

**2018–2019 ANNUAL
REPORT TO PARLIAMENT**
ON THE ADMINISTRATION OF
THE ACCESS TO INFORMATION ACT

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Minister of National Revenue, 2019

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FOREWORD

Each fiscal year, the head of every government institution prepares and submits an annual report to Parliament on the administration of the Access to Information Act.

This report is tabled in Parliament in accordance with section 72 of the Access to Information Act under the direction of the Minister of National Revenue and the Commissioner of the Canada Revenue Agency (CRA). The report describes how the CRA administered and fulfilled its obligations under the Access to Information Act between April 1, 2018, and March 31, 2019. The report also discusses emerging trends, program delivery and areas of focus for the year ahead.

THE ACCESS TO INFORMATION ACT

The Access to Information Act came into force on July 1, 1983. It gives Canadian citizens, along with persons and corporations physically present in Canada, the right to request access to federal government records.

The Access to Information Act is based on three main principles:

- government information should be available to the public
- exceptions to the right of access should be limited and specific
- decisions about disclosures should be reviewed independently of government

The Access to Information Act's formal processes do not replace other ways of getting federal government information. The CRA encourages individuals, businesses and other groups to consider getting information through the CRA's website at canada.ca/en/revenue-agency.html or through the CRA's 1-800 lines.

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OVERVIEW OF THE CANADA REVENUE AGENCY

The Canada Revenue Agency (CRA) administers tax laws for the Government of Canada and for most provinces and territories. It also administers various social and economic benefit and incentive programs delivered through the tax system. In addition, the CRA has the authority to enter into new partnerships with the provinces, territories and other government bodies (at their request and on a cost-recovery basis) to administer non-harmonized taxes and other services. Overall, the CRA promotes compliance with Canada's tax legislation and regulations and plays an important role in the economic and social well-being of Canadians.

The Minister of National Revenue is accountable to Parliament for all of the CRA's activities, including administering and enforcing the Income Tax Act and the Excise Tax Act.

The Canada Revenue Agency Act provides for the establishment of a Board of Management consisting of 15 Directors appointed by the Governor in Council. They include the Chair, the Commissioner and Chief Executive Officer; a Director nominated by each province; 1 Director nominated by the territories; and 2 Directors nominated by the Government of Canada. Under the provisions of the Canada Revenue Agency Act, the Board of Management oversees the organization and administration of the CRA, including the management of its resources, services, property, personnel and contracts. In fulfilling this role, the Board of Management brings a forward-looking strategic perspective to the CRA's administration, fosters sound management practices, and is committed to efficient and effective service delivery.

As the CRA's Chief Executive Officer, the Commissioner is responsible for the day-to-day administration and enforcement of the program legislation that falls under the Minister's delegated authority. The Commissioner is accountable to the Board of Management for managing the CRA, supervising employees, and implementing policies and budgets. Moreover, the Commissioner must assist and advise the Minister with respect to legislated authorities, duties, functions and Cabinet responsibilities.

The CRA is made up of 13 functional branches and 5 regional offices across the country.

Branches

- Appeals
- Assessment, Benefit and Service
- Audit, Evaluation and Risk
- Collections and Verification
- Domestic Compliance Programs
- Finance and Administration
- Human Resources
- Information Technology
- International, Large Business and Investigations
- Legal Services
- Legislative Policy and Regulatory Affairs
- Public Affairs
- Service, Innovation and Integration

Regions

- Atlantic
- Ontario
- Pacific
- Prairie
- Quebec

ACCESS TO INFORMATION AND PRIVACY DIRECTORATE

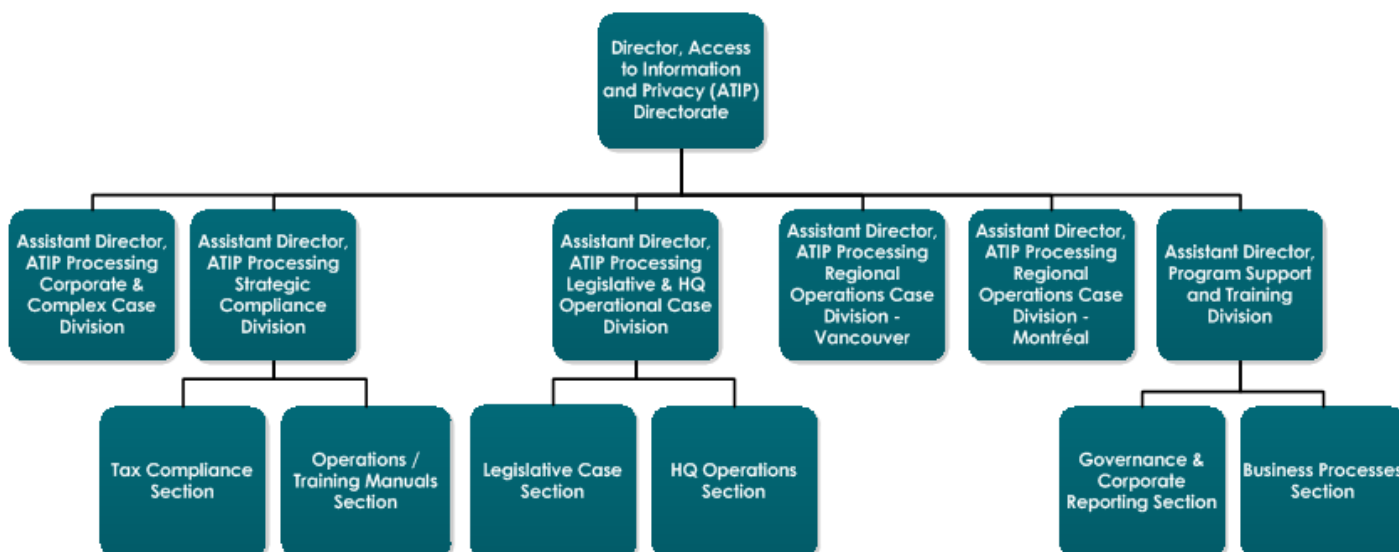
The Access to Information and Privacy Directorate helps the CRA meet its requirements under the Access to Information Act and the Privacy Act. To fulfill this mandate, the directorate:

- responds to requests and enquiries under the Access to Information Act and the Privacy Act
- responds to consultations and complaints
- responds to and promotes informal disclosure requests
- provides advice and guidance to CRA employees on the proper management and protection of personal information under the CRA's control
- co-ordinates the privacy impact assessment process within the CRA, including giving expert advice to CRA employees on privacy implications and options for avoiding or reducing risks
- gives training and awareness sessions on access to information and privacy
- communicates with the Treasury Board of Canada Secretariat and the offices of the Information and Privacy Commissioners of Canada about policy and legislative requirements, complaints and audits
- fulfills corporate planning and reporting obligations, such as the CRA's annual reports to Parliament on the administration of the Access to Information Act and the Privacy Act

The Director of the Access to Information and Privacy Directorate has the full delegated authority of the Minister of National Revenue under the Access to Information Act and the Privacy Act. The Director also manages and co-ordinates the access to information and privacy program, leads strategic planning and development initiatives, and supports the Assistant Commissioner, Public Affairs Branch and Chief Privacy Officer with the privacy governance function.

