

Employment and Emploi et Social Development Canada Développement social Canada

Canada

Annual Report on the Administration of the Access to Information Act and the Privacy Act

Employment and Social Development Canada 2019 to 2020

Annual Report on the Administration of the Access to Information Act and the Privacy Act

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1. Introduction

Presentation of the Report

Section 94 of the Access to Information Act and Section 72 of the Privacy Act requires the head of a federal institution to submit an annual report to Parliament on the administration of each Act following the end of every fiscal year. Employment and Social Development Canada (ESDC) is pleased to present to Parliament its integrated annual report on the administration of the Access to Information Act and the Privacy Act for the 2019 to 2020 fiscal year.

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution. With respect to fees collected under the *Access to Information Act*, the information is reported in accordance with the requirements of section 20 of the *Service Fees Act*, in section 6 of this report.

About Employment and Social Development Canada

ESDC, which includes the Labour Program and Service Canada, delivers many federal programs and services. Given the broad scope of its mandate, it is amongst the largest and most decentralized federal institutions.

ESDC's programs and services play an important role in the lives of Canadians. For example, the Department provides income support to the unemployed and pension income to seniors. In addition, during the final month of the 2019 to 2020 year, ESDC was at the forefront of Canada's efforts to mitigate the social and economic impacts of the COVID-19 pandemic. This included, during March 2020 the launch of work to develop the Canada Emergency Response Benefit (CERB) and targeted support for students and seniors amongst others.

The Labour Program contributes to social and economic well-being by fostering safe, healthy, fair and inclusive work environments, and cooperative workplace relations in workplaces falling under federal jurisdiction. The Labour Program also supplies labour relations mediation services, enforces minimum working conditions, promotes decent work and fosters respect for international labour standards. As with other parts of the Department, the Labour program responded with agility and flexibility to the pandemic.

The Department's service delivery arm, Service Canada, provides Canadians with a single point of access to ESDC programs and benefits, as well as to other Government of Canada programs and services. The Department's service delivery arm, Service Canada, provides Canadians with a single point of access to ESDC programs and benefits, as well as to other Government of Canada programs and services. Although the COVID-19 pandemic had a direct impact on Service Canada's ability to provide in-person services toward the end of March 2020, online and phone services continued to provide service to Canadians.

About the Access to Information Act and the Privacy Act

The Access to Information Act provides Canadian citizens, permanent residents, and any individual or corporation present in Canada a right to access records of government institutions that are subject to the Act¹. This right is subject to limited and specific exemptions and exclusions, and in accordance with the principle that government information should be available to the public. The Government of Canada brought forth new legislative requirements under the Act in 2019 mandating departments to, among other things, proactively publish frequently requested information in an effort to further increase transparency and openness.

The *Privacy Act* protects the privacy of Canadian citizens, permanent residents and individuals present in Canada with respect to their personal information held by a federal government institution that is subject to the Act, and provides them with a right of access to that information². The *Privacy Act* sets out provisions for the collection, use, retention and disclosure of personal information by government institutions.

Personal information provisions in the *Department of Employment and Social Development Act*

In addition to the *Privacy Act*, the management of personal information by ESDC is governed by statutory obligations set out in the Department's enabling Act. The *Department of Employment and Social Development Act* (DESDA) sets out the rules that apply to personal information controlled by ESDC. These provisions set out the conditions for:

- disclosing personal information, including public interest disclosures;
- making available information contained in the Social Insurance Register;
- using personal information for internal policy analysis, research and evaluation purposes; and
- disclosing personal information for research or statistical analysis.

Where the Department delivers services to the public on behalf of other federal institutions and jurisdictions or when delivering select services for the Government of Canada, the partner's privacy regime (normally the *Privacy Act* for federal partners) would apply instead.

¹ Section 4(1) Access to Information Act and Section 2 Access to Information Act Extension Order, No. 1

² Section 12(1) Privacy Act and Section 2 Privacy Act Extension Order, No. 2

2. Organizational Structure

Corporate Secretary and Chief Privacy Officer

Employment and Social Development Canada's (ESDC) Corporate Secretariat Branch is responsible for the Department's access to information program, issuing and managing privacy management policy, the provision of privacy advice and guidance, and privacy operations in the National Capital Region. These functions are carried out by ESDC's Access to Information and Privacy Operations Division (ATIP Operations), and the Privacy Management Division (PMD).

The Branch is led by the Corporate Secretary who is ESDC's designated Chief Privacy Officer, the Department's functional authority on all privacy matters and the implementation of the privacy management framework. The Chief Privacy Officer's responsibilities include providing strategic privacy advice and recommendations, maintaining ESDC's privacy management program, and monitoring compliance to the relevant statutory obligations, policies and standards for privacy.

Access to Information and Privacy Operations Division

The Access to Information and Privacy Operations Division (ATIP Operations) is the departmental focal point for the management and processing of ESDC access to information and privacy requests. It leads and advises on the processing of all ESDC requests under the *Access to Information Act*, performs lineby-line reviews of records requested under the *Access to Information Act* and the *Privacy Act*, and delivers training and awareness sessions to departmental employees on the administration of the Acts. Approximately 22 ATIP Operations employees were dedicated to processing requests during the 2019 to 2020 fiscal year.

The day-to-day administration of the *Access to Information Act* is a collaborative endeavour between ATIP Operations and the Department's network of branch Liaison Officers. The regions also play an important role in processing the majority of privacy requests received by the Department. Finally, the Division continues to provide departmental leadership on the 2019 amendments to the *the Access to Information Act and the Privacy Act*, hereafter referred to as the 2019 ATIA amendments.

In addition to processing requests under the *Access to Information Act*, ATIP Operations is also responsible for proactively publishing briefing note titles each month. In addition, ATIP Operations reviews (to identify sensitivities such as personal information) all departmental material identified for proactive disclosure or Open Government publishing. Although not accounted for within this report's statistical information, this review function is an important and growing part of the Division's workload.

Privacy Management Division

Privacy Management Division (PMD) is the departmental focal point for privacy advice. The Division leads the horizontal implementation of departmental privacy policies and initiatives, conducts risk analysis including privacy impact assessments (PIA), and delivers privacy compliance support for ESDC's programs and services. PMD also administers legal requests for documents, deals with public interest disclosures and plays a key role in the management and prevention of privacy breaches via privacy training and awareness activities. As of March 31, 2020, PMD had a complement of 31 full-time employees.

COVID-19 Operational Impact

With the onset of the COVID-19 pandemic at the end of the 2019/2020 fiscal year, the Department redirected all available resources to deliver critical services and departmental employees were called upon to work around the clock to provide essential supports to Canadians. A consequence of this emergency response was its impact on the department's ability to process ATIP requests in a timely fashion, ultimately affecting ESDC's ability to respond to requests within the timelines mandated by the Access to Information Act and the Privacy Act. Requesters were advised of possible delays by email and through the ESDC website. ATIP staff began working remotely in March and the Department continued to process ATIP requests to the greatest extent possible. For example, working on the backlog or following up on requests where records, recommendations and approvals had already been received.

COVID-19 had a similar impact on PMD during this time frame resulting in the delay of several PIAs that were poised for end of year approvals.

3. The Privacy Management Framework and Privacy Governance in ESDC

Departmental Policy on Privacy Management

The Departmental Policy on Privacy Management sustains a robust privacy regime for the protection and judicious use of personal information by Employment and Social Development Canada (ESDC). In addition to codifying the requirements and standards for the management and protection of personal information and articulating clear and universal privacy principles, the policy sets out the Department's Privacy Management Framework, outlined below, designates the Chief Privacy Officer function, defines roles and responsibilities for personal information, and establishes the Department's privacy governance mechanisms.

Privacy Management Framework

ESDC's privacy management framework sets out the manner in which the Department organizes itself through structures, policies, systems and procedures to identify privacy responsibilities, coordinate privacy work, manage privacy risks and ensure compliance with privacy legislation. It also promotes a proactive approach for the management of privacy by fostering its integration into the program, system, and business process design. The privacy management framework consists of five elements:

- Governance and Accountability: Roles and responsibilities for privacy are clearly defined;
- Stewardship of Personal Information: Appropriate privacy protections are implemented to properly manage personal information throughout its life cycle;
- Assurance of Compliance: Formal processes and practices are in place to ensure adherence to privacy specifications, policies, standards and laws;
- Effective Risk Management: Structured and coordinated risk identification and assessments that are conducted to limit the probability and impact of negative events; and
- **Culture, Training and Awareness:** Privacy training and awareness activities that sustain a privacy-aware organization that values the protection and stewardship of personal information.

Privacy Governance at ESDC

The Department's primary governance body for privacy is the director general-level Data and Privacy Committee. It is Co-chaired by the Chief Privacy Officer and the Chief Data Officer. The Data and Privacy Committee oversees the stewardship and management of data and the protection of personal information across the Department. The Committee supports the integration of data management, privacy, and security. It also monitors ESDC's personal information risk management processes. The Data and Privacy Committee reports to the Assistant Deputy Minister-level Corporate Management Committee.

4. Delegations

Section 73 of both the *Access to Information Act* and the *Privacy Act* empower the head of an institution to delegate any of the powers, duties or functions assigned to him or her by these Acts to employees of that institution.

The Minister of Employment, Workforce Development and Disability Inclusion is the Minister responsible for the purposes of the Access to Information Act, the Privacy Act, and the Department's enabling legislation—the Department of Employment and Social Development Act.

To support the effective and efficient administration of the *Access to Information Act*, certain delegation authorities were extended to ATIP Operations team leads in March 2020.

The approved Delegation Orders are reproduced in Annex A.

