

ANNUAL REPORT TO PARLIAMENT

ACCESS TO INFORMATION ACT

Federal Economic Development Agency for Southern Ontario

April 1, 2020 to March 31, 2021

This publication is available upon request in accessible formats.

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INTRODUCTION

The *Access to Information Act* (the Act) gives Canadian citizens, as well as people and corporations in Canada, the right to have access to records under the control of federal institutions that are not of a personal nature. This right of access is consistent with the principles that government information should be available to the public, necessary exceptions to the rights of access should be limited and specific, and decisions on the disclosure of government information should be reviewed independently of government.

Section 94(1) of the Act requires that the head of every government institution prepare, for submission to Parliament, an annual report on the administration of the Act within the institution during each financial year. For the Federal Economic Development Agency for Southern Ontario (FedDev Ontario, the Agency), the President was the designated head of the institution for the reporting period by Order in Council. Tabling of the report “shall be laid before each House of Parliament” within three months after the financial year in respect of which it is made or, if the House is not then sitting, on any of the first fifteen days next thereafter that it is sitting.”

This Annual Report describes how FedDev Ontario, in its twelfth year of operation, administered its responsibilities under the Act.

ABOUT THE ORGANIZATION

Raison d’être

FedDev Ontario’s mandate is to strengthen southern Ontario's capacity for innovation, economic development and growth and to promote a dynamic, inclusive and globally competitive southern Ontario. The Agency works toward this goal by providing funding opportunities and business services that:

- Support businesses' efforts to scale up, create jobs and boost their productivity;
- Strengthen regional innovation ecosystems; and
- Support communities to develop and diversify their economies.

Scope of Operations

FedDev Ontario is headquartered in Waterloo and has regional offices in Ottawa, Peterborough and Toronto. Its mandate covers southern Ontario, which includes 37 Statistics Canada census divisions.

FedDev Ontario’s President oversees Agency operations and resources and reports to the Minister responsible for the Federal Economic Development Agency for Southern Ontario.

STRUCTURE OF THE ACCESS TO INFORMATION AND PRIVACY OFFICE

Responsibility for processing requests received under the *Access to Information Act* rests with the Access to Information and Privacy (ATIP) Coordinator. The ATIP Coordinator oversees the administration of the *Access to Information Act* and the *Privacy Act* (the Acts) within FedDev Ontario and ensures compliance with the legislation. The ATIP office structure also includes a Parliamentary Liaison and ATIP Officer as per the organizational chart in Annex A.

The ATIP Coordinator is responsible for all daily ATIP activities and operations, as well as the development, coordination and implementation of effective policies, guidelines and procedures necessary to manage the Agency's compliance with the Acts. The ATIP office, which is located in Ottawa's regional office, responds to all formal requests submitted under the applicable Act.

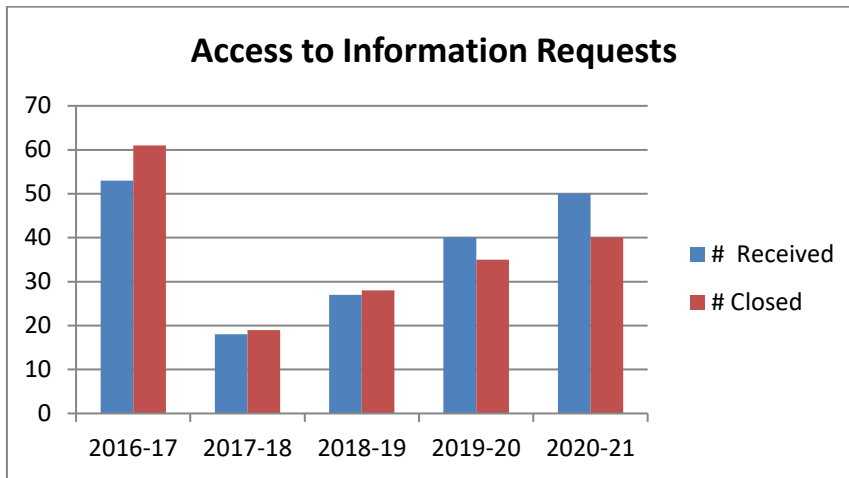
The administration of both Acts at FedDev Ontario is also facilitated at the branch and regional office levels. Each organizational branch has a liaison officer who coordinates activities on the administrative processes and procedures of these Acts.

