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Statistics Canada Annual Report on the Access to Information Act, 2023-2024

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Table of Contents

Introduction	3
Administration of the <i>Service Fees Act</i>	3
Organizational Structure.....	3
Delegation Order.....	4
Statistical Report.....	4
Access to Information requests.....	5
Types of records requested.....	6
Other requests	6
Trends in the disposition of completed requests.....	6
Completion time and extensions	7
Training and Awareness.....	7
Policies, Guidelines and Procedures	8
Proactive Publication under Part 2 of the ATIA.....	9
Summary of Key Issues and Actions Taken on Complaints.....	12
Reporting on Access to Information fees.....	12
Costs.....	12
Monitoring Compliance.....	12
 Appendix A: Delegation Order.....	 14
Appendix B: Statistical Report.....	15



Introduction

The *Access to Information Act* establishes the principle that the general public has the right to access information controlled by federal government institutions, and that exceptions should be limited and specific.

The Annual Report on the Administration of the *Access to Information Act* is prepared and submitted, in accordance with section 94(1) of this Act and covers the period from April 1, 2023, to March 31, 2024. The report is tabled in Parliament.

Statistics Canada's mandate derives primarily from the *Statistics Act*. The Act requires that the Agency collect, compile, analyze and publish statistical information on the economic, social, and general conditions of the country and its citizens. The Act also requires that Statistics Canada co-ordinate the national statistical system, specifically to avoid duplication in the information collected by government. To this end, the Chief Statistician may enter into joint data-collection or data-sharing agreements with provincial and territorial statistical agencies, as well as with federal, provincial, and territorial government departments pursuant to provisions of the Act.

By virtue of section 24 of the *Access to Information Act*, which is a mandatory provision, information collected under the *Statistics Act*, and protected by section 17 of that Act, cannot be made available to anyone attempting to obtain it using the *Access to Information Act*. This exception enables the Agency to continue giving a clear and unqualified assurance to its respondents that the confidentiality provisions of the *Statistics Act* are preserved by the *Access to Information Act*.

Statistics Canada did not have any non-operational subsidiaries during the period of April 1, 2023 to March 31, 2024.

Administration of the *Service Fees Act*

The Statistics Canada Annual Report is prepared and tabled in Parliament in accordance with section 20 of the *Service Fees Act*, as listed in Schedules I, I.1 and II of the *Financial Administration Act* (FAA).

Organizational Structure

The administration of the access to information legislation within Statistics Canada is the responsibility of the Director of the Office of Privacy Management and Information Coordination, who is also the ATIP Coordinator and the Chief Privacy Officer for the Agency.

Statistics Canada works with Canadians to help educate the population on existing procedures for access to government information such as the differences between requests for datasets, data tables and custom data tabulations and requests through Access to Information for existing records under the control of the institution. An existing procedure through a cost recovery process exists and is available to the general public. These data requests are managed by the Statistics Canada InfoStats program.

The Access to Information and Privacy (ATIP) Office operates within an allocation of 3.54 persons/year. One ATIP Manager, two Senior ATIP analysts, and one ATIP analyst worked full time on the processing of requests. As the backlog was completed prior to the start of the fiscal year and the workload stabilized, departing employees were not replaced and the ATIP Office is currently made up of one ATIP manager, one ATIP analyst and one junior ATIP analyst. No consultants were hired during the reporting period, and there were no service agreements under section 96 of the *Access to Information Act* to which Statistics Canada was party.

The responsibilities for implementing proactive publication are undertaken by the Office of the Chief Statistician and the offices of the Assistant Chief Statisticians. Information is uploaded to the Open Government website (<https://open.canada.ca/en>) following the legislative time frames. Further details about proactive publication can be found in the section of this report entitled, "Proactive Publication under Part 2 of the ATIA."

Delegation Order

The delegation order exercises the powers and functions of the Minister as the head of a government institution, pursuant to section 95(1) of the *Access to Information Act*. The current detailed list of authorities under the *Access to Information Act* was formally delegated by the Minister of Innovation, Science and Economic Development as of May 2021 (Appendix A), provides full delegated authority to the Director and Assistant Director of the Office of Privacy Management and Information Coordination.

Statistical Report

The statistical report provides aggregate data on the application of the *Access to Information Act* (Appendix B). This information is made public annually and is included with the annual report.

Access to Information requests

During the reporting period, from April 1, 2023, to March 31, 2024, Statistics Canada received 58 new access to information requests. In addition, 3 requests were carried forward from the previous reporting period, for a total of 61 requests. All 61 requests were completed, with no files carried forward to the next reporting period. During the reporting period, 95% of requests were completed on time.

The public, media and academia were the largest client groups, as they represented 51 of the 58 requests received during the reporting period.

