



Library and Archives Canada
Annual Report on the
Access to Information Act: 2020–2021



Catalogue No.: SB1-14E-PDF

ISSN: 2562-4423

Annual Report on the Access to Information Act (Library and Archives Canada)

Également disponible en français sous le titre : *Rapport annuel concernant la Loi sur l'accès à l'information (Bibliothèque et Archives Canada)*

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1. Report on the *Access to the Information Act*

1.1 Introduction

The *Access to Information Act* (the Act) gives Canadian citizens, permanent residents, and all individuals and corporations present in Canada the right of access to records under the control of a government institution subject to the Act. The Act complements, but does not replace, other means of obtaining government information.

This report has been prepared and tabled in Parliament in accordance with section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act*. It covers the period from April 1, 2020, to March 31, 2021, for Library and Archives Canada (LAC).

1.2 Mandate of Library and Archives Canada

The mandate of LAC is:

- to preserve the documentary heritage of Canada for the benefit of present and future generations;
- to serve as a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada as a free and democratic society;
- to facilitate co-operation among Canadian communities involved in the acquisition, preservation and diffusion of knowledge; and
- to serve as the continuing memory of the Government of Canada and its institutions.

LAC's Access to Information and Privacy (ATIP) Division is unique within the Government of Canada (GC) as it supports LAC's broad mandate to provide access to Canada's documentary heritage and serve as the continuing documentary memory of the federal government.

Currently, over 99% of LAC's ATIP requests are for records in its care and custody that were created by other GC departments. Less than 1% are requests relating to LAC's own operational records. LAC's collections of records are stored at its facilities in the National Capital Region, Winnipeg, and Vancouver.

1.3 Types of records requested under the *Access to Information Act*

Government Records

All government records deemed to have enduring value are sent to LAC once they are no longer needed for operational purposes in their creating department. This requires LAC to collect, preserve and provide access to historical records created by the various departments and agencies of the federal

government, which amounts to over 200 linear kilometres of textual, cartographic, photographic, audiovisual and digital records, dating back to 1867.

The majority of these records are restricted under ATIP, because they have never been reviewed for access or because they contain sensitive or personal information that can only be released in accordance with ATIP legislation. The ATIP requests that LAC receives pertaining to Government of Canada archival records are typically voluminous, large in scope and complex. When processing these requests LAC must often consult with the department that originally created the documents prior to releasing information.

Military and Civilian Personnel Files

LAC also holds and preserves 4.85 million military and civilian personnel files, many of which are semi-active and continue to be consulted for ongoing programs and benefits.

In 1971, the control and supervision of the War Records Division of Veterans Affairs Canada (VAC) and all of its records were transferred to LAC, in accordance with Order in Council *P.C. 1971-1989*. Most of the ATIP requests received each year by LAC are to access the restricted military personnel files of former members of the Canadian Armed Forces (CAF). These include:

- Canadian Forces regular members (1919 to 1997);
- Canadian Forces reserve members (1919 to 2007); and
- Newfoundland Militia members who served in the Second World War.

In addition, LAC handles requests for the medical or dental records of the CAF regular and reserve members who were released from service more than five years ago, or who died in service more than five years ago.

Since 1971, LAC has worked with the relevant departments (National Defence [DND], VAC, and Public Services and Procurement Canada [PSPC]) to deliver this unique program and provide the necessary services to Canadians.

LAC also holds the dormant records of former federal public servants (FPS) that were transferred to LAC prior to April 1, 2018. These records are held until a public servant becomes 80 years old, at which time that individual's records are destroyed. Due to a litigation hold currently in place on these records, no records are being destroyed at this time. LAC no longer accepts the personnel files of former FPS for long-term retention. This is aligned with LAC's mandate, which is to acquire and preserve archival records but does not include the storage of dormant records.

LAC Operational Records

While the majority of the LAC ATIP Division's workload relates to its unique role in providing access to restricted records created by other GC departments in its care and custody, the division also has important responsibilities relating to LAC's own operations as an institution of the GC. This work includes; processing requests for LAC's own operational records, ensuring that LAC is meeting all of

its responsibilities under the Act (including ATI regulations, policies and directives), providing subject matter expertise in response to Parliamentary Questions related to ATIP, and approving the responses to all Parliamentary Questions asked of the institution.

Formal and Informal request processes

LAC processes requests by applying both formal and informal processes. This practice was put in place to provide Canadians with access to the large volume of material that must be processed through the ATIP Division in support of LAC's mandate to provide access to the millions of restricted records in its care and custody.

Formal requests are those officially made under the *Access to Information Act*. There is a \$5.00 application fee and a response is required within 30 calendar days of the date the request was received by LAC. Requestors are also entitled to make a formal complaint regarding the processing of their request to the Information Commissioner after 30 days of its receipt by LAC.

Informal requests are not covered under any Act but are reviewed in the spirit of the Act. There are no application fees for informal requests. The number of requests received and the complexity of each request dictate the timeframe for the completion of informal requests.

Clients may choose between either process. Both formal and informal request processes require a page-by-page review of records or selected documents by an ATIP analyst.

LAC processes significantly more informal than formal ATI requests. In the 2020-2021 fiscal year, LAC received a total of 8,414 ATI requests, 1,646 (20%) of which were formal ATI requests and 6,768 (80%) of which were informal ATI requests.

Of the 1,646 formal ATI requests received by LAC in 2020-2021, 55% (902) pertained to military and civilian personnel files, 44% (732) pertained to archival government records, and less than 1% (12) pertained to its own operational records.

Of the 6,768 informal ATI requests received by LAC in 2020-2021, 90% (6,112) pertained to military and civilian personnel files, 9% (636) pertained to archival government records, and less than 1% (20) pertained to its own operational records.

Table 1: Types of records requested under the *Access to Information Act* in 2020-2021

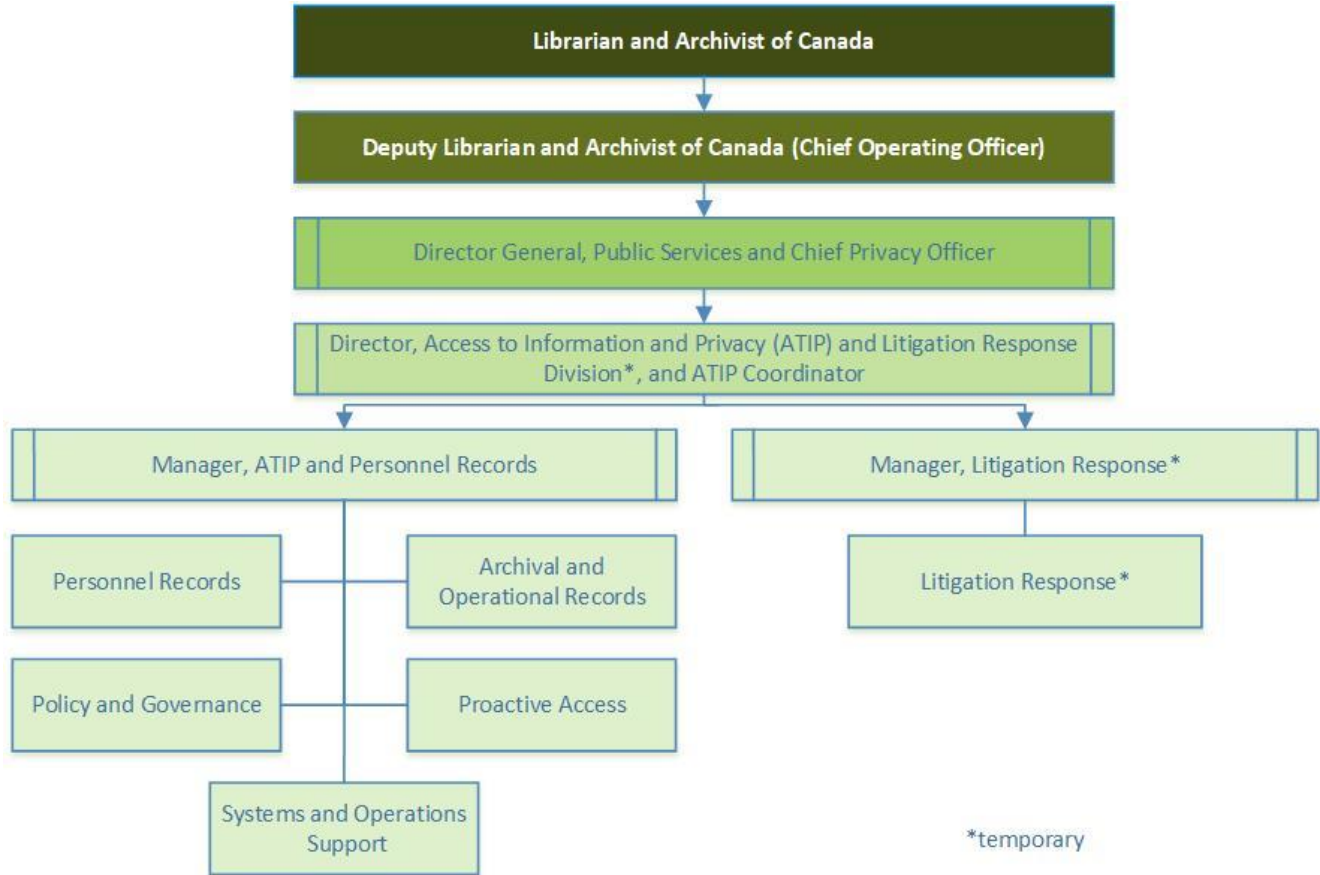
Type of Record	Type of Request	Requests Received	Requests Completed*
Military and dormant records of federal public servants	Formal	902	748
	Informal	6112	2241
	Total	7014	2989
GC archival records	Formal	732	100
	Informal	636	539
	Total	1368	639
LAC operational records	Formal	12	6
	Informal	20	24
	Total	32	30
Grand total (all types of records)	Formal	1646	854
	Informal	6768	2804
	Total	8414	3658

*Some requests completed were carried over from the previous fiscal year.

1.4 Organization

The organizational chart below outlines the reporting structure relating to Access to Information and Privacy (ATIP) at LAC.

Figure 1: Access to Information and Privacy reporting structure



In the 2018–2019 fiscal year, the division responsible for ATIP at LAC temporarily changed its name from the *Regional Services and ATIP Division* to the *Access to Information and Privacy (ATIP) and Litigation Response Division*. This division has experienced changes in its human resources and reporting structure to respond to the increasing number of ATIP requests, and add a project-funded Litigation Response team.

Currently, LAC’s ATIP and Litigation Response team comprises five core business areas: Personnel Records, Archival and Operational Records, Proactive Access, Policy and Governance, and Systems and Operations Support. Their functions are described below.

Personnel Records:

- Processes formal and informal access, and privacy requests, for restricted personnel files of former members of the CAF as well as former FPS.

Archival and Operational Records:

- Processes formal and informal access, and privacy requests on LAC's operational records, restricted archival records under LAC's control, and consultation requests from other GC institutions;
- Reviews restricted finding aids concerning archival records transferred to LAC for permanent custody, and severs information that remains restricted; and
- Provides access to authorized current FPS to restricted archival records under LAC's control.
- Processes informal access requests in support of Schedule L of the [LGBT Purge Class Action Final Settlement Agreement](#)

Proactive Access:

- Performs a proactive risk-based review of archival records in LAC's holdings in accordance with the *Access to Information Act* and the *Privacy Act*, following a set procedure, to determine if blocks of records can be proactively "opened" and made available to the public and researchers.
- Proactive development of strategic mechanisms for the opening of records in LAC's collection in collaboration of the efforts of other business areas at LAC.

Policy and Governance:

- Reviews the implications of changes to ATIP legislation on LAC's business;
- Develops policies and procedures; and
- Leads the development of a range of internal and external reports and analysis of statistics.

Systems and Operations Support:

- Registers requests and responds to telephone inquiries regarding the status of requests;
- Provides clerical support to the Division's incoming and outgoing requests;
- Manages the institution's use of ATIP-specific software; and
- Generates statistical reports from this software for ATIP work completed on various classified networks.

In addition to these five business areas, the Division currently includes the temporary Litigation Response (LR) team, which LAC formed in 2018–2019 to meet its temporary needs related to its role in supporting the GC's response to the [LGBT Purge Class Action Final Settlement Agreement](#) and to prepare for future upcoming class actions.

Given the nature of the records held in its care and custody, LAC is typically involved in the GC's response to class action lawsuits, whether in providing access to historical records documenting the policies of the GC or, more specifically, the personnel files of former CAF members, former FPS and some former members of the Royal Canadian Mounted Police (RCMP).

Since the claims settlement period for the LGBT Purge Class Action ended in the 2019-2020 fiscal year, in the 2020-21 fiscal year, the LR team has started providing support as part of the Government of Canada's (GC) response to the [CAF-DND Sexual Misconduct Class Action Settlement](#).

Litigation Response:

- Works collaboratively with DND to ensure that LAC provides all relevant responsive records for the claims settlement process;
- Retrieves files, prepares files for digitization, and ensures quality control of digitized records of former DND and former members of the CAF; and
- Performs informal privacy review on records of former members of the CAF from within LAC holdings prior to providing these records to DND.

The Litigation Response team's work in support of the [CAF-DND Sexual Misconduct Class Action Settlement Agreement](#) is a specifically funded activity (for more information see section 9.1. Costs).

During this reporting period, LAC's ATIP Division had 22.021 full-time equivalents (FTEs) assigned to processing ATI requests. This does not include members of the Litigation Response team, whose work relates to performing informal privacy reviews and is reported on in the *Library and Archives Canada Annual Report on the Privacy Act: 2020-2021*.

Service agreements

LAC was not party to any service agreements under section 96 of the *Access to Information Act* during the reporting period.

