# ANNUAL REPORT TO PARLIAMENT ON THE APPLICATION OF THE ACCESS TO INFORMATION ACT

1 APRIL 2014 TO 31 MARCH 2015

Canadä

Place du Centre 200 Promenade du Portage 4th Floor Gatineau, Quebec K1A 1K8

11 June 2015

The Honourable Peter Van Loan, P.C., M.P. Leader of the Government in the House of Commons House of Commons Ottawa, Ontario K1A 0A6

Dear Minister:

In accordance with section 72 of the *Access to Information Act*, the Transportation Safety Board of Canada is pleased to submit to Parliament this report on its activities relating to the application of the *Act* for the period 1 April 2014 to 31 March 2015.

Sincerely,

Kathleen Fox Chair



# Table of Contents

| 1.0 | Intı | roduction                          | 1      |
|-----|------|------------------------------------|--------|
| 2.0 | AT   | IP Office Organization             | 1      |
| 3.0 | Del  | legation of Authority              | 2      |
| 4.0 | Dis  | sposition of Requests              | 2      |
|     | 4.1  | Formal Requests                    | 2      |
|     | 4.2  | Clients                            | 3      |
|     | 4.3  | Processing of Requests             | 3      |
|     | 4.4  | Fees and Costs                     | 4      |
|     | 4.5  | Other Requests                     | 4      |
| 5.0 | Tra  | ining and Education                | 5      |
| 6.0 | Pol  | icies, Guidelines and Procedures   | 5      |
| 7.0 | Coı  | mplaints and Investigations        | 5      |
| 8.0 | Mo   | onitoring Process                  | 6      |
| 9.0 | Sta  | tistics Required by Treasury Board | 6      |
|     |      |                                    |        |
| App | endi | ix A - Delegation Order            | 7      |
| App | endi | ix B – Statistical Report          | . 8-16 |
|     |      |                                    |        |

#### 1.0 Introduction

Pursuant to section 72 of the *Access to Information Act*, the Transportation Safety Board of Canada (TSB) is pleased to table in Parliament this report on its activities relating to the application of the *Act*. The report covers the period from 1 April 2014 to 31 March 2015.

The purpose of the <u>Access to Information Act</u> is to provide a right of access to information to records under the control of government institutions such as the TSB.

The <u>Canadian Transportation Accident Investigation and Safety Board Act</u> provides the legal framework that governs TSB activities. Our mandate is to advance transportation safety in the marine, pipeline, rail and air modes of transportation by:

- conducting independent investigations, including public inquiries when necessary, into selected transportation occurrences in order to make findings as to their causes and contributing factors;
- identifying safety deficiencies, as evidenced by transportation occurrences;
- making recommendations designed to eliminate or reduce any such safety deficiencies; and
- reporting publicly on our investigations and on the findings in relation thereto.

More information on the TSB is available at www.bst-tsb.gc.ca.

The TSB's administration of its Access to Information and Privacy (ATIP) activities is in accordance with the government's stated principles that government information should be available to the public with only specific and limited exceptions. Furthermore, the TSB treats personal information in compliance with the code of fair information practices expressed in the *Privacy Act*.

# 2.0 ATIP Office Organization

During 2014–15, the Director General, Corporate Services, maintained responsibility as the ATIP Coordinator. The remainder of the ATIP Office consisted of five full-time positions and one term position. Due to turnover and absences, the TSB engaged consultants during the year to support the program. In 2015-16, responsibilities for ATIP and the title of ATIP Coordinator will be transferred to the General Counsel position.

The ATIP Office centrally administers both formal requests made pursuant to the Act and informal requests, and provides functional advice and guidance to managers and employees concerning the release of information and protection of privacy. In addition, ATIP analysts are required to exhibit strong consultative and negotiating skills when dealing with requesters, TSB personnel, and representatives of the Office of the Information Commissioner.

The majority of access to information requests made to the TSB pertains to transportation occurrences. Such requests present many challenges to the TSB ATIP Office. In many cases, requests are for a copy of the complete investigation file. Depending on the nature and scope of

the investigation, there may be many thousands of often complex records in a variety of media. For example, an investigation file can contain data records, voice recordings, witness statements, laboratory reports, and third-party records of the transport operator, the manufacturer of components, maintenance logs for engines and pilots' logs, etc. Because of the volume of records and required consultations, the time required to process such requests is extensive. The status of the investigation itself also affects the access to records and when information may be released under the *Act*.

