

Public Health Agency of Canada

Annual Report on the *Access to Information Act* and the *Privacy Act*

2020-2021

To promote and protect the health of Canadians through leadership, partnership, innovation and action in public health.

—Public Health Agency of Canada's mission statement

Également disponible en français sur le site Web de l'Agence de la santé publique du Canada sous le titre : Rapport annuel 2020-2021 sur la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*

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Introduction

The Public Health Agency of Canada is pleased to present to Parliament its consolidated annual report on the administration of Access to Information and Privacy (ATIP) services, in accordance with section 94 of the *Access to Information Act* (ATIA) and section 72 of the *Privacy Act* and section 20 of the *Service Fees Act*. The report describes activities that support compliance with these laws for the fiscal year beginning April 1, 2020 and ending March 31, 2021.

About the Public Health Agency of Canada

The Public Health Agency of Canada's mission is to promote and protect the health of Canadians through leadership, partnership, innovation and action in public health.

The role of the Public Health Agency of Canada is to:

- Promote health;
- Prevent and control chronic diseases and injuries;
- Prevent and control infectious diseases;
- Prepare for and respond to public health emergencies;
- Serve as a central point for sharing Canada's public health expertise with the rest of the world;
- Apply international research and development to Canada's public health programs; and
- Strengthen intergovernmental collaboration on public health and facilitate national approaches to public health policy and planning.

For more information about the Public Health Agency of Canada, please [visit our website](#).

Purpose of the Acts

The ATIA gives Canadian citizens and permanent residents of Canada the right to access information contained in federal government records, subject to certain specific and limited exceptions. The ATIA complements, but does not replace, other means of obtaining government information.

The *Privacy Act* protects an individual's privacy by setting out provisions related to the collection, retention, accuracy, disposal, use and disclosure of personal information. It also gives Canadian citizens and permanent residents of Canada the right of access to information about themselves held by the federal government, with certain specific and limited exceptions.

Organizational Structure

Shared Services Partnership Agreement

ATIP Operations Division and the Privacy Management Division provide services to both the Public Health Agency of Canada and Health Canada, and do so as part of the Shared Services Partnership Agreement. These divisions are housed under the Planning, Integration and Management Services Directorate (PIMSD) of Health Canada's Corporate Services Branch (CSB). ATIP Operations Division manages the processing of requests under both the ATIA and the *Privacy Act*, while the Privacy Management Division is responsible for privacy policy and providing guidance to programs. Although ATIP services are provided to both institutions, the statistics and financial data provided in this report are only for the Public Health Agency of Canada.

Access to Information and Privacy Operations Division

The primary function of the ATIP Operations Division is to ensure compliance of the Public Health Agency of Canada's program delivery with the provisions of the ATIA and *Privacy Act*, along the policies and directives of the Treasury Board of Canada Secretariat (TBS).

The ATIP Operations Division is responsible for responding to Access to Information and Privacy requests. It reviews information to support various disclosures including the appropriate sharing of investigation reports, proactive publication under Part 2 of the ATIA, as well as supporting Parliamentary Affairs in responding to Parliamentary Motions to Produce Papers. In addition, ATIP Operations Division provides training and awareness programs to staff.

In 2020–2021, there were 12.56 full-time equivalents (FTEs) within ATIP Operations Division supporting the Public Health Agency of Canada's administration of both the ATIA and the *Privacy Act*. The breakdown of the different types of FTEs is as follows:

- 10.60 full-time employees;
- 1.70 consultants and Agency personnel;
- 0.17 part-time and casual employees; and
- 0.09 students.

The number of FTEs processing ATIP requests in 2020-2021 is more than double the number of FTEs in the 2019-2020 fiscal year. During the 2020-2021 fiscal year, as a result of the COVID-19 pandemic, the Public Health Agency of Canada received nearly four times the number of requests than the previous fiscal year and as a result ATIP Operations Division adjusted the workforce to help address this surge in requests.

Privacy Management Division

The primary functions of the Privacy Management Division (PMD) include ensuring compliance of the Public Health Agency of Canada's program delivery with the provisions of the *Privacy Act* and the policies and directives of the Treasury Board of Canada Secretariat (TBS). Responsibilities include:

- The development of privacy policies, procedures and practices;
- The delivery of privacy training and awareness programs to staff;
- Assessing and reporting on privacy breaches;
- Coordinating the Agency's input of InfoSource; and
- Providing privacy analysis and advice using a number of tools including Privacy Impact Assessments (PIA) and Privacy Protocols.

In 2020-2021, the Privacy Management Division comprised 5.53 full-time equivalents (FTEs). The breakdown of the different FTEs is as follows:

- 3.92 full-time employees;
- 1.02 part-time and casual employees;
- 0.43 Consultants and Agency personnel; and
- 0.16 students

These figures include administrative support, management, reporting, monitoring, advisory services and policy resources, which contribute to the overall support of the operations of the application of the *Privacy Act*.

Total FTEs supporting the ATIA and the *Privacy Act*

In 2020-2021, there were a total of 18.09 full-time equivalents (FTEs) supporting the administration of the ATIA and the *Privacy Act*. This comprised 10.55 FTEs supporting the ATIA and 7.54 FTEs supporting the *Privacy Act*.

For clarity and greater accountability, the following table illustrates the total resources from the ATIP Operations Division and the Privacy Management Division supporting the administration of the ATIA and the *Privacy Act*.

Total FTEs supporting the ATIA and the *Privacy Act*

Type of FTE	ATIA ATIP Operations	<i>Privacy Act</i> ATIP Operations	<i>Privacy Act</i> PMD	Total
Full-time employees	8.90	1.70	3.92	14.52
Part-time and casual employees	0.14	0.03	1.02	1.19
Regional staff	0.00	0.00	0.00	0.00
Consultants and agency personnel	1.43	0.27	0.43	2.13
Students	0.08	0.01	0.16	0.25
Total	10.55	2.01	5.53	18.09

Governance

Initiatives related to access to information and privacy are governed through the Public Health Agency of Canada's Policy-Operations Committee. ATI and privacy matters requiring a higher level of oversight or strategic direction are also brought forward to the Public Health Agency of Canada's Executive Committee.

Delegation of Authority

In keeping with Treasury Board of Canada Secretariat (TBS) recommendations on best practices, the Delegation Order extends authorities to multiple positions including the President, the Corporate Services Branch's Assistant Deputy Minister, the Director General of Planning Integration and Management Services Directorate, and the ATIP Coordinator. As appropriate, certain administrative authorities are delegated to various senior levels within the ATIP Operations Division and Privacy Management Division to support the effective and efficient administration of the ATIA and the *Privacy Act*. The most recent delegation order, signed by the Minister of Health, is included in this report ([Appendix A](#)).

Openness and Transparency

The Public Health Agency of Canada is committed to being open and transparent and continues to make more information available to Canadians. The Agency continues to publish information in accordance with Part 2 of the ATIA including briefing note titles, travel and hospitality expenses, reclassification of positions, and contracts over \$10,000. The Agency is also committed to creating documents following accessibility guidelines and this document follows those guidelines.

COVID-19

The Public Health Agency of Canada took centre stage in leading the largest federal public health response in Canadian history. The Agency worked collaboratively with its provincial and territorial partners as well as global partners to support Canada throughout the COVID-19 pandemic, provided epidemiological and modelling information to support good decision making, and financed and rolled out vaccines. The Public Health Agency of Canada also played a prominent role in providing information to the public, largely through the COVID-19 website, announcements and weekly briefings and statements issued by the Chief Public Health Officer.

On March 13, 2020, the Public Health Agency of Canada initiated their business continuity plan (BCP) in response to the evolving COVID-19 pandemic; this continued into the 2020-2021 fiscal year reporting period. The health and well-being of the Public Health Agency of Canada employees remains an Agency priority and the adoption of alternate work arrangements, including working from home, were introduced early in the pandemic to help fulfil this obligation. As the majority of the Agency shifted towards working from home¹ and in the interest of ensuring that critical services were delivered, guidance was provided by the Chief Information Officer (CIO) as to which services would be

¹ Some key services required continued access to the workplace during the pandemic (ex. laboratories)

permitted to use the network during core business hours. Over the course of the first few months of 2020-2021, network capacity increased and restrictions were eased and staff were able to work more efficiently and during core hours.

Access to Information and Privacy Operations Division

The ATIP Operations Division was also impacted significantly due to a number of COVID-19 related restrictions, including network restrictions and the partial closure of government offices. The ATIP Operations Division worked to address and overcome barriers related to the pandemic as quickly as possible including obtaining authorization for some ATIP analysts to return to the office and establish capacity to manage physical mail and paper records.

