

Office of the Public Sector
Integrity Commissioner
of Canada



Commissariat à l'intégrité
du secteur public
du Canada

Annual Report on the Access to Information Act 2019-2020

From April 1, 2019 to March 31, 2020

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Introduction

The *Access to Information Act* (ATIA – the Act) gives Canadians the broad legal right to information contained in federal government records.

The Act provides government institutions with 30 days to respond to access requests. Additional time may be granted if there are many records to examine, other government agencies to be consulted, or third parties to be notified. Access rights are subject to specific and limited exemptions.

This annual report to Parliament is submitted by the Public Sector Integrity Commissioner of Canada (the Commissioner) pursuant to section 72 of the *Access to Information Act* and to section 20 of the *Service Fees Act*.

On April 15, 2007, the *Public Servants Disclosure Protection Act* (PSDPA) came into force. It created the Office of the Public Sector Integrity Commissioner of Canada (the Office). The new legislation replaced the Treasury Board *Policy on the Internal Disclosure of Information Concerning Wrongdoing in the Workplace*.

The Office is mandated to establish a safe, independent and confidential process for public servants and members of the public to disclose potential wrongdoing in the federal public sector. The Office also deals with reprisal complaints from public servants coming from their disclosures or their participation in related investigations.

The Commissioner is an independent Agent of Parliament.

Description of the institution's structure

The Access to Information and Privacy (ATIP) Coordinator is the only employee dedicated, on a part-time basis, to fulfil the *Access to Information Act* responsibilities. The Coordinator is assisted by a contractor for the processing of the requests, for training and education, and for reporting activities.

Delegation

The Commissioner, as the head of the government institution, has designated, pursuant to section 73 of the ATIA, the persons holding the positions set out in the delegation order, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Commissioner as specified therein. A copy of the delegation order is included in Appendix A.

Interpretation of the annual statistical report

Appendix B provides a statistical report on the ATIA applications processed by the Office between April 1, 2019 and March 31, 2020.

There were three formal requests received and closed during this reporting period, two of which required an extension under paragraph 9(1)(a) of the ATIA. None was carried over from the previous period. All three requests originated from the Public and none were informal requests.

One request was fully exempted under the provisions of paragraph 16.4(1)(a) of the ATIA while the two other requests were partially exempted under the provisions of paragraph 16(1)(c) and subsection 19(1).

Some 668 pages were processed of which 664 were fully disclosed. The records of one request were provided on paper and the other electronically.

No fees were collected for these requests since these were received from the Government's ATIP portal. Should fees have been collected, the *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution.

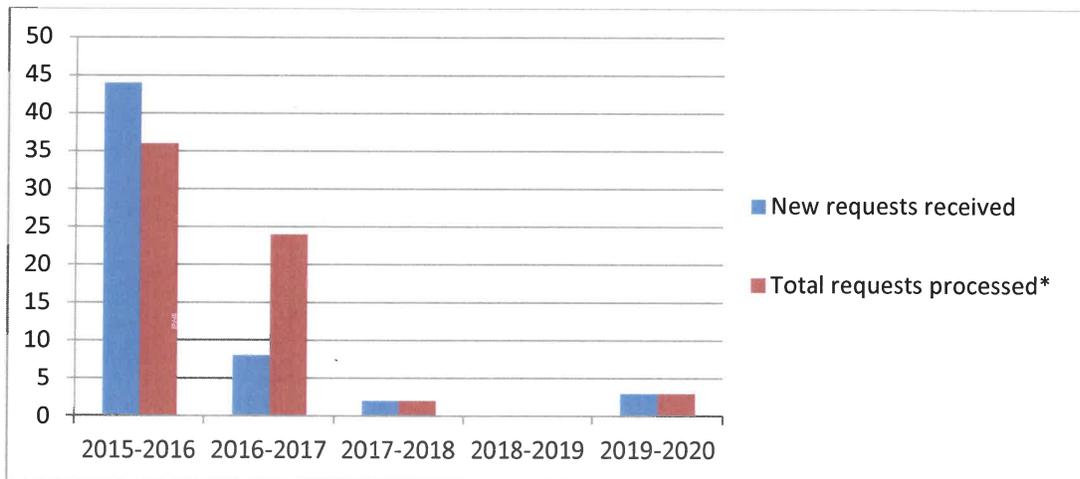
No request of a vexatious, bad faith or abusive of right nature was received, and no fees were collected.

Ten consultations were received from other government institutions and processed within the 30-day timeframe. Nine were recommended for full release and one for partial release. Portions of the documents of the consultation recommended for partial release were exempted under the provisions of subsection 19(1) of the ATIA.

No translations were required to respond to the requests.

The Office spent \$16,928 in resources administering the ATIA.

Table 1 – Five-year trend of access requests



*Total requests processed includes any requests carried over from previous reporting periods.

