



Commissariat  
aux langues  
officielles

Office of the  
Commissioner of  
Official Languages

# **ANNUAL REPORT TO PARLIAMENT ON THE *PRIVACY ACT***

**2019–2020**

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ANNUAL REPORT TO PARLIAMENT  
ON THE *PRIVACY ACT* 2019–2020

## 1. Introduction

The Office of the Commissioner of Official Languages (Office of the Commissioner) is pleased to table its annual report to Parliament on the administration of the [Privacy Act](#) for fiscal year 2019–2020, as required under section 72 of the Act.

### PURPOSE OF THE *PRIVACY ACT*

The *Privacy Act* was proclaimed on July 1, 1983. The Act gives individuals a broad right of access to their own personal information contained in federal government records, subject to certain specific and limited exceptions. It also protects everyone’s privacy by preventing others from having access to their personal information. In addition, it gives individuals fundamental rights to collect, use and disclose personal information.

The Office of the Commissioner has been subject to the *Privacy Act* since 1983.

### MANDATE

The Office of the Commissioner has a mandate to take all measures to ensure that the following three main objectives of the [Official Languages Act](#) are met:

- The equal status of English and French in Parliament, within the Government of Canada, the federal administration and institutions subject to the Act;
- The preservation and development of official language minority communities in Canada; and
- The equal status of English and French in Canadian society.

## 2. Organizational Structure

### STRUCTURE OF THE OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

The Commissioner of Official Languages is an agent of Parliament appointed by commission under the Great Seal, after approval by resolution of the Senate and House of Commons, for a seven-year term. The Commissioner reports directly to Parliament and is supported by the Office of the Commissioner.

To achieve the three main objectives of the *Official Languages Act*, the Commissioner carries out the following roles.

#### OMBUDSMAN ROLE

The Commissioner protects the language rights of Canadians and promotes the equality of both official languages in Canadian society. As an ombudsman, the Commissioner receives complaints, reviews them and, where appropriate, investigates either through a facilitated resolution process or through a formal inquiry. The Commissioner also conducts investigations on his own initiative, when appropriate. Areas of investigation include:

- The right of the Canadian population to use English or French to communicate with and receive services from federal institutions, as provided for in the *Official Languages Act*;
- The right of federal public service employees to work in the official language of their choice in designated regions;
- The right of all Canadians, whether English- or French-speaking, to equal opportunities of employment and advancement in federal institutions; and
- The development and vitality of Canada's official language minority communities and the promotion of linguistic duality in Canadian society.

#### AUDITING ROLE

The Commissioner conducts audits to measure federal institutions' and other organizations' compliance with the *Official Languages Act* and makes recommendations.

#### LIAISON ROLE

The Commissioner, with support from regional offices and liaison officers, works with federal institutions and other organizations, various levels of government and official language minority communities throughout the country. This collaborative official languages network helps the Commissioner gain a better understanding of the needs and concerns of communities, make relevant recommendations, and intervene judiciously in major official languages issues.

#### MONITORING ROLE

The Commissioner's monitoring role involves acting pre-emptively by intervening at the stage where laws, regulations and policies are developed, to ensure that language rights remain a primary concern of leaders.

#### PROMOTION AND EDUCATION ROLE

One of the Commissioner's main responsibilities is to promote linguistic duality in both the federal public service and Canadian society. To meet this responsibility, the Commissioner raises Canadians' awareness of the benefits of linguistic duality, works with community organizations, and educates organizations subject to the *Official Languages Act* about the importance of official languages and minority communities. Regional offices play a key role in promotion and public awareness.

The Commissioner exercises this role by creating educational tools, and carrying out research, studies, and public awareness activities. The Commissioner also delivers speeches and participates in conferences and workshops to inform all Canadians of the status and importance of Canada's official languages.

#### COURT INTERVENTION ROLE

The Commissioner contributes to the advancement of Canadians' language rights by intervening, when appropriate, before the courts in any legal proceedings related to the status or use of English or French.

#### REPORTING ROLE

Each year, the Commissioner submits an annual report to Parliament that addresses current issues, findings and recommendations.

## STRUCTURE OF THE ACCESS TO INFORMATION AND PRIVACY OFFICE

The Access to Information and Privacy (ATIP) Office is part of the Information Management and Information Technology (IM/IT) Division within the Corporate Management Branch. The Manager of Information Management and Access to Information serves as the ATIP Coordinator.

