DEFENCE CONSTRUCTION CANADA

2017-2018 PRIVACY ACT ANNUAL REPORT

April 1, 2017, to March 31, 2018



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REPORT ON THE PRIVACY ACT

INTRODUCTION

The *Privacy Act* (hereafter, the "PA") protects the privacy of Canadian citizens and permanent residents against the unauthorized use and disclosure of personal information about themselves held by a government institution. It also provides individuals with a right of access to that information and the right to correct inaccurate personal information. In addition, the PA legislates how the government collects, stores, disposes of, uses and discloses personal information.

Section 72 of the PA requires the head of every federal government institution to submit an annual report to Parliament on the administration of this Act during the financial year. This annual report summarizes the management and administration of the PA within Defence Construction (1951) Limited (DCC) in the 2017–18 reporting period.

MANDATE OF DCC

The principal mandate of DCC, pursuant to the *Defence Production Act*, is to meet the infrastructure and environmental needs of the Department of National Defence and the Canadian Armed Forces (DND/CAF) by providing quality services. DCC's mission is to provide timely, effective and efficient project delivery and full lifecycle support for infrastructure and environmental assets required for the defence of Canada. DCC is an agent of the Crown incorporated for the purpose of carrying out the procurement for and delivering of defence infrastructure projects. The *Defence Production Act* defines a defence contract as a contract with an agent of Her Majesty that in any way relates to defence projects or to the designing, manufacturing, producing, constructing, finishing, assembling, transporting, repairing, maintaining, servicing or storing of, or dealing in defence projects. DCC's Letters Patent permit DCC to take on, lease, or in exchange, procure, purchase or otherwise acquire, construct, alter, renovate, add to, improve, and to hold, manage, maintain, operate, supervise, repair, heat, lease, sell, salvage, realize or otherwise dispose of real and personal property—and in particular, lands and buildings. DCC reports to Parliament through the Minister of Public Services and Procurement.

DCC'S ACCESS TO INFORMATION AND PRIVACY OFFICE

DCC's Access to Information and Privacy (ATIP) Office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure that DCC meets its responsibilities under the *Access to Information Act* (ATIA) and the PA.

The main activities of the ATIP Office include the following:

- monitoring compliance with relevant Acts, regulations, procedures and policies;
- processing requests under both Acts;
- developing and maintaining policies, procedures and guidelines to ensure that DCC respects the Acts:
- promoting awareness of the Acts within DCC to ensure that employees are aware of their responsibilities;

- preparing annual reports to Parliament and other statutory reports, as well as other material that Central Agencies may require;
- representing DCC in dealings with the Treasury Board of Canada Secretariat, the Information and Privacy Commissioners, and other government departments and agencies to determine how the Acts apply to DCC; and
- helping DCC meet its commitments to ensure openness and transparency, through proactive and informal disclosure of information.

ORGANIZATIONAL STRUCTURE

At the end of the 2017–18 reporting period, the ATIP Office had two full-time employees: the ATIP Coordinator and the ATIP Deputy Coordinator. During the reporting period, two ATIP Administrators departed; as a result, DCC hired three consultants to provide coverage through the staffing transition. To meet changing demands in workload, DCC restructured the ATIP Office which now includes the following positions: ATIP Coordinator, ATIP Deputy Coordinator and ATIP Administrator. The position of ATIP Deputy Coordinator was filled, and DCC began the process to staff the ATIP Administrator position during this reporting period.

DELEGATION OF AUTHORITY

Pursuant to section 73 of the ATIA, the President has delegated his powers and duties to the ATIP Coordinator to allow the Corporation to meet its legislated requirements.

See Appendix A for the Delegation Order.

SUMMARY AND HIGHLIGHTS OF ACTIVITIES

During the reporting period, DCC received no requests under the PA.

TRAINING AND AWARENESS

During the 2017–18 reporting period, DCC continued to present the ATIP Activity Report to inform senior management of the volume of access to information and privacy requests, increase awareness of access to information and privacy issues, and help the ATIP Office fulfill its mandate.

The ATIP Office briefs DCC's five executives monthly and 20 senior managers twice a year. Topics covered in the presentation include the following:

- annual and quarterly comparisons of ATIP requests handled and pages reviewed;
- · consultation requests, by region and government institution; and
- annual ATIP requests, by source type.

A plain language policy document on the PA is accessible to all employees via the DCC intranet.

The ATIP Coordinator provided training to the new ATIP Deputy Coordinator on DCC's ATIP processes and practices.

INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES

DCC did not implement any new or revised policies, guidelines or procedures related to privacy during the reporting period.

