

NATIONAL CAPITAL COMMISSION  
COMMISSION DE LA CAPITALE NATIONALE

# Annual Report to Parliament

*PRIVACY ACT*

APRIL 1, 2019 TO MARCH 31, 2020

Canada





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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 Public Services and Procurement.

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 three 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, 2019, to March 31, 2020, as detailed in the attached Appendix A.

## Requests Received Under the *Privacy Act*

During the reporting period, the NCC received two requests under the *Privacy Act*. Since the 2015–2016 fiscal year, the NCC has received 16 *Privacy Act* requests. The number of pages reviewed and pages released have varied significantly in the past three fiscal years compared with the first two years. There is no trend or event that explains this fluctuation.

Fiscal year	Number of requests closed	Number of pages reviewed	Number of pages released
2015–2016	2	449	449
2016–2017	5	474	474
2017–2018	0	0	0
2018–2019	6	964	951
2019–2020	3	3,077	2,642

## Exemptions Invoked

It was necessary to invoke exemptions and release only part of the records for the three privacy requests. Exemptions were invoked to protect information relating to law enforcement and investigations, solicitor-client information and information about individuals other than the requester.

## Impact of the COVID-19 Pandemic

On March 14, 2020, all NCC employees, with a few exceptions, were asked to work from home. ATIP staff were able to continue processing requests with few difficulties, as the ATIP office had already transformed most of its processes to enable teleworking.

## 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.

New procedures to retrieve records from the branches electronically were put in place during the fiscal year.

## 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 chief executive officer, the general counsel and commission secretary, and the chief of ATIP had complete delegated authority. The ATIP officers had limited delegation for the application of specific exemptions.

A copy of the delegation order, signed July 22, 2018, 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. The Canada School of Public Service Access to Information and Privacy online course was completed by 78 new permanent employees, representing a 98 percent completion rate.

## **COMPLAINTS AND INVESTIGATIONS**

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

## **PRIVACY IMPACT ASSESSMENT**

No privacy impact assessments (PIA) were completed during the reporting period. 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>.

## **MONITORING OF PROCESSING TIME**

ATIP staff regularly monitored the time taken to process active privacy requests and met weekly to review all active requests.

## **PRIVACY BREACHES**

No privacy breaches were reported to the Privacy Commissioner or to the Privacy Policy Division 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.

## **COSTS TO ADMINISTER THE *PRIVACY ACT***

Costs associated with the administration of the *Privacy Act* are related to processing requests and providing advice and guidance on matters pertaining to the collection, use, disclosure, retention and disposal of personal information. A total of 0.48 full-time equivalents were used to administer the *Privacy Act* throughout the NCC. Salaries and administration costs amounted to \$50,248.

## APPENDIX A



Statistical Report on the *Privacy Act*

Name of institution: National Capital Commission  
 Reporting period: 2019-04-01 to 2020-03-31

**Section 1: Requests Under the *Privacy Act*****1.1 Number of requests**

	Number of Requests
Received during reporting period	2
Outstanding from previous reporting period	1
<b>Total</b>	<b>3</b>
Closed during reporting period	3
Carried over to next reporting period	0

**Section 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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	2	0	0	1	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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>

**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)	1	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	3
20	0	22,2	0	27,1	0
21	0	22,3	0	28	0
		22,4	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

Paper	Electronic	Other
0	3	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
3077	2642	3

### 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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	157	1	547	1	1938	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
<b>Total</b>	0	0	1	157	1	547	1	1938	0	0

### 2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	3	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
<b>Total</b>	0	0	0	3	3

## 2.6 Closed requests

### 2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	2
Percentage of requests closed within legislated timelines (%)	66,7

## 2.7 Deemed refusals

### 2.7.1 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
1	0	0	0	1

### 2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timelines 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	1	0	1
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	1	0	1

## 2.8 Requests for translation

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

## Section 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

## Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	0

## Section 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
3	0	2	0	0	0	1	0	0



## Section 7: Completion Time of Consultations on Cabinet Confidences

### 7.1 Requests with Legal Services

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

## Section 8: Complaints and Investigations Notices Received

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

## Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

### 9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
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### 9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	0	0	0

## Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

**Section 11: Resources Related to the Privacy Act****11.1 Costs**

Expenditures		Amount
Salaries		\$42 278
Overtime		\$1 478
Goods and Services		\$6 492
• Professional services contracts	\$5 042	
• Other	\$1 450	
<b>Total</b>		<b>\$50 248</b>

**11.2 Human Resources**

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,45
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,03
Students	0,00
<b>Total</b>	<b>0,48</b>

**Note:** Enter values to two decimal places.

## APPENDIX B

## Delegation Order / Arrêté de délégation

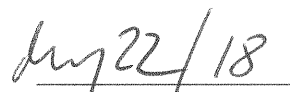
### *Access to Information Act and Privacy Act / Loi sur l'accès à l'information et de la Loi sur la Protection des renseignements personnels*

In accordance with Section 73 of the *Access to Information Act* and of the *Privacy Act*, the Chairperson of the National Capital Commission hereby delegates authority granted for the provisions of these *Acts* as indicated below. Any prior Delegation Orders are hereby revoked.

Conformément à l'article 73 de la *Loi sur l'accès à l'information* et de la *Loi sur la Protection des renseignements personnels*, le président de la Commission de la capitale nationale délègue, par le présent, l'autorité prévue dans les articles de ces *Lois*, ci-dessous mentionnés. Tous les arrêtés préalablement en vigueur sont révoqués.

Position/Poste	Provisions of the <i>Access to Information Act</i> / Articles de la <i>Loi sur l'accès à l'information</i>	Provisions of the <i>Privacy Act</i> / Articles de la <i>Loi sur la Protection des renseignements personnels</i>
Chief Executive Officer / Premier dirigeant	Full authority/Autorité absolue	Full authority/Autorité absolue
General Counsel and Commission Secretary / Avocat général et secrétaire de la Commission	Full authority/Autorité absolue	Full authority/Autorité absolue
Chief, Access to Information and Privacy (ATIP) / Chef, Accès à l'information et la protection des renseignements personnels (AIPRP)	Full authority/Autorité absolue	Full authority/Autorité absolue
Senior Analyst, ATIP / Analyste principal, AIPRP (RE-05)	7(a), 8(1), 9, 10(1), 11(2), (3), (4), (5), (6), 19(1), 24(1), 26, 27(1), (4), 33, 35(2)	14, 15, 17(2)(b), 26
Analyst, ATIP / Analyste, AIPRP (RE-04)	7(a), 8(1), 9, 10(1), 19(1), 24(1), 26, 27(1), (4), 33	14, 15, 17(2)(b), 26
Director AREE and Chief Audit Executive / Directeur ARÉE et dirigeante de l'audit interne	10(2), 16.5	22.3

  
Marc Seaman  
Chairperson/Président

  
Date