The directorate is made up of 2 main divisions: processing, and program support and training. In addition to the directorate's headquarters office in Ottawa, there is an office in Vancouver and an office in Montréal. In fiscal year 2018–2019, an equivalent of 133 full-time employees administered the Access to Information Act and the Privacy Act.

The following chart shows the structure of the Access to Information and Privacy Directorate.



ACCESS TO INFORMATION AND PRIVACY OVERSIGHT REVIEW COMMITTEE

The Access to Information and Privacy Oversight Review Committee is an Assistant-Commissioner-level committee chaired by the Chief Privacy Officer. The committee was established to ensure horizontal consultation, collaboration and decision-making on emerging access to information and privacy issues at the CRA.

Among other responsibilities, the committee reviews and approves the development, implementation and streamlining of key policies and processes related to access to information and privacy at the CRA.

DELEGATION OF RESPONSIBILITIES UNDER THE ACCESS TO INFORMATION ACT

As head of the CRA, the Minister of National Revenue is responsible for how the CRA administers the Access to Information Act and complies with the Access to Information Regulations and Treasury Board of Canada Secretariat policy instruments. Section 73 of the Access to Information Act gives the Minister the authority to designate one or more officers or employees of the CRA to exercise or perform all, or part, of the Minister's powers, duties, and functions under the Act.

The CRA's current delegation order for the Access to Information Act was signed by the Minister of National Revenue on January 14, 2016. It identifies specific provisions of the Access to Information Act and its regulations that the Minister delegated to various positions within the CRA.

The access to information and privacy Director and Assistant Directors, as well as the Managers of the processing units, approve responses to requests under the Access to Information Act. Delegations are also extended to the Commissioner, the Deputy Commissioner, and the Assistant Commissioner, Public Affairs Branch, and Chief Privacy Officer.

Minister
of National Revenue



Ministre
du Revenu national

Ottawa, Canada K1A 0A6

Access to Information Act
Delegation Order

Arrêté sur la délégation en vertu de la
Loi sur l'accès à l'information

I, Diane Lebouthillier, Minister of National Revenue, do hereby designate, pursuant to section 73 of the *Access to Information Act*, the officers or employees of the Canada Revenue Agency who hold the positions set out in the attached Schedule to exercise or perform the powers, duties, or functions that have been given to me as head of a government institution under the provisions of the *Access to Information Act* as set out in the Schedule.

This designation replaces all previous delegation orders.

Je, Diane Lebouthillier, ministre du Revenu national, délègue par les présentes, en vertu de l'article 73 de la *Loi sur l'accès à l'information*, aux cadres ou employés de l'Agence du revenu du Canada détenteurs des postes mentionnés dans l'annexe ci-jointe les attributions dont je suis, en qualité de responsable d'une institution fédérale, investie par les dispositions de la *Loi sur l'accès à l'information* qui sont mentionnées dans l'annexe.

Le présent document remplace et annule tout arrêté antérieur.

La ministre du Revenu national,

Diane Lebouthillier
Minister of National Revenue

Signed in Ottawa, Ontario, Canada this 14th day of January, 2016
Signé à Ottawa, Ontario, Canada le 14^e jour de janvier 2016

Canada

SCHEDULE – ACCESS TO INFORMATION ACT

The CRA positions that are authorized to perform the powers, duties, and functions given to the Minister of National Revenue as head of a government institution under the provisions of the Access to Information Act and its regulations are the following:

Commissioner

- Full authority

Deputy Commissioner

- Full authority

Assistant Commissioner, Public Affairs Branch and Chief Privacy Officer

- Full authority

Director, Access to Information and Privacy Directorate, Public Affairs Branch

- Full authority

Assistant Directors, Access to Information and Privacy Directorate, Public Affairs Branch

- Full authority

Managers, Access to Information and Privacy Directorate, Public Affairs Branch

- Subsection 4(2.1); paragraphs 7(a) and (b); subsection 8(1); section 9; subsections 11(2) to (6); paragraphs 12(2)(b) and 12(3)(b); sections 13 to 16; sections 17 and 18.1; sections 19 and 20; section 21 to 26; subsections 27(1) and (4); paragraph 28(1)(b); subsections 28(2) and (4); subsection 29(1); section 33; paragraph 35(2)(b); subsections 37(4), 43(1), 44(2) and 71(1) of the Access to Information Act; subsections 6(1), 7(2) and 7(3); and sections 8 and 8.1 of the Access to Information Regulations.

OPERATIONAL ENVIRONMENT

The CRA's Access to Information and Privacy Directorate processes among the largest volume of access to information requests and pages of all federal institutions. In fact, the

