

Annual Report on the *Privacy Act*

2021–22



Office of the
Auditor General
of Canada

Bureau du
vérificateur général
du Canada

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21 September 2022

**Office of the Auditor General of Canada
2021–22 Annual Report on the *Privacy Act***

To the Honourable Speakers of the House of Commons and the Senate:

In accordance with section 72 of the *Privacy Act*, please find attached the Office of the Auditor General of Canada's 2021–22 Annual Report on the *Privacy Act*.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Karen Hogan'.

Karen Hogan, FCPA, FCA
Auditor General of Canada
240 Sparks Street
Ottawa, Ontario K1A 0G6

Enclosure

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Introduction

The *Privacy Act* gives individuals the right to access information about themselves that is held by the Office of the Auditor General of Canada (OAG), subject to certain specific and limited exceptions. The *Privacy Act* also protects the privacy of individuals by giving them substantial control over the collection, use, and disclosure of their personal information and by preventing others from having access to that information.

Section 72 of the act requires the head of each government institution to prepare an annual report on the administration of the act within the institution and to submit the report to Parliament.

This annual report on the *Privacy Act* at the OAG describes how we administered our responsibilities under the act during the 2021–22 fiscal year.

Who we are

The OAG audits federal government operations and provides Parliament with independent information, advice, and assurance regarding the federal government's stewardship of public funds.

We are in the business of legislative auditing. We conduct

- performance audits of federal departments and agencies
- annual financial audits of the government's financial statements
- special examinations and annual financial audits of Crown corporations
- audits of the governments of Nunavut, Yukon, and the Northwest Territories

Since 1995, the OAG has also had a specific environmental and sustainable development mandate, which is carried out by the Commissioner of the Environment and Sustainable Development on behalf of the Auditor General of Canada. The Commissioner has additional responsibilities under the *Federal Sustainable Development Act* and the *Canadian Net-Zero Emissions Accountability Act* to review and monitor the Government of Canada's sustainable development strategies and its implementation of measures aimed at mitigating climate change.

Access to Information and Privacy team

The Access to Information and Privacy (ATIP) Coordinator is a member of the Legal Services, ATIP, and Policy team headed by the OAG's General Counsel. The full-time ATIP Coordinator is supported by a junior analyst, counsel, and administrative staff as required. The main activities of the ATIP Coordinator included

- monitoring compliance with ATIP legislation and relevant procedures and policies
- processing requests under both the *Access to Information Act* and the *Privacy Act*
- developing and maintaining policies, procedures, and guidelines to ensure that the OAG respected the *Access to Information Act* and the *Privacy Act*

- promoting awareness of the *Access to Information Act* and the *Privacy Act* within the OAG to ensure that employees were aware of their responsibilities
- preparing annual reports to Parliament and other statutory reports, as well as other material that might be required by central agencies
- representing the OAG in dealings with the Treasury Board of Canada Secretariat, the information and privacy commissioners, and other government departments and agencies in matters pertaining to the *Access to Information Act* and the *Privacy Act*
- helping the OAG meet its commitments to ensure openness and transparency, through proactive and informal disclosure of information



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DELEGATION ORDER under the *ACCESS TO INFORMATION ACT* and the *PRIVACY ACT*

I, Karen Hogan, Auditor General of Canada, pursuant to subsection 95(1) of the *Access to Information Act* and subsection 73(1) of the *Privacy Act*, hereby delegate to the persons holding the positions set out below or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions as the head of the Office of the Auditor General of Canada, under the provisions of the Act and related regulations set out in the schedule beside each position. This delegation order replaces all previous delegation orders.

29 November 2021

Schedule

Position	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
General Counsel	Full Authority	Full Authority
ATIP Coordinator	Full Authority	Full Authority

Karen Hogan, FCPA, FCA
Auditor General of Canada
240 Sparks Street
Ottawa Ontario K1A 0G6

Performance

Completion time for closed requests

During the reporting period, from 1 April 2021 to 31 March 2022, the OAG received 2 formal *Privacy Act* requests. One of the requests was completed during the reporting period, and the other was carried over to the next reporting period.

Trends

The OAG responds to multiple requests throughout the year from individuals seeking informal feedback, input, or advice regarding whether they should submit a formal request for their personal information, either to the OAG or to another institution.

The OAG processed and completed a total of 4 formal requests for personal information during the past 3 reporting periods, including the period of this report.

Training and awareness

The OAG requires that all employees complete mandatory ATIP training, offered by the Canada School of Public Service as an online, self-paced course.

All new OAG employees are required to complete the training within 3 months of the start date of their employment.

During the reporting period, 150 employees completed this training.

The ATIP Coordinator regularly provides OAG employees with guidance and briefings on the processing of ATIP requests. Furthermore, information is available on the OAG's internal website to help raise employees' awareness of privacy issues, such as the collection, retention, use, and disclosure of personal information.

Impact of COVID-19 measures

During the reporting period, the OAG was not affected by measures related to the COVID-19 pandemic.

Administration of the *Privacy Act*

Requests under the *Privacy Act*

Received during the reporting period	2
Outstanding from the previous period	0
Total	2

Disposition of completed requests

The OAG completed 1 formal *Privacy Act* request during the reporting period. The records were disclosed in their entirety.

Exemptions invoked

The OAG did not invoke any exemptions during the reporting period.

Exclusions cited

The OAG did not cite any exclusions during the reporting period.

Completion time

The request which was completed during the reporting period was completed within the 30-day legislated time frame.

