



Government of Canada / Gouvernement du Canada  
Privy Council Office / Bureau du Conseil privé

# 2020 – 2021

ANNUAL REPORT TO  
**PARLIAMENT**  
ON THE ACCESS TO INFORMATION ACT

**PRIVY COUNCIL OFFICE**  
APRIL 1, 2020 to MARCH 31, 2021



## Annual Report to Parliament on the Access to Information Act 2020-2021 Privy Council Office

### Table of Contents

Introduction.....	3
Highlights .....	3
Access to Information and Privacy (ATIP) division – organizational structure .....	4
Monitoring compliance .....	4
Privy Council Office delegation orders.....	5
Activities and accomplishments .....	5
Summary of key issues and actions taken on complaints or audits.....	5
Education and training activities .....	6
Information-related policies, guidelines, procedures and initiatives.....	6
a) Posting of completed access to information requests.....	6
b) Transitioning to an electronic office.....	7
Other activities.....	7
a) Reading room.....	7
b) Proactive disclosure .....	7
Interpretation of the Statistical Report .....	8
PART 1 – Requests under the Access to Information Act (ATIA) .....	8
1.1 Requests .....	8
1.2 Sources of requests.....	8
1.3 Informal requests.....	9
1.4 Types of information requested .....	9
PART 2 – Decline to act on vexatious, made in bad faith or abuse of right requests.....	9
PART 3 – Requests closed during the reporting period.....	10
3.1 Disposition and completion time .....	10
3.2 Exemptions .....	10
3.3 Exclusions.....	11
3.4 Format of information released .....	11
3.5 Complexity .....	11
3.5.1 Relevant pages processed and disclosed .....	11
3.5.2 Relevant pages processed and disclosed by size of request.....	12
3.5.3 Other complexities .....	12

3.6	Closed requests .....	12
3.6.1	Number of requests closed within legislated timelines .....	12
3.7	Deemed refusals .....	12
3.7.1	Reasons for not meeting legislated timelines .....	12
3.7.2	Requests closed beyond legislated timelines (including any extensions taken) .....	13
3.8	Requests for translation .....	13
PART 4	– Extensions .....	13
4.1	Reasons for extensions and disposition of requests .....	13
4.2	Length of extensions .....	14
PART 5	– Fees .....	14
PART 6	– Consultations received from other institutions and organizations .....	14
6.1	Consultations received from other Government of Canada institutions and other organizations .....	14
6.2	Recommendations and completion time for consultations received from other Government of Canada institutions .....	15
6.3	Recommendations and completion time for consultations received from other organizations .....	15
PART 7	– Completion time of consultations on Cabinet confidences .....	15
7.1	Requests with legal services .....	15
7.2	Requests with Privy Council Office .....	15
PART 8	– Complaints and investigations .....	16
8.1	Complaints .....	16
8.2	Breakdown of complaints by source .....	16
PART 9	– Court action .....	16
PART 10	– Resources related to the Access to Information Act .....	16
10.1	Costs .....	16
10.2	Human resources .....	17
PART 11	– Impact of COVID-19 .....	17
Appendices	.....	19
Appendix A	: Delegation orders .....	20
Appendix B	: 2020-2021 Statistical Report on the Access to Information Act .....	22
Appendix C	: Supplemental Statistical Report on the Access to Information Act and Privacy Act .....	30
Appendix D	: Exemptions and exclusions .....	31

## **Annual Report to Parliament on the Access to Information Act 2020-2021**

### **Privy Council Office**

#### **Introduction**

The Privy Council Office (PCO) reports directly to the Prime Minister and is headed by the Clerk of the Privy Council and Secretary to the Cabinet. PCO is both the Cabinet secretariat and the Prime Minister's source of public service advice across the entire spectrum of policy questions and operational issues facing the Government. As the hub of non-partisan, public service support to the Prime Minister, Cabinet and its decision making structures, PCO ensures that the Government and Canadians are served by the highest quality public service.

PCO also provides support to the Prime Minister, as well as to the Deputy Prime Minister and Minister of Finance, the Leader of the Government in the House of Commons, the President of the Queen's Privy Council and Minister of Intergovernmental Affairs, and the Special Representative for the Prairies.

PCO's three main roles are to:

1. Provide professional non-partisan advice to the Prime Minister, portfolio ministers, Cabinet and Cabinet committees on matters of national and international importance.
2. Ensure that the Cabinet decision-making process runs smoothly and help implement the Government's agenda.
3. Foster a high-performing and accountable Public Service.

This is the 38<sup>th</sup> Annual Report to Parliament on the administration of the Access to Information Act (ATIA) by PCO, submitted as required by section 94 of the ATIA and section 20 of the *Service Fees Act*. This report covers the reporting period of April 1, 2020 to March 31, 2021.

Additional copies of this report may be obtained by contacting:

Access to Information and Privacy Division  
Privy Council Office  
11 Metcalfe Street  
Ottawa, Ontario K1A 0A3

#### **Highlights**

In the 2020-2021 reporting period, PCO received 616 requests and closed 332 requests, compared to 489 requests received and 530 requests closed in 2019-2020.

In 2020-2021, 42,958 relevant pages were processed, which represents a 62% decrease in the pages reviewed from last year and an 88% decrease in the amount reviewed in

2018-2019. The page volume does not account for proactive disclosure of briefing note titles, transition material, Question Period cards and committee binders.

## Access to Information and Privacy (ATIP) division – organizational structure

The ATIA provides a right of access to information in records under the control of government institutions. The ATIA is not a substitute for other access mechanisms, but it is intended to complement other informal procedures that allow public access to government information. The ATIA stipulates that government information should be available to the public, necessary exceptions to the right of access should be limited and specific, and decisions made by government institutions about the disclosure of information should be reviewed by a body independent of government.

The ATIP division within PCO is responsible for managing requests for departmental or personal information, ensuring corporate understanding and compliance with the ATIA and the *Privacy Act* (PA), and fostering corporate awareness of access and privacy rights and responsibilities. On matters of access and privacy, the ATIP division also acts as a primary liaison with the Office of the Information Commissioner (OIC), the Office of the Privacy Commissioner (OPC), Treasury Board of Canada Secretariat (TBS), and partner departments.

The ATIP division has a personnel complement of approximately 27.5 full-time equivalents (FTEs) that are organized into two areas of responsibility. The two areas of responsibility are as follows:

### 1) ATIP Operations (21.5 FTEs)

- Processes ATIP requests;
- Oversees the collection and release of personal and/or business information;
- Provides expertise in ATIP policy;
- Researches trends and best practices in ATIP;
- Develops and delivers ATIP training programs; and
- Proactively discloses and publishes briefing note titles, transition material, Question period cards and committee binders.

### 2) Client Services (6 FTEs)

- Coordinates training and prepares promotional products;
- Processes responses to parliamentary questions and petitions on behalf of PCO; and
- Provides database administration.

