

NATIONAL CAPITAL COMMISSION
COMMISSION DE LA CAPITALE NATIONALE

Annual Report to Parliament

PRIVACY ACT

APRIL 1, 2022 TO MARCH 31, 2023

Canada

In the bottom right corner of the page, there is a decorative graphic consisting of four stylized maple leaves. The leaves are arranged in a diagonal line, pointing upwards and to the right. They are rendered in a light beige or tan color.

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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;
- regulating the use and development of federal lands in Canada's Capital Region;
- managing, conserving and protecting NCC assets (including Gatineau Park, the Greenbelt, urban parks, real property, 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.

ORGANIZATIONAL STRUCTURE

The Access to Information and Privacy (ATIP) Office is part of the NCC's Public, Legal and Corporate Affairs 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 analysts and one part-time consultant.

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.

The NCC was not party to any service agreements pursuant to section 73.1 of the *Privacy Act*.

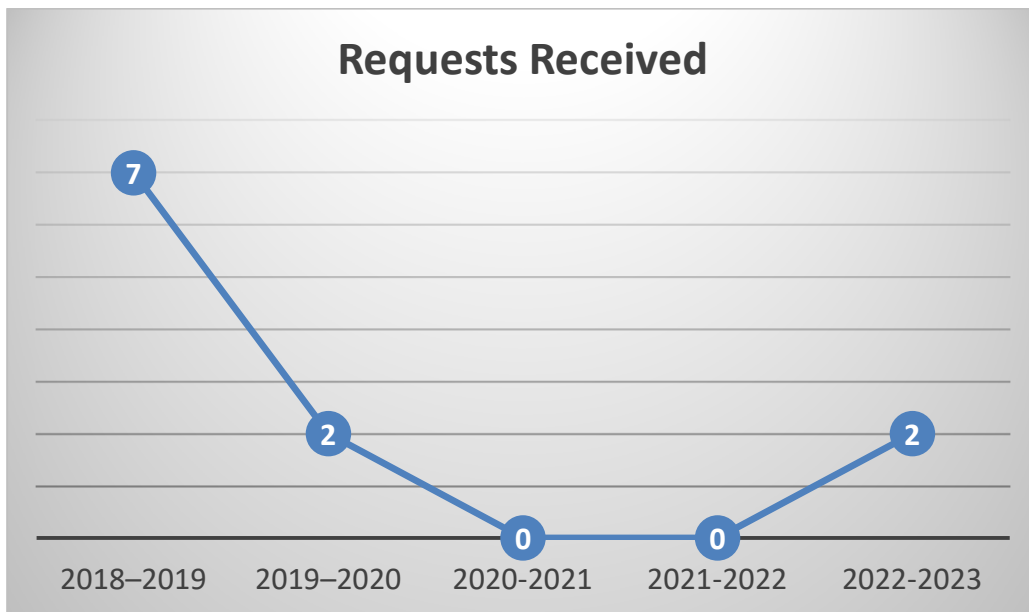
STATISTICS

The following statistics describe the administration of the *Privacy Act* within the NCC for the period of April 1, 2022, to March 31, 2023, as detailed in the attached Appendix A.

