



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

# 2022 – 2023

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

## PRIVY COUNCIL OFFICE

APRIL 1, 2022 TO MARCH 31, 2023



## Annual Report to Parliament on the Access to Information Act 2022-2023 Privy Council Office

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## **Annual Report to Parliament on the Access to Information Act 2022-2023**

### **Privy Council Office**

#### **Introduction**

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

PCO also provides support to the Prime Minister, as well as to the Deputy Prime Minister and Minister of Finance, the Leader of the Government in the House of Commons, Minister of Intergovernmental Affairs, Infrastructure and Communities, President of the King's Privy Council for Canada and Minister of Emergency Preparedness.

PCO's three main roles are to:

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

This is the 40<sup>th</sup> Annual Report to Parliament on the administration of the *Access to Information Act* (ATIA) by PCO, submitted as required by section 94 of the ATIA and section 20 of the *Service Fees Act*. This report covers the reporting period of April 1, 2022 to March 31, 2023.

Additional copies of this report may be obtained by contacting:

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

## Highlights

In the 2022-2023 reporting period, PCO received 673 requests and closed 700 requests, compared to 509 requests received and 532 requests closed in 2021-2022.

In 2022-2023, 162,315 relevant pages were processed, which represents a 129.3% increase in the pages reviewed from last year and a 116.3 % increase in the amount reviewed in 2021-2022. The page volume does not account for proactive disclosure of briefing note titles, transition material, Question Period cards and committee binders.

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

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

The ATIP division has a personnel complement of approximately 26.8 full-time equivalents (FTEs) that are organized into two areas of responsibility. The two areas of responsibility are as follows:

### 1) ATIP Operations (22.8 FTEs)

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

### 2) Client Services (4 FTEs)

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

Of the personnel complement of 22.8 FTEs in 2022-2023, approximately 21.8 FTEs were dedicated to activities related to the administration of the *Access to Information Act* and 1 FTE was dedicated to activities related to the administration of the *Privacy Act*.

## Monitoring compliance

In order to meet the legislative deadlines for access to information requests, the timelines of individual requests are strictly monitored. Regular meetings and various reports are used to ensure all requests are on track to meet the deadlines. Given our delegation orders (described in the next section), the ATIP division works very closely with our Offices of Primary Interest (OPIs) to ensure tasking and signoff timelines are respected.

## Privy Council Office delegation orders

The Minister heading each government institution is responsible for the implementation of the ATIA within his or her institution. The Prime Minister, as the Head of the Privy Council Office and pursuant to s.95(1) of the ATIA, is responsible for the implementation of the ATIA within PCO. Through the PCO delegation order, the Prime Minister has designated the Executive Director, ATIP, as the individual within PCO to perform the powers, duties, functions, or administrative tasks pertaining to the ATIA. PCO Secretariats, or OPIs, holders of the information identified in an access request, approve the release of information to requesters and the application of exemptions or exclusions and supporting rationales. This shared delegation of authority for the disposition of information is exercised diligently within PCO and recorded formally at appropriate stages in the process. PCO delegation orders, which were in effect in 2022-2023, are attached at Appendix A.

## Activities and accomplishments

### *Key operational statistics*

<b>ACCESS TO INFORMATION REQUESTS</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>2021-2022</b>	<b>2022-2023</b>
REQUESTS RECEIVED	<b>489</b>	<b>616</b>	<b>509</b>	<b>673</b>
REQUESTS COMPLETED	<b>530</b>	<b>332</b>	<b>532</b>	<b>700</b>
REQUESTS COMPLETED ON-TIME (%)	<b>100%</b>	<b>68.1%</b>	<b>68.2%</b>	<b>63.1%</b>
TOTAL RELEVANT PAGES PROCESSED	<b>112,341</b>	<b>42,958</b>	<b>70,777</b>	<b>162,315</b>

While the COVID-19 pandemic resulted in a backlog of access to information files that continues to affect PCO's percentage of requests closed within legislated timelines, PCO is committed to getting back on track and responding to requests on time.

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

PCO collaborates regularly with the OIC with the intended purpose of resolving complaints in a timely manner. The ATIP division continued to make progress on complaints while balancing workloads to allow consistent progress on active requests and meet legislated due dates. PCO is dedicated to reducing the number of active complaints.

## **Education and training activities**

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

In 2022-2023, PCO provided ATIP training or awareness sessions to approximately 253 employees through 18 training events during the reporting period. These sessions consisted of an overview of ATIP to internal secretariats to deliver insight on the ATIP process, information management, and the application of exemptions.

PCO senior officials were provided with a summary of the access and privacy statistics on performance and compliance to promote understanding of access and privacy responsibilities. The Executive Director of ATIP maintained regular contact with senior staff in the department, and ATIP senior staff met with senior officials in PCO Secretariats to clarify their roles and enhance working relationships. Throughout the 2022-2023 reporting period, ATIP analysts liaised with clients to explain the five-stage request timeline and their role, as well as to provide training on processes such as the search for records.

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

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

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

As part of the Open Government Initiative, PCO provides monthly summaries of completed access to information requests online (<https://open.canada.ca/en/access-to-information>). This information includes a summary of the request text, the year and month the request was completed, the disposition, and the number of pages disclosed. Summaries are available with direct links for requesting a copy of records. The public can also submit informal requests for completed files by mail or the generic email on the PCO website

(<https://www.canada.ca/en/privy-council.html>). Records are provided in the form that they were released under the ATIA including format, language(s) and any exemptions or exclusions that were applied.

As reported in the Statistical Report, PCO released a total of 586 previously released ATI packages informally between April 1, 2022 and March 31, 2023.

