



Annual Report on the Administration of the *Privacy Act*

Employment and Social
Development Canada

2021 to 2022





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Employment and Social Development Canada**

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ESDC's privacy year in review, 2021 to 2022

Employment and Social Development Canada (ESDC) maintains one of the largest personal information holdings in the Government of Canada and protecting it is a top priority. The Department administers many of the federal government's most critical social programs and services, including Employment Insurance, the Social Insurance Number (SIN) Register, Old Age Security (OAS), the Guaranteed Income Supplement (GIS), Canada Pension Plan, Canada Student Loans Program, and skills and employment training. These programs require the collection, use and disclosure of large volumes of detailed and often sensitive personal information.

To fulfil its mandate, ESDC regularly makes information available to several partners and stakeholders, including other federal departments and provincial, territorial and international governments. There are many reasons for these disclosures: to enable program delivery, to determine eligibility for federal and provincial programs and benefits, for the authentication of individuals, identity management, research and statistics, integrity operations, and legal proceedings. These relationships are managed through hundreds of personal information sharing agreements.

As stewards of this information, ESDC prides itself on ensuring that personal information is protected as an integral part of its commitment to Canadians.

Privacy and the ESDC operating context

There were three primary influences on ESDC's privacy management during the reporting period:

- Digital transformation continued to change how personal information is managed across all sectors, including within the Government. Individuals increasingly expect to interact with federal institutions digitally as a matter of convenience. As a result, ESDC continued to focus on transformation efforts to meet the expectations of Canadians and to modernize its service offerings.
- The Department continued to adapt to the impacts of the COVID-19 pandemic by adopting electronic processes and digital signatures, as well as by adding critical resources to Access to Information and Privacy

(ATIP) operations. These improvements led to a reduction in the backlog of requests created at the start of the pandemic.

- As ESDC's footprint is national in scale, the Department continued to leverage its decentralized model to process privacy requests. Through Service Canada, the Department operated more than 600 in-person points of service across the country, as well as national and regional call centres, and provided digital service options online through Canada.ca. Notably, ESDC's *Privacy Act* request processing operations relied on the Department's four regions to meet its legislative obligations.

Privacy by design at ESDC

ESDC manages one of the most robust privacy regimes in the federal system through its privacy code, enshrined in our departmental enabling legislation, as well as departmental policies that complement the President of the Treasury Board's requirements and Office of the Privacy Commissioner's (OPC) expectations. A key element of ESDC's "privacy by design" approach is the integration of privacy considerations into all of its project management activities and new funding proposals.

ESDC's Privacy Assessment process begins with an early check to establish at an initial stage in the project lifecycle the type of privacy review that is required. The Department has a tailored suite of assessment tools to ensure the right level of attention is committed to each initiative depending on the sensitivity of the information involved. Active and regular communications with Treasury Board Secretariat's (TBS) privacy specialists, as well as with the OPC, ensure oversight bodies are well informed on privacy risks and how they are mitigated at an early stage.

ESDC also actively tracks and reports privacy breach incidents to the OPC and TBS. Breach levels as a percentage of overall transactions remain relatively low considering the high volume of daily transactions. The link between privacy and cybersecurity is being closely monitored in order to ready the Department for current and future threats in this area.

Privacy requests

The 2021 to 2022 reporting period saw a large spike in *Privacy Act* requests, with more than 17,000 received and nearly 1.5 million pages processed. While considerable progress was made to improve the compliance rate (from 46% in 2020 to 2021 to 58% this past fiscal year), it remained below the rate that the Department typically achieved in pre-pandemic years. Corrective action is already underway to continue improving performance in this area.

Highlights and results for 2021 to 2022

- A record volume of pages (1,477,256) was processed for exemptions and exclusions this year, an increase of 27% from the previous fiscal year. A total of 1,384,322 pages was disclosed, which is also an increase from the previous year of 28%.
- ESDC received 17,695 *Privacy Act* requests, up from the previous year's total of 13,998. A record number of requests were completed, from 12,883 in 2020 to 2021 to 17,577 during 2021 to 2022.
- ESDC completed or substantially revised 22 privacy impact assessments (PIAs), which represented approximately 20% of the total number approved by all federal institutions last year.
- To protect personal information when it is shared with other federal government institutions or other jurisdictions, 98 information sharing agreements were prepared, an increase of 58% over the previous fiscal year.
- Initial program, project, and software privacy reviews more than doubled to 199 in 2021 to 2022 from 97 in 2020 to 2021.
- Privacy reviews were also completed for the Department's policy analysis, research and evaluation activities involving personal information. This past fiscal year, 23 such reviews were completed compared with 13 during 2020 to 2021.

This report describes how ESDC proactively supports the judicious use and protection of personal information in one of the most challenging privacy environments in government. The collective snapshot of the facts, figures and information provided in this report demonstrates the responsibility, diligence and effort that ESDC's employees apply every day to maintain the trust of Canadians as responsible stewards.

1. Introduction

Presentation of this report

Section 72 of the *Privacy Act* requires the head of a federal institution to submit an annual report to Parliament on the administration of the Act following the end of every fiscal year. This is ESDC annual report to Parliament on the administration of the *Privacy Act* for the 2021 to 2022 fiscal year. ESDC is not reporting on behalf of a wholly owned subsidiary or non-operational institution.

About ESDC

ESDC is the Government of Canada department responsible for developing, managing and delivering social programs and services. Its mission is to build a stronger and more inclusive Canada, support Canadians in helping them have productive and rewarding lives and improve their quality of life. ESDC includes two major entities: the Labour Program and Service Canada.

The Department delivers a range of programs and services that affect Canadians throughout their lives. It provides seniors with basic income security, supports unemployed workers, helps students finance their post-secondary education and assists parents in raising young children. The Labour Program contributes to social and economic well-being by fostering safe, healthy, fair and inclusive work environments and cooperative workplace relations in the federal jurisdiction. Service Canada engages with millions of Canadians each year to provide a range of government services and information online, by phone, and in person.

ESDC is responsible for the design and delivery of some of the most well known Government of Canada programs and services, such as:

- OAS;
- Canada Pension Plan;
- Employment Insurance;
- Canada Student Grants and Loans and Canada Apprentice Loans program;
- Canada Education Savings Program;
- Wage Earner Protection Program; and
- Passport Services.

For fiscal year 2021 to 2022, ESDC's planned expenditures on programs and services totalled \$101.7 billion. Of that amount, \$100 billion was allocated to benefit Canadians directly through statutory payment, grant and contribution programs.

2. Organizational context

ESDC's Corporate Secretary and Chief Privacy Officer

The Corporate Secretariat Branch is responsible for issuing and managing privacy management policy within ESDC, providing privacy advice and guidance and, in the National Capital Region, for processing privacy requests. These activities are carried out by the Branch's ATIP Operations Division, and the Privacy Management Division (PMD), with the functional support of ESDC's four regional branches.

The Corporate Secretary heads the Branch and is ESDC's designated Chief Privacy Officer (CPO). The CPO is the Department's functional authority on all privacy matters and leads the management of privacy in the Department. The CPO's responsibilities consist of providing strategic privacy policy advice and maintaining ESDC's privacy management program that includes conducting privacy risk assessments, monitoring compliance with privacy legislation, policies and standards, and providing privacy training.

Access to Information and Privacy Operations Division

The ATIP Operations Division administers the *Access to Information Act* and the privacy request components of the *Privacy Act* for ESDC. The Division's Director is the designated ATIP Coordinator for the Department. The responsibility for processing *Privacy Act* requests in ESDC is shared between the ATIP Operations Division and the Department's four regional branches: Atlantic, Ontario, Quebec and Western.

ATIP Operations Division is responsible for coordinating the ATIP activities of ESDC branches and regions. Their responsibilities include the following:

- responding to *Access to Information Act* requests;
- responding to specific *Privacy Act* requests;
- providing functional guidance to the regions with respect to the operational and reporting components of the privacy function; and
- delivering general and tailored training sessions to employees on the administration of both Acts.

Furthermore, the Division also reviews the Open Government publications to ensure that the handling of personal information practices are in compliance with the Act.

ATIP Operations Division is composed of an intake unit, several ATIP processing teams, and a small proactive disclosure operations and policy unit. During the 2021 to 2022 fiscal year, there were approximately 45 employees in the Division.

Regional privacy operations

The regional branches play an important role in fulfilling the Department's *Privacy Act* responsibilities. During the 2021 to 2022 fiscal year, there were approximately 74 employees in the regions who processed ATIP files. A network of liaison officers and managers within the branches in each region support the processing of privacy requests as well as provide expert advice and guidance directly to program areas while working horizontally with the guidance of ATIP Operations Division.

Privacy Management Division

PMD is ESDC's centre for privacy policy expertise and is the Department's focal point for privacy advice. PMD leads the horizontal implementation of departmental privacy policies and initiatives, conducts risk analyses, including PIAs, and provides privacy compliance guidance to ESDC's programs and services that includes supporting the preparation of information sharing agreements and contracts. The Division responds to court and law enforcement requests for documents, administers public interest disclosures, plays a key role in the management and prevention of privacy breaches, and supports privacy training and awareness activities. In addition, PMD provides strategic privacy policy and analytical advice to the CPO and ESDC's senior leaders.

The Division is organized into four functional groups consisting of a privacy policy and risk management unit, a privacy compliance and advisory services unit, an incident management and legislative disclosures unit, and a small strategic advisory and planning team. During the 2021 to 2022 fiscal year, PMD had 44 employees.

Service Agreement with the Canadian Accessibility Standards Development Organization

ESDC has a memorandum of understanding to provide access to information and privacy services for the Canadian Accessibility Standards Development Organization, an independent departmental corporation in the Department's portfolio. The Canadian Accessibility Standards Development Organization was

established under the *Accessible Canada Act* and is mandated to contribute to the realization of a Canada without barriers, on or before January 1, 2040.

