

Fisheries and
Oceans
Canada

2014-15

Annual Report on the
Privacy Act

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Introduction

Purpose of the *Privacy Act*

The *Privacy Act* came into effect on July 1, 1983. The Act protects the privacy of individuals with respect to their personal information that is held by government institutions, and provides these individuals with a right of access to this information. In addition, the *Privacy Act* gives individuals rights over the collection, use and disclosure of their personal information.

Section 72 of the *Privacy Act* requires that the head of every government institution prepare and submit an annual report to Parliament, detailing the administration of the Act within the institution for each fiscal year.

This annual report describes how Fisheries and Oceans Canada (DFO) administered the *Privacy Act* from April 1, 2014, to March 31, 2015.

For further information or to make a request under this Act, please direct all inquiries to:

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Overview of Fisheries and Oceans Canada

Mandate

Fisheries and Oceans Canada supports strong and sustainable economic growth in our marine and fisheries sectors and contributes to a prosperous economy through global commerce by supporting exports and advancing safe maritime trade. The Department supports the innovation needed for a knowledge-based economy through research in expanding sectors such as aquaculture and biotechnology. The Department contributes to a clean and healthy environment and sustainable aquatic ecosystems for Canadians through habitat protection, oceans management, and ecosystems research. A safe and secure Canada relies on the maritime security, safe navigation, a presence in our waters, and the effective search and rescue services that the Canadian Coast Guard provides.

The Department's core work is guided by five key pieces of legislation:

- The *Fisheries Act* provides, among other things, broad powers to the Minister for the sound management and control of commercial, Aboriginal, and recreational fisheries, and aquaculture operations. Further to various long-standing arrangements, the provinces have assumed administrative responsibility for the management of most inland fisheries.
- The *Oceans Act*, among other things, provides authority to the Minister to lead the development and implementation of plans for the integrated management of activities affecting estuaries, coastal and marine waters, and the coordination of oceans issues. The Act also establishes the Minister's responsibility for Coast Guard services, as well as responsibility for marine science services such as the Canadian Hydrographic Services' nautical charts and publications.
- While the Minister of the Environment has primary responsibility for the administration of the *Species at Risk Act*, the Minister of Fisheries and Oceans is the competent minister for aquatic species.
- The *Coastal Fisheries Protection Act* regulates access by foreign fishing vessels to Canadian ports and Canadian fisheries waters. Among other things, the Act gives the Minister the power to issue licences authorizing foreign fishing vessels to enter Canadian fisheries waters to engage in specified fisheries-related activities.
- The *Canada Shipping Act, 2001* (Transport Canada-led) sets out, among other things, as a part of the Minister's mandate for the Coast Guard, the responsibility for search and rescue and lighthouses (including lights, signal buoys, and beacons).

Mission

Through sound science, forward-looking policy, and operational and service excellence, DFO employees work collaboratively toward the following three strategic outcomes: Economically Prosperous Maritime Sectors and Fisheries; Sustainable Aquatic Ecosystems; and Safe and Secure Waters.

Departmental Organization

DFO has a presence across Canada with the majority of employees working outside national headquarters in one of the Department's six regions. National objectives, policies, procedures, and standards for the Department and the Canadian Coast Guard are established at national headquarters, in Ottawa. Regions are responsible for delivering programs and activities in accordance with national and regional priorities and within national performance parameters.

Information about Fisheries and Oceans Canada's regions and the Canadian Coast Guard is available at <http://dfo-mpo.gc.ca/rpp/2014-15/rpp-eng.html>. A diagram of the Department's organizational structure is available at <http://www.dfo-mpo.gc.ca/us-nous/organisation-eng.htm>.

Overview of the ATIP Secretariat

Delegation of Authority

Responsibility for the administration of the *Privacy Act* in DFO is delegated from the Minister to the Director of the Access to Information and Privacy (ATIP) Secretariat. In addition to the ATIP Director, the Deputy Director of ATIP Operations has full delegated authority under both the *Privacy Act* and the *Access to Information Act*. [A copy of the Delegation Order is found at Appendix B.]

ATIP Secretariat Organization

The ATIP Director reports to the Director General, Executive Secretariat, who in turn reports to the Senior Assistant Deputy Minister of Strategic Policy. The ATIP Director is accountable for the development, coordination and implementation of effective ATIP-related policies, guidelines, systems and procedures. This accountability ensures that the Department's responsibilities under the *Privacy Act* and the *Access to Information Act* are met, and enables appropriate processing and proper disclosure of information.

In 2014-15, the ATIP Secretariat's organizational structure changed to facilitate internal communications, create efficiencies and reflect a new model of organization widely endorsed by the federal ATIP community. First, two divisions were merged. The Privacy Division joined the Policy and Governance Division in 2014 to become the Policy and Privacy Division. This division oversees ATIP policy development, reporting, training, issues management and information management systems. It also provides advice and guidance on privacy-related issues such as Privacy Impact Assessments, Personal Information Banks, privacy notices and privacy breaches.