Requests Processed Under the *Privacy Act*

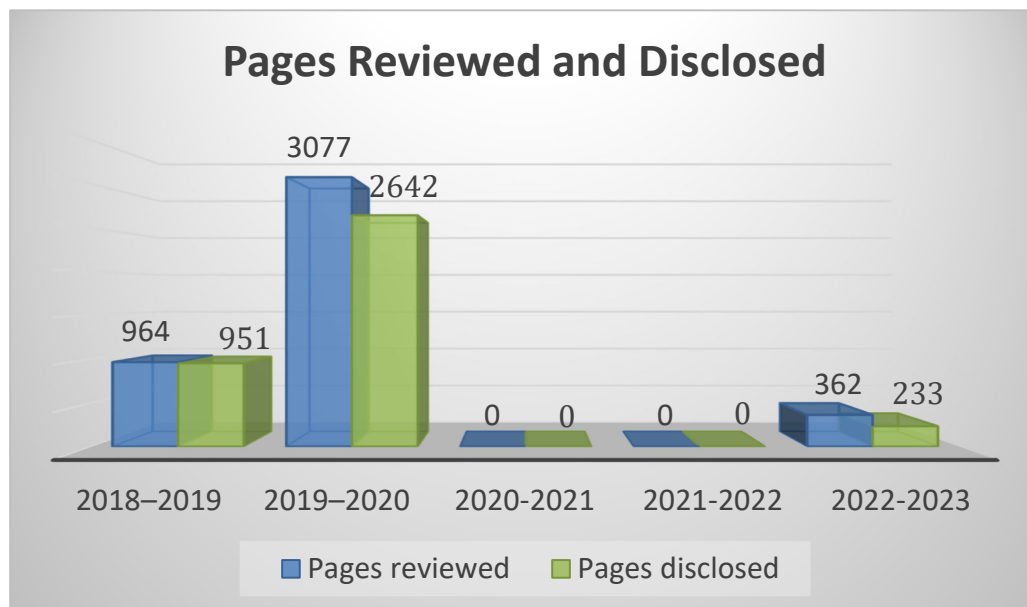
There were no outstanding requests from previous reporting periods. During the reporting period, the NCC received 2 requests, 1 was closed before the end of the fiscal year, while a 30-day extension was invoked for the volume of records received for the other request. This second request was carried forward to the next fiscal year.

Since the 2018-2019 fiscal year, the NCC has received 11 *Privacy Act* requests. The number of pages reviewed and pages disclosed have varied significantly in the past fiscal years. There is no trend or event that explains this fluctuation.





The NCC responded to the only completed request within the legislated time frame, being to 100 percent compliant. The records were provided electronically, and the request was closed within 30 days of being received. One request was not completed by the end of the period. It was received during the same period, and it was still within the legislated deadline.



Consultations completed for other institutions

This is not applicable as no requests were processed.

Exemptions Invoked

It was necessary to invoke exemptions and release only part of the records for the privacy request that was closed. Exemptions were invoked to protect solicitor-client privileged information and information about individuals other than the requester.

Impact of the COVID-19 Pandemic

The ATIP operations were not affected by any COVID-19-related measures during the reporting period.

INITIATIVES AND PROJECTS TO IMPROVE PRIVACY

An audit was initiated to assess the adequacy and effectiveness of the NCC's management control framework for the collection, use, retention, and disposal of personal information.

The NCC onboarded to the ATIP Online Request Service in January 2023. This service enables the public to submit requests and receive responses online.

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. This policy was last updated in 2019.

DELEGATION OF AUTHORITY

The chairperson 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 chairperson is responsible for administering the *Privacy Act*.

The chairperson has delegated the authority under the *Privacy Act* to key officials within the organization in accordance with subsection 73(1) of the *Privacy Act*.

The chief executive officer, the vice-president of the PLCA Branch and the chief of ATIP have complete delegated authority. The ATIP analysts have limited delegation for the application of specific exemptions.

A copy of the delegation order, signed May 2nd, 2022, 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 91 new permanent employees, representing a 90 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 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 COMPLIANCE

The ATIP staff and the ATIP coordinator regularly monitored the time taken to process active privacy requests and met weekly to review all active requests. No consultations were necessary to process the 2 requests received.

The NCC includes in its contracts generic provisions related to the collection, use, control, retention, and communication of personal information, as well as audit rights to enable the NCC to verify compliance with these provisions.

PRIVACY BREACHES

No material privacy breaches were reported to the Privacy Commissioner or to the Treasury Board Secretariat for the current reporting period.

PUBLIC INTEREST DISCLOSURES

No personal information was disclosed under paragraph 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 0.29 full-time equivalents were used to administer the *Privacy Act* throughout the NCC. Salaries and administration costs amounted to \$29,914.