Of the personnel complement of 27.5 FTEs in 2020-2021, approximately 26.5 FTEs were dedicated to activities related to the administration of the *Access to Information Act* and 1 FTE was dedicated to activities related to the administration of the *Privacy Act*.

## Monitoring compliance

In order to meet the legislative deadlines for access to information requests, the timelines of individual requests are strictly monitored. Regular meetings and various

reports are used to ensure all requests are on track to meet the deadlines. Given our delegation orders (described in the next section), the ATIP division works very closely with our Offices of Primary Interest (OPIs) to ensure tasking and signoff timelines are respected.

## Privy Council Office delegation orders

The Minister heading each government institution is responsible for the implementation of the ATIA within his or her institution. The Prime Minister, as the Head of the Privy Council Office and pursuant to s.95(1) of the ATIA, is responsible for the implementation of the ATIA within PCO. Through the PCO delegation order, the Prime Minister has designated the Executive Director, ATIP, as the individual within PCO to perform the powers, duties, functions, or administrative tasks pertaining to the ATIA. PCO Secretariats, or OPIs, holders of the information identified in an access request, approve the release of information to requesters and the application of exemptions or exclusions and supporting rationales. This shared delegation of authority for the disposition of information is exercised diligently within PCO, and recorded formally at appropriate stages in the process. PCO delegation orders, which were in effect in 2020-2021, can be found in Appendix A.

## Activities and accomplishments

### *Key operational statistics*

<b>ACCESS TO INFORMATION REQUESTS</b>	<b>2017-2018</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020-2021</b>
REQUESTS RECEIVED	<b>792</b>	<b>578</b>	<b>489</b>	<b>616</b>
REQUESTS COMPLETED	<b>769</b>	<b>632</b>	<b>530</b>	<b>332</b>
REQUESTS COMPLETED ON-TIME (%)	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>68.1%</b>
TOTAL PAGES RELEVANT PROCESSED	<b>231,738</b>	<b>347,593</b>	<b>112,341</b>	<b>42,958</b>

PCO received an "F" on performance rating by the OIC for the 2006-2007 fiscal year. Since then, PCO has steadily improved its performance. While the COVID-19 pandemic impacted PCO's access to information operations in 2020-2021, with the resources available and the training given, PCO is committed to responding to requests on time.

## Summary of key issues and actions taken on complaints or audits

Over the last few fiscal years, PCO has continued to make progress on complaints by working with the OIC to resolve them. The ATIP division meets regularly with officials from the OIC to discuss complaints and manage the workload to allow progress on the complaints, while maintaining appropriate focus on active requests to meet legislated due dates.

## Education and training activities

Within the ATIP division, meetings are held on a weekly basis to ensure all requests meet the legislated due dates, as well as to review legislated extensions and discuss any new processes. PCO provides information on ATIP requirements and best practices through learning products, special events in the branch and/or the department, as well as on the intranet.

In 2020-2021, PCO provided ATIP training or awareness sessions to approximately 88 employees through 10 training events during the reporting period. These sessions consisted of an overview of ATIP to internal secretariats to deliver insight on the ATIP process, information management, and the application of exemptions.

PCO senior officials were provided with a summary of the access and privacy statistics on performance and compliance to promote understanding of access and privacy responsibilities. The Executive Director of ATIP maintained regular contact with senior staff in the department, and ATIP senior staff met with senior officials in PCO Secretariats to clarify the roles and enhance working relationships. Throughout the 2020-2021 reporting period, ATIP analysts liaised with clients to explain the five-stage request timeline and their working role, as well as train on processes such as the search for records.

PCO personnel have access to key information on access and privacy. This information is readily available as instructional ATIP handouts, an email box for questions, takeaway learning tools, as well as comprehensive and educational electronic content on PCO's intranet.

## Information-related policies, guidelines, procedures and initiatives

### **a) Posting of completed access to information requests**

As part of the Open Government Initiative, PCO provides monthly summaries of completed access to information requests online (<http://open.canada.ca/en/access-to-information>). This information includes a summary of request text, disposition, and number of pages disclosed. Summaries are available from September 2019 onward with direct links for requesting a copy of records. The public can also submit informal requests for completed files by mail or via the generic email on the PCO website (<https://www.canada.ca/en/privy-council.html>). Records are provided in the form that they were released under the ATIA including format, language(s) and any exemptions or exclusions that were applied.

As reported in the Statistical Report, PCO released a total of 229 previously released ATI packages informally between April 1, 2020 and March 31, 2021.

## **b) Transitioning to an electronic office**

As part of the Beyond 2020 plan, which advocates for green government operations, PCO began the process of transforming into a paperless office in 2016-2017, by introducing electronic tasking and notification of releases. These two processes alone have proven to be very successful and have greatly reduced the number of pages printed on a daily basis. In 2018-2019, PCO was part of the first wave of institutions brought on by TBS to accept requests through the online portal.

Towards the end of 2019-2020, the ATIP division officially became a paperless office; with help from the PCO Information Technology directorate, the ATIP division initiated electronic processes for record retrieval, consultations with other institutions, internal approvals and final responses.

## **Other activities**

### **a) Reading room**

In compliance with subsection 12(1) of the ATIA, the ATIP division also provides a reading room where the public may examine requested departmental records, manuals, and publications related to access to information. The reading room is located on the first floor of the Hope Building at 63 Sparks Street, Ottawa, Ontario. This secure location allows for an appropriate separation from office activities and provides requesters with a suitable environment to review documents. ATIP analysts can reserve the space in advance to ensure that it is available to requesters. In 2020-2021, no individual made use of this means of access to information.

### **b) Proactive disclosure**

In compliance with mandatory proactive disclosure requirements for government organizations, the PCO website (<https://www.canada.ca/en/privy-council.html>) continued to make available information concerning PCO travel and hospitality expenses, reclassification of positions, contracts over \$10,000, grant and contribution awards, briefing note titles for the Prime Minister, Ministers, and the Clerk of the Privy Council, transition material for Ministers and the Prime Minister, as well as committee binders.



