



Canada Council
for the Arts

Conseil des arts
du Canada

Annual Report on the Administration of the *Privacy Act*

For the reporting period of April 1, 2024 – March 31, 2025

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Introduction

Purpose of the *Privacy Act*

The *Privacy Act* (the *Act*) gives everyone the right to access their own personal information, recorded in any form, and with a right to request correction of their personal information held by federal government institutions, and protects that information against unauthorized collection, use, retention, and disclosure.

The right to privacy is recognized as a quasi-constitutional right in Canada. The *Privacy Act* enables individuals to exercise their privacy rights.

The *Act* requires the head of every federal government institution to submit an annual report to Parliament on the administration of the *Act* following the close of each fiscal year. This report, prepared and tabled in accordance with section 72 of the *Privacy Act*, describes the Council's privacy activities for 2024-25.

This report summarizes how the Council has fulfilled its privacy responsibilities during the fiscal year 2024-25. The Council is not reporting on behalf of any wholly owned subsidiaries or non-operational institutions.

Canada Council for the Arts' Mandate

The Council is Canada's national public arts funder, with a mandate to foster and promote the study and enjoyment of, and the production of works in, the arts. Through its grants, services, prizes, initiatives, and payments, the Council supports a dynamic and diverse arts and literary scene. These activities generate a meaningful economic, cultural, and social impact for over 2,000 communities in all parts of the country and beyond. The investments and leadership of the Council help advance public engagement in the arts from coast to coast to coast while also contributing to the international recognition of artists and arts organizations from Canada.

The Council's Public Lending Right (PLR) program makes annual payments to creators whose works are held in Canadian public libraries.

The Council's Art Bank provides the broader public with a collection of over 17,000 Canadian contemporary art works to enjoy through its rental, loan, and dissemination programs.

The Canadian Commission for UNESCO operates under the authority of the Council. It shares a common history and future with the Council in terms of sustainable development characterized by the arts, science, culture, equality, and peace.

The Council is governed by an 11-member Board. The Board and the Director and CEO are appointed by the Governor in Council. The Council works closely with federal, provincial, territorial, and municipal arts and cultural agencies and departments.

A federal Crown corporation created through an *Act* of Parliament in 1957, the Council reports to Parliament through the Minister of Canadian Heritage. It receives funding from Parliament and its annual budget is supplemented by endowment income, donations, and bequests. The Council does not have any non-operational ("paper") subsidiaries to report during 2024-25.

For more information in regards to the above-mentioned, please refer to Council's following websites:

- Canada Council for the Arts: <https://canadacouncil.ca/>
- Public Lending Right Program: <https://publiclendingright.ca/>
- Art Bank: <https://artbank.ca/>
- CCUNESCO: <https://en.ccunesco.ca/>

Organizational Structure

The Chief Information Officer (CIO) and the Manager Information Management (IM) and Access to Information and Privacy (ATIP) are designated through a delegation with responsibilities related to the *Privacy Act* in the name of the Director and CEO. The ATIP Office is located within the Council's Office of the Chief Information Officer division, and the Manager IM and ATIP reports to its CIO.

The CIO is responsible for overseeing the implementation and monitoring of compliance with the *Privacy Act* and related Treasury Board policies, directives and process. The Manager IM and ATIP is responsible for the implementation of policies, directive and process in compliance with the *Privacy Act* and providing support and advice on its administration to meet the various Treasury Board of Canada Secretariat (TBS) requirements of the *Act*.

The ATIP Office, during this reporting period, dedicated more resources and time in new and more targeted ways to support the Council's programs and activities and assess privacy compliance, while balancing its responsibilities to respond to public information requests. The privacy component operations in 2024–25 required 2.150 FTEs and 0.333 person years for consultants. The ATIP Office contracted consulting services and legal services for advice and recommendations to improve the privacy program design and delivery. This resource shift is reflected in Section 12 of the Statistical Report on the *Privacy Act*.

The responsibilities of the ATIP Office range from processing privacy requests to carrying out consultations with government institutions or third parties and responding to calls, updating Info Source, preparing the annual report to Parliament and collecting statistics, managing personal information banks and privacy impact assessments (PIAs), privacy breach management and providing privacy training to the Council's employees.

In 2024–25, the total costs incurred by the ATIP Office for the administration of the *Act* are estimated to be \$320,820 which are distributed as follows: \$200,000 in salaries, no overtime and \$120,820 in goods and services reflected in Section 12 of the Statistical Report on the *Privacy Act*.