The ATIP Office is responsible for:

- Processing requests filed under the [Privacy Act](#) and the [Access to Information Act](#);
- Responding to consultation requests from other government institutions;
- Providing advice and guidance to senior management and staff of the Office of the Commissioner on ATIP legislation and related matters;
- Ensuring that the organization complies with the above-mentioned acts and the relevant procedures, policies and regulations;
- Acting on behalf of the Office of the Commissioner in dealings with the Treasury Board Secretariat, the offices of the Information Commissioner and the Privacy Commissioner of Canada and other government institutions regarding the application of the above-mentioned legislation;
- Preparing annual reports for Parliament, in addition to other statutory reports and materials that may be required by central agencies;
- Developing awareness training and delivering it to the Office of the Commissioner's managers and employees, to ensure departmental responsiveness to the legal obligations imposed on them by the acts and regulations;
- Coordinating the annual update of the descriptions of the organization and its record holdings for inclusion in *Infosource*;
- Representing the Office of the Commissioner by participating in ATIP community forums, such as the Treasury Board Secretariat's ATIP community meetings;
- Providing advice regarding privacy issues and privacy impact assessments; and
- Developing and implementing internal policies, procedures, guidelines and tools.

In accordance with the *Privacy Act*, the information gathered by the Office of the Commissioner is used only for the purposes for which it was obtained (for example, the name and address of persons who file complaints with the Commissioner under the [Official Languages Act](#)). This information allows the Commissioner to communicate the results of investigations to the parties concerned.

The Office of the Commissioner was not a stakeholder in any service contracts pursuant to section 73.1 of the Act during the reporting period.

### 3. Delegation of Authority

An *Access to Information Act* Delegation Order was established in March 2018 (see Appendix A). Pursuant to section 73 of the Act, the Commissioner has designated the persons holding the positions of IM and ATIP Manager, and IM/IT Director to exercise the powers that have been vested in the Commissioner as the head of a federal institution under the Act.

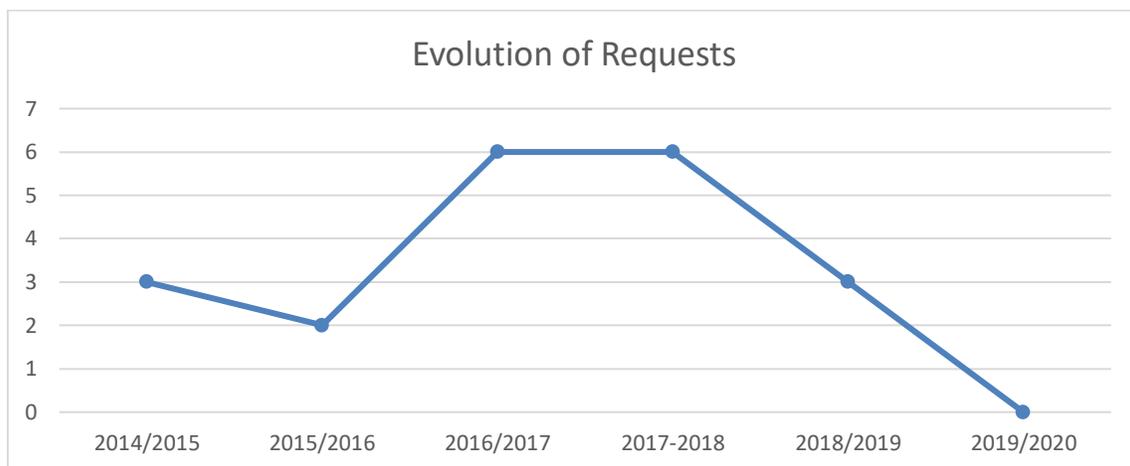
### 4. Interpretation of the Statistical Report

#### STATISTICAL REPORT FOR 2019–2020

The information below presents parts of the Office of the Commissioner’s 2019–2020 Statistical Report produced in accordance with the *Privacy Act*. This report can be found in Appendix B.

#### 4.1 REQUESTS RECEIVED UNDER THE *PRIVACY ACT*

The Office of the Commissioner did not receive any requests under the *Privacy Act* during fiscal year 2019–2020.



The number of requests under the *Privacy Act* is always very low at the Office of the Commissioner. However, it is surprising that the Office of the Commissioner did not receive any requests in 2019–2020. The total number of access to information requests also decreased. The ATIP Office did not receive any consultations requests from other departments.

No special measures were implemented as a result of the global COVID-19 pandemic. The ATIP Office continues to operate without any impact on expected service levels. The ATIP Office has not been identified as an essential OCOL service.

## **5. Training and Outreach**

The Office of the Commissioner did not offer any formal training sessions on information management during the reporting period. However, all new employees are informed of their obligations under the *Access to Information Act* and the *Privacy Act* as part of their mandatory information management training.

## **6. Policies, Guidelines, Procedures and Initiatives**

The Office of the Commissioner did not issue any new policies, guidelines or internal procedures during the reporting period.