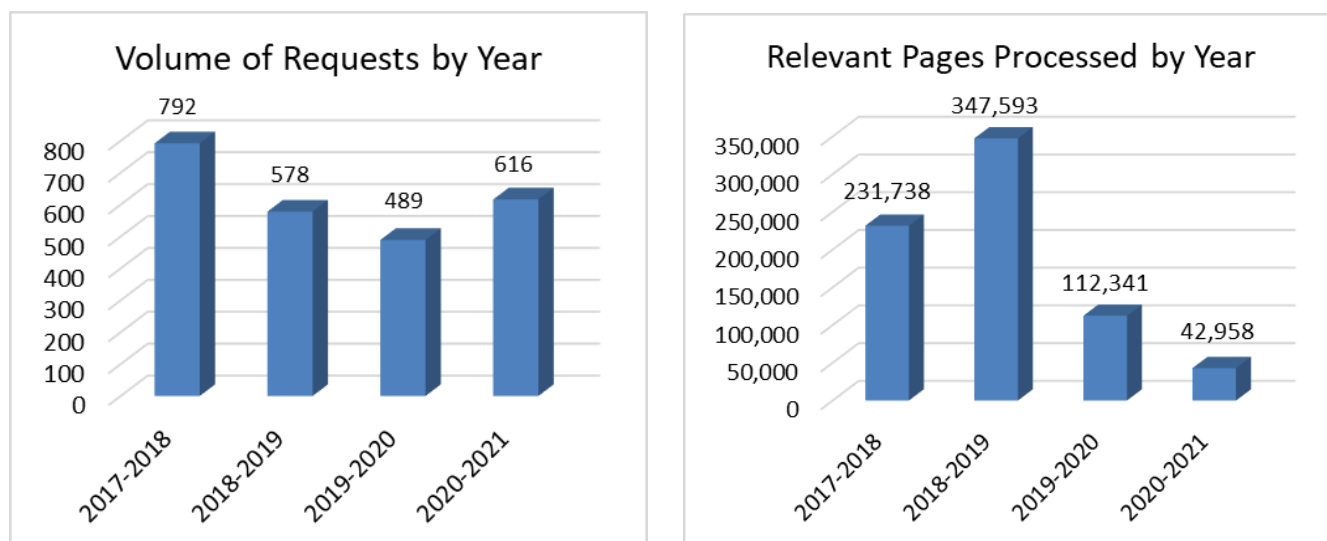
## Interpretation of the Statistical Report

The 2020-2021 Statistical Report on the ATIA can be found at Appendix B.

### PART 1 – Requests under the Access to Information Act (ATIA)

#### 1.1 Requests

Between April 1, 2020 and March 31, 2021, PCO received 616 requests for information under the ATIA. The number of requests has increased from the two previous fiscal years, and the number of pages processed has decreased from the two previous fiscal years. There was a greater number of requests with a large volume of pages reviewed and determined not to be relevant, and therefore excluded from this statistic. As seen in the graphs below, the 332 requests closed during the reporting period consisted of 42,958 relevant pages processed, compared to 112,341 pages processed in 2019-2020 and 347,593 pages processed in 2018-2019.



A total of 506 requests were carried over to the 2021-2022 reporting period, while 222 requests were carried into 2020-2021 from the previous fiscal year.

#### 1.2 Sources of requests

The sources of access to information requests, in descending order by volume, were media, public, organization, academia and business. The breakdown of the requests received during 2020-2021 is as follows:

- 265 or 43% – media;
- 103 or 17% – public;
- 93 or 15% – organization, including from Parliament (members of the House of Commons or Senate);
- 72 or 12% – academia; and
- 83 or 13% – business (private sector).

For this reporting period, the largest source of requests was the media at 43%, consistent with previous reporting periods. Media accounted for 1% more of the requests in 2020-2021 than in 2019-2020. The requests from academia remained constant at 12% of all requests while requests from organizations decreased by 3%. The business sector, which includes law firms, saw an increase from 22 requests in 2019-2020 to 83 in 2020-2021. Requests from the public decreased by thirteen (13) to 103 in 2020-2021, accounting for 17% in 2020-2021, compared to 24% in 2019-2020.

### **1.3 Informal requests**

In 2020-2021, 229 informal requests were completed, compared to 768 in 2019-2020 where a backlog was addressed.

Most informal requests (67%) were completed between 0 to 60 days, compared to 51% of informal requests completed in that period in 2019-2020. Many informal requests were completed in 1 to 15 days, representing 24% of all requests. Twenty-five (25) percent of requests were completed between 61 to 120 days, compared to 16% of requests in the previous reporting period. Another 7% of the requests were completed between 121 to 365 days in 2020-2021, compared to 31% of requests in 2019-2020. No requests were completed in more than 365 days, compared to 5% of the requests completed in 2019-2020. The ATIP division has continued to improve the timeliness of informal requests completed through its transition to a paperless office.

### **1.4 Types of information requested**

The subject matter varies by year and is often linked to current events. Broad types of information requested from PCO include:

- Both current and historic national security and intelligence records;
- Information related to foreign affairs, such as discussions between the Prime Minister and foreign leaders;
- Travel and related expense claims for the Prime Minister and the Prime Minister's Office;
- Lists of briefing notes and correspondence to the Prime Minister, the Clerk of the Privy Council, the Deputy Prime Minister, the Leader of the House of Commons and the President of the Queen's Privy Council for various time periods; and
- Records regarding contracts and staffing.

## **PART 2 – Decline to act on vexatious, made in bad faith or abuse of right requests**

During the 2020-2021 reporting period, ATIP did not decline to act on an access request under the *Access to Information Act* that was found vexatious, made in bad faith or an abuse of the right of access.

## **PART 3 – Requests closed during the reporting period**

### **3.1 Disposition and completion time**

In 2020-2021, ATIP division completed 332 requests. The breakdown of the disposition of requests is as follows:

- 166 (50%) were disclosed in part;
- 110 (33.1%) yielded no records;
- 26 (7.8%) were all disclosed;
- 23 (6.9%) were abandoned;
- 6 (1.8%) were all exempted;
- 1 (0.3%) were all excluded;
- 0 (0%) were transferred;
- 0 (0%) were neither confirmed nor denied; and
- 0 (0%) were declined with the approval of the Information Commissioner.

As these figures demonstrate, 192 or 57.8% of all requests were fully or partially disclosed. The percentage of requests for which no records were disclosed (either exempted or excluded) decreased by 3% to 2% of requests completed in 2020-2021. Approximately 33% of requests in 2020-2021 did not produce responsive records, which is an increase of approximately 18% from 2019-2020. No requests were transferred from PCO to another institution in 2020-2021. A smaller proportion of requests were abandoned in 2020-2021, down by 2.5% from 2019-2020.

In terms of completion times, 155 or 47% of requests sent to PCO were completed within 30 days in 2020-2021, up from 43% in 2019-2020. Forty-four (44) or 13% of requests were completed within 31 to 60 days, and 41 (12%) requests were completed between 61 to 120 days. Approximately 15% of requests (51) took 121 to 180 days to complete. Twenty-four (24) or 7% of all requests were completed between 181 to 365 days. Seventeen (17) or 5% of all requests were completed in more than 365 days. The complex, sensitive and multi-jurisdictional nature of PCO records is a factor in the time required to complete requests.

### **3.2 Exemptions**

While PCO endeavours to release as much information as possible, there are instances where information is protected under the ATIA.

Totals for the six (6) most commonly used exemptions were, in order:

- 137 under subsection 19(1) – personal information;
- 60 under subsection 15(1) – information related to international affairs and defence of Canada;
- 45 under paragraph 21(1)(b) – consultations or deliberations related to operations of government;
- 44 under subsection 16(2) – information related to the security of facilities, computer systems, and communications systems;

- 30 under paragraph 21(1)(a) – information related to advice or recommendations developed by or for a government institution or a minister of the Crown; and
- 18 under paragraph 20(1)(c) – information that could prejudice the competitive position of a third party.

