



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

PRIVACY ACT



ANNUAL REPORT TO PARLIAMENT **2015-2016**



Canada 

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This Publication is also available in French under the title: Loi sur l'accès à l'information, rapport annuel au Parlement 2015-2016.



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INTRODUCTION

I. Introduction

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

- Full compliance with the Act
- Creation of the ATIP Liaison Officer Manual
- Creation of the Privacy Breach Manual; and
- Increased training initiatives to improve departmental ATIP 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 Peoples, Métis and Non-Status Indians (many of whom live in rural areas).

II. Organization

ATIP Directorate at INAC

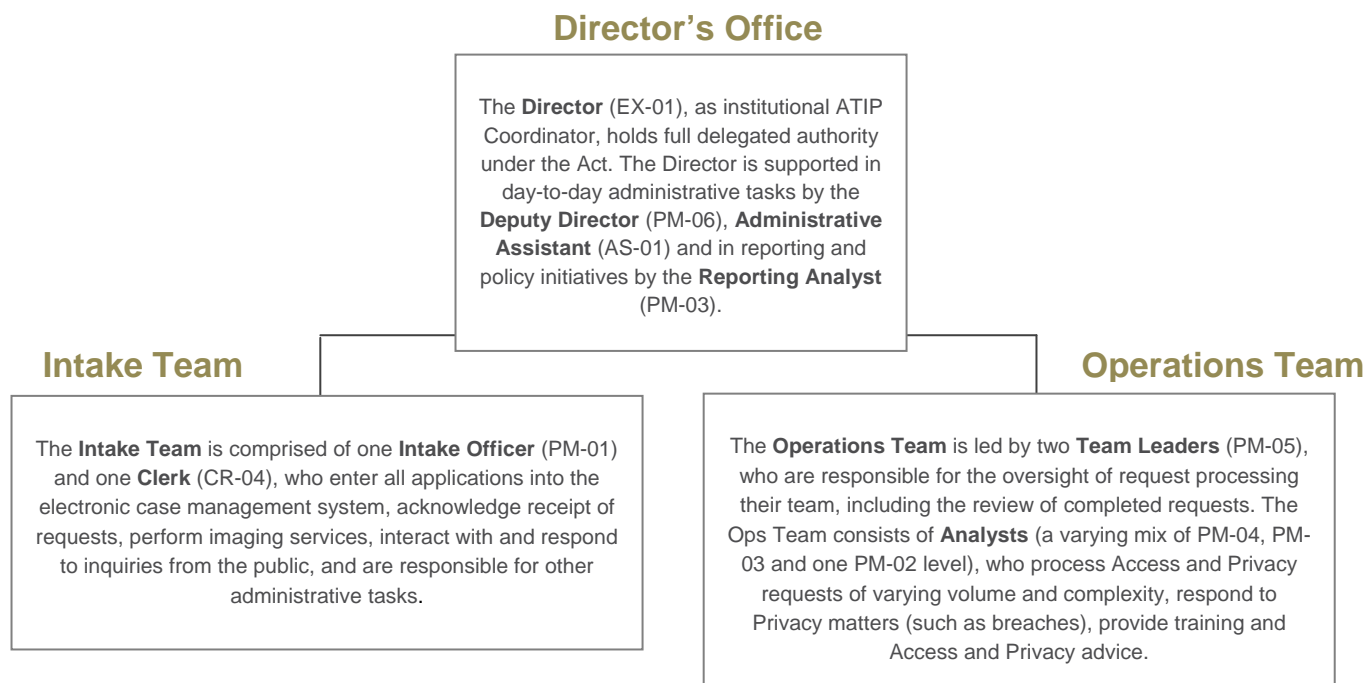
The Access to Information and Privacy (ATIP) is responsible for the administration of requests made under the *Access to Information Act* and *Privacy Act*. It was established within the Corporate Secretariat and reports to the Corporate Secretary, who is directly accountable to the Deputy Head and is 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 *Access to Information Act* and *Privacy Act*. 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.

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 *Access to Information and Privacy Act*
- ii. The release of sensitive or postdated 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. Using appropriate Act 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
- ix. The preparation of Memoranda of Understanding (MOUs).