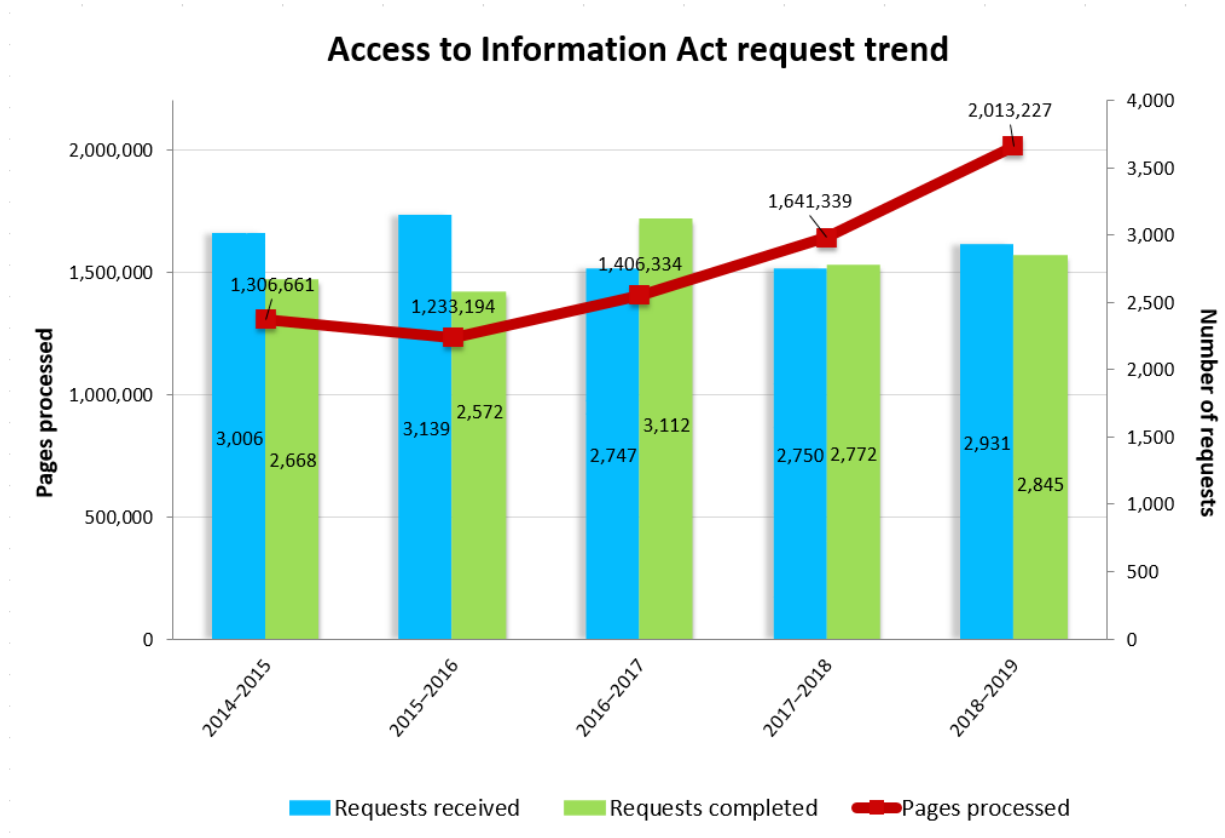
The CRA processed 23% more pages in 2018–2019 compared to the previous year.

CRA historically ranks among the top 5 federal organizations in this regard. According to the most recent Treasury Board of Canada Secretariat statistics in 2017–2018, the CRA received the fourth largest number of requests and processed the third largest volume of pages of all federal institutions. That trend likely continued in fiscal year 2018–2019, because 2,931 requests were received and just over two million pages processed.

Beyond responding to the access to information request inventory, most of the same resources that process these requests also process requests received under the Privacy Act and are responsible for other workloads including responding to consultations and complaints.

Due to this increasing demand on the access to information and privacy program, an access to information and privacy workload management plan, known as ATIP Way Forward, was developed during the reporting period and will be implemented in 2019–2020. For more details, see the ATIP Way Forward section in this report.

The following chart shows the trend of requests received under the Access to information Act over the past 5 years.



ATIP Way Forward, a workload management plan

In 2016–2017, an access to information and privacy inventory reduction plan was developed to address high request volumes and a backlog. Due to several short-term measures implemented in the plan, including significant use of overtime, the plan exceeded expectations to reduce the carry-forward inventory and the deemed refusal volume. Although the measures taken were effective in achieving the directorate’s short and intermediate goals, it was determined that this was not an appropriate long-term solution.

In 2018–2019, the Access to Information and Privacy Directorate’s senior management team developed a renewed inventory reduction plan: the ATIP Way Forward workload management plan. The plan is designed to build foundational capacity and sustainable, long-term solutions. The proposed solutions include:

- expediting staffing
- addressing the backlog
- addressing complaints

-
- establishing a data analytics team (this will include improved reporting to offices of primary interest)
 - addressing technological challenges
 - reviewing and implementing changes to the organizational structure of the Access to Information and Privacy Directorate, including the establishment of a centre of expertise and centralization of the front end

A project manager will lead the implementation of the plan starting at the beginning of fiscal year 2019–2020.

Staffing

In 2018–2019, the Access to Information and Privacy Directorate undertook many actions to manage the growing access to information and privacy workload including:

- researching innovative recruitment solutions
- recruiting for multiple positions
- launching 5 selection processes
- addressing acting positions
- providing developmental opportunities

Modernization of the Access to Information Act and the Privacy Act

Extensive work has taken place across the CRA in preparation for the royal assent of Bill C-58: An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts.

Since the bill's first reading in June of 2017, the CRA has held many internal briefings to ensure readiness. Leads have also been identified for each of the proactive publication requirements and collaboration has been ongoing with the CRA's communications, language services, publishing, and legal services areas.

One of the more significant impacts of the bill on the CRA will be the requirement to post briefing note titles and tracking numbers on Canada.ca on a monthly basis. During the fiscal year, the CRA changed its processes to increase efficiency. One change was the adoption of the Treasury Board of Canada Secretariat's routing slip so that sensitivities in the release of the titles can be identified. Training sessions were hosted across the CRA to support the smooth transition to the use of the routing slip. The revised routing slip was launched during the fiscal year.

The CRA continues to work closely with various stakeholders on the Government of Canada's commitment to modernize the acts.

Informal disclosure

On an ongoing basis, the CRA explores ways to get information to clients in the fastest and most efficient way. One of these ways is informal disclosure. Informal disclosure is when information is provided without the need to make a request under the Access to Information Act or the Privacy Act. Examples of information provided informally are copies of tax slips and CRA policies and manuals.

The Directive for the Disclosure of Taxpayer and Other Information outlines the accountabilities of CRA officials for informal and formal disclosures. To supplement the directive, in 2018–2019, the CRA launched an informal disclosure course. The course is targeted to subject-matter experts who need a comprehensive understanding of the disclosure of protected information to taxpayers under program legislation. Additionally, an informal disclosure page was launched on the CRA's intranet site; this page provides guidance and resources in support of expanded informal disclosure.

TRAINING AND AWARENESS

Training

The Access to Information and Privacy Directorate is committed to promoting and providing access to information and privacy training to CRA employees. This training varies, depending on the needs of the employee. For instance, employees who have little or no knowledge of the subject are encouraged to take the ATIP Fundamentals course or the Access to Information in the Government of Canada course offered by the Canada School of Public Service. Subject matter experts are advised to take more specific training, such as on how to provide complete recommendations in response to requests. During the fiscal year, training was also provided on Bill C-58 requirements.

The CRA's Legal Services Branch provides specialized training on the Access to Information Act and the Privacy Act to advise CRA staff on how to prepare documents for release in CRA reading rooms, on informal disclosure and on the legal interpretation of the Access to Information Act and the Privacy Act for specialized CRA staff such as auditors.

In 2018–2019, more than 2,700 CRA employees across Canada participated in instructor-led and online training. In total, this fiscal year:

- 1,537 employees participated in 58 training sessions given by the CRA
- 1,048 employees took the Canada School of Public Service ATIP Fundamentals online course
- 46 employees attended the Canada School of Public Service Access to Information in the Government of Canada in-class course
- 82 employees participated in specialized training given by the Legal Services Branch

The number of employees that attended online training is likely much higher than indicated above, because online training sessions are frequently attended by large groups of employees under one registration.