DELEGATION OF AUTHORITY

The current ATIP Delegation Order was approved on September 23, 2021 by the President. It provides full delegated authority to the ATIP Coordinator and to the Corporate Secretary. A copy of the ATIP Delegation Order is attached in Annex B.

ANALYSIS OF THE STATISTICAL REPORT

During the reporting period, FedDev Ontario received 50 Access to Information (ATI) requests, an increase of 25 percent compared to the previous reporting period, and carried forward eight requests from 2019–20. This represents a total ATI request workload of 58 files. The increase for this reporting period can be attributed in part to interest in the Agency's response to the Covid-19 pandemic and in part to the Agency's growing public profile.



Graph 1 Access to Information Requests Received & Closed by Year

Year	Requests Received	Requests Closed
2016–17	53	61
2017–18	18	19
2018–19	27	28
2019–20	40	35
2020-21	50	40

Sources of Requests

The breakdown of the 50 new requests received by type of user is as follows:

Media	29
Academia	0
Business (private sector)	10
Organization	0
Public	4
Decline to identify	7

Of the new requests received, 18, or 36 percent, related to grants or contributions; 12, or 24 percent, concerned the Agency’s internal activities; and 20, or 40 percent, related to other matters such as Agency financial reporting, new or updated programs and general questions relating to companies receiving funding. Media interest increased by 290%. This is the second year in a row where media interest increased significantly.

Disposition and Completion Time

During the 2020-21 reporting period, 40 requests were completed and 18 requests were carried forward to financial year 2021–2022. A detailed statistical report on Access to Information requests is attached in Annex C.

The 40 completed requests were disposed of as follows: seven requests were fully disclosed, 23 requesters were granted partial disclosure, seven requests had no existing records, one request was transferred and two requests were abandoned by the requester. No requests were excluded in full.

Thirty requests held responsive records to Access to Information requests. For those requests, FedDev Ontario processed 572 pages, a decrease of 67 percent from the previous reporting period and disclosed 357 pages, a decrease of 77 percent.

Of the 40 completed requests, the Agency responded to 27 requests within the legislated timelines. Of the 13 requests that closed past the legislated deadlines, two were closed within 1-15 days past those timelines, two were closed 16-30 days late, one was closed 31-60 days late and two were closed 61-120 days late. The decrease in files closed can be attributed partly due to technical issues experienced by staff during the initial couple months of the pandemic and the resulting work-from-home transition period, as well as a sizable number of new requests received for which there was a large number of responsive records.

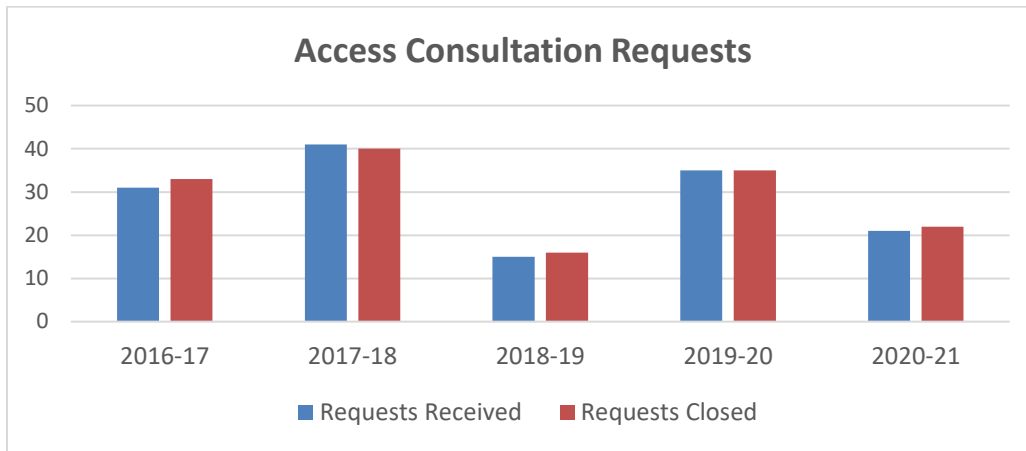
During the reporting period, extensions were required under the Act 14 times under subsection 9(1)(a) for volume/search time/interference with operations, and once under subsection 9(1)(b) for consultations.