APPENDIX A



Statistical Report on the *Privacy Act*

Name of institution: National Capital Commission

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

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests received

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

1.2 Channels of requests

Source	Number of Requests
Online	1
E-mail	1
Mail	0
In person	0
Phone	0
Fax	0
Total	2

2.4 Pages released informally

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

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	0	0	0	0	0	0	0	0
Disclosed in part	0	1	0	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	1	0	0	0	0	0	1

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(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	1
19(1)(f)	0	22.1	0	27	1
20	0	22.2	0	27,1	0
21	0	22,3	0	28	0
		22,4	0		

3.3 Exclusions

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

3.4 Format of information released

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

3.5 Complexity

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

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
362	233	1

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

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part		0	1	362	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	1	362	0	0	0	0	0	0

3.5.3 Relevant minutes processed and disclosed for audio formats

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

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

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

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

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

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.7 Other complexities

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

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	100

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

3.7.2 Request closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

3.8 Requests for translation

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

Section 4: Disclosures Under Subsections 8(2) and 8(5)

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

8.2 Requests with Privy Council Office

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

Section 9: Complaints and Investigations Notices Received

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

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

10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	10	0	0	0
Central	0	0	0	0
Total	10	0	0	0

Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

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

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	1
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Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures		Amount
Salaries		\$27 834
Overtime		\$893
Goods and Services		\$1 187
• Professional services contracts	\$0	
• Other	\$1 187	
Total		\$29 914

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,287
Part-time and casual employees	0,000
Regional staff	0,000
Consultants and agency personnel	0,000
Students	0,000
Total	0,287

Note: Enter values to three decimal places.



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

Name of institution: National Capital Commission

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

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

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

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	0

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

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	0	52	52
Protected B Paper Records	0	0	52	52
Secret and Top Secret Paper Records	0	0	52	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	0	0	0	0

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

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

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	16	1	17
Received in 2021-2022	0	1	1
Received in 2020-2021	0	9	9
Received in 2019-2020	0	2	2
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	16	13	29

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

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

Section 4: Open Requests and Complaints Under the Privacy Act

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

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

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

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	0
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	0

Section 5: Social Insurance Number

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

How many requests were received from confirmed foreign nationals outside of Canada in 2022-2023?	0
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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 95 of the *Access to Information Act* and section 73 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 95 de la *Loi sur l'accès à l'information* et à l'article 73 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 & Regulations</i> / Articles de la <i>Loi sur l'accès à l'information et Règlements</i>	Provisions of the <i>Privacy Act & Regulations</i> / Articles de la <i>Loi sur la Protection des renseignements personnels et Règlements</i>
Chief Executive Officer / Premier dirigeant	Full authority/Autorité absolue	Full authority/Autorité absolue
Vice-President Public, Legal and Corporate Affairs / Vice- président Affaires publiques, juridiques et d'entreprise	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)	Full authority/Autorité absolue	Full authority except for 8(2)(m) /Autorité absolue sauf pour 8(2)(m)
ATIP Analyst / Analyste de l'AIPRP (RE-04)	Act / Loi: 4(2.1), 7, 8(1), 9, 10, 11(2), 19(1), 24(1), 25, 26, 27(1), (4), 33, 44(2), 35(2)(b) Regulations / Règlements: 6(1)	14, 15, 17(2)(b), 26, 33(2)
Junior ATIP Analyst / Analyste sub-alterne de l'AIPRP (RE-03)	Act / Loi: 4(2.1), 8(1), 11(2), 27(1), (4) Regulations / Règlements: 6(1)	
Director AREE and Chief Audit Executive / Directeur ARÉÉ et dirigeante de l'audit interne	10, 16.5, 35(2)(b)	22.3, 33(2)

DocuSigned by:



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Marc Seaman
Chairperson/Président

2022-May-02

Date