DCC has established and reminds employees of their obligations under the following policies, guidelines and procedures related to the PA:

- DCC ATIP Policies and Procedures; and
- DCC Code of Business Conduct which includes the Public Servants Disclosure Protection Act.

DCC requires all employees to review and comply with DCC's Code of Business Conduct, as a condition of employment. This Code articulates expectations, incorporates the *Public Servants Disclosure Protection Act* and provides procedures for the disclosure of wrongdoing under that Act. Each year, DCC employees are required to review their obligations and responsibilities under the Code and to actively acknowledge their continued compliance. This annual process is concluded electronically. DCC sends each employee an e-mail reminder and tracks responses through an automated system. This allows DCC to keep accurate records and to take appropriate follow-up action. New employees must pass an online test regarding the Code shortly after they are hired. In 2017–18, 100% of DCC's employees responded to the annual request for review and all new hires completed the required test.

The Code includes DCC employee obligations under the PA, to help ensure effective and consistent administration and compliance with the Act and its regulations.

During the 2017–18 reporting period, a privacy consultant was hired to enhance DCC's privacy framework. The development and review of policies, guidelines and procedures related to the PA—including DCC's Privacy Impact Assessment Policy, Privacy Breach Protocol and Privacy Management Framework—continued into the next reporting period.

PRIVACY ACT STATISTICAL REPORT

SUMMARY OF REQUESTS

The table below shows the number of privacy requests DCC has received and processed over the past four reporting periods:

Reporting Period	Requests Received	Number of Pages Processed	Completion Time
2017-18	0	0	0
2016-17	1	28	Within 30 days
2015-16	1	4	Within 15 days
2014-15	2	5	Within 15 days

No requests under the PA were carried over from the previous reporting period.

DISPOSITION OF COMPLETED REQUESTS

Not applicable.

COMPLETION TIME AND EXTENSIONS

Not applicable.

EXEMPTIONS INVOKED

Not applicable.

EXCLUSIONS INVOKED

Not applicable.

CONSULTATIONS COMPLETED

DCC did not receive any consultation requests during the reporting period.

MONITORING OF REQUESTS

The ATIP Deputy Coordinator monitors DCC's case management system daily, checking for files with "red" highlights, which indicate a delay. This ensures continued compliance with the principles of the PA.

The ATIP Deputy Coordinator meets with the ATIP Coordinator weekly to review the status of files and develop appropriate strategies to improve compliance rates.

In addition, the ATIP Deputy Coordinator distributes the ATIP Monthly Activity Report by e-mail to the Executive Management Group. This report captures new requests, both formal and informal, as well as requests for consultation received during the preceding month. It also contains statistical information about ATIP Office activity on a monthly and year-to-date basis.

No correction of personal information occurred during this reporting period.

PRIVACY BREACH SUMMARY

No material privacy breaches occurred during the reporting period.

PRIVACY IMPACT ASSESSMENT

A Privacy Impact Assessment (PIA) is a formal tool used to identify and mitigate privacy risks for new or modified programs, services or initiatives in an effort to heighten compliance with the Act.

No PIA's were completed or forwarded to the Office of the Privacy Commissioner during the reporting period.

DISCLOSURES PURSUANT TO PARAGRAPH 8(2)(M)

DCC made no disclosures under paragraph 8(2)(m) of the PA during the reporting period.

TRANSLATION

There were no requests for records to be translated during the reporting period.

COSTS

DCC's costs directly associated with the administration of the PA for 2017–18 were estimated to be \$24,607. Most of DCC's costs related to ATIP activity were for work under the ATIA and are noted in the 2017–18 *Access to Information Act* Annual Report.

COMPLAINTS AND REQUESTS FOR JUDICIAL REVIEW

DCC received one complaint from the Office of the Privacy Commissioner in this reporting period for which DCC provided all relevant records to support the ongoing investigation.

APPENDIX A:
DELEGATION ORDER
- ACCESS TO
INFORMATION ACT
AND PRIVACY ACT



ACCESS TO INFORMATION AND PRIVACY ACT DELEGATION ORDER

ARRÊTÉ SUR LA DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET DE LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

The President and CEO of Defence Construction (1951) Limited, pursuant to section 73 of the Access to Information Act and the Privacy Act, hereby designates the person holding the position set out below, or the person occupying on an acting basis the position, to exercise the powers and functions of the President as the head of a government institution, under the section of the Act set out in the attached schedules. This Designation Order supersedes all previous Designation Orders.