Through the memorandum of understanding, ESDC delivers *Privacy Act* request processing services, annual reporting advice and statistics, liaison functions, and training. ESDC also furnishes analysis and advice for PIAs, information sharing arrangements, disclosures, contracting, legislative and policy compliance, and the management of security incidents.

3. ESDC's privacy regime

Legal framework for privacy

ESDC operates within one of the most complex privacy regimes in government. Its legal obligations are set out in the *Privacy Act* and in the personal information protection provisions found in the *Department of Employment and Social Development Act* (DESDA). Moreover, with the numerous collaborative efforts with which ESDC is involved to deliver national programs and services, legal interoperability with Government of Canada organizations, the provinces and territories, and municipal governments is always an important requirement.

The *Privacy Act* is the federal legislation that protects the personal information of Canadians, permanent residents, and individuals present in Canada that is held by federal public sector institutions. Extending from the *Charter of Rights and Freedoms*, it is a key foundation piece for preserving the privacy interests of individuals in Canada. The Act contains a set of rules for the Government's management of personal information by providing a framework on how federal institutions can collect, use, retain, and disclose personal information.

The collection and use of personal information by federal institutions are based on lawful authority or legal authorization. Federal institutions can only collect or use personal information with a sufficiently direct connection to legally authorized programs and activities.

Personal information under the control of a government institution cannot be disclosed without the consent of the individual, except in specific circumstances. These include uses that are consistent with the purpose of the original collection, when authorized by federal legislation, to comply with legal instruments, such as subpoenas and court orders, in circumstances where there is a clear benefit to the individual, and where there is a public interest that outweighs the invasion of privacy. Importantly, the Act gives individuals the right to request access to their own personal information held by a federal institution and the right to request a correction to their information if it is inaccurate.

The *Privacy Act* also created the OPC of Canada, an independent agent of Parliament that oversees compliance with its implementation. The Privacy Commissioner has powers to receive and investigate complaints, including in cases where an individual's request for access to their personal information has been refused by a government institution.

The administration of the Act by federal institutions, including ESDC, is supplemented by policies and directives issued by the President of the Treasury Board or an authorized delegate.

In addition to the *Privacy Act*, the management of personal information by ESDC is undertaken in accordance with the statutory obligations that are provided in the Department's enabling legislation. DESDA describes the rules that apply to personal information controlled by ESDC and is applied in tandem with the *Privacy Act*. DESDA, which is more rigorous than the *Privacy Act*, sets out the requirements for:

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

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

***Privacy Act* Delegation Order**

Section 73 of the *Privacy Act* empowers the head of an institution to delegate any of the powers, duties or functions assigned to him or her by the Act to employees of that institution, typically through a Delegation Order. This instrument sets out the powers, duties and functions for the administration of the Act that have been delegated by the head of the institution and to whom that delegation has been assigned.

The *Privacy Act* Delegation Order that was approved by the Minister of Employment, Workforce Development and Disability Inclusion, is reproduced in Annex A.

Departmental Policy on Privacy Management

The Departmental Policy on Privacy Management supports a robust privacy regime for the protection and judicious use of personal information by ESDC. Supplementing TBS policies, directives and standards, this departmental policy codifies the requirements for the management and protection of personal information, articulates clear and universal privacy policy principles, and specifies roles and responsibilities for the management of personal information

including discrete functional responsibilities and accountabilities for privacy. The policy sets out ESDC's Privacy Management Framework, outlined below, designates the CPO function, and establishes the Department's privacy governance mechanisms.

The expected results from the application of the Departmental Policy on Privacy Management include the sound management and safeguarding of personal information by the Department; robust practices for the identification, assessment and management of risks to personal information; and the establishment of clear accountabilities accompanied by effective governance structures and mechanisms to protect and manage personal information under ESDC's stewardship.

Privacy Management Framework

ESDC's Privacy Management Framework promotes a proactive approach for the management of personal information by fostering the integration of privacy practices into program, system, and business process design. The Framework consists of five elements:

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

The Framework is a clear and succinct foundational element in establishing and operating a comprehensive privacy program for the Department.

Privacy governance at ESDC

ESDC uses a committee structure to support privacy governance, risk oversight, and decision-making. For this reporting period, the Department's primary governance body for privacy and the safeguarding of personal information was the Data and Privacy Committee, co-chaired by the CPO and the Chief Data Officer. The Data and Privacy Committee is mandated to

oversee the stewardship and management of data as well as the protection of personal information across the Department. The Committee supports the integration of data management, privacy and cyber security; provides oversight of ESDC's risk management processes with respect to personal information; and promotes a departmental culture that recognizes that the protection of privacy is a core organizational value and is fundamental to maintaining the public's trust.

The Data and Privacy Committee reports to the Assistant Deputy Minister-level Corporate Management Committee (CMC). The CMC is responsible for overseeing the Department's management agenda including the implementation of the ESDC's security measures. Chaired by the Associate Deputy Minister, the CMC is composed of branch and regional heads as well as the Department's senior leaders of key functional activities.

4. Policies, procedures, and initiatives

The breadth and scale of ESDC's activities means the Department is responsible for managing one of the largest personal information holdings in the Government of Canada. The delivery of programs and services by ESDC, in most cases, involves the collection, use, and disclosure of personal information. Often, detailed and sensitive personal information is required to determine program eligibility or to provide benefits and services. Furthermore, with its broad mandate and the responsibility to manage immense volumes of personal information, ESDC must operate within a complex privacy legal regime that includes the *Privacy Act* and DESDA, as well as respecting specific legislative requirements for the Department's federal and provincial government partners.

Throughout 2021 to 2022, ESDC continued to advance a proactive, risk-based approach to privacy management and sought to adapt its activities and processes to the needs of the changing privacy environment. It applied its privacy lens to the large number of departmental initiatives, some of which involved the large-scale collection, use and disclosure of personal information.

ESDC delivered many of the Government of Canada's COVID-19 economic initiatives as well as crucial programs and services to support children, students, seniors, workers, families and many communities in need to withstand the financial pressures resulting from the pandemic. It also provided additional service options to Canadian by implementing several solutions to strengthen the digital delivery of services and information exchanges. The Department's privacy regime supported the protection of sensitive personal information required in the implementation of these initiatives.

Privacy assessments and reviews

In accordance with the Treasury Board's Directive on PIAs, ESDC is required to conduct a PIA before establishing any new or substantially modified program or activity involving the administrative use of personal information. PIAs are used to identify and assess privacy risks as well as to develop plans to reduce or eliminate those risks. Among federal institutions, ESDC is an innovator in the methods used to conduct privacy assessments. For example, PMD draws from a suite of approaches that it developed, including full PIAs, Privacy Analyses (a type of "PIA light"), Privacy Analysis for Information Technology Solutions (PAITS), and Privacy Protocols, to tailor the assessment that is most appropriate for an ESDC project or initiative. These instruments have allowed

ESDC to continue to be a leading Department for the completion of PIAs over the past two fiscal years.

During the 2021 to 2022 fiscal year, ESDC produced a departmental record 19 PIAs and prepared significant addendums to three others. Copies of the reports were provided to TBS and the OPC. The completion of time-sensitive PIAs supported the issuance of urgent payments to individuals that helped alleviate financial pressures brought on by COVID-19 that many Canadians were facing. Information on these assessments is provided in Annex B of this report and on ESDC's [PIA](#) website.

Privacy reviews were also completed for the Department's policy analysis, research and evaluation activities involving personal information. This past fiscal year, 23 such reviews were completed compared with 13 during 2020 to 2021.

Among its privacy responsibilities, ESDC verifies that arrangements for making personal information available to other federal institutions, other jurisdictions and service delivery providers are compliant with legislation and policy. PMD also checks that they have the necessary terms and conditions for the protection and appropriate management of personal information. This past fiscal year, 98 information sharing agreements and 122 procurement instruments were reviewed in detail, representing significant increases of 58% and 122% respectively over 2020 to 2021.

This growth in the demand for internal privacy services was experienced broadly. For example, the number of initial reviews for programs, projects and software applications more than doubled to 199 in 2021 to 2022. General privacy inquiries from internal clients rose by a third, totalling 221, and 88 privacy notices and consents were prepared compared to 57 during the previous fiscal year.

ATIP modernization

ESDC continued its ATIP modernization initiative by implementing digital solutions as the Department continued to move to a largely paperless office environment. Last fiscal year, the modernization initiative focussed on standardizing processes and procedures across the Department's decentralized ATIP model to support further efficiencies in the processing of access to information and privacy access requests, a renewal exercise that is expected to enhance operational effectiveness once completed. This work continued to be given a high priority because of the COVID-19 pandemic, and the Department is now processing most requests in a digital environment.

Privacy approval process

Last fiscal year, ESDC's internal auditors completed an advisory assessment on the 2019 implementation of the amended PIA assessment and approval process. These modifications were intended to increase the efficiency of PIAs by delegating approval authorities for common, routine, and low-risk items to the CPO and Director of the PMD, while the Deputy Minister retained the authority to approve assessments for initiatives that were high risk.

The audit team concluded that new approval authorities complied with the *Privacy Act* and that there were no substantive changes to the PIA process. It also found that the time required to obtain approval of a PIA decreased significantly while the quality of the finished product remained high. Based on interviews with key staff and an analysis of documents, no residual risks arising from the changes in approval process was identified. The audit team also noted that, given the effectiveness of the new approval process, there was an opportunity to revisit the Data and Privacy Committee's mandate concerning the governance of PIAs.

Benefits Delivery Modernization

The large-scale transformation Benefits Delivery Modernization (BDM) programme is designed to deliver improved client experience for several of Canada's largest benefits programs through a modern technology platform, streamlined processing, new digital services and enhanced service management capabilities. ESDC's privacy management team is working closely on the Department's service transformation projects, including the BDM programme where a multi-pronged strategy is being applied.