Public health measures and operational requirements directly impacted the timeliness of responding to information requests, particularly in the first few months of the pandemic. The lack of, or limited, physical presence in the office affected the Agency's ability to manage and process paper records while heavy workloads and tight deadlines resulting from the Agency's COVID-19 response limited the ability to quickly retrieve records. Following the guidance and best practices from TBS, the ATIP Operations Division contacted requesters directly to notify of potential delays in processing requests as a result of the pandemic.

Although there were a number of barriers associated to the closure of the physical office, these challenges also led to the implementation of several digital tools and electronic solutions. For example, branches quickly shifted to providing all records in electronic format (where applicable) and many requesters and third parties enrolled with the epost™ service to securely send and receive electronic documents.

Despite the pandemic and aforementioned issues, the Public Health Agency of Canada closed more information requests than during the previous year. Even with achieving this outcome, the Agency was not able to keep pace with a sustained and growing surge in demand for information.

Privacy Management Division

The Privacy Management Division remained fully operational, without interruption, with a focus on providing advisory services for many initiatives aimed at responding to the COVID-19 pandemic. This included privacy advice on matters such as contracts, digital solutions, the collection, use and disclosure of personal information, as well as research projects involving human subjects.

In order to meet the tight timelines and high demands, the Privacy Management Division developed privacy assessments, tools and guidance documents specifically tailored to the COVID-19 response. The Privacy Management Division was consulted on a number of important issues, including the development of digital solutions to assist in border health management and the prevention of further spread of COVID-19 (e.g. ArriveCAN), and data sharing in various public health contexts (e.g. new public health response initiatives, COVID-19 related research).

Capacity to Receive and Process Records in 2020-2021

The Public Health Agency of Canada receives ATIP requests by mail, email and online through the Government of Canada's ATIP Online Request System.

Due to the closure and restrictions of government offices for health and safety reasons, there was a period of two weeks during 2020-2021 where the ATIP Operations Division was unable to access paper mail. With regard to capacity to process paper records, the Division had no capacity to process paper records for eight weeks and partial capacity for 44 weeks. With regard to capacity to process electronic records, the Division had partial capacity for six weeks and full capacity for 46 weeks. The Division had no capacity to process secret records for eight weeks and partial capacity for 44 weeks.

Detailed information about the Public Health Agency of Canada's capacity to receive and process records can be found in the Supplemental Statistical Report on the Access to Information Act and Privacy Act ([Appendix D](#)).

Performance for 2020-2021

In 2020-2021, the Public Health Agency of Canada received 620 requests (Access to Information, Access Informal and Privacy) and closed 325. The Public Health Agency of Canada received nearly four times the number of requests and closed double the number of requests when compared to the previous fiscal year.

Performance for 2020-2021

Type of Request	Received	Closed
Access to Information	501	209
Access Informal	68	76
Privacy	51	40
Total	620	325

The COVID-19 pandemic had an immediate and significant impact on productivity. The impacts of the pandemic were most significant early on as the Public Health Agency of Canada adapted to the new environment and implemented measures to restore operations across the Agency. The ATIP Operations Division adjusted to the changing environment and protocols, implementing solutions to respond to emerging issues. Despite these challenges, the ATIP Operations Division was able to re-allocate resources to help meet the significant surge in new requests, enabling it to close more files than in previous years.

The following section of the report includes an interpretation and explanation of the data contained in Public Health Agency of Canada's Statistical Report, which summarizes Access to Information (ATI) and Privacy-related activity for the period between April 1, 2020 and March 31, 2021 ([Appendix B – ATI](#) and [Appendix C – Privacy](#)).

Access to Information Act

Access Informal Requests

Requests can be made for records previously released under the ATIA, which are referred to as ‘Access Informal Requests’. Summaries of previously released ATI requests are posted monthly on the [Open Government](#) website, as part of the Government of Canada’s commitment to openness and transparency. The Public Health Agency of Canada processed 76 Access Informal requests in 2020-2021, twice as many requests as the previous fiscal year.

Caseload and Carry Forward

In 2020-2021, the Public Health Agency of Canada had a total of 569 active ATI requests. Of this total, 501 were new requests received in 2020-2021, an increase from the 138 received in 2019-2020. Sixty-eight of the 569 active ATI requests were outstanding from the previous reporting period. A total of 209 ATI requests were closed and 360 were carried forward to the 2021-2022 fiscal year.

The Public Health Agency of Canada received nearly four times the number of requests in 2020-2021 when compared to the previous fiscal year. This increase was largely due to the Agency’s higher public visibility as a result of its central role in responding to the COVID-19 pandemic and citizens’ interest in obtaining information held by the Agency.

Although ATIP Operations closed more requests than it did in the previous year, it was unable to keep up with the surge in demand. The ATIP Operations Division continues to adjust resources to address the surge and the large volume of inventory accumulated during the pandemic.

Data Quality

Please note that small data variances may exist from year to year, including in the previously reported number of outstanding requests carried forward into the current fiscal year. Several reasons contribute to inevitable shifts in data. While rigorous processes are in place to support data accuracy, the timing of the pandemic and stay at home measures, coupled with unexpected absences resulted in delays in the closure of a small number of files which ought to have been reflected in the 2019-2020 fiscal year. Other reasons to explain possible data shifts include requests by the Office of the Information Commissioner to re-open requests in the context of complaint resolution, and requesters seeking to divide one incoming request into several files while retaining the initial date received.

Access to Information Requests Received & Completed

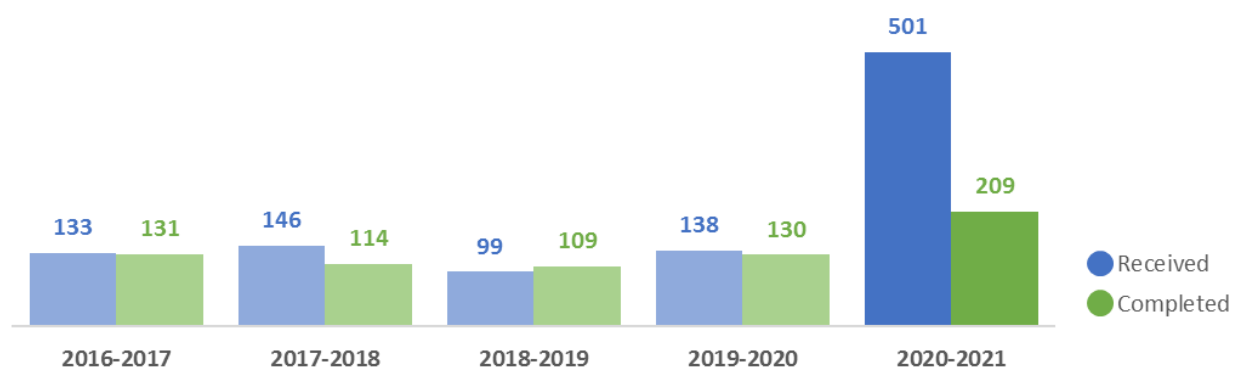


Figure 1 ATI Requests Received and Completed each fiscal year from 2016-2017 to 2020-2021

Key Statistics by Fiscal Year

Fiscal Year	Number of Requests Received	Number of Requests Carried Over	Total Caseload	Number of Requests Closed	# of Pages Reviewed for Closed Files
2016–2017	133	36	169	131	9,627
2017–2018	146	38	184	114	25,844
2018–2019	99	70	169	109	19,784
2019–2020	138	60	198	130	13,177
2020–2021	501	68	569	209	13,595

Source of Requests under the *Access to Information Act*

The Public Health Agency of Canada’s requests mostly came from the media (50%) and the general public (27%) in 2020-2021, which is consistent with previous years. Only a small number of requests came from businesses (4%), organizations (1%) and academia (4%), while 14% declined to identify which category they associate with.

Proportion of Requests among Sources

Source	Number of Requests	Proportion of Requests	Change from 2019-2020
Media	251	50%	+13%
Public	134	27%	-9%
Business (Private Sector)	19	4%	-8%
Organizations (e.g. political party, association, union)	4	1%	-5%
Decline to Identify	72	14%	+8%
Academia	21	4%	+1%
Total	501	100%	-

Processing Time for Requests

A total of 60 requests (28.7%) were processed within the statutory deadlines. Of the 149 files where legislated timelines were not met, 109 (73.2%) were due to interference with operations (i.e. workload).

Extensions

The majority of extensions (51%) invoked under the ATIA were to conduct consultations with institutions other than third parties, 26% of extensions were due to voluminous records, while 23% of extensions were to conduct consultations with third parties.