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 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 INAC.

During the reporting period, the delegation order signed by former Minister John Duncan on August 30, 2011, and 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 2, 2016 (Appendix B). The Report details various aspects of the requests INAC received and processed during the period of April 1, 2015 to March 31, 2016.

Part 1. Requests under the *Privacy Act*

In 2015-2016, INAC received 106 requests under the Act in addition to 14 requests that were carried over from the previous year (Table 1.1). Of these 120 requests, the ATIP Directorate completed 113 requests and carried 7 requests over into the 2016-2017 reporting period.

Table 1.1 Number of Requests from 2015-2016

Number of Requests	2014-2015	2015-2016
Received	99	106
Outstanding from last year	6	14
Total	105	120
Closed this year	92	113
Carried over to next year	13	7

Part 2. Requests closed during the reporting period

2.1 Disposition and completion time

Of the 113 requests closed during the reporting period (Table 2.1), INAC was able to fully or partially disclose records in 67 cases; that is, 59.2% of the time a request was submitted to INAC, the result was a disclosure of relevant information. The majority of requests (104, or 92%) took 30 days or less to complete. In 2015-2016, only two requests took longer than 60 calendar days to be completed.

The most frequent outcome of the requests processed during the reporting period was 'Disclosed in part', which was the result for 59 requests (52.2%), followed by 'No records exist', which occurred in 11 requests (10%). 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	1	6	1	0	0	0	0	8
Disclosed in part	6	45	6	2	0	0	0	59
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	4	7	0	0	0	0	0	11
Request abandoned	12	11	0	0	0	0	0	23
Neither confirmed nor denied	12	0	0	0	0	0	0	12
Total	35	69	7	2	0	0	0	113

2.2 Exemptions

As seen in previous years, section 26 (information about another identifiable individual) was the most commonly utilized exemption (60 times) invoked during the reporting period (Table 2.2). The

only other exemptions applied in 2015-2016 were under section 27 (solicitor-client privilege), which was invoked once.

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)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	60
19(1)(f)	0	22.1	0	27	1
20	0	22.2	0	28	0
21	0	22.3	0	Total	61

2.3 Exclusions

No exclusion provisions were applied to requests that were closed in 2015-2016.

2.4 Format of information released

Over the course of this reporting period, requesters received more of their response packages via electronic format. INAC conveyed response packages in electronic format for 57 requests (85.1%), and paper format for 10 requests (14.9%).

Table 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	1	7	0
Disclosed in part	9	50	0
Total	10	57	0

2.5 Complexity

The following sections detail several factors affecting the complexity of requests that were completed throughout 2015-2016.

2.5.1 Relevant pages processed and disclosed

During the reporting period, the ATIP Directorate received 102 requests, resulting in the review of 19,713 pages of records under the control of the Department (Table 2.5.1). Nearly three quarters (18,797 pages, or 77%) 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	367	251	8
Disclosed in part	18,797	4,551	59
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	549	0	23
Neither confirmed nor denied	0	0	12
Total	19,713	4,802	102

2.5.2 Relevant pages processed and disclosed by size of requests

Over three-quarters of completed requests (84 or 82.3%) required 100 pages of processing or less (Table 2.5.2). The 15 requests that required treatment of between 101-500 pages of records resulted in the disclosure of 1,932 (40%) of all pages of information released in 2015-2016.

INAC treated two moderately large (1001-5000 pages) requests and partially disclosed information in completing two of them. These two requests accounted for 1,366 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	7	143	1	108	0	0	0	0	0	0
Disclosed in part	42	874	14	1,824	1	487	1	723	1	643
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	12	0	0	0	0	0	0	0	0	0
Total	84	1,017	15	1,932	1	487	1	723	1	643

2.5.3 Other complexities

The ATIP Directorate did not require external consultations with other organizations.

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	0	0	0	0	0
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	0	0	0	0	0

2.6 Deemed refusals

During the reported period, INAC completed all requests within the 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	3	0	1	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	1	0

Part 3. Disclosure under subsection 8(2)

INAC is permitted to disclose personal information under subsection 8(2) of the Act. The Treasury Board of Canada Secretariat requires INAC to report the number of instances where personal information was disclosed specifically pursuant to paragraph 8(2)(e) and 8(2)(m). In 2015-2016, INAC made 52 disclosures under paragraph 8(2)(e), and 2 under paragraph 8(2)(m).