Second, the Secretariat created an Intake Unit within the Operations Division to manage incoming requests through to the completion of records retrieval.

The Policy and Privacy Division and the ATIP Operations Division are supported by a third unit which provides support services to the entire Secretariat, including office administration, mail services, scanning and indexing of records and quality control.

The main activities of the ATIP Secretariat include:

- Processing requests under the *Access to Information Act* and the *Privacy Act*;
- Responding to requests for access and privacy advice from departmental officials;
- Developing policies, procedures and guidelines in support of access and privacy legislation;
- Promoting awareness of both Acts within the Department to ensure that employees understand their roles and responsibilities;
- Monitoring departmental compliance with both Acts and regulations; and

- Preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies.

The ATIP Secretariat relies upon ATIP Contacts located in each region and sector to act as liaisons for their respective parts of the Department. These Contacts do not report to the ATIP Secretariat, however, and have other responsibilities in addition to ATIP. It is worth noting that an increase in the ATIP Secretariat's workload means an increase in the workload of ATIP Contacts and other program officials.

ATIP Secretariat Workload

Demand for the services of the ATIP Secretariat has increased in recent years. While the ratio of formal to informal requests changes, the overall trend shows a significant increase in workload since 2011. The most striking increase can be seen in the total number of pages processed per year, which has grown from 129,211 pages in 2011-12 to 341,316 in 2014-15. The table below further illustrates the overall growth in workload. The table also shows the ATIP Secretariat's improved efficiency and performance over time. Note that its focus is on requests *completed* as opposed to *received*.

Workload	2011-12	2012-13	2013-14	2014-15
Formal access requests completed	353	453	397	503
Informal access requests completed	118	162	359	188
Access consultations completed	209	286	204	230
Pages processed - access	125,942	133,902	183,315	307,313
Formal privacy requests completed	26	27	70	68
Informal privacy requests completed	50	108	85	152
Pages processed - privacy	3,269	13,918	18,455	34,003
Pages processed – ACCESS & PRIVACY TOTAL	129,211	147,810	201,770	341,316

ATIP Secretariat Human and Financial Resources

In 2014, the ATIP Secretariat conducted three staffing processes for junior to senior ATIP analysts with the goal of increasing stability in the ATIP Secretariat and growing in-house expertise. The following table shows the decrease in human resources in the ATIP Secretariat since 2011:

Human Resources*	2011-12	2012-13	2013-14	2014-15
Full time employees (FTEs)	25	22.5	21.87	22.59
Part-time and casual employees	2	3	1.03	0.34
Consultants	3	5	2.68	4.98
Total	30	30.5	25.58	27.91

The following table reflects ATIP Secretariat spending exclusively. It does not include costs incurred by the department attributed to responding to access to information and/or privacy requests.

Expenditures*	2011-12	2012-13	2013-14	2014-15
	\$	\$	\$	\$
FTE Salaries	1,654,699	1,535,137	1,511,203	1,599,300
FTE Overtime	1,918	1,706	180	0
Goods and Services – Professional Services	276,379	671,239	659,356	938,081
Goods and Services – Other	166,856	214,461	101,199	165,622
Total Expenditures	2,099,822	2,422,543	2,271,938	2,703,003

*The ATIP Secretariat is not organized in a manner that allows for a separate determination of human or financial resources for the administration of the *Privacy Act* versus the *Access to Information Act*.

Interpretation of the Statistical Report on the *Privacy Act*

The Statistical Report on the *Privacy Act* is prepared by government institutions to enable the Treasury Board of Canada Secretariat (TBS) to analyze trends and exercise oversight. The analysis in this section compares data found in DFO's 2014-15 Statistical Report on the *Privacy Act* with data from 2011-12, to allow for a four year trend analysis.

DFO's complete 2014-15 Statistical Report on the *Privacy Act* is found in Appendix A. Previous years' statistical reports can be obtained from the ATIP Secretariat upon request.

Requests under the *Privacy Act*

In 2014-15, DFO received 43 requests under the *Privacy Act* and had 37 requests outstanding from the previous reporting period. Of these 80 requests, DFO completed 68 and carried forward 12 into the next reporting period. As the following table illustrates, DFO received fewer requests under the *Privacy Act* in 2014-15 than in 2013-14, but the four year trend shows a steady increase in requests received and completed. Of note is the Department's ability to absorb the spike of requests received in 2013-14 and return in 2014-15 to its 2012-13 level of requests carried over.