Interpretation of the supplemental statistical report

Appendix C provides a statistical report on the COVID-19 measures applied by the Office between March 1, 2020 and March 31, 2020.

There were no requests, formal or informal, nor any consultations received during this COVID-19 period.

Education and training activities

A formal briefing session covering the Bill C-58 amendments to the ATIA was delivered to all PSIC employees. The session also provided an overview of both the *Access to*

Information Act and the Privacy Act.

Overview of new or revised institutional policies and procedures

There were no new or revised institutional policies or procedures implemented in the reporting period that had an impact on access to information.

Key issues relating to access to information complaints and/or investigations

One complaint was received by the Office of the Information Commissioner and is pending investigation by this Office. Furthermore, as referred to in the report of the previous period, the complaints still remaining from the 2015-2016 period were resolved in this reporting period.

Time monitoring for processing access to information requests

Though no formal time monitoring was conducted during the reporting period, the Office uses a case management system to track processing times regarding access to information requests. This tool assists the Access to Information and Privacy Coordinator and the contractor dedicated to this function in monitoring timelines to ensure compliancy with legislated deadlines.

Appendix A

Delegation Order



Access to Information Act
 Delegation Order
Loi sur l'accès à l'information
 Arrêté autorisant la délégation de pouvoirs

The Public Sector Integrity Commissioner of Canada, as the head of the government institution, hereby designates, pursuant to section 73 of the *Access to Information Act*, the person holding the position set out below, or the persons occupying on an acting basis those positions, to exercise the powers, duties or functions of the Public Sector Integrity Commissioner as specified below.

Position	Sections of <i>Access to Information Act</i>
Deputy Commissioner ATIP Coordinator	Full Authority Full Authority

I hereby name Denis Bilodeau as the Access to Information and Privacy Coordinator.

Le commissaire à l'intégrité du secteur public du Canada, en sa qualité de responsable de l'institution, conformément à l'article 73 de la *Loi sur l'accès à l'information*, délègue aux titulaires des postes mentionnés ci-dessous ou aux personnes occupant à titre intérimaire les dits postes, les pouvoirs et attributions du commissaire à l'intégrité du secteur public tel que décrits ci-dessous.

Poste	Articles de la <i>Loi sur l'accès à l'information</i>
Sous-commissaire Coordonnateur AIPRP	Autorité absolue Autorité absolue

Je nomme Denis Bilodeau à titre de coordonnateur de l'accès à l'information et de la protection des renseignements personnels.

Date: June 28, 2018 / Le 28 juin 2018


 Joe Friday
 Public Sector Integrity Commissioner
 Commissaire à l'intégrité du secteur public

Appendix B

Annual Statistical Report

Statistical Report on the *Access to Information Act*

Name of Institution: Office of the Public Sector Integrity Commissioner of Canada

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

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

1.1 Number of requests

	Number of Requests
Received during reporting period	3
Outstanding from previous reporting period	0
Total	3
Closed during reporting period	3
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	0
Organization	0
Public	3
Decline to Identify	0
Total	3

1.3 Informal requests

Completion Time							
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
0	0	0	0	0	0	0	0

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

	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	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	1	0	0	0	2
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	1	0	1	1	0	0	0	3

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20,1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20,2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20,4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23,1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	1	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	1	17	0				
16(1)(d)	0						

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

3.3 Exclusions

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

3.4 Format of information released

Paper	Electronic	Other
1	1	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
668	664	3

3.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	1	16	0	0	1	648	0	0	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	16	0	0	1	648	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	33,3

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
2	2	0	0	0

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	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	2	2
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	2	2

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: Extensions

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		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	2	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	2	0	0	0

4.2 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	0	0	0	0
31 to 60 days	1	0	0	0
61 to 120 days	1	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	2	0	0	0

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	0	\$0	0	\$0
Other fees	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 organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	10	36	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	10	36	0	0
Closed during the reporting period	10	36	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	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	9	0	0	0	0	0	0	9
Disclose in part	1	0	0	0	0	0	0	1
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	10	0	0	0	0	0	0	10

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Request	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		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Request	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
1	0	0	0	0	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 (after June 21, 2019)				
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		\$6 100
Overtime		\$0
Goods and Services		\$10 828
• Professional services contracts	\$10 628	
• Other	\$200	
Total		\$16 928

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0,02
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,05
Students	0,00
Total	0,07

Appendix C

Supplemental Statistical Report

Requests Received	Number of requests
Received from 2019-04-01 to 2020-03-13	3
Received from 2020-03-14 to 2020-03-31	0
Total	3

Requests Closed	Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	1	2
Received from 2020-03-14 to 2020-03-31	0	0
Total	1	2

Requests Carried Over	Number of requests
Requests received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Requests received from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Total	0