As considerable expertise is required in the processing of requests, the TSB ATIP function is organized so that ATIP analysts are responsible for centrally reviewing and severing all records. This requires that the analysts remain current with the investigation operations of the various transportation modes and their particular activities, as well as maintain good working relationships with the investigators.

# 3.0 Delegation of Authority

As required by the legislation, a delegation of authority is in place. For the purposes of the *Access to Information Act*, the "head of the institution" as defined in section 3 of the *Act* is the Chair of the TSB. The incumbents of the positions of Chief Operating Officer and the Director General, Corporate Services, have been delegated powers by the Chair deemed appropriate for the effective administration of the *Act*. These employees ensure that the TSB meets all its obligations fairly and consistently. The delegation authority was updated in 2014–15. A copy of the Delegation Order is attached as Appendix A.

# 4.0 Disposition of Requests

## 4.1 Formal Requests

Seventy-two (72) new requests were received under the *Access to Information Act* in 2014–15 and thirty (30) requests were brought forward from the previous fiscal year, for a total of hundred and two (102) active requests. Of these, seventy-five (75) requests were completed during the current reporting period, and twenty-seven (27) were carried forward to the next fiscal year.

Of the seventy-five (75) requests completed during the current reporting period, records were fully disclosed to fourteen (14) applicants. Records did not exist for five (5) requests, while seven (7) requests were abandoned by their requester. Records pertaining to forty-four (44) requests were released with some portions exempted. The TSB invoked the following exemptions (the number of times the exemption was applied is provided in parentheses):

- Section 13: Exempting records obtained in confidence from other levels of government (22);
- Section 16: Exempting records containing law enforcement and investigation information (15);
- Section 17: Security of individuals (1)
- Section 19: Exempting records containing personal information (44);
- Section 20: Exempting records containing third-party business information (66);

- Section 21: Exempting records containing information related to the internal decision-making processes of government (37);
- Section 23: Exempting records related to solicitor-client privilege (4); and
- Section 24: Statutory prohibitions against disclosure, stemming from the *Canadian Transportation Accident Investigation and Safety Board Act* (9).

During 2014–15, the TSB also applied five (5) exclusions pursuant to section 68 of the *Access to Information Act*.

#### 4.2 Clients

The majority of new requests—forty (40)—came from business/legal firms representing clients affected by or involved in transportation occurrences. Nineteen (19) requests were received from media sources; eleven (11) from members of the public, one (1) from academia and one (1) from an organization.

## 4.3 Processing of Requests

The number of new requests received by the ATIP Office in 2014–15 (72) was consistent with the number received in 2013–14 (71). The number of requests received in the last 2 years was higher than in previous years, due primarily to an increased interest in information on rail occurrences following the tragic accident in Lac-Mégantic in July 2013.

The ATIP Office makes every possible effort to process requests within the 30-day time limit as required by the legislation. However, many of the requests received by the TSB involve a large volume of records and also pertain to third-party information, which requires consultations, both domestically and internationally, before the information can be released.

The TSB increased the human resources dedicated to ATIP in 2014–15 to 5.53 full time-employees compared with 4.15 in 2013-14. The number of completed requests in 2014–15 also increased by seven (7) to seventy-five (75) or 12% more than in 2013–14. Training and oversight were maintained during 2014–15 in order to ensure that requests were handled appropriately and consistently by the contract staff as well as the three (3) new ATIP analysts. These factors reduced the productivity given the learning curve relevant to the ATIP Office and TSB operations.