Formal Requests	2011-12	2012-13	2013-14	2014-15
Received during reporting period	31	33	96	43
Outstanding from previous reporting period	1	6	12	37
Total requests to process during reporting period	32	39	108	80
Completed during reporting period	26	27	70	68
Carried over to next reporting period	6	12	38	12

Requests Closed During the Reporting Period

Disposition and Completion Time

Section 14 of the Act requires institutions to provide a response to the applicant within 30 days of receipt of the request, or to notify the applicant that an extension is required. Of the 68 requests completed during the reporting period, 30 requests (44%) were completed in 30 days or less. Ten requests (15%) were completed in 31 to 60 days, seven requests (10%) were completed in 61 to 120 days. Twenty-one requests (31%) took more than 181 days to complete. The last statistic is attributable to the spike in requests received in 2013-14 and carried over to 2014-15.

The 68 requests completed by the Department in 2014-15 were finalized in the following manner:

- All disclosed – In 19 requests, all relevant information was released in full to the applicant.
- Disclosed in part – In 36 requests, applicants were granted partial access to information.

- No records exist – In seven requests, no relevant records existed under the control of the Department.
- Request abandoned – Six requests were abandoned by the applicant.

No requests were processed where all information was exempted or excluded from disclosure.

Exemptions and Exclusions

The *Privacy Act* protects against unauthorized disclosure of personal information and instructs how the government will collect, use, store, disclose and dispose of personal information. The Act also gives Canadian citizens and individuals present in Canada a right of access to their personal information that is held by federal government institutions, subject to certain specific and limited exceptions. These exceptions are called exemptions and exclusions. For more information regarding exemptions and exclusions, please consult the [Privacy Act](#).

Exemptions are provisions of the Act that allow or require the heads of federal government institutions to withhold information requested under the legislation. For requests completed during the reporting period, the Department invoked exemptions pursuant to sections 19, 22, 25 and 26 of the *Privacy Act*. Section 26 was the most frequently invoked provision, cited in 35 requests, and was used to protect personal information about individuals other than the applicant.

Appendix A provides further detail regarding the number of requests in which other exemptions were invoked. If an exemption was claimed several times within the same request, it is reported only once.

Exclusions are provisions of the Act that remove certain records from the application of the legislation. Records excluded from the requirements of the *Privacy Act* include publicly available information and confidences of the Queen's Privy Council (Cabinet Confidences) pursuant to sections 69 and 70, respectively. In 2014-15, one exclusion for publicly available information was applied.