Disposition of requests completed during reporting period	
Fully disclosed	9
Partially disclosed	18
Nothing disclosed	1
No records exist	25
Abandoned	3
Transferred	5
Total	61

For the completed requests, all records were either disclosed in full or in part for 27 requests, the information was fully exempted/excluded for 1 request, no records existed for 25 requests, 3 requests were abandoned by the requestors and 5 requests were transferred to another federal institution.

In responding to the formal access to information requests, 12,358 pages were reviewed, and 5,782 pages were released. Twenty-six (26) requestors received information electronically.

The following table shows the latest five-year trend of the Agency's processing of access to information requests.

Fiscal Year	Requests Received	Requests Completed	Number of Pages Processed	Number of Pages Released
2023/2024	58	61	12,358	5,782
2022/2023	50	85	82,894	37,021
2021/2022	79	97	25,550	4,849
2020/2021	98	84	5,888	4,480
2019/2020	141	134	5,031	3,748



Types of records requested

The substance of the requests covered the entire range of matters pertaining to Statistics Canada's role and included the following types of records relating to:

- Various statistical information;
- Documented expenses;
- Professional service contracts;
- Briefing notes to the Chief Statistician.

Other requests

From April 1, 2023, to March 31, 2024, Statistics Canada also received 58 *Access to Information Act* consultation requests from other departments and organizations. The Agency was asked to review 2,109 pages of information. Forty-four (44) consultations were completed within 1-15 days, ten (10) consultations were completed within 16-30 days, one (1) consultation was completed within 31-60 days.

Summaries of completed *Access to Information Act* requests are available on the "Open Government Portal". Requests for copies of these completed requests, as well as requests not processed under the Act, are classified as informal requests. This fiscal year, forty-two (42) requests were processed informally. No requests were carried over to the next fiscal year.

The ATIP Office acted as a resource for Statistics Canada officials, offering advice and guidance on the provisions under the legislation. The office was consulted on the disclosure and collection of data on a wide range of matters, including:

- Proactive publications to be posted on the open government portal;
- Proactive disclosures on travel and hospitality;
- Management Accountability Framework assessments;
- Security of information;
- Reviews of audits to be posted on the internet;
- Reviews of parliamentary questions and responses;
- Updates to the ATIP internet and intranet sites;
- Reviews of and updates to ATIP business practices and procedures.
- Support to raise awareness on information management.

Trends in the disposition of completed requests

The disposition of the 61 requests completed in 2023-2024 was as follows:



- 9 were fully disclosed (14.8%)
- 18 were partially disclosed (29.5%)
- 1 were exempt/excluded in entirety (1.6%)
- 3 were abandoned by applicants (4.9%)
- 25 information did not exist (41%)
- 5 were transferred to another department (8.2%)

Access to Information Requests (Fiscal Year)	2023-24
Requests Received	58
Requests Completed	61
Requests Completed On-Time	95%

Completion time and extensions

Of the fifty-eight (58) requests received and completed in FY 2023-2024, 57 were closed within the prescribed timeframe of the Act, for a compliance rate of 98%. Starting the fiscal year with no backlog resulted in the ATIP Office's ability to review and complete new requests received within the timeline set out in the Act. Only a handful of requests (3) were delayed, mainly because of unexpected complexities found when it was too late to request an extended deadline. Factors that contributed to Statistics Canada's timely response rate over the past year are the training and information sessions held with senior leaders.

The compliancy rate for completed requests is as follows:

- 35 within 1 to 15 days (57%)
- 7 within 16 to 30 days (12%)
- 8 within 31 to 60 days (13%)
- 8 within 61 to 120 days (13%)
- 3 within 121 to 180 days (5%)

Out of the 61 requests processed, an extension was taken in 21 cases for interference with operations of the department, and to consult with other federal institutions and third parties.

Training and Awareness

In 2023-2024, the ATIP Office continued formal training program for all staff across the Agency. This included training to senior executives on ATIP processes and procedures in order to streamline records retrieval and approvals. ATIP also provided advice and expertise to the executive cadre on their responsibilities under the Act and the related delegated authorities for proper records management, document retrieval and approval procedures. Key to this year's training was ensuring all Assistant Chief Statistician's offices were reminded of their role as



tasking liaison officers in ensuring that requests are appropriately sent to appropriate program areas, including own functional teams.

Information management awareness was also at the forefront of these discussions at the senior management tables, focusing heavily on best practices and the differences between transitory and information of business value. We also had targeted discussions and training towards the proper use of safeguarding of sensitive information in GCdocs, including limited access rights, types of information and security classifications ensuring clearer record classification guidelines for program managers and ensuring that information is classified at the proper level. Informal one-on-one and formal group training was made available to all staff within the Agency. The informal training assists staff in understanding their obligations under the Act, as well as informing them about policies and directives related to information at Statistics Canada.

