



The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

Office of the Correctional Investigator

Annual Report to Parliament

on the

Privacy Act

April 1, 2014 to March 31, 2015

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INTRODUCTION

The Office of the Correctional Investigator is pleased to submit to Parliament its annual report on the administration of the *Privacy Act (PA)* for the fiscal year commencing on April 1, 2014 and ending March 31, 2015. This report is submitted in accordance with section 72 of the *Act*.

The *Privacy Act* took effect on July 1, 1983. The *PA* extends to individuals the right of access to information held by the government, about themselves, subject to certain specific and limited exceptions. The *Act* also protects individuals' personal information and gives individuals substantial control over its collection, use and disclosure.

OUR MANDATE

The Office of the Correctional Investigator is mandated by Part III of the *Corrections and Conditional Release Act* as an Ombudsman for federal offenders. The primary function of the Office is to investigate and bring resolution to individual offender complaints. The Office as well, has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and appropriately addressed.

OUR MISSION

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigation of individual and systemic concerns. While an independent organization, the Office of the Correctional Investigator is part of the Public Safety and Emergency Preparedness portfolio.

PRIVACY ACTIVITIES

The Minister of Public Safety and Emergency Preparedness is the designated head of the institution for the *Privacy Act*. The Correctional Investigator has been delegated full authority under the *Privacy Act* by the Minister. Limited authority under the Act has been delegated to the Access to Information and Privacy Coordinator. The delegation of authority to administer the Act was confirmed by the Minister of Public Safety and Emergency Preparedness on January 21, 2014 (see Appendix C).

While the responsibilities of ATIP Coordinator are assigned to the Director of Corporate Services and Planning, the actual processing of requests and any associated activities are generally carried out by a consultant. It is felt that this is the most cost effective utilization of resources and delivery of these activities.

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to ensure the OCI's responsibilities under the *Privacy Act* are met and to enable appropriate processing and proper disclosure of information. The Coordinator is also responsible for related policies, systems and procedures emanating from the *Act*.

The main activities of the ATIP Coordinator include:

- Processing requests under the *Act*;
- Developing and maintaining policies, procedures and guidelines to ensure the *Act* is respected by the Office;
- Promoting awareness of the *Act* to ensure the organization's responsiveness to the obligations imposed on the government;
- Monitoring the Office's compliance with the *Act*, regulations and relevant procedures and policies;
- Preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- Representing the Office in dealings with the Treasury Board Secretariat, the Privacy Commissioner and other government agencies regarding the application of the *Act* as they relate to the OCI; and
- Supporting the Office in meeting its commitments in relation to greater openness and transparency through proactive disclosure of information and the disclosure of information through informal avenues.

During the Reporting Period:

Twenty-eight (28) requests were received and there were 7 outstanding requests from the previous reporting period for a total of 35 requests. Twenty-seven (27) of these requests were disclosed in part; none were abandoned, and 4 were carried forward to the next reporting period. All but 7 of these requests were processed within the legislative time frame. Extensions were required for 15 of the requests. There were no significant issues surrounding these 28 requests.

Monitoring of the time required to process these privacy requests was completed in preparing the historical trend analysis below; moreover, discussions with the consultant on this matter with a view to improving response times occurred.

There was no formal privacy-related training conducted; however, advice, guidance and recommendations were provided by the consultant on an as required basis to Management and staff.

There were no new OCI-specific privacy related procedures, policies or guidelines implemented. However, preliminary work began on the customization of an electronic ATIP system for implementation in the 2015-16 reporting period.

There were no material privacy breaches; no Privacy Impact Assessments (PIAs) were completed; no new data sharing activities took place and the Office made no disclosures of personal information pursuant to subsection 8(2)(m) of the *Privacy Act*.

The OCI did not receive any complaints.

For 2014-15, the costs directly associated with the administration of the *Privacy Act* are estimated at \$65,418.00.

Staff	\$6,474.00
Consultant fees	\$58,944.00

The associated employee resources for 2014-15 are estimated at 0.25 FTE for administering the *Privacy Act*.

HISTORICAL TREND ANALYSIS

Over a five year period, from 2010-11 to 2014-15, the OCI received an average of 18 requests annually; the lowest number of requests received in one reporting period was 13 and the highest number of requests received in one reporting period was 28. The average completion time within 30 days was 47% of all requests; the average completion time within 60 days was 28% of all requests; and the total average completion rate from 1 to 60 days was 75% of all requests.

The Source of the Requests was always the Public. With regards to the number of pages processed, an average of 5,602 was recorded; the highest number of pages processed in one reporting period was 28,010; and finally, the lowest number of pages processed in one reporting period was 603.

The most frequently used exemptions were:

- 26: 50%
- 22(1)(c): 22%
- 22(1)(a): 11%
- 21(1)(c): 5%

A total of 47 Extensions for Consultations were recorded for an average of 9.4 per reporting period; the highest number of extensions in any given reporting period was 12 the lowest number of extensions in any given reporting period was 4.

One (1) consultation was received from another government organization.

This baseline data will be used in future years to assess trends, inform ongoing improvement in the processing of Privacy requests and implement corrective measures.