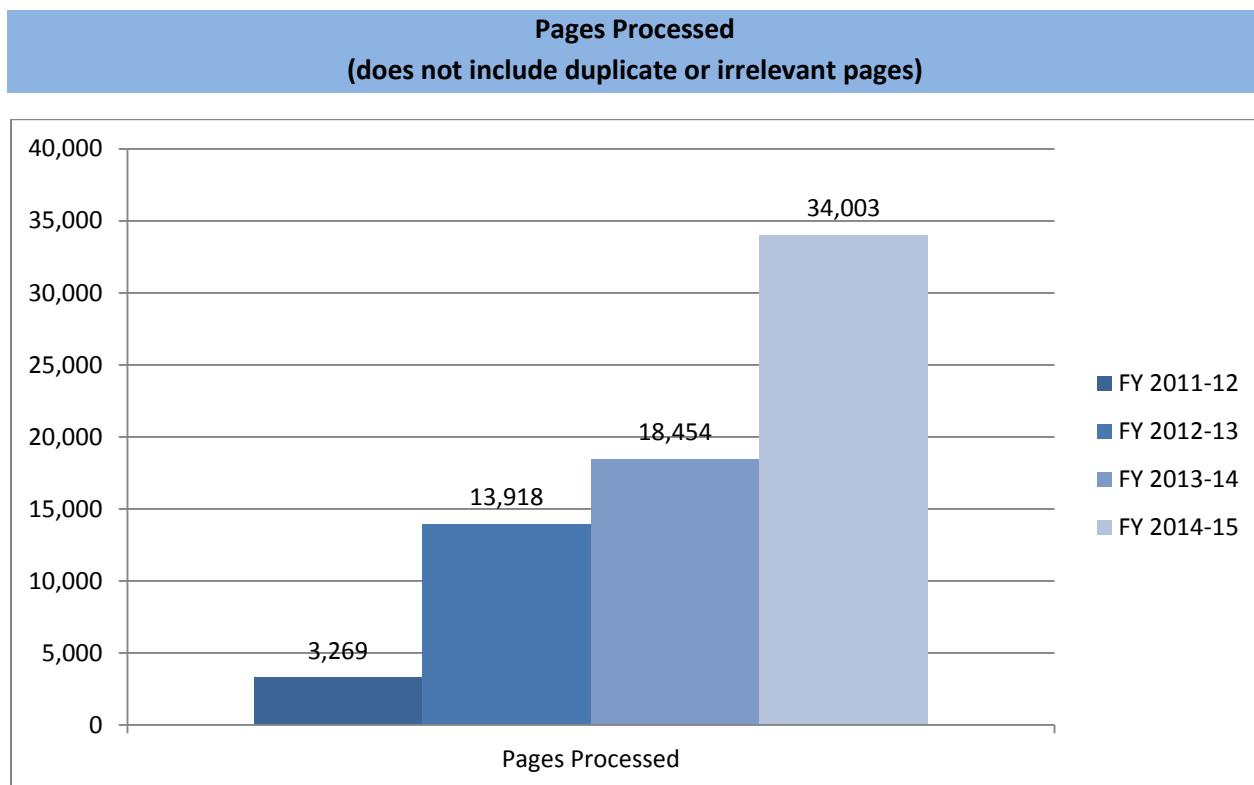
Format of Information Released

When requests are complete, applicants may receive the information in paper or electronic formats, or they may view the records at any DFO office. Access to relevant documents was given, in whole or in part, for 55 requests in 2014-15. In six of these requests, information was released in an electronic format.

Complexity

The complexity of a request corresponds to the number of pages to be processed for that request. The number of pages processed means the number of pages that were analyzed to determine whether the information could be disclosed, exempted or excluded. It does not reflect the number of pages that were examined to determine relevancy or duplicates. Pages processed per privacy request at DFO have

increased dramatically over the past four years. In 2014-15, the ATIP Secretariat received a total of 34,003 pages to process, compared to 3,269 pages to process in 2011-12. This trend is illustrated in the following table:



Of the 61 requests completed with pages disclosed in 2014-15, 32 requests (52%) had fewer than 100 pages, 18 requests (30%) had 101-500 pages, two requests (3%) had 501-1,000 pages and seven requests (11%) had 1,001-5,000 pages. The majority of the increase in pages processed can be attributed to two very large request files which contained more than 5,000 relevant pages each.

Of the 34,003 pages processed, 12,932 pages (38%) were disclosed in whole or in part.

The Department completed a number of requests that involved other factors that increased the complexity of those requests, including:

- The requirement to consult with other institutions or organizations;
- The review of records containing personal information about another individual that is interwoven with the personal information of the requester; and
- Records were located in a region outside of national headquarters.

Deemed Refusals

During the reporting period, the ATIP Secretariat closed 27 requests past the statutory deadline. In one request, DFO responded within 15 days past the deadline. Five requests required an additional 31-60

days, three requests necessitated 121-180 days, eight requests required 181-365 days and ten requests necessitated over 365 days past the deadline to respond to the applicant.

The principal reason for the delay in 26 requests was overall workload in the ATIP Secretariat, as evidenced by the previous tables and chart. In addition to the unusually high volume of pages to process, other realities took away from processing time, such as responding to complaints and providing training sessions to departmental employees.

Requests for Translation

The Department did not receive any requests from applicants to have the information responsive to their request translated into the other official language.

Disclosures Under Subsection 8(2)

Subsection 8(2) of the *Privacy Act* describes certain instances in which personal information under the control of a federal government institution may be disclosed without the consent of the individual to whom the information relates.

Paragraph 8(2)(e) allows institutions to disclose personal information to an investigative body specified in the *Privacy Regulations* for the purpose of enforcing any Canadian or provincial law, or carrying out a lawful investigation. During the reporting period, DFO made two disclosures of personal information pursuant to paragraph 8(2)(e).

Paragraph 8(2)(m) allows institutions to disclose personal information in circumstances where the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure, or where disclosure would clearly benefit the individual to whom the information relates. DFO made no disclosures under paragraph 8(2)(m) in 2014-15.

Requests for Correction of Personal Information and Notations

Under subsection 12(2) of the *Privacy Act*, individuals who have been given access to personal information that has been used, is being used, or is available for use for an administrative purpose, are entitled to request correction of their information (if they believe it contains an error or omission), or require that a notation be attached to the information reflecting the correction requested but not made. DFO received five requests for correction of personal information in 2014-15. After careful analysis, the requests for correction were denied, however, notations were added to the relevant files.

Extensions

Section 15 of the Act provides for the extension of statutory time limits if processing the request within the original time limit would unreasonably interfere with the operations of the Department, or if consultations are necessary.

During the reporting period, subparagraph 15(a)(i) extensions were taken 25 times because processing the request within the original time limit would unreasonably interfere with the operations of the Department. Five extensions were taken under subparagraph 15(1)(ii) for consultations.

When time limits were extended, records were “all disclosed” in four requests and “disclosed in part” in 26 requests.

All 30 extensions taken were for a period of 16-30 days beyond the statutory deadline. For 27 of the extensions taken, the authorized 30-day maximum was insufficient and the response date exceeded the extended due date, placing the request in a deemed refusal situation.

Consultations

Consultations Received from Other Institutions and Organizations

When other institutions and organizations retrieve DFO information in response to *Privacy Act* requests, they may consult the DFO ATIP Secretariat for recommendations on release. Other organizations include the governments of the provinces, territories and municipalities, and of other countries. Other institutions are defined as federal institutions subject to the *Privacy Act*.