Consultations Completed From Other Institutions

In addition to processing its own requests, the Public Health Agency of Canada also completes consultations received from other institutions and organizations to provide input relating to the disclosure of the Agency’s information. In 2020-2021, the Public Health Agency of Canada completed

97 consultations received from other Government of Canada institutions and 19 from other organizations, reviewing 4,550 pages of records. In the majority of cases, the Public Health Agency of Canada consented to full disclosure of the records.

Disposition of Completed Requests

Of the ATI requests completed in 2020-2021, 48% were either disclosed in part (26%) or all disclosed (22%). Twenty-two percent of ATI requests were abandoned, while no records existed for 26% of requests. The breakdown of the remaining 4% of 'other' completed files is as follows:

- 2% all excluded
- 1% all exempted
- 1% request transferred
- 0% neither confirmed nor denied
- 0% decline to act with the approval of the Information Commissioner

Disposition of Completed ATI Requests

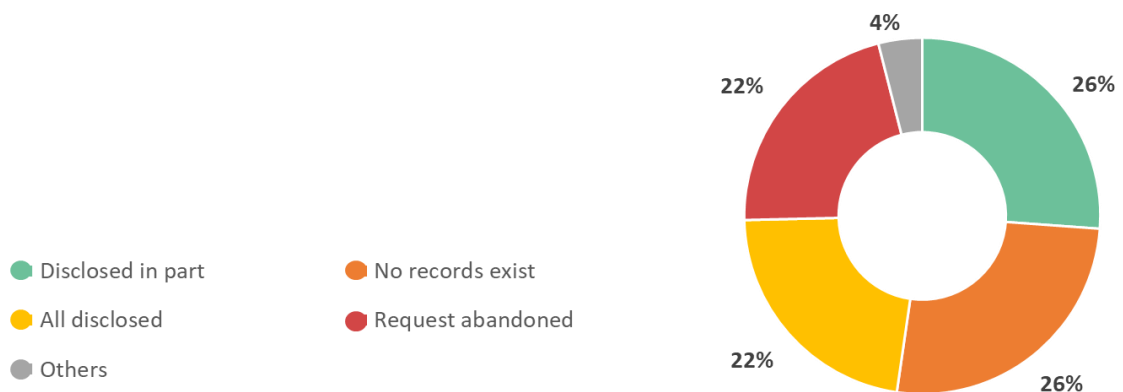


Figure 2 Disposition of Completed ATI Requests

Exemptions Invoked

Sections 13 to 24 of the ATIA provides specific legislated exemptions intended to protect information from disclosure, while section 26 provide a temporary exemption relating to information that will soon be published. In some instances, records may have multiple exemptions applied to them to appropriately safeguard information.

Of the 61 files partially or completely withheld, 30 requests had exemptions applied for section 19(1); this is a mandatory exemption that safeguards personal information. For 30 requests section 21 was applied for the protection of information related to government operations, while 27 requests had section 20 to protect third party information (e.g., proprietary and commercially sensitive information).

Exclusions Cited

The *Access to Information Act* does not apply to published material, material available to the public for purchase, or for public reference (section 68), nor does it apply to confidences of the Queen's Privy Council (section 69). Requests containing proposed exclusions under section 69 require consultation with the Department of Justice, and, in some cases, the Privy Council Office.

In 2020-2021, one request contained exclusions for publicly available material and eight requests had records pursuant to confidences of the Queen's Privy Council.

Translations

No translations were required to respond to requests in 2020-2021.

Format of Information Released

Of the requests that were fully or partially disclosed, four were released in paper format, while the remaining 98 were released as electronic copies. Electronic copies are available through CD or epost™ or by e-mail where the attached records are small enough to support this form of distribution.

Privacy Act

Caseload and Carry Forward

In 2020-2021, the Public Health Agency of Canada had a total of 53 active privacy requests. Of these, 51 were new privacy requests, an increase from the 19 received in 2019-2020. Two of the 53 active privacy requests were outstanding from the previous reporting period. A total of 40 privacy requests were closed and 13 were carried forward to the 2021-2022 fiscal year.

Requests for personal information under the *Privacy Act* are generally received from current and former Public Health Agency of Canada employees who want to obtain their personal information, and from people who have applied for employment at the Public Health Agency of Canada, seeking management's consideration of their applications. Human resource services for the Public Health Agency of Canada are delivered by Health Canada. As a result, requests for personal information relating to Agency employees and staffing processes may be opened by both the Public Health Agency of Canada as well as Health Canada in order to identify all records to support an individual's right of access.

Privacy Requests Received and Completed

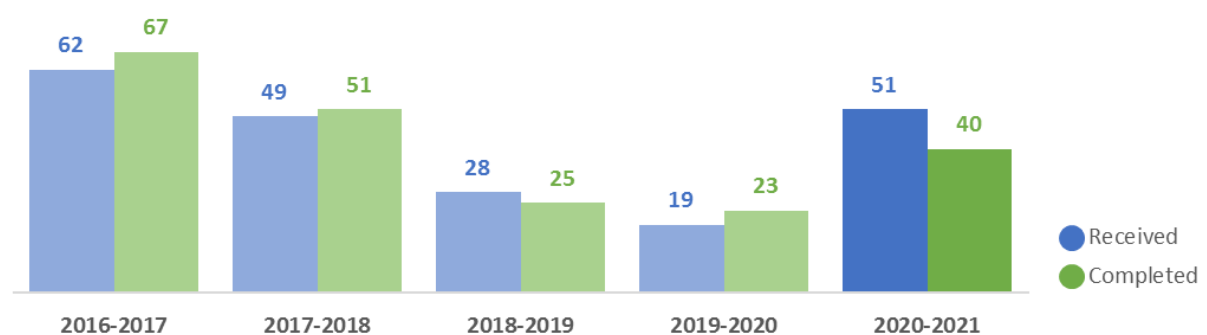


Figure 2 Privacy Requests Received and Completed each fiscal year from 2016-2017 to 2020-2021

Key Statistics by Fiscal Year

Fiscal Year	Number of Requests Received	Number of Requests Carried Over	Total Caseload	Number of Requests Closed	# of Pages Reviewed for Closed Files
2016–2017	62	9	71	67	1,782
2017–2018	49	4	53	51	245
2018–2019	28	2	30	25	838
2019–2020	19	5	24	23	148
2020-2021	51	2	53	40	50

Processing Time for Requests

The Public Health Agency of Canada responded to 80% of privacy requests within legislated timelines (30 days plus applicable extension). Requests closed past the legislated timeline were due to interference with government operations (i.e. workload and voluminous records) or for other reasons. In accordance with the TBS Directive on Personal Information Requests and Correction of Personal Information, the Public Health Agency of Canada continues to notify requesters in writing of anticipated delays.

Extensions

No extensions were applied to any of the requests completed in 2020-2021.

Consultations Completed From Other Institutions

The Public Health Agency of Canada did not receive any consultations from other institutions or organizations in 2020-2021.

Disposition of Completed Requests

Approximately 7.5% of the requests completed in 2020-2021 were either disclosed in part (5% of requests) or all disclosed (2.5% of requests). The breakdown of the remaining completed files is as follows:

- 47.5% request abandoned
- 45% no records exist
- 0% all exempted
- 0% all excluded
- 0% neither confirmed nor denied

Disposition of Completed Privacy Requests

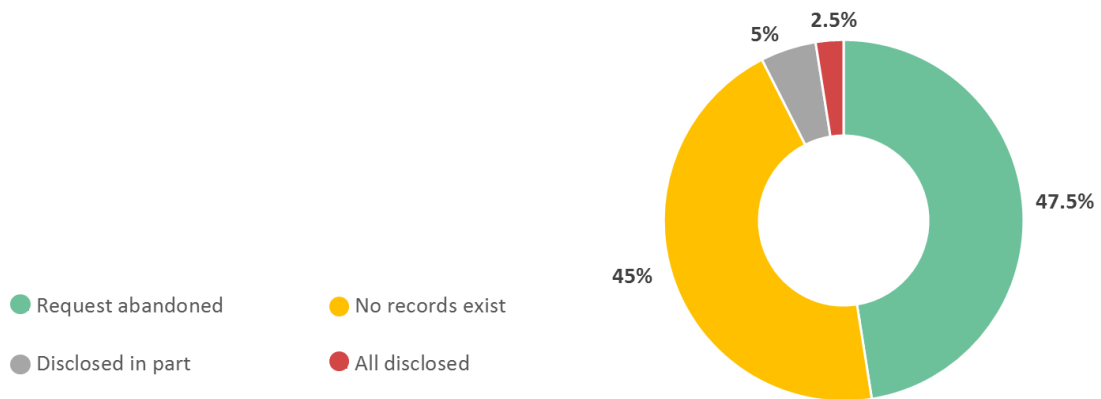


Figure 4 Disposition of Completed Privacy Requests

Exemptions Invoked

Of the two exemptions applied to privacy releases in 2020-2021, one was to protect the personal information of individuals other than the requester included in the records while the other exemption was related to refusing to disclose a record as it was published within 90 days of the request being made.