ESDC is taking a "privacy by design" approach with dedicated resources assigned to the programme. Privacy advice is being integrated into the BDM programme design as a whole, while detailed privacy analyses and risk assessments are conducted for individual project components. The use of personal information for programme-related policy analysis and research is reviewed before it is authorized. Privacy specialists are also helping the programme develop a long-term privacy strategy on personal information management that will enable clients to more actively assert their privacy rights as well as enhance overall the public trust in ESDC's service delivery.

Strategic risks

ESDC refreshed its privacy strategic risk profile in order to identify and focus attention on the most prominent threats to the management and safeguarding of personal information under the Department's control. Significant strides have been made to implement practices that allow for the effective safeguarding of personal information as an integrated part of operations. Risk management

includes monitoring a rapidly changing context, including cyber security, information management, contracts, and information sharing agreements.

Privacy Management Road Map

In 2018, ESDC introduced a multi-year strategic plan, or road map, in response to the rapidly changing privacy environment and in support of the Department's transformation and innovation initiatives. The implementation of the road map resulted in the strengthening risk management practices, revised privacy governance mechanisms, optimization of approval processes, and buttressed incident management activities and legal instrument disclosure processes. Due to the COVID-19 pandemic, it was necessary to carry-over some planned activities into future years.

Based on the success of the first Three-year Privacy Management Road Map, a new privacy road map was developed. This updated plan identifies actions to further strengthen privacy management processes, enhance collaboration with PMD's information management and security partners, support ESDC's strategic priorities and modernize the Department's privacy practices as it seeks technological and methodological innovation in the use of personal information.

New SIN authority: one-time payment for older seniors

In accordance with the *Directive on Social Insurance Number*, the Minister of Seniors requested, and was granted, an authority for a new consistent use of the SIN that was collected for the purposes of administering the One-time payment for older seniors and OAS program. SIN information contained in the OAS database enabled ESDC to identify individuals eligible for the one-time payment. Since the program did not have an application process, the use of the SIN was the only means available to validate a recipient's eligibility and entitlement.

5. Performance overview

This section provides key statistics and analysis on ESDC's accomplishments in the 2021 to 2022 fiscal year and demonstrates how the Department contributed to the Government's administration of the *Privacy Act*. Most of the charts and tables below (Figures 5.1 through 5.6 and 5.8 through 5.11) provide a four-year comparison highlighting ESDC's *Privacy Act* administration performance trends. The Department's detailed statistical report on its administration of the *Privacy Act* is found in Annex C.

It is important to note that while the full-scale privacy operations resumed during the 2021 to 2022 reporting period, there was a large spike in privacy access requests with over 17 thousand received during the 2021 to 2022 fiscal year. This increased volume was a new record for ESDC. While considerable progress was made to improve compliance rates, they remained below levels that the Department typically achieved in pre-pandemic years.

Requests and consultations: total volume

During the 2021 to 2022 fiscal year, ESDC experienced a 26% increase in privacy requests, from 13,998 in 2020 to 2021 to 17,695. Conversely, consultation requests related to the *Privacy Act* continued to decline, dropping 73% from the previous year's total of 11.

Figure 5.1: Privacy Act requests – total volume received

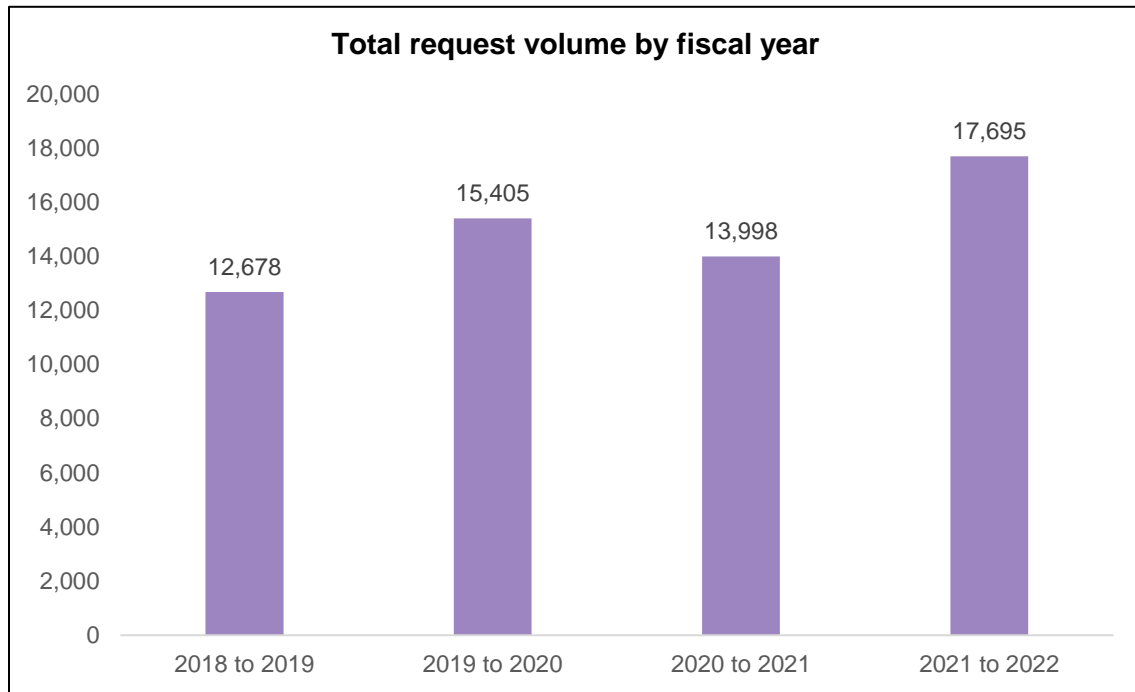
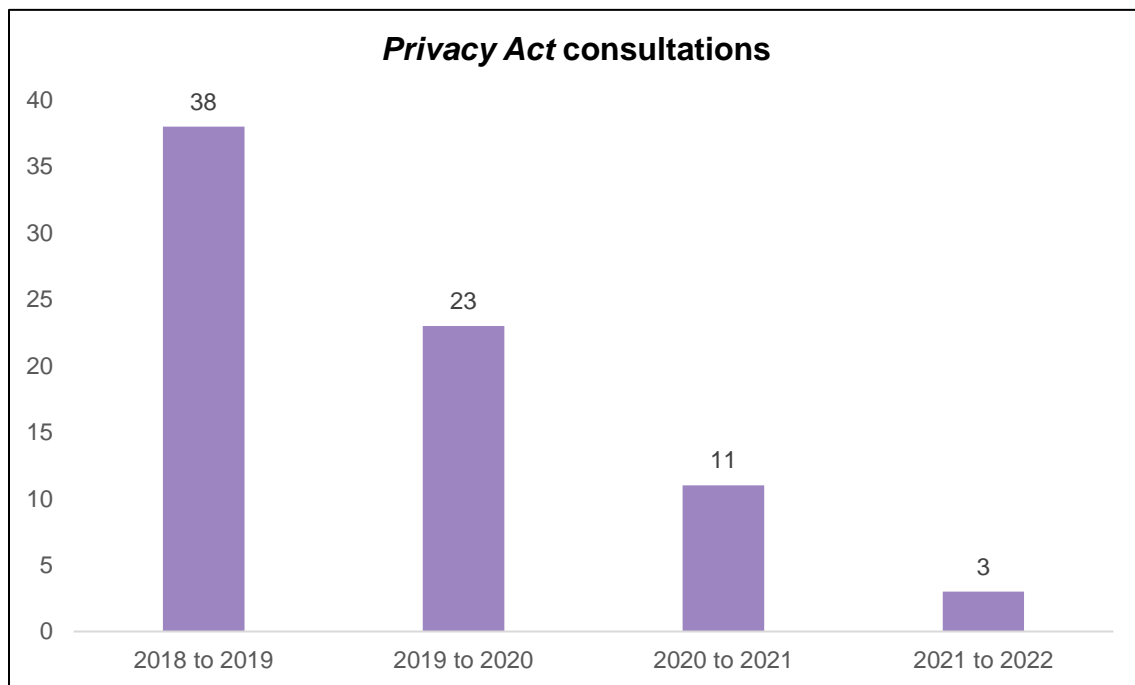


Figure 5.2: Privacy Act consultation requests – total volume received



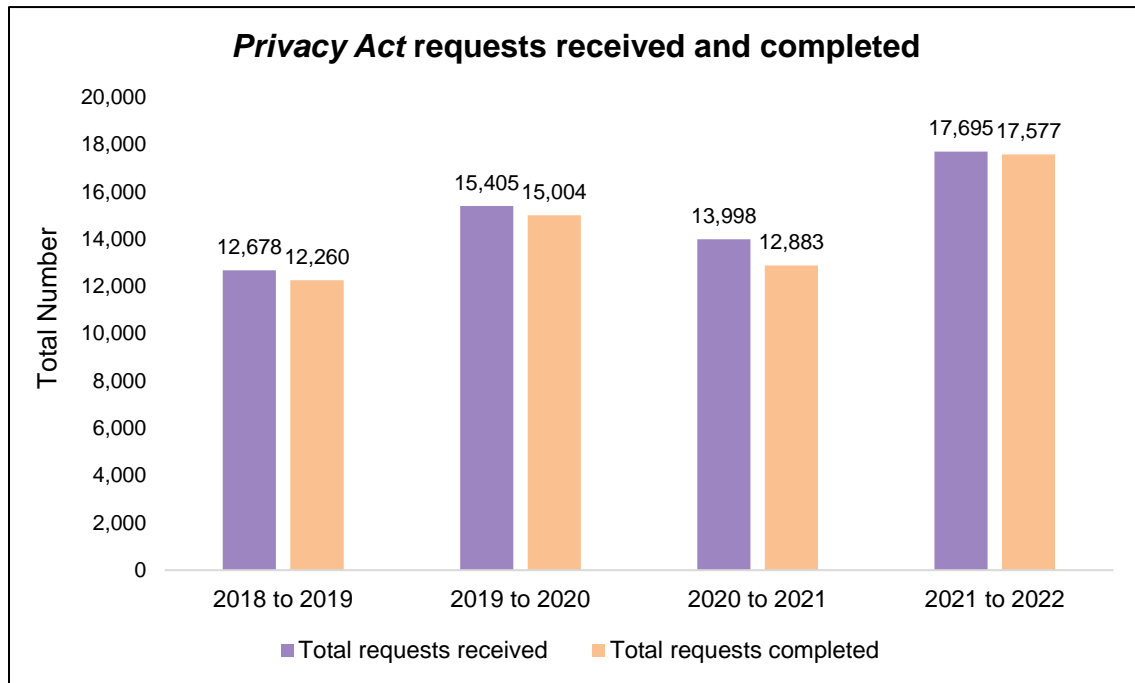
The following table (Figure 5.3) provides a summary of ESDC's *Privacy Act* access request metrics comparing them across the last four fiscal years.