En vertu de l'article 73 de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels, le Président et premier dirigeant de Construction de Défense (1951) Limitée délègue au titulaire du poste mentionné ci-après, ainsi qu'à la personne occupant à titre intérimaire ledit poste, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie parles articles des Loi mentionnées dans les annexes ci-jointes. présent décret de délégation remplace et annule tout décret antérieur.

Position / Poste	Access to Information Act and Regulations Loi sur l'accès à l'information et règlements	Privacy Act and Regulations Loi sur la protection des renseignements personnels et règlements
Director, Governance and Legal Affairs, and Corporate Secretary	Schedule A	Schedule B
Directrice, Gouvernance et Affaires juridiques, et secrétaire de la Société	Annexe A	Annexe B

Dated, at the City of Ottawa, this 17th Daté, en la ville d'Ottawa, ce 17 jour de Noumber 2016.

LE PRÉSIDENT ET PREMIER DIRIGEANT CONSTRUCTION DE DEFENSE (1951) LIMITEE

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR JAMES S. PAUL

PRESIDENT AND CEO
DEFENCE CONSTRUCTION (1951) LIMITED

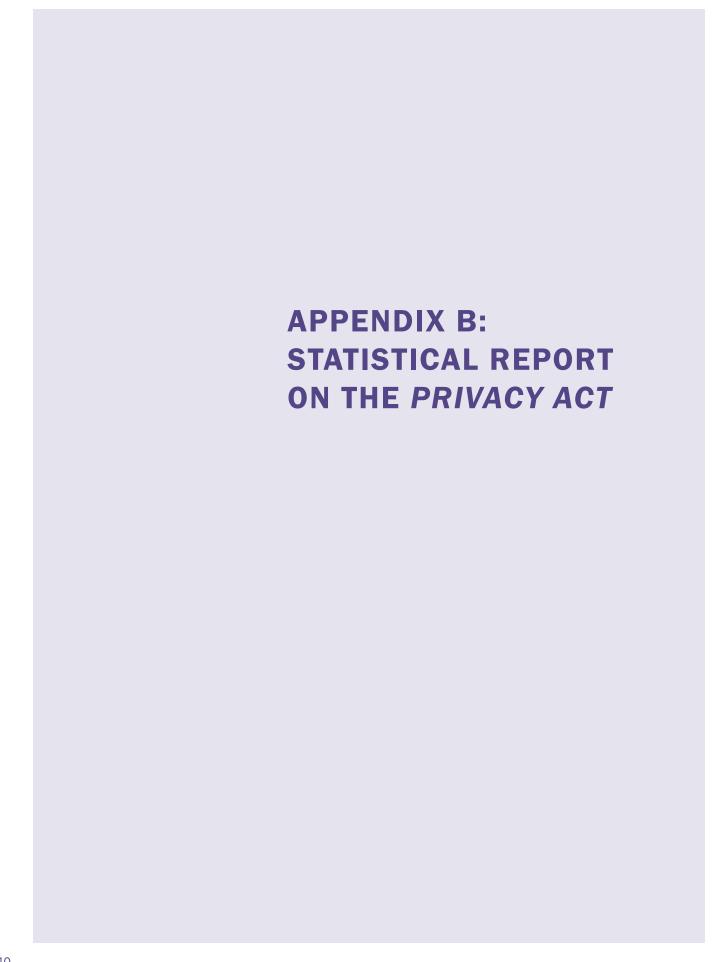
SCHEDULE B - DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO SECTION 73 OF THE PRIVACY ACT

ANNEXE B - DÉLÉGATION DE POUVOIRS ET D'ATTRIBUTIONS EN VERTU DE L'ARTICLE 73 DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Articles	Privacy Law	Loi sur la protection des renseignements personnels		
8(2)(j)	Disclose personal information for research purposes	Communication à des fins de recherche		
8(2)(m)	Disclosure in the public interest or in the interest of the individual	Communication dans l'intérêt public ou d'une personne		
8(4)	Copies of requests under 8(2)(e) to be retained	Conservation des copies des demandes en vertu de 8(2)e)		
8(5)	Notice of disclosure under 8(2)(m)	Avis le de communication en vertu de 8(2)m)		
9(1)	Record of disclosures to be retained	Conservation d'un relevé des cas d'usage		
9(4)	Consistent uses	Usages compatibles		
10	Personal information to be included in personal information banks	Versement des renseignements personnels dans des fichiers de renseignements personnels		
14	Notice where access requested	Notification lors de demande de communication		
15	Extension of time limits	Prorogation du délai		
17(2)(b)	Language of access	Version de la communication		
17(3)(b)	Access to personal information in alternative format	Communication sur support de substitution		
18(2)	Exemption (exempt bank) - Disclosure may be refused	Exception (fichiers inconsultables)- autorisation de refuser		
19(1)	Exemption - Personal information obtained in confidence	Exception - renseignements obtenus à titre confidentiel		
19(2)	Exemption - Where authorized to disclose	Exception - cas où la divulgation est autorisée		
20	Exemption - Federal-provincial affairs	Exception - affaires fédéro-provinciales		
21	Exemption - International affairs and defence	Exception - affaires internationales et défense		
22	Exemption - Law enforcement and investigation	Exception - application de la loi et enquêtes		
22.3	Exemption - Public Servants Disclosure Protection Act	Exception - Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles		
23	Exemption – Security clearances	Exception - enquêtes de sécurité		
24	Exemption - Individuals sentenced for an offence	Exception - individus condamnés pour une infraction		
25	Exemption - Safety of individuals	Exception - sécurité des individus		