1.5 Delegation order

For the purposes of the Act, the Minister of Canadian Heritage delegates his or her powers, authorities and responsibilities to the Librarian and Archivist of Canada. The Librarian and Archivist of Canada is accountable for developing, coordinating and implementing effective policies, guidelines, systems and procedures. This delegation order ensures that the Minister's responsibilities under the Act are met and that information is processed and disclosed appropriately.

At LAC, the Librarian and Archivist of Canada delegates his or her powers, authorities and responsibilities to:

- The Director General, Public Services, and Chief Privacy Officer;
- The Director, ATIP and Litigation Response Division (temporary name change), and ATIP Coordinator;
- The Managers, ATIP and Personnel Records, and Litigation Response; and
- The ATIP Analysts in the Division.

The latest delegation order was issued by the Minister of Canadian Heritage to LAC in May 2016 and is available in **Appendix A** of this report.

1.6 Statistical report

Statistical reporting pertaining to the administration of the Act has been in place since 1983. The statistical reports prepared by government institutions provide aggregate data on the application of the Act. This information is made public on an annual basis and is included with the annual reports on ATIP tabled in Parliament by each institution. Because requests submitted via the formal route are subject to statutory timelines, the statistical report provides data related to compliance by institutions to the legislated time frames, subject to the Act. A comprehensive statistical report on the formal ATI requests processed by LAC in the 2020–2021 fiscal year is available in **Appendix B** of this report, and several segments are highlighted in the relevant sections.

Information on the processing of informal ATI requests will also be described within this report. The resources described in this report encompass the processing of both formal and informal ATI requests.

All statistics included in this report are representative of the most current data available to LAC at the time of writing this report.

1.7 Impact of COVID-19-related measures

Despite the extraordinary circumstances caused by the COVID-19 pandemic, LAC continued processing ATIP requests during the past fiscal year, albeit at limited capacity. In response to the COVID-19 pandemic, LAC initially closed all of its public service points and consultation rooms (located in Ottawa, Vancouver, Winnipeg and Halifax) on March 14, 2020. Starting in September 2020 and for the remainder of the fiscal year, LAC's facilities were reopened and closed again to the public at various times in alignment with applicable local and provincial public health orders.

All of LAC's ATIP employees began working from home on March 18, 2020 and quickly adapted their processes to a new telework environment.

To mitigate the impact of the COVID-19 pandemic on LAC's ability to fulfill its *Access to Information Act* responsibilities, LAC continued to process those requests that were already digitized up to the Protected B level and communicated with its clients to inform them of its limited operations. Specifically, LAC posted messages on its website and emailed clients where possible to inform them that LAC would continue to make reasonable efforts to respond to requests but that, in this exceptional context, LAC might not be able to respond to requests as it would during normal operating circumstances and that clients should expect delays.

New requests submitted by clients through online forms or fax continued to be registered, but requests received by mail were temporarily inaccessible to staff working from home. LAC's mailroom closed on March 19, 2020 and reopened on April 7, 2020 at which time one staff member in ATIP was able to come onsite once a week to retrieve and scan incoming mail (which included new requests from clients), and mail out urgent release packages to clients that required paper copies.

While working from home, LAC's ATIP analysts were able to complete the review of already digitized material up to the Protected B level. However, they could not review material that had not yet been digitized or had a security designation above the Protected B level as this work can only be performed onsite. While working remotely, LAC started sending digital release packages up to the Protected B level to its clients using Canada Post's *epost Connect*TM service.

In response to the extraordinary circumstances, on May 11, 2020, Leslie Weir, Librarian and Archivist of Canada, made the decision to temporarily dedicate LAC's reduced resources to prioritize urgent requests for information for veterans requiring access to critical medical care and place new formal ATIP requests and current active formal ATIP requests on hold effective March 18, 2020, until further notice. This decision was guided by the fact that LAC would not be able to meet legislated timelines or seek extensions on requests since over 99% of ATIP requests made to LAC are for information contained in paper records that LAC did not have the ability to retrieve or consult while access to its facilities was limited to employees working on critical services. During this time, when LAC received an urgent request for information for veterans requiring access to critical medical care, designated staff members exceptionally came onsite to retrieve and review the record in order to provide it to the client.

Similarly, when LAC received an urgent request to obtain documents in support of a claim related to the [Federal Indian Day Schools Class Action](#) such as for an individual in failing health, a designated staff member exceptionally came onsite to retrieve and review the record in order to provide it to the client.

LAC also made a concerted effort to develop new paperless workflows based on information it could obtain from its systems to continue providing urgent services to VAC and the [Last Post Fund](#) remotely in support of Canadian veterans throughout the pandemic.

To meet Canada's commitments under Schedule L of the [LGBT Purge Class Action Final Settlement Agreement](#), LAC also prioritized its work to process the LGBT purge historical document collection during this period and one designated staff member continued to perform this work onsite.

As previously mentioned, LAC was also responsible for undertaking the informal privacy review on the records of former CAF members in support of the GC's response to [CAF-DND Sexual Misconduct Class Action Settlement Agreement](#) which started in this past fiscal year. To prepare for the arrival of the first requests for documents in support of the claims settlement process, staff members from LAC ATIP's Litigation Response team located in Winnipeg were among the first of

LAC's staff members to return to the workplace during the month of July 2020 when LAC's Winnipeg office reopened.

On August 11, 2020, a limited number of staff from ATIP and supporting areas such as Circulation, Digitization, and Government Archives working in the NCR were among the first of LAC's staff to return onsite to the workplace when LAC's offices in the NCR reopened.

New health and safety procedures were now in place for staff to follow such as mandatory mask wearing, social distancing, hand-washing, and hand-sanitizing. These new procedures also included the quarantining of paper records for a 3-day period following their manipulation by a staff member. This safety precaution was implemented by LAC in accordance with guidelines from the Canadian Conservation Institute. For LAC's ATIP operations, this meant that each time an ATIP analyst looked through a box of records or a personnel file to identify the record required to respond to an ATIP request, the record needed to quarantine for 3 days before a member of LAC's digitization team could scan it – slowing down LAC's response time to an ATIP request.

As of August 11, 2020, when LAC's ATIP staff regained limited onsite access and the digitization team was able to resume the scanning of new material in support of ATIP analysts working from home, LAC was able to start responding to a greater number of urgent requests. As such, LAC updated its messaging to inform clients that it was now prioritizing urgent requests related to medical benefits, social services, class actions, and legal proceedings, including requests to obtain documents in support of a claim related to the [Federal Indian Day Schools Class Action](#).

By the end of September 2020, when the provinces of Quebec and Ontario were in the 2nd wave of the pandemic, it became evident that the COVID-19 situation was going to affect LAC's ATIP operations long-term.

As a result, on November 27, 2020, Leslie Weir approved a briefing note that outlined LAC ATIP's new approach to formal requests. As of December 4, 2020, LAC removed the hold that had been placed on all formal ATIP requests received since March 18, 2020 that had not yet been processed. LAC communicated with its clients to inform them that it had not been able to respond to their formal request within the timelines mandated by the *Access to Information Act* or the *Privacy Act* and informed them of their rights to submit a complaint to the Office of the Information Commissioner (OIC) or the Office of the Privacy Commissioner (OPC). Formal ATIP requests received before March 18, 2020 were never placed on hold.

For the remainder of the 2020-2021 fiscal year, LAC's onsite presence remained limited due to floor capacity limits that were instituted in light of new social-distancing requirements and due to provincial public health orders such as lockdowns and stay-at-home orders.

As LAC's ATIP Division continued to operate at limited capacity for the remainder of the 2020–2021 fiscal year, urgent requests related to medical benefits, social services, class actions, legal proceedings, and other urgent circumstances continued to be prioritized by the Division even though the hold had been lifted.

As a result of the extraordinary circumstances of the past fiscal year, LAC's ability to fulfill its *Access to Information Act* responsibilities was significantly impacted between March 31, 2020, and

March 31, 2021. However, at all times throughout the 2020-2021 fiscal year, the continued operations of LAC's ATIP Division and its ability to process ATIP requests remained an institutional priority for LAC. Resources from across the institution were redirected to support the ATIP Division and mitigate the impact of the COVID-19 pandemic as much as possible on its ability to fulfill LAC's responsibilities under the *Access to Information Act* and *Privacy Act*.

A supplemental statistical report on the impact of COVID-19 measures for the 2020–2021 fiscal year is available in **Appendix C** of this report.

2 Interpretation of the Statistical Report for Requests under the *Access to Information Act*

Part 1 – Requests under the *Access to Information Act*

1.1 Number of formal requests

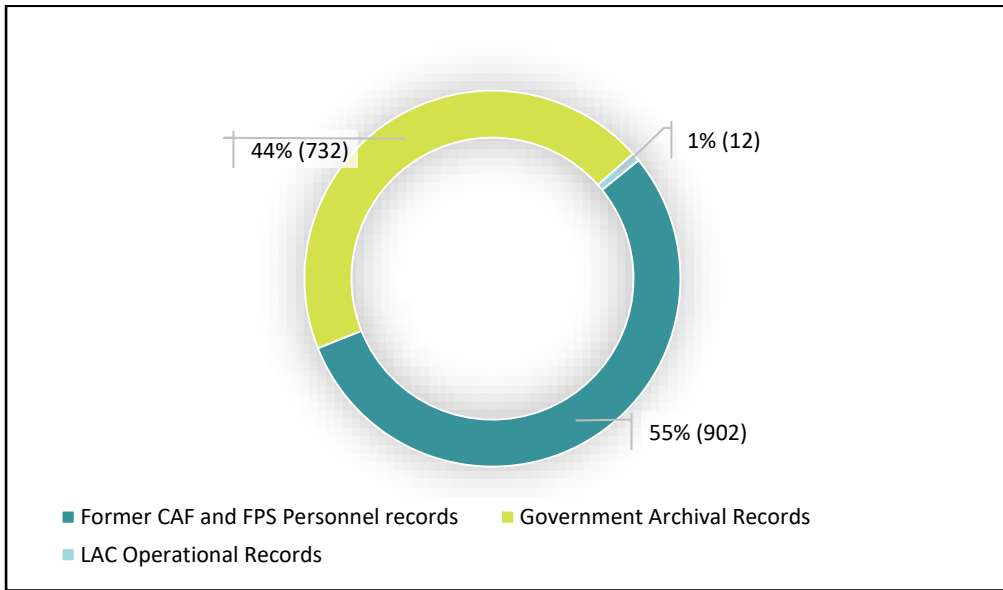
Formal requests received

Each year, LAC receives a significant number of formal ATI requests from individuals seeking information on records held by LAC. As mentioned in Section 1.3, there are three groupings of records within LAC: GC archival records (records deemed to have enduring value transferred to LAC by government institutions when they are no longer required for ongoing operational purposes), personnel files (military service files of former CAF members and dormant records of former FPS), and LAC's own operational records that it has created.

In the 2020-2021 fiscal year, LAC received a total of 1,646 formal ATI requests.

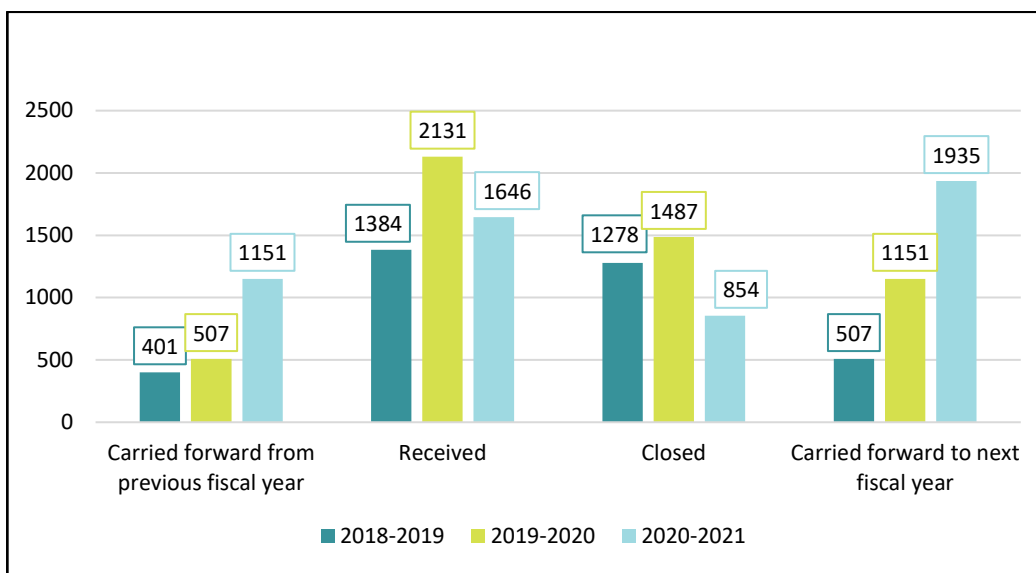
LAC's management of the dormant military service files under its care and control, in accordance with Order in Council P.C. 1971-1989 (September 21, 1971), represents a significant workload for the ATIP and Litigation Response Division. The majority 55% (902) of formal ATI requests received by LAC in 2020-2021 were related to personnel files; 44% (732) of formal ATI requests received by LAC in 2020-2021 were related to GC archival records; and less than 1% (12) were related to LAC's operational records.

Figure 2: Formal ATI requests received by type of record



Due to the COVID-19 pandemic, LAC saw a decrease of 23% in the overall number of formal ATI requests received in 2020-2021 (1,646 requests) compared with 2019-2020 (2,131 requests). At the onset of the pandemic, which occurred at the start of the 2020-2021 fiscal year, there was a sudden decline in requests received. In Q1 of 2020-2021, 246 formal ATI requests were received compared with 514 formal ATI requests received during the same period in 2019-2020. By the last two quarters of the 2020-2021 fiscal year, the volume of requests received had recovered and in fact slightly exceeded the previous fiscal year. In Q3 of 2020-2021, 545 formal ATI requests were received compared with 523 formal ATI requests received during the same period in 2019-2020. In Q4 of 2020-2021, 552 formal ATI requests were received compared with 536 formal ATI requests received during the same period in 2019-2020.