5. Policies, Guidelines, Procedures and Initiatives

Access to Information Activities and Initiatives

Throughout the 2019 to 2020 reporting period, ESDC sought to implement the 2019 ATIA amendments:

- ATIP Operations continued to lead a departmental Working Group that raised awareness about proactive publication, and developed new business processes, tools, and departmental training as part of ESDC's readiness strategy to the 2019 ATIA amendments. Up until the announcement of the public health emergency in March 2020, the Department was consistently meeting its proactive publication legislative deadlines each month.
- ATIP Operations developed an operational guide to ensure ATIP analysts had clear and sound guidelines for effective administration of the new section 6.1 of the Act, which provides that institutions may seek the Information Commissioner's written approval to decline to act on an access request if the request is considered frivolous or vexatious. The guide ensures consistent decision-making by ESDC and supports the department's commitment to provide reasonable access to departmental records.

ESDC launched its ATIP modernization initiative during the reporting year and began exploring options for creating a paperless office (e-post, digital signatures, etc.). This work was given increased priority following the announcement of the global pandemic.

Privacy Activities and Initiatives

During the 2019 to 2020 fiscal year, ESDC continued to advance a proactive, risk-based approach to privacy management. The Department undertook several personal information management initiatives in support of its program and service delivery activities and adapting to the needs of the changing privacy environment.

ESDC reached the mid-point of implementing its Three-year Privacy Management Road Map that is designed to sustain a rigorous privacy regime during a period of change and transformation. Over the course of the reporting period, the Department:

- designated the Privacy Management Division as ESDC's privacy center of expertise and privacy policy authority, which means ESDC now has a single window to access privacy analysis and advice;
- continued to improve its privacy analysis and risk assessment tools that can be tailored to the scope and a scale of an initiative and its initial estimated level of risk;

- tested streamlined governance processes for privacy impact assessments for lower-risk initiatives;
- established the systematic monitoring of PIA action plans; and
- began providing privacy advice and support for the implementation of the new service delivery provisions in the *Department of Employment and Social Development Act*.

Specialized privacy advisory services were provided for:

- Justice Canada-led *Privacy Act* modernization activities, including conducting broad consultations within the ESDC and sharing the analysis and results;
- advanced data processing, automated decision-making and artificial intelligence policies, processes and activities; and
- the addition of the Transportation Safety Board to the *Department of Employment and Social Development Regulations*.

At the end of the 2019 to 2020 fiscal year, the response to COVID-19 emergency included:

- the provision of privacy advice and analysis for key initiatives of Canada's COVID-19 Economic Response Plan;
- supporting the accelerated transformation of ESDC's service delivery channels; and
- transforming PMD into a fully functioning telework team that provided timely privacy advice and analysis to a wide range of departmental and interdepartmental clients and stakeholders.

ESDC completed nine privacy impact assessments, copies of which were provided to the Treasury Board Secretariat, and to the Office of the Privacy Commissioner. Information on these assessments can be found in Annex B and on ESDC's privacy impact assessments website.

6. Performance Reporting

The following section provides key statistics and analysis on Employment and Social Development Canada's (ESDC) accomplishments in the previous four fiscal years and how the Department contributed to the Government's agenda in terms of Access to Information and Privacy. Figures 3 through 5 display a four-year comparison to highlight *Access to Information Act and the Privacy Act* performance trends. Detailed Statistical Reports for both Acts are found in Annex C.

Requests and Consultations: Total Volume

During the 2019 to 2020 fiscal year, ESDC experienced a sizable increase (21%) in combined access to information and privacy requests from 14,347 requests in the 2018 to 2019 fiscal year to 16,801 in the 2019 to 2020 reporting period. During the 2019 to 2020 fiscal year, access to information requests were stable while *Privacy Act* access requests continued to increase, as they have consistently since the 2015 to 2016 reporting period. Consultations requests also increased year over year.



Figure 1: Access to Information Act (ATIA) and Privacy Act Requests - Total Volume Received

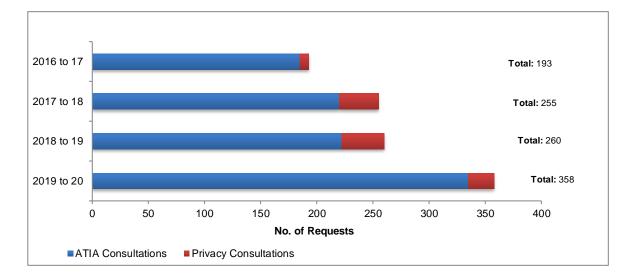


Figure 2: Access to Information Act and Privacy Act Consultation Requests – Total Volume Received

Figure 3: Summary of Requests under the Access to Information Act

Activity	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Formal requests received under the Access to Information Act	2,268	1,942	1,409	1,396
Requests completed during the reporting period ³	2,276	1,899	1,509	1,302
Number of pages processed	438,368*	970,992*	118,818	133,982
Number of requests completed within legislated timeframes (including extensions)	1,748	1,567	1,305	1,094
Number of requests completed beyond legislated timeframes	528	332	204	208
Proportion of requests that were responded to within legislated timeframes	77%	83%	87%	84%
Complaints to the Information Commissioner	23	40	35	52

* Table note: Includes exceptionally large requests containing a very high number of fully released pages

³ Higher requests completed than received is explained by requests received in one fiscal year, then carried over and completed during the next fiscal year.

Figure 4: Summary of Requests under the Privacy Act

Activity	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Formal requests received under the Privacy Act	8,353	8,852	12,678	15,405
Requests completed during the reporting period	8,510	8,817	12,260	15,004
Number of requests completed within legislated timeframes (including extensions)	8,439	8,728	12,137	14,949
Number of requests completed beyond legislated timeframes	71	89	123	55
Proportion of requests that were responded to within legislated timeframes	99%	99%	99%	99%
Public interest disclosures	300	329	261	419
Material privacy breaches ⁴	141	128	74	210
Complaints to the Privacy Commissioner	22	29	9	16

The Commissioner report's findings and may make recommendations. As demonstrated in Figure 5, sixteen complaints were made to the Privacy Commissioner during the 2019 to 2020 fiscal year, an increase from the previous year when nine complaints were received although lower than the average for the preceding four years. The number of material privacy breaches increased during the reporting period from 74 in 2018 to 2019 to 210 in 2019 to 2020. The increase, which is evaluated in depth in section 10 of this report, is largely attributable to increased numbers of passports lost in the mail, and a new project to better detect unauthorized views of client information by ESDC employees in 2019.

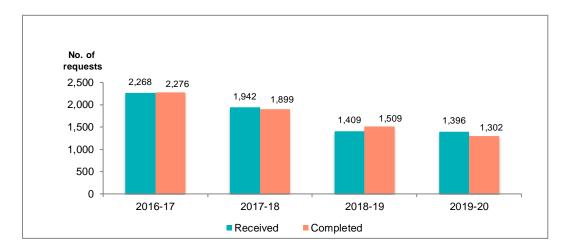
Total Requests Received and Completed

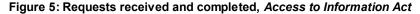
Access to Information Act

During the 2019 to 2020 fiscal year, ESDC received 1,396 requests under the Access to Information Act, a 1% decrease from the previous fiscal year when the Department received 1,409 requests. This is the third time in recent years that ESDC has observed a decrease in the number of requests received. This decrease can be explained, in part, by new business processes which convert, with the consent of the client, erroneously submitted Access to Information Act requests into more accurate Privacy Act access requests.

⁴ Further explanation on material privacy breaches is located in section 10.

There was a reduction in the number of requests closed during the reporting period from 1509 in 2018 to 2019 to 1302 in 2019 to 2020. This reduction is largely due to the initial impact of the COVID-19 pandemic, which resulted in the delay of ATI activities in the final month of the fiscal year.



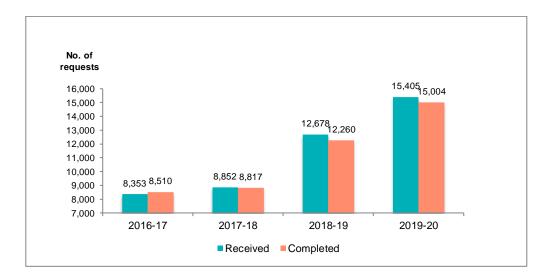


Privacy Act

During the 2019 to 2020 fiscal year, ESDC received 15,405 formal requests under the *Privacy Act*, an 18% increase from the previous fiscal year when the Department received 12,678 requests. This is the third consecutive yearly increase in the number of requests received and reflects the increasing importance Canadians attach to information covered by the *Privacy Act* as well as new business processes, which convert, with the consent of clients, erroneously submitted *Access to Information Act* requests into more accurate *Privacy Act* access requests.

There was a similar increase in the number of requests closed during the reporting period from 12,260 in 2018 to 2019 to 15,004 in 2019 to 2020. This increase represents a continuing achievement for ESDC and a compliance rate of over 99%. (this figure includes 96% of requests closed within 30 days and a further 3% closed within 60 days after an extension was sought).

Figure 6: Requests received and completed, Privacy Act



Requests by Calendar Days taken to Complete

Access to Information Act

During the 2019 to 2020 fiscal year, ESDC processed 52% (673) of all requests (1,302) completed under the *Access to Information Act* within the first 30 days of receipt, slightly down from last year when ESDC processed 57% (866) of all requests (1,509) under the Act within 30 days.

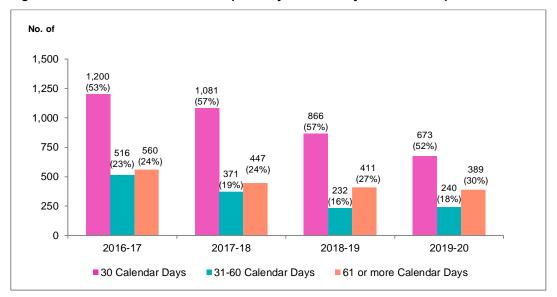


Figure 7: Access to Information Act requests by calendar days taken to complete

Privacy Act

During the 2019 to 2020 fiscal year, ESDC processed 96% (14,613) of all requests (15,004) completed under the *Privacy Act* within the first 30 days of receipt. This represents a small decrease from last year when ESDC processed 97% (11,832) of all requests (12,260) under the Act within the first 30 days of receipt. Of note, the Department received 2,744 more requests than in the previous fiscal year.