The TSB was able to respond within 30 days or less in 32 (42%) of the 75 completed cases. The completion times for the remaining requests are depicted in the table below. It is important to note that the deadlines for many of these requests were legally extended under the *Act*.

| Percentage of Files per Completion Time Category |                          |     |  |  |  |  |  |
|--|--------------------------|-----|--|--|--|--|--|
| Completion Time                                  | Fiscal Year<br>2014-2015 |     |  |  |  |  |  |
| 30 days or less                                  | 42%                      | 42% |  |  |  |  |  |
| 31-60 days                                       | 11%                      | 18% |  |  |  |  |  |
| 61-120 days                                      | 11%                      | 9%  |  |  |  |  |  |
| 121-180 days                                     | 9%                       | 9%  |  |  |  |  |  |
| 181-365 days                                     | 16%                      | 6%  |  |  |  |  |  |
| Over 365 days                                    | 11%                      | 16% |  |  |  |  |  |

The average time taken to process a request during the 2014–15 reporting period was 145 calendar days, compared with last year's average of 148.4 calendar days. The lengthy processing time is primarily explained by the high number of requests that include a large volume of pages and complex technical information. The significant increase in the volume of requests in 2013-14 also increased processing times, as this created a backlog of requests.

During this period, the ATIP Office was involved in the search, preparation and review of 150,717 pages of information (131,458 pages in 2013-14) and the reproduction and release of 87,530 pages of information (102,027 pages in 2013-14), including reprints of photographs, videotapes and CD-ROM disks containing photographs.

#### 4.4 Fees and Costs

The TSB collected \$330 in fees during 2014–15 and waived \$30 in application fees. The TSB maintains the right to waive fees, and the decision to reduce or waive fees is made on a case-by-case basis according to the criteria outlined in its ATIP fees policy. The TSB waives the requirement to pay fees, other than the application fee, if the amount payable is less than \$25. In 2014–15, the TSB did not collect any fees other than application fees.

The ATIP Office incurred an estimated \$425,329 in costs to administer the *Access to Information Act* in 2014–15. These costs include salaries, overtime, goods and services, and professional services contracts for temporary help staff but do not include the resources expended by other areas of the TSB to meet the requirements of the *Act*.

## 4.5 Other Requests

The ATIP Office received thirty (30) consultation requests from other departments and organizations in 2014–15, compared with sixty-six (66) in 2013–14. This decrease in volume in the current year is explained by the fact that consultation requests received in 2013-14 were exceptionally high following the Lac-Mégantic occurrence.

Eighty-five (85) informal requests were received during the reporting period, compared with one hundred and five (105) last year. These informal requests include thirty-five (35) releases of previously released access to information responses. The ATIP Office reviewed 174,281 pages of information and released 171,053 pages to requesters, compared with 33,876 pages reviewed and 33,777 pages released last year. The significant increase in pages is explained by requests for extracts of multiple years of occurrence data from the modal databases. These figures do not include other information requests responded to directly by the Communications Branch, the Operational Services Branch, and other areas of the TSB that are reviewed by ATIP personnel prior to their release. In addition, many publications—such as investigation reports, safety studies, statistical reports, communiqués, investigation updates, and annual reports, including ATIP reports to Parliament—are readily available on the TSB website.

# 5.0 Training and Education

The TSB has an orientation program in place for new employees, which includes training on ATIP awareness. One (1) session was delivered in 2014–15 to twenty (20) employees. Training on ATIP awareness was also provided to twenty (20) TSB air investigators as part of the annual Air Safety Investigators Workshop. The ATIP Office also provides advice and guidance upon request to individuals and small groups of employees on an informal basis.

Given the responsibilities and knowledge requirements of the TSB ATIP Office, there is a long learning curve for its staff. Continuous on-the-job training is provided to ATIP staff to ensure sound and current knowledge of ATIP requirements and procedures, as well as TSB operations. In this context, ATIP staff attended various workshops organized by the Treasury Board Secretariat throughout the fiscal year. These workshops provided ATIP staff with valuable information on trends and best practices within the ATIP community, updates on recent complaints and court cases, and tools to help improve service standards within the field.

## 6.0 Policies, Guidelines and Procedures

During the year, the TSB modified its procedures for processing Access to Information requests for investigation records by adding a step: the Investigator-in-Charge reviews the proposed release package. The objective of this review is to ensure that appropriate exemptions and exclusions have been consistently applied throughout a voluminous release package. The TSB also updated related guidelines and procedures.

## 7.0 Complaints and Investigations

Two (2) new complaints were received by the Office of the Information Commissioner of Canada (OIC) during 2014–15 and two complaints were outstanding from a prior year.