ATIP training and outreach was provided to all liaison officers at the start of the year. This ensured that the lines of communication were open, so they would be comfortable reaching out with questions any time they arose. One-on-one training was offered to new liaison officers. Previous large-scale training sessions reduced the amount of training needed this year (2023-2024). ATIP training through the Canada School of Public Service continues to be recommended to all employees at Statistics Canada.

Policies, Guidelines and Procedures

The ATIP Office has a variety of tools in place to ensure that ATIP contacts are well informed about their roles and responsibilities for coordinating ATIP requests. These tools include a checklist outlining proper protocol when providing responsive records to the ATIP office for access to information requests, and the appropriate contact from the ATIP team to seek clarification and guidance from throughout the process.

In 2021-2022, more concise and streamlined procedures were implemented in order to improve efficiencies with the retrieval of information and protocol for the overall ATIP process. The ATIP office continues to use the procedures and processes set in place in 2021-2022. The consistency provided allowed ATIP analysts and liaison officers to perform their duties effectively, free from the administrative burden associated with continuously adapting to new procedures. A monthly dashboard for requests continues to be circulated to Assistant Chief Statisticians and other senior executives to ensure requests are processed in a timely manner and are comprehensive.

In line with the increase in “notices of intention to release” instead of formal consultations, the Access to Information Office streamlined their internal consultation process, including revised wording and shorter due dates to accommodate the decreased sensitivity and shorter time frames for these types of consultations.

During the reporting period, updates to administrative procedures were made to facilitate the retrieval of human resource documents for ATIP. Given that requests for human resource documents are typically less intricate and more recurrent, new administrative procedures expedited access to these documents, thereby enhancing the efficiency of the retrieval process and response rates for requesters.

Proactive Publication under Part 2 of the ATIA

The responsibilities for implementing proactive publication are undertaken by the Office of the Chief Statistician and the offices of the Assistant Chief Statisticians. Information is uploaded to the Open Government website (<https://open.canada.ca/en>) following the legislative time frames. The ATIP Office works in collaboration with agency officials to fulfill the proactive publication legislative requirements in Part 2 of the *Access to Information Act*. Sections 82 to 88 of Part 2 of the ATIA stipulates that government entities that support a deputy minister, are required to proactively publish travel expenses, hospitality expenses, reports tabled in parliament, reclassification of positions, contracts, grants and contributions, briefing materials, and expense reports. Within Statistics Canada, this responsibility falls to the Financial Planning and Procurement Branch, the Office of the Chief Statistician, and the ATIP Office.

Financial Planning and Procurement Branch

Legislative Requirement	Section	Publication Timeline	Compliance Rate	Proactive Publication (web link)
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	100%	Government Travel Expenses (canada.ca)
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	100%	Government Hospitality Expenses Open Government - Government of Canada
Contracts over \$10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	100%	Government Contracts over \$10,000 (canada.ca)
Contracts over \$25,000	87	Within 30 days after the quarter	100%	Grants and Contributions (canada.ca)

The Financial Planning and Procurement Branch (FPPB) oversees the proactive publication of travel and hospitality expenses, contracts over \$10,000, and grants and contributions over \$25,000 for the agency. These responsibilities are shared among three units within the Branch: the Procurement, Financial Systems, and Internal Controls Division for contracts over \$10,000;



the Quality Assurance Team within the Financial Operations Division for travel and hospitality; and, the Financial Statements Team within the Financial Operations Division for grants and contributions over \$25,000.

Internal procedures are created for ensuring accuracy and completeness of the information published. These procedures are documented by the responsible teams and reviewed/adjusted regularly as required. The disclosures are ultimately approved in the following manner prior to publishing by the required deadlines:

- Contracts over \$10,000:
 - The procurement governance body, the Contract Review Board, which includes multiple director generals in the Agency, endorse the publication of contracts before publication.
- Travel and Hospitality:
 - Each Assistant Chief Statistician's office is contacted to confirm the accuracy of proactive disclosures for each relevant month, followed by a final approval of the full list of disclosures by the Chief Financial Officer.
 - Grants and contributions over \$25,000:
 - Confirmation from Financial Management Advisors obtained to confirm whether grants and contributions exist.
 - The Chief Financial Officer reviews and approves the final proactive disclosure report.
 - In the event of a NIL response, the highest level of approval for the proactive disclosure report is the Director of the Financial Operations Division within the FPPB Branch.

Employees are provided informal, one-on-one training prior to completing their first proactive disclosure. For contracts over \$10,000, an information session was conducted with all the procurement officers to ensure they understand the reporting detail guidelines.