Part 4. Requests for correction of personal information and notations

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

Part 5. Extensions

5.1 Reasons for extensions and disposition of requests

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

In 2015-2016, four extensions were taken under section 15(a) of the Act. Three extensions were taken under section 15(a)(i) (interference with operation), and section 15(a)(ii) (consultation) 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	1	0
Total	3	0	1	0

Part 6. Consultations received from other Institutions and Organizations

INAC received one consultation from another Government of Canada institution during 2015-2016 which was completed in under 15 days.

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 2015-2016 reporting period, there were ten complaints registered with the Office of the Privacy Commissioner (OPC) against INAC (Table 8.1).

Table 8.1 Complaints and Investigation

Section 31	Section 33	Section 35	Court action	Total
10	0	0	0	10

Part 9. Privacy Impact Assessments (PIAs)

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

A Privacy Impact Assessment (PIA) is a risk evaluation of the flow of personal information held within a 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.

One PIA was completed during the 2015-2016 reporting period. The PIA addressed the First Nations Child Family Services information bank. This sub-program provides funding to assist in ensuring the safety and well-being of First Nation children ordinarily resident on reserve. The program supports culturally appropriate prevention and protection services for First Nation children and families, in accordance with provincial or territorial legislation and standards.

The PIA was completed in order to strengthen the funding agreements to better clarify privacy protections.

Information Sharing Agreements (ISAs)

INAC 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 ATIP Directorate assists and reviews all INAC 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 inform individuals what is done with their personal information. In 2015-2016, the ATIP Directorate responded to numerous requests for Privacy Statements.

The ATIP Directorate continues to work with all INAC program areas in the 2015-2016 fiscal years to update Privacy Notice Statements for all hard copy and online Data Collection Instruments (DCIs), forms and/or consultation processes.

Privacy Policy Questions

The ATIP directorate 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 ATIP directorate responded to numerous questions from departmental clients for all INAC-related privacy matters.

Privacy Breaches

The ATIP directorate provides support to INAC officials in addressing and containing potential privacy breaches. To this end, the ATIP directorate has created Privacy Breach Guidelines available to all employees to assist individuals respond to a potential breach.

Part 10. Resources related to the Privacy Act

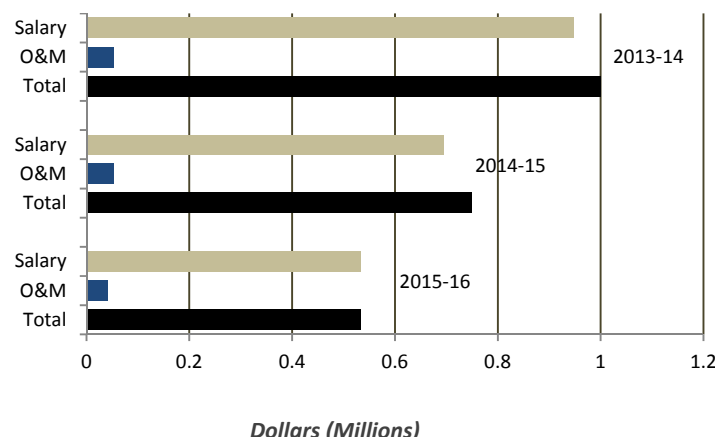
10.1 Costs

Table 10.1 Costs for the administration of the PA

Expenditures	Amount
Salaries	\$534,195
Overtime	\$0
Goods and Services	\$42,361
➤ Professional services contracts	\$42,361
➤ Other	\$0
Total	\$576,556

In 2015-2016, INAC spent \$576,556 on the administration of the ATIA, which is an increase of \$202,105 (or 35%) from the \$374,451 expended in 2014-2015 (Table 10.1). In particular, an increase of \$186,098 was devoted to salary due to additional full-time employees.