Figure 3: Formal ATI requests



Formal requests completed

In 2020–2021, LAC completed 854 formal ATI requests, 88% (748) of which were related to personnel files, 12% (100) related to GC archival records, and less than 1% (6) related to LAC operational records.

This represents an overall decrease of 43% in completed formal ATI requests over the previous fiscal year, in which LAC responded to 1,487 formal ATI requests.

Due to impact of the COVID-19 pandemic on LAC’s operations, there was a sudden decline in the volume of requests completed by LAC in Q1 of 2020-2021. By Q4, the volume of requests completed had increased back to levels comparable with those completed in the previous fiscal year. Specifically, in Q1 of 2020-2021, 38 formal ATI requests were completed compared with 355 formal ATI requests completed during the same period in 2019-2020. In Q2 of 2020-2021, 225 formal ATI requests were completed compared with 328 formal ATI requests completed during the same period in 2019-2020. In Q3 of 2020-2021, 233 formal ATI requests were completed compared with 410 formal ATI requests completed during the same period in 2019-2020. In Q4 of 2020-2021, 358 formal ATI requests were completed compared with 394 formal ATI requests completed during the same period in 2019-2020.

LAC’s ability to respond to ATI requests can be attributed to a number of factors, such as the number of requests received in a given year and their volume (number of pages to be reviewed), the staff resources available for this workload, consultation requirements, availability of tools, and process improvements/changes. Furthermore, this past year the COVID-19 pandemic and changing public health situation has significantly impacted LAC’s ability to respond to ATI requests (see Section 1.7 for more information on the impact of the COVID-19 pandemic on LAC’s operations in 2020-2021).

Recognizing the important role that LAC plays in supporting the health and wellbeing of Canadians, LAC has been prioritizing the processing of urgent requests related to medical benefits, social services, class actions, and legal proceedings throughout the pandemic.

Formal ATI request trends

During the previous four fiscal years, LAC experienced significant ongoing growth in the number of ATI requests that it receives. In 2016–2017, LAC received 1,125 formal ATI requests, 53% more than in 2015–2016 (737). In 2017–2018, the trend of increased formal ATI requests continued, as LAC received 14% more formal ATI requests (1,282) than in 2016–2017. In 2018–2019, LAC received another 8% more formal ATI requests (1,382) than in 2017–2018. In 2019–2020, LAC received 54% more formal ATI requests (2,131) than in 2018–2019. During each of these years, LAC received more requests than it was able to complete, which is a trend that has continued through the 2020-2021 fiscal year. In 2020-2021, LAC received 1,646 formal ATI requests and completed 854 formal ATI requests.

Between March 31, 2020 and March 31, 2021 the volume of formal ATI requests carried forward into the next fiscal year grew from 1,148 requests to 1,935 requests.

The growth in the number of requests carried over during the past five fiscal years can be attributed to an insufficient number of resources to meet the growing interest and need for Canadians to access the records in LAC’s care and custody. This past year, this issue was further compounded by the impact of the COVID-19 pandemic on LAC’s ability to respond to requests.

There are several factors that LAC believes have contributed to this upward trend over recent years.

In May 2016, the *Interim Directive on the Administration of the Access to Information Act* came into effect. The Interim Directive eliminated all fees except for the \$5 application fee for formal requests. In the three months immediately following the implementation of the Interim Directive, LAC received 38% more formal requests than it did in the preceding three months.

The public and LAC’s clients have demonstrated a greater awareness about their legislated rights under the Act. With increased media coverage related to proposed amendments to the Act and the notable higher interest by some researchers, LAC has received a significant number of requests for records containing certain types of information, for example, historical records containing security and intelligence material. These types of records often also require consultation with the creating department as part of the processing of the request, which can increase the overall processing timeline.

Another factor that may be contributing to the growing trend of formal ATI requests received by LAC is its growing queue of informal ATI requests. LAC is unable to complete the number of informal ATIP requests it receives in a year and carries forward more requests each year. Between March 31, 2020, and March 31, 2021, the queue of informal ATI requests grew from 8,255 requests to 12,228 requests. This represents an increase of 48% in one year. The volume of informal ATI requests in the queue is now greater than the number of informal ATI requests LAC would normally

be able to complete over the course of two (2) years (5,813 informal ATI requests were completed by LAC in 2019–2020). Most significantly, this has resulted in client wait times of over 2 years for responses to some informal ATI requests made to LAC. We therefore infer that more clients are choosing to submit formal requests in order to receive faster service in accordance with legislated timelines and to gain the right to complain under the Act regarding delays in the processing of their request by LAC.

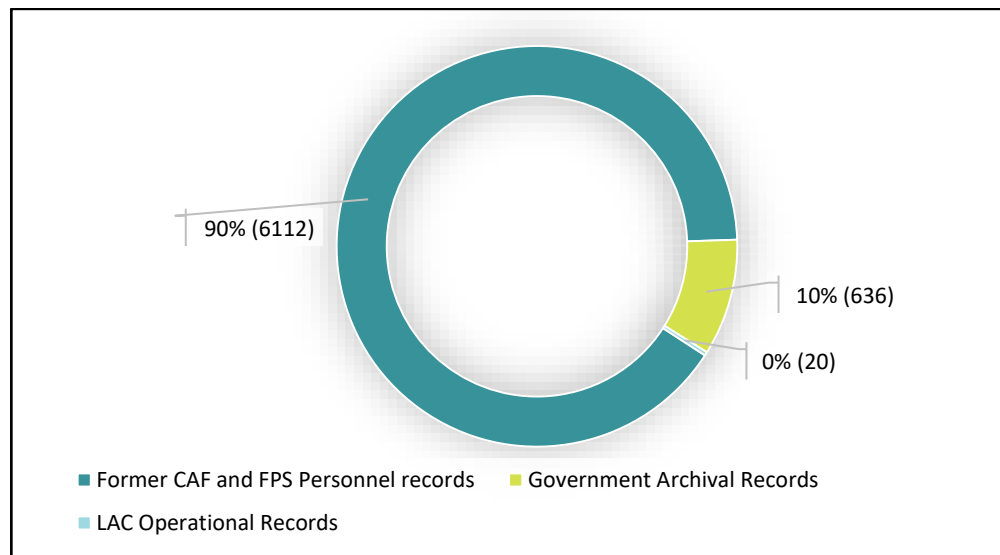
1.2 Number of informal requests

Informal requests received

In the 2020-2021 fiscal year, LAC received a total of 6,768 informal ATI requests.

Like formal ATI requests, informal ATI requests are made to access three types of records within LAC’s holdings. These include GC archival records, former CAF and former FPS personnel records, and LAC’s own operational records. More than three quarters (90%) of informal ATI requests made to LAC in 2020-2021 applied to former CAF members and former FPS personnel records.

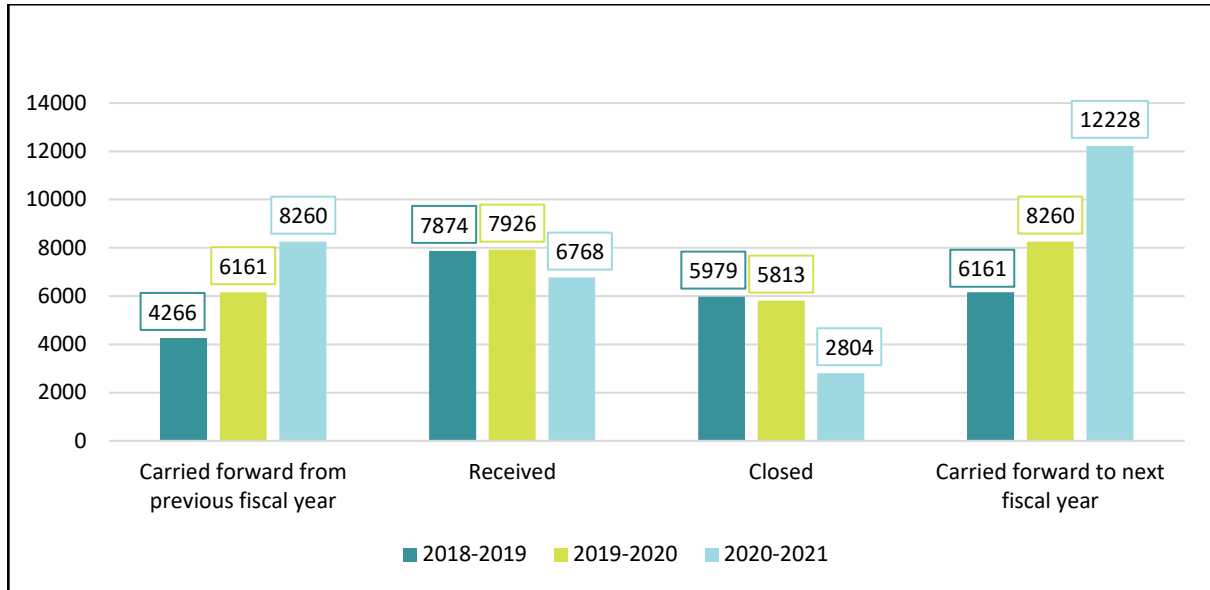
Figure 4: Informal requests received by type of record



During the COVID-19 pandemic, LAC saw a decrease of 15% in the overall number of informal ATI requests received in 2020-2021 (6,768 requests) compared with 2019-2020 (7,926 requests). At the onset of the pandemic, which occurred at the start of the 2020-2021 fiscal year, there was a sudden decline in requests received. In Q1 of 2020-2021, 1,421 informal ATI requests were received compared with 2,057 informal ATI requests received during the same period in 2019-2020. By the last two quarters of the 2020-2021 fiscal year, the volume of requests received had recovered and was at a level similar to that of the previous fiscal year. In Q3 of 2020-2021, 2,123 informal ATI requests

were received compared with 2,163 informal ATI requests received during the same period in 2019-2020. In Q4 of 2020-2021, 1,834 informal ATI requests were received compared with 1,799 informal ATI requests received during the same period in 2019-2020.

Figure 5: Informal ATI requests



Informal requests completed

In the 2020-2021 fiscal year, LAC responded to 2,804 informal ATI requests.

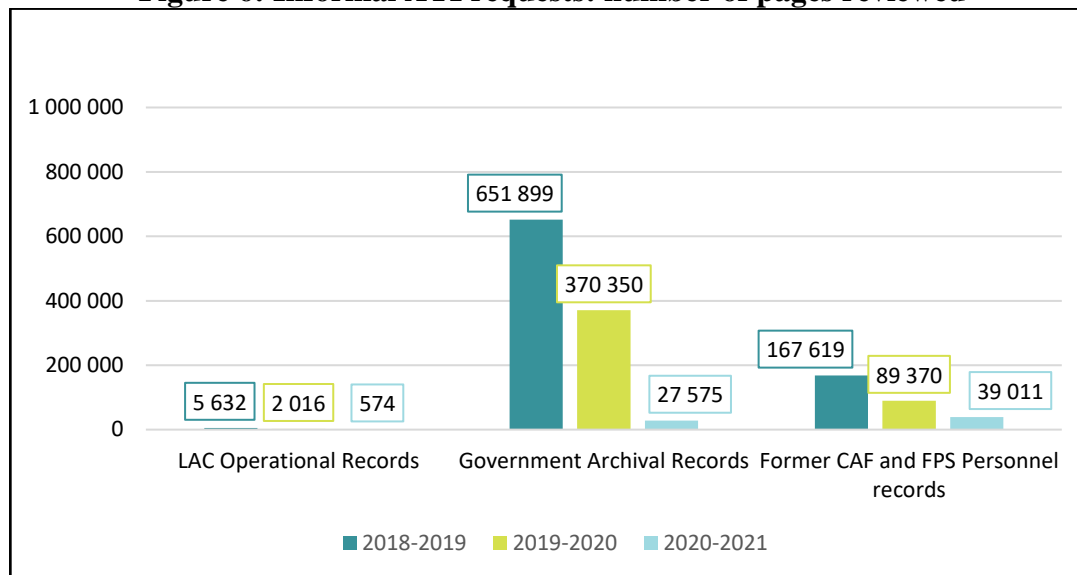
This represents an overall decrease of 52% in informal requests completed compared with the previous fiscal year (5,813 informal ATI requests were completed in 2019-2020).

Due to impact of the COVID-19 pandemic on LAC’s operations, there was a sudden decline in the volume of requests completed by LAC in Q1 of 2020-2021. By Q4, the volume of informal ATI requests completed had increased significantly, but was still not back to levels comparable with those completed in the previous fiscal year. Specifically, in Q1 of 2020-2021, 345 informal ATI requests were completed compared with 1,161 informal ATI requests completed during the same period in 2019-2020. In Q2 of 2020-2021, 610 informal ATI requests were completed compared with 1,796 informal ATI requests completed during the same period in 2019-2020. In Q3 of 2020-2021, 1,059 informal ATI requests were completed compared with 1,535 informal ATI requests completed during the same period in 2019-2020. In Q4 of 2020-2021, 790 informal ATI requests were completed compared with 1,321 informal ATI requests completed during the same period in 2019-2020.

Pages reviewed

LAC reviewed 67,160 pages pursuant to informal ATI requests in 2020–2021. This represents a decrease of 85% compared with the volume of pages reviewed in 2019-2020 (461,736 pages).