Moreover, employees are directed to the various reporting guidelines established by Treasury Board Secretariat: Guide to the Proactive Publication of Travel and Hospitality Expenses for travel and hospitality, Guidelines on the Reporting of Grants and Contributions Awards for grants and contributions over \$25,000, and the Guide to the Proactive Publication of Contracts for contracts over \$10,000.

The employees are also granted informal training and access to the Open Government Registry to be able to publish the required information by the publication timeline. In addition, best practices are regularly discussed at team meetings.

The Branch has control to ensure that proactive disclosures are available on the public facing website, and each team lead validates the disclosures once they are published online to ensure they are an accurate transcription of the information provided.

During the 2023-2024 reporting period, the Financial Planning and Procurement Branch met the publication requirements at a compliance rate of one hundred percent (100%).

Corporate Strategy Management Branch: Organizational Design and Resourcing

Legislative Requirement	Section	Publication Timeline	Compliance Rate	Proactive Publication (web link)
Reclassification of positions	85	Within 30 days after the quarter	100%	Government Position Reclassifications Open Government - Government of Canada

The Classification Team within the Organizational Design and Resourcing Office is responsible for ensuring that the publication requirement for the reclassification of positions is met and published on time. The Administrative Unit Express Classification is responsible for publishing the information on Open Government on a quarterly basis.

During the 2023-2024 reporting period, the Classification Team, met with the publication requirements at a compliance rate of one hundred percent (100%).

Office of the Chief Statistician

Legislative Requirement	Section	Publication Timeline	Compliance Rate	Proactive Publication (web link)
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	100%	Briefing Note Titles and Numbers (canada.ca)

The Office of the Chief Statistician (OCS) is responsible for ensuring the publication of the titles and reference numbers of memoranda prepared for the Chief Statistician of Canada, packages of briefing materials prepared for the Chief Statistician of Canada's appearance before a committee of Parliament and packages of briefing materials prepared for the new or incoming Chief Statistician of Canada.

There were no packages of briefing materials prepared for the new Chief Statistician of Canada during the reporting period.

In the 2023-2024 fiscal year, the OCS met the proactive publication requirements at a compliance rate of one hundred percent (100%).

During the 2023-2024 reporting period, the OCS collaborated with all fields within Statistics Canada to review and publish the relevant information in accordance with the legislative requirements.

Summary of Key Issues and Actions Taken on Complaints

There was one (1) complaint lodged against Statistics Canada with the Office of the Information Commissioner of Canada (OIC) during the reporting period, for the alleged failure to conduct a reasonable search. Three (3) complaints from previous fiscal years were closed; two (2) complaints were discontinued, and one (1) complaint was deemed Not-Well Founded. There are four (4) ongoing complaints (four (4) complaints regarding exemptions or exclusions invoked).

Reporting on Access to Information fees

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by Statistics Canada.

With respect to fees collected under the *Access to Information Act*, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

The \$5.00 application fee is the only fee charged for an ATI request. During the 2023-2024 reporting period, \$260 was collected in application fees. Statistics Canada waived one (1) fee during the reporting period.

Costs

The total cost of operating the program for the 2023-2024 reporting period was \$331,014.

Monitoring Compliance

At Statistics Canada, the ATIP Office processes and monitors requests by registering them in a comprehensive system known as Privasoft – Access Pro Case Management. An acknowledgment of the request and of the application fee of \$5.00 is sent to the client and a retrieval form is forwarded to the relevant program area (Office of Primary Interest (OPI)). If the

OPI and/or the ATIP Office need to clarify the request, only the ATIP Office contacts the client, unless prior approval is provided by the client. Client names are always kept confidential.

The retrieval form provided to the OPI was created by the ATIP Office at Statistics Canada and is based upon the Policy on Access to Information and the Directive on the Administration of Access to Information from the Treasury Board Secretariat of Canada. The form includes the text of the request, the name and phone number of the ATIP Officer, and the date by which records are required (normally 5 to 10 days). The form includes a checklist, which the OPIs complete to confirm that they have conducted a thorough search, and a recommendation schedule for identifying sensitive information and the specific nature of the injury that could be caused by release. The individuals providing the records are asked to identify any records which may be sensitive in nature (e.g., legal issues, Cabinet confidences, personal information, company information, advice to the Minister), which may require consultations, and/or which may generate media interest. The Director General, or appropriate delegate, of the program area sign-off the form.

The ATIP Office assists the program areas with administrative procedures related to the retrieval of records. Once the documents are received from the OPI, the ATIP Office ensures a retrieval form is duly completed by the program executive. The OPI and program executives are reminded of the importance of responding to ATIP requests in a timely and comprehensive manner. The performance of OPIs to respond to requests for records is reported to senior management in a monthly dashboard, to ensure that any issues are identified and addressed.