In 2017–2018, the CRA launched the first of a suite of 10 web-based modules that offer specialized technical training for access to information and privacy employees. In 2018–2019, the remaining 9 modules were launched. This series of modules is the first of its kind for access to information and privacy professionals in the Government of Canada.

In a continued effort to promote informal disclosure across the CRA, an informal disclosure page was published on the CRA's intranet. The page provides detailed guidance and links to information on informal disclosure.

Raising awareness

Every year, about 40 countries and 60 non-government organizations celebrate Right to Know Week to raise awareness of an individual's right to access government information, while promoting freedom of information as essential to both democracy and good governance. In 2018–2019 the CRA promoted Right to Know Week for the eighth consecutive year.

The directorate also raised awareness about access to information through multiple committee meetings and in regular communication with CRA employees, including access to information and privacy contacts, and employees in the offices of primary interest who have been identified to liaise with the Access to Information and Privacy Directorate.

POLICIES, GUIDELINES AND PROCEDURES

The Access to Information and Privacy Directorate dedicated significant time in 2018–2019 to the review of CRA corporate documents, including policy instruments.

Furthermore, the CRA continues to provide feedback to the Treasury Board of Canada Secretariat on draft corporate policy instruments and promote compliance once those policy instruments are implemented.

Internal procedures manual

During the reporting period, the Access to Information and Privacy Directorate completed an updated version of its internal procedures manual. This version is the second update to the manual since 2016 and serves as a guide for all major procedures related to access to information and privacy. The purpose of the manual is to promote consistent practices across the directorate when administering the Access to Information Act and the Privacy Act. The manual serves as a main resource tool for the directorate and it reduces the time needed to train new employees. In 2019–2020, the directorate will explore the feasibility of developing an online version of the manual.

Info Source update

During the reporting period, the CRA completed a review of its Info Source chapter. Info Source provides information about the functions, programs, activities and related information holdings of government institutions subject to the Access to Information Act and the Privacy Act. Info Source also provides guidance to individuals on how to access information held by government institutions to exercise their rights under these acts.

Each institution subject to the Access to Information Act and the Privacy Act must update its Info Source chapter annually by the due date set by the Treasury Board of Canada Secretariat. In accordance with this requirement, in June of 2018, the CRA updated 15 personal information banks and 10 classes of records. In addition, the list of reading room manuals was reviewed and updated.

The CRA's Info Source chapter can be found here: canada.ca/cra-info-source.

MONITORING

The Access to Information and Privacy Directorate produces a monthly report that captures key statistical information about the CRA's inventory of access to information and privacy requests. The report monitors active and completed requests, including pages received and processed, the carry-forward inventory, the complexity levels and deemed refusal volumes. Management regularly uses the report to monitor trends, measure the directorate's performance and identify any process changes needed to improve performance. The report is presented monthly to senior management at the Commissioner-chaired Agency Management Committee.

In addition to the monitoring and reporting mechanisms in place, more extensive data analytics is required for the access to information and privacy program at the CRA. The Access to Information and Privacy Directorate's access to information and privacy database, which is used for monitoring and reporting, is primarily designed for workload management. Improving data analytics capabilities will require upgrades to the database, tools and employee skillsets.

Through the successful submission of a business case during the fiscal year to buy SAS data analytics software, in fiscal 2019–2020, a data analytics team will:

- identify and measure the trends that are causing access to information and privacy volumes to increase
- analyze workload to identify process flow problems and evaluate the effectiveness of solutions
- identify and measure trends related to privacy compliance
- produce comprehensive reports to support business decisions and ultimately improve processes and privacy management

The establishment of the data analytics team will be done in 2 phases. Phase 1 started in 2018–2019 when the Service, Innovation and Integration Branch dedicated a team to review and evaluate the data in the Access to Information and Privacy Directorate’s tracking system. The branch also assigned a data scientist to the directorate to work with business experts to determine the best approach to improve data quality and enhance the directorate’s data analytics capabilities. The directorate also hired a project officer during the fiscal year to support the reporting processes.

Phase 2, which will be implemented in 2019–2020, will be dedicated to determining the appropriate strategy going forward, including identifying reporting requirements, acquiring data analytics tools, database cleanup and enhanced reporting.

COLLABORATION WITH OVERSIGHT BODIES AND OTHER ORGANIZATIONS

The CRA continues to work closely with the Office of the Information Commissioner of Canada, the Treasury Board of Canada Secretariat, and other organizations to strengthen access to information at the CRA.

Office of the Information Commissioner of Canada

The CRA has a very collaborative relationship with the Office of the Information Commissioner of Canada. In fact, during National Public Service Week in 2018–2019, the Information Commissioner of Canada, Caroline Maynard, presented Marie-Claude Juneau, Director of the Access to Information and Privacy Directorate, with the inaugural Information Commissioner’s Award.

The award was presented in recognition of the creation of the innovative e-module training course, leadership in ensuring coordination and cooperation between the CRA and her office, and the CRA's strong ethics in dealings with the Office of the Information Commissioner of Canada.



Upon the presentation of the Information Commissioner's Award to Marie-Claude Juneau. Pictured from left to right: CRA Commissioner, Bob Hamilton, Access to Information and Privacy Directorate Director, Marie-Claude Juneau, Information Commissioner of Canada, Caroline Maynard, and Assistant Commissioner and Chief Privacy Officer, Public Affairs Branch, Maxime Guenette.

During the fiscal year, both institutions collaborated on working on the complaint inventory with a concerted effort to close specific backlog complaints.

Treasury Board of Canada Secretariat

The CRA strengthened its relationship with the Treasury Board of Canada Secretariat throughout the fiscal year by:

- collaborating on a community development initiative to develop a formal access to information and privacy network, to further meet the growing needs of access to information and privacy offices across government
- providing feedback on draft corporate policy instruments
- consulting with the Information and Privacy Policy Division of the Treasury Board of Canada Secretariat on a wide range of subjects, such as policy and legal interpretation
- participating in access to information and privacy community meetings and in working groups on various access-related topics, including the modernization of the Access to Information Act

INTERPRETATION AND EXPLANATION OF APPENDIX A – STATISTICAL REPORT

Appendix A provides a statistical report on the CRA's activities under the Access to Information Act for the 2018–2019 reporting period from April 1, 2018 to March 31, 2019. The following explains and interprets the statistical information and includes additional access to information statistics at the CRA.

Note

Some totals may be more than 100% due to rounding.