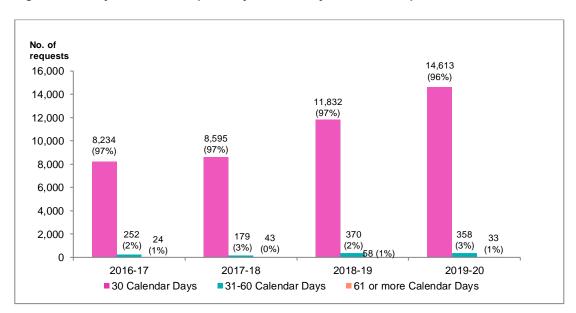


Figure 8: Privacy Act Access requests by calendar days taken to complete

Timeframes

Access to Information Act

During the 2019 to 2020 fiscal year, the Department met legislated timelines for 1,094 requests under the *Access to Information Act*, with a compliance rate of 84%. This represents a decrease of 3 percentage points compared to the Department's 2017 to 2018 compliance rate (87%). As noted earlier in the document, the impact of COVID-19 at the end of the reporting period, as well as the allocation of additional resources in support of proactive publication efforts, affected the Department's capacity to meet legislated timelines under the *Access to Information Act* during the year.

Institutions may apply for an extension beyond the original 30-day statutory timeframe in cases where meeting the statutory date is not feasible due to the volume of pages to be processed; where consultation is required that could not reasonably be conducted within the initial 30 days; or where notice is given to a third party. During the 2019 to 2020 fiscal year, ESDC requested 484 extensions.

ESDC was unable to meet legislated timelines for 208 requests during the fiscal year, almost exactly the same as the number for the previous year (204).

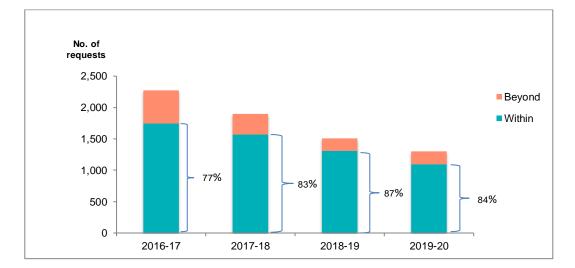


Figure 9: Number of requests processed within and beyond legislated timeframes, *Access to Information Act*

Privacy Act

During the 2019 to 2020 fiscal year, ESDC met legislated timelines for 14,949 requests, which represents a 99% compliance rate and similar to the previous two fiscal years. ESDC was unable to meet legislated timelines for 55 requests during the fiscal year, which represents a non-compliance rate of less than half of one percent.

Institutions may apply for an extension beyond the original 30-day statutory timeframe in cases where meeting the statutory date is not feasible due to the volume of pages to be processed; where consultation is required that could not reasonably be conducted within the initial 30 days; or for translation purposes or to convert a record to another format. During the 2019 to 2020 fiscal year, ESDC requested 260 extensions. This represents an increase from the last fiscal year, when ESDC requested 128 extensions.

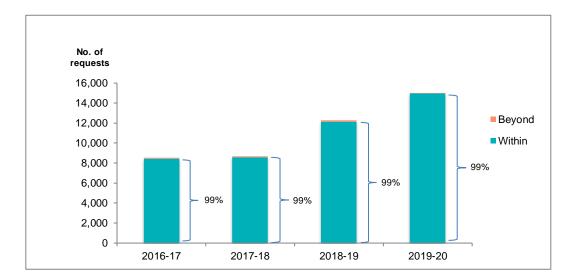


Figure 10: Number of requests processed within and beyond legislated timeframes, Privacy Act

Timeframe Monitoring

Access to Information Act

Except in certain circumstances, which allow for extensions, the *Access to Information Act* contains a statutory timeline of 30 calendar days (about 20 working days) to provide responses to requests. Given the legislated timeframes and ESDC's commitment to respecting both the letter and spirit of the *Access to Information Act*, the Department continues to follow an established process and defined responsibilities as outlined in Figure 11.

Figure 11: ESDC's Timeframe Monitoring – Goal-based Strategies to respect ESDC's Process and Commitments

Roles and Responsibilities	Description
Retrieval of Relevant Records and Formulation of Recommendations	Once a request is received, it is tasked to the relevant Branches and/or regions, the Offices of Primary Interest (OPI). The OPIs have eight working days to retrieve all responsive records and present them, along with any recommendations, to ATIP Operations.
Line-by-line Review of the Responsive Records	ATIP Operations has eight working days to complete a thorough line-by-line review of the records and to invoke any applicable exemptions and/or exclusions.
Advance Release Notice	Key stakeholders receive a notification that the release package has been posted electronically on a secure internal website at least four working days prior to the scheduled release date. This mechanism allows all implicated parties to provide final comments prior to release.

In support of timeframe monitoring, ATIP Operations provides a weekly report to senior management and the ministerial level. Additionally, a quarterly report capturing key ATIP processing performance indicators is also shared with senior management; including, all Deputy Ministers, and the Assistant Deputy Ministers. These reports continue to position Branches and regions to monitor access to information requests.

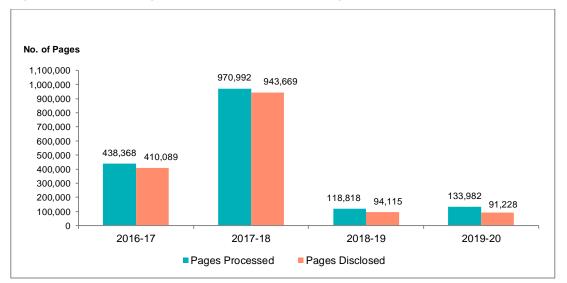
Privacy Act

ESDC's regional offices manage the majority of the privacy request workload and prepare weekly reports concerning new requests, workload and status for the tracking of on-time performance for privacy requests. Regional offices also produce performance reports on a monthly, quarterly and yearly basis.

Pages Processed and Disclosed

Access to Information Act

During the 2019 to 2020 fiscal year, the Department experienced a 13% year-over-year increase in terms of total number of pages of documents processed and disclosed for requests under the *Access to Information Act* (please refer to Figure 12).





Privacy Act

The total number of pages processed and disclosed for privacy requests increased during the 2019 to 2020 fiscal year. During this reporting period, 1,259,755 pages were processed for exemptions and exclusions, which represents an increase of 29% from the previous fiscal year when 979,247 pages were processed. A total of 1,208,351 pages were disclosed, which is an increase from the previous year when 934,672 pages were disclosed.

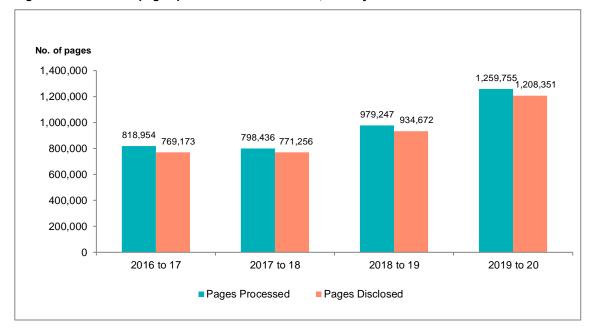


Figure 13: Number of pages processed and disclosed, Privacy Act

Source of Requests Under the Access to Information Act

During the 2019 to 2020 fiscal year, the most common source of requests under the *Access to Information Act* was from media (584), followed by the general public (374) and business/private sector (315). This trend continued from the previous fiscal years, where media was the main source of requesters. Lists of briefing notes and briefing note documentation have been the most common type of departmental material requested.

Source	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Media	670 (30%)	649 (33%)	429 (30%)	584 (42%)
Academia	22 (1%)	39 (2%)	26 (2%)	28 (2%)
Business/Private Sector	438 (19%)	357 (18%)	332 (24%)	315 (22%)
Organization	113 (5%)	124 (6%)	140 (10%)	50 (4%)
Public	580 (26%)	611 (31%)	350 (25%)	374 (27%)
Decline to Identify	445 (20%)	162 (8%)	132 (9%)	45 (3%)

Exemptions and Exclusions

ESDC is one of the largest holders of personal information in the Government of Canada, which affects the frequency in which exemptions and exclusions are applied under the *Access to Information* and *Privacy Acts*.

Access to Information Act

Exemptions

The Access to Information Act allows, and in some instances requires, that information relating to the internal decision-making processes of government, national security, law enforcement or trade secrets be exempted and not released.

The following table (Figure 15) outlines the most frequently invoked exemptions during the past four fiscal years. Due to the nature of ESDC's mandate, most of the information under the Department's control contains personal information about individuals and must be withheld under the mandatory exemptions set out in section 19 (Personal Information) unless certain conditions are met. Section 21 (Advice) was the most frequently applied exemption for the 2019 to 2020 fiscal year, and it continues to represent an important percentage of the total being applied in 300 instances.

Section	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
s. 19 - Personal information	501 (23%)	385 (27%)	306 (25%)	249 (23%)
s. 16 - Law enforcement and investigations	269 (13%)	149 (10%)	160 (13%)	127 (12%)
s. 20 - Third party information	229 (11%)	152 (11%)	164 (13%)	180 (17%)
s. 21 - Advice and recommendations	658 (31%)	362 (25%)	304 (25%)	300 (28%)
s. 24 - Statutory prohibitions against disclosure	186 (9%)	149 (10%)	84 (7%)	75 (7%)

Figure 15: Number of Requests and Percentage of Total Exemptions*

* Figures are rounded for readability purposes

Exclusions

The Access to Information Act does not apply to information that is already publicly available, such as government publications (section 68), and confidences of the Queen's Privy Council for Canada (section 69), which require consultation with the Department of Justice. During the 2019 to 2020 fiscal year, ESDC excluded records based on section 69 for 102 requests.