## **Other activities**

### **a) Reading room**

In compliance with subsection 12(1) of the ATIA, the ATIP division also provides a reading room where the public may examine requested departmental records, manuals, and publications related to access to information. The reading room is located on the first floor of the Hope Building at 63 Sparks Street, Ottawa, Ontario. This secure location allows for an appropriate separation from office activities and provides requesters with a suitable environment to review documents. ATIP analysts can reserve the space in advance to ensure that it is available to requesters. In 2022-2023, no individual made use of this means of access to information.

### **b) Proactive disclosure**

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

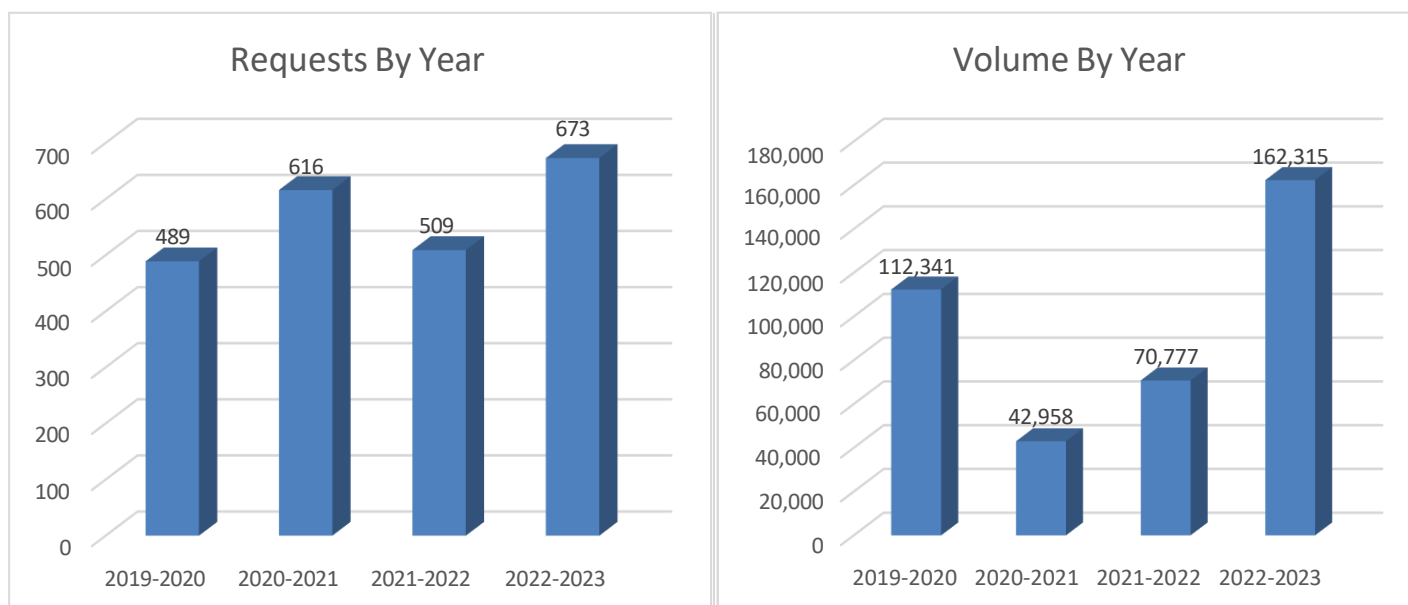
## **Interpretation of the Statistical Report**

The 2022-2023 Statistical Report on the ATIA can be found at Appendix B.

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

#### **1.1 Requests**

Between April 1, 2022 and March 31, 2023, PCO received 673 requests for information under the ATIA. The number of requests has increased from 509 received in the previous year. The number of pages processed has also increased from the previous fiscal year. As seen in the graph below, ATIP processed 162,315 relevant pages, compared to 70,777 pages processed in 2021-2022 and 42,958 pages processed in 2020-2021.



A total of 457 requests were carried over to the 2023-2024 reporting period, while 483 requests were carried into 2022-2023 from the previous fiscal year.

## 1.2 Sources of requests

The sources of access to information requests, in descending order by volume, were media, decline to identify, public, academia, organization and business. The breakdown of the requests received during 2022-2023 is as follows:

- 221 or 32.8% – media;
- 169 or 25.1% – decline to identify;
- 134 or 19.9% – public;
- 83 or 12.3% – academia;
- 46 or 6.8% – organization, including from Parliament (members of the House of Commons or Senate), and;
- 20 or 3% – business (private sector).

For this reporting period, the largest source of requests was the media at 32.8%, consistent with previous reporting periods. The number of requesters who decline to identify increased from 0% in 2021-2022, to 25.1% in the 2022-2023 reporting period. Requests from the public decreased by 4.1% in 2022-2023, accounting for 19.9% of all requests in 2022-2023, compared to 24% in 2021-2022. The requests from academia decreased by 1.8% at 12.3% of all requests. The business sector, which includes law firms, saw a decrease from 24 requests in 2021-2022 to 20 in 2022-2023.

### **1.3 Channels of requests**

Of the 673 requests received in 2022-2023, the majority of requests submitted were through PCO's electronic portal. PCO received 647 online requests, accounting for 96.1% of the total number of requests. E-mailed requests amounted to 2.8% of the total number of requests, while mailed requests corresponded to 1% of the requests for the reporting period.

## **PART 2 – Informal requests**

Informal requests are not made or processed under the Act and have no deadline for responding. In alignment with the Open Government Initiative, PCO posts the summaries of completed access requests online on a monthly basis. These summaries allow requesters to access previously processed requests and are intended to eliminate barriers such as lengthy extensions, request fees, and allows for a more timely response.

### **2.1 Number of informal requests**

Between April 1, 2022 and March 31, 2023, PCO received 474 informal requests. The number of informal requests increased by 29.5% from the 353 requests received in 2021-2022. In addition to the requests received, 112 requests were carried over from the previous reporting period. In 2022-2023, PCO ATIP closed 586 informal requests compared to 323 informal requests closed in 2021-2022. No requests have carried over into 2023-2024.

