taken | Number of Requests Past Deadline Where An Extension Was Taken | Total |
|------------------------------|---|---|-------|
| 1 to 15 days | 0 | 0 | 0 |
| 16 to 30 days | 0 | 0 | 0 |
| 31 to 60 days | 0 | 0 | 0 |
| 61 to 120 days | 0 | 0 | 0 |
| 121 to 180 days | 0 | 0 | 0 |
| 181 to 365 days | 0 | 0 | 0 |
| More than 365 days | 0 | 0 | 0 |
| Total | 0 | 0 | 0 |

2.7 Requests for translation

| Translation Requests | Accepted | Refused | Total |
|----------------------|----------|---------|-------|
| English to French | 0 | 0 | 0 |
| French to English | 0 | 0 | 0 |
| Total | 0 | 0 | 0 |

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

| Paragraph 8(2)(e) | Paragraph 8(2)(m) | Subsection 8(5) | Total |
|-------------------|-------------------|-----------------|-------|
| 42 | 1 | 1 | 44 |

Part 4: Requests for Correction of Personal Information and Notations

| Disposition for Correction Requests Received | Number |
|--|--------|
| Notations attached | 0 |
| Requests for correction accepted | 0 |
| Total | 0 |

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

| Disposition of Requests Where an Extension Was Taken | 15(a)(i) Interference With Operations | 15(a)(ii) Consultation | | 15(b) Translation or Conversion |
|--|--|---------------------------|-------|------------------------------------|
| | | Section 70 | Other | |
| All disclosed | 1 | 0 | | 0 |
| Disclosed in part | 2 | 0 | 2 | 0 |
| All exempted | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 |
| No records exist | 0 | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 | 0 |
| Total | 3 | 0 | 2 | 0 |

4

5.2 Length of extensions

| Length of Extensions | 15(a)(i) Interference with operations | 15(a)(ii) Consultation | | 15(b) Translation purposes |
|----------------------|--|---------------------------|-------|-------------------------------|
| | | Section 70 | Other | |
| 1 to 15 days | 0 | 0 | | 0 |
| 16 to 30 days | 3 | 0 | 2 | 0 |
| Total | 3 | 0 | 2 | 0 |

Part 6: Consultations Received From Other Institutions and Organizations

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

| Consultations | Other Government of Canada Institutions | Number of Pages to Review | Other Organizations | Number of Pages to Review |
|--|---|---------------------------|---------------------|---------------------------|
| Received during the reporting period | 0 | 0 | 0 | 0 |
| Outstanding from the previous reporting period | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 |
| Closed during the reporting period | 0 | 0 | 0 | 0 |
| Pending at the end of the reporting period | 0 | 0 | 0 | 0 |

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

| Recommendation | Number of Days Required to Complete Consultation Requests | | | | | | | Total |
|---------------------------|---|---------------|---------------|----------------|-----------------|-----------------|--------------------|-------|
| | 1 to 15 Days | 16 to 30 Days | 31 to 60 Days | 61 to 120 Days | 121 to 180 Days | 181 to 365 Days | More Than 365 Days | |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Consult other institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

6.3 Recommendations and completion time for consultations received from other organizations

| Recommendation | Number of days required to complete consultation requests | | | | | | | Total |
|---------------------------|---|---------------|---------------|----------------|-----------------|-----------------|--------------------|-------|
| | 1 to 15 Days | 16 to 30 Days | 31 to 60 Days | 61 to 120 Days | 121 to 180 Days | 181 to 365 Days | More Than 365 Days | |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Consult other institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

7.1 Requests with Legal Services

| Number of Days | 100 Pages Processed | | 101-500 Pages Processed | | 501-1000 Pages | | 1001-5000 Pages | | More than 5000 Pages | |
|----------------|---------------------|-----------------|-------------------------|-----------------|--------------------|-----------------|--------------------|-----------------|----------------------|-----------------|
| | 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 |

7.2 Requests with Privy Council Office

| Number of Days | 100 Pages Processed | | 101-500 Pages Processed | | 501-1000 Pages | | 1001-5000 Pages | | More than 5000 Pages | |
|----------------|---------------------|-----------------|-------------------------|-----------------|--------------------|-----------------|--------------------|-----------------|----------------------|-----------------|
| | 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 8: Complaints and Investigations Notices Received

| Section 31 | Section 33 | Section 35 | Court action | Total |
|------------|------------|------------|--------------|-------|
| 15 | 0 | 0 | 0 | 15 |

Part 9: Privacy Impact Assessments (PIAs)

| | |
|----------------------------|---|
| Number of PIA(s) completed | 5 |
|----------------------------|---|

Part 10: Resources Related to the *Privacy Act*

10.1 Costs

| Expenditures | | Amount |
|-----------------------------------|----------|-----------|
| Salaries | | \$348,097 |
| Overtime | | \$0 |
| Goods and Services | | \$26,354 |
| • Professional services contracts | \$7,347 | |
| • Other | \$19,007 | |
| Total | | \$374,451 |

10.2 Human Resources

| Resources | Person Years Dedicated to Privacy Activities |
|----------------------------------|--|
| Full-time employees | 5.00 |
| Part-time and casual employees | 0.00 |
| Regional staff | 0.00 |
| Consultants and agency personnel | 0.00 |
| Students | 2.00 |
| Total | 7.00 |

Filename: NCR-#7396189-v1-ATIP_ANNUAL_REPORT_TO_PARLIAMENT_2014-
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As of Last Complete Printing
Number of Pages: 25
Number of Words: 4,786 (approx.)
Number of Characters: 27,283 (approx.)