Exclusions Cited

No exclusions were applied to privacy request releases made in 2020-2021.

Translations

No translations were required to respond to requests in 2020-2021.

Format of Information Released

Of the three requests that were fully or partially disclosed, all three were released as electronic copies. Electronic copies are available through CD or epost™.

Privacy Management Division Advisory Services

During 2020-2021, PMD received 346 enquiries from Public Health Agency of Canada program clients. This represents a 41% increase in enquires from the previous reporting year. Of the enquiries received, 212 (61%) were in support of COVID-19 initiatives. Privacy advisory services for COVID-19 related files have continued well into fiscal year 2021-2022 and will be reported in next year's Annual Report.

The Public Health Agency of Canada is committed to appropriately handling the personal information in its custody and ensured privacy requirements and risks were considered when COVID-19 initiatives were developed and deployed.

Reporting on Fees for the *Service Fees Act*

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

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*.

Enabling authority: *Access to Information Act*

Fee amount: The only fee charged is \$5 to submit a request under the *Access to Information Act*.

Total Revenue: The total fee revenue for 2020-2021 was \$1,550.

Fees waived: In accordance with the Interim Directive on the Administration of the *Access to Information Act*, issued on May 5, 2016, and the changes to the *Access to Information Act* that came into force on June 21, 2019, the Public Health Agency of Canada waives all fees prescribed by the Act and Regulations, other than the \$5 application fee set out in paragraph 7(1)(a) of the Regulations.

A total of \$955 was waived or refunded by the Public Health Agency of Canada in 2020-2021.

Cost for Administering the *Access to Information Act*

The Public Health Agency of Canada spent a total of \$1,047,766 on ATI functions in 2020-2021. Of this total, salaries and overtime costs represent \$719,407 and administration costs were \$328,359. Most of the administration costs were used to retain temporary help to address the volume and complexity of requests.

Costs for Administering the *Privacy Act*

The Public Health Agency of Canada spent a total of \$804,448 on privacy functions in 2020-2021. Of this total, salaries and overtime costs represent \$646,648 and administration costs were \$157,800. Temporary resources to support the processing of privacy requests accounted for \$151,205 of these administration costs.

Training and Awareness

Formal Training

Access to Information Training

An online 'Introduction to ATIP' course is available to all staff via the Canada School of Public Service, and is recommended as a foundation for all Agency employees. In addition, in 2020-2021 the Public Health Agency of Canada conducted virtual Access to Information and Privacy Request training for 251 employees. Training is available to groups by request and is tailored for each session to include examples that are relevant to the participants' day-to-day work. Four types of training are available:

- ATI 101 – fundamental principles of the ATIA and *Privacy Act*, Public Health Agency of Canada-specific processes, an overview of key exemptions, and a case study/exercises
- Abridged ATI 101 – a refresher course focused on the Public Health Agency of Canada-specific processes and policies, and updates on recent changes in the legislation
- ATI 102: How to Read a Request Text and Search for Relevant Records – Public Health Agency of Canada-specific procedures with a focus on practical advice for assessing and understanding requests, estimating volume and retrieving and assessing records
- ATI 104: Update on Bill C-58 – a review of Canada's commitment to openness and transparency, the recent changes to legislation through Bill C-58, including proactive publication requirements, and a review of the fundamentals of the ATIA and *Privacy Act*

Privacy Training

During 2020-2021, PMD delivered a number of virtual privacy training sessions to support the Public Health Agency of Canada's response to COVID-19. This included two presentations to employees of the Health Security Infrastructure Branch. In total, 37 employees attended PMD's virtual training sessions.

PMD continues to offer privacy awareness training via its online learning tool, Privacy Basics and Privacy Impact Assessments. Approximately 185 Public Health Agency of Canada employees completed the online training in 2020-2021. Finally, throughout the year, regular communications were sent to all employees on privacy-related matters with the aim of supporting a culture of strong privacy awareness within the Agency.

Right to Know Week

In 2020, Canada celebrated Right to Know Week from September 28th to October 4th. The Public Health Agency of Canada marked this event by hosting a meeting with ATIP Operations Division employees to discuss the principles that support the *Access to Information Act* and how these principles impact the work that we do. There was a special presentation by the Office of the Information Commissioner with remarks from the Information Commissioner of Canada. The importance of the right to access and of properly documenting and storing government records was highlighted.

Policies, Guidelines, Procedures and Initiatives

Treasury Board of Canada Secretariat: Access to Information Review

In June 2019, the Government of Canada passed Bill C-58, which brought forward significant amendments to the ATIA. Bill C-58 also required a full review of the ATIA within one year of the bill coming into force. In June 2020, the Treasury Board of Canada Secretariat (TBS) notified ATIP Operations Division that it is conducting a review of Canada's access to information process. In January 2021, ATIP Operations Division consulted with all branch contacts, identified a number of issues and provided detailed feedback. TBS is expected to finalize the review in 2022.

***Privacy Act* Modernization**

The Public Health Agency of Canada has been engaged in *Privacy Act* Modernization efforts, led by the Department of Justice, helping ensure that an eventual revised, modern *Privacy Act* addresses the realities of the Agency. In particular, the Public Health Agency of Canada was consulted as part of the Department of Justice's targeted stakeholder engagement that commenced in summer 2019, and provided feedback on five discussion papers that focused on technical and legal considerations for modernizing the *Privacy Act*.

In addition, the Public Health Agency of Canada provided a detailed response to the consultation paper circulated by the Department of Justice in June 2020. The Public Health Agency of Canada's response highlighted the nature of the Agency's work, and provided recommendations for a modernized law that would best protect important privacy interests while still facilitating the Agency's public health work.

Privacy Impact Assessments and COVID-19

During 2020-2021, PMD proactively sought policy changes from TBS to address challenges with completing PIAs for new COVID-19-related programs or activities. As a result, TBS issued interim privacy policies to enable a more nimble approach to assessing privacy risks for time-sensitive COVID-19 initiatives. In accordance with the interim policies, PMD developed a privacy checklist specifically for COVID-19 initiatives, which incorporated the privacy principles included within the Office of the Privacy Commissioner of Canada's April 2020 Framework for Privacy-Impactful Initiatives in Response to COVID-19. This checklist was an important tool to support PHAC's ability to effectively assess the privacy risks of time-sensitive initiatives and programs that were deployed in response to the pandemic.

Risk-Based Approach to Privacy Breaches

During 2020-2021, PMD completed its pilot project to implement a risk-based approach to managing privacy breaches. The pilot project was a success and this approach will be implemented Agency-wide during fiscal year 2021-2022. This new approach will allow the Agency to manage privacy breaches in a more streamlined manner where the level of effort is proportional and commensurate to the level of risk.

Enhanced ATIP Processes

Due to the pandemic, a number of internal processes were reviewed to identify opportunities for improvement. One such process change involved the collection and review of specific briefing notes requested by number. The ATIP Operations Division now retrieves these briefing notes directly from the correspondence management system, reviews and validates information to support various disclosures, provides recommendations and consults with branch contacts and subject matter experts, before finalising the release package.

Retrieving these briefing notes and providing the recommendations to the relevant branch was very helpful during COVID-19 as it reduced the burden on branch contacts while further developing expertise within the ATIP Operations Division and supporting a more timely processing of the information.

The ATIP Operations Division also played an important role in supporting Parliamentary Affairs in the collection and review of records for Parliamentary Motions to Produce Papers. The division assisted by:

- sharing best practices for managing the collection of large volumes of information and facilitating redaction;
- facilitating inter-department consultations; and
- supporting regular meetings and providing advice on an 'ATIP lens'.

Official Language Learning

Throughout 2020-2021, ATIP Operations Division and PMD continued to offer part-time language training to staff in order to support bilingual delivery of services. This learning model, which began in 2018, allowed staff to work in small groups with a certified language teacher. Due to COVID-19, classes continued, shifting to online rather than in-person.

ATIP is a field with a shortage of qualified resources across the Government of Canada, and benefits significantly with the availability of bilingual employees. The Public Health Agency of Canada is committed to providing bilingual services to the public and continues to increase bilingual capacity.