### **2.2 Channels of informal requests**

Of the 474 requests received in 2022-2023, the majority of informal requests submitted were through PCO's electronic portal. PCO received 468 online informal requests, accounting for 98.7% of the total number of requests. E-mailed informal requests accounted for 1.3% of the total number of requests submitted for the reporting period.

### **2.3 Completion time of informal requests**

Of the informal requests that were closed in the fiscal year, 108 requests were completed in 1 to 15 days, representing 18.4% of all requests. While 13.8% of requests were completed between 16 to 30 days, compared to four (4) percent of requests in the previous reporting period. Another 21.3% of the requests were completed between 31 to 60 days in 2022-2023, compared to 18.6% of requests in 2021-2022. One hundred and twenty-nine (129) requests were completed between 61 to 120 days, accounting for 22% of the requests closed in 2022-2023. The number of requests closed between 121 to 180 days decreased to 6.8% compared to 26.9% in 2021-2022. Seventy-one (71) informal requests were closed between 181 to 365 days. The remaining 12.1% of PCO's informal requests took more than 365 days to close in 2022-2023, compared to 3.7% percent in the previous reporting period.

## **2.4 Pages released informally**

PCO did not release any pages informally between April 1, 2022 and March 31, 2023.

## **2.5 Pages re-released informally**

In 2022-2023, ATIP division completed 586 informal requests and re-released 122,927 pages. The breakdown for the number of requests processed where pages were re-released is as follows:

- 418 (71.3%) contained less than 100 pages;
- 138 (23.5%) contained between 100-500 pages;
- 12 (2%) contained between 501-1000 pages;
- 10 (1.7%) contained between 1001-5000 pages; and
- 8 (1.4%) contained greater than 5000 pages.

## **PART 3 – Applications to the Information Commissioner on Declining to Act on Requests**

During the 2022-2023 reporting period, PCO ATIP made two (2) applications to decline to act on an access request under the *Access to Information Act* that PCO determined to be vexatious, made in bad faith or an abuse of the right of access. These applications to decline to act on an access request under the *Access to Information Act* were carried over into the next fiscal year.

## **PART 4 – Requests closed during the reporting period**

### **4.1 Disposition and completion time**

In 2022-2023, ATIP division completed 700 requests. The breakdown of the disposition of requests is as follows:

- 500 (71.4%) were disclosed in part;
- 97 (13.9%) yielded no records;
- 45 (6.4%) were all disclosed;
- 36 (5.1%) were abandoned;
- 11 (1.6%) were all excluded;
- 7 (1%) were all exempted;
- 4 (0.6%) were transferred;
- 0 (0%) were neither confirmed nor denied; and
- 0 (0%) were declined with the approval of the Information Commissioner.

As these figures demonstrate, 545 or 77.9% of all requests were fully or partially disclosed. The percentage of requests for which no records were disclosed (either exempted or excluded) increased by 1.1% to 2.6% of requests completed in 2022-2023. Approximately 13.9% of requests in 2022-2023 did not produce responsive records, which is a decrease from 21.1% in 2021-2022. Four (4) requests were transferred from

PCO to another institution in 2022-2023. A smaller proportion of requests were abandoned in 2022-2023, 5.1% compared to 14.3% of requests in 2021-2022.

Factors such as external consultations with other government departments and third parties as well as the complex, sensitive and multi-jurisdictional nature of PCO records impact the time required to complete requests. As such, the breakdown of completion times for requests is as follows:

- 192 (27.4%) of requests were completed within 30 days;
- 68 (9.7%) of requests were completed between 31 to 60 days;
- 61 (8.7%) of requests were completed between 61 to 120 days;
- 116 (16.6%) of requests were completed between 121 to 180 days;
- 114 (16.3%) of requests were completed between 181 to 365 days; and
- 149 (21.3%) of all requests were completed in more than 365 days.

## **4.2 Exemptions**

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

Totals for the seven (7) most commonly used exemptions were, in order:

- 376 under subsection 19(1) – personal information;
- 214 under paragraph 21(1)(b) – consultations or deliberations related to operations of government;
- 202 under subsection 15(1) – information related to international affairs and defence of Canada;
- 192 under subsection 16(2) – information related to the security of facilities, computer systems, and communications systems;
- 192 under paragraph 21(1)(a) – information related to advice or recommendations developed by or for a government institution or a minister of the Crown; and
- 137 under section 23 – Solicitor-client privilege
- 96 under section 14 – federal-provincial affairs.

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

## **4.3 Exclusions**

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

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

- 144 under paragraph 69(1)(g) re (c) – information relating to the agenda or deliberations of Council;
- 143 under paragraph 69(1)(g) re (a) – information relating to memoranda to Council;
- 105 under paragraph 69(1)(g) re (e) – information relating to briefings for Council;
- 105 under section 69(1)(e) - briefings for Council;
- 82 under paragraph 69(1)(g) re (d) – information relating to communications between Ministers; and
- 58 under paragraph 69(1)(a) – memoranda to Cabinet.

#### **4.4 Format of information released**

Of the requests for which records existed and were disclosed in whole or in part, 535 requests were released in electronic form. Another 24 requests were released on paper, up from 15 in 2021-2022. Requesters have the option of receiving the response by mail or by picking it up in person. In 2020-2021, PCO added the option for the response to be sent to the requester by email, if the size of the request allows. The majority of replies were sent to the requester by email in 2022-2023.

#### **4.5 Complexity**

##### **4.5.1 Relevant pages processed and disclosed for paper and e-record formats**

A total of 162,315 relevant pages were processed in 2022-2023. For requests which were “all disclosed” or “disclosed in part”, 131,858 pages were disclosed.

In compliance with changes made to the ATIA in 2019-2020, PCO now proactively discloses briefing note titles, transition material for the Prime Minister and Ministers, reference numbers of memoranda received by Ministers, Deputy Heads, and committee binders which are not captured in the relevant pages processed but require a significant amount of resources.