Figure 5.3: Summary of requests under the *Privacy Act*

Activity	2018 to 2019	2019 to 2020	2020 to 2021	2021 to 2022
Formal requests received under the <i>Privacy Act</i>	12,678	15,405	13,998	17,695
Requests completed during the reporting period	12,260	15,004	12,883	17,577
Number of requests completed within legislated timeframes (including extensions)	12,137	14,949	5,906	10,190
Number of requests completed beyond legislated timeframes	123	55	6,977	7,387
Proportion of requests that were responded to within legislated timeframes	99%	99%	46%	58%

Total requests received and completed

The number of requests closed during the reporting period grew from 12,883 in 2020 to 2021 to 17,577 in 2021 to 2022. Recovery from the effects of the pandemic, which had caused a great number of responses to be late in the previous year, also began in the current reporting period. As a result, the Department was able to close a record number of requests during the year and 17% more than the previous record in 2019 to 2020.

Figure 5.4: Requests received and completed

Requests by calendar days taken to complete

For the first time since the onset of the pandemic, ESDC processed more privacy requests than it received during this reporting period. The compliance rate for closing requests within 30 days (or 60 days after an extension), however, has been slower to rebound increasing from 46% in 2020 to 2021 to 58% in 2021 to 2022. This remains below our strong compliance rates pre-pandemic, which averaged above 99%. As the Department continues to modernize the privacy request function, standardization will be a major focus so that Canadians receive dependable, responsive service to every request.

Figure 5.5: Privacy Act access requests by calendar days taken to complete

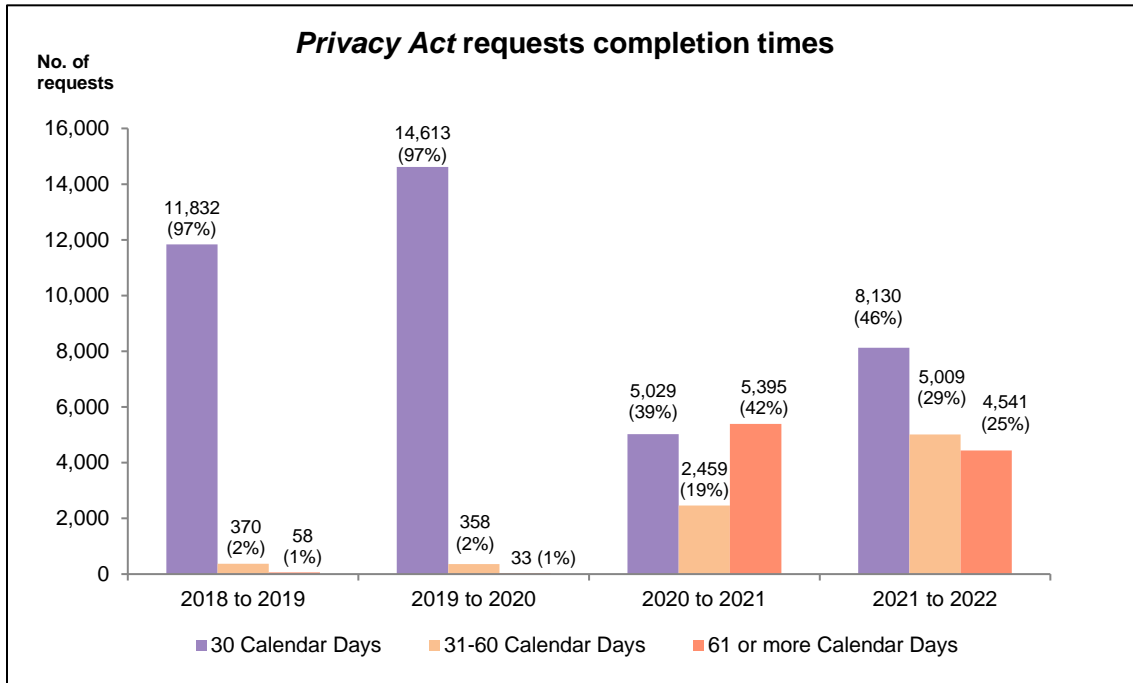
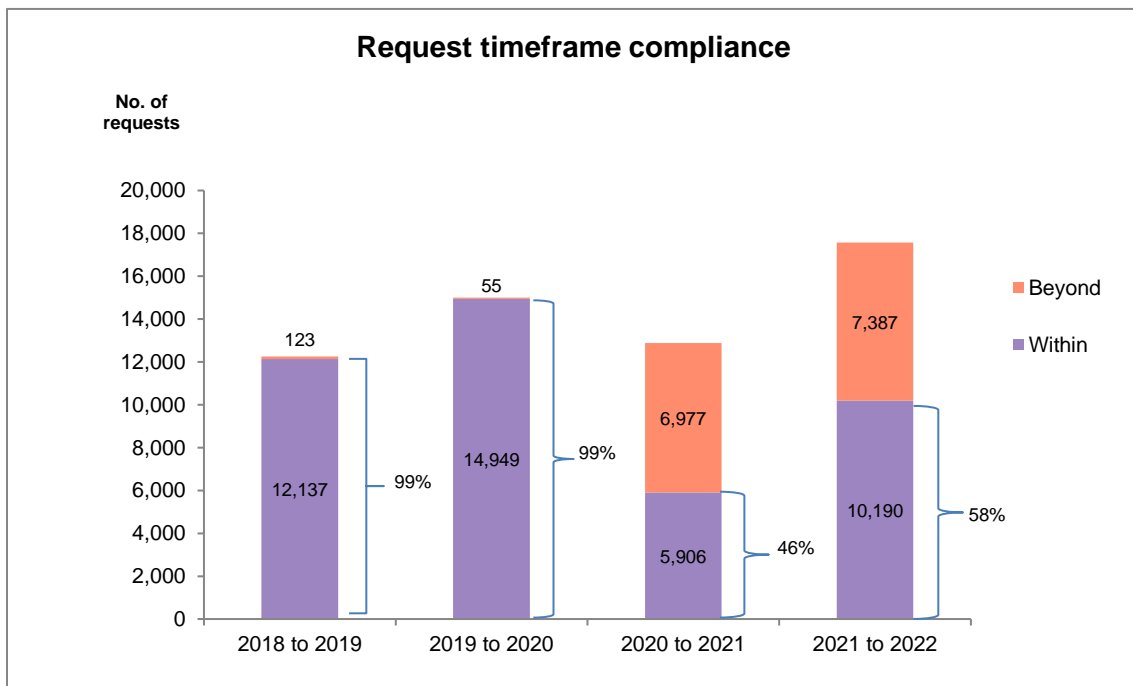


Figure 5.6: Number of requests processed within and beyond legislated timeframes, Privacy Act



Reasons for extensions

Institutions may apply for an extension beyond the original 30-day statutory timeframe in cases where meeting the statutory date is not feasible. During the 2021 to 2022 reporting period, there were 1,048 large volume requests, 1 request requiring either translation or converting a record to another format, 1 request involving a Cabinet Confidence, and 19 internal consultations, which were required to be performed that could not reasonably be conducted within the initial 30 days. These requests resulted in ESDC to seek 1,069 extensions. This total represented an 8% increase from 2020 to 2021 when ESDC requested 990 extensions.

Figure 5.7: Number of requests where an extension was taken, *Privacy Act*.

<i>Privacy Act</i> Section	Reason for extension	Number of requests for extension
15(a)(i) Interference with operations	Further review required to determine exemptions	0
	Large volume of pages	0
	Large volume of requests	1,048
	Documents are too difficult to obtain	0
15(a)(ii) Consultation	Cabinet Confidence (Section 70)	1
	External	0
	Internal	19
15(b) Translation purposes or conversion	Translation or conversion	1
TOTAL		1,069

Timeframe monitoring

ESDC's regional offices manage most of the privacy requests (personal information requests and requests for the correction of personal information) for the Department and prepare periodic reports concerning new requests, workload and status updates regarding on-time performance for privacy requests. Performance reports are generated by the regional offices on a monthly, quarterly and yearly basis.