Part 1 – Requests under the Access to Information Act

During the reporting period, the CRA received 2,931 new requests under the Access to Information Act. Including the 1,102 requests carried forward from the 2017–2018 reporting period, the CRA had 4,033 active requests in its inventory.

The following table shows the number of access to information requests the CRA received and completed, as well as the number of pages processed over the past 5 fiscal years.

Fiscal year	Requests received	Requests completed	Pages processed
2014–2015	3,006	2,668	1,306,661
2015–2016	3,139	2,572	1,233,194
2016–2017	2,747	3,112	1,406,334
2017–2018	2,750	2,772	1,641,339
2018–2019	2,931	2,845	2,013,227

The following table shows the breakdown of the sources of the 2,931 requests received during the 2018–2019 reporting period.

Source	Number of requests	Percentage
Media	124	4%
Academia	59	2%
Business (private sector)	1,079	37%
Organization	84	3%
Public	1,413	48%
Decline to identify	172	6%

Informal requests

During the fiscal year, the Access to Information and Privacy Directorate completed 502 informal requests for previously released information. Informal requests are those that are not processed under the Access to Information Act.

Other requests and workload

Beyond the 2,931 requests received under the Access to Information Act, the CRA processes a significant volume of other types of requests. The additional volume affects operations, since resources must be diverted to manage this workload. These additional requests include external and internal consultations, general enquiries and complaints. For instance, the Program Support and Training Division of the Access to Information and Privacy Directorate responded to 4,123 emails and 972 phone enquiries received through the general enquiries mailbox and 1-800 line.

Part 2 – Requests closed during the reporting period

Disposition

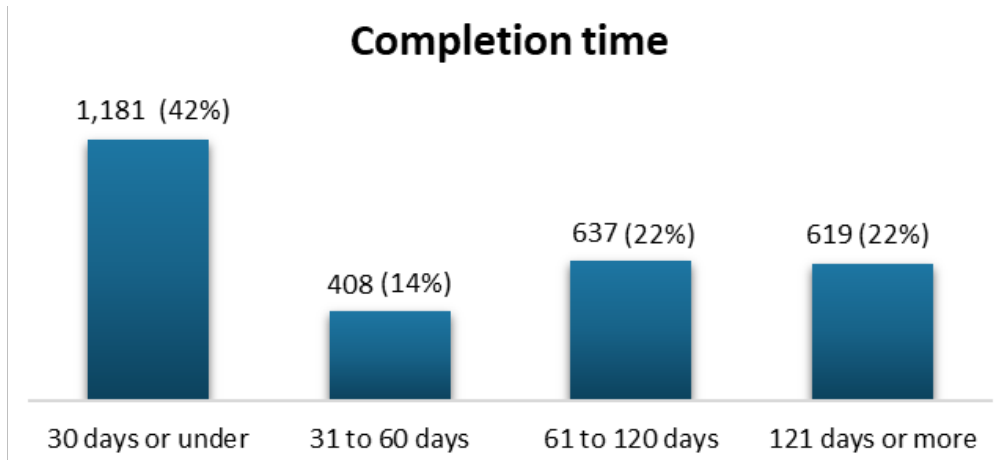
During the reporting period, the Access to Information and Privacy Directorate completed 2,845 requests under the Access to Information Act:

- 480 were fully disclosed (17%)
- 1,577 were disclosed in part (55%)
- 22 were exempted in their entirety (0.8%)
- 2 were excluded in their entirety (0.1%)
- 93 resulted in no existing records (3%)
- 79 were transferred to another institution (3%)

- 589 were abandoned by requesters (21%)
- 3 were neither confirmed nor denied (0.1%)

For more details, see table 2.1 of Appendix A.

The following chart shows the completion times for the 2,845 requests closed in 2018–2019.



The Access to Information and Privacy Directorate completed 2,308 (81%) requests within the timelines required by law. This means that responses were provided within 30 calendar days or within the extended deadline.

Exemptions

The Access to Information Act allows an institution to refuse access to specific information. For example, information about an individual other than the requester cannot be disclosed if the individual has not given his or her consent. Exemptions are applied by analysts to support non-disclosure in these cases.

In 2018–2019, the CRA applied the following exemptions, in full or in part, for requests closed during the reporting period:

- section 13 – Information obtained in confidence (97 times)
- section 14 – Federal-provincial affairs (13 times)
- section 15 – International affairs and defence (25 times)
- section 16 – Law enforcement and investigation and security (1,137 times)
- section 17 – Safety of individuals (2 times)
- section 18 – Economic interests of Canada (6 times)
- section 19 – Personal information (1,071 times)
- section 20 – Third-party information (68 times)
- section 21 – Operations of government (520 times)
- section 22 – Testing procedures, tests and audits (6 times)
- section 23 – Solicitor-client privilege (256 times)
- section 24 – Statutory prohibitions (1,287 times)

- section 26 – Information to be published (1 time)

Exclusions

The Access to Information Act does not apply to information that is publicly available, such as in government publications and in libraries and museums. Also, the act does not apply to Cabinet confidences.

In 2018–2019, the CRA applied exclusions 82 times: 56 times for information that was publicly available and 26 times for Cabinet confidences.

Format of information released

Requesters can choose to receive their response package in paper, CD or DVD format. Persons with disabilities may also request information in alternative formats, such as braille, although no such requests were received this fiscal year. Providing documents electronically significantly reduces manual processes and paper consumption.

In 2018–2019, of the 2,057 requests for which information was disclosed in full or in part, 1,771 requests (86%) were released in electronic format.

Complexity

The Treasury Board of Canada Secretariat uses 2 criteria to define complexity: the number of pages to process; and the nature and sensitivity of the subject matter. Based on these criteria, the CRA handles a large number of complex requests.

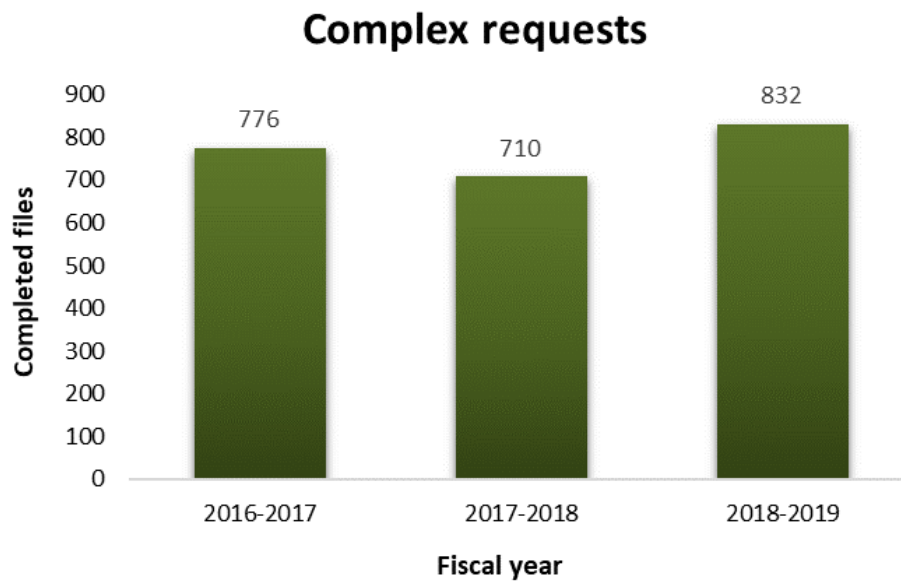
In 2018–2019, the directorate processed an average of 707 pages per request.