First, the OIC received a complaint that the TSB had claimed an unreasonable extension of time for responding to a request for records under the *Access to Information Act*. The OIC's

conclusion was that the extension was considered valid. However, the TSB failed to respond to the request by the statutory due date, and consequently fell into a state of deemed refusal. Their investigation revealed that the cause of the delay in responding to this request was the volume and complexity of the responsive records that were being reviewed, a heavy workload, and staff shortages within the ATIP Office, and the prioritization of other files within the ATIP Office. These factors delayed the analyst's completion of the initial review, which, in turn, delayed the initiation and completion of the required consultations. The OIC also concluded that the TSB failed to comply with its duty to assist obligations when it failed to respond within the statutory timeframe. The OIC recorded the complaint as well-founded but considered it resolved because the requested records were effectively released.

Second, the OIC received a complaint alleging that the TSB had improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the *Access to Information Act*. The TSB provided records to the OIC, and the complaint is pending.

Third, a complaint received in 2013-14 by the OIC alleged that the TSB had improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the *Access to Information Act*. The complaint is pending as the OIC has not yet assigned an investigator to this file.

Finally, the conclusion of a complaint with the OIC from year 2011–12 was received during the year. This complaint alleged that the TSB had improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the Act; and that the institution failed to provide all records responsive to the request. The complainant was questioning TSB's processing of the request under the Act. The complaint was investigated by the OIC during 2013-14 and the TSB disclosed additional information to the requester, but also maintained protections on portions of the responsive records. The requester agreed that the OIC investigation could be concluded as settled.

# 8.0 Monitoring Process

The TSB monitors the time to process access to information requests, through bi-weekly meetings between the Director General, Corporate Services, and the Senior ATIP Analyst during which the status of outstanding requests are reviewed. Any significant issues, such as the need for assistance in processing a particularly complex request, are raised and discussed with the Chief Operating Officer on an ad hoc basis.

# 9.0 Statistics Required by Treasury Board

The statistics required by the Treasury Board Secretariat are found in Appendix B.

# Appendix A - Delegation Order



August 21, 2014

#### Designation Order - Access to Information Act

The Chair of the Transportation Safety Board of Canada, pursuant to Section 73 of the Access to Information Act, hereby designates the persons holding the positions of Chief Operating Officer and Director General, Corporate Services, or the persons occupying on an acting basis those positions, to exercise the powers and perform the duties and functions of the Chair as the head of a government institution under the Act.

Kathy Fox

Chair

## Appendix B - Statistical Report

## Statistical Report on the Access to Information Act

Name of institution: Transportation Safety Board of Canada

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

# Part 1: Requests Under the Access to Information Act

#### 1.1 Number of requests

|  | Number of Requests |
|--|--------------------|
| Received during reporting period           | 72                 |
| Outstanding from previous reporting period | 30                 |
| Total                                      | 102                |
| Closed during reporting period             | 75                 |
| Carried over to next reporting period      | 27                 |

#### 1.2 Sources of requests

| Source                    | Number of Requests |
|---------------------------|--------------------|
| Media                     | 19                 |
| Academia                  | 1                  |
| Business (private sector) | 40                 |
| Organization              | 1                  |
| Public                    | 11                 |
| Decline to Identify       | 0                  |
| Total                     | 72                 |

#### 1.3 Informal requests

| Completion Time |                  |                  |                      |                       |                       |                             |       |  |  |
|-----------------|------------------|------------------|----------------------|-----------------------|-----------------------|-----------------------------|-------|--|--|
| 1 to 15<br>Days | 16 to 30<br>Days | 31 to 60<br>Days | 61 to<br>120<br>Days | 121 to<br>180<br>Days | 181 to<br>365<br>Days | More<br>Than<br>365<br>Days | Total |  |  |
| 50              | 2                | 3                | 7                    | 7                     | 14                    | 2                           | 85    |  |  |