Number of active requests that are outstanding from previous fiscal years

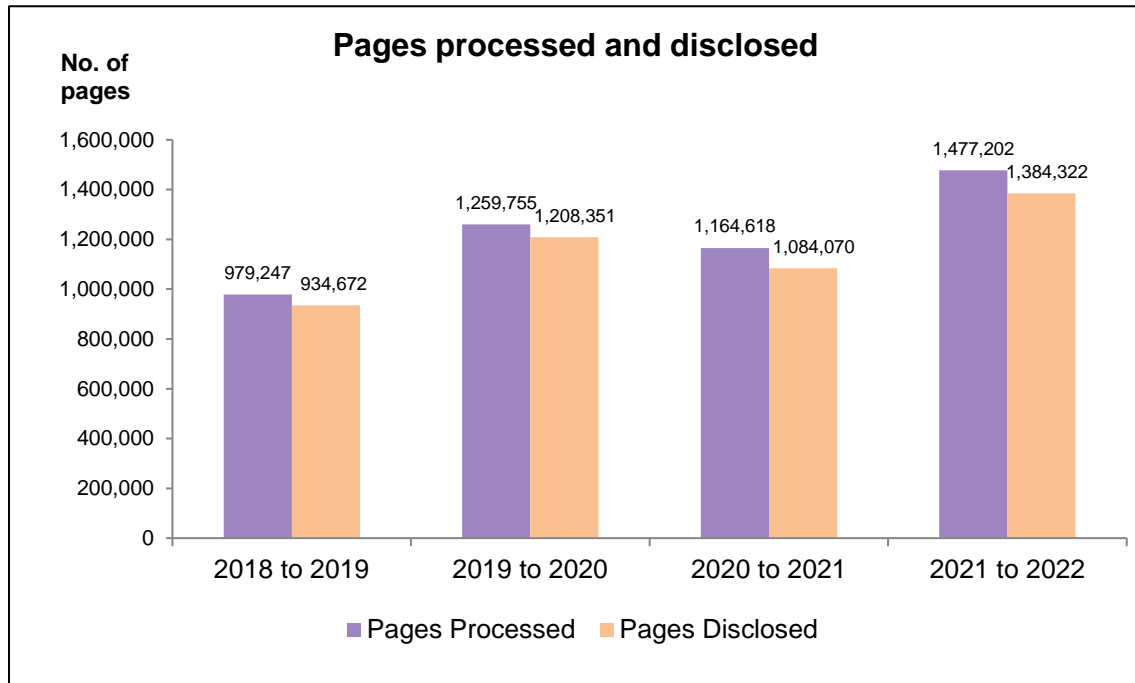
Occasionally, the processing time of some *Privacy Act* requests is longer than the legislated timeline.

Figure 5.8: Number of active requests outstanding from previous reporting periods

Fiscal year during which the open request was received	Open requests that are within legislated timelines as of March 31, 2022	Open requests that are beyond legislated timelines as of March 31, 2022	Total
2021 to 2022	269	0	269
2020 to 2021	8	0	8
2019 to 2020	2	0	2
2018 to 2019	0	1,694	1,694
2017 to 2018	1	0	1
2016 to 2017	0	0	0
2015 to 2016 or earlier	0	0	0
Totals	280	1,694	1,974

Pages processed and disclosed

During this reporting period, 1,477,202 pages were processed for exemptions and exclusions, representing an increase of 27% from the previous fiscal year when 1,164,618 pages were processed. A total of 1,384,322 pages were disclosed, which is also an increase from the previous year when 1,084,077 pages were disclosed. Both the number of pages processed and disclosed during the reporting period were significantly higher than any previous reporting period.

Figure 5.9: Number of pages processed and disclosed, *Privacy Act*

Exemptions and exclusions

As ESDC is one of the largest holders of personal information in the Government of Canada, the application of exemptions and exclusions under the *Privacy Act* typically occurs more frequently than most other federal institutions. During 2021 to 2022, the total number of requests that were completely disclosed was 1,880 (11%). The number of files that were disclosed in part was 12,058 (69%). There were 3,235 requests for which no records existed and 400 abandoned requests.

Exemptions

While the *Privacy Act* provides individuals with an enforceable right of access to their personal information, there are instances where certain limited and specific exemptions can be applied. The *Privacy Act* exemption that was applied most frequently was Section 26, which protects personal information, as defined by Section 3 of the Act, of another individual. This exemption occurred in 11,986 instances of completed requests during the 2021 to 2022 fiscal year. This represents an increase of 3,358 when compared to the previous fiscal year.

Figure 5.10: Number of Requests and Percentage of Total Exemptions

Section	2018 to 2019	2019 to 2020	2020 to 2021	2021 to 2022
s. 22 – Law enforcement and investigation	61 (0.7%)	56 (0.6%)	63 (0.7%)	13 (0.1%)
s. 26 – Information about another individual	8,082 (98.1%)	9,812 (98.7%)	8,628 (98.8%)	11,986 (99.3%)
s. 27 – Solicitor-client privilege	72 (0.9%)	63 (0.6%)	42 (0.5%)	48 (0.4%)

Exclusions

The *Privacy Act* allows for the exclusion of certain types of information, such as records that are already available to the public (Section 69) and confidences of the King's Privy Council for Canada (Section 70). During the 2021 to 2022 fiscal year, there were four exclusions under Section 69.1 for personal information that the Canadian Broadcasting Corporation collects, uses or discloses for journalistic, artistic or literary purposes and does not collect, use or disclose for any other purpose.

Consultations received from other Government of Canada institutions and other organizations

ESDC received three external consultation requests during the 2021 to 2022 fiscal year, requiring a review of 127 additional pages. These requests originated from Government of Canada institutions and other organizations.

The Department closed five requests for consultations of which one was completed within 30 days. Of the total number of requests for consultation, four resulted in a recommendation to the consulting institution or organization to disclose the records entirely.

Figure 5.11: Consultation requests received from other Government of Canada institutions and other organizations

Types of consultation	2018 to 2019	2019 to 2020	2020 to 2021	2021 to 2022
Consultation requests received under the <i>Privacy Act</i>	38	20	11	3
Additional pages reviewed under the <i>Privacy Act</i>	1,578	3,137	388	127
<i>Privacy Act</i> requests for consultations closed	36	21	9	5
<i>Privacy Act</i> requests for consultations closed within 30 days	36	18	3	1

Requests for the correction of personal information under the *Privacy Act*

Under the *Privacy Act*, individuals have a right to request the correction of erroneous personal information pertaining to them that is retained by a government institution, provided that the individual can adequately substantiate the request. ESDC accepted two requests for correction and attached 11 notes to file during the 2021 to 2022 fiscal year.

COVID-19 operational impact

The Department's overall extensive contributions to the Government of Canada's national measures to support Canadians at the outset of COVID-19 pandemic, coupled with the challenges of transitioning to remote working, and the lower ATIP compliance rate in the 2020 to 2021 reporting period, resulted in a sizeable backlog in ATIP requests. This backlog was carried over into the 2021 to 2022 fiscal year.

To address these challenges, the Department during the 2021 to 2022 reporting period continued to improve its efficiency with its use of electronic processes and digital signatures. ESDC also provided additional staffing resources toward ATIP operations, resulting in a reduction in the backlog of requests.

6. Complaints, investigations and court actions

Under the *Privacy Act*, individuals may lodge a complaint to the OPC on the processing of their access requests if they were refused access or if they feel there was an undue delay. Individuals can also lodge complaints on the personal information handling practices of federal institutions subject to the Act, on matters such as the collection, use or disclosure of personal information.

During the 2021 to 2022 fiscal year, ESDC was notified by the OPC of 27 privacy complaints and that six complaints were determined to be well-founded. ESDC was also informed that seven complaints were not well-founded, 11 were resolved during the investigation, and two were discontinued. There were seven open complaints with the OPC that were outstanding from previous reporting periods: four from 2020 to 2021; two from 2016 to 2017; and one from 2015 to 2016 or earlier.

With respect to the well-founded use and disclosure complaints, one involved an inappropriate disclosure of personal information during an ESDC administrative investigation. The OPC found that the disclosure did not meet *Privacy Act* or DESDA requirements. In another instance, a well-founded complaint involved the loss of information between Service Canada Centres caused by an addressing error.

The remaining well-founded reports involved instances where the Department did not satisfy the legislated time limits in responding to *Privacy Act* requests. In all four cases, following the OPC's investigation, the Department provided a response to the requestor.

There were no privacy complaints deliberated in the courts during the reporting period.

The following table provides additional information about the complaints and their outcomes.

Table 6.1: Complaints, investigations and court actions, 2021 to 2022

Complaints received	Total
Collection	3
Denied access	9
Improperly applied exemptions	1
Unreasonable time extension	4
Use and disclosure/Retention and disposal	10
Total number of complaints received	27
Investigations	Total
Well-founded	6
Not well-founded	7
Complaints resolved during investigation	11
Discontinued	2
Total number of findings received	26
Court actions	Total
Number of court actions	0

Note: The total number of notifications of complaints received and the total number of investigations with findings received will not necessarily be the same in a given fiscal year. Investigations could relate to complaints that were received by the OPC in a fiscal year prior the 2021 to 2022 reporting period.

7. Public interest disclosures

Disclosures in the public interest are made by ESDC under Section 37(1) of the DESDA instead of under Section 8(2)(m) of the *Privacy Act*. All such disclosures are reported to the OPC.

During the 2021 to 2022 fiscal year, the Department made personal information available in the public interest in 565 instances. ESDC processed 517 of these disclosures in its regional branches, most of which consisted of incidents involving individuals who threatened to harm themselves or others. In situations where there is an imminent threat to the safety and security of individuals, employees have the delegated authority to make the disclosure. Given the urgency of these events, the OPC was notified after the disclosure was made.

PMD approved the disclosure of personal information in an additional 48 cases (“PMD disclosures”). In most of these instances, personal information was made available to locate an individual, such as a missing person or for a police investigation.

The reasons for these disclosures and the totals for each are provided in the following table.

Figure 7.1 Number of disclosures by reason

Reason for disclosures	Number of disclosures
Regional disclosures (Imminent threats)	517
PMD disclosures	
<ul style="list-style-type: none"> Locate an individual (next of kin, estate related, locate an heir, missing person) 	32
<ul style="list-style-type: none"> Police investigation/Wanted individual 	14
<ul style="list-style-type: none"> Benefits eligibility 	2
TOTAL	565

8. Material privacy breaches

A privacy breach is defined by the TBS-issued policy as the “improper unauthorized collection, use, disclosure, retention or disposal of personal information.” A privacy breach is “material” when it “involves sensitive personal information and could reasonably be expected to cause injury or harm to the individual and/or to a significant number of individuals.”