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 6.00 full-time equivalents (FTEs) (Table 10.2). All 6.00 FTEs representing the ATIP Directorate 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	6.00
Part-time and casual employees	0.50
Regional staff	0.00
Consultants and agency personnel	1.00
Students	2.00
Total	9.50

HIGHLIGHTS

V. 2015-2016 Points of Interest

Under the leadership and support of the Corporate Secretary and ATIP Director, the ATIP Directorate focused its business in 2015-2016 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.

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

In 2015-2016, INAC continued to post 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.

Ongoing ATIP Online Request Pilot Project

The Access to Information and Privacy Online Request Pilot Project is ongoing. Of the 652 requests received during the reporting period, 428 (66%) were received through the online process. It is expected that the number of online requests will increase significantly over the coming year as applicants become more familiar with the online service.

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.

INAC 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 will positively impact how INAC meets its legislative obligations and implements TBS policies and procedures including the "Duty to Assist" requesters.

To this end, several training sessions were offered over the year to ATIP employees regarding jurisprudence and the application of

specific sections of the Act. ATIP employees are also encouraged to attend ATIP community conferences hosted by TBS or the OIC. In addition, opportunities were given to several ATIP employees to provide training to departmental staff and to build relationships with the various program areas of INAC.

With respect to departmental training, INAC continued its successful training campaign of 2015-2016. In total, the ATIP Directorate held 21 formal training sessions on the ATIA to an average of 8 to 10 employees, as well as numerous informal *ad hoc* sessions as requested by INAC program areas.

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 2015-2016.

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

Order of Delegation of the *Privacy Act* dated March 14, 2016.

Ministre des Affaires
autochtones et du Nord



Minister of Indigenous and
Northern Affairs

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 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

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 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

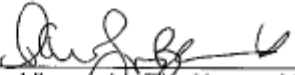
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pouvoirs, les responsabilités ou les fonctions dévolus au ministre en tant que Chef de cette institution administrative du gouvernement en vertu de la Loi, et tel qu'énoncés dans l'annexe B ci-jointe.

Signé le 14 Mars 2011

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, 2011


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 *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

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: _____

Reporting period: 2015-04-01 to 2016-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	106
Outstanding from previous reporting period	14
Total	120
Closed during reporting period	113
Carried over to next reporting period	7

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	1	6	1	0	0	0	0	8
Disclosed in part	6	45	6	2	0	0	0	59
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	4	7	0	0	0	0	0	11
Request abandoned	12	11	0	0	0	0	0	23
Neither confirmed nor denied	12	0	0	0	0	0	0	12
Total	35	69	7	2	0	0	0	113

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	60
19(1)(f)	0	22.1	0	27	1
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	1	7	0
Disclosed in part	9	50	0
Total	10	57	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	367	251	8
Disclosed in part	18797	4551	59
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	549	0	23
Neither confirmed nor denied	0	0	12
Total	19713	4802	102

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	7	143	1	108	0	0	0	0	0	0
Disclosed in part	42	874	14	1824	1	487	1	723	1	643
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	12	0	0	0	0	0	0	0	0	0
Total	84	1017	15	1932	1	487	1	723	1	643

2.5.3 Other complexities

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

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	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
52	2	2	56

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	0	0	0	0
Disclosed in part	3	0	1	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	1	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	3	0	1	0
Total	3	0	1	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	1	1	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	1	0	0
Closed during the reporting period	1	1	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	1	0	0	0	0	0	0	1
Disclosed in part		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	1	0	0	0	0	0	0	1

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

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages		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	Fewer Than 100 Pages		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
10	0	0	0	10

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	1
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Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures		Amount
Salaries		\$534,195
Overtime		\$0
Goods and Services		\$42,361
• Professional services contracts	\$42,361	
• Other	\$0	
Total		\$576,556

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	6.00
Part-time and casual employees	0.50
Regional staff	0.00
Consultants and agency personnel	1.00
Students	2.00
Total	9.50

Note: Enter values to two decimal places.

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Total Editing Time: 44 Minutes
Last Printed On: 11/14/2016 2:07:00 PM
As of Last Complete Printing
Number of Pages: 29
Number of Words: 4,978 (approx.)
Number of Characters: 28,381 (approx.)