##### **4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests**

PCO completed 599 requests in 2022-2023 that contained responsive records. The breakdown of the number of requests processed by disposition and by number of pages processed is as follows:

- 390 (55.7%) contained less than 100 pages:
  - 34 (8.7%) were all disclosed;
  - 315 (80.8%) were partially disclosed;
  - 4 (1%) were all exempted;
  - 10 (2.6%) were all excluded; and
  - 27 (6.9%) were abandoned.
- 150 (21.4%) contained between 100-500 pages:
  - 8 (5.3%) were all disclosed; and

- 136 (90.7%) were partially disclosed.
  - 2 (1.3%) were all exempted;
  - 1 (0.7%) was all excluded; and
  - 3 (2%) were abandoned.
- 28 (4%) contained between 501-1000 pages:
  - 1 (3.6%) was fully disclosed;
  - 25 (89.3%) were partially disclosed; and
  - 2 (7.1%) were abandoned.
- 25 (3.6%) contained between 1001 to 5000 pages:
  - 2 (8%) were all disclosed;
  - 20 (80%) were partially disclosed;
  - 1 (4%) was all exempted; and
  - 2 (8%) were abandoned.
- 6 (0.9%) contained over 5000 pages.
  - 4 (66.7%) were partially disclosed; and
  - 2 (33.3%) were abandoned.

Note that the number of pages processed is not an accurate gauge of the time required to process an access to information file. A request of many pages may involve basic records that require relatively little time to review, while small requests of a few pages could contain a complex combination of high-level content from several departments, requiring in-depth analysis and consultation. Additionally, approximately 28 % of requests received by PCO were from one requester, many of which were broad in scope, and with no specific topics identified (i.e. on all topics), resulting in a production of large volumes of records. This diverts attention and resources from responding to other requesters.

#### **4.5.3 Relevant minutes processed and disclosed for audio formats**

PCO did not process any relevant minutes for audio formats.

#### **4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests**

PCO did not process any relevant minutes for audio formats.

#### **4.5.5 Relevant minutes processed and disclosed for video formats**

PCO did not process any relevant minutes for video formats.

#### **4.5.6 Relevant minutes processed per request disposition for video formats by size of requests**

PCO did not process any relevant minutes for video formats.

#### **4.5.7 Other complexities**

Other complexities that impacted PCO's ability to respond to requests include consultations and seeking legal advice. As an aggregator of information, PCO receives information from numerous sources, including other government departments and third parties. As a result, PCO needs to conduct consultations to obtain advice from subject matter experts in the originating institutions. Two hundred and thirteen (213) of the 700 requests completed in 2022-2023 required consultations which often require extensions in order to complete requests within legislated timeframes. Of these requests, one (1) was disclosed in full, 205 were disclosed in part, 3 were all exempted, and 4 were abandoned.

Furthermore, a large volume of information under the control of PCO contains information subject to Cabinet confidences. Government institutions are required to consult legal services in all instances where information may qualify as a Cabinet confidence. PCO also consults legal services when records contain information that may be subject to solicitor-client privilege. Twenty-five (25) requests required that PCO seek legal advice on the application of s. 23 (solicitor-client privilege). It is essential that PCO seek legal advice on the application of s. 23 in order to prevent any accidental disclosure of privileged information.

TBS requires that requests be counted only once. As a result, requests are divided into the categories that best apply to them. Several files required both consultations and seeking legal advice. Consequently, the total number of requests that fall in these categories may be greater than as presented.

### **4.6 Closed requests**

#### **4.6.1 Requests closed within legislated timelines**

In this reporting period, 442 requests were closed within legislated timelines.

### **4.7 Deemed refusals**

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

In 2022-2023, 258 access to information requests were completed past the deadline, or in "deemed refusal". One hundred eighty-seven (187) requests were not completed within the legislated timelines due to the teleworking legacy of the COVID-19 pandemic that resulted in operational challenges with processing classified documents. Fifty-four requests (54) were completed past the deadline because of the interference on operations due to the volume of records. The remaining 17 of these requests were not completed within the legislated timeline due to consultations.

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

In 2022-2023, 55 requests were closed past legislated timelines where no extension was taken and 203 requests were closed past legislated timelines where an extension was taken.

#### **4.8 Requests for translation**

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

### **PART 5 – Extensions**

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

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

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

In 2022-2023, PCO took 609 extensions in total. Two hundred and thirty-three (233) or 38.3% extensions were under paragraph 9(1)(a) for interference with operations due to the volume of records, versus 192 the previous year. Third-party notifications required 31 extensions under paragraph 9(1)(c), 18 more than the 13 extensions for the same reason for the previous fiscal year.

Consultations were another significant driver of extensions during the reporting period. A total of 199 extensions for consultations on Confidences of the King's Privy Council, and 146 extensions to consult other institutions (345 extensions combined) were taken under paragraph 9(1)(b). Extensions for consultations increased from 147 extensions taken in 2021-2022.

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

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

## **5.2 Length of extensions**

For the requests closed during the 2022-2023 reporting period, PCO sought a total of 609 extensions. The breakdown of the number of extensions taken by length are follows:

- 178 (29.2%) were for 30 days or less:
- 109 (18%) were for 31 to 60 days:
- 106 (17.4%) were for 61 to 120 days:
- 136 (22.4%) were for 121 to 180 days:
- 66 (10.8%) were for 181 to 365 days:
- 14 (2.3%) were for 365 days or more.

Reporting requires that separate extensions are recorded under each column. These statistics can be considered representative of PCO's consultative requirements and the department's heavy workload. PCO remains committed to the responsible use of extensions under the ATIA, consistent with operational demands.