Figure 6: Informal ATI requests: number of pages reviewed



While informal requests are not subject to the same legislated time frames as formal requests made under the Act, LAC strives to limit the number of days that it takes to complete informal ATI requests as much as possible. In the 2019-2020 fiscal year, LAC was able to complete 43% of informal ATI requests within 30 days. LAC’s ability to respond to ATI requests can be attributed to a number of factors, such as the number of requests received in a given year and their volume (number of pages to be reviewed), the staff resources available for this workload, consultation requirements, availability of tools, and process improvements/changes.

Due to the ongoing growth in the volume of informal ATI requests in LAC’s queue and the impact of the COVID-19 pandemic on operations it has become increasingly difficult for LAC to process informal ATI requests in a timely manner in 2020-2021 (see Section 1.7 for more information on the impact of the COVID-19 pandemic on LAC’s operations). As mentioned in Section 1.1, this has resulted in client wait times of over 2 years for responses to some informal ATI requests made to LAC.

Recognizing the important role that LAC plays in supporting the health and wellbeing of Canadians, LAC has been prioritizing the processing of urgent requests related to medical benefits, social services, class actions, and legal proceedings throughout the pandemic.

Table 2: Number of days to complete informal requests

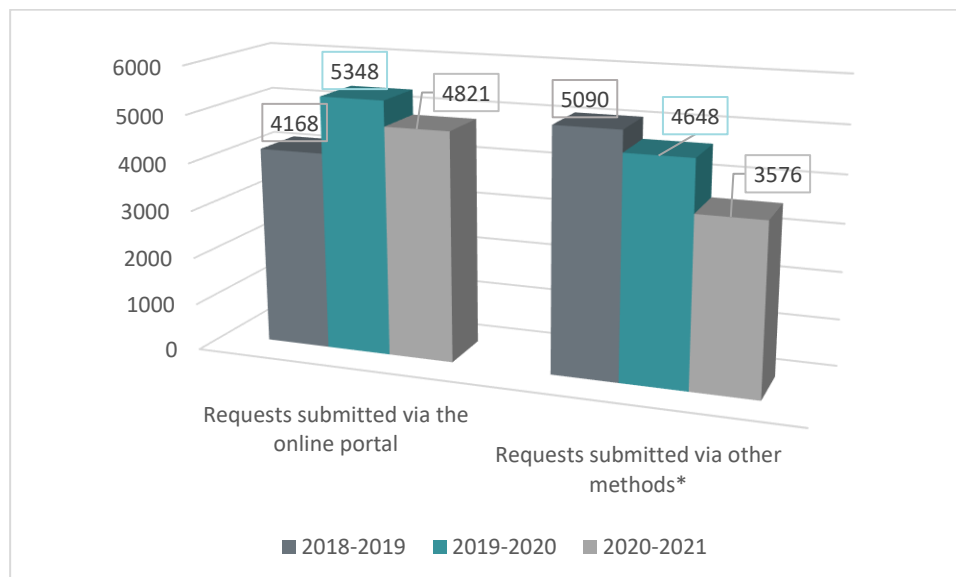
Number of Days	2020–2021	2019-2020	2018-2019
1 to 15 days	926 (33%)	1,308 (23%)	1,839 (31%)
16 to 30 days	244 (9%)	472 (8%)	630 (11%)
31 to 60 days	177 (6%)	541 (9%)	386 (6%)
61 to 120 days	322 (11%)	578 (10%)	204 (3%)
121 to 180 days	158 (6%)	170 (3%)	82 (1%)
181 to 365 days	328 (12%)	978 (17%)	2,804 (47%)
More than 365 days	649 (23%)	1,766 (30%)	34 (0%)
Total # Requests completed	2,804	5,813	5,979

Note: Percentages may not add up to 100 due to rounding

1.3 Requests submitted online

Since 2016, Clients have had the ability to submit ATI and Privacy requests using online application forms directly on LAC’s website. Since that time, LAC has noted that its clients have used these forms more frequently with each passing year.

Figure 7: Number of requests submitted online



*Note: Other methods include by fax, email, regular mail and in person

Since 2016–2017, LAC has seen significant growth in the use of its online request forms compared with other methods.

In 2016–2017, LAC received 533 online ATI requests which represented 7% of the ATI requests received by LAC. In 2017–2018, LAC received 2,292 online ATI requests which represented 27% of the ATI requests received by LAC, and an increase of 330% over the previous fiscal year. In 2018–2019, LAC received 4,168 online ATI requests which represented 45% of the ATI requests received by LAC, and an increase of 82% over the previous fiscal year. In 2019–2020, LAC received 5,348 online ATI requests which represented 54% of the ATI requests received by LAC, and an increase of 28% over the previous fiscal year.

In 2020–2021, LAC received 4,821 online ATI requests which represented 57% of the ATI requests received by LAC, and a decrease of 10% over the previous fiscal year.

Providing clients with easier and faster self-serve methods for submitting requests may also be contributing to the overall increase in requests received by LAC over these past years.

1.4 Sources of requests

LAC received a total of 8,414 ATI requests in 2020–2021, including 1,646 formal and 6,768 informal requests. Approximately 30% of the requests received were from entities that declined to self-identify.

Table 3: Sources of requests

Source	Formal	Informal	Total
Media	25	45	70 (1%)
Academia	507	379	886 (11%)
Business (private sector)	36	28	64 (1%)
Organization	118	1,221	1,339 (16%)
Public	492	3,037	3,529 (42%)
Decline to identify	468	2,058	2,526 (30%)

1.5 Additional requests

As mentioned in Section 1.2, LAC’s Access to Information and Privacy (ATIP) Division is unique within the Government of Canada (GC) as it supports LAC’s mandate to provide access to Canada’s documentary heritage and serve as the continuing documentary memory of the federal government.

LGBT Purge

This past fiscal year, LAC has continued the work it began in 2019-2020 to review the non-personal archival records gathered by the GC Research Project in accordance with Schedule L of the [LGBT Purge Class Action Final Settlement Agreement](#). In Q4 of 2019-2020, LAC's Archival and Operational Records unit reviewed these 10,855 pages (1,978 separate documents) for any ATI or privacy restrictions and sent consultation packages to 9 GC institutions. After experiencing delays as a result of the COVID-19 pandemic, LAC provided interim releases of records to the Department of Justice (DOJ) to better meet the needs of the plaintiff who sought access to the records selected for review. On January 27, 2021, LAC sent the final release packages for 8 out of the 9 consultation packages to DOJ. LAC is continuing to work collaboratively with DOJ to meet Canada's commitments under Schedule L of the LGBT Purge Class Action Final Settlement Agreement in the 2021–2022 fiscal year.

Proactive Access

LAC undertakes significant efforts to make its archival holdings available proactively so that clients will not have to submit ATI requests.

On the day they are transferred to LAC, most GC archival records are restricted or closed by default, in case there are legislated exemptions that apply to the records (a complete review of the records, by the creating department, is not routinely done prior to transfer). These restrictions may include any applicable exemptions or exclusions under the *Access to Information Act* or the *Privacy Act*. In alignment with LAC's mandate, the GC's direction on Open Government, and LAC's [Access Policy Framework](#), and in compliance with all applicable laws, LAC proactively reviews records to assess whether enduring exemptions still apply. In cases where LAC's assessment determines that there are no enduring exemptions, the block or series of records is opened. When a GC archival record is declared open or without restrictions, LAC clients can request copies (paper or digital) or consult the records on site in the location where they are stored without having to resort to informal or formal ATI requests.

In 2020-2021, LAC proactively opened 182,900 pages of GC archival records. The COVID-19 pandemic had a direct impact on the work of the Block Review team, as Block Review activities are undertaken onsite, and Block Review was not identified as a priority project to return to the workplace during the first waves of the pandemic. In addition, the Block Review team did not have sufficient resources, as LAC ATIP focused its efforts on the high volume of ATIP requests received throughout the year.

For information about the records opened through Block Review, see [Index of records opened through LAC's block review initiative](#). More information about [Block Review](#) can be found online. To date, over 50 million pages in total have been opened through Block Review at LAC.

In addition to the efforts made to apply Block Review procedures to government archival records, LAC also actively shared information on the initiative during the 2020-2021 fiscal year.

Table 4: Presentation(s) promoting Block Review

Date	Event
October 30, 2020	Presentation on Block Review at the NAGARA (National Association of Government Archives and Records Administrators) Fall Online Forum, online.

Indigenous digitization project – We Are Here: Sharing Stories

LAC holds an incredible wealth of information in a variety of formats related to Indigenous heritage and histories, including material that documents the relationship between Indigenous peoples and the GC. LAC is committed to reconciliation based on the recognition of Indigenous rights, the Truth and Reconciliation Commission Calls to Action, and the [“Principles respecting the Government of Canada’s relationship with Indigenous peoples”](#) issued by the Department of Justice Canada.

In 2017, the GC dedicated funding over three years to LAC for two digitization and digital access initiatives, including *We Are Here: Sharing Stories*. This initiative focuses on increasing online access to LAC’s holdings that contain content related to First Nations, Inuit and the Métis Nation, including government records, private archival records and published works. As part of the initiative, government records in LAC’s holdings are reviewed by ATIP analysts to identify any ATI or privacy restrictions prior to the removal of current access restrictions.

The outcome of this initiative includes improved availability of material for Canadians, and an overall reduction in the number of formal and informal ATIP requests pertaining to these records. Material being digitized for the initiative includes textual material, photographs, audiovisual recordings, Indigenous language dictionaries, records created by Indigenous peoples, and cartographic material. All descriptive work for newly digitized material is led by Indigenous archivists on the project team, ensuring language and content is culturally relevant, sensitive and historically accurate. The goal of the *We Are Here: Sharing Stories* initiative is to provide free online access to unrestricted digital material through [LAC’s website](#), through social media and using other digital platforms. In the 2020–2021 fiscal year, the initiative digitized 17,267 pages of material from LAC’s government and private collections. The project ended on March 31, 2021 with a total of 591,131 pages digitized.

ATI summaries and Briefing Notes

Due to proactive disclosure on the Open Data Portal, clients can search [Completed Access to Information Requests](#) to learn about the archival GC information that has been released by LAC pursuant to ATI requests and request their own copies of these ATI packages (rerelease packages). In the 2020-2021 fiscal year, LAC provided 300 rerelease packages to clients and posted 65 ATI summaries and 49 Briefing Notes on the Open Data Portal.

Departmental researchers

Sometimes a federal government institution must consult records that have been transferred to LAC. In these circumstances, LAC facilitates access to these records when requested and approved by that department. A procedure is in place to grant designated staff access to records that would otherwise be restricted under the ATIP legislation. Researchers must provide a Departmental Researcher Authorization Letter to LAC, signed by an authority at the director level or above from the department that created the records, to access these government archival records.

In 2020–2021, LAC received 89 departmental researcher requests and processed 84 (94%) departmental researcher requests. Due to the COVID-19 pandemic, new processes to facilitate access to departmental researchers were developed by LAC in conjunction with local public health guidelines in the National Capital Region (NCR) and implemented in 2020-2021 during the periods when LAC's public facing facility at 395 Wellington, Ottawa reopened to the public (specifically in November-December 2020 and in February-March 2021). These enabled departmental researchers to book appointments to consult material onsite and permitted LAC to manage capacity limits in light of social-distancing requirements. However, this facility was closed to the general public for the majority of the past fiscal year (such as during Ontario's stay-at-home orders). During these closure periods, LAC continued to support other GC departments by providing access to departmental researchers when the request was urgent, such as for an active court case.

Finding aids

When archival records created by federal institutions are transferred to LAC, they are accompanied by indices or lists. These finding aids describe the contents and location of each archival file to facilitate its identification within LAC's archival holdings. Many finding aids also contain sensitive or personal information and must be reviewed prior to their being made publicly available. In 2020–2021, LAC reviewed 145 finding aids, an increase of 190% compared with the 2019–2020 fiscal year (50). Due to the fact that this work can be completed on LAC's protected B network in a telework environment a significant volume was able to be completed this past fiscal year when other onsite work was not possible.

Parliamentary Questions

LAC's ATIP Division provides subject matter expertise in response to Parliamentary Questions related to ATIP, and approves the responses to all Parliamentary Questions made to the institution. In the 2020-2021 fiscal year, LAC ATIP provided subject matter expertise on five (5) Parliamentary Questions and approved 140 responses on behalf of LAC for: Parliamentary Questions, Senate Questions as well as motions.

Part 2 – Formal ATI requests closed during the reporting period

2.1 Disposition and completion time

In 2020–2021, LAC completed 854 formal ATI requests. In 699 (82%) of these cases, all or parts of the records were disclosed. This is an increase of 6.5% in the disclosure rate over the previous fiscal year when 77% of completed requests were fully or partially disclosed.

The following tables provide information about disclosure and completion times for completed formal ATI requests during the last three fiscal years.

Table 5: Disclosure of records for completed requests

Disclosure	2020–2021	2019–2020	2018–2019
Fully disclosed	287 (34%)	477 (30%)	463 (36%)
Partially disclosed	412 (48%)	674 (45%)	492 (39%)
Exempted in entirety	3 (0%)	6 (0%)	4 (0%)
Excluded in entirety	9 (1%)	94 (6%)	99 (8%)
No existing records	55 (6%)	108 (7%)	88 (7%)
Transferred to another institution	0 (0%)	2 (0%)	8 (1%)
Request abandoned	88 (10%)	124 (10%)	82 (7%)
Neither confirmed nor denied	0 (0%)	0 (0%)	0 (0%)
Total number of requests	854	1,278	1,122

Note: Percentages may not add up to 100 due to rounding

Table 6: Number of days to complete formal requests

Number of Days	2020–2021	2019–2020	2018–2019
1 to 15 days	84 (10%)	440 (30%)	495 (39%)
16 to 30 days	76 (9%)	828 (56%)	497 (39%)
31 to 60 days	143 (17%)	54 (4%)	49 (4%)
61 to 120 days	256 (30%)	68 (5%)	104 (8%)
121 to 180 days	179 (21%)	17 (1%)	56 (4%)
181 to 365 days	97 (11%)	35 (2%)	22 (2%)
More than 365 days	19 (2%)	45 (3%)	55 (4%)

Note: Percentages may not add up to 100 due to rounding

In 2020–2021, 19% of requests completed were provided to the requester within 30 days. This is a significant decrease from the 2019–2020 fiscal year, when 85% of requests were provided within 30 days. This decrease can be directly attributed to the impact of the COVID-19 pandemic on LAC’s operations this past fiscal year and the high volume of ATIP requests LAC receives.