The Council has no service agreements under section 73.1 (2) of the *Privacy Act* to report.

Delegation order

Delegation orders set out what powers, duties and functions for the administration of the *Privacy Act* have been delegated by the head of the institution, and to whom, pursuant to section 73(1) of the *Act* and related regulations.

See [Annex A](#) for information on designation and delegation.

Performance 2024-2025

The following section provides an overview of key data on the Council's performance in administering the *Privacy Act*.

Formal requests

60% (3 requests) of the 5 privacy requests received during this reporting period were completed within legislated timelines of 1 to 30 days. For the remaining 40% or 2 requests, an extension was applied for the purposes of consultations in compliance with s. 15(a)(ii) of the *Privacy Act* and closed within 31 to 60 days.

Exemption Section 26 (Information about another individual) was invoked in 6 instances and in one instance section 27 (Protected information — solicitors, advocates and notaries) was invoked for *Privacy Act* requests. These records contain personal information that can be highly sensitive and involve more than one individual. 86% of the completed requests were disclosed in part, and 15% were all disclosed.

Two requests were carried forward from the previous reporting period to be processed in 2024-25 and were completed within the legislated timeline of 1-30 days. (Section 2.1 Statistical Report on the *Privacy Act*).

Requests completed past the legislated timelines are typically more complex. They may have a broad scope, involve a large volume of records to triage and review for relevancy, include a high number of relevant records to treat for sensitivities, or have similar sensitive information interwoven across records within the same request or across multiple requests that must be treated consistently.

ATIP staff endeavor to respect deadlines and routinely keep requesters informed of the status of their requests. There are no active requests carried over to 2025-26 within and beyond legislated timelines.

No exclusions were invoked under the *Privacy Act* in 2024–25.

Individuals submitting requests under the *Privacy Act* may request to have responsive records translated into either of Canada's official languages. The Council did not receive or process any requests for translation in 2024-25.

No audio or video recordings were processed for the requests completed during this reporting period.

Inter-institutional Consultation

The ATIP Office limits inter-institutional consultation to situations when required for the proper exercise of discretion or when there is an intention to disclose. The ATIP Office makes every effort to ensure that extensions taken are for a reasonable amount of time.

The Council did not receive or process any consultations under the *Privacy Act* in 2024–25.

Training and Awareness

All employees are required to complete mandatory privacy training set out in the Directive on Personal Information Requests and Correction of Personal Information, and are aware of policies, procedures, and legal responsibilities under the *Privacy Act*.

All Council employees are responsible for upholding the principles of the *Act* and need to be prepared to support the fulfillment of personal information requests in the course of their daily business. To promote awareness of their roles and responsibilities, all employees receive mandatory Privacy training (Access to Information and Privacy Fundamentals (COR502) through the Canada School of Public Service) as part of the Council onboarding process. 60 employees received Privacy Q&A training in 2 separate sessions (June and November 2024) where a range of questions were asked by participants throughout the presentations.

The ATIP Office offers ATIP virtual and in-person training and awareness sessions to the Council's employees that focus on the administration of the *Privacy Act*.

In addition, employees who have delegated responsibility for the administration of the *Privacy Act* and its regulations have taken additional in-depth training and awareness activities. The ATIP Office attended various Treasury Board of Canada Secretariat ATIP Community meetings, deep dive series, and InfoBlitz sessions related to privacy during this period to enhance their knowledge and awareness.

Policies, Guidelines and Procedures

One new policy and one procedure were formally implemented during this reporting period; the Privacy Policy which guides how the Council collects, uses, discloses, retains, and disposes of personal information in compliance with the *Privacy Act* and the Mandatory Procedure for Privacy Breaches.

This policy and procedure complement new or revised TBS policies and directives. This documentation is available to the Council through its online employee toolkit. Using this employee public space, the ATIP Office plans to continue to provide additional information to assist Council employees.

The ATIP Office continued to use an ATIP software management tool for processing requests and continues to implement modules that will modernize the processing of requests.

The ATIP Office updated the public facing Privacy Notice text to include an accurate reference to the collection and use of the Social Insurance Number (SIN).

Initiatives and Projects to Improve Privacy

The Council is committed to making corporate information available to the public, including through the privacy program and its public Privacy Notice. The ATIP Office strives to make the delivery of access to information services as seamless as possible and regularly reviews processes for improvements.

The ATIP Office continues to undertake a multi-year initiative to modernize its case management system to improve efficiency in the processing of requests and to enable better access for the public.