## **7. Summary of Key Issues and Action Taken Regarding Complaints or Audits**

The Office of the Commissioner did not receive any complaints related to the application of the *Privacy Act*. It continues its initiative to dispose of documentary resources with the goal of not unnecessarily retaining any information resources that could identify Canadians.

## **8. Compliance Monitoring**

In order to monitor the time required to process requests filed under the *Privacy Act*, the ATIP Office provides a detailed weekly report on its activities to the lead of the information management and access to information unit. The latter may inform the Commissioner of Official Languages where necessary.

## **9. Material Privacy Breaches**

Only one potential privacy breach investigation was conducted during the reporting period. Consultations were carried out with various stakeholders and the Office of the Privacy Commissioner of Canada. Following these consultations, the findings of the investigation did not identify any material privacy breaches.

## **10. Privacy Impact Assessments**

No privacy impact assessments (PIAs) were done during the reporting period.

## **11. Public Interest Disclosures**

No public interest disclosures were made during the reporting period.

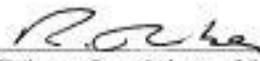
# Appendix A : Privacy Act Delegation Order

## Annexe B / Appendix B

### Privacy Act Delegation Order

#### Arrêté sur la délégation en vertu de la Loi sur la protection des renseignements personnels

<p>The Commissioner of Official Languages, pursuant to section 73 of the <i>Privacy Act</i>,* hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as the head of a government institution, that is the Office of the Commissioner of Official Languages, under the section of the Act set out in the schedule opposite each position.</p>	<p>En vertu de l'article 73 de la <i>Loi sur la protection des renseignements personnels</i>,* le Commissaire aux langues officielles délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions dont il est, en qualité de responsable d'une institution fédérale, c'est-à-dire, le Commissariat aux langues officielles, investi par les articles de la Loi mentionnés en regard de chaque poste.</p>
<p>SCHEDULE ANNEXE</p>	
<p>POSITION/POSTE</p>	<p>SECTIONS OF THE PRIVACY ACT/ ARTICLES DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS</p>
<p>Commissaire Commissioner</p>	<p>Pleine délégation Full delegation</p>
<p>Directeur, Gestion de l'information et de la technologie Director, Information Management and Technology</p>	<p>Pleine délégation à l'exception de 8(2)(j),(m) Full delegation except 8(2)(j),(m)</p>
<p>Gestionnaire, Gestion de l'information et AIPRP Manager, Information Management and ATIP</p>	<p>Pleine délégation à l'exception de 8(2)(j),(m) Full delegation except 8(2)(j),(m)</p>
<p>Coordonnateur, Accès à l'information et protection des renseignements personnels. Coordinator, Access to Information and Privacy</p>	<p>Pleine délégation à l'exception de 8(2)(j),(m) Full delegation except 8(2)(j),(m)</p>
<p>Dated, at the City of Gatineau this ___ day of March, 2018.</p>	<p>Daté, en la ville de Gatineau, ce ___ jour de mars, 2018.</p>

  
 Raymond Thériault, Commissioner of Official Languages/  
 Commissaire aux langues officielles

\*S.C.1980-81-82-83, C.111

## Appendix B : Statistical Report 2019-2020

Reporting period: 2019-04-01 to 2020-03-31

### Section 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
<b>Total</b>	<b>0</b>
Closed during reporting period	0
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	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
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>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</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)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22,1	0	27	0
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	0	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
0	0	0

### 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	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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

**2.5.3 Other complexities**

<b>Disposition</b>	<b>Consultation Required</b>	<b>Legal Advice Sought</b>	<b>Interwoven Information</b>	<b>Other</b>	<b>Total</b>
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
<b>Total</b>	0	0	0	0	0

**2.6 Closed requests**

**2.6.1 Number of requests closed within legislated timelines**

	<b>Requests closed within legislated timelines</b>
<b>Number of requests closed within legislated timelines</b>	0
<b>Percentage of requests closed within legislated timelines (%)</b>	0

## 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
0	0	0	0	0

### 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	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	0	0	0

## 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 ConfidenceSection (Section 70)	External	Internal	
0	0	0	0	0	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 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	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
<b>Total</b>	0	0	0	0	0	0	0	0

## Section 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
<b>Total</b>	0	0	0	0

Closed during the reporting period	0	0	0	0
Carry over to the next 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							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
<b>Total</b>	0	0	0	0	0	0	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

6

**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		\$17 200
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$17 200</b>

**11.2 Human Resources**

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,00
Part-time and casual employees	1,99
Regional staff	0,00
Consultants and agency personnel	0,00
Students	0,00
<b>Total</b>	<b>1,99</b>

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