In 2014-15, DFO received no consultation requests from other organizations and only one consultation request from a Government of Canada institution. This consultation was completed within 60 days and the recommendation was to disclose the records in part.

Completion Time of Consultations on Cabinet Confidences

In 2014-15, DFO did not need to consult legal services or the Privy Council Office regarding the application of section 70 for Cabinet Confidences.

Complaints and Investigations

Among other privacy-related responsibilities, the Office of the Privacy Commissioner of Canada (OPC) investigates complaints about federal institutions’ handling of personal information requests. The Privacy Commissioner has broad investigative powers to assist in mediating between dissatisfied privacy

applicants and government institutions. The Commissioner may not order a complaint to be resolved in a particular way, but may, with the applicant's consent, apply to the Federal Court for a judicial review of the matter. For further information on the responsibilities and activities of the OPC, please consult its website.

Responses to Complaints

DFO received 14 complaints in 2014-15. The Department worked with OPC investigators and 11 of these complaints were finalized. Only complaints on delays were deemed well founded, as shown in the following table:

Reason for Complaint	Well Founded - Resolved	Discontinued	Not Substantiated	TOTAL
Delay	8	2	0	10
Extension	0	0	1	1
Refusal – General	0	0	0	0
Total	8	2	1	11

DFO recognizes that the key issue raised by these complaints is the ATIP Secretariat's capacity to respond to fluctuating volumes of requests within constantly tight timeframes. As always, the ATIP Secretariat prioritizes formal requests over other workload pressures by dedicating the majority of its resources to processing formal requests.

Audits

DFO participated in an OPC audit of portable electronic storage devices in 2014-15. DFO was chosen for this multi-institutional audit due to its medium size and low to moderate risk category. This audit is ongoing and DFO's participation is led by the Internal Audit Directorate. The ATIP Secretariat discusses the importance of properly using and securing portable storage devices in its privacy awareness training sessions.

Privacy Impact Assessments

To fulfill its mandate, many of DFO's activities require the collection, use and disclosure of personal information. In accordance with Treasury Board Secretariat policies and directives, the Department uses Privacy Impact Assessments (PIAs) as a risk management tool to determine whether privacy risks are present in new or existing departmental programs, initiatives or projects that collect, use and retain personal information.

DFO did not complete any PIAs during the report period. However, with the revision of its PIA tools and the efforts to build capacity in the Policy and Privacy Division, the ATIP Secretariat is now better positioned to assist departmental officials in completing necessary assessments.

Resources Related to the *Privacy Act*

Costs and Human Resources

The ATIP Secretariat is not organized in a manner that allows for a separate determination of costs and human resources for the *Privacy Act*; therefore, all resources related to the administration of both the *Privacy Act* and the *Access to Information Act* are included in the statistical report on the administration of the *Access to Information Act*.

Refer to the ATIP Secretariat Human and Financial Resources section of this report (starting on page 5) for an explanation of those statistics.

Activities and Accomplishments

Strategic planning, policy development and reporting make up a growing portion of the ATIP Secretariat's activities, particularly with regards to privacy. Demand in this area is increasing as awareness of the importance and complexity of personal information protection grows in the Department.

Developing Policies, Directives and Procedures

DFO reached a milestone in privacy protection in April 2014, when the Deputy's Management Committee (DMC) approved the DFO privacy policy suite. Included in the policy suite are the DFO Privacy Policy, Directive on Privacy Practices, the Standard on Privacy Breaches, and related tools such as the Privacy Notice Template and breach reporting forms. Many important changes resulted from the policy suite approval. One was the creation of a Chief Privacy Officer role to promote privacy protection and to implement the DFO privacy program at a senior level. The second change of significance, embedded as an element of the DFO Privacy Policy, was to require all DFO employees to take privacy training at least once every five years. The third important change was to make ATIP training mandatory for all DFO executives in 2014-15. As seen in the section below, demand for ATIP training grew from these developments, which enabled the ATIP Secretariat to extensively promote the new policy suite.

In addition to implementing the approved privacy policy suite, the Policy and Privacy Division developed a Policy and Privacy Handbook to standardize and manage the high volume of informal privacy requests and questions the unit receives.