## **PART 6 – Fees**

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

The fees collected during the reporting period totaled at \$3,240 on 648 requests, up from \$2,180 in 2021-2022 and \$2,790 in 2020-2021. In 2022-2023, PCO waived or refunded 25 requests with an amount totaling \$125.

## **PART 7 – Consultations received from other institutions and organizations**

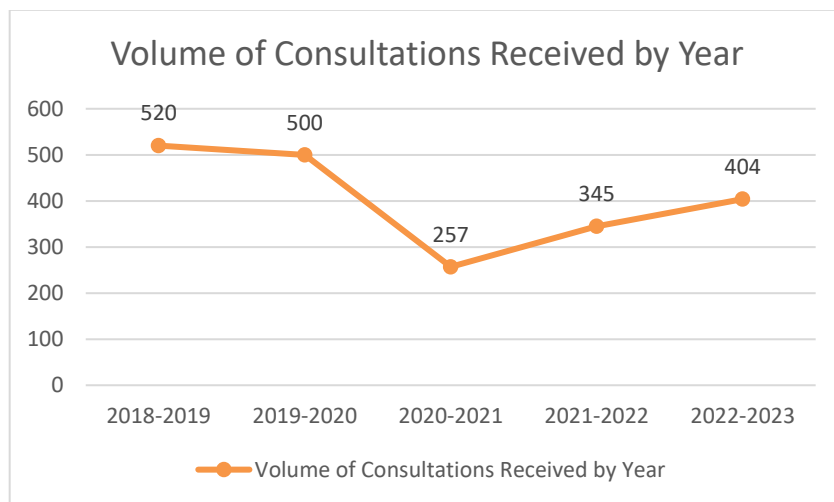
### **7.1 Consultations received from other Government of Canada institutions and other organizations**

PCO received 404 consultations during the reporting period, including 387 consultations from Government of Canada institutions and 17 consultations from other organizations.

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

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

In 2022-2023, PCO received 404 consultations and 106 consultations were carried over from the previous fiscal year.



PCO responded to 415 consultations from other government of Canada institutions, the breakdown is as follows:

- 128 (30.8%) were completed within 30 days or less:
- 113 (27%) were completed between 31 to 60 days:
- 127 (30.6%) were completed between 61 to 120 days:
- 24 (5.7%) were completed between 121 to 180:
- 13 (3.1%) completed between 181 to 365 days:
- 10 (2.4%) in greater than 365 days.

Twenty-seven (27) requests from other government of Canada institutions were carried over with negotiated timelines, while 51 were carried over beyond the negotiated timeline.

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

A total of eighteen consultation requests from third-party organizations were completed by PCO during 2022-2023. Six were completed in 30 days or less, 8 were completed in 31 to 60 days, 3 were completed in 61 to 120 days, and one was completed in 121 to 180 days.

## **PART 8 – Completion time of consultations on Cabinet confidences**

### **8.1 Requests with legal services**

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

## **8.2 Requests with Privy Council Office**

ATIP consulted PCO LSS on 265 of the requests that were closed in the reporting period, up from 91 in 2021-2022.

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

## **PART 9 – Investigations and Reports of finding**

### **9.1 Investigations**

In the 2022-2023 reporting period, 158 complaints were submitted to the OIC. These complaints were made on requests received in the 2022-2023 fiscal year, as well as previous fiscal years. This is an increase from the 92 complaints that were received in the 2021-2022 reporting period.

In the 2022-2023 reporting period, complaints related to a range of issues, including the exemptions invoked or exclusions cited on records, and extensions taken to complete consultations and meet PCO operational requirements.

### **9.2 Investigations and Reports of finding**

In the 2022-2023 reporting period, PCO received thirty-seven (37) section 37(1) initial reports of finding from the Officer of the Information Commissioner that include the results of their investigation and set out recommendations or orders that the Commissioner intends to make and requires PCO to give notice whether our institution will implement their forthcoming order or recommendation.

PCO also received 187 section 37(2) final reports that include the results of their investigations and any orders or recommendations from the Information Commissioner. Last fiscal year, PCO received 10 recommendations and 16 orders.

## **PART 10 – Court action**

In 2022-2023, no court actions involving PCO were initiated by the OIC or were ongoing concerning the ATIA.

## **PART 11 – Resources related to the Access to Information Act**

### **11.1 Allocated Costs**

Salary costs associated with administration of the ATIA were \$2,815,503 for 2022-2023, an increase from \$ 2,071,613 in 2021-2022. Overtime costs totaled \$63,937 for 2022-2023, which is an increase from \$57,232 in 2021-2022. Goods and services amounted to \$61,933. This amount is up from \$32,941 from 2021-2022. Total costs were \$2,941,373, up from \$2,161,786 in 2021-2022.

## **11.2 Human resources**

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

Corporate Services Branch created a new role of Director General, Data and Information Services, and Chief Data Officer. This new role amalgamates data-related functions and expands the use of data analytics and artificial intelligence to draw greater value from existing data resources. It will enable a data first approach in ATIP to find efficiencies, make decisions on where to dedicate resources to create the biggest impact, and help collaborators better understand their current and upcoming workloads for better planning.

In 2022-2023, ATIP had a personnel complement of 22.8 FTEs. Of those, 21.8 FTEs were dedicated to activities related to the administration of the *Access to Information Act*.

## **PART 12 – Impact of COVID-19**

Since mid-March 2020, COVID-19 has affected ATIP's ability to receive relevant information from secretariats and to respond to requests in a timely manner, resulting in a backlog of access to information requests. As described in the Supplemental Statistical Report (Appendix C), while PCO maintained its ability to receive requests throughout 2022-2023, PCO operated at a partial capacity when it comes to processing ATIP requests as PCO's transition to a hybrid work model began in September 2022 and evolved to the equivalent of three days per week approach on March 31, 2023. Like most other institutions, a percentage of PCO employees were working from home since the beginning of the pandemic and one of the main challenges with working remotely is dealing with classified information at the Secret level or above as most employees working from home do not have access to secure networks.

