

Annual Report to Parliament

Privacy Act

National Capital Commission

for the period from April 1, 2016 to March 31, 2017

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INTRODUCTION

The *Privacy Act* gives Canadian citizens and people present in Canada the right to have access to information about them that is held by the federal government. It also protects against unauthorized disclosure of that personal information. In addition, it strictly controls how the government will collect, use, store, disclose, and dispose of any personal information. This annual report to Parliament was prepared and shall be tabled in accordance with section 72 of the *Privacy Act*.

The National Capital Commission (NCC) is a Crown corporation that was created by Parliament in 1959 as the steward of federal lands and buildings in Canada's National Capital Region. The corporation is responsible for planning, as well as taking part in the development, conservation and improvement of Canada's Capital Region. The NCC is governed by a national board of directors. The NCC reports to Parliament through the Minister of Canadian Heritage.

The *National Capital Act* defines the NCC's mandate. The NCC fulfills its mandate through the following areas of activity:

- setting the long-term planning direction for federal lands in Canada's Capital Region;
- guiding and controlling the use and development of federal lands in Canada's Capital Region;
- managing, conserving and protecting NCC assets (including Gatineau Park, the Greenbelt, the NCC real property portfolio, and other assets such as bridges, pathways and parkways); and
- maintaining heritage sites in Canada's Capital Region, such as the official residences and commemorative sites.

STRUCTURE OF THE ATIP OFFICE

The Access to Information and Privacy (ATIP) Office is part of the NCC's Legal Services and Commission Secretariat Branch. It is responsible for the administration of the *Access to Information Act* and the *Privacy Act* for the corporation. The chief of ATIP acts as the institutional coordinator and is assisted by two ATIP officers.

The ATIP Office ensures that the NCC meets its legislated obligations in replying to requests with support from a network of ATIP branch representatives in each of the corporation's program areas.

STATISTICS

The following statistics describe the administration of the *Privacy Act* within the NCC for the period of April 1, 2016, to March 31, 2017, as detailed in the attached Appendix A.

Requests Received Under the *Privacy Act*

During the reporting period, the NCC received and completed five requests under the *Privacy Act*. All the requests were completed within the legislated timeframe. In two instances, all records were disclosed, while records were disclosed in part for the three other requests. A total of 474 pages were reviewed and released.

Since the 2012–2013 fiscal year, the NCC has received 16 *Privacy Act* requests. The number of pages reviewed and pages released have remained fairly consistent for the past three years.

Fiscal year	Number of requests closed	Number of pages reviewed	Number of pages released
2012–2013	2	2511	2161
2013–2014	2	3	3
2014–2015	5	515	515
2015–2016	2	449	449
2016–2017	5	474	474

Exemptions Invoked

Personal information relating to individuals other than the requester was exempted pursuant to section 26 of the *Privacy Act*.

Operational Costs to Administer the *Privacy Act*

Costs associated with the administration of the *Privacy Act* are related to processing requests and to providing advice and guidance on matters pertaining to the collection, use, disclosure, retention and disposal of personal information. A total of 0.29 full-time equivalents were used to process formal requests and to administer the *Privacy Act* throughout the NCC. Salaries and administration costs amounted to \$34,054.

INSTITUTIONAL POLICIES AND PROCEDURES

The NCC has several Corporate Administrative Policies and Procedures (CAPPs). Specifically, the CAPP on privacy helps to ensure that the NCC fulfills its obligations under the *Privacy Act*.

This policy provides guidance to employees with respect to the application of the *Privacy Act*, and outlines the responsibilities of the Executive Management Committee, senior managers, branch representatives, managers and employees.

No revision of this policy has been affected since the policy was established in 2009.

DELEGATION OF AUTHORITY

The chair of the NCC is designated as head of the institution by virtue of the “*Privacy Act* Heads of Government Institutions Designation Order (SI/83-114, as amended)”. The chair is responsible for administering the *Privacy Act*.

The chair has delegated the authority under the *Privacy Act* to key officials within the organization in accordance with section 73 of the *Privacy Act*.

The general counsel and commission secretary and the chief of ATIP have complete delegated authority. The ATIP officers have limited delegation for the application of specific exemptions.