ATIP Coordinators' Working Group

This year the Public Health Agency of Canada's ATIP Coordinator continued to chair the ATIP Coordinator's Working Group, which meets monthly to discuss common and emerging issues and share best practices, strategies and tools.

Launched in October 2018, the working group is comprised of ATIP Coordinators representing 30 institutions. Notable discussions in 2020-2021 included the ATI Review that is being conducted by the Treasury Board Secretariat, discussions about restoring ATIP functions as quickly as possible, evolving operational challenges such as the unexpected suspension of court timelines impacting the ability to complete disclosure of requests involving third party consultations and notification, and ways to address the accumulated inventory of requests resulting from the pandemic.

The Public Health Agency of Canada’s ATIP Advisory Team

The Public Health Agency of Canada’s ATIP Advisory Team was established during the pandemic to strategically review and support strategic management of an exceptionally high volume of incoming requests, many of which were targeting already strained resources involved in responding to the COVID-19 pandemic. To support the Agency’s tracking of information requests and to minimize the tracking burden on branches, the ATIP Operations Division created a “live” automated list of requests. Through weekly meetings, members of this team collaborated on priority setting and file management to support the processing of ATI requests, helping to ensure the balance between each branch’s critical work and the need to respond to ATI requests in a timely manner.

ATIP Analyst Monthly Meetings

Based on feedback positive from ATIP Analysts, the ATIP Operations Division re-launched monthly ATIP Analyst meetings in September 2020. These meetings were well attended and a number of topics were addressed such as effective file management strategies and procedures, the complaint process and principles of the ATIA.

Access to Information and Privacy Operations Division’s Professional Development Program

In 2020, the Access to Information and Privacy Operations Division’s Professional Development Program (ATIP PDP) was reviewed to confirm that it was achieving its objectives.

ATIP PDP was launched in January 2017. It allows employees to progress based on performance, without the need of a competitive hiring process. The main objectives of the PDP are to:

- attract, develop and retain the talent necessary for the Public Health Agency of Canada/Health Canada to meet its legal obligations in managing the ATIP program and services;
- provide participants the opportunity to broaden their knowledge of the ATIP legislation and other core competencies that are needed now and in the future to meet both statutory and institutional needs;
- allow participants to excel in their performance, advance and pursue fulfilling careers within the Agency and/or ATIP environment in the federal Public Service, and
- support capacity building of specialized resources in the most efficient and effective way possible.

The review found that the ATIP PDP is functioning well and fulfilling its objectives. The report indicated that ATIP PDP:

- has a high participation rate;
- attracts junior analysts; and
- plays an important role in employee development and retention.

The report made a few process related recommendations that the ATIP Operations Division is working on implementing in order to further improve the program. The Division is committed to improving the ATIP PDP and to contributing to the ATIP community by hiring and training ATIP Analysts, thus developing future leaders for the ATIP community.

Post-Secondary Recruitment Campaign

The Public Health Agency of Canada and Health Canada led again this year an interdepartmental ATIP-specific post-secondary recruitment campaign as an intake mechanism for junior ATIP analyst positions (PM-01). Running a large-scale recruitment campaign involved a significant investment of resources, an effort which was supported by several other government institutions.

A total of 1,724 post-secondary students applied to the recruitment campaign and 260 met all requirements and invited to write a written exam. A qualified pool of candidates is expected to be established by the summer of 2021, which will be made available to all federal government institutions.

Summary of Key Issues and Actions Taken on Complaints and Audits

Privacy Management Audit

An internal privacy audit was concluded during fiscal year 2019-2020 on the management of privacy practices at the Public Health Agency of Canada and Health Canada. Noting that privacy is a shared responsibility between the Privacy Management Division and all branches, the audit found that key controls were generally in place and functioned as intended to effectively protect personal information. The audit made four recommendations to further strengthen the management of privacy practices.

The recommendation to incorporate Sex and Gender-Based Analysis + (SGBA+) considerations into its processes is complete. Work to complete the other three recommendations is underway and will continue in 2021-2022, namely:

- a) to enhance organizational information regarding privacy risk levels to improve risk management practices;
- b) to implement a process to follow up on recommendations made in privacy impact assessments and privacy protocols; and
- c) to fully implement a training and awareness strategy

A copy of the full audit report can be found at:

<https://www.canada.ca/en/public-health/corporate/transparency/corporate-management-reporting/internal-audits/reports/management-privacy-practices-2019.html>

Border Health Initiatives

Throughout 2020-2021, PMD supported the Public Health Agency of Canada on a number of border health initiatives, including automated processes and tools for collecting traveller data (i.e., ArriveCAN), information sharing with program partners, compliance and enforcement of public health measures and COVID-19 testing.

ArriveCAN App

Due to the COVID-19 pandemic, the Public Health Agency of Canada required a technological solution to replace the use of paper forms to collect traveller information upon entry to Canada. PMD supported the Agency's assessment of the app according to the Office of the Privacy Commissioner (OPC) framework for privacy-impactful initiatives in response to COVID-19. Through PMD's leadership, the Agency ensured regular engagement with the Office of the Privacy Commissioner, supporting strategic and technical briefings to ensure full understanding of the app's functionality and implications for personal information. Complaints Management

Complaints to the Information Commissioner

In 2020–2021, eight complaints under the ATIA were filed with the Office of the Information Commissioner (OIC) for the Public Health Agency of Canada's requests. This represents a decrease in the number of complaints from the 15 received in the previous year. Given the inability to keep up with the exceptionally high increase in the number of requests, it is expected that the number of complaints will increase in the coming year. No orders were issued to the Public Health Agency of Canada by the OIC in 2020-2021.

Areas of complaint include deemed refusal (late) and exemptions applied to personal information and third party information. The Agency reviews the outcomes of all OIC investigations, and where appropriate, incorporates lessons learned into business processes.

Complaints to the Privacy Commissioner

There was one complaint received under Section 31 of the *Privacy Act* related to the handling of personal information by the Public Health Agency of Canada. There were no notices sent by the OPC to the Agency; these notices provide the opportunity to make formal representations relating to active investigations. There were no Letters of Findings received under Section 35 from the OPC relating to complaints.

Federal Court Cases

Applications & Appeals Submitted to the Federal Court

Access to Information Act

No applications or appeals were made to the Federal Court or the Federal Court of Appeal during the 2020–2021 fiscal year.

Privacy Act

No applications or appeals were made to the Federal Court or the Federal Court of Appeal during the 2020–2021 fiscal year.

Monitoring Compliance

ATIP Operations Division produces weekly, monthly and quarterly reports to senior management in order to monitor performance within the Public Health Agency of Canada. This includes incoming volume of requests, number of closed requests, and timeliness of retrieval of records.

In 2020-2021, ATIP Operations Division added a temporary performance indicator to its reports called 'pending record retrieval'. Many branch contacts were directly involved in supporting the Public Health Agency of Canada's COVID-19 response and heavy workloads and tight deadlines limited their ability to quickly retrieve records. The 'pending record retrieval' indicator identifies tasks that have not yet been assigned and allows the branches and Division to track these tasks. This indicator allowed ATIP Operations Division to quickly identify and support branches that needed assistance retrieving records.

PMD produces quarterly reports on privacy breaches and privacy impact assessments. The Privacy Management Division supports compliance by periodically reviewing its privacy policies, procedures and practices.

Other Reporting Requirements Specific to the *Privacy Act*

Material Privacy Breaches

During 2020-2021, the Public Health Agency of Canada reported two material privacy breaches to the Office of the Privacy Commissioner and the Treasury Board of Canada Secretariat. One breach involved an email containing personal information about numerous individuals that was sent to incorrect recipients. The other breach relates to the potential loss of an encrypted portable storage device that may contain personal information. The device in question had a high level of encryption and was password protected rendering the risk of further access very low. Measures were taken to prevent the risk of recurrence, including reminders on appropriate procedures to ensure the protection of personal information and a full review of information flow processes.

Privacy Impact Assessments

During 2020-2021, no PIAs were completed; however, as per the TB Interim Directive on PIA, the Agency did complete four Privacy Compliance Evaluations (PCE) in place of conducting full PIAs. Below are brief descriptions of the PCEs.