Privacy Act

Exemptions

The *Privacy Act* recognizes that individuals value their privacy and the protection of their personal information, and that this protection is an essential element in maintaining public trust in government. Although the *Privacy Act* provides individuals with an enforceable right of access to their personal information, there are instances, where certain limited and specific exemptions can be applied.

Due to the nature of ESDC's mandate and its personal information holdings, the exemption under the *Privacy Act* that was applied most frequently is section 26, which protects personal information about another individual as defined by section 3 of the *Privacy Act*. This exemption occurred in 9,812 instances of completed requests during the 2019 to 2020 fiscal year. This represents an increase of 1,730 instances when compared to last fiscal year.

Section	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
s. 22 - Law enforcement and investigation	47 (0.8%)	101 (1.7%)	61 (0.7%)	56 (0.6%
s. 26 – Information about another individual	5,977 (97.7%)	5,898 (96.7%)	8,082 (98.1%)	9,812 (98.7%)
s. 27 – Solicitor-client privilege	91(1.5%)	81 (1.3%)	72 (0.9%)	63 (0.6%)

Figure 16: Number of Requests and Percentage of Total Exemptions

Exclusions

The *Privacy Act* allows for the exclusion of certain types of information such as records that are already available to the public (section 69) and confidences of the Queen's Privy Council for Canada (section 70). During the 2019 to 2020 fiscal year, ESDC did not exclude any records for requests under the *Privacy Act*.

Consultations received from other Government of Canada Institutions and Other Organizations

Access to Information Act

During the 2019 to 2020 fiscal year, ESDC received 309 external consultation requests, which originated from other Government of Canada institutions and organizations that required a review of an additional 10,823 pages. This represents an increase in the number of consultation requests compared to the previous fiscal year (222) but is a significant reduction in the number of pages reviewed in the 2018 to 2019 fiscal year 15,299.

The Department closed 291 requests⁵ for consultations of which 170 (58%) were completed within 30 days. Three quarters of those completed (219) resulted in a recommendation to disclose the records in their entirety and 57 (20%) recommended to disclose in part.

Figure 17: Consultation Requests Received from Other Government of Canada Institutions and Other Organizations – Access to Information Act

Types of consultation	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Consultations requests received under the Access to Information Act	185	220	222	309
Additional pages reviewed under the Access to Information Act	7,301	7,908	15,564	10,823
Access to Information Act Requests for Consultations Closed	171	210	223	291
Access to Information Act Requests for Consultations Closed within 30 days	116	124	141	170

Privacy Act

ESDC received 20 external consultation requests during the 2019 to 2020 fiscal year, which originated from Government of Canada institutions and other organizations, requiring a review of 3,137 additional pages. This represents an increase from the previous fiscal year when ESDC reviewed 1,549 pages.

The Department closed 21 requests for consultations of which 18 (86%) were completed within 30 days. Of the total number of requests for consultation, 14 (67%) resulted in a recommendation to disclose the records entirely and 3 (14%) recommended the consulting institution or organization disclose the information in part.

⁵ The total number of requests received and the total number of requests completed will not necessarily be the same in a given fiscal year, as the total requests completed includes files received from previous fiscal years.

Types of consultation	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Consultations requests received under the Privacy Act	8	35	38	20
Additional pages reviewed under the Privacy Act	132	5,355	1,578	3,137
Privacy Act Requests for Consultations Closed	8	34	36	21
<i>Privacy Act</i> Requests for Consultations Closed within 30 days	7	29	36	18

Figure 18: Consultation Requests Received from Other Government of Canada Institutions and Other Organizations – Privacy Act

Requests for the Correction of Personal Information under the Privacy Act

Under the *Privacy Act*, individuals have a right to request the correction of erroneous personal information pertaining to them that is retained by a government institution, provided that the individual can adequately substantiate the request. ESDC accepted one request for correction of personal information during the 2018 to 2019 fiscal year.

Reporting on Access to Information fees for the purposes of the Service Fees Act

In 2017, the Government of Canada introduced the *Service Fees Act*, which replaced the *User Fees Act*. All government departments and agencies that charge fees for services are subject to this legislation, including ESDC.

The Service Fees Act requires a responsible authority to report annually to Parliament on the fees collected by the institution. Consistent with Treasury Board policy, fees charged pursuant to the Access to Information Act are to be reported in the Access to Information Annual Report. Consequently, ESDC is reporting these fees in this consolidated report.

With respect to fees collected under the *Access to Information Act*, the information is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

General fees information

Figure 19 provides information on the fees for processing requests filed under the Access to Information Act.

Figure 10: Information on foos for Processing	a Paguaste Filad under the Access to Information Act
Figure 19. Information on lees for Processing	g Requests Filed under the Access to Information Act

Category	Details		
Fee-setting authority	Access to Information Act		
Fee Amount	\$5		
Service standard	Response provided within 30 days following receipt of a request; the response time may be extended pursuant to section 9 of the <i>Access to Information Act.</i> Notice of extension is to be sent within 30 days after receipt of the request.		
Performance results	 Total requests received: 1,396 Total requests completed: 1,302 ⁶ Requests responded to within 30 days: 1,094 Requests completed within prescribed time limits of extensions: 484 Requests responded to after deadline: 208 Statutory deadline met 84% of the time 		
Other information	In accordance with the Interim Directive on the Administration of the <i>Access to Information Act</i> , issued on May 5, 2016, and the changes to the <i>Access to Information Act</i> that came into force on June 21, 2019, ESDC 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.		

Figure 20 is a summary of the financial information for all *Access to Information Act* fees under the Department's authority.

Figure 20: Financial information (dollars)

2018 to 2019 Revenue	2019 to 2020 Revenue	2019 to 2020 Total Cost of Operating the Program ⁷	2019 to 2020 Remissions ⁸
\$ 5,360.00*	\$ 4,400.00	\$1,823,908	\$ 2,110.00

*Based on total requests received during the 2018 to 2019 fiscal year minus remissions

⁶ The total number of requests received and the total number of requests completed will not necessarily be the same in a given fiscal year, as the total requests completed includes files received from previous fiscal years.

⁷ The amount includes direct and indirect costs, where such costs are identifiable and material.

⁸ A remission is a waived, partial or full return of a fee paid.

7. Complaints, Investigations and Court Actions

Access to Information Act

Individuals are entitled under the *Access to Information Act* to file a complaint related to their request for a record with the Office of the Information Commissioner (OIC).

During the 2019 to 2020 reporting period, the Department was notified by the OIC of 52 access complaints and carried over 21 complaints from the previous fiscal year. The OIC closed 56 complaints and found 12 to be well founded. There were no court actions during the reporting period. Please refer to Figure 21 for more information about the complaints.

Privacy Act

Requesters who are not satisfied with how their privacy request was processed are entitled to file a complaint with the Office of the Privacy Commissioner (OPC).

During the 2019 to 2020 reporting period, the Department was notified by the OPC of 16 privacy complaints and carried over 7 complaints from the previous fiscal year. The OPC closed 26 complaints of which 10 were determined to be well founded. There were no court actions during the reporting period. Please refer to Figure 21 for more details about the complaints.

Figure 21: Complaints, Investigations and Court Actions, 2019 to 2020

	Access to Information Act	Privacy Act
Complaints		
Total complaints received	52	16
Denied access	12	6
Unreasonable time extension	4	0
Processing delays	27	3
Improperly applied exemptions	9	0
Collection	NA	0
Use and disclosure / Retention and disposal	NA	7
Investigations		
Total findings received	56	26
Well-founded	12	10
Not well-founded	14	6
Complaints resolved during investigation	1	0
Discontinued	29	10
Court Actions		
Number of court actions	0	0

Note: The total number of notifications of complaints received and the total number of investigations with findings received will not necessarily be the same in a given fiscal year. Investigations could relate to complaints that were received by the Office of the Privacy Commissioner in a fiscal year prior the 2019 to 2020 reporting period.

8. Internal Audits

Access to Information-related Audits

Audit of the Access to Information Process

A 2016 to 2017 internal audit of the Access to Information process concluded that Employment and Social Development Canada's (ESDC) access to information function complies with the Access to Information Act (ATIA). It also identified opportunities to improve oversight, address timeliness of responses and skills shortages, enhance data integrity, and address training gaps to increase compliance and respond to requests in a more efficient manner.

ATIP Operations completed and closed the management action plan for this audit and continues to actively engage ESDC senior management, increase access to information capacity (e.g., delegating additional authorities and duties to ATIP Operations staff), take steps to ensure complete and accurate performance reporting, update e-learning solutions, (such as ESDC's "Access and Privacy is Everybody's Business" online training) and explore modernization initiatives to create a "paperless" office.

Privacy-related Audits

In 2018 to 2019, the audit of the management and implementation of select privacy impact assessments (PIA) identified the requirement to improve privacy impact assessment controls in order to achieve the thorough identification and consistent assessment of risks to personal information in the PIA process. It also noted that the Department needed to regularly follow-up on the mitigation activities identified in PIAs. As anticipated in last year's annual report, ESDC completed and closed the management action plan for this audit in 2019 to 2020.

9. Public Interest Disclosures

Disclosures in the public interest are made by Employment and Social Development Canada's (ESDC) under section 37(1) of the *Department of Employment and Social Development Act* (DESDA) instead of under section 8(2) (m) of the *Privacy Act*. Disclosures made under this provision are reported to the Office of the Privacy Commissioner (OPC).