To address the new TBS Directive on Privacy Practices, issued in November 2024, the ATIP Office working along with consultants has undertaken 2 new initiatives.

The Social Insurance Number (SIN) survey was sent to all divisions to document the collection and use of the SIN. Following this, an official legal authority for the use of the SIN was established and published on the Council's Privacy Notice web page. Collection and use of the SIN is limited to issuing T4A returns to individuals receiving grants from the Council, Board members, assessors, and people who qualify for payment. SINs are collected pursuant to the *Income Tax Act* (s. 221(1)(d) and 237(2)). This project was completed during this reporting period.

The personal information (PI) inventory commenced in January 2025. This inventory was distributed to all divisions. The inventory requires that each division identify individually all programs and activities that it is responsible for to document the collection and use of PI. The inventory results will be used by the consultants to evaluate personal information bank requirements, as well as privacy impact assessment requirements. This project is ongoing into the next reporting period.

Summary of Key Issues and Actions Taken on Complaints

The Council did not receive any formal notices of complaint under section 31 of the *Privacy Act* in 2024-25. (Section 2.2 Supplemental Statistical Report on the *Privacy Act*).

No investigations were carried over from the previous fiscal years. The Council experienced no court challenges related to privacy during the reporting period.

The Council experienced no audits relating to the administration of *Privacy Act* during the reporting period.

Material Privacy Breaches

No material breaches occurred during the reporting period and not material privacy breaches were reported to the Office of the Privacy Commissioner and to the Treasury Board of Canada Secretariat (Privacy and Data Protection Division) during the reporting period.

Privacy Impact Assessments (PIAs)

The Council did not complete any Privacy Impact Assessments during the reporting period. The six preliminary PIAs reported in 2023-24 will be replaced with PIAs resulting from the advice of the consultants in 2025-26 through the Personal Information Inventory.

Summaries for completed PIAs are located on the Canada Council's [Privacy Impact Assessment Summaries](#) web page.

Public Interest Disclosures

The Council did not make any public interest disclosures under section 8(2)(e), 8(2)(m), or 8(5) of the *Privacy Act* pertaining to disclosures of personal information in instances where there is a public interest in the disclosure or where disclosure would benefit the individual involved in 2024-25.

Monitoring Compliance

The Chief Information Officer (CIO) was kept apprised by the Manager, IM and ATIP, of all matters and developments pertaining to compliance with the *Privacy Act* and TBS directives, policies and processes on a weekly basis. The CIO briefed the Senior Management Committee (SMC) on privacy activities on a regular basis.

During this fiscal year the ATIP Office undertook a survey of the collection and uses of the Social Insurance Number (SIN) (the results are posted under Initiatives and Projects to Improve Privacy above) and a personal information inventory across all divisions. The personal information inventory is ongoing into fiscal year 2025-26.

ANNEX A: Delegation order



Canada Council for the Arts
Conseil des arts du Canada

Access to Information Act and Privacy Act Delegation Order

The Director and CEO of the Canada Council for the Arts, pursuant to subsection 95(1) of the *Access to Information Act* and section 73 of the *Privacy 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 and functions of the Director and CEO as the head of Canada Council for the Arts, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels

En vertu du paragraphe 95(1) de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, le directeur et chef de la direction du Conseil des arts du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont le directeur et chef de la direction est, en qualité de responsable du Conseil des arts du Canada, investi par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

Schedule | Annexe

Position Poste	<i>Access to Information Act</i> and Regulations <i>Loi sur l'accès à l'information</i> et Règlement	<i>Privacy Act</i> and Regulations <i>Loi sur la protection des renseignements personnels</i> et Règlement
Chief Information Officer Dirigeant principal de l'information	Full authority Autorité absolue	Full authority Autorité absolue
Manager, Information Management Gestionnaire, Gestion de l'information	Full authority Autorité absolue	Full authority Autorité absolue

Dated, at the City of Ottawa this
10th day of August 2023

Daté, en la ville de Ottawa ce
10e jour de août 2023

Michelle Chawla
Director and CEO | Directrice et chef de la direction

Bringing the arts to life L'art au cœur de nos vies

References

<i>Access to Information and Privacy Requests</i>	Access to Information and Privacy Acts (canadacouncil.ca)
<i>Privacy Protection, Policy on</i>	Policy on Privacy Protection- Canada.ca
<i>Privacy Practices, Directive on</i>	Directive on Privacy Practices- Canada.ca
<i>Info Source</i>	Info Source Canada Council for the Arts
<i>Information about programs and information holdings</i>	Info Source - Canada.ca