During the 2021 to 2022 fiscal year, the Department reported 346 material breaches to the OPC and to the TBS, a 115% increase from the number of incidents in the previous fiscal year (161 in total during 2020 to 2021). Most of these breaches were caused by operational errors resulting in personal information becoming lost in transit in the postal system or sent to the wrong person. Most of these incidents (303 cases) involved lost, misdirected, or stolen passports and passport application documents of which the Canada Post Corporation took responsibility for 257 incidents (please refer to the table below). The other 46 incidents involving passports and passport applications were the result of errors, loss, theft or misrouted documents while under the control of ESDC. While there was an increase in the number of incidents, the total represents an overall decrease in the rate of material breaches involving passports. In 2020 to 2021, ESDC processed 363,000 passport applications, a total that rose dramatically by 250% during 2021 to 2022, to 1,273,000.

The unauthorized access of personal information stored in ESDC’s systems accounted for 21 incidents. These cases were identified because of the Department’s expanded Audit Log Monitoring tracks the access of personal information by employees in ESDC’s electronic data holdings.

The Department continually seeks to implement measures to reduce privacy breaches through administrative, technical, and physical means. Importantly, through ESDC’s privacy training and awareness activities, employees are informed and trained in the handling of personal information, including appropriate use and safeguarding protocols.

Table 8.1 provides a breakdown of the material breaches by cause and a brief description of follow-up measures.

Figure 8.1 Description of material breaches and action plans

Number of material breaches	Nature of information breached	Communication and notification	Actions undertaken in response
22	Personal information incorrectly shared with third-party individuals via telephone, email, or mail; and/or Documents containing personal information of clients were lost or stolen.	When possible, personal letters were sent to affected individuals informing them of the breach.	<ul style="list-style-type: none"> • Provided training to employees on proper procedures and best practices for handling personal information. Specifically focussed on: <ul style="list-style-type: none"> – mailing procedures; – indexing procedures; and – authentication process when on a call with a client. • Reminded employees of the importance and sensitivity of dealing with personal information. • Reminded employees of the security requirements when sending or carrying personal information. • Modified procedures as needed. • Offered credit monitoring to certain affected individuals who were deemed to be at a higher risk of fraud.
21	Employees who made unauthorized accesses into departmental systems of client information (mostly discovered as part of internal audits conducted on the departmental systems).	When possible, personal letters were sent to affected individuals informing them of the breach.	<ul style="list-style-type: none"> • Revoked reliability status in some cases, which resulted in the dismissal of the employee as maintaining reliability status is a condition of employment. • Reminded employees they should not access information they are not authorized to access. • Reminded employees to review the ESDC Code of Conduct. • Instructed some employees to retake training courses.
257	Passports, passport applications, and documents included with passport applications, lost, stolen, or misdirected, where Canada Post Corporation	When possible, personal letters were sent to affected individuals informing them of the breach.	<ul style="list-style-type: none"> • Asked Individuals to re-submit their applications and reimbursed the cost of new documents, pictures and postage in some cases. • In accordance with standard procedures, passports were cancelled, and new passports were issued at no charge. • Searches were conducted by Canada Post Corporation to locate the documents.

Number of material breaches	Nature of information breached	Communication and notification	Actions undertaken in response
	was responsible for the breach.		
46	Passports, passport applications, and documents included with passport applications, lost, stolen or misdirected because of an internal ESDC error.	When possible, personal letters were sent to affected individuals informing them of the breach.	<ul style="list-style-type: none"> • Asked individuals to re-submit their applications and reimbursed the cost of new documents, pictures and postage in some cases. • Cancelled passports and issued new passports at no charge in accordance with standard procedures. • Took internal corrective measures, including reminding employees of the importance of protecting personal information and the procedures for mailing. • Conducted thorough searches of the office and mailroom to locate the documents.
Total Number of Material Breaches: 346			

9. Training and awareness activities

Online privacy training

ESDC has a comprehensive training program to increase the knowledge and awareness of appropriate personal information management practices. All employees are required to maintain a valid certification in Stewardship of Information and Workplace Behaviours (SIWB), a course that addresses privacy, the handling of personal information, security, access to information, information management, and values and ethics. The course is a component of the Department's Essential Training Curriculum and is delivered online. At the end of the 2021 to 2022 fiscal year, 33,453 employees held SIWB certification, which is valid for two years.

In addition to SIWB, ESDC provided additional online courses in its training catalogue that were relevant to privacy. The Access to Information and Privacy (ATIP): It's everybody's business course gives employees the knowledge required to protect, use and disclose personal information on a daily basis and teaches them to prevent breaches by seeking guidance or by using good judgment in a timely manner. Last fiscal year, 25,370 employees completed it.

New employees take the Doing Things Right and Doing the Right Thing: Putting the Departmental Code of Conduct into Action course, which has a significant privacy component. The course helps participants understand the application of ethical behaviour in the workplace and how to use that knowledge to guide them in their day-to-day work and decision-making, including their interactions with clients and colleagues. The course was taken by 24,861 employees during the 2021 to 2022 fiscal year.

In-person training and awareness

Throughout the reporting period, the Department continued to provide practical, easy-to-understand, and readily available privacy information and guidance to employees to reinforce the application of appropriate personal information handling and safeguarding practices, as well as to provide general knowledge on the philosophical and legislative underpinnings on privacy. These activities included organizing various privacy-themed information events and a series of specialized knowledge talks for Privacy Awareness Week, which took place in January 2022. Over 1,000 individuals participated in the various activities during the event.

Overall, 1,127 ESDC employees attended privacy training and awareness activities in a virtual format during 2021 to 2022. This was an eight-fold increase from the previous fiscal year (146 people in 2020 to 2021) when the Department was transitioning to online operations in response to the pandemic.

Annex A:

Privacy Act Delegation Order

DÉLÉGATION / DELEGATION

**LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS /
PRIVACY ACT**

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

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

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

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

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

Daté, à la Ville de Gatineau, ce _____ jour de _____, 2020.

Dated, at the City of Gatineau, this _____ day of _____, 2020.



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

Privacy Act – Delegated authorities

Description	Section	Delegated Authority
Retention of a record of requests and disclosed records to investigative bodies under Section 8(2)(e) of the <i>Privacy Act</i>	8(4)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Manager, ATIP Incident Management & Legislative Disclosures, ATIP Operations, NHQ
Retention of records of uses of personal information	9(1)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, Privacy Management
Notification of the Privacy Commissioner of any new consistent uses of personal information and ensure use is included in next statement of consistent uses set forth in the Index	9(4)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, Privacy Management, NHQ
Include personal information in personal information banks	10	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, Privacy Management, NHQ
Respond to request for access within 30 days and give written notice and, if access to be given, give access	14	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Extension of the 30-day time limit to respond to a privacy request	15	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Decision on whether to translate a response to a privacy request in one of the two official languages	17(2)(b)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Decision on whether to convert personal information to an alternate format	17(3)(b)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Decision to refuse to disclose personal information contained in an exempt bank	18(2)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ
Decision to refuse access to personal information that was obtained in confidence from the government of a foreign state or institution, an international organization of states or an institution thereof, the government of a province or institution thereof, a municipal or regional government established by or pursuant to an act of the legislature of a province or an institution of such a government, or the council, as defined in the <i>Westbank First Nation Self-Government Agreement</i> given effect by the <i>Westbank First Nation Self-Government Act</i> or the council of a participating in First Nation as defined in the <i>First Nations Jurisdiction over Education in British Columbia Act</i>	19(1)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Authority to disclose personal information referred to in 19(1) if the government, organization or institution described in 19(1) consents to the disclosure or makes the information public	19(2)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information that may be injurious to the conduct of federal-provincial affairs	20	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ
Refuse to disclose personal information that may be injurious to international affairs or the defence of Canada or one of its allies	21	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister and Chief Operating Officer for Service Canada • Associate Deputy Minister • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Team Leaders, NHQ
Refuse to disclose personal information prepared by an investigative body, information injurious to the enforcement of a law, or information injurious to the security of penal institutions	22	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information created for the <i>Public Servants Disclosure Protection Act</i>	22.3	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP OPERATIONS, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ
Refuse to disclose personal information prepared by an investigative body for security clearance	23	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)

Description	Section	Delegated Authority
Refuse to disclose personal information that was collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board while the individual was under sentence if the conditions in the Section are met	24	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information which could threaten the safety of individuals	25	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ
Refuse to disclose personal information about another individual and shall refuse to disclose such information where disclosure is prohibited under Section 8	26	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information that is subject to solicitor-client privilege.	27	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer <ul style="list-style-type: none"> • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP)

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Regional ATIP Advisors • Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Refuse to disclose personal information relating to the individual's physical or mental health where the disclosure is contrary to the best interests of the individual	28	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Receive notice of investigation by the Privacy Commissioner	31	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ
Right to make representations to the Privacy Commissioner during an investigation	33(2)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Director, Privacy Management, NHQ • Manager ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Receive Privacy Commissioner's report of findings of an investigation and give notice of action taken	35(1)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Provision of addition personal information to a complainant after receiving a 35(1)(b) notice.	35(4)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisors • ATIP Officers (Regional ATIP) • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Receive Privacy Commissioner's report of findings of investigation of exempt bank	36(3)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Director, Privacy Management, NHQ
Receive report of Privacy Commissioner's findings after compliance investigation	37(3)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Director, Privacy Management, NHQ
Request that a court hearing, undertaken with respect to certain sections of the Act be held in the National Capital Region.	51(2)(b)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ
Request and be given right to make representations in Section 51 hearings	51(3)	<ul style="list-style-type: none"> • Deputy Minister, ESDC

Description	Section	Delegated Authority
		<ul style="list-style-type: none"> • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ
Prepare annual report to Parliament	72(1)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Director, Privacy Management

Privacy Regulations – Delegated authorities

Description	Section	Delegated Authority
Allow examination of the documents (Reading Room)	9	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisor • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Notification of Correction	11(2)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisor • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)

Description	Section	Delegated Authority
Correction refused, notation placed on file	11(4)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisor • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Disclosure to a medical practitioner or psychologist	13(1)	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisor • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)
Disclosure in the presence of a medical practitioner or psychologist	14	<ul style="list-style-type: none"> • Deputy Minister, ESDC • Deputy Minister, Labour • Senior Associate Deputy Minister of ESDC and Chief Operating Officer for Service Canada • Associate Deputy Minister, ESDC • Corporate Secretary and Chief Privacy Officer • Director, ATIP Operations, NHQ • Manager, ATIP Processing, ATIP Operations, NHQ • Team Leaders, NHQ • Service Manager (Regional ATIP) • Team Leaders (Regional ATIP) • Regional ATIP Advisor • Business Expertise Regional Consultant (QC ATIP) • Senior Consultant (QC ATIP) • Senior Business Expertise Consultant (QC ATIP)

Annex B

Summaries of Completed Privacy Impact Assessments

Summaries of Completed Privacy Impact Assessments

ESDC completed 19 PIAs of different types over the course of the 2021 to 2022 fiscal year, as well as three substantive addendums to already completed assessments. Of this total, three were prepared in an adapted Privacy Compliance Evaluation format that was specified in the Interim Directive on PIA. Information on all PIAs is found below and on ESDC's [PIA](#) website.