# Part 2: Requests Closed During the Reporting Period

#### 2.1 Disposition and completion time

|                              | Completion Time |                  |                  |                      |                       |                       |                          |       |
|------------------------------|-----------------|------------------|------------------|----------------------|-----------------------|-----------------------|--------------------------|-------|
| Disposition of Requests      | 1 to 15<br>Days | 16 to 30<br>Days | 31 to 60<br>Days | 61 to<br>120<br>Days | 121 to<br>180<br>Days | 181 to<br>365<br>Days | More<br>Than 365<br>Days | Total |
| All disclosed                | 4               | 6                | 1                | 1                    | 0                     | 2                     | 0                        | 14    |
| Disclosed in part            | 5               | 7                | 5                | 6                    | 7                     | 9                     | 5                        | 44    |
| All exempted                 | 1               | 2                | 1                | 1                    | 0                     | 0                     | 0                        | 5     |
| All excluded                 | 0               | 0                | 0                | 0                    | 0                     | 0                     | 0                        | 0     |
| No records exist             | 3               | 1                | 1                | 0                    | 0                     | 0                     | 0                        | 5     |
| Request transferred          | 0               | 0                | 0                | 0                    | 0                     | 0                     | 0                        | 0     |
| Request abandoned            | 3               | 0                | 0                | 0                    | 0                     | 1                     | 3                        | 7     |
| Neither confirmed nor denied | 0               | 0                | 0                | 0                    | 0                     | 0                     | 0                        | 0     |
| Total                        | 16              | 16               | 8                | 8                    | 7                     | 12                    | 8                        | 75    |

## 2.2 Exemptions

| Section       | Number<br>of<br>Requests | Section      | Number<br>of<br>Requests | Section            | Number<br>of<br>Requests | Section                | Number<br>of<br>Requests |
|---------------|--------------------------|--------------|--------------------------|--------------------|--------------------------|------------------------|--------------------------|
| 13(1)(a)      | 11                       | 16(2)        | 1                        | 18(a)              | 1                        | 20.1                   | 0                        |
| 13(1)(b)      | 2                        | 16(2)(a)     | 0                        | 18(b)              | 0                        | 20.2                   | 0                        |
| 13(1)(c)      | 8                        | 16(2)(b)     | 0                        | 18(c)              | 0                        | 20.4                   | 0                        |
| 13(1)(d)      | 1                        | 16(2)(c)     | 3                        | 18(d)              | 0                        | 21(1)(a)               | 14                       |
| 13(1)(e)      | 0                        | 16(3)        | 0                        | 18.1(1)(a)         | 0                        | 21(1)(b)               | 21                       |
| 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)               | 2                        |
| 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)              | 44                       | 22.1(1)                | 0                        |
| 15(1) - I.A.* | 0                        | 16.2(1)      | 0                        | 20(1)(a)           | 3                        | 23                     | 4                        |
| 15(1) - Def.* | 0                        | 16.3         | 0                        | 20(1)(b)           | 35                       | 24(1)                  | 9                        |
| 15(1) - S.A.* | 0                        | 16.4(1)(a)   | 0                        | 20(1)(b.1)         | 0                        | 26                     | 0                        |
| 16(1)(a)(i)   | 0                        | 16.4(1)(b)   | 0                        | 20(1)(c)           | 22                       |                        |                          |
| 16(1)(a)(ii)  | 1                        | 16.5         | 0                        | 20(1)(d)           | 6                        |                        |                          |
| 16(1)(a)(iii) | 0                        | 17           | 1                        |                    |                          |                        |                          |
| 16(1)(b)      | 0                        |              |                          | -                  |                          |                        |                          |
| 16(1)(c)      | 10                       |              |                          |                    |                          |                        |                          |
| 16(1)(d)      | 0                        | * I.A.: Inte | ernational Aff           | airs Def.: Defence | of Canada                | S.A.: Subversive Activ | ities                    |

#### 2.3 Exclusions

| Section | Number of Requests | Section  | Number of Requests | Section         | Number of<br>Requests |
|---------|--------------------|----------|--------------------|-----------------|-----------------------|
| 68(a)   | 5                  | 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                     |

#### 2.4 Format of information released

| Disposition       | Paper | Electronic | Other Formats |
|-------------------|-------|------------|---------------|
| All disclosed     | 6     | 8          | 0             |
| Disclosed in part | 13    | 31         | 0             |
| Total             | 19    | 39         | 0             |