Exemptions and Exclusions

As noted in Annex C, exemptions were taken during the reporting period under sections 14, 19, 20 and 21. Exclusions pursuant to section 69 of the Act were taken for one request.

Additional Information

The Agency received 21 new access consultation requests from other government institutions, a decrease of 40 percent from the previous reporting period.



Graph 2 Access Consultations Received & Closed by Year

Year	Requests Received	Requests Closed
2016–17	31	33
2017–18	41	40
2018–19	15	16
2019-20	35	35
2020-21	21	22

Overall, the Agency completed a total of 62 requests related to the Access to Information Act (40 access requests and 22 access consultation requests), an decrease of 11% from the previous reporting period.

EDUCATION AND TRAINING

Due to the pandemic and the corresponding Government of Canada and public health requirements, there was no in-person ATIP training during the 2020-21 fiscal year. Training via Microsoft Teams or Zoom is being planned.

All FedDev Ontario employees are required to take the Canada School of Public Service course on Access to Information and Privacy Fundamentals. Between April 1, 2020 and March 31, 2021, 44 people completed the course.

Throughout the reporting period, the ATIP Coordinator provided ongoing advice and coaching to employees on access to information related matters as required.

Guidelines and procedures are provided to staff as part of the tasking documentation when they are tasked to respond to an access to information request.

INSTITUTIONAL POLICIES AND PROCEDURES

The ATIP office determines and implements best practices on an ongoing basis as topics arise.

The ATIP office actively encourages open communication with its Liaison Officers and Offices of Primary Interest (OPIs).

COMPLAINTS, INVESTIGATIONS AND COURT ACTION

There were no complaints received from the Office of the Information Commissioner pursuant to Section 32 during the reporting period concerning the administration of the Act. There were no investigations or court action during this period.

MONITORING COMPLIANCE

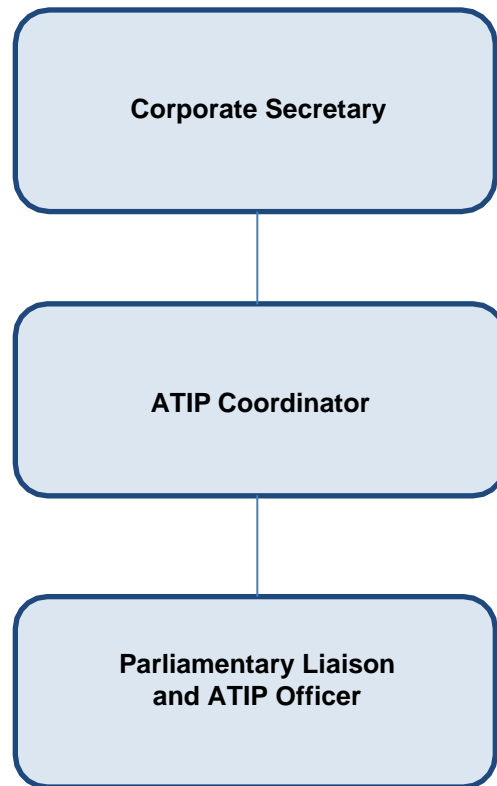
The ATIP office monitors a number of metrics for Access to Information requests. Response rates from OPIs are monitored on an ongoing basis to ensure that responses are within allowable periods.

A weekly report is provided to the President's Office listing the number of active requests (including access consultations and privacy requests), the number of new requests received, the status of each request and the estimated release date for each.

Ad hoc reporting takes place as required. The Corporate Secretary, Vice-Presidents, Director Generals or the Office of the President are notified as appropriate.