A copy of the delegation order, signed April 9, 2013, is attached for reference (*see Appendix B*).

EDUCATION AND TRAINING

ATIP awareness/information sessions are offered, in both official languages, to NCC employees at large. One training session was conducted for 6 participants.

COMPLAINTS AND INVESTIGATIONS

No complaints were received during the reporting period. No outstanding complaints remained from previous reporting periods.

PRIVACY IMPACT ASSESSMENT

One privacy impact assessment (PIA) was initiated during the reporting period. This PIA, dealing with Microsoft Office 365, assesses the requirement surrounding the protection of personal information when using cloud services. A copy of the finalized PIA was sent to the Office of the Privacy Commissioner and Treasury Board of Canada Secretariat.

Summaries of all of the PIAs conducted by the NCC are posted on the institution’s website at the following address:

<http://ncc-ccn.gc.ca/transparency#info-source>

MONITORING OF PROCESSING TIME

ATIP staff regularly monitor the time taken to process active privacy requests, and meet weekly to review all active requests. The general counsel and commission secretary is provided with a weekly status report for all active requests.

PRIVACY BREACHES

No privacy breaches were reported for the current reporting period.

DISCLOSURE PURSUANT TO PARAGRAPH 8(2)(m)

No personal information was disclosed under 8(2)(m) for the current reporting period.



Statistical Report on the *Privacy Act*

Name of institution: National Capital Commission

Reporting period: 2016-04-01 to 2017-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	5
Outstanding from previous reporting period	0
Total	5
Closed during reporting period	5
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 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	2	0	0	0	0	0	0	2
Disclosed in part	0	3	0	0	0	0	0	3
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	2	3	0	0	0	0	0	5

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	3
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

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

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	2	0	0
Disclosed in part	1	2	0
Total	3	2	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	294	294	2
Disclosed in part	180	180	3
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	474	474	5

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	23	1	271	0	0	0	0	0	0
Disclosed in part	3	180	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	4	203	1	271	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	2	0	2
Disclosed in part	0	0	3	0	3
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	5	0	5

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

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

Part 3: Disclosures Under Subsections 8(2) and 8(5)

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

Part 4: Requests for Correction of Personal Information and Notations

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

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 6: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

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

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
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

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Ddays	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
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

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

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

7.2 Requests with Privy Council Office

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

Part 8: Complaints and Investigations Notices Received

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

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	1
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Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures		Amount
Salaries		\$30,500
Overtime		\$0
Goods and Services		\$3,554
• Professional services contracts	\$2,713	
• Other	\$841	
Total		\$34,054

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.25
Part-time and casual employees	0.02
Regional staff	0.00
Consultants and agency personnel	0.02
Students	0.00
Total	0.29

Note: Enter values to two decimal places.

Designation Order


Privacy Act

In accordance with Section 73 of the *Privacy Act*, the Chairperson of the National Capital Commission hereby delegates authority granted for the provisions of the *Privacy Act* as indicated below. Any prior Designation Orders are hereby revoked.

<u>Position Title</u>	<u>Provisions of the <i>Privacy Act</i></u>
1. Chairperson	8(2)(j), (m), (4), (5), 9(1), (4), 10(1), 14, 15, 17(2)(b), (3)(b), 18(2), 19 to 28, 31, 33(2), 35(1), (4), 36(3), 37(3), 51(2)(b), (3)
2. General Counsel and Commission Secretary, Legal Services and Commission Secretariat	8(2)(j), (m), (4), (5), 9(1), (4), 10(1), 14, 15, 17(2)(b), (3)(b), 18(2), 19 to 28, 31, 33(2), 35(1), (4), 36(3), 37(3), 51(2)(b), (3)
3. Chief, Access to Information and Privacy	8(2)(j), (m), (4), (5), 9(1), (4), 10(1), 14, 15, 17(2)(b), (3)(b), 18(2), 19 to 28, 31, 33(2), 35(1), (4), 36(3), 37(3), 51(2)(b), (3)
4. Officer, Access to Information and Privacy	14, 15, 17(2)(b), (3)(b), 19, 26, 27



Russell Mills, Chairperson
National Capital Commission



Date