2.2 Exemptions

During 2020–2021, LAC invoked 475 exemptions under the Act. The following table shows the three most frequent exemptions applied by LAC.

Table 7: Exemptions most frequently applied by LAC

Number of Requests	Section	Description
439	19(1)	Personal information about an identifiable individual
12	23	Solicitor-client privilege
4	24(1)	Statutory prohibitions against disclosure

Note: One request may invoke multiple sections of the Act (e.g. paragraphs 19[1] and 23).

However, if the same exemption is used several times for the same request, it is reported only once.

Consistent with the past several reporting periods, the most frequently applied exemption is subsection 19(1).

2.3 Exclusions

The Act does not apply to certain information. The following table presents a comparison of the exclusions that LAC has invoked in the three past fiscal years.

Table 8: Exclusions invoked by LAC in the past three fiscal years

Section of the <i>Access to Information Act</i>	Number of Requests 2020–2021	Number of Requests 2019–2020	Number of Requests 2018–2019
68(a) published material or material available for purchase by the public	23	96	143
68(b) library or museum material preserved solely for public reference or exhibition purposes	3	17	3
68(c) material placed at LAC, the National Gallery of Canada, the Canadian Museum of History, the Canadian Museum of Nature, or the	0	14	12

Canada Science and Technology Museum by or on behalf of persons or organizations other than government institutions			
69(1) confidences of the Queen's Privy Council	0	0	1
69(1)(g) re (a) records that contain information about the contents of any record within a class of records (memoranda of proposal or recommendation to council)	0	2	0

2.4 Format of information released

Prior to the COVID-19 pandemic, LAC prioritized formal requests, urgent requests, and all elements involved in the processing of these requests (including digitization) to meet statutory deadlines. In the 2019-2020 fiscal year, LAC had begun working towards increasing its digital processes including the ability to send electronic release packages up to the the Protected B level.

Since the onset of the pandemic in mid-March 2020, LAC has shifted to prioritizing urgent requests (formal and informal) based on client needs requiring immediate access to documents for reasons such as failing health, medical purposes, housing, benefits, employment and litigation. In order to provide documentation quickly and efficiently to its clients, LAC began using Canada Post's *epost Connect™* service to send digital release packages up to the Protected B level. The ability to send electronic release packages greatly supported LAC's operations during the past fiscal year, as staff access to LAC's premises was limited or not possible at times. Furthermore, LAC's mailroom was temporarily closed from March 19th to April 7th, 2020 at the onset of the COVID-19 pandemic. This meant that sending electronic release packages via *epost Connect™* was the only option available to LAC during that period. With the implementation of this new digital delivery method LAC is able to provide its clients with a modern alternative to receiving a CD-ROM in the mail, which previously was the only electronic delivery method available to LAC clients.

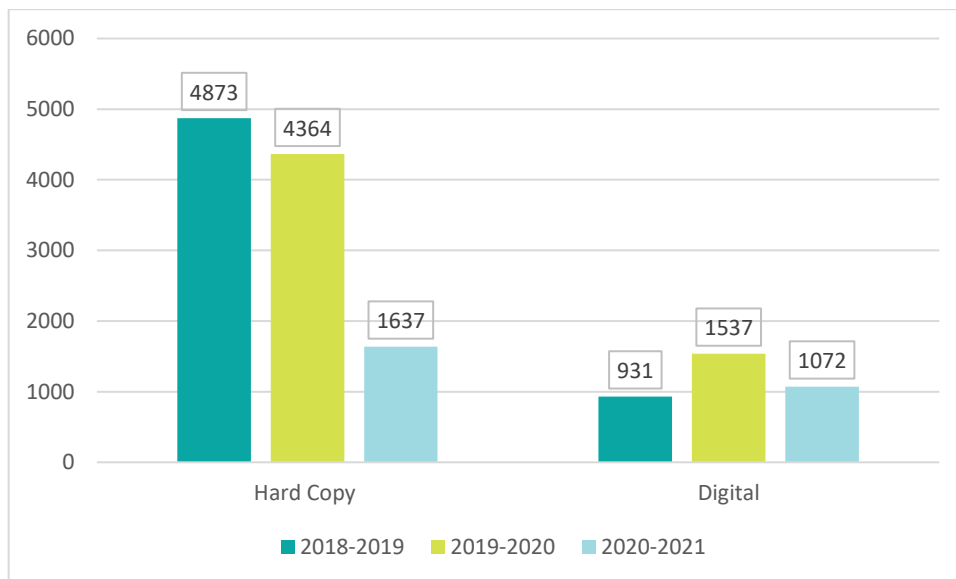
In addition to providing access to records in these different formats during the past fiscal year, LAC continued to offer its clients the ability to consult original records on site at its various facilities in Ottawa, Winnipeg and Vancouver at times when its public facing facilities were open, in alignment with applicable local and provincial public health orders.

Records that are deemed "open" and unrestricted are available to be consulted onsite in the city where they are stored. LAC also responds to formal and informal ATI requests in Ottawa, as well as informal requests in Winnipeg and Vancouver for records stored in those cities.

In 2020–2021, LAC saw an decrease of 30% (1,072) in the volume of digital (electronic) records released compared with the 2019-2020 fiscal year (1,537). Specifically, a total of 641 formal and informal ATI release packages were provided on CD-ROM, and a total of 467 formal and informal

ATI release packages were sent to clients via Canada Post’s *epost Connect™* service. In the 2020-2021 fiscal year, LAC also provided clients with 1,637 ATI release packages in paper format.

Figure 8: Format of release packages



2.5 Complexity

Factors that increase the complexity of processing requests may include requests in which:

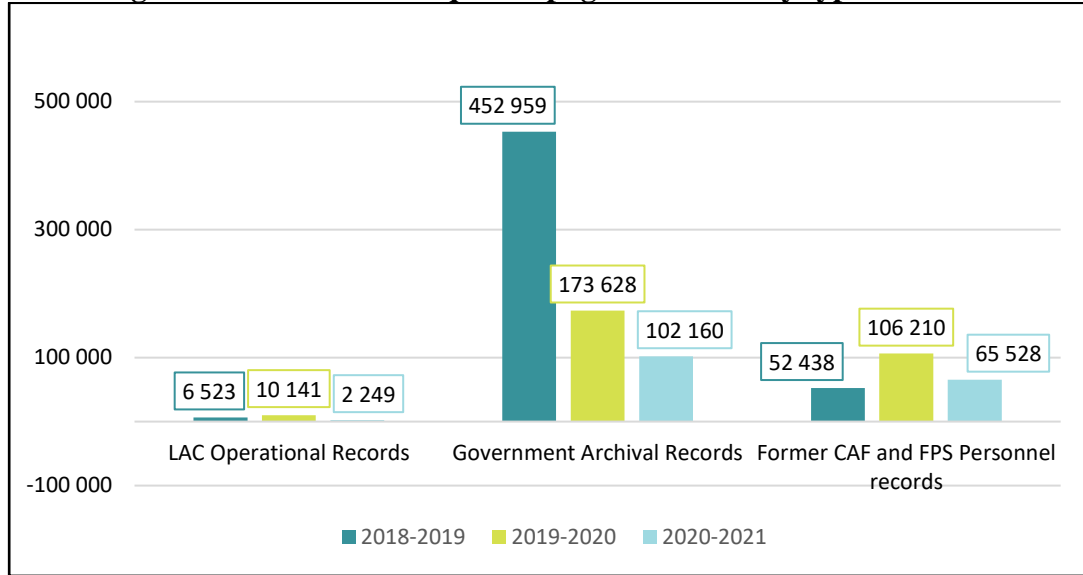
- external consultation is required (e.g. in the case of intelligence records where consultation with a foreign entity or country, or with multiple departments, may be required);
- legal advice must be sought; or
- information about more than one individual is found in the records (e.g. sometimes with medical or psychological records).

Other complexities may also include mould remediation and digitization, discussed below.

2.6 Relevant pages processed and disclosed

LAC reviewed 169,937 pages pursuant to formal access to information requests in 2020–2021. This represents a decrease of 41% compared with the volume of pages reviewed in 2019-2020 (289,979 pages). This decrease is consistent with the decrease in formal ATI requests processed in 2020-2021 due to impact of the COVID-19 pandemic on LAC’s operations.

Figure 9: Formal ATI requests: pages reviewed by type of record



In 2020–2021, LAC reviewed a total of 237,097 pages of records pursuant to formal and informal ATI requests. This is an overall decrease of 68% in pages reviewed, compared with the 2019–2020 fiscal year, in which LAC reviewed 751,715 pages pursuant to formal and informal ATI requests. This decrease is consistent with the overall decrease in ATI requests processed in 2020-2021 due to impact of the COVID-19 pandemic on LAC’s operations.

Table 9: Number of pages reviewed

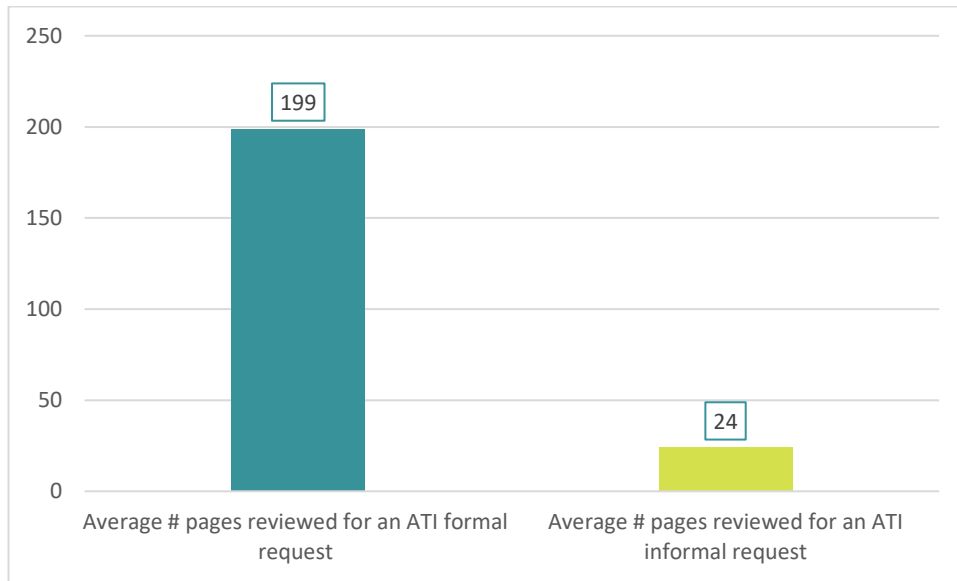
Type of Request	Number of Pages Reviewed
Informal	67,160
Formal	169,937
Total	237,097

Of the 237,097 pages reviewed, 47,067 pages were released in their entirety (all disclosed). Of the pages not entirely disclosed, a significant amount of the material reviewed this year contained exemptions for personal information about an identifiable individual, under subsection 19(1). In 2020-2021, 154,314 pages were disclosed in part.

2.7 Relevant pages processed and disclosed by size of requests

Of the 854 ATI formal requests completed, 743 (87%) requests required the review of up to 500 pages. A total of 56 (7%) formal requests involved the review of more than 500 pages and 4 requests required the review of more than 5,000 pages.

Figure 10: Average number of pages reviewed per request



As indicated above, the average number of pages reviewed per formal ATI request is 199 pages; the average number of pages reviewed per informal ATI request is 24 pages. Notably, the number of pages reviewed for formal and informal requests for government archival records is significantly higher than the average number of pages reviewed for former CAF and former FPS personnel records and LAC’s operational records. The following table outlines the total number of pages by record type reviewed in 2020-2021.

Table 10: Total number of pages reviewed by type of record

Type of Record	ATI Formal	ATI Informal
Personnel records	65,528	39,011
Government archival records	102,160	27,575
LAC operational records	2,249	574
Total number of pages reviewed	169,937	67,160

2.8 Other complexities

LAC’s ATIP analysts, with their knowledge and experience, are often able to provide open access to what was once restricted and/or classified information. In these cases, LAC applies the former TBS [Security Organization and Administration Standard](#) section 12.4 when processing formal ATI requests: “A decision to deny access to a record, or any part of it, must be based solely on the exemption provisions of the Acts as they apply at the time of the request. A decision to deny access

must not be based on the security classification or designation, however recently it may have been assigned.”

LAC consults with the department that created the record for advice on potential severances when enduring exemptions may still apply. LAC does not consult the department that created the record when there are no apparent exemptions that still apply. LAC also does not consult the department that created the record on informal ATI requests. In the course of reviewing an informal request, if LAC’s ATIP analyst determines that there may be potential enduring exemptions or exclusions, LAC will close the informal request and require the requester to submit a formal request for access to these records instead.

In the 2020-2021 fiscal year, LAC consulted with departments that created the records on 14 formal ATI requests. This is a significantly lower volume than in previous fiscal years and is tied to the lower volume of formal ATI requests processed by LAC during the COVID-19 pandemic this past year. In 2019-2020, consultations with departments that created the records on formal ATI requests accounted for approximately 21% of the total complexities identified (83 of 395). This past fiscal year they accounted for 6% of the total complexities identified (14 of 245). The largest number of complexities (231 of 245) this past year are included in the category “Other” of the TBS statistical report (see Annex B). The category “Other” includes complexities related to the COVID-19 pandemic, mould remediation, digitization and quality assurance. Mould remediation on records and digitization of records is undertaken by preservation and digitization specialists at LAC, not the ATIP and Litigation Response Division. Mould remediation on archival records can be a lengthy process, as it includes several technical steps.