#### 2.5 Complexity

#### 2.5.1 Relevant pages processed and disclosed

| Disposition of Requests      | Number of Pages<br>Processed | Number of Pages<br>Disclosed | Number of Requests |
|------------------------------|------------------------------|------------------------------|--------------------|
| All disclosed                | 27904                        | 27904                        | 14                 |
| Disclosed in part            | 112450                       | 59626                        | 44                 |
| All exempted                 | 715                          | 0                            | 5                  |
| All excluded                 | 0                            | 0                            | 0                  |
| Request abandoned            | 9648                         | 0                            | 7                  |
| Neither confirmed nor denied | 0                            | 0                            | 0                  |

#### 2.5.2 Relevant pages processed and disclosed by size of requests

|                              | Less Than 100<br>Pages<br>Processed |                    | 101-500<br>Pages<br>Processed |                    | 501-1000<br>Pages<br>Processed |                    | 1001-5000<br>Pages Processed |                    | More Than 5000<br>Pages<br>Processed |                    |
|------------------------------|-------------------------------------|--------------------|-------------------------------|--------------------|--------------------------------|--------------------|------------------------------|--------------------|--------------------------------------|--------------------|
| Disposition                  | Number of<br>Requests               | Pages<br>Disclosed | Number of Requests            | Pages<br>Disclosed | Number of<br>Requests          | Pages<br>Disclosed | Number of<br>Requests        | Pages<br>Disclosed | Number of Requests                   | Pages<br>Disclosed |
| All disclosed                | 10                                  | 141                | 2                             | 249                | 0                              | 0                  | 0                            | 0                  | 2                                    | 27514              |
| Disclosed in part            | 13                                  | 368                | 10                            | 1529               | 4                              | 1665               | 13                           | 17616              | 4                                    | 38448              |
| All exempted                 | 3                                   | 0                  | 1                             | 0                  | 1                              | 0                  | 0                            | 0                  | 0                                    | 0                  |
| All excluded                 | 0                                   | 0                  | 0                             | 0                  | 0                              | 0                  | 0                            | 0                  | 0                                    | 0                  |
| Request abandoned            | 4                                   | 0                  | 0                             | 0                  | 1                              | 0                  | 2                            | 0                  | 0                                    | 0                  |
| Neither confirmed nor denied | 0                                   | 0                  | 0                             | 0                  | 0                              | 0                  | 0                            | 0                  | 0                                    | 0                  |
| Total                        | 30                                  | 509                | 13                            | 1778               | 6                              | 1665               | 15                           | 17616              | 6                                    | 65962              |

#### 2.5.3 Other complexities

| Disposition                  | Consultation<br>Required | Assessment of Fees | Legal Advice<br>Sought | Other | Total |
|------------------------------|--------------------------|--------------------|------------------------|-------|-------|
| All disclosed                | 3                        | 0                  | 0                      | 9     | 12    |
| Disclosed in part            | 32                       | 0                  | 1                      | 34    | 67    |
| All exempted                 | 3                        | 0                  | 0                      | 1     | 4     |
| All excluded                 | 0                        | 0                  | 0                      | 0     | 0     |
| Request abandoned            | 3                        | 1                  | 0                      | 5     | 9     |
| Neither confirmed nor denied | 0                        | 0                  | 0                      | 0     | 0     |
| Total                        | 41                       | 1                  | 1                      | 49    | 92    |

#### 2.6 Deemed refusals

#### 2.6.1 Reasons for not meeting statutory deadline

| Number of Requests Closed   |          | Principal Reason         |                          |       |  |  |  |  |
|-----------------------------|----------|--------------------------|--------------------------|-------|--|--|--|--|
| Past the Statutory Deadline | Workload | External<br>Consultation | Internal<br>Consultation | Other |  |  |  |  |
| 27                          | 21       | 6                        | 0                        | 0     |  |  |  |  |

#### 2.6.2 Number of days past deadline

| Number of Days Past<br>Deadline | Number of Requests<br>Past Deadline Where<br>No Extension Was<br>Taken | Number of Requests<br>Past Deadline Where<br>An Extension Was<br>Taken | Total |
|---------------------------------|--|--|-------|
| 1 to 15 days                    | 0  | 2  | 2     |
| 16 to 30 days                   | 2  | 1  | 3     |
| 31 to 60 days                   | 1  | 5  | 6     |
| 61 to 120 days                  | 1  | 1  | 2     |
| 121 to 180 days                 | 0  | 5  | 5     |
| 181 to 365 days                 | 0  | 6  | 6     |
| More than 365 days              | 0  | 3  | 3     |
| Total                           | 4  | 23   | 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: Extensions

