



Indigenous and  
Northern Affairs Canada

Affaires autochtones  
et du Nord Canada

# PRIVACY ACT



ANNUAL REPORT TO PARLIAMENT **2016-2017**



Canada 



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# 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 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
- The ATIP Liaison Officer Manual
- 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) Directorate is responsible for the administration of requests made under the *ATIA* and *PA*. It was established within the Corporate Secretariat and reports to the Corporate Secretary, who is directly accountable to the Deputy Head and is a member of the INAC Senior Management Committee (SMC). The Directorate also coordinates and implements policies, guidelines and procedures to ensure departmental compliance with the *ATIA* and *PA*. Workshop presentations, training courses and awareness sessions designed to increase access to information and privacy capacity across the Department are also provided by the 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).

### Director's Office

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

### Intake Team

The **Intake Team** is comprised of one **Intake Officer** (PM-01) and one **Clerk** (CR-04), who enter all applications into the electronic case management system, acknowledge receipt of requests, perform imaging services, interact with and respond to inquiries from the public, and are responsible for other administrative tasks.

### Operations Team

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

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

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

## III. Delegation Order

Under section 73 of the *PA*, the Minister's authority may be delegated to departmental officials in order to administer the *PA* within INAC.

During the reporting period, the delegation order signed by Minister Carolyn Bennett on March 14, 2016, were in effect (Appendix A). Under section 73 of the Act, the order delegates full authority and responsibility for the *ATIA* to the following positions:

- Deputy Minister
- Associate Deputy Minister
- Corporate Secretary
- Departmental ATIP Coordinator

The ATIP Coordinator can also sub-delegate to either one of the Team Leader positions.



# STATISTICS

## IV. Interpretation of the Statistical Report

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

### Part 1. Requests under the *Privacy Act*

In 2016-2017, INAC received 178 requests under the Act. Of these 178 requests, the ATIP Directorate completed 155 requests and carried 23 requests over into the 2017-2018 reporting period.

Table 1.1 Number of Requests from 2016-2017

Number of Requests	2015-2016	2016-2017
Received	106	178
Outstanding from last year	14	0
Total	120	178
Closed this year	113	155
Carried over to next year	7	23

### Part 2. Requests closed during the reporting period

#### 2.1 Disposition and completion time

Of the 155 requests closed during the reporting period (Table 2.1), INAC was able to fully or partially disclose records in 105 cases; that is, 67.7% of the time a request was submitted to INAC, the result was a disclosure of relevant information. The majority of requests (129, or 83%) took 30 days or less to complete. In 2016-2017, one request 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 54 requests (34.8%), followed by 'No records exist', which occurred in 20 requests (13%). In 25 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

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	14	27	10	0	0	0	0	51
Disclosed in part	5	35	13	1	0	0	0	54
All exempted	0	0	1	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	7	13	0	0	0	0	0	20
Request abandoned	23	2	0	0	0	0	0	25
Neither confirmed nor denied	2	1	1	0	0	0	0	4
Total	51	78	25	1	0	0	0	155

#### 2.2 Exemptions

As seen in previous years, section 26 (information about another identifiable individual) was the most commonly utilized exemption (49 times) invoked during the reporting period (Table 2.2). The

only other exemptions applied in 2016-2017 were under section 27 (solicitor-client privilege), which was invoked three times.

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	49
19(1)(f)	0	22.1	0	27	3
20	0	22.2	0	28	0
21	0	22.3	0	<b>Total</b>	<b>52</b>

### 2.3 Exclusions

No exclusion provisions were applied to requests that were closed in 2016-2017.

### 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 76 requests (72.4%), and paper format for 29 requests (27.6%).

Table 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	14	37	0
Disclosed in part	15	39	0
<b>Total</b>	<b>29</b>	<b>76</b>	<b>0</b>

## 2.5 Complexity

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

### 2.5.1 Relevant pages processed and disclosed

During the reporting period, the ATIP Directorate closed 155 requests and of those 25 were abandoned. Of the remaining 135 treatable requests, it resulted in the review of 13,728 pages of records under the control of the Department (Table 2.5.1). A total of 6,823 pages were disclosed in 2016-2017.