Extension of time limits

The OAG did not invoke any extensions during the reporting period.

Method of access

For the request which was closed during the reporting period, digital copies of the records were provided to the requester.

Operational costs

The costs directly associated with the administration of the *Privacy Act* for the reporting period are estimated to be \$22,755 for salaries. This salary amount includes time spent by the ATIP Coordinator, part-time members of the ATIP team, and all OAG employees and contractors on all privacy-related activities. The OAG is able to estimate salary costs for time spent on all ATIP-related activities because of the OAG's timekeeping software and practices, which require all employees to charge time spent on ATIP matters.

Complaints and investigations

The OAG did not receive any complaints pursuant to the *Privacy Act* during this reporting period, and no investigations regarding the OAG were carried out.

Disclosure of personal information under section 8(2)

The OAG did not disclose any personal information pursuant to section 8(2) during the reporting period.

Requests for correction of personal information

No requests for correction of personal information were received during the reporting period.

Monitoring compliance

The OAG uses a case management system that tracks both active and closed requests. The system is designed to track legislative deadlines.

The ATIP team holds biweekly meetings to discuss request-related activities, determine timelines, and help ensure that all team members are informed of the status of files. Regular meetings are also held with the General Counsel as the executive member responsible for ATIP matters.

Senior officials, up to and including the Auditor General, are advised about compliance with legislative, policy, and regulatory obligations, as requested or required.

As reflected in part 12.2 of the Appendix, the OAG dedicated 0.520 person-years to *Privacy Act*-related activities.

Breaches

One material privacy breach occurred during the reporting period. An environmental petitioner's personal information (email and telephone number) was inadvertently sent to the wrong person by email. The affected people were informed, and the breach was reported to the Office of the Privacy Commissioner of Canada and the Treasury Board of Canada Secretariat.

Completed privacy impact assessments

Vaccine attestation reporting system

The Canadian government announced its plan for implementing a mandatory vaccination policy across the federal public service on 6 October 2021. As a separate employer, the OAG had to manage the implementation of this policy for its offices across Canada.

The goal of this project was to develop a strategy and tool for capturing, storing, and reporting data for the vaccination attestation process at the OAG.

Audit working paper software replacement project

The OAG has acquired CaseWare, an audit working paper software, to conduct its legislative audits of the federal government, Crown corporations, and the territorial governments.

The new audit working paper solution is expected to increase efficiencies and expand the OAG's capabilities in conducting its operations.

The OAG has been using and relying on TeamMate AM as its core working paper software for over a decade. However, TeamMate AM will no longer be supported, and its end of life is expected in April 2023.

CaseWare alters the way in which personal information collected during the audit process is used, retained, or destroyed. For this reason, the OAG completed a privacy impact assessment to identify and mitigate the risks presented by using new methods of processing audit records.

Preliminary (informal) assessments

For all new or amended projects, the OAG has implemented a mandatory process that requires the completion of a Preliminary Privacy Assessment checklist. This document ensures that personal information elements are considered before and during the completion of the project.

This process also identifies the required elements for a formal privacy impact assessment, which is initiated if the preliminary assessment identifies the need for one.

During the reporting period, the OAG completed 15 preliminary assessments.

Appendix—Statistical Report on the *Privacy Act*



Statistical Report on the *Privacy Act*

Name of institution: Office of the Auditor General of Canada

Reporting period: 2021-04-01 to 2022-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests received

		Number of Requests
Received during reporting period		2
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		2
Closed during reporting period		1
Carried over to next reporting period		1
• Carried over within legislated timeline	1	
• Carried over beyond legislated timeline	0	

1.2 Channels of requests

Source	Number of Requests
Online	0
Email	2
Mail	0
In person	0
Phone	0
Fax	0
Total	2

Section 2: Informal requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		15
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		15
Closed during reporting period		15
Carried over to next reporting period		0

2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	15
Mail	0
In person	0
Phone	0
Fax	0
Total	15

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
4	5	6	0	0	0	0	15

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
11	113	4	282	0	0	0	0	0	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Completion Time								
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	0	1	0	0	0	0	0	1
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	1	0	0	0	0	0	1

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(a)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(a)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

3.3 Exclusions

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

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	1	0	0	0	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
5583	5583	1

3.5.2 Relevant pages processed by 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	0	0	0	0	0	0	0	0	1	5583
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	5583

3.5.3 Relevant minutes processed and disclosed for audio formats

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

3.5.4 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
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

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

3.5.6 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
Total	0	0	0	0	0	0

3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	100

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
0	0	0	0	0

3.7.2 Request 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	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

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

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

Section 5: Requests for Correction of Personal Information and Notations

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

Section 6: Extensions

6.1 Reasons for extensions

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

6.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	0	0	0	0	0	0	0	0

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	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

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	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Section 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
Total	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	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 9: Complaints and Investigations Notices Received

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

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy impact assessments

Number of PIAs completed	2
Number of PIAs modified	0

10.2 Institution-specific and central personal information banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	4	0	0	0
Central	0	0	0	0
Total	4	0	0	0

Section 11: Privacy Breaches

11.1 Material privacy breaches reported

Number of material privacy breaches reported to TBS	1
Number of material privacy breaches reported to OPC	1

11.2 Non-material privacy breaches

Number of non-material privacy breaches	0
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Section 12: Resources Related to the *Privacy Act*

12.1 Allocated costs

Expenditures		Amount
Salaries		\$22,755
Overtime		\$0
Goods and services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$22,755

12.2 Human resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.520
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.520

Note: Enter values to three decimal places.