COVID-19: Compassionate Entry for Travelers and Limited Release from Quarantine

Every person entering Canada, with limited exceptions, must quarantine for 14 days, starting on the day of arrival. They may seek approval for a limited release from mandatory quarantine for compassionate reasons. Foreign nationals wishing to enter Canada for compassionate reasons must also seek approval for an exemption to prohibitions on entry before their trip. Canadian citizens, permanent residents and persons registered under the *Indian Act*, on the other hand, may enter Canada by right and don't need an exemption to the prohibition on entry. In accordance with the TB

Interim Directive on PIA, a PCE was completed in place of conducting a PIA on the program to ensure compliance with the *Privacy Act* and Treasury Board policies and to recommend mitigation actions to address any risks to privacy. For more information, please refer to the [COVID-19: Compassionate Entry for Travelers and Limited Release from Quarantine PCE summary website](#).

COVID-19: Application of the *Quarantine Act* Border Measures (ArriveCAN 2)

Travellers entering Canada by air or land, with limited exceptions, are required to submit their COVID-related information electronically before they board their flight or before arrival at a land border crossing. ArriveCAN is a secure and user-friendly tool to help travellers comply with these border measures. Travellers can submit their information using the ArriveCAN mobile app or by signing in online at www.Canada.ca/ArriveCAN. In accordance with the TB Interim Directive on PIA, a PCE was completed in place of conducting a PIA on the program to ensure compliance with the *Privacy Act* and Treasury Board policies and to recommend mitigation actions to address any risks to privacy. For more information, please refer to the [COVID-19: Application of the Quarantine Act Border Measures \(ArriveCAN 2\) website](#).

COVID-19: Application of the *Quarantine Act* Border Measures (ArriveCAN 3)

As of November 20, 2020, travellers entering Canada by air are required to digitally submit mandatory information via the ArriveCAN app or website prior to boarding their flight to Canada. Travellers may submit this information at any time prior to boarding a flight to Canada. Travellers who fail to submit digitally are deemed non-compliant and may be subject to enforcement under the *Quarantine Act*. In addition, all travellers are required to submit information after they enter Canada, unless otherwise exempt from the Mandatory Isolation Order, digitally via ArriveCAN app, website, or a toll-free number administered by Service Canada (for post border reporting requirements). In accordance with the TB Interim Directive on PIA, a PCE was completed in place of conducting a PIA on the program to ensure compliance with the *Privacy Act* and Treasury Board policies and to recommend mitigation actions to address any risks to privacy. For more information, please contact PMD.

COVID-19: Compliance Verification Call Centre

Due to the COVID-19 pandemic, enhanced border measures authorized by the *Quarantine Act* were introduced to ensure appropriate actions are taken to reduce the spread of the virus. In order to enhance compliance verification call capacity, the Public Health Agency of Canada sought the support of Service Canada's Canadian Emergency Response Benefit (CERB) call center to contact travellers in Canada during their quarantine/isolation period to verify their compliance with the federal requirements. Under the *Quarantine Act*, Service Canada staff were trained and designated as Screening Officers. In accordance with the TB Interim Directive on PIA, a PCE was completed in place of conducting a PIA on the program to ensure compliance with the *Privacy Act* and Treasury Board policies and to recommend mitigation actions to address any risks to privacy.

Public Interest Disclosures

During 2020-2021, there were three disclosures made under section 8(2)(m) of the *Privacy Act* and, therefore, three section 8(5) written notifications were provided to the Office of the Privacy Commissioner.

Appendix A: *Access to Information Act and Privacy Act – Delegation Order*

Delegation Order

L'ordonnance de délégation de pouvoirs

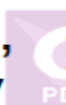
Access to Information Act and Privacy Act

Loi sur l'accès à l'information et Loi sur la protection des renseignements personnels

I, the Minister of Health, pursuant to section 95 of the Access to Information Act and section 73 of the Privacy Act, hereby delegate the persons holding the positions set out in the Delegation of Authority Schedule attached hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister as head of Public Health Agency of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This delegation supersedes all previous delegation orders.

En ma qualité de ministre de la Santé et en vertu de l'article 95 de la Loi sur l'accès à l'information et de l'article 73 de la Loi sur la protection des renseignements personnels, je délègue par la présente aux titulaires des postes énoncés à l'annexe de délégation de pouvoirs ci-après, ou aux personnes occupant les dits postes à titre intérimaire, les attributions dont je suis investie, à titre de ministre de l'Agence de la santé publique du Canada, aux termes des dispositions des lois et des règlements connexes mentionnés en regard de chaque poste. Le présent document remplace toute ordonnance de délégation de pouvoirs antérieure.

Hajdu, Patty



Digitally signed by Hajdu, Patty
DN: c=CA, o=GC, ou=HC-SC,
CN="Hajdu, Patty"
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document
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Minister of Health
Ministre de la Santé

Date

Delegation of Authority Schedule

Access to Information Act

Part 1 and 3

Provision	Description	President	ADM CSB	DG PIMSD	Dir ATIP Ops	Deputy Dir, ATIP Ops	
	All powers, duties and functions under the <i>Access to Information Act</i> , R.S.C. 1985, c. A-1 (prior to and following June 21, 2019) and related regulations (prior to and following June 21, 2019)	Full authority					

Provision	Description	Dir, PMD	Manager	Team Leader/ Senior Advisor	Senior Analyst	Analyst
4(2.1)	Responsibility of government institutions	No	Yes	Yes	Yes	Yes
6.1(1)	Reasons for declining to act on request	No	Yes	No	No	No
6.1(1.3), (1.4), (2)	Notice – suspension, end of suspension	No	Yes	Yes	Yes	No
7	Notice when access requested	No	Yes	Yes	Yes	Yes
8(1)	Transfer of request	No	Yes	Yes	No	No
9 (1)	Extension of time limits	No	Yes	Yes	No	No
9(2)	Notice of extension to Information Commissioner	No	Yes	Yes	Yes	Yes
10	Where access is refused	No	Yes	Yes	No	No
11(2)	Application Fee Waiver	No	Yes	Yes	No	No
12(2)(b)	Language of access	No	Yes	Yes	No	No
12(3)(b)	Access to record in alternative format	No	Yes	Yes	No	No
Exemption Provisions of the Access to Information Act						
13	Information obtained in confidence	No	Yes	No	No	No
14	Federal-provincial affairs	No	Yes	No	No	No
15	International affairs and defence	No	Yes	No	No	No
16	Law enforcement and investigations	No	Yes	Yes	No	No
16.5	<i>Public Servants Disclosure Protection Act</i>	No	Yes	No	No	No
17	Safety of individuals	No	Yes	No	No	No
18	Economic interests of Canada	No	Yes	No	No	No
18.1	Economic interest of certain government institutions	No	Yes	No	No	No
19	Personal information	No	Yes	Yes	No	No
20	Third party information	No	Yes	Yes	No	No
21	Advice, etc.	No	Yes	No	No	No
22	Testing procedures, tests and audits	No	Yes	No	No	No
22.1	Internal Audits	No	Yes	No	No	No
23	Protected information – solicitors, advocates and notaries	No	Yes	Yes	No	No
23.1	Protected information – patents and trade-marks	No	Yes	Yes	No	No
24	Statutory prohibitions against disclosure	No	Yes	Yes	No	No
Other Provisions of the Access to Information Act						
25	Severability	No	Yes	Yes	No	No
26	Refusal of access if information to be published	No	Yes	No	No	No
27(1), (4)	Notice to third parties	No	Yes	Yes	Yes	No
28(1)(b),	Representations of third party and decision	No	Yes	No	No	No
33	Notice to Information Commissioner of notices to third parties	No	Yes	Yes	Yes	No
35(2)(b)	Right to make representations	No	No	No	No	No
37(1)(c)	Notice of actions to implement recommendations of Commissioner	No	No	No	No	No
37(4)	Access to be given to complainant	No	Yes	No	No	No
41(2)	Review by Federal Court – government institution	No	No	No	No	No
43(2)	Service or notice of application to Federal Court for review	No	Yes	Yes	No	No
44(2)	Notice to person who requested record	No	Yes	Yes	No	No
52(2)(b), 52(3)	Special rules for hearings	No	No	No	No	No
94	Annual report – government institutions	No	No	No	No	No
96(3)	Notice of Provision of services related to access to information	No	No	No	No	No
96(5)	Spending authority	No	No	No	No	No
Access to Information Regulations						
6(1)	Transfer of request	No	Yes	No	No	No
8	Method of access	No	Yes	No	No	No
8.1	Limitations in respect of format	No	Yes	No	No	No

Privacy Act

Description	President	ADM CSB	DG PIMSD
All powers, duties and functions under the Act and Regulations	Full authority		