2.9 Deemed refusals

2.9.1 Reasons for not meeting statutory deadline

Prior to this fiscal year, LAC was able to close the majority of its formal ATI requests within legislated timelines and had a very high level of performance. This past fiscal year, LAC’s percentage of requests completed within legislated timelines has decreased significantly due to the overall high volume of ATIP requests it receives in relation to its resources, and the extraordinary impact of the COVID-19 pandemic on its operations (for more information see Section 1.7). In 2020-2021 LAC completed 20,8% (178 of 854) within legislated timelines. This represents a decrease of 78% from the 2019–2020 fiscal year, when 96% of requests were completed within the statutory deadline.

Due to the impact of the COVID-19 pandemic on LAC’s operations in 2020-2021, the majority of requests in deemed refusal (659 of 676) were related to delays in processing caused by the pandemic and are included in the category “Other”.

Table 11: Reasons for deemed refusals

Reasons for Deemed Refusals	Total
External consultation	5
Internal consultation	12
Other	659

Note 1: LAC holds records that are also accessed by other federal departments (in accordance with section 9 of the Act and paragraph 8(2)(a) of the *Privacy Act*) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose. This means that, at times, the relevant records may not be available for LAC ATI review.

Note 2: An institution calculates deemed refusals once the request is closed. In some cases, the deemed refusals pertain to requests that were carried forward from the previous fiscal year.

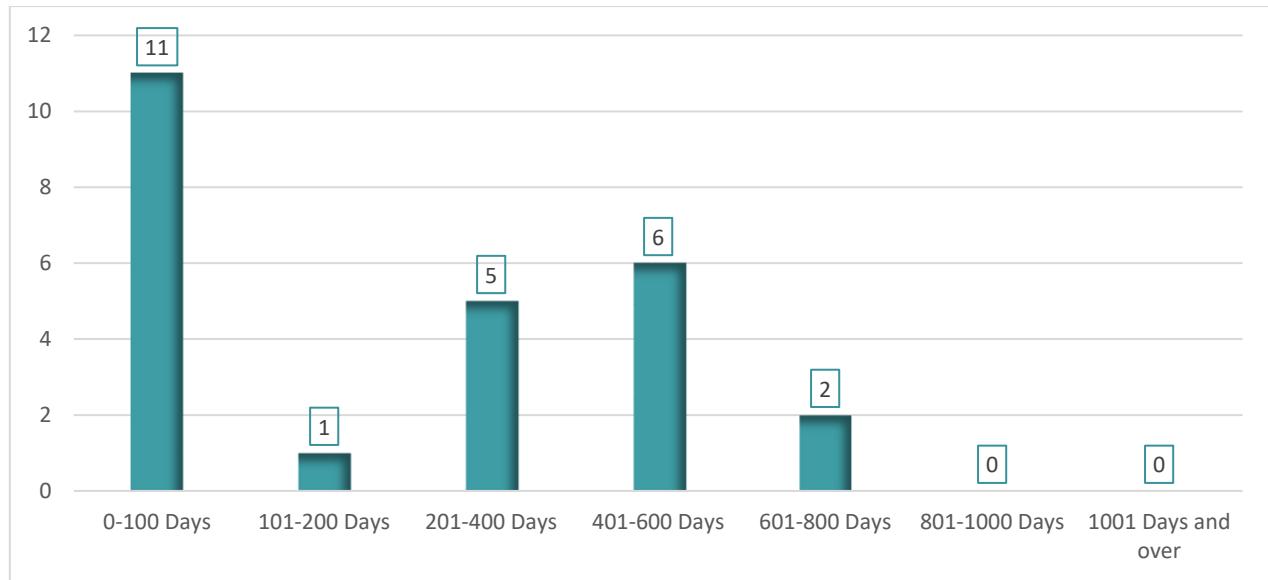
Section 7.7.2 of the *Interim Directive on the Administration of the Access to Information Act*, issued in May 2016, directed federal institutions to apply the same importance to consultation as to the processing of their own ATI requests.

With the growing number of formal ATI requests being submitted to LAC during recent years, LAC has been in turn sending higher numbers of consultation requests to creating departments for advice on severances. While LAC did send a significantly lower number of consultation requests (14) this past fiscal year due to the COVID-19 pandemic, LAC was also waiting on packages that had been sent out in previous fiscal years. Prior to the pandemic, some GC departments had been experiencing significant increases in their workload and were sometimes not able to respond to LAC in accordance with their consultation time frames. The resulting delays in turn affected LAC's ability to respond within the statutory time limits, even with the extensions taken. With the onset of the COVID-19 pandemic, it became even more difficult for creating departments to respond to LAC within established timeframes.

On March 31, 2021, there were 502 consultation requests pending a response from other departments. This is an increase of 37% over the previous fiscal year (March 31, 2020) when LAC had 367 consultation requests pending a response. In light of the low volume of responses received from GC departments on consultation packages in 2020-2021, LAC had a total of 5 deemed refusals due to external consultation this past fiscal year.

The following graph illustrates the number of consultation packages closed in 2020-2021 and the number of days elapsed.

Figure 11: Number of consultation requests closed 2020–2021 and number of days elapsed



2.9.2 Number of days past deadline

Of the 676 deemed refusals, 3% (18 requests) exceeded timelines, including additional extensions taken, and 97% (658) exceeded timelines where the request had not been identified as requiring or eligible for an extension.

Table 12: Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where an Extension Was Taken	Total
1 to 15 days	83	1	84
16 to 30 days	55	1	56
31 to 60 days	128	3	131
61 to 120 days	224	0	224
121 to 180 days	132	0	132
181 to 365 days	35	5	40
More than 365 days	1	8	9
Total	658	18	676

2.10 Requests for translation

Consistent with the previous fiscal years, in 2020–2021 there were no requests for translation from English to French or from French to English.

Part 3 – Extensions

3.1 Reasons for extensions and disposition of requests

Table 13: Reasons for extensions and disposition of requests

Extension	2020–2021	2019–2020	2018–2019
9(1)(a) Large volume of records	30	173	248
9(1)(b) Consultation necessary: s.69	0	1	0
9(1)(b) Consultation necessary: Other	14	94	150
9(1)(c) Third party notice required	0	0	0
Total	44	268	398

As mentioned in section 2.8, with the elevated number of formal ATI requests being submitted to LAC in recent years, and the complexity of the records being sought, LAC is in turn sending higher numbers of consultation requests to creating departments for advice on severances. As a result, this often affects extensions taken. Furthermore, due to the COVID-19 pandemic, it became even more difficult for creating departments to respond to LAC within established timeframes in 2020-2021.

Because of an increased research interest in records related to national security and intelligence, and the challenges related to processing requests for records containing this material, LAC and other GC institutions have undertaken discussions through internal and external working groups to improve the initial review and consultation process between departments as well as more efficient ways to process new incoming requests for records containing this subject matter.

3.2 Length of extensions

LAC did not only require extensions to timelines when consulting creating departments. In 2020–2021, LAC sought 30 extensions because of volume. The following table shows the number of days of extension that LAC requested for 44 of the formal ATI requests received in 2020–2021.

Table 14: Length of extensions

Length of Extension	Number of Requests
0 to 30 days	3
31 to 60 days	6
61 to 120 days	9
121 to 180 days	11
181 to 365 days	7
366 days or more	8
Total	44

Part 4 – Fees

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 below is reported in accordance with the requirements of section 20 of the Service Fees Act.

During the reporting period, LAC collected \$8,160 in application fees for 1,632 formal ATI requests it received. This is an increase of \$1,100 (16%) over 2019–2020, in which LAC collected \$7,060 in application fees for 1,412 formal ATI requests it received. In accordance with the Interim Directive on the Administration of the *Access to Information Act*, issued on May 5, 2016, and the changes to the *Access to Information Act* that came into force on June 21, 2019, LAC 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. LAC waived or refunded fees related to 14 requests in 2020–2021.

Part 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other Government of Canada institutions and other organizations

During the 2020–2021 fiscal year, LAC received 18 consultation requests from other GC institutions and completed 20 consultation requests from other government institutions (2 of the requests completed were carried over from the 2019-2020 fiscal year). LAC provided consultation on 277 pages and as of March 31, 2021 has no more pending requests.

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

The table below outlines the period of time required to process the consultation requests completed by LAC in 2020–2021.

Table 15: 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
Disclose entirely	1	2	5	2	0	0	0
Disclose in part	0	0	0	0	1	0	0
Exempt entirely	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0
Other	3	2	1	3	0	0	0

5.3 Recommendations and completion time for consultations received from other organizations

LAC received no (0) requests for consultation from other (private sector) organizations.

Part 6 – Completion time of consultations on Cabinet confidences

6.1 Requests with Legal Services

LAC did not consult Legal Services on Cabinet confidences in 2020–2021.

6.2 Requests with Privy Council Office

LAC did not consult the Privy Council Office on Cabinet confidences in 2020–2021.

Part 7 – Complaints and investigations

In 2020–2021, LAC received 50 notifications of complaints or investigations from the Office of the Information Commissioner (OIC). In 2019–2020, LAC had received 89 notifications of complaints or

investigations from the OIC and in 2018–2019 LAC had received 160 notifications of complaints or investigations from the OIC. While the volume of notifications of complaints or investigations received by LAC from the OIC decreased in 2020-2021 compared with the past two fiscal years, previously, this volume was significantly lower. In 2017–2018 LAC received 25 such notices and in 2016–2017 LAC received 15. This overall increase in recent years is related to the elevated workload that exists across the GC ATIP community, and the need for LAC to consult with other GC departments prior to finalizing release packages, which often results in delays in the processing of ATI requests.

In an effort to deal with these concerns, LAC had implemented new procedures in 2018–2019 to address outstanding consultations with other government departments in order to improve response times. LAC has also developed a more robust process of review in advance of consulting other government departments through its new peer-review process. However, due to growing volume of work in ATIP and the lack of resources to complete the volume of requests over recent years, LAC has also had limited resources to dedicate to the resolution of complaints which has contributed to a growing backlog of unresolved complaints. This issue was further compounded in the 2020-2021 fiscal year due to the impact of the COVID-19 pandemic. On March 31, 2021, the OIC had a total of 225 active complaints against LAC. Because of this large volume of complaints, the OIC and LAC agreed to manage a priority list. LAC committed to working on complaints identified as a priority, and once these complaints were resolved, the OIC would replace them with new priorities. While LAC has resolved 14 complains during the pandemic, it has been a challenge for LAC to address all of the priority requests in addition to the work required by LAC to respond to requests for information on newly submitted complaints (Notices to Investigate), and other administrative complaints that were exempted from the priority list.

The majority of active complaints filed with the Office of the Information Commissioner on LAC’s ATI packages are the result of “deemed refusals”: packages not received by requesters on time. These are largely because of late returns to LAC where LAC has consulted with other GC departments on the contents of records prior to finalizing the release package. Some consultations in the LAC queue may take several years to complete because of the number of pages and complexity of the content, which requires specific subject-matter expertise. LAC has proactively contacted other government departments on active complaints and the most significantly overdue consultations, to discuss how to improve processes and have consultation packages return to LAC on time.

Table 16: Complaints and investigations received by LAC in 2020–2021

Section 32 Notice of intention to investigate	Section 35 Investigations in private	Section 37 Commissioner shall provide a record of report
50	2	10

Part 8 – Court action

In 2020–2021, there were no new court cases involving LAC.

Part 9 – Resources related to the *Access to Information Act*

9.1 Costs

During the past fiscal year, LAC's costs related to the administration of the Act have grown in conjunction with its workload and the assumption of important initiatives that enable LAC to work in an increasingly digital environment.

Furthermore, in addition to the work performed by staff in LAC's ATIP and Litigation Response Division, it is important to highlight that staff from across the institution work to support the Division.

Due to the significant increase in ATIP requests received by LAC in recent years, LAC undertook an extensive consultation in 2017–2018, to address and gain a better understanding of the impacts of this increase in volume across LAC's various business areas.

In light of this information, LAC continues to identify efficiencies and make adjustments to respond to the maximum of requests with the resources it has, while also refining its mechanisms to accurately track and reflect the costs associated with the administration of the Act from across the institution.

In 2020–2021, LAC's archivists, reference services, circulation, preservation, translation and web publishing staff played key roles to ensure that:

- ATIP requests at LAC are responded to in a timely manner; and
- *Info Source* and annual reports are translated and published.

In the 2017–2018 annual report, the costs reported by LAC included only those of the ATIP division and digitization associated with the administration of the Act. Adhering to the same reporting methodology used in its 2018–2019 and 2019–2020 annual reports, what follows are LAC's comprehensive costs associated with the administration of the Act for 2020–2021.

Table 17: Costs of administering the *Access to Information Act*¹

Cost Category	Salary²	Operations and Maintenance
ATIP Division (National Capital Region), including Director	\$1,823,142	\$3,749
ATIP software licenses		\$55,609
ATIP shipping		\$16,803
ATIP transportation/travel		\$0
Digitization	\$297,764	
Regional staff	\$152,497	
Other costs ³	\$435,436	\$35,025
Total cost	\$2,708,839	\$111,186

Notes:

- 1 The financial information presented in this table represents the most current data at the time of the production of this report.
- 2 The financial information presented in this table excludes costs for Employee Benefit Plans (EBPs) (27% of salary).
- 3 “Other costs” includes costs associated with the application of the Act related to services such as those provided by archivists, reference, circulation, preservation, security, translation and web publishing.