## **Appendices**

**Appendix A: Delegation orders**

**Appendix B: 2022-2023 Statistical Report on the Access to Information Act**

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

**Appendix D: Exemptions and exclusions**

## Appendix A: Delegation orders

### Access to Information Act

#### DELEGATION ORDER

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

This delegation order supercedes all previous delegation orders.

### Loi sur l'accès à l'information

#### ARRÊTÉ DE DÉLÉGATION

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

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



Prime Minister / Premier ministre

2020-10-02

Date

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

## **SCHEDULE / ANNEXE**

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

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

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

## Appendix B: 2022-2023 Statistical Report on the Access to Information Act



Government  
of Canada

Gouvernement  
du Canada

### Statistical Report on the Access to Information Act

Name of institution: Privy Council Office (PCO)

Reporting period: 2022-04-01 to 2023-03-31

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

##### 1.1 Number of requests

		Number of Requests
Received during reporting period		673
Outstanding from previous reporting periods		484
• Outstanding from previous reporting period	228	
• Outstanding from more than one reporting period	256	
<b>Total</b>		<b>1157</b>
Closed during reporting period		700
Carried over to next reporting period		457
• Carried over within legislated timeline	243	
• Carried over beyond legislated timeline	214	

##### 1.2 Sources of requests

Source	Number of Requests
Media	221
Academia	83
Business (private sector)	20
Organization	46
Public	134
Decline to Identify	169
<b>Total</b>	<b>673</b>

##### 1.3 Channels of requests

Source	Number of Requests
Online	647
E-mail	19
Mail	7
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>673</b>

## Section 2: Informal Requests

### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		474
Outstanding from previous reporting periods		112
• Outstanding from previous reporting period	110	
• Outstanding from more than one reporting period	2	
<b>Total</b>		<b>586</b>
Closed during reporting period		586
Carried over to next reporting period		0

### 2.2 Channels of informal requests

Source	Number of Requests
Online	468
E-mail	6
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>474</b>

### 2.3 Completion time of 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
108	81	125	129	40	71	32	586

### 2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

### 2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
418	11177	138	31572	12	8033	10	17693	8	54452

### Section 3: Applications to the Information Commissioner on Declining to Act on Requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	2
<b>Total</b>	<b>2</b>
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	2

### Section 4: Requests Closed During the Reporting Period

#### 4.1 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	21	10	6	2	4	2	45
Disclosed in part	0	57	55	45	105	105	133	500
All exempted	0	1	0	0	0	0	6	7
All excluded	0	0	0	3	5	2	1	11
No records exist	4	82	3	3	3	1	1	97
Request transferred	3	1	0	0	0	0	0	4
Request abandoned	22	1	0	4	1	2	6	36
Neither confirmed nor denied	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
<b>Total</b>	<b>29</b>	<b>163</b>	<b>68</b>	<b>61</b>	<b>116</b>	<b>114</b>	<b>149</b>	<b>700</b>

#### 4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	43	16(2)	192	18(a)	4	20.1	0
13(1)(b)	3	16(2)(a)	0	18(b)	7	20.2	0
13(1)(c)	13	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	3	16(2)(c)	3	18(d)	2	21(1)(a)	192
13(1)(e)	0	16(3)	1	18.1(1)(a)	0	21(1)(b)	214
14	96	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	56
14(a)	3	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	20
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	202	16.1(1)(d)	0	19(1)	376	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	7	23	137
15(1) - Def.*	0	16.3	0	20(1)(b)	57	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	28
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	43	26	1
16(1)(a)(ii)	0	16.5	0	20(1)(d)	15		
16(1)(a)(iii)	1	16.6	0				
16(1)(b)	8	17	5				
16(1)(c)	0						
16(1)(d)	0						

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

#### 4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	6	69(1)	4	69(1)(g) re (a)	143
68(b)	0	69(1)(a)	58	69(1)(g) re (b)	3
68(c)	0	69(1)(b)	1	69(1)(g) re (c)	144
68.1	0	69(1)(c)	45	69(1)(g) re (d)	82
68.2(a)	0	69(1)(d)	41	69(1)(g) re (e)	105
68.2(b)	0	69(1)(e)	105	69(1)(g) re (f)	47
		69(1)(f)	16	69.1(1)	0

#### 4.4 Format of information released

Paper	Electronic			Other
	E-record	Data set	Video	
24	535	0	0	0

#### 4.5 Complexity

##### 4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
162315	92333	599

##### 4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	34	376	8	1733	1	807	2	2304	0	0
Disclosed in part	315	10262	136	33026	25	16877	20	34239	4	32234
All exempted	4	150	2	269	0	0	1	4816	0	0
All excluded	10	271	1	136	0	0	0	0	0	0
Request abandoned	27	37	3	1344	2	1047	2	2788	2	19599
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>390</b>	<b>11096</b>	<b>150</b>	<b>36508</b>	<b>28</b>	<b>18731</b>	<b>25</b>	<b>44147</b>	<b>6</b>	<b>51833</b>

##### 4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

##### 4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### 4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

#### 4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

#### 4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	1	0	0	1
Disclosed in part	205	25	0	230
All exempted	3	0	0	3
All excluded	0	0	0	0
Request abandoned	4	0	0	4
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	213	25	0	238

### 4.6 Closed requests

#### 4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	442
Percentage of requests closed within legislated timelines (%)	63.14285714

#### 4.7 Deemed refusals

##### 4.7.1 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
258	54	17	0	187

##### 4.7.2 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	5	12	17
16 to 30 days	1	11	12
31 to 60 days	0	17	17
61 to 120 days	3	33	36
121 to 180 days	3	23	26
181 to 365 days	4	31	35
More than 365 days	39	76	115
<b>Total</b>	<b>55</b>	<b>203</b>	<b>258</b>