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	3,478	2,477	51
Disclosed in part	10,013	4,346	54
All exempted	85	0	1
All excluded	0	0	0
Request abandoned	152	0	25
Neither confirmed nor denied	0	0	4
<b>Total</b>	<b>13,728</b>	<b>6,823</b>	<b>135</b>

### 2.5.2 Relevant pages processed and disclosed by size of requests

Over three-quarters of completed requests required 100 pages of processing or less (Table 2.5.2). The 29 requests that required treatment of between 101-500 pages of records resulted in the disclosure of 3,877 of all pages of information released in 2016-2017.

INAC treated two moderately large (1001-5000 pages) requests and partially disclosed information. These two requests accounted for 1,080 of all pages of information released during the reporting period. A total of 6,823 pages were disclosed in 2016-2017.

Table 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	
	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
All disclosed	40	1,227	11	1,250	0	0	0	0	0	0
Disclosed in part	34	639	18	2,627	0	0	2	1,080	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	25	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	4	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>104</b>	<b>1,866</b>	<b>29</b>	<b>3,877</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1,080</b>	<b>0</b>	<b>0</b>

### 2.5.3 Other complexities

The ATIP Directorate required two external consultations with other organizations and authorized partial disclosures.

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
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>

### 2.6 Deemed refusals

INAC did not meet the statutory deadline in one instance where it took longer than 60 days to complete.

### 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.

## Part 3. Disclosure under subsections 8(2) and 8(5)

Permissible disclosure pursuant to subsection 8(2) of the *Act* describes the circumstances under which personal information under the control of government institutions may be disclosed without the consent of the individual to whom the information pertains. In 2016-2017, INAC made 78 permissible disclosures under 8(2)(e), 8(2)(m) and 8(5). The Treasury Board of Canada requires these three permissible disclosures to be captured in the statistical report. INAC ATIP, like other institutions, has processed another 456 requests under section 8(2) for a total of 534 permissible disclosures in 2016-2017.

8(2)(e) disclosures – Seventy two (72) disclosures were made under paragraph 8(2)(e) pursuant to request made by investigative bodies as found in the schedule II and III of the *Act*.

8(2)(m) disclosures - For the purpose of public interest.

INAC made three (3) disclosures under paragraph 8(2)(m) .

8(5) disclosures - Requires institutions to report 8(2)(m) to the Office of the Privacy Commissioner.

All three 8(2)(m) disclosures noted above were reported to the Privacy Commissioner.

**Other permissible disclosures not captured by the statistical report include:**

8(2)(d) disclosures – INAC has made 47 disclosures to the Attorney General of Canada pursuant to legal proceedings.

8(2)(f) disclosures – Under an agreement or arrangement between the Government of Canada and the provincial government for the purpose of administering or enforcing any law or carrying out lawful investigations. Under this provision, INAC made 355 disclosures of personal information.

8(2)(k) disclosures - Permits the disclosure of personal information to researchers involved in the process of settling native claims. INAC made 52 disclosures to researchers for native claims research.

## 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 more extensions during the reporting period compared to three last year (Table 5.1).

In 2016-2017, twelve extensions were taken under section 15(a) of the Act. All twelve extensions were taken under subsection 15(a)(i) (interference with operation) were under 30 days in length. The large volume of requests for personal information regarding Qalipu explains the rise in extensions.

**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	3	0	0	0
Disclosed in part	9	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 5.2 Length of extensions

All twelve 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	1	0	0	0
16 to 30 days	11	0	0	0
<b>Total</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Part 6. Consultations received from other Institutions and Organizations

INAC did not receive any consultation from another Government of Canada institution during 2016-2017.

## 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 2016-2017 reporting period, there was one complaint received from the Office of the Privacy Commissioner. The Treasury Board of Canada requires institutions to also track in the statistical report section 33 and 35 of the *Privacy Act*. These sections are not cumulative. Section 33 is when the OPC requires the ATIP directorate to make representations on complaints they received. INAC ATIP had 14 section 33 letters from the OPC. Section 35 of the *Act* is when the OPC makes a finding on existing complaints. They made 4 findings on complaints. Note, section 33 and 35 are more than the complaints received as they make reference to complaints INAC received in years past.

Table 8.1 Complaints and Investigation

Section 31	Section 33	Section 35	Court action	Total
1	14	4	0	19

## 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.

Three PIAs were completed during the 2016-2017 reporting period:

#### Assisted Living Program

#### Social Policy and Program Branch Compliance Activities

#### Inuit Navilavut Database

Summaries are located on our website at:

[https://www.aadnc-aandc.gc.ca/eng/1100100010874/1100100010875#\\_Toc01a](https://www.aadnc-aandc.gc.ca/eng/1100100010874/1100100010875#_Toc01a)

### 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 2016-2017, the ATIP Directorate responded to numerous requests for Privacy Statements.