Description	Dir ATIP Ops	Deputy Dir, ATIP Ops	Dir, PMD
All powers, duties and functions under the Act and Regulations, with noted exceptions	Full authority except Sections 8(2)(j), 8(2)(m), 8(5), 9(1), 9(4), 10	Full authority except Sections 8(2)(j), 8(2)(m), 8(5), 9(1), 9(4), 10	Full authority except Sections 14-28 inclusively

Provision	Description	Manager	Team Leader/ Senior Advisor	Senior Analyst	Analyst
8(2)(j)	Disclosure for research or statistical purposes	No	No	No	No
8(2)(m)	Disclosure in the public interest or in the interest of the individual	No	No	No	No
8(4)	Copies of requests under paragraph 8(2)(e)	No	No	No	No
8(5)	Notice of disclosure under paragraph 8(2)(m)	No	No	No	No
9(1)	Record of disclosures to be retained	No	No	No	No
9(4)	Consistent uses	No	No	No	No
10	Personal information to be included in personal information banks	No	No	No	No
14(a)	Notice where access requested	Yes	Yes	Yes	No
14(b)	Giving access to the record	Yes	Yes	No	No
15	Extension of time limits	Yes	Yes	Yes	No
16	Where access is refused	Yes	Yes	No	No
17(2)(b)	Language of access	Yes	Yes	No	No
17(3)(b)	Access in an alternative format	Yes	Yes	No	No
18(2)	Exempt banks	Yes	No	No	No
19	Information obtained in confidence	Yes	No	No	No
20	Federal-provincial affairs	Yes	No	No	No
21	International affairs and defence	Yes	No	No	No
22	Law enforcement and investigations	Yes	No	No	No
22.3	<i>Public Servants Disclosure Protection Act</i>	Yes	No	No	No
23	Security clearances	Yes	No	No	No
24	Individuals sentenced for an offence	Yes	No	No	No
25	Safety of individuals	Yes	No	No	No
26	Information about another individual	Yes	Yes	No	No
27	Protected information – solicitors, advocates and notaries	Yes	Yes	No	No
27.1	Protected information – patents and trade-marks	Yes	Yes	No	No
28	Medical records	Yes	No	No	No
33(2)	Right to make representations	No	No	No	No
35(1)(b)	Notice of actions to implement recommendations of Commissioner	Yes	No	No	No
35(4)	Access to be given to complainant	Yes	No	No	No
36(3)(b)	Notice of actions to implement recommendations of Commissioner	Yes	No	No	No
51(2)(b),(3)	Special rules for hearings	No	No	No	No
72	Annual report to Parliament	No	No	No	No
73.1(3)	Notice of Provision of services related to privacy	No	No	No	No
73.1(5)	Spending authority	No	No	No	No
Privacy Regulations					
7	Retention of personal information requested under paragraph	No	No	No	No
9	Examination of information	Yes	Yes	Yes	Yes
11(2),11(4)	Notification concerning corrections	Yes	Yes	Yes	Yes
13(1)	Disclosure of personal information relating to physical or mental	Yes	Yes	No	No
14	Examination in presence of medical practitioner or psychologist	Yes	Yes	No	No

Legend

Yes	Delegated
No	No Delegation

Appendix B: Statistical Report on the *Access to Information Act*

Reporting period: 2020-04-01 to 2021-03-31. Data extracted on June 7, 2021.

Section 1: Requests under the *Access to Information Act*

1.1 Number of Requests

Category	Number of requests
Received during reporting period	501
Outstanding from previous reporting period	68
Total	569
Closed during reporting period	209
Carried over to next reporting period	360

1.2 Sources of Requests

Source	Number of requests
Media	251
Academia	21
Business (private sector)	19
Organization	4
Public	134
Decline to Identify	72
Total	501

1.3 Informal Requests

Completion Time	Number of Requests
1 to 15 days	32
16 to 30 days	8
31 to 60 days	21
61 to 120 days	11
121 to 180 days	1
181 to 365 days	1
More than 365 days	2
Total	76

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Section 2: Decline to act on vexatious, made in bad faith or abuse of right requests

Category	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Disposition of requests	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	Total
All disclosed	0	3	13	16	8	6	1	47
Disclosed in part	2	2	8	10	9	20	4	55
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	1	3	1	0	0	5
No records exist	7	12	6	13	4	13	0	55
Request transferred	0	1	0	0	0	0	0	1
Request abandoned	21	7	7	4	1	2	3	45
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	31	25	35	46	23	41	8	209

3.2 Exemptions

Section	Number of requests
13(1)(a)	4
13(1)(b)	1
13(1)(c)	4
13(1)(d)	0
13(1)(e)	0
14	1
14(a)	4
14(b)	0
15(1)	6
15(1) - International Affairs	8
15(1) - Defence of Canada	1
15(1) - Subversive Activities	0
16(1)(a)(i)	0
16(1)(a)(ii)	0
16(1)(a)(iii)	0
16(1)(b)	0
16(1)(c)	0
16(1)(d)	0
16(2)	0
16(2)(a)	0
16(2)(b)	0
16(2)(c)	17
16(3)	0
16.1(1)(a)	0

Section	Number of requests
16.1(1)(b)	0
16.1(1)(c)	0
16.1(1)(d)	0
16.2(1)	0
16.3	0
16.31	0
16.4(1)(a)	0
16.4(1)(b)	0
16.5	0
15.6	0
17	1
18(a)	0
18(b)	0
18(c)	0
18(d)	0
18.1(1)(a)	0
18.1(1)(b)	0
18.1(1)(c)	0
18.1(1)(d)	0
19(1)	30
20(1)(a)	1
20(1)(b)	15
20(1)(b.1)	0
20(1)(c)	10
20(1)(d)	1
20.1	0
20.2	0
20.4	0
21(1)(a)	17
21(1)(b)	12
21(1)(c)	1
21(1)(d)	0
22	0
22.1(1)	0
23	3
23.1	0
24(1)	1
26	0

3.3 Exclusions

Section	Number of requests
68(a)	1
68(b)	0
68(c)	0
68.1	0
68.2(a)	0
68.2(b)	0
69(1)	0
69(1)(a)	0
69(1)(b)	0
69(1)(c)	0
69(1)(d)	2
69(1)(e)	6
69(1)(f)	0
69(1)(g) re (a)	0
69(1)(g) re (b)	0
69(1)(g) re (c)	0
69(1)(g) re (d)	0
69(1)(g) re (e)	0
69(1)(g) re (f)	0
69.1(1)	0

3.4 Format of Information Released

Paper	Electronic	Other
4	98	0

3.5 Complexity

3.5.1 Relevant Pages Processed and Disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
13,595	13,191	153

3.5.2 Relevant Pages Processed and Disclosed by Size of Requests

Disposition	Less than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	45	920	1	165	0	0	0	0	1	8,097
Disclosed in part	47	737	5	1,022	3	2,250	0	0	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	5	0	0	0	0	0	0	0	0	0
Request abandoned	45	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	143	1,657	6	1,187	3	2,250	0	0	1	8,097

3.5.3 Other Complexities

Disposition	Consultation Required	Assessment of fees	Legal Advice Sought	Other	Total
All disclosed	4	0	0	8	12
Disclosed in part	9	0	0	11	20
All exempted	0	0	0	0	0
All excluded	0	0	3	0	3
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0
Total	13	0	3	19	35

3.6 Closed Requests

3.6.1 Number of Requests Closed Within Legislated Timelines

Category	Requests Closed Within Legislated Timelines
Number of requests closed within legislated timelines	60
Percentage of requests closed within legislated timelines (%)	28.7

3.7 Deemed Refusals

3.7.1 Reasons for Not Meeting Legislated Timelines

Total Number of requests closed past the statutory deadline	Interference with Operations/ Workload	External Consultation	Internal Consultation	Other
149	109	3	4	33

3.7.2 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 timeline where an extension was taken	Total
1 to 15 days	18	1	19
16 to 30 days	17	0	17
31 to 60 days	26	1	27
61 to 120 days	27	2	29
121 to 180 days	20	3	23
181 to 365 days	24	4	28
More than 365 days	2	4	6
Total	134	15	149

3.8 Requests for Translation

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

Section 4: Extension

4.1 Reasons for Extensions and Disposition of Requests

Disposition of Requests Where an Extension was Taken	9(1)(a) Interference with Operations	9(1)(b) Consultation: Section 69	9(1)(b) Consultation: Other	9(1)(c) Third Party Notice
All disclosed	1	0	4	1
Disclosed in part	5	1	10	4
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	3
Request abandoned	3	0	3	0
Decline to act with the approval of the Information Commissioner	0	0	0	0
Total	9	1	17	8