The use of these exemptions is consistent with the role of PCO and the content of the records it controls, both of which involve confidential consultations, deliberations and advice provided to the Government on issues of national and international scope.

### **3.3 Exclusions**

The ATIA does not apply to certain information described by section 68 of the ATIA (published material) or to confidences of the Queen's Privy Council pursuant to section 69. The application of exclusions under subsection 69(1) reflects the role of PCO in providing advice and information to the Prime Minister as well as to Cabinet and its decision-making structures.

Totals for the six (6) most commonly used exclusions were, in order:

- 16 under paragraph 69(1)(g) re (c) – information relating to the agenda or deliberations of Council;  
15 under paragraph 69(1)(g) re (a) – information relating to memoranda to Council;
- 12 under paragraph 69(1)(g) re (e) – information relating to briefings for Council;
- 10 under subsection 69(1)(c) – the agenda and deliberations of Council
- 9 under paragraph 69(1)(g) re (d) – information relating to communications between Ministers; and
- 9 under paragraph 69(1)(g) re (f) – information relating to draft legislation.

### **3.4 Format of information released**

Of the requests for which records existed and were disclosed in whole or in part, 188 requests were released in electronic form. Another 4 requests were released on paper, down from 34 in 2019-2020. Requesters have the option of receiving the response by mail or by picking it up in person. In 2020-2021, PCO added the option for the response to be sent to the requester by email, if the size of the request allows. Nearly all replies were sent to the requester by mail or by email.

### **3.5 Complexity**

#### **3.5.1 Relevant pages processed and disclosed**

A total of 42,958 relevant pages were processed in 2020-2021. For requests which were “all disclosed” or “disclosed in part”, 32,882 pages were disclosed.

In compliance with changes made to the ATIA in 2019-2020, PCO now proactively discloses briefing note titles, transition material for the Prime Minister and Ministers,

reference numbers of memoranda received by Ministers, Deputy Heads, and committee binders which are not captured in the relevant pages processed but require a significant amount of resources.

### **3.5.2 Relevant pages processed and disclosed by size of request**

One hundred and forty one (141) out of the 222 requests where PCO had relevant records, or 63.5 %, required the processing of less than 100 pages, up from 4% of requests in 2019-2020. A total of 65 requests involved the processing of 101-500 pages, and nine (9) requests involved the processing of between 501-1000 pages. Six (6) requests involved the processing of between 1001-5000 pages in 2020-2021. These requests account for 3,322 pages disclosed, representing 10% of pages disclosed this fiscal year. In addition, only one request required processing over 5,000 pages in 2020-2021, for which 6,651 pages were disclosed.

Note that the number of pages processed is not an accurate gauge of the time required to process an access to information file. A request of many pages may involve basic records that require relatively little time to review, while small requests of a few pages could contain a complex combination of high-level content from several departments, requiring in-depth analysis and consultation.

### **3.5.3 Other complexities**

Consultations were the primary “other complexity” for 93 (28%) of the 332 requests completed in 2020-2021. Legal advice sought for assessment of s. 23 of the ATIA was the second largest “other complexity”, applying to 4 (1%) of requests. As this report requires that requests be counted only once, in the complexity column that best applies, this table does not represent the total number of requests for which an “other complexity” was applicable, as several files required both consultation and legal advice. Also, note that the PCO does not charge any other fees other than the \$5 application fee.

## **3.6 Closed requests**

### **3.6.1 Number of requests closed within legislated timelines**

In this reporting period, 226 requests were closed within legislated timelines.

## **3.7 Deemed refusals**

### **3.7.1 Reasons for not meeting legislated timelines**

In 2020-2021, 106 access to information requests were completed past the deadline, or in “deemed refusal”. Eight of these requests were not completed within the legislated timeline due to external consultations, while the remaining 98 of these requests were not completed within the legislated timelines primarily due to the impact of the COVID-19 pandemic.

### **3.7.2 Requests closed beyond legislated timelines (including any extensions taken)**

In 2020-2021, 88 requests were closed past legislated timelines where no extension was taken and 18 requests were closed past legislated timelines where an extension was taken.

### **3.8 Requests for translation**

Pursuant to subsection 12(2) of the ATIA, which states that "*where access to a record or a part thereof is to be given under this Part and the person to whom access is to be given requests that access be given in a particular official language, a copy of the record or part thereof shall be given to the person in that language, (a) if the record or part thereof already exists under the control of a government institution in that language; or (b) within a reasonable period of time, if the head of the government institution that has the control of the record considers it to be in the public interest to cause a translation to be prepared,*" no translations were requested during the reporting period.

## **PART 4 – Extensions**

### **4.1 Reasons for extensions and disposition of requests**

Subsection 9(1) of the ATIA sets out circumstances under which the initial 30-day time limit for response may be extended. Extensions may be taken for the following reasons:

- if the request is for a large number of records or requires a search through a large number of records, and meeting the original time limit would unreasonably interfere with the operations of the institution;
- if consultations are necessary with other government institutions, other governments or informally with third parties, and it cannot be completed within 30 days; and/or
- if notice is to be given to a third party (pursuant to subsection 27(1)) of the pending release of information or trade secrets of that third party.

In 2020-2021, PCO took 134 extensions in total. Seventy-seven (77) or 56% extensions were under paragraph 9(1)(a) for interference with operations due to the volume of records, versus 241 the previous year. Third-party notifications required 11 extensions under paragraph 9(1)(c), 53 less than the 64 extensions for the same reason for the previous fiscal year.

Consultations were another significant driver of extensions during the reporting period. A total of 27 extensions for consultations on Confidences of the Queen's Privy Council, and 19 extensions to consult other institutions (46 extensions combined) were taken under paragraph 9(1)(b). Extensions for consultations were down from the 199 extensions taken in 2019-2020.

Consultations remain inherent to processing the often complex, interdepartmental records under the control of PCO. When PCO sends a consultation request to another federal institution, it first contacts the department to obtain an estimated response time.

These efforts provide requesters with a more accurate estimate of when they will receive a response. Contacting the institution being consulted to mutually determine how long the consultation will take is considered a best practice by the OIC.

## 4.2 Length of extensions

Of the six timeframes shown at 4.2 of the Statistical Report, 30 days or less was the most common extension, accounting for 48.5% (65) of all extensions in 2020-2021. The second most employed extension was 31 to 60 days, accounting for 25% (33) of all extensions. The 61 to 120 days timeframe was the third most used extension at 16% (21). Reporting requires that separate extensions are recorded under each column. As such, one request may be reflected in more than one column if an extension was required under more than one paragraph of the ATIA. These statistics can be considered representative of PCO's consultative requirements and the department's heavy workload. PCO remains committed to the responsible use of extensions under the ATIA, consistent with operational demands.