Canada Education Savings Program (CESP) Analytical and Monitoring Solution

The CESP uses two interactive databases: the Reporting Database (RDB) and the Canada Education Savings Grant Online Transactional Processing Database. The current RDB is inadequate in meeting the needs for data analytics and performance measurement. Consequently, the CESP intends to replace the RDB with an analytical and monitoring solution.

A PAITS was completed to identify and assess privacy risks associated with the collection and handling of personal information resulting from the introduction of a new database and relocation of personal information. One medium-level risk and two low-level risks were identified. The strategies to address these risks are scheduled for completion by June 2022.

Canada Emergency Student Benefit (CESB)

The CESB was established in May 2020 by the Government of Canada to provide financial support to students whose income was affected by the COVID-19 pandemic.

A PIA was completed to identify the privacy risks associated with the collection and use of personal information of CESB applicants. Four low-level risks and five compliance issues were identified. Mitigation actions to address them are being implemented and scheduled for completion by spring 2022.

Canada Service Corps Civic Participation Pilot

The Civic Participation Pilot is a Youth Leadership initiative by the Canada Service Corps administered by the Department's Learning Branch. It will provide a virtual learning and leadership experience to 200 young adults from across the country and involve the selection of applicants using a third-party

cloud-based web application portal. The application portal will collect and store applicants' personal information and use them for administering activities.

A privacy analysis was completed to identify privacy risks associated with the collection and use of personal information received from youth applicants. Two medium-level risks, one low-level risk and two compliance issues were identified. Mitigation actions to address these risks were scheduled for completion in 2021 to 2022.

Canada Student Financial Assistance (CSFA) Program use of Simplified Digital Identity Validation (SDIV) Solution

The CSFA Program's use of the SDIV solution will deliver real-time multi-factor authentication that improves the Department's Enterprise Cyber Authentication Service (ECAS). The ECAS provides registration and authentication services for the National Student Loans Service Centre account. The SDIV will be another solution for users who have forgotten the answers to their security questions and have locked themselves out of their account.

A privacy analysis was completed to identify the privacy risks associated with the handling of CSFA Program users' personal information. Three medium-level risks and one compliance issue were identified. The mitigation strategies to address these risks are being implemented and scheduled for completion by July 2022.

COVID-19 One-Time Non-Taxable Payment to Persons with Disabilities

In June 2020, the Government of Canada provided financial support for a one-time non-taxable payment of up to \$600 for persons with disabilities. Individuals with a valid Disability Tax Credit, beneficiaries of the Canada Pension Plan Disability benefit, the Quebec Pension Plan Disability benefit and individuals who receive any of the seven Veterans Affairs Canada disability benefits received this payment.

A PIA was completed to identify privacy risks associated with the collection, use and handling of personal information for clients receiving this payment. One medium-level risk, one low-level risk and two compliance issues were identified and the mitigation strategies to address them are currently being implemented.

COVID-19 One-Time Tax-Free Payment for Seniors

In July 2020, the Government of Canada provided financial support for a one-time tax-free payment for Canadians aged 65 and over who are eligible for the OAS. These payments were provided to help seniors cover the additional costs caused by the COVID-19 pandemic.

The COVID-19 one-time tax-free payment for seniors used personal information in a decision-making process to determine who was eligible for the COVID-19 Seniors Grant and the amount to which eligible recipients were entitled. We have completed a PIA to identify any privacy risks related to the collection, use and handling of personal information of clients receiving these payments. The PIA identified two medium-level risks and two compliance issues. The strategies to address these risks and compliance issues are scheduled for completion by June 2022.

COVID-19 One-Time Non-Taxable Grant for GIS Recipients who Received Pandemic Benefits in 2020: Issuance of Payments to Clients in Dire Need

The GIS is available to low-income OAS pensioners who live in Canada. In the Government of Canada's 2021 Budget, a financial support for a one-time non-taxable grant payment of \$200 was provided to GIS recipients who are in dire need of experiencing a loss or reduction to their GIS benefit due to the COVID-19 pandemic.

We have completed a PIA to identify any privacy risks related to the collection, use, disclosure and handling of personal information of clients receiving this payment. The PIA identified four medium-level risks and one compliance issue. The strategies to address these risks and issue are scheduled for completion by March 31, 2023.

Electronic Public Trustee Portal to the Social Insurance Number (eSIN) Application

The Electronic Public Trustee Portal initiative will allow Public Trustees across Canada to apply for or request confirmation of a SIN as well as to request for personal information within the Social Insurance Register pertaining to individuals for whom they have legal authority. Personal information will be collected and used for administrative purposes, such as to identify and confirm the identity of clients (public trustees) to process a SIN application.

A PAITS was completed to identify any privacy risks associated with the collection and use of personal information through the Public Trustee Portal, a third-party cloud services platform. Two medium-level risks, one low-level risk and two compliance issues were identified, and the mitigation strategies to address these risks are currently being implemented with scheduled completion in the 2021 to 2022 fiscal year.

EI Workload Efficiency and Process Improvement Project

The EI Workload Efficiency and Process Improvement project seeks to address workload challenges by implementing efficiencies and process improvements to ensure Service Canada is fulfilling client expectations in maintaining EI service standards. In addition, this work includes enhancing the client service experience.

A PAITS was completed to identify any risks associated with the projects task to address current challenges in the EI workload management system. Two medium-level risks and three low-level risks were identified and the mitigation strategies to address them are currently being implemented with a scheduled completion date by March 2024.

Enabling Services Renewal Program – myEMS (PeopleSoft)

ESDC upgraded their Human Capital Management system (PeopleSoft) from version 9.1 to version 9.2 in order to leverage latest functionalities like enhanced data analytics, mobile capability and higher accessibility standards.

An addendum to the original PIA was completed to identify the privacy risks associated with the new collection and enhanced use of personal information. Two compliance issues were identified and the corrective measures to address these issues are documented within the PIA.

eServiceCanada Passport

Service Canada created a new online passport renewal application portal in addition to a related case management system that together is called the “eServiceCanada Passport.” The eServiceCanada Passport is a new way to collect application information that was previously only collected by using a paper form that enables Service Canada to continue receiving passport renewal applications electronically, particularly when Service Canada Centres were closed.

A PAITS was completed to identify the privacy risks related to the use of eServiceCanada Passport. Two medium-level risk and two compliance issues were identified, and the mitigation strategies to address them are currently being implemented.

Exchange of personal information on offenders between ESDC and Correctional Services Canada for the administration of the Employment Insurance Emergency Response Benefit (EI ERB)

As a result of the Government of Canada's *COVID-19 Emergency Response Act*, measures were designed to provide immediate income support to Canadians and to help protect the economy from the impacts of the COVID-19 pandemic. ESDC is responsible for managing and processing payments for the EI ERB Program. Consequently, ESDC needs to collect personal information about offenders from Correctional Services Canada in cases of suspected ineligibility or overpayment.

As an urgent initiative related to COVID-19 and due to the sensitivity of the personal information collected from the Correctional Services Canada, a Privacy Compliance Evaluation (PCE) was completed for EI ERB. The PCE examined the privacy risks related to the management and protection of personal information involved in the collection, use and data matching activities to determine eligibility for the EI ERB. It identified two medium-level risks and one low-level risk. The strategies to address these risks were scheduled for completion during 2021 to 2022.

Hosted Contact Centre Solution (HCCS): Wave 2

The HCCS is a modernized, centrally managed and fully hosted solution for ESDC contact centres. The HCCS improves client experiences by leveraging industry-standard functionalities such as: cloud-based routing, enhanced self-service, computer telephony integration, call and screen recording, virtual hold and workforce management to ensure prompt and efficient services.

A PAITS was completed to identify and assess the privacy risks associated with the major change to existing contact center practices in the protection of personal information. The PAITS identified one medium-level risk. The strategy to address this risk was scheduled for implementation in spring 2022.

Implementation of Adobe Target on Canada.ca

Service Canada applied Adobe Target, a third-party web analytic software, to Canada.ca webpages to improve visitor experience and to maximize the effectiveness of the webpages in matching the needs of visitors.

A PAITS was completed to identify and assess the privacy risks associated with the management and protection of personal information by using by the Adobe Target software. The PAITS identified three low-level risks, one insignificant-level risk and four compliance issues. The strategies to address these risks and issues are being implemented.

Integrated Labour System (ILS) Employer's Annual Hazardous Occurrence Reports (EAHOR)

ESDC's Labour Program oversees the facilitation of compliance with labour laws and Canadian labour standards. Each year, all federally regulated employers submit an EAHOR to the Minister of Labour. EAHORs record the total number of fatalities, accidents, occupational diseases and other hazardous occurrences in a workplace in a given year. ILS was implemented by the Labor Program to administer EAHORs as part of the modernization of its operating environment.