#### 4.8 Requests for translation

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

### Section 5: Extensions

#### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	18	1	0	0
Disclosed in part	199	178	139	28
All exempted	3	2	1	0
All excluded	2	11	0	1
Request abandoned	8	6	3	2
No records exist	3	1	3	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	<b>233</b>	<b>199</b>	<b>146</b>	<b>31</b>

#### 5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	154	0	11	13
31 to 60 days	57	2	34	16
61 to 120 days	14	62	29	1
121 to 180 days	3	97	35	1
181 to 365 days	3	38	25	0
365 days or more	2	0	12	0
<b>Total</b>	<b>233</b>	<b>199</b>	<b>146</b>	<b>31</b>

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	648	\$3,240.00	14	\$70.00	11	\$55.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
<b>Total</b>	<b>648</b>	<b>\$3,240.00</b>	<b>14</b>	<b>\$70.00</b>	<b>11</b>	<b>\$55.00</b>

## Section 7: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	387	21058	17	886
Outstanding from the previous reporting period	106	39775	4	59
<b>Total</b>	<b>493</b>	<b>60833</b>	<b>21</b>	<b>945</b>
Closed during the reporting period	415	24500	18	305
Carried over within negotiated timelines	27	1324	2	31
Carried over beyond negotiated timelines	51	35009	1	609

### 7.2 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	50	40	45	42	4	3	0	184
Disclose in part	14	12	61	79	19	7	10	202
Exempt entirely	0	1	3	1	0	0	0	5
Exclude entirely	0	1	0	0	0	0	0	1
Consult other institution	0	0	2	1	0	0	0	3
Other	4	6	2	4	1	3	0	20
<b>Total</b>	<b>68</b>	<b>60</b>	<b>113</b>	<b>127</b>	<b>24</b>	<b>13</b>	<b>10</b>	<b>415</b>

### 7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

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	3	2	4	1	1	0	0	11
Disclose in part	0	1	3	1	0	0	0	5
Exempt entirely	0	0	1	1	0	0	0	2
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>3</b>	<b>8</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>18</b>

## Section 8: Completion Time of Consultations on Cabinet Confidences

### 8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

### 8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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	15	171	1	209	0	0	0	0	0	0
16 to 30	6	133	2	19	0	0	0	0	0	0
31 to 60	20	279	5	535	0	0	1	349	0	0
61 to 120	97	1553	8	1014	2	290	1	578	0	0
121 to 180	40	709	9	626	0	0	2	900	0	0
181 to 365	7	195	13	1883	0	0	0	0	0	0
More than 365	19	601	12	1061	2	937	3	2237	0	0
<b>Total</b>	204	3641	50	5347	4	1227	7	4064	0	0

## Section 9: Investigations and Reports of finding

### 9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
158	67	99

### 9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
37	20	17	187	10	16

## Section 10: Court Action

### 10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

### 10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

## Section 11: Resources Related to the Access to Information Act

### 11.1 Allocated Costs

Expenditures		Amount
Salaries		\$2,815,503
Overtime		\$63,937
Goods and Services		\$61,933
• Professional services contracts	\$35,303	
• Other	\$26,630	
<b>Total</b>		<b>\$2,941,373</b>

### 11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	26.800
Part-time and casual employees	1.600
Regional staff	0.000
Consultants and agency personnel	0.000
Students	10.000
<b>Total</b>	<b>38.400</b>

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



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

Name of institution: Privy Council Office (PCO)

Reporting period: 2022-04-01 to 2023-03-31

#### Section 1: Capacity to Receive Requests under the Access to Information Act and the Privacy Act

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

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

#### Section 2: Capacity to Process Records under the Access to Information Act and the Privacy Act

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	0	52	52
Protected B Paper Records	0	0	52	52
Secret and Top Secret Paper Records	0	0	52	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	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic	0	0	52	52

### Section 3: Open Requests and Complaints Under the Access to Information Act

3.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	232	30	262
Received in 2021-2022	6	55	61
Received in 2020-2021	0	61	61
Received in 2019-2020	0	44	44
Received in 2018-2019	0	9	9
Received in 2017-2018	3	10	13
Received in 2016-2017	2	5	7
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
<b>Total</b>	<b>243</b>	<b>214</b>	<b>457</b>

Row 11, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the Access to Information Act

3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	78
Received in 2021-2022	27
Received in 2020-2021	26
Received in 2019-2020	21
Received in 2018-2019	11
Received in 2017-2018	20
Received in 2016-2017	12
Received in 2015-2016	6
Received in 2014-2015	1
Received in 2013-2014 or earlier	0
<b>Total</b>	<b>202</b>

#### Section 4: Open Requests and Complaints Under the Privacy Act

4.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	1	0	1
Received in 2021-2022	0	4	4
Received in 2020-2021	0	7	7
Received in 2019-2020	0	1	1
Received in 2018-2019	0	1	1
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
<b>Total</b>	<b>1</b>	<b>13</b>	<b>14</b>

Row 11, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Privacy Act*

4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	2
Received in 2021-2022	0
Received in 2020-2021	1
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
<b>Total</b>	<b>3</b>

#### Section 5: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2022-2023?	No
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#### Section 6: Universal Access under the Privacy Act

How many requests were received from confirmed foreign nationals outside of Canada in 2022-2023?	0
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Row 1, Col. 1 of Section 6 must be equal to or less than Row 1, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Privacy Act*

## Appendix D: Exemptions and exclusions

### Exemptions and exclusions

The total numbers of requests for which specific exemptions were invoked during the 2022-2023 reporting period are as follows:

- 43 under paragraph 13(1)(a) - information obtained in confidence from the government of a foreign state or institution;
- 3 under paragraph 13(1)(b) - information obtained in confidence from an international organization of states or an institution;
- 13 under paragraph 13(1)(c) - information obtained in confidence from the government of a province or institution;
- 3 under paragraph 13(1)(d) - information obtained in confidence from a municipal or regional government;
- 96 under section 14 - information related to federal-provincial affairs;
- 3 under subsection 14(a) - information on federal-provincial consultations or deliberations;
- 202 under subsection 15(1) - information related to international affairs;
- 1 under subparagraph 16(1)(a)(iii) - information obtained on activities suspected of constituting threats to the security of Canada within the meaning of the *Canadian Security Intelligence Service Act*;
- 8 under paragraph 16(1)(b) - information relating to investigative techniques or plans for specific lawful investigations;
- 192 under subsection 16(2) - information related to security methods;
- 3 under paragraph 16(2)(c) - information which could facilitate the commission of a crime such as the vulnerability or methods employed to protect particular buildings, structures, or systems;
- 3 under subsection 16(3) - policing services of the RCMP for the provinces and the municipalities;
- 5 under Section 17 - safety of individuals, including the identity of police informants and the victims of violence or acts of threats or intimidation;
- 4 under paragraph 18(a) - trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Canada;
- 7 under paragraph 18(b) - information which could prejudice the competitive position of a government institution;
- 2 under paragraph 18(d) - information materially injurious to the financial interests of a government institution or to the economic interests of Canada;
- 376 under subsection 19(1) - personal information;
- 7 under paragraph 20(1)(a) - trade secrets of a third party;
- 57 under paragraph 20(1)(b) - financial, commercial, scientific or technical information supplied to a government institution in confidence by a third party;
- 43 under paragraph 20(1)(c) - information that could result in material financial loss or gain to a third party;
- 15 under paragraph 20(1)(d) - information which could interfere with the negotiations

- of a third party;
- 192 under paragraph 21(1)(a) – advice or recommendations developed by or for a government institution or minister;
- 214 under paragraph 21(1)(b) – consultations or deliberations related to operations of government;
- 56 under paragraph 21(1)(c) – positions or plans developed for negotiations by the Government of Canada;
- 20 under paragraph 21(1)(d) – plans relating to the management of personnel or the administration of a government institution that have not yet been put into operation;
- 137 under section 23 – information subject to solicitor-client privilege; and
- 28 under subsection 24(1) – information restricted by or pursuant to any provision set out in Schedule II of the ATIA;
- 1 under section 26 - records which will be published by a government institution within ninety days after the request is made.

### **Exemptions not invoked**

The following exemptions were not invoked by PCO during the 2022-2023 reporting period:

- Paragraph 13(1)(e) – information obtained in confidence from an aboriginal government;
- Subsection 14(b) - information on strategy or tactics adopted or to be adopted by the Government of Canada relating to the conduct of federal-provincial affairs;
- Subsection 15(1) I.A. – information relating to communications and the conduct of international affairs;
- Subsection 15(1) Def. – information related to communications and the defence of Canada;
- Subsection 15(1) S.A. – information that could compromise the prevention of subversive activities;
- Subparagraph 16(1)(a)(i) – information obtained on the detection, prevention or suppression of crime;
- Subparagraph 16(1)(a)(ii) – government records related to the enforcement of any law of Canada or a province;
- Paragraph 16(1)(c) – information on the enforcement of any law of Canada or a province or the conduct of lawful investigations;
- Paragraph 16(1)(d) – information the disclosure of which could compromise the security of penal institutions;
- Paragraph 16(2)(a) – information which could facilitate the commission of a crime such as crime methods or techniques;
- Paragraph 16(2)(b) – information which could facilitate the commission of a crime such as technical information relating to weapons or potential weapons;
- Paragraph 16.1(1)(a) – records related to investigations by the Auditor General of Canada;
- Paragraph 16.1(1)(b) - records related to investigations by the Commissioner of Official Languages for Canada;
- Paragraph 16.1(1)(c) - records related to investigations by the Information

Commissioner;

Paragraph 16.1(1)(d) – records related to investigations by the Privacy Commissioner;

Subsection 16.2(1) – information related to an investigation conducted by or under the authority of the Commissioner of Lobbying;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 23.1 – records related to patents or trademark privilege.

### **Exclusions cited**

The total numbers of requests for which specific exclusions were cited during the 2022–2023 reporting period are as follows:

6 under paragraph 68(a) – published material;

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

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

1 under paragraph 69(1)(b) – discussion papers;

45 under paragraph 69(1)(c) – agenda and records of Cabinet deliberations;

41 under paragraph 69(1)(d) – records of communication between Ministers;

105 under paragraph 69(1)(e) – records used to brief ministers of the Crown;

16 under paragraph 69(1)(f) – draft legislation;  
143 under paragraph 69(1)(g) re (a) – records that contain information about  
records referred to in paragraph 69(1)(a);  
3 under paragraph 69(1)(g) re (b) – records that contain information about records  
referred to in paragraph 69(1)(b);  
144 under paragraph 69(1)(g) re (c) – records that contain information about  
records referred to in paragraph 69(1)(c);  
82 under paragraph 69(1)(g) re (d) – records that contain information about records  
referred to in paragraph 69(1)(d);  
105 under paragraph 69(1)(g) re (e) – records that contain information about  
records referred to in paragraph 69(1)(e);  
47 under paragraph 69(1)(g) re (f) – records that contain information about records  
referred to in paragraph 69(1)(f).

### **Exclusions not cited**

The following exclusions were not cited by PCO during the 2022-2023 reporting period:

Paragraph 68(b) – museum or library material

Paragraph 68(c) – material donated to Canadian museums or archives

Section 68.1 – journalistic, creative or programming records of the Canadian  
Broadcasting Corporation

Paragraph 68.2(a) – administrative records of Atomic Energy of Canada Limited

Paragraph 68.2(b) – operational records of Atomic Energy of Canada Limited

Subsection 69.1(1) – disclosure prohibited by a certificate under the Canada Evidence  
Act