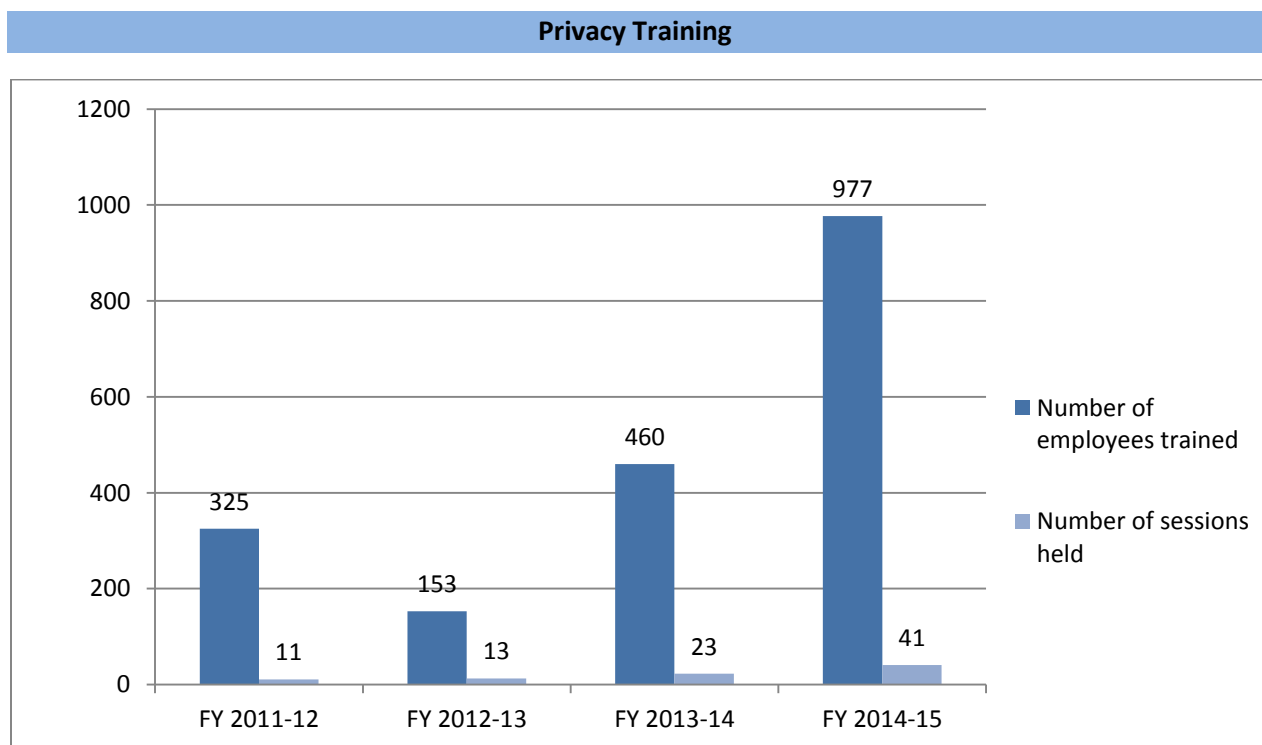
The creation of the Intake Unit resulted in significant procedural changes within the ATIP Secretariat. Immediate improvements were seen by analysts, managers and clients. Analysts in the ATIP Operations Division noted that they were better able to focus on analytical tasks once the Intake Unit assumed responsibility for the initial back and forth communications that characterize the beginning of most requests. Assigning the management of preliminary communications to one unit has benefited the Department by ensuring all formal files have strong foundations, including consistent decisions taken on tasking and retrievals. Clients have benefitted from the consistency in approach. The Intake Unit works with requesters to identify the specific information they are seeking, which saves the Department time and effort, resulting in faster service.

Training DFO Employees

DFO has always made significant efforts to promote awareness of federal privacy legislation and the corresponding responsibilities of DFO employees, focusing on individual and group training sessions. While regions, sectors and divisions are encouraged to request training as the need arises, the ATIP Secretariat also offers semi-annual awareness sessions to all employees of the Department. These semi-annual sessions are delivered jointly with the Information Management Branch, to stress the connection between information protection and good records management.

As of the April 2014, access and privacy training became mandatory for all DFO executives and individuals acting in an executive position for more than four months. To accommodate the schedules of executives, the ATIP Secretariat held 25 sessions and trained 174 executives and acting-executives. DFO's executive training program was made available to the ATIP Community through the ATIP Director General Committee and has been adopted as a community standard.

Due largely to the mandatory ATIP training of DFO executives, the ATIP Secretariat experienced a surge of demand for training from the rest of the Department. Throughout the Department in 2014-15, 977 employees received formal privacy training in 41 sessions. This is more than double the number of DFO employees trained in privacy in the three previous reporting periods, as shown in the following table:



The ATIP Secretariat continued to refine its training and communications framework and to improve and expand its suite of training products and delivery platforms in 2014-15. Of special note are:

- The delivery of a mandatory ATIP training program for all DFO executives;

- The increased use of webinar technology to deliver training nationally;
- The update of the ATIP intranet site with additional policy, training and communications materials; and
- The continued publishing of articles on ATIP issues in DFO's national employee newsletter.

The ATIP Secretariat continues to share its training and communications material with other federal government institutions to foster collaboration and promote community development.