A PAITS was completed as part of multiple privacy analyses that the Labour Program will complete on the ILS. The PAITS was completed to identify and assess the privacy risks and impacts in the collection and use of personal information of employees by submitting the EAHOR report using the ILS. One medium-level risk, two low-level risks and two compliance issues were identified. The strategies to address these risks and issues have been recommended to the Program.

MyAlberta Digital Identity (MADI) Agreement

The MyAlberta Digital Identity Trusted Digital Identity Agreement will give Alberta residents the opportunity to streamline their access to their My Service Canada Account by using MADI, their provincially approved identity-bound credential as a Trusted Digital Identity. This agreement replaces the MADI pilot.

An addendum to the original PIA (April 2019) on the pilot was completed to identify the privacy risks associated with the indirect collection and use of personal information by ESDC from Service Alberta. One medium-level risk, one low-level risk and two compliance issues were identified. Mitigation strategies to address these risks were scheduled for completion by August 21, 2021.

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

ESDC receives Entry-Exit traveller information from the Canada Border Services Agency in order to investigate potential fraud and abuse of the OAS program. This information is matched with OAS client data to identify non-portable beneficiaries who should have self-reported their absence from Canada.

An addendum to the original PIA was completed to identify the privacy risks associated with the collection and use of Entry-Exit data from Canada Border Services Agency resulting from the data matching activity using the Social Insurance Register. One low-level risk was identified with no scheduled

mitigation action since the activity was expected to end by the end of the 2021 to 2022 fiscal year.

Record of Employment Comment (ROEC) Artificial Intelligence Model

A Record of Employment (ROE) provides information on employment history. The information on the ROE is used to decide if a person is eligible to collect EI benefits, what the benefit amount will be, for how long the benefits will be paid. Some ROEs online have free text comments. The ROEC tool automates the review of the ROE text comment field using machine learning, and confirms or updates the reason for separation in the ROE. Additionally, information from the ROE comment field helps decide EI benefits.

A PAITS was completed to identify and assess privacy risks associated with the ROEC tools automation in its review of the ROE Comments. The PAITS identified one medium-level risk and one compliance issue. The strategies to address this risk and compliance issue were scheduled for completion during the 2021 to 2022 fiscal year.

Security Screening Intake Process Simplification Project (SSIPS)

The SSIPS Project is a partnership between ESDC's Integrity Service Branch and Transport Canada to support ESDC to process security clearances for employees. Before this project, the security screening solution at ESDC was manual. SSIPS is focused on improving the user experience to obtain security screening by digitalizing and simplifying the process through a portal for secure submissions for employees.

A PAITS was completed to identify and assess privacy risks associated with the collection, use and handling of personal information received from applicants to process their security clearance for work. The PAITS identified four privacy risks: one medium-level risk and three low-level risks. Additionally, three compliance issues were also identified. The mitigation strategies to address these risks and issues were scheduled for completion by March 2022.

Service Canada Compliance Verification Service for the Public Health Agency of Canada (PHAC)

During the COVID-19 pandemic, the Service Canada Compliance Verification Service for PHAC was modified to help PHAC contact more travelers. ESDC and Service Canada continue to provide service delivery for PHAC's COVID-19 Quarantine Compliance Campaign with changes to its services in determining whether travelers are following travel guidelines.

A PCE was completed to identify and assess any privacy risks associated with the collection and handling of travelers personal

information. One medium-level risk, two low-level risks and two compliance issues were identified in the PCE. The strategies to address these risks and issues were scheduled for completion during the 2021 to 2022 fiscal year.

Simplified Digital Identity Validation Solution

The SDIV solution will provide real-time authentication that improves ESDC's ECAS. The ECAS solution runs registration and authentication services for My Service Canada Account and the SDIV solution will provide users with the option to sign up for or sign in to it in real time by providing a digital second factor verification.

A PCE was completed to identify any privacy risks related to the collection and handling of personal information. Three medium-level risks and three compliance issues were identified. The strategies to address these risks and issues were scheduled for completion by March 31, 2022.

Supplementary Payment for Older Seniors

As part of the Government of Canada's Budget 2021, a one-time payment was provided to all Canadians aged 65 and over who met the residence requirements to receive the OAS pension. The one-time payment was intended to meet the immediate needs of older seniors until a 10% increase to the OAS pension for seniors 75 and older is permanently implemented.

A PIA was completed to identify any privacy risks related to the collection, use and handling of personal information for clients receiving the payment. Two medium-level risks and one compliance issue was identified. The strategies to address these risks and compliance issues are scheduled for completion by June 2022.

Annex C:

ESDC Statistical Report on the *Privacy Act*, 2021 to 2022

Statistical Report on the *Privacy Act*

Name of institution: ESDC
 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		17695
Outstanding from previous reporting periods		1856
• Outstanding from previous reporting period	1847	
• Outstanding from more than one reporting period	9	
Total		19551
Closed during reporting period		17577
Carried over to next reporting period		1974
• Carried over within legislated timeline	1694	
• Carried over beyond legislated timeline	280	

1.2 Channels of requests

Source	Number of Requests
Online	4005
E-mail	2357
Mail	6354
In person	3
Phone	14
Fax	4962
Total	17695

Section 2: Informal requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		6481
Outstanding from previous reporting periods		690
• Outstanding from previous reporting period	688	
• Outstanding from more than one reporting period	2	
Total		7171
Closed during reporting period		5858
Carried over to next reporting period		1313

2.2 Channels of informal requests

Source	Number of Requests
Online	18
E-mail	122
Mail	759
In person	3
Phone	75
Fax	5504
Total	6481

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
780	1415	561	1987	1102	10	3	5858

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
4316	116606	1401	269238	102	69427	39	65531	0	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	60	644	530	637	8	0	1	1880
Disclosed in part	849	4038	3844	3277	39	7	4	12058
All exempted	1	3	0	0	0	0	0	4
All excluded	0	0	0	0	0	0	0	0

No records exist	829	1424	547	431	3	0	1	3235
Request abandoned	157	125	88	28	2	0	0	400
denied	0	0	0	0	0	0	0	0
Total	1896	6234	5009	4373	52	7	6	17577

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)	1
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	2	24(a)	0
19(1)(c)	0	22(1)(b)	11	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	15
19(1)(e)	0	22(2)	0	26	11986
19(1)(f)	0	22.1	0	27	48
20	0	22.2	0	27.1	0
21	0	22.3	0	28	3
		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	4	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
10551	3743	0	0	0	2977

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
1477202	1384322	14342

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	1637	34066	235	41579	7	4638	1	1351	0	0
Disclosed in part	7758	309354	4006	774230	209	140333	81	143764	4	24569
All exempted	2	33	2	692	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	390	850	10	1743	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	9787	344303	4253	818244	216	144971	82	145115	4	24569

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	1	0	0	0	1
Disclosed in part	7	0	0	0	7
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	8	0	0	0	8

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	10190
Percentage of requests closed within legislated timelines (%)	57.97348808

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
7387	7346	0	1	38

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	1242	54	1296
16 to 30 days	1971	13	1984
31 to 60 days	2622	4	2626
61 to 120 days	1456	9	1465
121 to 180 days	5	1	6
181 to 365 days	3	1	4
More than 365 days	3	3	6
Total	7302	85	7387

3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	1	0	1
Total	1	0	1

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	9
Requests for correction accepted	2
Total	11

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 ConfidenceSection (Section 70)	External	Internal	
1069	0	0	1048	0	1	0	19	1

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 ConfidenceSection (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	1	0
16 to 30 days	0	0	1048	0	1	0	18	1
31 days or greater								0
Total	0	0	1048	0	1	0	19	1

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	3	127	0	0
Outstanding from the previous reporting period	3	1074	0	0
Total	6	1201	0	0
Closed during the reporting period	5	1106	0	0
Carried over within negotiated timelines	1	95	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	1	0	1	1	1	0	0	4
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	1	1
Total	1	0	1	1	1	0	1	5

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

Section 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	0
More than 365	0	0	0	0	0	0	0	0	0	0	0
Total	0	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
27	21	26	0	74

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

10.1 Privacy Impact Assessments

Number of PIAs completed	19
Number of PIAs modified	3

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	65	1	0	3
Central	0	0	0	0
Total	65	1	0	3

Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	346
Number of material privacy breaches reported to OPC	346

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	697
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Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures	Amount
Salaries	\$6,790,105
Overtime	\$304,698
Goods and Services	\$13,386
• Professional services contracts	\$0
• Other	\$13,386
Total	\$7,108,189

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	32.518
Part-time and casual employees	0.325
Regional staff	44.289
Consultants and agency personnel	0.000
Students	0.939
Total	78.071

Note: Enter values to three decimal places.



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

Name of institution: ESDC
 Reporting period: 2021-04-01 to 2022-03-31

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	28	0	24	52
Protected B Paper Records	28	0	24	52
Secret and Top Secret Paper Records	28	0	24	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 Records	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, 2022	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	54	169	223
Received in 2020-2021	62	6	68
Received in 2019-2020	35	6	41
Received in 2018-2019	9	0	9
Received in 2017-2018	3	0	3
Received in 2016-2017	1	0	1
Received in 2015-2016 or earlier	0	0	0
Total	164	181	345

Row 8, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2021-2022 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.

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Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	19
Received in 2020-2021	8
Received in 2019-2020	9
Received in 2018-2019	8
Received in 2017-2018	5
Received in 2016-2017	5
Received in 2015-2016 or earlier	0
Total	54

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, 2022	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	269	0	269
Received in 2020-2021	8	0	8
Received in 2019-2020	2	0	2
Received in 2018-2019	0	1694	1694
Received in 2017-2018	1	0	1
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	280	1694	1974

Row 8, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 2021-2022 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 2021-2022	9
Received in 2020-2021	4
Received in 2019-2020	7
Received in 2018-2019	1
Received in 2017-2018	0
Received in 2016-2017	1
Received in 2015-2016 or earlier	1
Total	23

Section 5: Social Insurance Number (SIN)

Did your institution receive authority for a new collection or new consistent use of the SIN in 2021-2022?	Yes
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