## PART 5 – Fees

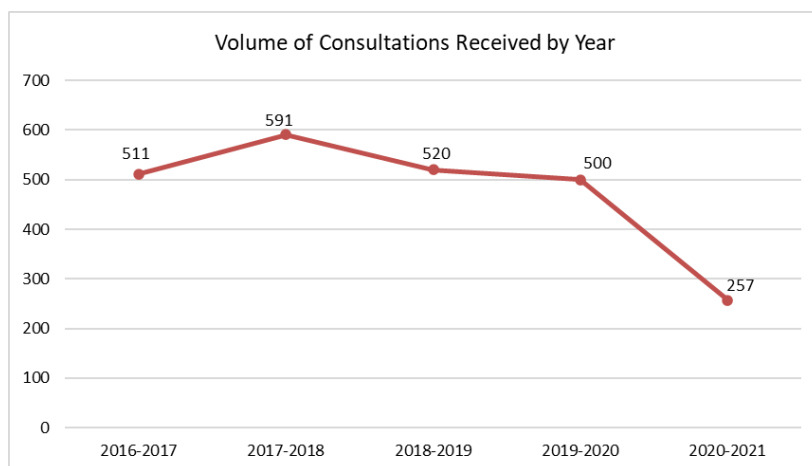
In accordance with the Interim Directive on the Administration of the ATIA, issued on May 5, 2016, and the changes to the ATIA that came into force on June 21, 2019, PCO waives all fees prescribed by the Act and Regulations, other than the \$5 application fee set out in paragraph 7(1)(a) of the Regulations.

The fees collected during the reporting period totaled at \$2,790 on 558 requests, up from \$2,305 in 2019-2020 and \$2,700 in 2018-2019. In 2020-2021, PCO waived or refunded 58 requests with an amount totaling \$290.

## PART 6 – Consultations received from other institutions and organizations

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

PCO received 257 consultations during the reporting period, including 247 consultations from Government of Canada institutions and 10 consultations from other organizations.



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

Consultations continue to account for a significant portion of the workload and make demands on both ATIP resources and on the PCO records authorities who provide consultative guidance.

In 2020-2021, PCO received 247 consultations from other government of Canada institutions and 89 consultations were carried over from the previous fiscal year.

PCO responded to 234 consultations from other government of Canada institutions, of those 47% (111) were completed in 30 days or less. This represents a 21% decrease from 2019-2020. Twenty-one percent of consultations (49) were responded to in 31 to 60 days and sixteen percent of consultations (37) were responded to in 61 to 120 days. The remaining 37 consultations took longer than 120 days to complete and 102 consultations were carried forward to 2021-2022. PCO recognizes that a prompt rate of response to consulting institutions contributes to more timely service to the public at the broader government level. The majority of recommendations given by PCO in response to these consultations were to disclose the records, in either full or in part.

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

A total of ten consultation requests from a third-party organizations were received by PCO during 2020-2021. Six were completed in 30 days or less, two were completed in 31 to 60 days, one was completed in 61 to 120 days, and one was carried forward into 2021-2022.

# **PART 7 – Completion time of consultations on Cabinet confidences**

## **7.1 Requests with legal services**

Note that in regard to ATIP, PCO consults only with the Privy Council Office Legal Services Sector (PCO LSS). Therefore, no data appears in the table entitled "Completion Time of Consultations on Cabinet Confidences - Requests with Legal Services."

## **7.2 Requests with Privy Council Office**

ATIP consulted PCO LSS on 21 of the requests that were closed in the reporting period, down from 77 in 2019-2020.

This figure represents consultations where the request was completed in the reporting period, and excludes both active consultations and completed consultations in ongoing requests, which will be carried forward into the next reporting period.



## **PART 8 – Complaints and investigations**

### **8.1 Complaints**

In the 2020-2021 reporting period, 64 complaints were submitted to the OIC. These complaints were made on requests received in the 2020-2021 fiscal year, as well as previous fiscal years. This is a decrease from the 70 complaints that were received in the 2019-2020 reporting period.

In the 2020-2021 reporting period, complaints related to a range of issues, including the exemptions invoked or exclusions cited on records, and extensions taken to complete consultations and meet PCO operational requirements.

### **8.2 Breakdown of complaints by source**

The breakdown of complaints by source received in 2020-2021 is as follows:

- 46 or 72% – Academia;
- 11 or 17% – Public;
- 5 or 8% - Media;
- 1 or 1.5%– Lawyer;
- 1 or 1.5% - Parliament (members of the House of Commons or Senate);
- 0 or 0% - Organizations; and
- 0 or 0% - Business.

During the 2020-2021 reporting period, PCO closed 50 complaints. Of those complaints, 10% (5) were not substantiated, 12.5% (8) were discontinued, 12.5% (8) resolved and 58% (29) were well-founded. In addition, PCO received 4 reports of finding recommendations by the Information Commissioner in 2020-2021.

## **PART 9 – Court action**

In 2020-2021, no court actions involving PCO were initiated by the OIC or were ongoing concerning the ATIA.

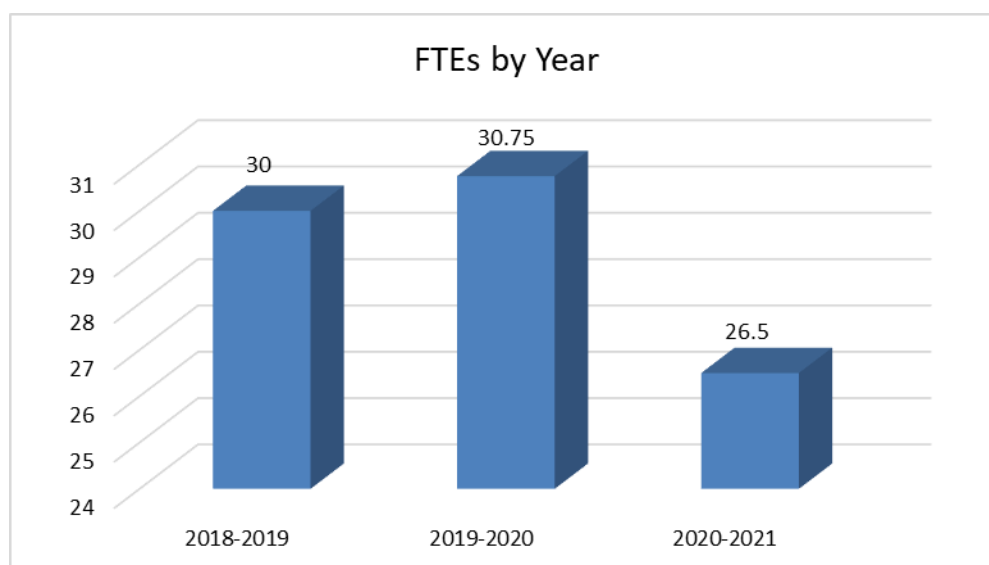
## **PART 10 – Resources related to the Access to Information Act**

### **10.1 Costs**

Salary costs associated with administration of the ATIA were \$2,200,213 for 2020-2021, on par with \$2,203,390 for 2019-2020. Overtime costs totaled \$32,865 for 2020-2021 on par with \$32,082 for 2019-2020. Goods and services amounted to \$55,432. This amount is down from \$92,516 from 2019-2020. Total costs were \$2,288,510, down slightly from \$2,327,988 in 2019-2020.