During the 2019 to 2020 fiscal year, the Department disclosed personal information in the public interest in 419 instances. ESDC processed 392 public interest disclosures in the regions, which mostly involved incidents involving individuals who threatened to harm themselves or others. In instances where there is an imminent threat to the safety and security of individuals, employees have the delegated authority to make the disclosures. Given the urgency of these situations, the OPC is informed after the disclosure is made.

The Privacy Management Division (PMD) approved the disclosure of personal information in an additional 27 cases. The OPC was informed with a letter prior to the disclosure in 21 instances, and by letter after the disclosure in 6 occasions.

Reason for Disclosure	Number of Disclosures
Regional disclosures	392
NHQ disclosures	
Locate an individual/next of kin	7
Fraud/suspected elder abuse	6
Assault	1
Missing person	8
Other	5
Subtotal	27
TOTAL	419

Figure 22: Reason for Disclosure

10. Material Privacy Breaches

A privacy breach is defined by the Treasury Board Secretariat (TBS) guidance as the "improper unauthorized collection, use, disclosure, retention or disposal of personal information" and material privacy breach is defined as one "that involves sensitive personal information and could reasonably be expected to cause injury or harm to the individual and/or to a significant number of individuals."

During the 2019 to 2020 fiscal year, the Department reported 210 material breaches, a significant increase on the previous year, to the Office of the Privacy Commissioner (OPC) and to TBS (please refer to Figure 23). These breaches were mostly the result of operational errors resulting in personal information lost in transit in the postal system or sent to the wrong person. Compared to the millions of transactions processed by ESDC each year, the incident rate is, statistically, very small.

The vast majority of these incidents (170 cases of the 210 cases) involved lost or misdirected passports of which Canada Post Corporation took responsibility for 143 breaches. Of note, in previous fiscal years, lost passports were not automatically considered a material privacy breach and would only be included in the total number when the loss also included supporting documents, such as a birth certificate. Following discussions with Immigration, Refugees and Citizenship Canada and Global Affairs Canada, and in consultation with the Office of the Privacy Commissioner, it was agreed that any lost passport should be considered a material breach due to the sensitivity of the document itself. This change in reporting methodology was almost entirely responsible for the increase in material privacy breaches reported by the Department. In addition, the unauthorized access by ESDC employees of personal information stored in departmental systems accounted for 19 incidents. These cases were identified as a result of the Department's newly implemented Audit Log Monitoring initiative to detect the unauthorized accesses of personal information in ESDC's electronic data holdings by ESDC employees. It is expected that additional incidents of this type will continue to be detected during the 2020 to 2021 fiscal year as this project expands in scope.

The Department continues to explore ways to reduce privacy breaches. Through ESDC's privacy training and awareness activities, employees are informed and trained in the handling of personal information, including appropriate use and safeguarding protocols.

No. of Material Breaches	Summary and nature of Information breached	Communication and notification	Actions undertaken in response
5	Documents containing personal information of clients were lost or stolen.	When possible, personal letters were sent to affected individuals informing them of the breach.	 Reminded employees of the importance and sensitivity of dealing with personal information.

Figure 23: Material Breaches

No. of Material Breaches	Summary and nature of Information breached	Communication and notification	Actions undertaken in response
16	Personal information incorrectly shared with third party individuals, via telephone, e-mail, or mail.	When possible, personal letters were sent to affected individuals informing them of the breach.	 Provided training to employees on proper procedures and best practices for handling personal information. Specifically focused on:
			 Mailing procedures
			 Indexing procedures
			 Authentication process when on a call with a client
			 Reminded of the importance and sensitivity of dealing with personal information.
			 Reminded employees of the security requirements when sending or carrying personal information.
			• Modified procedures as needed.
19	Employees who made unauthorized accesses in Departmental systems to client information (mostly discovered as part of internal audits	When possible, personal letters were sent to affected individuals informing them of the breach.	Reliability status was revoked in some cases which resulted in dismissal of the employee as maintaining reliability status is a condition of employment.
	conducted on the Departmental systems).		 Employees were reminded they should not access information they are not authorized to access.
			Employees were reminded to review the ESDC Code of Conduct.
			Some employees were instructed to re-take training courses.
143	Passports lost, stolen, or misdirected, where Canada Post Corporation was responsible for the breach.	When possible, personal letters were sent to affected individuals informing them of the breach.	 Individuals were asked to re- submit their applications and in some cases the cost of new documents, pictures and postage was reimbursed.
			 In accordance with standard procedures, passports were cancelled and new passports were issued at no charge.
			Searches were conducted by Canada Post Corporation in order to locate the documents.

No. of Material Breaches	Summary and nature of Information breached	Communication and notification	Actions undertaken in response
27	Passports lost, stolen, or misdirected, as a result of an internal error.	When possible, personal letters were sent to affected individuals informing them of the breach.	 Individuals were asked to re- submit their applications and in some cases the cost of new documents, pictures and postage were reimbursed.
			 In accordance with standard procedures, passports were cancelled and new passports issued at no charge.
			 Internal corrective measures were taken, including reminding employees of the importance of protecting personal information and the procedures for mailing.
	of Material Breaches: 210		• Thorough searches of the office and mailroom were conducted to locate the documents.

11. Training and Awareness Activities

Privacy and Access to Information Training

ESDC has a comprehensive and mandatory training program to increase knowledge and awareness of the stewardship of information. All employees are required to maintain valid certification in the Stewardship of Information and Workplace Behaviours (SIWB), which addresses privacy, the handling of personal information, access to information, information management, security and values and ethics. Delivered online, SIWB certification is valid for two years. At the end of the 2019 to 2020 fiscal year, 25,961 individuals, representing 82% of the total workforce, held a valid SIWB certification. The SIWB training was updated during the reporting period to align with the 2019 ATIA amendments.

In addition to online training and certification, ESDC undertook a number of in-person and online privacy training sessions and activities. ESDC delivered 13 in-person sessions to 313 employees during the 2019 to 2020 fiscal year. Further to this, departmental governance structures were utilized to engage senior management at the Assistant Deputy Minister level and above on privacy and access to information and to maintain the high profile and importance of these issues within the organization.

Access to Information Awareness

In terms of training to non-ATIP employees, ESDC delivered 10 in-person ATIP training sessions throughout the reporting period to 211 participants. The Department also continued to take advantage of opportunities (e.g., during ATIP training) to raise awareness with respect to the requirements of the 2019 amendments to ATIP and its implications for the Department's proactive disclosure and access to information activities. Although ESDC was not able to increase the number of ATIP training sessions in the 2019 to 2020 fiscal year as anticipated, employees were encouraged to pursue departmental ATIP training online.

Privacy Awareness

Throughout the reporting period, the Department continued to provide practical, easy-to-understand, and readily available privacy information and guidance to employees to reinforce the application of appropriate personal information handling and safeguarding practices. These activities included organizing various privacy-themed information events such as Privacy Awareness Week during May 2019, a "Data Privacy Day" in January 2020, and a series of specialized knowledge talks.

Annex A: Delegation Orders

Minister of Employment and Social Development

Access to Information Act and Regulations: Delegation of Authority Department of Employment and Social Development

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information

En vertu de l'article 95 de la Loi sur l'accès à l'information (la Loi), la ministre de l'Emploi et du Développement social délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont elle est, en qualité de responsable d'une institution fédérale, investie par les dispositions de la Loi et du Règlement sur l'accès à l'information (le Règlement) mentionnées à l'annexe en regard de chaque poste.

Le présent arrêté remplace et annule tout arrêté antérieure portant sur la délégation d'attributions conférées au ministre de l'Emploi et du Développement social au titre de la Loi et du Règlement.

Daté, à la Ville de Gatineau, ce _____jour de _____

2020.

Access to Information Act Delegation Order

The Minister of Employment and Social Development, pursuant to section 95 of the Access to Information Act (the Act), hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Minister as the head of a government institution, under the provisions of the Act and the Access to Information Regulations (the Regulations) set out in the schedule opposite each position.

This order replaces all previous orders pertaining to the delegation of powers, duties or functions conferred on the Minister of Employment and Social Development under the Act and the Regulations.

Dated, at the City	of Gatin	eau, this	
12	day of	Mah	
2020.			

Ministre de l'Emploi et du Développement social / Minister of Employment and Social Development

Access to Information Act

Department of Employment and Social Development

Access to	Information Act –	Delegated Authorities

Description	Section	Delegated Authority
Description	Section	Delegated Authority
Responsibility of government institutions	4(2.1)	 Deputy Minister, Employment and Social Development Canada (ESDC)
		Deputy Minister, Labour
		 Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, Access to Information and Privacy (ATIP) Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ
		 ATIP Analyst, Request Processing Unit, ATIP Operations NHQ Public Rights Advisor, Request Processing Unit, ATIP Operations NHQ
		 ATIP Program Officer, Request Processing Unit, ATIP Operations, NHQ
		Junior Analyst, Request Processing Unit, ATIP Operations, NHQ
Reasons for declining to	6.1(1)	Deputy Minister, ESDC
act on request		Deputy Minister, Labour
		 Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
Notice – suspension	6.1(1.3)	Deputy Minister, ESDC
		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
Notice – end of	6.1(1.4)	Deputy Minister, ESDC
suspension		Deputy Minister, Labour
		 Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
Notice (written notice for	6.1(2)	Deputy Minister, ESDC
declining to act on a request)		Deputy Minister, Labour

Description	Section	Delegated Authority
		 Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Notice where access requested / Giving access to record	7	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Transfer of request to another government institution	8(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Extension of time limits	9	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Notice where access refused	10	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Application fee waiver	11(2)	Deputy Minister, ESDCDeputy Minister, Labour

Description	Section	Delegated Authority
Language of access	12(2)	 Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Access to alternate format	12(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Obtained in confidence	13	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Federal-provincial affairs	14	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – International affairs and defence	15	Deputy Minister, ESDCDeputy Minister, Labour