## 3.1 Reasons for extensions and disposition of requests

|   | 9(1)(a)                      |            | 1)(b)<br>ultation | 9(1)(c)               |  |
|---|------------------------------|------------|-------------------|-----------------------|--|
| Disposition of Requests Where<br>an Extension Was Taken | Interference With Operations | Section 69 | Other             | Third-Party<br>Notice |  |
| All disclosed   | 3                            | 0          | 1                 | 1                     |  |
| Disclosed in part                                       | 10                           | 0          | 18                | 16                    |  |
| All exempted  | 1                            | 0          | 1                 | 1                     |  |
| All excluded  | 0                            | 0          | 0                 | 0                     |  |
| No records exist  | 0                            | 0          | 0                 | 0                     |  |
| Request abandoned                                       | 4                            | 0          | 2                 | 1                     |  |
| Total   | 18                           | 0          | 22                | 19                    |  |

#### 3.2 Length of extensions

|                      | 9(1)(a)                         | <b>9(</b> '<br>Cons | 9(1)(c) |                       |
|----------------------|---------------------------------|---------------------|---------|-----------------------|
| Length of Extensions | Interference<br>With Operations | Section 69          | Other   | Third-Party<br>Notice |
| 30 days or less      | 0                               | 0                   | 1       | 1                     |
| 31 to 60 days        | 2                               | 0                   | 2       | 2                     |
| 61 to 120 days       | 6                               | 0                   | 7       | 6                     |
| 121 to 180 days      | 6                               | 0                   | 7       | 6                     |
| 181 to 365 days      | 4                               | 0                   | 5       | 4                     |
| 365 days or more     | 0                               | 0                   | 0       | 0                     |
| Total                | 18                              | 0                   | 22      | 19                    |

#### Part 4: Fees

|                    | Fee Co                    | llected | Fee Waived            | or Refunded |
|--------------------|---------------------------|---------|-----------------------|-------------|
| Fee Type           | Number of Requests Amount |         | Number of<br>Requests | Amount      |
| Application        | 66                        | \$330   | 6                     | \$30        |
| Search             | 0                         | \$0     | 0                     | \$0         |
| Production         | 0                         | \$0     | 0                     | \$0         |
| Programming        | 0                         | \$0     | 0                     | \$0         |
| Preparation        | 0                         | \$0     | 0                     | \$0         |
| Alternative format | 0                         | \$0     | 0                     | \$0         |
| Reproduction       | 0                         | \$0     | 0                     | \$0         |
| Total              | 66                        | \$330   | 6                     | \$30        |

## Part 5: Consultations Received From Other Institutions and Organizations

# 5.1 Consultations received from other Government of Canada institutions and organizations

| Consultations                                  | Other<br>Government of<br>Canada<br>Institutions | Number of<br>Pages to<br>Review | Other<br>Organizations | Number of<br>Pages to<br>Review |
|--|--|---------------------------------|------------------------|---------------------------------|
| Received during reporting period               | 30   | 7339                            | 5                      | 3500                            |
| Outstanding from the previous reporting period | 13   | 2829                            | 0                      | 0                               |
| Total  | 43   | 10168                           | 5                      | 3500                            |
| Closed during the reporting period             | 41   | 10095                           | 5                      | 3500                            |
| Pending at the end of the reporting period     | 2  | 73                              | 0                      | 0                               |

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

|                           | Numb            | er of Da            | ys Requ             | ired to C            | omplete               | Consulta              | tion Req                    | uests |
|---------------------------|-----------------|---------------------|---------------------|----------------------|-----------------------|-----------------------|-----------------------------|-------|
| Recommendation            | 1 to 15<br>Days | 16 to<br>30<br>Days | 31 to<br>60<br>Days | 61 to<br>120<br>Days | 121 to<br>180<br>Days | 181 to<br>365<br>Days | More<br>Than<br>365<br>Days | Total |
| Disclose entirely         | 16              | 5                   | 6                   | 0                    | 0                     | 0                     | 0                           | 27    |
| Disclose in part          | 2               | 4                   | 8                   | 0                    | 0                     | 0                     | 0                           | 14    |
| 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                     | 18              | 9                   | 14                  | 0                    | 0                     | 0                     | 0                           | 41    |