Investigating Privacy Breaches

A privacy breach is defined in the DFO Standard on Privacy Breaches as an improper or unauthorized collection, use, disclosure, retention or disposal of personal information. Fourteen suspected privacy breaches were reported to the ATIP Secretariat in 2014-15. Investigations and reports were finalized in 13 of the 14 reported breaches. None of the 13 incidents were deemed material breaches. A material privacy breach is defined by TBS as involving sensitive information that could reasonably be expected to cause serious injury or harm to the individual and/or involves a large number of affected individuals.

Five of the 13 incidents involved the unauthorized disclosure of non-sensitive contact information and the Fisher Identification Number of fishers with accounts in DFO's National Online Licencing System (NOLS). Each incident involved one individual whose NOLS account was accessed by another individual after a DFO employee mistakenly provided the wrong passcode by mail or over the telephone. By the fall of 2014, DFO had processes in place to lessen the likelihood of these breaches recurring, including the automation of most NOLS correspondence. It should be noted that there are approximately 65,000 active NOLS accounts for which DFO provides system support.

Two other reported breaches involved contact information, but these were in different areas of DFO. The remaining breaches were isolated incidents that affected single individuals and recommendations for mediation and prevention were made.

Updating *Info Source* and Personal Information Banks

Info Source is a listing of all information holdings for institutions that are subject to the federal *Access to Information Act* and *Privacy Act*, and is a requirement of access and privacy laws in Canada. *Info Source* assists individuals and facilitates access to government information. In 2012-13, the ATIP Secretariat completed the development of tools to assist in its annual *Info Source* update and achieved formal inclusion of the update in the Department's planning and reporting calendar. In 2013-14, the transition to self-publishing was completed and rules regarding regional consultations established.

With processes and tools firmly established, in 2014-15 the ATIP Secretariat began a large project to improve DFO's *Info Source* chapter with respect to its personal information holdings. These holdings are

described in Personal Information Banks (PIBs). Extensive research and consultations with DFO and TBS officials is ongoing to identify and address gaps in DFO's PIBs. The ATIP Secretariat anticipates that the current emphasis on PIB quality and consistency will result in substantial improvements to DFO's next *Info Source* chapter.

Processing Informal Privacy Requests

The ATIP Secretariat conducts a significant amount of informal privacy-related activities in addition to processing formal privacy requests, developing policy tools, and developing and conducting training sessions. These activities include processing informal privacy requests such as:

- Releasing information through informal means, outside of the Act, where appropriate;
- Disclosing information pursuant to subsection 8(2) of the *Privacy Act* (excluding disclosures under paragraphs 8(2)(e) and 8(2)(m), which are captured in Part 3 of the Statistical Report);
- Reviewing and preparing advice on administrative investigation reports;
- Responding to requests for guidance from within the Department on privacy impact assessments, privacy notices, information sharing agreements and contracts that include the sharing of personal information; and
- Managing and investigating potential privacy breaches.

During the reporting period, the ATIP Secretariat significantly reduced its backlog of informal privacy requests awaiting action. A major accomplishment for the new Policy and Privacy Division was the completion of 152 informal privacy-related enquiries, issues and requests. Only six informal requests were carried over into the 2015-16 fiscal year.

Integrating Information Management and ATIP Strategies

DFO's overall ATIP compliance relies heavily upon the Department's records management practices. In 2014-15, DFO's Information Management (IM) Branch moved forward on several IM Strategy Action Plan initiatives:

- Under the *Directive on Recordkeeping*, retention specifications and lists of information resources of business value (IRBVs) were developed for DFO's programs, an inventory of structured data sets was completed and a function-based classification structure was developed. The majority of DFO's paper legacy was processed and information of enduring value is being transferred to Library and Archives Canada.
- Under the *Directive on Open Government*, year-one requirements such as procedures for posting datasets, DFO's Open Government Implementation Plan and an inventory of datasets were all drafted.

- In preparation for the Email Transformation Initiative, email management training was offered to all DFO employees and email management guidance was communicated to all staff.
- In preparation for the migration to GCDocs, DFO is in the planning stage of this project and plans to implement GCDocs starting in the summer of 2016/17.

As mentioned under *Training DFO Employees*, joint ATIP/IM training sessions were conducted over the course of the year to raise the level of understanding around sound IM management as well as ATIP requirements, and to reiterate the specific roles and responsibilities of all employees.

Monitoring Performance

DFO makes every effort to meet statutory deadlines and actively monitors the time taken to process ATIP requests. Monitoring begins as soon as a request is received by the ATIP Secretariat, entered into the case management system and assigned to an analyst. All requests, including formal requests, requests for corrections, requests for consultations and requests for informal advice or review of records, are entered into the case management system for tracking. This electronic tracking of deadlines is essential, as analysts work on numerous requests, each with multiple actions coming due, at any given time. Analysts meet with their team leaders on a weekly basis to identify issues with requests that might result in delays. Issues are raised with the ATIP management team, if necessary, and the Director of the ATIP Secretariat gets involved in files where she can use her authority as the Minister's delegate under the *Privacy Act* to promote compliance with deadlines and deliverables.