Description	Section	Delegated Authority
		 Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Law enforcement and investigations	16	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Public Servants Disclosure Protection Act	16.5	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Safety of individuals	17	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Economic interests of Canada	18	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ

Description	Section	Delegated Authority
Refuse access – Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	18.1	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Personal information	19	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Third party information	20	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Operations of Government	21	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access – Testing procedures, tests, audits	22	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ

Description	Section	Delegated Authority
Refuse access – Audit	22.1	Deputy Minister, ESDC
working papers and draft audit reports		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access –	23	Deputy Minister, ESDC
Solicitor-client privilege		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ
Refuse access –	24	Deputy Minister, ESDC
Statutory prohibitions		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ
Severability	25	Deputy Minister, ESDC
		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary
		Director, ATIP Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ
Information to be	26	Deputy Minister, ESDC
published		Deputy Minister, Labour
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
	1	Associate Deputy Minister, ESDC

Description	Section	Delegated Authority
		 Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Third party notification	27(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Third party notification – Extension of time limit	27(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Third party notification – Notice of decision	28(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Third party notification – Waive representations in writing	28(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Third party notification – Disclosure of record	28(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary

Description	Section	Delegated Authority
		 Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Advising Information Commissioner of third party involvement	33	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Right to make representations	35(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ
Access given to complainant	37(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Review by Federal Court – government institution	41(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Review by Federal Court – government institution- Respondents	41(5)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary

Description	Section	Delegated Authority
		 Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Notice to third party (application to Federal Court)	43(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Service or notice	43(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Notice to person who requested record	44(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Special rules for hearings	52(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ
Ex parte representations (Federal Court)	52(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ

Description	Section	Delegated Authority
Transfer of request	6(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Search and preparation of fees	7(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Production and programming	7(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Providing access to records	8	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary Director, ATIP Operations NHQ Manager, Request Processing Unit, ATIP Operations NHQ Team Leader, Request Processing Unit, ATIP Operations NHQ
Limitations in respect of format	8.1	Deputy Minister, ESDCDeputy Minister, Labour

Access to Information Regulations – Delegated Authorities

Description	Section	Delegated Authority
		Senior Associate Deputy Minister and Chief Operating Officer for Service Canada
		Associate Deputy Minister, ESDC
		Corporate Secretary Director, ATIP Operations NHQ
		Manager, Request Processing Unit, ATIP Operations NHQ
		Team Leader, Request Processing Unit, ATIP Operations NHQ

Privacy Act and *Regulations:* Delegation of Authority, Department of Employment and Social Development

Arrêté sur la délégation en vertu de la Loi Privacy Act Delegation Order sur la protection des renseignements personnels

En vertu de l'article 73 de la *Loi sur la protection des renseignements personnels* (la Loi), la ministre de l'Emploi et du Développement social délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont elle est, en qualité de responsable d'une institution fédérale, investie par les dispositions de la Loi et du *Règlement sur la protection des renseignements personnels* (le Règlement) mentionnées à l'annexe en regard de chaque poste.

The Minister of Employment and Social Development, pursuant to section 73 of the Privacy Act (the Act), hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Minister as the head of a government institution, under the provisions of the Act and the Privacy Regulations (the Regulations) set out in the schedule opposite each position.

Le présent arrêté remplace et annule tout arrêté antérieure portant sur la délégation d'attributions conférées au ministre de l'Emploi et du Développement social au titre de la Loi et du Règlement.

Daté, à la Ville de Gatineau, ce jour de

2020.

This order replaces all previous orders pertaining to the delegation of powers, duties or functions conferred on the Minister of Employment and Social Development under the Act and the Regulations.

Dated, at the City	of Gatineau, this	
12	day of March	,
2020.		

Ministre de l'Emploi et du Développement social / Minister of Employment and Social Development

Privacy Act

Department of Employment and Social Development

Privacy Act - Delegated Authorities

Description	Section	Delegated Authority
Retention of a record of requests and disclosed records to investigative bodies under section 8(2)(e) of the <i>Privacy Act</i>	8(4)	 Deputy Minister, Employment and Social Development Canada (ESDC) Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP Operations, NHQ Manager, ATIP Processing, ATIP Operations, NHQ Manager, ATIP Incident Management & Legislative Disclosures, ATIP Operations, NHQ
Retention of records of uses of personal information	9(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, Privacy Management
Notification of the Privacy Commissioner of any new consistent uses of personal information and ensure use is included in next statement of consistent uses set forth in the Index	9(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, Privacy Management, NHQ
Include personal information in personal information banks	10	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, Privacy Management, NHQ
Respond to request for access within 30 days and give written notice and, if access to be given, give access	14	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP Operations, NHQ Manager, ATIP Processing, ATIP Operations, NHQ Team Leaders, NHQ Service Manager (Regional ATIP)

Description	Section	Delegated Authority
Extension of the 30 day time limit to respond to a privacy request	15	 Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP) Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC
		 Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Decision on whether to translate a response to a privacy request in one of the two official languages	17(2)(b)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Decision on whether to convert personal information to an alternate format	17(3)(b)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ

Description	Section	Delegated Authority
Decision to refuse to disclose personal information contained in an exempt bank	18(2)	 Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP) Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP Operations, NHQ
Decision to refuse access to personal information that was obtained in confidence from the government of a foreign state or institution, an international organization of states or an institution thereof, the government of a province or institution thereof, a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government, or the council, as defined in the Westbank First Nation Self- Government Agreement given effect by the Westbank First Nation Self-Government Act or the council of a participating in First Nation as defined in the First Nations Jurisdiction over Education in British Columbia Act	19(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Authority to disclose personal information referred to in 19(1) if the government, organization or institution described in 19(1) consents to the disclosure or makes the information public	19(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information that may be injurious	20	 Deputy Minister, ESDC Deputy Minister, Labour

Io the conduct of federal-provincial affairs Service Associate Deputy Minister, ESDC Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Refuse to disclose personal information that may be injurious to international fafts or the defence of Canada or one of its allies 21 Refuse to disclose personal information injurious to international officer for Service Canada Associate Deputy Minister, ESDC Information that may be injurious to international officer for Service Canada Associate Deputy Minister, ESDC Information perpend by an investigative body, Information injurious to the enforcement of a service Canada Associate Deputy Minister, ESDC Information prepared by an investigative body, Information injurious to the enforcement of a security of penal institutions 22 Refuse to disclose personal injury of penal institutions 22 Deputy Minister, ESDC Information injurious to the security of penal institutions Service Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Refuse to disclose personal injurious to the security of penal institutions Public Service Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Refuse to disclose personal institutions Service Associate Deputy Minister, ESDC	Description	Section	Delegated Authority
Information prepared by an investigative body, information injurious to the enforcement of a law, or information injurious to the security of penal institutionsDeputy Minister, LabourSenior Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy OfficerAssociate Deputy Minister, ESDC Corporate Secretary and Chief Privacy OfficerDirector, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQRefuse to disclose personal information created for the Public Servants Disclosure Protection Act22.3Refuse to disclose personal information prepared by an investigative body for security clearance23Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer23Director, ATIP OPERATIONS, NHQRefuse to disclose personal information created for the Public Servants Disclosure Protection Act23Deputy Minister, ESDC Corporate Secretary and Chief Privacy OfficerDirector, ATIP OPERATIONS, NHQRefuse to disclose personal information created for the Public Servants Disclosure Protection Act23Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQRefuse to disclose personal information prepared by an investigative body for security23Deputy Minister, ESDC Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer24Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQRefuse to disclose personal information prepared by an investigative body for security clearance23Dep	affairs Refuse to disclose personal information that may be injurious to international affairs or the defence of Canada or one of its	21	 Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP Operations, NHQ Team Leaders, NHQ Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister and Chief Operating Officer for Service Canada Associate Deputy Minister Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP Operations, NHQ
information created for the Public Servants Disclosure Protection ActDeputy Minister, Labour• Deputy Minister, Deputy Minister, ESDC and Chief Operating Officer for Service Canada• Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP OPERATIONS, NHQRefuse to disclose personal information prepared by an investigative body for security clearance2323• Deputy Minister, ESDC • Deputy Minister, Labour • Deputy Minister, Labour • Deputy Minister, ESDC • Corporate Secretary and Chief Operating • Director, ATIP OPERATIONS, NHQRefuse to disclose personal 	information prepared by an investigative body, information injurious to the enforcement of a law, or information injurious to the	22	 Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP)
information prepared by an investigative body for security clearance Deputy Minister, Labour • Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer	information created for the Public	22.3	 Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ
	information prepared by an investigative body for security	23	 Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer

Description	Section	Delegated Authority
		 Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information that was collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board while the individual was under sentence if the conditions in the section are met	24	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP)
Refuse to disclose personal information which could threaten the safety of individuals	25	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ
Refuse to disclose personal information about another individual and shall refuse to disclose such information where disclosure is prohibited under section 8	26	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS. NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information that is subject to solicitor-client privilege.	27	 Deputy Minister, ESDC Deputy Minister, Labour

Description	Section	Delegated Authority
		 Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information relating to the individual's physical or mental health where the disclosure is contrary to the best interests of the individual	28	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Receive notice of investigation by the Privacy Commissioner	31	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ
Right to make representations to the Privacy Commissioner during an investigation	33(2)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Director, Privacy Management, NHQ Manager ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP)

Description	Section	Delegated Authority
		 Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Receive Privacy Commissioner's report of findings of an investigation and give notice of action taken	35(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Provision of addition personal information to a complainant after receiving a 35(1)(b) notice.	35(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisors ATIP Officers (Regional ATIP) Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Receive Privacy Commissioner's report of findings of investigation of exempt bank	36(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Director, Privacy Management, NHQ
Receive report of Privacy Commissioner's findings after compliance investigation	37(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC

Description	Section	Delegated Authority
		 Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Director, Privacy Management, NHQ
Request that a court hearing, undertaken with respect to certain sections of the Act, be held in the National Capital Region.	51(2)(b)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ
Request and be given right to make representations in section 51 hearings	51(3)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ
Prepare annual report to Parliament	72(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Director, Privacy Management

Privacy Regulations – Delegated Authorities

Description	Section	Delegated Authority
Allow examination of the documents (Reading Room)	9	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisor Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP)
Notification of Correction	11(2)	 Senior Business Expertise Consultant (QC ATIP) Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisor Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Correction refused, notation placed on file	11(4)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisor Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Disclosure to a medical practitioner or psychologist	13(1)	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada

Description	Section	Delegated Authority
		 Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisor Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)
Disclosure in the presence of a medical practitioner or psychologist	14	 Deputy Minister, ESDC Deputy Minister, Labour Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada Associate Deputy Minister, ESDC Corporate Secretary and Chief Privacy Officer Director, ATIP OPERATIONS, NHQ Manager, ATIP Processing, ATIP OPERATIONS, NHQ Team Leaders, NHQ Service Manager (Regional ATIP) Team Leaders (Regional ATIP) Regional ATIP Advisor Business Expertise Regional Consultant (QC ATIP) Senior Consultant (QC ATIP) Senior Business Expertise Consultant (QC ATIP)

Annex B: Summaries of Completed Privacy Impact Assessments

ESDC completed nine privacy impact assessments (PIAs) over the course of the past fiscal year. Information on these PIAs are found below and on ESDC's privacy impact assessments web site.