# 5.3 Recommendations and completion time for consultations received from other organizations

|                           | Number of Days Required to Complete Consultation Requests |                     |                     |                      |                       | uests                 |                             |       |
|---------------------------|---|---------------------|---------------------|----------------------|-----------------------|-----------------------|-----------------------------|-------|
| Recommendation            | 1 to 15<br>Days   | 16 to<br>30<br>Days | 31 to<br>60<br>Days | 61 to<br>120<br>Days | 121 to<br>180<br>Days | 181 to<br>365<br>Days | More<br>Than<br>365<br>Days | Total |
| Disclose entirely         | 4   | 0                   | 0                   | 0                    | 0                     | 0                     | 0                           | 4     |
| 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                     | 5   | 0                   | 0                   | 0                    | 0                     | 0                     | 0                           | 5     |

## Part 6: Completion Time of Consultations on Cabinet Confidences

## 6.1 Requests with Legal Services

|                | Fewer T<br>Paç<br>Proce | jes                |                       | ) Pages<br>essed   | Pag                   | 1000<br>ges<br>essed | 1001-5000<br>Pages Processed |                    | More Than 5000<br>Pages<br>Processed |                    |
|----------------|-------------------------|--------------------|-----------------------|--------------------|-----------------------|----------------------|------------------------------|--------------------|--------------------------------------|--------------------|
| Number of Days | Number of<br>Requests   | Pages<br>Disclosed | Number of<br>Requests | Pages<br>Disclosed | Number of<br>Requests | Pages<br>Disclosed   | Number of<br>Requests        | Pages<br>Disclosed | Number of Requests                   | Pages<br>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                  |

## **6.2 Requests with Privy Council Office**

|                | Fewer T<br>Paç<br>Proce |                    |                       | 0 Pages<br>essed   | Pag                   | 1000<br>ges<br>essed | 1001-5000<br>Pages Processed |                    | More Than 5000<br>Pages<br>Processed |                    |
|----------------|-------------------------|--------------------|-----------------------|--------------------|-----------------------|----------------------|------------------------------|--------------------|--------------------------------------|--------------------|
| Number of Days | Number of<br>Requests   | Pages<br>Disclosed | Number of<br>Requests | Pages<br>Disclosed | Number of<br>Requests | Pages<br>Disclosed   | Number of<br>Requests        | Pages<br>Disclosed | Number of<br>Requests                | Pages<br>Disclosed |
| 1 to 15        | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| 16 to 30       | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| 31 to 60       | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| 61 to 120      | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| 121 to 180     | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| 181 to 365     | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| More than 365  | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |
| Total          | 0                       | 0                  | 0                     | 0                  | 0                     | 0                    | 0                            | 0                  | 0                                    | 0                  |

## Part 7: Complaints and Investigations

| Section 32 | Section 35 | Section 37 | Total |
|------------|------------|------------|-------|
| 2          | 2          | 2          | 6     |

## Part 8: Court Action

| Section 41 | Section 42 | Section 44 | Total |
|------------|------------|------------|-------|
| 0          | 0          | 0          | 0     |

# Part 9: Resources Related to the Access to Information Act

#### 9.1 Costs

| Expenditures                    | Amount    |          |
|---------------------------------|-----------|----------|
| Salaries                        | \$338,030 |          |
| Overtime                        | \$0       |          |
| Goods and Services              |           | \$87,299 |
| Professional services contracts | \$73,712  |          |
| • Other                         | \$13,587  |          |
| Total                           | \$425,329 |          |

#### 9.2 Human Resources

| Resources                        | Person Years Dedicated to Access to Information Activities |
|----------------------------------|--|
| Full-time employees              | 4.75   |
| Part-time and casual employees   | 0.18   |
| Regional staff                   | 0.00   |
| Consultants and agency personnel | 0.60   |
| Students                         | 0.00   |
| Total                            | 5.53   |