## 10.2 Human resources

It remains a challenge to attract and retain ATIP personnel, given the shortage of qualified analysts across the federal government. Currently, PCO uses various staffing methods to fill vacancies, including working with other departments to staff from pools of qualified candidates as well as running our own staffing processes. PCO offers a supportive work environment and growth opportunities for staff in an effort to retain qualified ATIP personnel. Moreover, the Professional Developmental Program launched in the 2017-2018 fiscal year boosts the retention of employees by encouraging them to learn and grow within the team, progressing from the PM-01 level to the PM-04 level. Taken with the successful hiring of students, the program will contribute to the recruitment and professional development of qualified analysts within the ATIP team for years to come.



In 2020-2021, ATIP had a personnel complement of 27.5 FTEs. Of those, 26.5 FTEs were dedicated to activities related to the administration of the *Access to Information Act*, as shown in the chart above. This represents a decrease in resources over the 30.75 FTEs of the previous year.

## PART 11 – Impact of COVID-19

Since mid-March 2020, COVID-19 has affected ATIP's ability to task secretariats for relevant information and to respond to requests in a timely manner. As described in the Supplemental Statistical Report (Appendix C), while PCO maintained its ability to receive requests throughout 2020-2021, PCO operated at a partial capacity when it comes to processing ATIP requests. Like most other institutions, a large percentage of PCO employees have been working from home since the beginning of the pandemic. One of the main challenges with working remotely is dealing with classified information at the Secret level or above. Most employees working from home do not have access to secure networks. Consequently, ATIP encountered challenges with reliably tasking secretariats for any information that is stored on a secure network. In addition, PCO is largely an aggregator of information; a great deal of the information we hold

originates from, or is of interest to, other institutions. Even when the ATIP office was able to receive the relevant information from the secretariats, consultations with other institutions are often required, and only a limited number of institutions were able to process consultation requests.

The ATIP division has adapted new procedures to transform into a more paperless office in order to function remotely. PCO implemented GCdocs in 2019 and we have used this repository to transfer and submit information electronically. This has allowed us to continue with approvals for files in the remote work environment.

## **Appendices**

**Appendix A: Delegation orders**

**Appendix B: 2020-2021 Statistical Report on the *Access to Information Act***

**Appendix C: Supplemental Statistical Report on the *Access to Information Act* and  
*Privacy Act***

**Appendix D: Exemptions and exclusions**

## Appendix A: Delegation orders

### Access to Information Act

#### DELEGATION ORDER

The Prime Minister, as head of the Privy Council Office and pursuant to section 95(1) of the Access to Information Act<sup>a</sup>, hereby designates the officers or employees holding the positions set out in the schedule hereto, and any persons acting in those positions, to exercise or perform the powers, duties and functions of the Prime Minister as the head of a government institution under the sections of the Act and the regulations opposite each position in the schedule.

This delegation order supercedes all previous delegation orders.

### Loi sur l'accès à l'information

#### ARRÊTÉ DE DÉLÉGATION

Le Premier ministre, en sa qualité de responsable du Bureau du Conseil privé et conformément à l'article 95(1) de la Loi sur l'accès à l'information<sup>a</sup>, délègue aux titulaires des postes énumérés en annexe, et à toutes autres personnes agissant dans ces postes de façon intérimaire, ses attributions à titre de responsable d'une institution fédérale aux termes des articles de la Loi et du règlement figurant en regard de chaque poste à l'annexe.

Le présent arrêté de délégation remplace et annule tout arrêté qui le précède.



Prime Minister / Premier ministre

2020-10-02  
Date

<sup>a</sup> R.S. 1985, c. A-1 / L.R. 1985, ch. A-1

## **SCHEDULE / ANNEXE**

<b>Position / Poste</b>	<b>Sections of the Access to Information Act<sup>a</sup> / Articles de la Loi sur l'accès à l'information<sup>a</sup></b>	<b>Sections of the Access to Information Regulations<sup>b</sup> / Articles du Règlement sur l'accès à l'information<sup>b</sup></b>
1. Clerk of the Privy Council and Secretary to the Cabinet. / <i>Greffier du Conseil privé et Secrétaire du Cabinet.</i>	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>
2. Any senior management position within the Privy Council Office that reports directly to the position set out in paragraph 1 above. / <i>Tout poste de la haute gestion au sein du Bureau du Conseil privé, qui se rapporte directement au poste indiqué au paragraphe 1 ci-dessus.</i>	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>
3. All Assistant Secretaries and Assistant Deputy Ministers within the Privy Council Office. / <i>Tous les Secrétaires adjoints et les Sous-ministres adjoints au sein du Bureau du Conseil privé.</i>	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>
4. Any management position that is responsible for a unit within the Privy Council Office and that reports directly to a position covered by paragraph 2 above other than the Assistant Deputy Minister of Corporate Services Branch. / <i>Tout poste de gestionnaire qui est responsable pour une unité au sein du Bureau du Conseil privé et qui se rapporte directement à un poste envisagé au paragraphe 2 ci-dessus autre que le Sous-ministre adjoint de la Direction générale des services ministériels.</i>	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>
5. Coordinator of Access to Information within the Privy Council Office. / <i>Coordonateur/trice de l'accès à l'information au sein du Bureau du Conseil privé.</i>	7; 8(1); 9; 10; 11(2); 12(2)(b); 12(3)(b); 13; 19; 20; 27(1); 27(4); 28(1)(b); 28(2); 28(4); 33; 37(4); 43(2); 44(2).	6(1); 8.

<sup>a</sup> R.S. 1985, c. A-1 / L.R. 1985, ch. A-1

<sup>b</sup> SOR/83-507 / DORS/83-508

## Appendix B: 2020-2021 Statistical Report on the Access to Information Act



### Statistical Report on the Access to Information Act

Name of institution: Privy Council Office

Reporting period: 2020-04-01 to 2021-03-31

#### Section 1: Requests Under the Access to Information Act

##### 1.1 Number of requests

	Number of Requests
Received during reporting period	616
Outstanding from previous reporting period	222
<b>Total</b>	<b>838</b>
Closed during reporting period	332
Carried over to next reporting period	506

##### 1.2 Sources of requests

Source	Number of Requests
Media	265
Academia	72
Business (private sector)	83
Organization	93
Public	103
Decline to Identify	0
<b>Total</b>	<b>616</b>

##### 1.3 Informal 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	
56	33	65	58	11	6	0	229

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

#### Section 2: Decline to act vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
<b>Total</b>	<b>0</b>
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