Biometrics Expansion Project: Service Canada In-Canada Biometrics Collection Services for the Department of Immigration, Refugees and Citizenship Canada

The Department of Immigration, Refugees and Citizenship Canada (IRCC) began collecting biometric information (digital photograph and fingerprints) from select nationals in 2013 under the Temporary Resident Biometrics Project. Following the success of that initiative, the Biometrics Expansion Project was launched to add the biometric collection requirement for all temporary resident visa, work or study permit, and temporary resident permit applicants, excluding United States nationals, and for all permanent resident applicants. One of the core mandates of the Biometrics Expansion Project is the delivery of the In-Canada Biometrics Collection Service that is provided by Service Canada on behalf of IRCC. The PIA examined privacy impacts resulting from the ESDC component of the In-Canada Biometrics Collection Service information by Service Canada and its disclosure to IRCC.

Canada Pension Plan Disability Medical Adjudication Quality Assurance Program (Phase 1)

The Canada Pension Plan Disability (CPP-D) program provides partial income to eligible CPP contributors who are under age 65 with a severe and prolonged disability. Medical Adjudicators assess CPP-D applications to determine their eligibility. The CPP-D Medical Adjudication Quality Assurance (MA QA) program was developed to ensure that a robust quality assurance framework for medical adjudication decisions is being followed. The first phase of this initiative consists of a review of a random sample of CPP-D applications that were assessed by Medical Adjudicators to provide information on the quality of evidence and analysis in the medical adjudication process. Phase 1 also included the creation of a new database containing personal information that allows ESDC to determine the quality and consistency of the medical adjudication process and decisions. This PIA was completed to assess the privacy implications of the first phase of the CPP-D MA QA program.

Canada's Volunteer Awards Program

Each year, Canada's Volunteer Awards (CVA) recognizes the significant contributions of individual volunteers, groups of volunteers, not-for-profit organizations, and socially responsible businesses across Canada in helping communities. The CVA's annual Call for Nominations requires the collection of personal information from a number of stakeholders —specifically the nominators, nominees, authors of letters of support, Regional Reviewers, and National Advisory Committee members— for the nomination and selection of award recipients. A new nomination system was developed for the CVA that required a PIA to assess the privacy impacts of ESDC's collection and use of personal information during the nomination and award selection processes.

Departmental Accounts Receivable System Replacement Project

The Canada Revenue Agency (CRA) has the responsibility to collect debts owed to the Crown for several ESDC statutory programs. To carry out this work, officials from both institutions use ESDC's Departmental Accounts Receivable System, which is being replaced by the Public Sector Collections and Disbursements (PSCD) system, a SAP-based module. This PIA assessed the privacy impacts related to

the management and protection of personal information related to new business processes associated with the PSCD module.

Disclosure of Old Age Security Act to the province of Newfoundland and Labrador

ESDC discloses the personal information to the Government of Newfoundland and Labrador from individuals residing in the province who are eligible for the Old Age Security (OAS) and Guaranteed Income Supplement (GIS) programs in order to determine eligibility for the province's 65 Plus Plan. The 65 Plus Plan provides access to prescription medication at a reduced cost. This PIA assessed the privacy impacts and risks stemming from a new information sharing agreement between the two governments, which replaced a 40-year-old Letter of Agreement, as well as the related processes and information technologies.

Job Bank

Job Bank is delivered by ESDC on behalf of the Canada Employment Insurance Commission as part of the National Employment Service. It is a free online national service that provides job seekers with the ability to search for available job opportunities and for employers to find qualified candidates. In December 2014, a PIA examined Job Bank 2.0 updates, specifically new registration and authentication processes to create user accounts. This PIA also reviewed the privacy impacts of Job Bank services that were introduced since 2015, as well as some new features that will be developed as part of the Job Bank 3.0 project, including Job Match, Resume Builder and Resume Sharing, Job Alerts, and Job Bank for Employers.

Exchange of personal information between Employment and Social Development Canada, Nova Scotia Department of Community Services and Service Nova Scotia

ESDC and the Nova Scotia Department of Community Services consolidated several Information Sharing Agreements in order for the latter to administer the province's Income Assistance and Disability Support Program. In addition, an Information Sharing Agreement was negotiated between ESDC and Service Nova Scotia to allow for the administration of the province's Property Tax Rebate for Seniors and the Heating Assistance Rebate Program. A PIA was completed to assess the privacy implications related to the exchange and use of personal information from the Canada Pension Plan, the Old Age Security program, and the Guaranteed Income Supplement benefit for the administration of these Nova Scotia programs.

MyAlberta Digital Identity Pilot

The MyAlberta Digital Identity (MADI) Pilot was introduced to give Alberta residents the opportunity to streamline their access to their My Service Canada Account (MSCA) by means of a Province-approved identity-bound credential, the Trusted Digital Identity. A PIA was completed to assess the privacy implications related to the handling of personal information during the registration and authentication processes a user has to undertake prior to accessing MSCA using MADI.

Receipt of Entry-Exit Data from the Canada Border Services Agency by the Employment Insurance Program

Within ESDC, Service Canada's Integrity Services Branch is responsible for investigating fraud and abuse of the Employment Insurance (EI) Program using information from the Canada Border Services Agency (CBSA) to validate that EI claimants have properly self-reported any absences from Canada. Historically, customs declaration cards have been used by the CBSA, and data from those cards were provided to ESDC to identify EI claimants who may have left Canada while receiving EI benefits. The CBSA has now introduced an electronic Entry-Exit system, which will collect exit information from airlines and the United States Customs and Border Protection, while also collecting entry information when a traveller returns to Canada. A PIA was completed to identify and assess the privacy implications associated with the collection of entry-exit data from this new electronic system for the administration and enforcement of ESDC's EI and Old Age Security Program.

In addition, ESDC has piloted a new assessment format, of which two were completed during the fiscal year, for lower risk activities that involve the administrative use of personal information. This "PIA light" approach is aimed at streamlining the approach while maintaining all the risk considerations of a PIA via an assessment against the 10 privacy principles.

Annex C: Statistical Reports

Statistical Report on the Access to Information Act

Name of institution: Employment and Social Development Canada

Reporting period: 2019-04-01 to 2020-03-31

1.1 Number of requests

	Number of Requests
Received during reporting period	1396
Outstanding from previous reporting period	315
Total	1711
Closed during reporting period	1302
Carried over to next reporting period	409

1.2 Sources of requests

Source	Number of Requests
Media	584
Academia	28
Business (private sector)	315
Organization	50
Public	374
Decline to Identify	45
Total	1396

1.3 Informal requests

	Completion Time							
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	
181	334	52	15	0	0	0	582	



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

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
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

3.1 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	25	176	103	52	10	2	2	370
Disclosed in part	7	124	115	136	72	28	39	521
All exempted	4	6	1	1	1	3	2	18
All excluded	0	0	0	4	3	1	0	8
No records exist	59	66	16	5	0	1	0	147
Request transferred	1	0	0	0	0	0	0	1
Request abandoned	190	15	5	10	3	2	12	237
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
Total	286	387	240	208	89	37	55	1302

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	5	16(2)	95	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	4	20.2	0
13(1)(c)	7	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	7	18(d)	0	21(1)(a)	138
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	154
14	36	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	6
14(a)	3	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	2
14(b)	1	16.1(1)(c)	0	18.1(1)(d)	0	22	3
15(1)	11	16.1(1)(d)	0	19(1)	249	22.1(1)	3
15(1) - I.A.*	11	16.2(1)	0	20(1)(a)	2	23	31
15(1) - Def.*	11	16.3	0	20(1)(b)	103	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	1	24(1)	75
16(1)(a)(i)	1	16.4(1)(a)	0	20(1)(c)	65	26	5
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	9		I
16(1)(a)(iii)	0	16.5	0		1		
16(1)(b)	7	16.6	0	1			
16(1)(c)	17	17	5	1			
16(1)(d)	0	* I.A.: Interna	ational 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)	0	69(1)	1	69(1)(g) re (a)	41
68(b)	0	69(1)(a)	2	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	1	69(1)(g) re (c)	22
68.1	0	69(1)(c)	2	69(1)(g) re (d)	2
68.2(a)	0	69(1)(d)	3	69(1)(g) re (e)	4
68.2(b)	0	69(1)(e)	4	69(1)(g) re (f)	18
		69(1)(f)	2	69.1(1)	0