26	Exemption – Information about another individual	Exception - renseignements concernant un autre individu	
27	Exception – Solicitor-Client privilege	Exception - secret professionnel des avocats	
28	Exception – Medical record	Exception - dossiers médicaux	
31	Notice of intention to investigate	Avis d'enquête	
33(2)	Right to make representation	Droit de présenter ses observations	
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	Conclusions et recommandations du Commissaire à la protection de la vie privée	
35(4)	Access to be given	Communication accordée	
36(3)	Report of findings and recommendations (exempt banks)	Rapport des conclusions et recommandations (fichier inconsultable)	
37(3)	Report of findings and recommendations (compliance review) Rapport des conclusions et recommandation Commissaire (Contrôle d'application)		
51(2)(b)	Special rules for hearings	Règles spéciales (auditions)	
51(3)	Ex parte representations	Présentation d'arguments en l'absence d'une parti	

9 Reasonable facilities and time provided to examine personal information		Règlements sur la protection des renseignements personnels Fournir des installations convenables et fixer un moment pour examiner les renseignements personne		
11(4)	Notification that correction to personal information has been refused	Avis que les corrections demandées ont été refusées		
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	Le cas échéant, autoriser la communication des renseignements personnels concernant son état physique ou mental à un médecin ou à un psychologue en situation légale d'exercice, afin que celui-ci puisse donner son avis quant à savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice.		
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	Le cas échéant, communiquer les renseignements personnels concernant son état physique ou mental à l'individu en la présence d'un médecin ou à un psychologue en situation légale d'exercice.		



Statistical Report on the Privacy Act

 Name of institution:
 Defence Construction Canada

 Reporting period:
 2017-04-01
 to
 2018-03-31

Part 1: Requests Under the Privacy Act

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Closed during reporting period	0
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

	Completion Time							
Disposition of 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
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

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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	0
19(1)(f)	0	22.1	0	27	0
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	0	0	0
Disclosed in part	0	0	0
Total	0	0	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	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Less Than 100 Pages Processed			101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 Pages Processed	
Disposition	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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	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	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the	Principal Reason						
Statutory Deadline	Workload	Consultation	Consultation	Other			
0	0	0	0	0			

2.6.2 Number of days past deadline

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

2.7 Requests for translation

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

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

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Part 4: Requests for Correction of Personal Information and Notations

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

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an	15(a)(i) Interference With	15(a Const	15(b) Translation or	
Extension Was Taken	Operations	Section 70	Other	Conversion
All disclosed	0	0	0	0
Disclosed in part	0	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
Total	0	0	0	0

5.2 Length of extensions

	15(a)(i) Interference with		a)(ii) ultation	15(b) Translation purposes	
Length of Extensions	operations	Section 70	Other		
1 to 15 days	0	0	0	0	
16 to 30 days	0	0	0	0	
Total	0	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
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

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

		Number of Days Required to Complete Consultation Requests							
Recommendation	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	
Total	0	0	0	0	0	0	0	0	

6.3 Recommendations and completion time for consultations received from other organizations

		Number of days required to complete consultation requests _								
Recommendation	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		
Total	0	0	0	0	0	0	0	0		

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More than 5,000 Pages Processed	
Number of Days	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

		n 100 Pages essed	101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More than 5,000 Pages Processed	
Number of Days	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
1	0	0	0	1

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0

Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures		Amount
Salaries		\$12,403
Overtime		\$0
Goods and Services		\$12,204
Professional services contracts	\$12,204	
Other	\$0	
Total		\$24,607

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.16
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.25
Students	0.00
Total	0.41

Note: Enter values to two decimal places.