4.2 Length of Extensions

Length of Extensions	9(1)(a) Interference with Operations	9(1)(b) Consultation: Section 69	9(1)(b) Consultation: Other	9(1)(c) Third Party Notice
30 days or less	3	0	9	1
31 to 60 days	2	0	8	7
61 to 120 days	2	1	0	0
121 to 180 days	0	0	0	0
181 to 365 days	2	0	0	0
365 days or more	0	0	0	0
Total	9	1	17	8

Section 5: Fees

Fee type	Fee collected		Fee waived or refunded	
	Number of requests	Amount	Number of requests	Amount
Application	310	\$1,550	191	\$955
Other fees	0	\$0	0	\$0
Total	310	\$1,550	191	\$955

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations Received from Other Government of Canada Institutions and Organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	130	5,012	26	1,543
Outstanding from the previous reporting period	5	228	0	0
Total	135	5,240	26	1,543
Closed during the reporting period	97	3,228	19	1,322
Carried over to next reporting period	38	2,012	7	221

6.2 Recommendations and Completion Time for Consultations Received from Other Government of Canada Institutions

Recommendation	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	Total
Disclose entirely	9	27	29	13	1	2	0	81
Disclose in part	1	0	3	1	2	2	0	9
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	3	0	1	0	0	0	0	4
Other	0	0	2	0	0	1	0	3
Total	13	27	35	14	3	5	0	97

6.3 Recommendations and Completion Time for Consultations Received from Other Organizations

Recommendation	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	Total
Disclose entirely	1	4	8	1	0	0	0	14
Disclose in part	0	2	3	0	0	0	0	5
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	1	1	11	1	0	0	0	19

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of days	Fewer than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	2	0	0	0	0	0	0	0	0	0
16 to 30	3	2	0	0	0	0	0	0	0	0
31 to 60	1	2	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	6	4	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of days	Fewer than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 8: Complaints and Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
8	1	2	8	4	0

Section 9: Court Action

9.1 Court Actions on Complaints Received Before June 21, 2019 and On-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court Actions on Complaints Received After June 21, 2019 (Section 41)

Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures	Amount
Salaries	\$708,106
Overtime	\$11,301
Goods and Services	\$328,359
Professional services contracts	\$310,944
Other	\$17,414
Total	\$1,047,766

10.2 Human resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	8.899
Part-time and casual employees	0.137
Regional staff	0.000
Consultants and agency personnel	1.426
Students	0.079
Total	10.542

Appendix C: Statistical Report on the *Privacy Act*

Reporting period: 2019-04-01 to 2020-03-31. Data extracted on June 7, 2021.

Section 1: Requests under the *Privacy Act*

1.1 Number of Requests

Category	Number of requests
Received during reporting period	51
Outstanding from previous reporting period	2
Total	53
Closed during reporting period	40
Carried over to next reporting period	13

Section 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of requests	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	Total
All disclosed	0	0	0	1	0	0	0	1
Disclosed in part	0	1	0	1	0	0	0	2
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	12	1	2	2	1	0	0	18
Request abandoned	17	1	1	0	0	0	0	19
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	29	3	3	4	1	0	0	40

2.2 Exemptions

Section	Number of requests
18(2)	0
19(1)(a)	0
19(1)(b)	0
19(1)(c)	0
19(1)(d)	0
19(1)(e)	0
19(1)(f)	0
20	0
21	0
22(1)(a)(i)	0
22(1)(a)(ii)	0
22(1)(a)(iii)	0
22(1)(b)	1
22(1)(c)	0

Section	Number of requests
22(2)	0
22.1	0
22.2	0
22.3	0
22.4	0
23(a)	0
23(b)	0
24(a)	0
24(b)	0
25	0
26	1
27	0
27.1	0
28	0

2.3 Exclusions

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

2.4 Format of Information Released

Paper	Electronic	Other
0	3	0

2.5 Complexity

2.5.1 Relevant Pages Processed and Disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
50	50	22

2.5.2 Relevant Pages Processed and Disclosed by Size of Requests

Disposition	Less than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	1	14	0	0	0	0	0	0	0	0
Disclosed in part	2	36	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	19	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	22	50	0	0	0	0	0	0	0	0

2.5.3 Other Complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	1	0	0	0	1
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	1	0	0	0	1

2.6 Closed Requests

2.6.1 Number of Requests Closed Within Legislated Timelines

Category	Requests Closed Within Legislated Timelines
Number of requests closed within legislated timelines	32
Percentage of requests closed within legislated timelines (%)	80

2.7 Deemed Refusals

2.7.1 Reasons for Not Meeting Legislated Timelines

Total Number of requests closed past the statutory deadline	Interference with Operations/ Workload	External Consultation	Internal Consultation	Other
8	3	1	0	4

2.7.2 Requests Closed Beyond Legislated Timelines (including any extension taken)

Number of days past deadline	Number of Requests Past Legislated Timeline Where No Extension was Taken	Number of Requests Past Legislated Timeline Where an Extension was Taken	Total
1 to 15 days	3	0	3
16 to 30 days	0	0	0
31 to 60 days	4	0	4
61 to 120 days	1	0	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	8	0	8

2.8 Requests for Translation

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

Section 3: Disclosures under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	3	3	6

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 5: Extensions

5.1 Reasons for Extensions and Disposition of Requests

Reason for Extension	Number of Requests Where an Extension was Taken
15(a)(i) Interference with Operations: Further Review Required to Determine Exemptions	0
15(a)(i) Interference with Operations: Large Volume of Pages	0
15(a)(i) Interference with Operations: Large Volume of Requests	0
15(a)(i) Interference with Operations: Documents are Difficult to Obtain	0
15(a)(iii) Consultation: Cabinet Confidence (Section 70)	0
15(a)(iii) Consultation: External	0
15(a)(iii) Consultation: Internal	0
15(b) Translation Purposes or Conversion	0
Total	0

5.2 Length of Extensions

Reason for Extension	1 to 15 days	16 to 30 days	31 days or greater	Total
15(a)(i) Interference with Operations: Further Review Required to Determine Exemptions	0	0	N/A	0
15(a)(i) Interference with Operations: Large Volume of Pages	0	0	N/A	0
15(a)(i) Interference with Operations: Large Volume of Requests	0	0	N/A	0
15(a)(i) Interference with Operations: Documents are Difficult to Obtain	0	0	N/A	0
15(a)(iii) Consultation: Cabinet Confidence (Section 70)	0	0	N/A	0
15(a)(iii) Consultation: External	0	0	N/A	0
15(a)(iii) Consultation: Internal	0	0	N/A	0
15(b) Translation Purposes or Conversion	0	0	0	0
Total	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 reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over to next reporting period	0	0	0	0

6.2 Recommendations and Completion Time for Consultations Received from Other Government of Canada Institutions

Recommendation	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	Total
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	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	Total
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

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of days	Fewer than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of days	Fewer than 100 pages processed		101 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 8: Complaints and Investigation Notices Received

Section 31	Section 33	Section 35	Court Action	Total
1	0	0	0	1

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) Completed
0

9.2 Personal Information Banks

Active	Created	Terminated	Modified
14	0	0	1

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to:	Number
TBS	2
OPC	2

Section 11: Resources Related to the *Privacy Act*

11.1 Costs

Expenditures	Amount
Salaries	\$623,680
Overtime	\$22,968
Goods and Services	\$157,800
Professional services contracts	\$151,205
Other	\$6,595
Total	\$804,448

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	5.619
Part-time and casual employees	1.049
Regional staff	0.000
Consultants and agency personnel	0.699
Students	0.172
Total	7.538

Appendix D: Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

In addition to completing the forms for the Statistical Reports on the ATIA and *Privacy Act* for 2020-2021, institutions are asked to complete this Supplemental Report to help identify the institutional capacity during COVID-19. The data requirements are set out in the tables below.

Capacity to Receive Requests

Table 1 reports the number of weeks the Public Health Agency of Canada was able to receive ATIP requests through different channels.

Table 1

Time period	Number of Weeks
Able to receive requests by mail	50
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Capacity to Process Records

Table 2.1 reports the number of weeks the Public Health Agency of Canada was able to process paper records in different classification levels.

Table 2.1

Type of Paper Record	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	8	44	0	52
Protected B Paper Records	8	44	0	52
Secret and Top Secret Paper Records	8	44	0	52

Table 2.2 reports the total number weeks the Public Health Agency of Canada was able to process electronic records in different classification levels.

Table 2.2

Type of Electronic Record	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Record	0	6	46	52
Protected B Electronic Record	0	6	46	52
Secret and Top Secret Electronic Record	8	44	0	52