9.2 Human resources

In 2020–2021, there were 22.02 FTEs in the ATIP and Litigation Response Division and 5.35 FTEs across the institution performing work associated with the application of the Act.

Over the course of the past fiscal year, LAC’s ATIP and Litigation Response Division has implemented temporary organizational changes and adapted its human resources and reporting structure to diversify skill sets, streamline operations and effectively respond to its evolving business in ATIP. The Litigation Response team was formed in the third quarter of 2018–2019, which included ATIP analysts, clerical support, team leads and managers. Staff for this team are located in the National Capital Region and Winnipeg. In 2020–2021, this team performed the digitization and informal privacy review of former CAF records in support of the GC’s response to [CAF-DND Sexual Misconduct Class Action Settlement](#).

To respond to the high degree of movement across departments in the ATIP community and high rates of employee turnover, LAC made a concerted effort to retain its existing staff in 2020-2021 and began working towards the development of a Career Management Program for ATIP specialists at LAC.

However, due to significant budget challenges experienced by LAC, many vacant positions were left unfilled across LAC throughout the past fiscal year, including positions in the core ATIP team. To mitigate the impact of this situation on the ATIP Division, on December 14, 2020, LAC sent an

institution-wide internal Call for Interest to seek LAC staff interested in providing short-term help to the ATIP Division. The additional staff assistance was sought to assist the Division in its aim to continue providing critical information to the Canadian public and assist with certain priority requests that have a direct impact on the lives, rights, health and well-being of Canadians such as those related to the Federal Indian Day Schools Settlement. The ATIP Division called upon interested LAC staff for full-time and part-time opportunities at various levels from CR-04, PM-01, PM-02, PM-03, HR-02 or equivalent (GT-01, AS-01, AS-02, AS-03, EC-02, LS-02 and HR-02) for a 4-month at-level assignment. In January and February 2021, the division on-boarded 7.7 FTEs at various levels as a result of this internal call for interest. Just before the end of the fiscal year, on March 30, 2021, LAC renewed and expanded the call for interest for short-term assignments. Some personnel from the initial call for interest did not continue during the renewal (extension), and a second call for interest was launched not only to replace those personnel but to direct even more assistance from across the institution to the ATIP Division. As before, LAC's ATIP and Litigation Response Division was looking for LAC staff to provide temporary support in response to a surge of requests due to various factors, including the Federal Indian Day Schools Settlement and its growing backlog of requests.

Part 10 – Miscellaneous

10.1 Education and training

Personnel working in LAC's ATIP and Litigation Response Division generally participate in a variety of annual professional development events and conferences, including the Archives Association of Ontario Conference, Right to Know Day, the National Claims Research Workshop Conference, the Canadian Access and Privacy Association Conference, and the ARMA NCR Conference to name a few. However, due to COVID-19 many of these in-person events and conferences did not take place in 2020-2021.

Instead, its personnel participated in a number of virtual education and training activities during the reporting period.

Association of Canadian Archivists Conference 2020

In June 2020, four (4) staff members attended the annual conference entitled "Seeing the Archives Differently - The Online Version".

Ontario Library Association Super Conference 2021

In February 2021, one (1) staff member attended the annual conference entitled "Clever Minds, Human Hearts".

Virtual Courses, Webinars and Workshops

In 2020-2021, personnel in the ATIP and Litigation Response Division completed the following courses, webinars and workshops:

- CSPS: Access to Information and Privacy Fundamentals (I015): 2 participants;
- CSPS: Access to Information in the Government of Canada (I701): 2 participants;
- CSPS: Controlling Conflict, Stress, and Time in a Customer Service Environment (W021): 1 participant;
- CSPS: Cultural Self-Reflection: What I Know and What I Don't Know (K099): 3 participants;
- CSPS: Developing a Plan to Further your Career (H014): 1 participant;
- CSPS: First Nations in Canada (K101): 4 participants;
- CSPS: Introduction to Citizen and Client-Centered Service (T233): 2 participants;
- CSPS: Introduction to Project Management (R200): 1 participant;
- CSPS: Introduction to Risk Management (C210): 1 participant;
- CSPS: Inuit in Canada (K103): 2 participants;
- CSPS: Métis in Canada (K102): 3 participants;
- CSPS: Privacy in the Government of Canada (I702): 2 participants;
- CSPS: Providing Telephone Customer Service (R009): 1 participant;
- CSPS: Security Awareness (A230): 3 participants;
- CSPS: The Contributions of Indigenous Peoples to Canada's Military History: 1 participant;
- CSPS: The Uncomfortable Truth (K100): 6 participants;
- CSPS: Understanding Anti-Black Racism and How to Be an Ally (Micro-learning Series): 2 participants;
- CSPS: Writing Briefing Notes (C110): 1 participant;
- CSPS: Power Chat on COVID-19 and Mental Health in the Workplace: 1 participant;
- CSPS: Understanding Quantum Computing and What It Means for the Public Service: 1 participant;
- Dalhousie University: Masters in Information Management - Course MGMT5002: 1 participant;
- Delivering Value During COVID-19: Annual Learning Day for the Government of Canada's Project Management Community: 1 participant;
- National Centre for Truth and Reconciliation Webinar: Practicing Active Allyship in the TRC's Calls to Action: 3 participants;
- University of Alberta: Information Access and Protection of Privacy Foundations course: 1 participant;
- Workshop on How to Manage Virtual Teams for supervisors and managers: 2 participants.

The Division usually organizes a series of annual "101" sessions for new employees, specifically about LAC and how the Division is an integral part of client access to restricted GC archival material. Topics include genealogy, references services, acquisition of GC archival records, preservation, and conservation. Due to COVID-19, the Division was unable to offer as many sessions in 2020-2021.

- Information management for new LAC employees (IM-001): 2 participants; and
- Gatineau Preservation Centre (GPC) tours: 2 participants.

Directed training and mentoring

Internal training and mentoring efforts at LAC were significant this year because of the need to develop employees who had taken on new roles or were new to LAC's ATIP division. The guidance provided by experienced LAC ATIP analysts and members of the ATIP Policy and Governance unit is important in the successful processing of new incoming requests. In addition, LAC's peer-review process was continued in ATIP this fiscal year, to support new analysts in their work.

10.2 Significant changes to organization, programs, operations or policy

Over the course of the past fiscal year, LAC's ATIP and Litigation Response Division has adapted its operations, and strengthened its policies and procedures in response to;

- its evolving business,
- specifically funded activities (the [CAF-DND Sexual Misconduct Class Action Settlement Agreement](#)),
- a surge of requests for information in support of claims related to the [Federal Indian Day Schools Class Action](#), and
- changing circumstances and challenges caused by the COVID-19 pandemic.

Temporary organizational changes

In 2018–2019, LAC temporarily added a Litigation Response team to its ATIP Division to respond to immediate needs, and to meet its roles and responsibilities related to the LGBT Purge Class Action Final Settlement Agreement. To continue to ensure the effective delivery of public services, LAC's Regional Services team, which was part of the same Division, temporarily joined the Reference Services Division. To reflect these changes, the Regional Services and ATIP Division was temporarily renamed the ATIP and Litigation Response Division. This structure will continue to be maintained into the 2021–2022 fiscal year, enabling LAC to support its roles and responsibilities in class actions such as for the [CAF-DND Sexual Misconduct Class Action Settlement Agreement](#).

Operations

During the past fiscal year, LAC has continued its efforts to improve its business processes and increase public access in alignment with the GC's initiative and directives on [Proactive Disclosure](#) and [Open Government](#) and in response to changes introduced by Bill C-58.

The capacity to work in an increasingly digital environment is integral to LAC's current business needs and ability to provide access, especially in light of the COVID-19 pandemic. In the 2020-2021 fiscal year, LAC's ATIP Division was able to shift its operations quickly to a remote work environment, as many of its administrative processes were already digital.

LAC's clients are able to submit ATIP requests electronically through its [online portal](#). In 2020–2021, LAC received 5,058 informal and 1,655 formal ATIP requests through its online ATIP request portal, a total of 6,713 ATIP requests. ATIP requests made up approximately 72% (4,821) of requests

received online. Using the LAC ATIP Online Request service is a faster, easier and more convenient way for LAC's clients to submit ATI requests. Furthermore, it enables LAC to continue registering requests in a remote work environment.

To expedite the delivery of ATIP release packages to its clients, LAC implemented the use of Canada Post's *epost Connect™* service for digital release packages up to the Protected B level. This new digital delivery method provides LAC's clients with a modern alternative to receiving a CD-ROM in the mail. It also enables LAC to send digital release packages in a remote work environment.

This past fiscal year, LAC also made efforts to continue researching and investigating a variety of solutions to increase its capacity to work in a digital environment and improve its services for clients, including the ability provide online access to open ATI release packages through digital download. This particular solution will enable clients to have the ability to browse previously released ATI packages and download them in PDF format without needing to request a copy from LAC's ATIP division.

To improve its processes, LAC is also collaborating with other organizations involved in the processing of requests for access to records containing security and intelligence information on the development of more efficient and shared practices. LAC's onboarding to secure technology infrastructure platforms in recent years has optimized communication while ensuring that the appropriate cybersecurity and privacy protection mechanisms are in place.

While LAC is actively working to make its processes more streamlined and efficient, the number of requests it receives continues to be greater than the volume it can complete. Any increase to the volume of requests received by LAC affects its ability to process requests, and it has an impact on all supporting business areas. Over the past six fiscal years, LAC's backlog of uncompleted ATIP requests has grown significantly as a result. On March 31, 2016, LAC had a backlog of 2,885 uncompleted ATIP requests. By March 31, 2021 this backlog has grown to 16,922 requests, which represents an overall increase of 487%.

Table 18: Volume of ATIP requests received and backlog of uncompleted requests over 6 years

Requests	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Total number of ATIP requests received	12,306	12,807	14,331	15,619	17,190	12,801
Total number of ATIP requests completed	11,753	12,280	11,434	13,508	13,391	8,130
Total number of ATIP requests carried forward (Backlog of uncompleted requests)	2,885	3,414	6,310	8,409	12,218	16,922
Total # FTEs working in LAC's ATIP Division on the Administration of the Acts	34,48	38,9	44,26	74,49*	63,97*	56,97*

*Note: The total number of FTEs includes the externally funded Litigation Response unit which consisted of 15,88 FTE in the 2020-2021 fiscal year.

Out of the 16,922 ATIP requests in LAC's backlog on March 31, 2021, 14,163 are Access to Information (ATI) requests (1,935 requests are formal ATI requests and 12,228 are informal ATI requests).

On March 31, 2021, the oldest formal ATI request in this queue was 21 months old and the oldest informal ATI request in this queue was 42 months old.

Clients faced with a long waiting period for a response to their informal request may, as a result, choose to submit a formal request in order to receive their response in the legislated time frame. LAC continues to identify various options and the resources needed to reduce the outstanding queue of informal ATI requests and considerably reduce the current wait time. Despite the growing queue of requests, LAC continues to make significant efforts to process formal ATIP requests within the legislated timeframe, and urgent requests in an expedited manner.

OIC Systemic Investigation

The growing volume of ATIP requests over recent years and impact of the COVID-19 pandemic have impacted LAC's ability to fulfill its responsibilities under both the *Privacy Act* and the *Access to Information Act* in 2020-2021. However, as LAC prioritized the processing of urgent requests related to medical benefits, social services, class actions, and legal proceedings throughout the pandemic, in 2020-2021, LAC processed a greater number of formal Privacy requests (1,232) compared with

formal ATI requests (854). Of these requests, LAC was only able to complete 222 formal Privacy requests and 178 formal ATI requests within legislated timelines.

On January 20, 2021 LAC received a Notice of Intention to Investigate and Summary of Complaint (under s. 32 of the Access to Information Act) from the Information Commissioner of Canada. The Information Commissioner initiated a complaint against Library and Archives Canada (LAC) pursuant to subsection 30(3) of the Access to Information Act. The complaint concerns Library and Archives Canada's ongoing failure to provide timely access to information and based on reports that it is unable to process records under its control during the timeframe of April 1, 2020 to-date (February 4th, 2021).

On February 4, 2021, LAC received the request for documentation from the OIC which included information and statistics about requests received and completed by LAC, information on LAC's ATIP processes and copies of its procedures, information and correspondence provided by LAC to clients. The request also included questions asking LAC to explain its challenges, including impact of the COVID-19 pandemic, and its plans to address the situation.

On March 18, 2021, LAC provided its response to the OIC with all requested documentation. An official report by the Information Commissioner of Canada regarding the investigation is expected to be completed in the 2021-2022 fiscal year.

Policy

The addition of a Policy and Governance unit to LAC's ATIP team at the end of March 2017 has enabled LAC to accomplish significant work to strengthen its policies and procedures, and to meet the requirements and directives of TBS and the Office of the Privacy Commissioner. During the past fiscal year, the Policy and Governance unit has revised LAC's *Info Source* chapter, and developed templates and processes for privacy incidents and breaches, privacy notices, personal information banks, classes of records, and privacy impact assessments. In addition, the Policy and Governance unit worked on ATIP workflows, drafted the annual reports to Parliament and continued its oversight of LAC's reporting via the [Open Data](#) portal. In the 2020–2021 fiscal year, this unit was responsible for all additional reporting to TBS related to the COVID-19 pandemic, including the completion of the Weekly questionnaire on the status of ATIP offices and the Monthly Questionnaire on Consultation Capacity for ATIP Offices.

ATIP legislation renewal process

LAC is an active member in a number of interdepartmental working groups focused on making recommendations for improving the *Access to Information Act* and the *Privacy Act*.