The ATIP Directorate continues to work with all INAC program areas in the 2016-2017 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. INAC reported 10 privacy breaches during this fiscal year that affected individuals. The majority of breaches were of low sensitivity and caused by human error.

## Part 10. Resources related to the *Privacy Act*

### 10.1 Costs

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

In 2016-2017, INAC spent \$131,014 on the administration of the *PA*.

Figure 10.1 Budget figures for the administration of the *Privacy Act*

Expenditures	Amount
Salaries	\$96,204
Overtime	\$0
Goods and Services	\$34,810
> Professional services contracts	\$22,259
> Other	\$12,551
<b>Total</b>	<b>\$131,014</b>

### 10.2 Human Resources

The Operations Unit within the ATIP Directorate consisted of 2.1 full-time equivalents (FTEs) (Table 10.2).

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	2.1
Part-time and casual employees	0.45
Regional staff	0.00
Consultants and agency personnel	0.2
Students	0.55
<b>Total</b>	<b>3.3</b>

# HIGHLIGHTS

## V. 2016-2017 Points of Interest

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

The Directorate closed the fiscal year 2016-2017 with a 99% compliance rate with the *Privacy Act*.

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

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) at the end of each month. Users can view the Access to Information Summaries by going to the direct link installed by INAC to Open.Canada.ca. This system supports a standardized search function, and a common look and feel for users.

### Education and Training

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

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

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

With respect to departmental training, INAC continued its successful training campaign in 2016-2017. In total, the ATIP Directorate held 21 training sessions within the NCR and the regions such as Toronto, Winnipeg, Quebec City and Vancouver.

Over 339 staff were trained representing one hundred more than in 2015-2016.

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

### Organization Changes

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

### Procedural Changes

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



# APPENDIX A

## Order of Delegation of the *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: 2016-04-01 to 2017-03-31

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

	Number of Requests
Received during reporting period	178
Outstanding from previous reporting period	0
<b>Total</b>	<b>178</b>
Closed during reporting period	155
Carried over to next reporting period	23

### 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	14	27	10	0	0	0	0	51
Disclosed in part	5	35	13	1	0	0	0	54
All exempted	0	0	1	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	7	13	0	0	0	0	0	20
Request abandoned	23	2	0	0	0	0	0	25
Neither confirmed nor denied	2	1	1	0	0	0	0	4
<b>Total</b>	<b>51</b>	<b>78</b>	<b>25</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>155</b>

## 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	49
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	14	37	0
Disclosed in part	15	39	0
<b>Total</b>	29	76	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	3478	2477	51
Disclosed in part	10013	4346	54
All exempted	85	0	51
All excluded	0	0	0
Request abandoned	152	0	25
Neither confirmed nor denied	0	0	4
<b>Total</b>	13728	6823	135

## 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	40	1227	11	1250	0	0	0	0	0	0
Disclosed in part	34	639	18	2627	0	0	2	1080	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	25	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	4	0	0	0	0	0	0	0	0	0
<b>Total</b>	104	1866	29	3877	0	0	2	1080	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
<b>Total</b>	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
1	0	0	1	0

### 2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	1	0	1
16 to 30 days	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
<b>Total</b>	1	0	1

## 2.7 Requests for translation

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

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

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
72	3	3	78

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

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

## Part 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	3	0	0	0
Disclosed in part	9	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	12	0	0	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	1	0	0	0
16 to 30 days	11	0	0	0
<b>Total</b>	12	0	0	0

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

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

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

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

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

## 6.3 Recommendations and completion time for consultations received from other organizations

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

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

### 7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

### 7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
1	14	4	0	19

## Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	3
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## Part 10: Resources Related to the *Privacy Act*

### 10.1 Cost

Expenditures		Amount
Salaries		\$96,204
Overtime		\$0
Goods and Services		\$34,810
• Professional services contracts	\$22,259	
• Other	\$12,551	
<b>Total</b>		<b>\$131,014</b>

### 10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	2.1
Part-time and casual employees	0.45
Regional staff	0.00
Consultants and agency personnel	0.2
Students	0.55
<b>Total</b>	<b>3.3</b>

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