To process the 2,845 requests closed during the fiscal year, the CRA processed 2,013,227 pages. A significant number of requests involved large page volumes: 1,140 (40%) requests required the processing of more than 100 pages. Of these requests, 47 involved the processing of more than 5,000 pages including 1 request that required the review of 209,162 pages. For more details, see table 2.5.2 of Appendix A.

In addition to requests with large page volumes, the CRA processed many sensitive requests, such as those involving tax litigation and consultation with third parties, including provincial, federal and international bodies. Other requests were considered complex because of the nature and sensitivity of the subject matter being processed. For more details, see table 2.5.3 of Appendix A.

In 2018–2019, the CRA processed 122 more complex requests compared to the previous reporting period. This represents a 17% increase from fiscal year 2017–2018.

The following chart shows the volume of complex files processed over the past 3 years.



Deemed refusals

A deemed refusal is a request that was closed after the deadline of 30 calendar days, or if a time extension was taken, after the extended deadline.

Of the 2,845 requests closed during the reporting period, 537 were closed after the deadline, resulting in a deemed refusal rate of 19%.

The CRA has reduced its deemed refusal rate by 3% over the last reporting period.

Requests for translation

Records are normally released in the language in which they exist. However, records may be translated to an official language when requested and when the institution considers it in the public interest to do so.

The CRA did not receive any requests to translate records in response to access to information requests in 2018–2019.

Part 3 – Extensions

The Access to Information Act sets the timelines for responding to access to information requests and allows time extensions when there is a large volume of records to be processed or a need to complete consultations (for example, with a government institution or third party).

Of the 2,845 requests closed in 2018–2019, the CRA applied extensions for 1,634 (57%) of them. Extensions were applied 91% of the time because of workload and meeting the original 30-day time limit would have resulted in unreasonable interference with CRA operations. The remaining 9% of the time was for consulting with third parties or other government institutions, as well as converting records into other formats.

Part 4 – Fees

A total of \$12,500 in fees was collected during the reporting period. For more details, see part 4 of Appendix A.

Part 5 – Consultations received from other institutions and organizations

In 2018–2019, the Access to Information and Privacy Directorate completed 141 consultation requests from other government institutions and organizations. To respond to these requests 26,041 pages were reviewed, an increase of 53% over the previous fiscal year. For more details on external consultations, including disposition and completion times, see part 5 of Appendix A.

The total number of external access consultation requests received has decreased 13% this fiscal from 157 to 137.

Beyond external consultations, the Access to Information and Privacy Directorate completed 12 internal access consultation requests received from CRA branches and regions in 2018–2019. These requests are informal reviews that comply with the CRA's informal disclosure prerequisites and do not fall under the Access to Information Act.

Part 6 – Completion time of consultations on Cabinet confidences

Although Cabinet confidences are excluded from the application of the Access to Information Act (section 69), the policies of the Treasury Board of Canada Secretariat require agencies and departments to consult their legal services to determine if requested information should be excluded. If there is any doubt or if the records contain discussion papers, legal counsel must consult the Office of the Counsel to the Clerk of the Privy Council Office.

In 2018–2019, the Access to Information and Privacy Directorate consulted CRA legal services 3 times regarding Cabinet confidence exclusions. Consultations were completed within 30 days or less for these 3 requests.

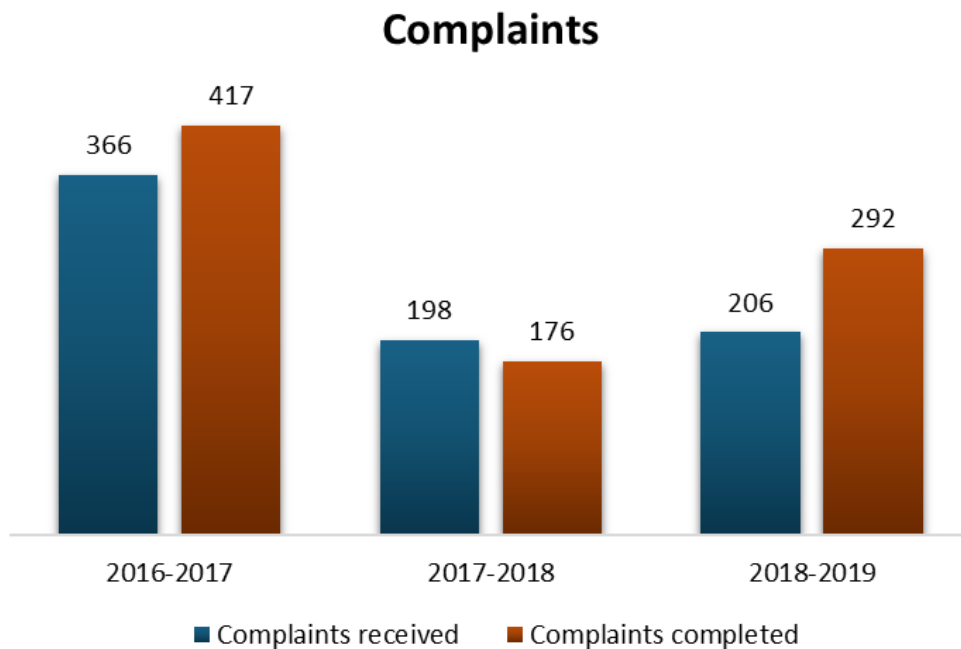
Part 7 – Complaints and investigations

The total number of complaints received from the Office of the Information Commissioner of Canada increased slightly during the reporting period, from 198 in 2017–2018, to 206 this fiscal year, representing a 4% increase.