3.4 Format of information released

Paper	Electronic	Other
552	338	1

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
133982	91228	1154

3.5.2 Relevant pages processed and disclosed by size of requests

	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 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	349	4119	13	2443	7	4526	1	418	0	0
Disclosed in part	385	9317	98	18308	19	10042	16	20805	3	18650
All exempted	10	0	4	0	1	0	3	0	0	0
All excluded	6	0	2	0	0	0	0	0	0	0
Request abandoned	230	364	5	171	0	0	2	2065	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	980	13800	122	20922	27	14568	22	23288	3	18650

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	69	0	0	0	69
Disclosed in part	194	0	4	0	198
All exempted	5	0	0	0	5
All excluded	7	0	0	0	7
Request abandoned	9	0	1	0	10
Neither confirmed nor denied	0	0	0	0	0
Total	284	0	5	0	289

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	1094
Percentage of requests closed within legislated timelines (%)	84

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

	Principal Reason						
Number of Requests Closed Past the Legislated Timelines	Interference with Operations / Workload	External Consultation	Internal Consultation	Other			
208	138	24	8	38			

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	34	8	42
16 to 30 days	15	16	31
31 to 60 days	12	21	33
61 to 120 days	8	20	28
121 to 180 days	2	9	11
181 to 365 days	5	23	28
More than 365 days	9	26	35
Total	85	123	208

3.8 Requests for translation

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

Section 4: Extensions

4.1 Reasons for extensions and disposition of requests

		9(1)(b) Consultat	_	
Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	Section 69	Other	9(1)(c) Third-Party Notice
All disclosed	26	0	64	10
Disclosed in part	83	4	211	32
All exempted	7	0	4	1
All excluded	0	0	8	0
No records exist	1	0	2	0
Request abandoned	9	0	20	2
Total	126	4	309	45

4.2 Length of extensions

	-	9(1)(b) Consult	ation	
Length of Extensions	9(1)(a) Interference With Operations	Section 69	Other	9(1)(c) Third-Party Notice
30 days or less	79	0	46	0
31 to 60 days	22	1	64	43
61 to 120 days	20	3	185	2
121 to 180 days	2	0	13	0
181 to 365 days	2	0	1	0
365 days or more	1	0	0	0
Total	126	4	309	45

Section 5: Fees

	Fee Co	ollected	Fee Waived o	or Refunded
Fee Type	Number of Requests	Amount	Number of Requests	Amount
Application	880	880 \$4,400		\$2,110
Other fees	0	\$0	0	\$0
Total	880	\$4,400	422	\$2,110

Section 6: Consultations Received From Other 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	298	10534	11	289
Outstanding from the previous reporting period	22	1612	4	17
Total	320	12146	15	306
Closed during the reporting period	277	9452	14	188
Carried over to next reporting period	43	2694	1	11

6.1 Consultations received from other Government of Canada institutions and organizations

		Number	of Days Red	quired to C	omplete Co	nsultation 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				
Disclose entirely	64	76	56	10	3	0	0	209				
Disclose in part	0	13	22	18	1	1	0	55				
Exempt entirely	0	0	2	0	0	0	0	2				
Exclude entirely	0	0	0	0	0	0	0	0				
Consult other institution	0	0	0	0	0	0	0	0				
Other	7	3	1	0	0	0	0	11				
Total	71	92	81	28	4	1	0	277				

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

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
Disclose entirely	0	7	2	1	0	0	0	10
Disclose in part	0	0	1	1	0	0	0	2
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	1	1	0	0	0	2
Total	0	7	4	3	0	0	0	14

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

		n 100 Pages essed		0 Pages essed		1000 rocessed	1001-5000 Pages Processed			nan 5000 rocessed
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	12	310	1	74	0	0	0	0	0	0
16 to 30	11	230	3	106	0	0	0	0	0	0
31 to 60	34	531	2	155	0	0	0	0	0	0
61 to 120	1	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	58	1071	6	335	0	0	0	0	0	0

7.2 Requests with Privy Council Office

		n 100 Pages essed	101–500 Pages Processed			-1000 rocessed	1001-5000 Pages Processed		More Than 5000 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	1	0	1	2	0	0	0	0	0	0
16 to 30	2	5	1	38	0	0	0	0	0	0
31 to 60	1	70	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	4	75	2	40	0	0	0	0	0	0

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
52	8	73	55	1	1

Section 9: Court Action

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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

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

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures	Amount		
Salaries	\$1,527,833		
Overtime	\$948		
Goods and Services	Goods and Services		
Professional services contracts	Professional services contracts \$238,582		
• Other			
Total		\$1,823,908	

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	20.24
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	1.92
Students	0.00
Total	22.16

New reporting requirement

Access to Information Act				
Section	Number of requests			
16.31 Investigation under the Elections Act	0			
16.6 National Security and Intelligence Committee	0			
23.1 Patent or Trademark privilege	0			

Statistical Report on the Privacy Act

Name of institution: Employment and Social Development Canada

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the Privacy Act

1.1 Number of requests

	Number of Requests
Received during reporting period	15405
Outstanding from previous reporting period	826
Total	16231
Closed during reporting period	15004
Carried over to next reporting period	1227

Section 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	275	689	21	1	0	0	0	986	
Disclosed in part	4332	7013	326	15	4	6	3	11699	
All exempted	0	0	0	0	0	0	0	0	
All excluded	0	0	0	0	0	0	0	0	
No records exist	1589	526	7	2	0	0	0	2124	
Request abandoned	145	44	4	0	1	0	1	195	
Neither confirmed nor denied	0	0	0	0	0	0	0	0	
Total	6341	8272	358	18	5	6	4	15004	

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)	1	24(a)	0
19(1)(c)	0	22(1)(b)	54	24(b)	0
19(1)(d)	0	0 22(1)(c)		25	7
19(1)(e)	0	22(2)	0	26	9812
19(1)(f)	0	22.1	0	27	61
20	0	22.2	0	27.1	2
21	1	22.3	1	28	0
		22.4	0		

2.3 Exclusions

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

2.4 Format of information released

Paper	Electronic	Other
10267	2416	2

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
1259755	1208351	12880

		han 100 rocessed	-	-500 rocessed	501-1000 1001-5000 Pages Processed Pages Processed		More Than 5000 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	918	14783	67	9419	0	0	1	11	0	0
Disclosed in part	8014	286507	3432	679688	191	114767	57	74533	5	27513
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	192	416	3	714	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	9124	301706	3502	689821	191	114767	58	74544	5	27513

2.5.2 Relevant pages processed and disclosed by size of requests

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	14	0	424	1	439
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0 0 0		0	0
Neither confirmed nor denied	0	0 0		0	0
Total	14	0	424	1	439

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	14949
Percentage of requests closed within legislated timelines (%)	99.6

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

	Principal Reason						
Number of Requests Closed Past the Legislated Timelines	Interference with Operations / Workload	External Consultation	Internal Consultation	Other			
55	40	1	0	14			

2.7.2 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 Timelines Where an Extension Was Taken	Total
1 to 15 days	21	2	23
16 to 30 days	7	2	9
31 to 60 days	4	3	7
61 to 120 days	2	4	6
121 to 180 days	0	3	3
181 to 365 days	0	4	4
More than 365 days	1	2	3
Total	35	20	55

2.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	2	0	2
Total	2	0	2

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

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

NB: The Department of Employment and Social Development Act takes precedence over *Privacy Act s.8(2)*

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	2
Requests for correction accepted	4
Total	6

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

	15(a)(i) Interferen	ce with opera	tions	15 (a			
Number of requests where an extension was taken	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	15(b) Translation purposes or conversion
260	7	41	189	11	0	0	8	4

5.2 Length of extensions

-	15(a)	(i) Interference	e with operation	ns	15 (a)(i	i) Consultat	ion	-
Length of Extensions	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	15(b) Translation purposes or conversion
1 to 15 days	0	0	0	0	0	0	1	0
16 to 30 days	7	41	189	11	0	0	7	4
31 days or greater								0
Total	7	41	189	11	0	0	8	4

Section 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	20	3137	0	0
Outstanding from the previous reporting period	1	30	2	266
Total	21	3167	2	266
Closed during the reporting period	19	2407	2	266
Carried over to the next reporting period	2	760	0	0

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

	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	5	4	2	1	0	0	0	12
Disclosed in part	2	1	0	0	0	0	0	3
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	3	0	0	0	0	0	0	3
Total	11	5	2	1	0	0	0	19

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	1	1	0	0	0	0	0	2	
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	1	1	0	0	0	0	0	2	

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

	Fewer Tha Pages Proc			101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	Number of Requests	Pages Disclo sed	Numb er of Reque sts	Pages Disclo sed	Numb er of Reque sts	Pages Disclo sed	Numb er of Reque sts	Pages Disclo sed	Numbe r of Reques ts	Pages Disclos ed	
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

	Fewer T Pages Pr) Pages essed	501- Pages Pi	1000 ocessed	1001 Pages Pr	-5000 ocessed	More th Pages Pr	
Number of Days	Number of Request s	Pages Disclos ed								
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

Section 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
13	23	21	0	57

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) completed	9

9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	57	0	0	3

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	210	
Number of material privacy breaches reported to OPC	210	

Section 11: Resources Related to the Privacy Act

11.1 Costs

Expenditures	Expenditures		
Salaries	\$5,592,253		
Overtime	Overtime		
Goods and Services		\$102,888	
Professional services contracts	\$34,596		
• Other	\$68,292		
Total		\$5,752,166	

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	36.60
Part-time and casual employees	0.00
Regional staff	40.63
Consultants and agency personnel	0.29
Students	0.00
Total	77.52

New reporting requirement - Privacy Act		
Section	Number of requests	
22.4 National Security and Intelligence Committee	0	
27.1 Patent or Trademark privilege	0	