ANNEX A – Structure of Access to Information and Privacy Office

Access to Information and Privacy Office



ANNEX B – Delegation Order

Federal Economic Development Agency for Southern Ontario /
Agence fédérale de développement économique pour le Sud de
l'Ontario

Access to Information Act and Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et de la Loi sur protection des renseignements personnels

The President of the Federal Economic Development Agency for Southern Ontario, pursuant to section 73 of the *Access to Information Act* and the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the President as the head of a government institution, under the sections of the Acts set out in the schedule opposite each position. This Delegation Order supersedes all previous Delegation Orders.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*, la Présidente de l'Agence fédérale de développement économique pour le Sud de l'Ontario délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie par les articles des lois mentionnées en regard de chaque poste. Le présent décret de délégation remplace et annule tout décret antérieur.

Schedule / Annexe

Position / Poste
Regulations /

*Access to Information Act /
and Regulations
Loi sur l'accès à l'information
et règlements*

*Privacy Act and
Regulations
Loi sur la protection
des renseignements
personnels et
reglements*

Corporate Secretary /
Secrétaire générale

Full authority /
Autorité absolue

Full authority /
Autorité absolue

and

Access to Information and Privacy
Coordinator, Corporate Secretariat /
Coordonnateur de l'accès à l'information
et de la protection des renseignements
personnels, Secrétariat ministériel

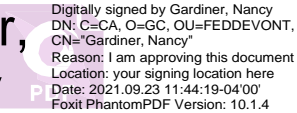
Full authority /
Autorité absolue

Full authority /
Autorité absolue

Dated at the City of Ottawa
this day of , 2021

Daté en la ville d'Ottawa
ce jour de 2021

Gardiner,
Nancy



Digitally signed by Gardiner, Nancy
DN: C=CA, O=GC, OU=FEDDEVONT,
CN="Gardiner, Nancy"
Reason: I am approving this document
Location: your signing location here
Date: 2021.09.23 11:44:19-04'00'
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Nancy Gardiner, President
Federal Economic Development Agency for Southern Ontario

Nancy Gardiner, Présidente
Agence fédérale de développement économique pour le Sud de l'Ontario



ANNEX C – Statistical Report on the *Access to Information Act*

Name of institution: FedDev Ontario

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	50
Outstanding from previous reporting period	8
Total	58
Closed during reporting period	40
Carried over to next reporting period	18

1.2 Sources of requests

Source	Number of Requests
Media	29
Academia	0
Business (private sector)	10
Organization	0
Public	4
Decline to Identify	7
Total	50

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
0	0	0	0	0	0	0	0

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

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

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	0	1	1	5	0	0	0	7
Disclosed in part	0	8	5	10	0	0	0	23
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	5	1	0	1	0	0	0	7
Request transferred	1	0	0	0	0	0	0	1
Request abandoned	1	1	0	0	0	0	0	2
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	7	11	6	16	0	0	0	40

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	6
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
14	1	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	5

14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	6	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	3	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	13	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	13	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	9		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	1
68(b)	0	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
0	30	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
572	357	32

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	7	114	0	0	0	0	0	0	0	0
Disclosed in part	21	81	2	162	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	2	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	30	195	2	162	0	0	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	1	0	0	0	1

Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0
Total	1	0	0	0	1

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	27
Percentage of requests closed within legislated timelines (%)	67.5

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
13	7	0	0	6

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	2	5	7
16 to 30 days	2	1	3
31 to 60 days	1	0	1
61 to 120 days	2	0	2
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	7	6	13

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	4	0	0	0
Disclosed in part	10	0	1	0

All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	14	0	1	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	14	0	1	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	14	0	1	0

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	18	\$90	0	\$0
Other fees	0	\$0	0	\$0
Total	18	\$90	0	\$0

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	21	203	5	5
Outstanding from the previous reporting period	1	41	0	0
Total	22	244	5	5
Closed during the reporting period	22	244	5	0
Carried over to next reporting period	0	0	0	5

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	6	1	0	0	0	0	0	8
Disclose in part	11	3	0	0	0	0	0	14
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	17	4	0	0	0	0	0	21

6.3 Recommendations and completion time for consultations received from other organizations

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

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 Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
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
0	0	0	0	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		\$110,659
Overtime		\$0
Goods and Services		\$6,844
• Professional services contracts	\$0	
• Other	\$6,844	
Total		\$117,503

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.900
Part-time and casual employees	0.500
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	1.4