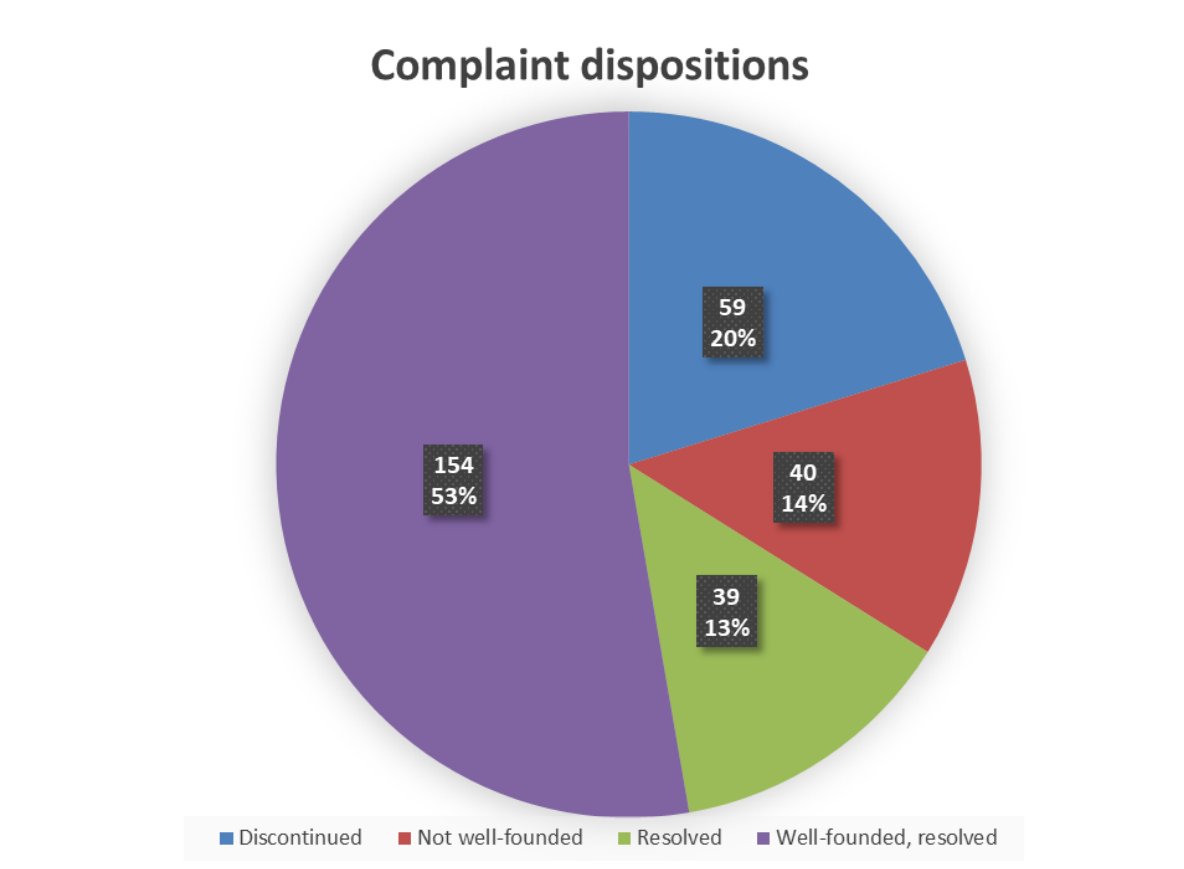
During the fiscal year, due to a concerted effort between the Office of the Information Commissioner of Canada and the CRA, 292 complaints were closed compared to 176 the previous fiscal.

The following chart shows the number of complaints received and completed since 2016–2017.

In 2018–2019, the CRA closed 66% more complaints over last fiscal year.



The following chart shows the disposition of the complaints closed during the fiscal year.



For definitions of the complaint disposition categories, go to: oic-ci.gc.ca/eng/inv-inv_disposition-categories-des-plaintes.aspx.

Part 8 – Court action

There were no complaints pursued to the Federal Court in 2018–2019.

Part 9 – Resources related to the Access to Information Act

Costs

In 2018–2019, the Access to Information and Privacy Directorate's direct cost to administer the Access to Information Act was \$4,369,785. This does not include significant support and resources from the branches and regions. For more details, see section 9.1 of Appendix A.

Human resources

In 2018–2019, an equivalent of 52.50 full-time employees were dedicated to administering the Access to Information Act.

CONCLUSION

The CRA is committed to providing all Canadians with access to information in a timely and efficient way.

In 2018–2019, the CRA continued to make significant progress in addressing challenges and to provide greater access to information by:

- developing the ATIP Way Forward workload management plan
- preparing for royal assent of Bill C-58
- collaborating with the Treasury Board of Canada Secretariat and other federal agencies and departments to explore the feasibility of establishing an access to information and privacy community office

In 2019–2020, the CRA will continue its work to enhance access to information at the CRA and to improve efficiencies in operations by implementing the ATIP Way Forward plan, submitting a business case to secure resources, continuing to promote the use of informal disclosure, improving reporting across the CRA, and working closely with various stakeholders on the Government's commitment to modernize the Access to Information Act.

APPENDIX A – STATISTICAL REPORT

Statistical report on the Access to Information Act

Name of institution: Canada Revenue Agency

Reporting period: April 1, 2018 to March 31, 2019

Part 1 – Requests under the Access to Information Act

1.1 Number of requests

	Number of requests
Received during reporting period	2,931
Outstanding from previous reporting period	1,102
Total	4,033
Closed during reporting period	2,845
Carried over to next reporting period	1,188

1.2 Sources of requests

Source	Number of requests
Media	124
Academia	59
Business (Private Sector)	1,079
Organization	84
Public	1,413
Decline to Identify	172
Total	2,931

1.3 Informal requests

Completion time (days)							
1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More than 365	Total
220	143	114	10	6	9	0	502

Part 2 - Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion time (days)							Total
	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More than 365	
All disclosed	39	228	104	76	16	10	7	480
Disclosed in part	18	242	257	529	198	143	190	1,577
All exempted	0	1	2	13	2	4	0	22
All excluded	0	0	1	0	0	1	0	2
No records exist	14	38	24	11	3	2	1	93
Request transferred	69	8	2	0	0	0	0	79
Request abandoned	485	37	18	8	3	5	33	589
Neither confirmed nor denied	1	1	0	0	1	0	0	3
Total	626	555	408	637	223	165	231	2,845