10.3 Changes as a result of issues raised by the Office of the Information Commissioner

In 2019–2020, the Office of the Information Commissioner (OIC) presented complaints from clients regarding lengthy extensions on requests and raised issues regarding the timelines associated with formal ATI requests in which consultations were sent to creating departments. LAC addressed this concern by proactively assigning one (1) FTE to review requests in which the time frames for consultation exceeded the allowable days and assigning a senior lead analyst to coordinate LAC’s interactions with the OIC and its investigators. Despite its limited capacity in 2020–2021 as a result of the COVID-19 pandemic, LAC continued to follow this new approach as much as possible.

10.4 Changes as a result of issues raised by other agents of Parliament

There are no changes to report for the 2020–2021 fiscal year.

10.5 Monitoring

LAC monitors the time invested in processing ATI requests through the specialized ATIP software Access Pro Case Management from CSDS Systems Inc. This software enables LAC to track all request-related activities (e.g. time management, correspondence, consultations and fees) and allows each activity to be reported with specific timelines. A system feature called the “Dashboard” also provides system users, supervisors and managers with information about various data fields. The Dashboard is reviewed monthly by the Systems Specialist in the ATIP and Litigation Response Division to ensure accuracy of reporting including monthly, quarterly and annual statistical reports. The Systems Specialist also produces a number of ad hoc reports and quarterly infographics throughout the year to help keep LAC’s management informed.

The “dashboard” is one tool pertaining to monitoring and compliance; however, LAC has designed several tools and reporting mechanisms to review progress and level of completion of requests. Data fields available for review include the number of requests and request actions that are due within a specific period. Other features, such as system-designed reports and search-builders, allow users, managers and the system administrator to track all active and closed requests for accuracy, completeness and compliance with regard to regulations, policies and procedures.

If an irregularity is identified in the data reported, this will be brought to the attention of section supervisors. Depending on the severity of the irregularity identified, the case may be brought to the attention of the ATIP Coordinator, Director, Chief Privacy Officer, other senior executives, or the Librarian and Archivist of Canada.

10.6 Information holdings

Sources of Federal Government and Employee Information (Info Source) is a series of bulletins containing information about, and collected by, the GC. The primary purpose of *Info Source* is to assist individuals in exercising their rights under the Act. *Info Source* also supports the federal government's commitment to facilitate access to information regarding its activities.

A description of LAC's functions, programs, activities and related information holdings can be found in [*Sources of Federal Government and Employee Information*](#).

To improve service delivery and reduce the technical burdens for the requesters who chose to submit their request online, the Public Services Branch at LAC has updated its program-related information available online, including *Info Source*. All *Info Source* publications are available online free of charge.

Additional copies of this report are available upon request:

Access to Information and Privacy Coordinator
Library and Archives Canada
395 Wellington Street
Ottawa, Ontario K1A 0N4

3 Appendices

Appendix A: Delegation Order – *Access to Information Act*

DELEGATION ORDER

Access to Information Act and Privacy Act

Pursuant to Section 73 of the *Access to Information Act* and the *Privacy Act*, I, as head of Library and Archives Canada, hereby designate the persons holding the positions set out in the schedule hereto, or persons occupying on an acting basis those positions, to exercise my powers and functions under these Acts specified opposite each position.

This Delegation Order supersedes all previous
Access to Information Act and *Privacy Act* Delegation Orders.



The Honourable Mélanie Joly
Minister of Canadian Heritage

MAY 26 2016

Date

Powers and functions delegated pursuant to Section 73 of the *Access to Information Act* and the *Access to Information Regulations*

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Act</i>							
4(2.1)	Responsibility of government institutions	x	x	x	x	x	x
7(a)	Notice where access requested	x	x	x	x	x	x
7(b)	Giving access to record	x	x	x	x	x	x
8(1)	Transfer of request to another government institution	x	x	x	x	x	x
9	Extension of time limits	x	x	x	x	x	x
11(2), (3), (4), (5), (6)	Additional fees	x	x		x	x	x
12(2)(b)	Language of access	x	x	x	x		
12(3)(b)	Access in an alternative format	x	x	x	x		
13	Exemption - Information obtained in confidence	x	x	x	x	x	x
14	Exemption - Federal-provincial affairs	x	x	x	x	x	x
15	Exemption - International affairs and defence	x	x	x	x	x	x
16	Exemption - Law enforcement and investigation	x	x	x	x	x	x
16.5	Exemption - <i>Public Servants Disclosure Protection Act</i>	x	x	x	x	x	x
17	Exemption - Safety of individuals	x	x	x	x	x	x
18	Exemption - Economic interests of Canada	x	x	x	x	x	x
18.1	Exemption - Economic interests of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	x	x	x	x	x	x
19	Exemption - Personal information	x	x	x	x	x	x
20	Exemption - Third party information	x	x	x	x	x	x
21	Exemption - Operations of Government	x	x	x	x	x	x
22	Exemption - Testing procedures, tests and audits	x	x	x	x	x	x
22.1	Exemption - Audit working papers and draft audit reports	x	x	x	x	x	x
23	Exemption - Solicitor-client privilege	x	x	x	x	x	x
24	Exemption - Statutory prohibitions	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Act</i>							
25	Severability	X	X	X	X	X	X
26	Exemption - Information to be published	X	X	X	X	X	X
27(1), (4)	Third-party notification	X	X	X	X	X	X
28(1)(b), (2), (4)	Third-party notification	X	X	X	X	X	X
29(1)	Where the Information Commissioner recommends disclosure	X	X	X	X	X	X
33	Advising Information Commissioner of third-party involvement	X	X	X	X	X	X
35(2)(b)	Right to make representations	X	X	X	X	X	X
37(4)	Access to be given to complainant	X	X	X	X	X	X
43(1)	Notice to third-party (application to Federal Court for review)	X	X	X	X	X	X
44(2)	Notice to applicant (application to Federal Court by third-party)	X	X	X	X	X	X
52(2)(b), (3)	Special rules for hearings	X	X	X	X	X	X
71(1)	Facilities for inspection of manuals	X	X	X	X	X	X
72	Annual report to Parliament	X	X	X	X	X	X

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Regulations</i>							
6(1)	Transfer of request	x	x	x	x		
7(2)	Search and preparation fees	x	x	x	x		
7(3)	Production and programming fees	x	x	x	x		
8	Providing access to record(s)	x	x	x	x		
8.1	Limitations in respect of format	x	x	x	x		

Legend:

LAC Librarian and Archivist of Canada

DGS Director General, Services

DIR Director, Regional Services and ATIP

MAI Manager, Access to Information and Privacy Division, PM-06

A1 Senior Analyst, Access to Information and Privacy Division, PM-05, PM-04

A2 Personnel Records Analyst, Access to Information and Privacy Division, PM-03

Powers and functions delegated pursuant to Section 73 of the *Privacy Act* and *Privacy Regulations*

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Act</i>							
8(2)(j)	Disclosure for research purposes	x	x	x	x		
8(2)(m)	Disclosure in the public interest or in the interest of the individual	x	x	x	x		
8(4)	Copies of requests under 8(2)(e) to be retained	x	x	x	x	x	x
8(5)	Notice of disclosure under 8(2)(m)	x	x	x	x	x	x
9(1)	Record of disclosures to be retained	x	x	x	x	x	x
9(4)	Consistent uses	x	x	x	x	x	x
10	Personal information to be included in personal information banks	x	x	x	x	x	x
14	Notice where access requested	x	x	x	x	x	x
15	Extension of time limits	x	x	x	x	x	x
17(2)(b)	Language of access	x	x	x	x		
17(3)(b)	Access to personal information in alternative format	x	x	x	x	x	x
18(2)	Exemption (exempt bank) - Disclosure may be refused	x	x	x	x	x	x
19(1)	Exemption - Personal information obtained in confidence	x	x	x	x	x	x
19(2)	Exemption - Where authorized to disclose	x	x	x	x	x	x
20	Exemption - Federal-provincial affairs	x	x	x	x	x	x
21	Exemption - International affairs and defence	x	x	x	x	x	x
22	Exemption - Law enforcement and investigation	x	x	x	x	x	x
22.3	Exemption - <i>Public Servants Disclosure Protection Act</i>	x	x	x	x	x	x
23	Exemption - Security clearances	x	x	x	x	x	x
24	Exemption - Individuals sentenced for an offence	x	x	x	x	x	x
25	Exemption - Safety of individuals	x	x	x	x	x	x
26	Exemption - Information about another individual	x	x	x	x	x	x
27	Exemption - Solicitor-client privilege	x	x	x	x	x	x
28	Exemption - Medical record	x	x	x	x	x	x
31	Notice of intention to investigate	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Act</i>							
33(2)	Right to make representation	x	x	x	x	x	x
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	x	x	x	x	x	x
35(4)	Access to be given	x	x	x	x	x	x
36(3)	Report of findings and recommendations (exempt banks)	x	x	x	x	x	x
37(3)	Report of findings and recommendations (compliance review)	x	x	x	x	x	x
51(2)(b)	Special rules for hearings	x	x	x	x		
51(3)	Ex parte representations	x	x	x	x		
72(1)	Report to Parliament	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Regulations</i>							
9	Reasonable facilities and time provided to examine personal information	x	x	x	x		
11(2)	Notification that correction to personal information has been made	x	x	x	x		
11(4)	Notification that correction to personal information has been refused	x	x	x	x		
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	x	x	x	x		
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	x	x	x	x		

Legend:

- LAC Librarian and Archivist of Canada
- DGS Director General of Services
- DIR Director
- MAI Manager, Access to Information and Privacy Division, PM-06
- A1 Senior Analyst, Access to Information and Privacy Division, PM-05, PM-04
- A2 Analyst, Access to Information and Privacy Division, PM-03

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



Statistical Report on the *Access to Information Act*

Name of institution: Library and Archives Canada

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

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

1.1 Number of requests

	Number of Requests
Received during reporting period	1646
Outstanding from previous reporting period	1143
Total	2789
Closed during reporting period	854
Carried over to next reporting period	1935

1.2 Sources of requests

Source	Number of Requests
Media	25
Academia	507
Business (private sector)	36
Organization	118
Public	492
Decline to Identify	468
Total	1646

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
926	244	177	322	158	328	649	2804

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

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

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

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	8	26	40	99	80	28	6	287
Disclosed in part	12	32	83	127	89	57	12	412
All exempted	1	0	2	0	0	0	0	3
All excluded	3	1	3	2	0	0	0	9
No records exist	6	10	11	14	7	7	0	55
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	54	7	4	14	3	5	1	88
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	84	76	143	256	179	97	19	854

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	1	16(2)	0	18(a)	0	20,1	0
13(1)(b)	1	16(2)(a)	0	18(b)	0	20,2	0
13(1)(c)	3	16(2)(b)	0	18(c)	0	20,4	0
13(1)(d)	1	16(2)(c)	0	18(d)	0	21(1)(a)	1
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	1
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	2	16.1(1)(d)	0	19(1)	439	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	12
15(1) - Def.*	0	16,3	0	20(1)(b)	3	23,1	0
15(1) - S.A.*	0	16,31	0	20(1)(b.1)	0	24(1)	4
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	3	26	2
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16,5	0				
16(1)(b)	1	16,6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	23	69(1)	0	69(1)(g) re (a)	0
68(b)	3	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68,1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

3.4 Format of information released

Paper	Electronic	Other
452	246	1

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
167563	146216	799

3.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	218	5951	62	11067	3	2025	4	7828	0	0
Disclosed in part	250	6384	114	22461	20	13645	24	42904	4	33951
All exempted	3	0	0	0	0	0	0	0	0	0
All excluded	9	0	0	0	0	0	0	0	0	0
Request abandoned	87	0	0	0	0	0	1	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	567	12335	176	33528	23	15670	29	50732	4	33951

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	7	0	0	97	104
Disclosed in part	7	0	0	131	138
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	3	3
Neither confirmed nor denied	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0
Total	14	0	0	231	245

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	178
Percentage of requests closed within legislated timelines (%)	20,8

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
676	0	5	12	659

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	83	1	84
16 to 30 days	55	1	56
31 to 60 days	128	3	131
61 to 120 days	224	0	224
121 to 180 days	132	0	132
181 to 365 days	35	5	40
More than 365 days	1	8	9
Total	658	18	676

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

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	5	0	6	0
Disclosed in part	23	0	8	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	1	0	0	0
Request abandoned	1	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0
Total	30	0	14	0

4.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	3	0	0	0
31 to 60 days	4	0	2	0
61 to 120 days	6	0	3	0
121 to 180 days	6	0	5	0
181 to 365 days	5	0	2	0
365 days or more	6	0	2	0
Total	30	0	14	0

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	1632	\$8 160	14	\$70
Other fees	0	\$0	0	\$0
Total	1632	\$8 160	14	\$70

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	18	245	0	0
Outstanding from the previous reporting period	2	32	0	0
Total	20	277	0	0
Closed during the reporting period	20	277	0	0
Carried over to next reporting period	0	0	0	0

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

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	1	2	5	2	0	0	0	10
Disclose in part	0	0	0	0	1	0	0	1
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	3	2	1	3	0	0	0	9
Total	4	4	6	5	1	0	0	20

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

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

7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Request	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	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
50	4	2	10	0	0

Section 9: Court Action

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

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

9.2 Court actions on complaints received after June 21, 2019

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

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures		Amount
Salaries		\$1 823 142
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$1 823 142

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	21,226
Part-time and casual employees	0,381
Regional staff	0,000
Consultants and agency personnel	0,000
Students	0,414
Total	22,021

Note: Enter values to three decimal places.

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



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

Name of institution: Library and Archives Canada

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

Section 1: Capacity to Receive Requests

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

	Number of Weeks
Able to receive requests by mail	50
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records

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

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	52	0	52
Protected B Paper Records	20	32	0	52
Secret and Top Secret Paper Records	20	32	0	52

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

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	52	0	52
Protected B Electronic Records	0	52	0	52
Secret and Top Secret Electronic Records	20	32	0	52