## Section 3: Requests Closed During the Reporting Period

### 3.1 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	3	8	10	2	1	2	0	26
Disclosed in part	7	64	23	22	29	6	15	166
All exempted	0	0	0	2	2	2	0	6
All excluded	0	0	0	0	0	1	0	1
No records exist	9	50	11	11	15	12	2	110
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	10	4	0	4	4	1	0	23
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	<b>29</b>	<b>126</b>	<b>44</b>	<b>41</b>	<b>51</b>	<b>24</b>	<b>17</b>	<b>332</b>

### 3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	8	16(2)	44	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	4	20.2	0
13(1)(c)	1	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	1	18(d)	1	21(1)(a)	30
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	45
14	16	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	6
14(a)	2	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	60	16.1(1)(d)	0	19(1)	137	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	1	23	12
15(1) - Def.*	0	16.3	0	20(1)(b)	8	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	9
16(1)(a)(i)	6	16.4(1)(a)	0	20(1)(c)	18	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	4		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

\* I.A.: International Affairs    Def.: Defence of Canada    S.A.: Subversive Activities



### 3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	1	69(1)	1	69(1)(g) re (a)	15
68(b)	0	69(1)(a)	4	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	16
68.1	0	69(1)(c)	10	69(1)(g) re (d)	9
68.2(a)	0	69(1)(d)	2	69(1)(g) re (e)	12
68.2(b)	0	69(1)(e)	7	69(1)(g) re (f)	9
		69(1)(f)	2	69.1(1)	0

### 3.4 Format of information released

Paper	Electronic	Other
4	188	0

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
42958	32882	222

#### 3.5.2 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	23	521	2	273	1	669	0	0	0	0
Disclosed in part	91	1883	60	16228	8	3197	6	3322	1	6651
All exempted	6	0	0	0	0	0	0	0	0	0
All excluded	0	0	1	0	0	0	0	0	0	0
Request abandoned	21	0	2	138	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>141</b>	<b>2404</b>	<b>65</b>	<b>16639</b>	<b>9</b>	<b>3866</b>	<b>6</b>	<b>3322</b>	<b>1</b>	<b>6651</b>

### 3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	1	0	1	0	2
Disclosed in part	90	0	3	0	93
All exempted	2	0	0	0	2
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0
<b>Total</b>	<b>93</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>97</b>

### 3.6 Closed requests

#### 3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	226
Percentage of requests closed within legislated timelines (%)	68.1

### 3.7 Deemed refusals

#### 3.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
106	0	8	0	98

#### 3.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timeline Where an Extension Was Taken	Total
1 to 15 days	3	0	3
16 to 30 days	9	0	9
31 to 60 days	9	2	11
61 to 120 days	30	1	31
121 to 180 days	25	1	26
181 to 365 days	12	5	17
More than 365 days	0	9	9
<b>Total</b>	<b>88</b>	<b>18</b>	<b>106</b>

### 3.8 Requests for translation

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

## Section 4: Extensions

### 4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	9	0	1	0
Disclosed in part	66	26	17	11
All exempted	0	0	0	0
All excluded	0	1	0	0
No records exist	1	0	0	0
Request abandoned	1	0	1	0
Decline to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	<b>77</b>	<b>27</b>	<b>19</b>	<b>11</b>

### 4.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	53	0	8	4
31 to 60 days	20	3	6	4
61 to 120 days	4	13	1	3
121 to 180 days	0	5	1	0
181 to 365 days	0	6	1	0
365 days or more	0	0	2	0
<b>Total</b>	<b>77</b>	<b>27</b>	<b>19</b>	<b>11</b>

## Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	558	\$2,790	58	\$290
Other fees	0	\$0	0	\$0
<b>Total</b>	<b>558</b>	<b>\$2,790</b>	<b>58</b>	<b>\$290</b>

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

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	247	8817	10	86
Outstanding from the previous reporting period	89	49575	0	0
<b>Total</b>	<b>336</b>	<b>58392</b>	<b>10</b>	<b>86</b>
Closed during the reporting period	234	15001	9	78
Carried over to next reporting period	102	43391	1	8

### 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	
Disclose entirely	32	19	16	6	2	1	0	76
Disclose in part	29	24	33	29	10	16	5	146
Exempt entirely	3	0	0	0	0	1	1	5
Exclude entirely	2	0	0	0	0	0	0	2
Consult other institution	0	0	0	0	0	0	0	0
Other	2	0	0	2	1	0	0	5
<b>Total</b>	<b>68</b>	<b>43</b>	<b>49</b>	<b>37</b>	<b>13</b>	<b>18</b>	<b>6</b>	<b>234</b>

### 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	
Disclose entirely	2	2	1	0	0	0	0	5
Disclose in part	1	0	1	1	0	0	0	3
Exempt entirely	1	0	0	0	0	0	0	1
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>

## Section 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 Request	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>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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 Request	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	1	18	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	1	196	0	0	0	0	0	0
61 to 120	3	141	0	0	0	0	0	0	0	0
121 to 180	3	49	1	17	0	0	0	0	0	0
181 to 365	2	56	2	300	1	595	0	0	0	0
More than 365	0	0	5	735	1	11	1	44	0	0
<b>Total</b>	<b>9</b>	<b>264</b>	<b>9</b>	<b>1248</b>	<b>2</b>	<b>606</b>	<b>1</b>	<b>44</b>	<b>0</b>	<b>0</b>

## Section 8: Complaints and investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
64	50	7	4	4	0

## Section 9: Court Action

### 9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

## 9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

## Section 10: Resources Related to the Access to Information Act

### 10.1 Costs

Expenditures		Amount
Salaries		\$2,200,213
Overtime		\$32,865
Goods and Services		\$55,432
• Professional services contracts	\$0	
• Other	\$55,432	
Total		\$2,288,510

### 10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	22.000
Part-time and casual employees	0.600
Regional staff	0.000
Consultants and agency personnel	0.000
Students	3.900
Total	26.500

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

## Appendix C: Supplemental Statistical Report on the Access to Information Act and Privacy Act



### Supplemental Statistical Report on the Access to Information Act and Privacy Act

Name of institution: Privy Council Office

Reporting period: 2020-04-01 to 2021-03-31

#### Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

#### Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	52	0	52
Protected B Paper Records	0	52	0	52
Secret and Top Secret Paper Records	0	52	0	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	52	0	52
Protected B Electronic Records	0	52	0	52
Secret and Top Secret Electronic Records	0	52	0	52



## **Appendix D: Exemptions and exclusions**

### **Exemptions and exclusions**

The total numbers of requests for which specific exemptions were invoked during the 2020-2021 reporting period are as follows:

- 8 under paragraph 13(1)(a) - information obtained in confidence from the government of a foreign state or institution;
- 1 under paragraph 13(1)(c) - information obtained in confidence from the government of a province or institution;
- 14 under section 14 - information related to federal-provincial affairs ;
- 1 under subsection 14(a) - information on federal-provincial consultations or deliberations;
- 60 under subsection 15(1) - information related to international affairs;
- 6 under subparagraph 16(1)(a)(i) - information obtained on the detection, prevention or suppression of crime;
- 44 under subsection 16(2) - information related to security methods;
- 1 under paragraph 16(2)(c) - information which could facilitate the commission of a crime such as the vulnerability or methods employed to protect particular buildings, structures, or systems;
- 4 under paragraph 18(b) - information which could prejudice the competitive position of a government institution;
- 1 under paragraph 18(d) - information materially injurious to the financial interests of a government institution or to the economic interests of Canada;
- 137 under subsection 19(1) - personal information;
- 1 under paragraph 20(1)(a) - trade secrets of a third party;
- 8 under paragraph 20(1)(b) - financial, commercial, scientific or technical information supplied to a government institution in confidence by a third party;
- 18 under paragraph 20(1)(c) - information that could result in material financial loss or gain to a third party;
- 4 under paragraph 20(1)(d) - information which could interfere with the negotiations of a third party;
- 30 under paragraph 21(1)(a) - advice or recommendations developed by or for a government institution or minister;
- 45 under paragraph 21(1)(b) - consultations or deliberations related to operations of government;
- 6 under paragraph 21(1)(c) - positions or plans developed for negotiations by the Government of Canada;
- 12 under section 23 - information subject to solicitor-client privilege; and
- 9 under subsection 24(1) - information restricted by or pursuant to any provision set out in Schedule II of the ATIA.



## **Exemptions not invoked**

The following exemptions were not invoked by PCO during the 2020-2021 reporting period:

- Paragraph 13(1)(b) – information obtained in confidence from an international organization of states or an institution;
- Paragraph 13(1)(d) – information obtained in confidence from a municipal or regional government;
- Paragraph 13(1)(e) – information obtained in confidence from an aboriginal government;
- Subsection 14(b) – information on strategy or tactics adopted or to be adopted by the Government of Canada relating to the conduct of federal-provincial affairs;
- Subsection 15(1) I.A. – information relating to communications and the conduct of international affairs;
- Subsection 15(1) Def. – information related to communications and the defence of Canada;
- Subsection 15(1) S.A. – information that could compromise the prevention of subversive activities;
- Subparagraph 16(1)(a)(ii) – government records related to the enforcement of any law of Canada or a province;
- Subparagraph 16(1)(a)(iii) – government records related to activities suspected of constituting threats to the security of Canada;
- Paragraph 16(1)(b) – information relating to investigative techniques or plans for specific lawful investigations;
- Paragraph 16(1)(c) – information on the enforcement of any law of Canada or a province or the conduct of lawful investigations;
- Paragraph 16(1)(d) – information the disclosure of which could compromise the security of penal institutions;
- Paragraph 16(2)(a) – information which could facilitate the commission of a crime such as crime methods or techniques;
- Paragraph 16(2)(b) – information which could facilitate the commission of a crime such as technical information relating to weapons or potential weapons;
- Subsection 16(3) – policing services of the RCMP for the provinces and the municipalities;
- Paragraph 16.1(1)(a) – records related to investigations by the Auditor General of Canada;
- Paragraph 16.1(1)(b) – records related to investigations by the Commissioner of Official Languages for Canada;
- Paragraph 16.1(1)(c) – records related to investigations by the Information Commissioner;
- Paragraph 16.1(1)(d) – records related to investigations by the Privacy Commissioner;
- Subsection 16.2(1) – information related to an investigation conducted by or under the authority of the Commissioner of Lobbying;

Section 16.3 – records related to investigations under the *Canada Elections Act* (Chief Electoral Officer);

Section 16.31 – records related to investigations under the *Canada Elections Act* (Director of Public Prosecutions);

Paragraph 16.4(1)(a) – records related to investigations under the *Public Servants Disclosure Protection Act* for the Public Sector Integrity Commissioner;

Paragraph 16.4(1)(b) – records from a conciliator related to investigations under the *Public Servants Disclosure Protection Act* for the Public Sector Integrity Commissioner;

Section 16.5 – records related to a disclosure under the *Public Servants Disclosure Protection Act*;

Section 16.6 – records related to the National Security and Intelligence Committee;

Section 17 - safety of individuals, including the identity of police informants and the victims of violence or acts of threats or intimidation;

Paragraph 18(a) – trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Canada;

Paragraph 18(c) – scientific or technical information obtained through research by an officer or employee of a government institution;

Paragraph 18.1(1)(a) – records related to the economic interests of the Canada Post Corporation;

Paragraph 18.1(1)(b) - records related to the economic interests of Export Development Canada;

Paragraph 18.1(1)(c) – records related to the economic interests of the Public Sector Pension Investment Board;

Paragraph 18.1(1)(d) – records related to the economic interests of VIA Rail Canada Inc.;

Paragraph 20(1)(b.1) – third party information related to emergency management plans;

Section 20.1 – third party investment information obtained by the Public Sector Pension Investment Board;

Section 20.2 – third party investment information obtained by the Canada Pension Plan Investment Board;

Section 20.4 – performance contracts with the National Arts Centre Corporation;

Section 22 – information relating to testing or auditing procedures or techniques;

Subsection 22.1(1) – information containing a draft report of an internal audit of a government institution;

Section 23.1 – records related to patents or trademark privilege; and

Section 26 - records which will be published by a government institution within ninety days after the request is made.

### **Exclusions cited**

The total numbers of requests for which specific exclusions were cited during the 2020-2021 reporting period are as follows:

1 under paragraph 68(a) – published material;

1 under subsection 69(1) – confidences of the Queen's Privy Council for Canada;

4 under paragraph 69(1)(a) – memoranda to Cabinet;

9 under paragraph 69(1)(c) – agenda and records of Cabinet deliberations;  
2 under paragraph 69(1)(d) – records of communication between Ministers;  
7 under paragraph 69(1)(e) – records used to brief ministers of the Crown  
2 under paragraph 69(1)(f) – draft legislation  
15 under paragraph 69(1)(g) re (a) – records that contain information about records referred to in paragraph 69(1)(a)  
16 under paragraph 69(1)(g) re (c) – records that contain information about records referred to in paragraph 69(1)(c)  
9 under paragraph 69(1)(g) re (d) – records that contain information about records referred to in paragraph 69(1)(d)  
12 under paragraph 69(1)(g) re (e) – records that contain information about records referred to in paragraph 69(1)(e)  
9 under paragraph 69(1)(g) re (f) – records that contain information about records referred to in paragraph 69(1)(f)

### **Exclusions not cited**

The following exclusions were not cited by PCO during the 2020-2021 reporting period:

Paragraph 68(b) – museum or library material  
Paragraph 68(c) – material donated to Canadian museums or archives  
Section 68.1 – journalistic, creative or programming records of the Canadian Broadcasting Corporation  
Paragraph 68.2(a) – administrative records of Atomic Energy of Canada Limited  
Paragraph 68.2(b) – operational records of Atomic Energy of Canada Limited  
Paragraph 69(1)(b) – discussion papers  
Paragraph 69(1)(g) re (b) – records that contain information about records referred to in paragraph 69(1)(b)  
Subsection 69.1(1) – disclosure prohibited by a certificate under the Canada Evidence Act