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests	Section	Number of requests
13(1)(a)	20	16(2)	16	18(a)	0	20.1	0
13(1)(b)	3	16(2)(a)	0	18(b)	1	20.2	0
13(1)(c)	73	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	1	16(2)(c)	130	18(d)	5	21(1)(a)	145
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	361
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	8
14(a)	12	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	6
14(b)	1	16.1(1)(c)	0	18.1(1)(d)	0	22	6
15(1)	4	16.1(1)(d)	0	19(1)	1,071	22.1(1)	0
15(1) - I.A.*	19	16.2(1)	0	20(1)(a)	0	23	256
15(1) - Def.*	1	16.3	0	20(1)(b)	37	24(1)	1,287
15(1) - S.A.*	1	16.4(1)(a)	0	20(1)(b.1)	0	26	1
16(1)(a)(i)	4	16.4(1)(b)	0	20(1)(c)	31		
16(1)(a)(ii)	6	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	2	17	2				
16(1)(b)	258						
16(1)(c)	721						
16(1)(d)	0						

* I.A.: International Affairs
Def.: Defence of Canada
S.A.: Subversive Activities

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	56	69(1)(a)	3	69(1)(g) re (b)	0
68(b)	0	69(1)(b)	0	69(1)(g) re (c)	0
68(c)	0	69(1)(c)	0	69(1)(g) re (d)	0
68.1	0	69(1)(d)	1	69(1)(g) re (e)	3
68.2(a)	0	69(1)(e)	1	69(1)(g) re (f)	4
68.2(b)	0	69(1)(f)	2	69.1(1)	0
69(1)	0	69(1)(g) re (a)	12		

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	100	380	0
Disclosed in part	186	1,391	0
Total	286	1,771	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	22,426	22,426	480
Disclosed in part	1,591,504	1,341,916	1,577
All exempted	371,673	0	22
All excluded	3	0	2
Request abandoned	27,621	15,775	589
Neither confirmed nor denied	0	0	3
Total	2,013,227	1,380,117	2,673

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition of requests	Less than 100 pages		101-500 pages		501-1000 pages		1001 -5000 pages		More than 5000 pages	
	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed
All disclosed	419	9,917	58	10,714	3	1,795	0	0	0	0
Disclosed in part	509	17,614	522	131,760	209	147,993	290	590,966	47	453,583
All exempted	22	0	0	0	0	0	0	0	0	0
All excluded	2	0	0	0	0	0	0	0	0	0
Request abandoned	578	149	4	1,317	2	1,819	5	12,490	0	0
Neither confirmed nor denied	3	0	0	0	0	0	0	0	0	0
Total	1,533	27,680	584	143,791	214	151,607	295	603,456	47	453,583

2.5.3 Other complexities

Disposition of requests	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	0	0	0	9	9
Disclosed in part	0	1	7	20	28
All exempted	0	0	0	1	1
All excluded	0	0	0	1	1
Request abandoned	0	4	4	19	27
Neither confirmed nor denied	0	0	0	0	0
Total	0	5	11	50	66

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal reason			
	Workload	External consultation	Internal consultation	Other
537	462	7	17	51

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15	13	55	68
16 to 30	4	38	42
31 to 60	7	56	63
61 to 120	13	49	62
121 to 180	9	56	65
181 to 365	9	74	83
More than 365	53	101	154
Total	108	429	537

2.7 Requests for translation

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

Part 3 - Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of requests	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third party notice
		Section 69	Other	
All disclosed	182	0	37	1
Disclosed in part	1,197	2	103	2
All exempted	20	0	5	0
All excluded	2	0	0	0
No records exist	32	0	1	0
Request abandoned	46	0	2	2
Total	1,479	2	148	5

3.2 Length of extensions

Length of extensions	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third party notice
		Section 69	Other	
30 days or less	431	0	26	1
31 to 60 days	432	0	95	1
61 to 120 days	465	1	25	3
121 to 180 days	82	1	2	0
181 to 365 days	46	0	0	0
365 days or more	23	0	0	0
Total	1,479	2	148	5

Note that the CRA has an additional request not accounted for in sections 3.1 and 3.2, for the disposition of “neither confirmed nor denied”. The request was extended for 120 days under subsection 9(1)(a).

Part 4 - Fees

Fee type	Fee collected		Fee waived or refunded	
	Number of requests	Amount	Number of requests	Amount
Application	2,500	\$ 12,500	168	\$ 840
Search	0	\$ 0	0	\$ 0
Production	0	\$ 0	0	\$ 0
Programming	0	\$ 0	0	\$ 0
Preparation	0	\$ 0	0	\$ 0
Alternative format	0	\$ 0	0	\$ 0
Reproduction	0	\$ 0	0	\$ 0
Total	2,500	\$ 12,500	168	\$ 840

Part 5 - Consultations received from other institutions and organizations

5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	126	6,618	11	1,296
Outstanding from the previous reporting period	18	18,642	1	315
Total	144	25,260	12	1,611
Closed during the reporting period	131	24,828	10	1,213
Pending at the end of the reporting period	13	432	2	398

5.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More than 365	
Disclose entirely	26	35	15	3	0	0	0	79
Disclose in part	1	13	15	8	1	2	0	40
Exempt entirely	0	3	0	1	0	0	0	4
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	4	4	0	0	0	0	0	8
Other	0	0	0	0	0	0	0	0
Total	31	55	30	12	1	2	0	131

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More than 365	Total
Disclose entirely	2	2	1	1	0	0	0	6
Disclose in part	0	1	3	0	0	0	0	4
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	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	2	3	4	1	0	0	0	10

Part 6 - Completion time of consultations on Cabinet confidences

6.1 Requests with Legal Services

Number of days	Less than 100 pages processed		101 to 500 pages processed		501 to 1000 pages processed		1001 to 5000 pages processed		More than 5000 pages processed	
	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed
1 to 15	2	8	0	0	0	0	0	0	0	0
16 to 30	1	5	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	3	13	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of days	Less than 100 pages processed		101-500 pages		501-1000 pages		1001-5000 pages		More than 5000 pages	
	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of pages disclosed	Number of requests	Number of 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

Part 7: Complaints and investigations

Section 31	Section 35	Section 37	Total
206	7	292	505

Part 8: Court action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources related to the Access to Information Act

9.1 Costs

Expenditures		Amount
Salaries		\$ 3,585,840
Overtime		\$ 145,519
Goods and Services		\$ 638,426
- Professional services contracts	\$ 427,230	
- Other	\$ 211,196	
Total		\$ 4,369,785

9.2 Human Resources

Resources	Person years dedicated to access to information activities
Full-time employees	47.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	4.00
Students	1.50
Total	52.50

APPENDIX B – NEW REPORTING REQUIREMENT

Statistical report on the Access to Information Act

Name of institution: Canada Revenue Agency

Reporting period: April 1, 2018 to March 31, 2019

In 2018–2019, the Treasury Board of Canada Secretariat included a new requirement to report on the following exemptions.

Section	Number of requests
16.31 Investigation under the Elections Act	0
16.6 National Security and Intelligence Committee	0
23.1 Patent or Trademark privilege	0