The ATIP Secretariat also reports on a quarterly basis to the Deputy's Management Committee on ATIP workload and performance. Details are broken down by sector and region, and a section of the report is devoted to privacy breaches that occurred in the quarter. These quarterly reports ensure that employees throughout the Department who have responsibilities related to access to and protection of personal information remain accountable and compliant with the spirit of the Act.

APPENDIX A: 2014-15 Statistical Report on the *Privacy Act*



Government of Canada
Gouvernement du Canada

Statistical Report on the *Privacy Act*

Name of institution: Fisheries and Oceans

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	43
Outstanding from previous reporting period	37
Total	80
Closed during reporting period	68
Carried over to next reporting period	12

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	3	11	4	0	0	0	1	19
Disclosed in part	0	4	6	7	0	10	9	36
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	4	3	0	0	0	0	0	7
Request abandoned	5	0	0	0	0	0	1	6
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	12	18	10	7	0	10	11	68

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	2	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	1	22(1)(b)	6	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	3
19(1)(e)	0	22(2)	0	26	35
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

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

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	20	0	0
Disclosed in part	29	6	0
Total	49	6	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	488	436	19
Disclosed in part	33515	12496	36
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	6
Neither confirmed nor denied	0	0	0
Total	34003	12932	61

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	17	215	2	221	0	0	0	0	0	0
Disclosed in part	9	399	16	2423	2	974	7	5903	2	2797
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	6	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	32	614	18	2644	2	974	7	5903	2	2797

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	3	3
Disclosed in part	4	0	35	21	21
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	1	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	5	0	35	24	64

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
27	26	1	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	1	0	1
16 to 30 days	0	0	0
31 to 60 days	2	3	5
61 to 120 days	0	0	0
121 to 180 days	1	2	3
181 to 365 days	0	8	8
More than 365 days	4	6	10
Total	8	19	27

2.7 Requests for translation

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

Part 3: Disclosures Under Subsections 8(2) and 8(5)

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

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	5
Requests for correction accepted	0
Total	5

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	4	0	0	0
Disclosed in part	21	0	5	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	25	0	5	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	25	0	5	0
Total	25	0	5	0

Part 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	1	5	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	5	0	0
Closed during the reporting period	1	5	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

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

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
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 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

Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
14	0	8	0	22

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
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Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures	Amount
Salaries	\$0
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$0

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.00

APPENDIX B: Delegation Order

Privacy Act

DEPARTMENT OF FISHERIES AND OCEANS

MINISTÈRE DES PÊCHES ET DES OCÉANS

Privacy Delegation Order

Décret de délégation en vertu de la protection des renseignements personnels

I, the Minister of Fisheries and Oceans, pursuant to Section 73 of the *Privacy Act*, do hereby designate the persons holding the positions set out in the attached schedule, or persons occupying on an acting basis those positions, to exercise and perform, on my behalf, the duties and functions of the head of a government institution, pursuant to the provisions set out in the schedule. This Delegation Order supersedes all previous Delegation Orders.

Je, le ministre des Pêches et Océans, conformément à l'article 73 de la *Loi sur la protection des renseignements personnels*, par la présente désigne aux titulaires des postes mentionnés à l'annexe ci-jointe, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, à exercer et exécuter en mon nom, comme responsable d'une institution fédérale, les tâches et attributions investies par les articles des lois mentionnées dans l'annexe. Le présent décret de délégation remplace et annule tout décret antérieur.



**Minister of Fisheries and Oceans
Ministre des Pêches et des Océans**

SEP 24 2013

Date

Schedule / Annexe

Position / Poste	<i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et règlements</i>
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Director,
Access to Information and Privacy /
Directeur (trice),
Accès à l'information et protection
des renseignements personnels

Full authority /
Autorité absolue

Deputy Director, ATIP Operations
Access to Information and Privacy /
Directeur (trice) adjoint(e) des opérations
Accès à l'information et protection
des renseignements personnels

Full authority /
Autorité absolue

Provisions *Privacy Act* /

Dispositions *Loi sur la protection des renseignements personnels* :
8(2)(j), 8(2)(m), 8(4), 8(5), 9(1), 9(4), 10, 14, 15, 16(1), 16(2), 17(2)(b), 17(3)(b), 18(2),
19(1), 19(2), 20, 21, 22, 22.3, 23, 24, 25, 26, 27, 28, 33(2), 35(4), 51(2)(b), 51(3), 72(1)

Provisions *Privacy Regulations* /

Dispositions règlements sur la protection des renseignements personnels :
9, 11(2), 11(4), 13(1), 14