APPENDIX A

Statistical Report

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Statistical Report on the *Privacy Act*

Name of institution: Office of the Correctional Investigator

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

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	28
Outstanding from previous reporting period	7
Total	35
Closed during reporting period	31
Carried over to next reporting period	4

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	0	4	0	0	0	0	0	4
Disclosed in part	0	12	8	5	0	2	0	27
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	16	8	5	0	2	0	31

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	4	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	1	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	7	24(b)	1
19(1)(d)	3	22(1)(c)	19	25	5
19(1)(e)	0	22(2)	0	26	26
19(1)(f)	0	22.1	0	27	2
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)	0	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	4	0	0
Disclosed in part	27	0	0
Total	31	0	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	78	44	4
Disclosed in part	9484	7658	27
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	9562	7702	31

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	4	44	0	0	0	0	0	0	0	0
Disclosed in part	11	450	13	2074	3	5134	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	15	494	13	2074	3	5134	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	4	0	0	0	4
Disclosed in part	27	0	0	0	27
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	31	0	0	0	31

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
15	4	11	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	4	5
16 to 30 days	1	4	5
31 to 60 days	2	1	3
61 to 120 days	0	0	0
121 to 180 days	0	2	2
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	4	11	15

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	2	0	2
French to English	2	0	2
Total	4	0	4

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

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

Part 4: Requests for Correction of Personal Information and Notations

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

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	0	0	0	0
Disclosed in part	4	0	11	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	4	0	11	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	4	0	11	0
Total	4	0	11	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	1	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	1	0	0
Closed during the reporting period	1	1	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	1	0	0	0	0	0	0	1
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	1	0	0	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
0	0	0	0	0

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		\$6,474
Overtime		\$0
Goods and Services		\$58,944
• Professional services contracts	\$58,944	
• Other	\$0	
Total		\$65,418

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.25
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.50
Students	0.00
Total	0.75

Note: Enter values to two decimal places.

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APPENDIX B

Additional Reporting

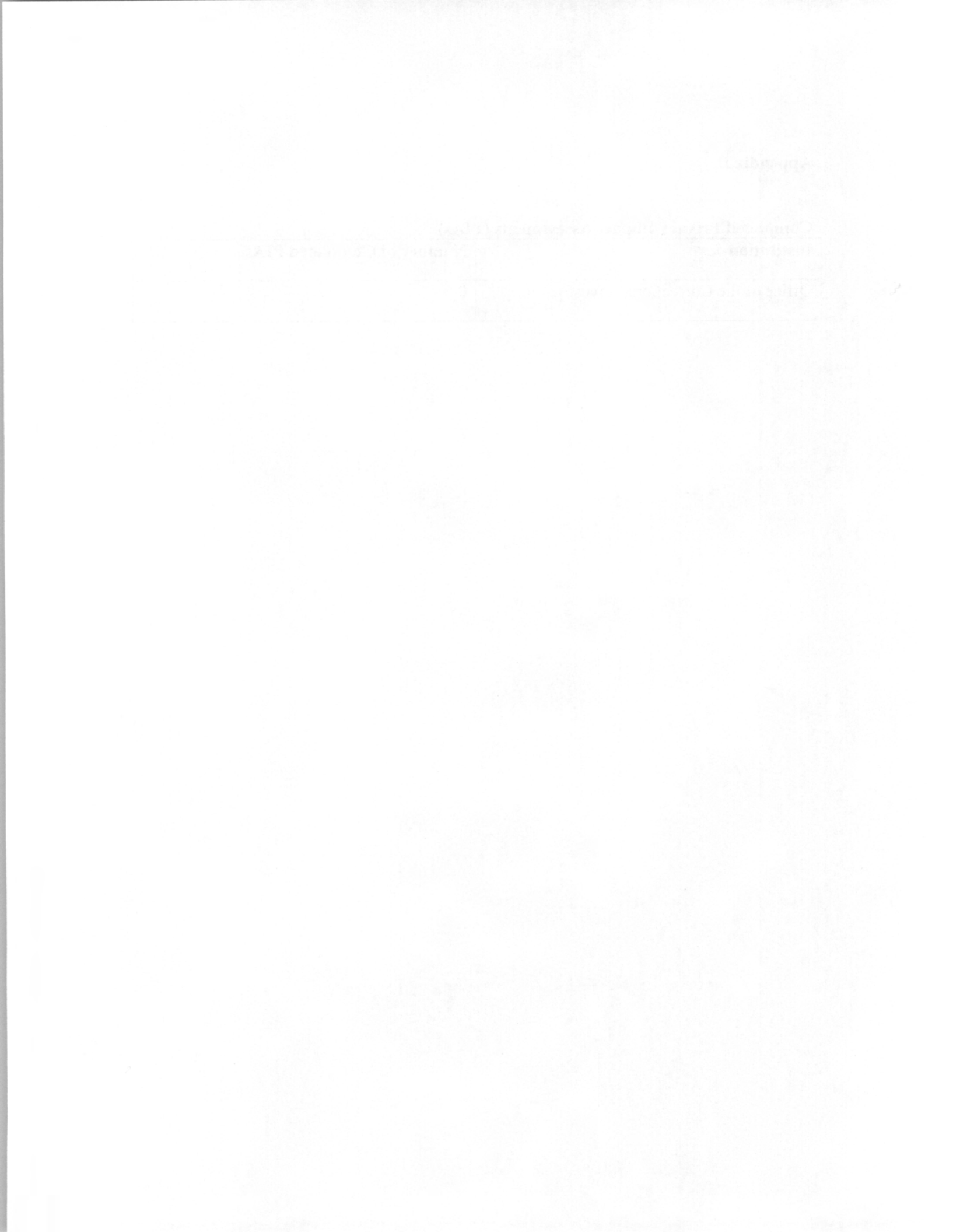
APPENDIX B

Additional Reporting

Appendix B

Completed Privacy Impact Assessments (PIAs)

Institution	Number of Completed PIAs
Office of the Correctional Investigator	0



APPENDIX C

Delegation Order

PREVIOUS

DEPARTMENT

Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la
Loi sur la protection des renseignements personnels

The Minister of Public Safety and Emergency Preparedness, pursuant to section 73 of the Privacy Act, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as head of a government institution, that is, the Office of the Correctional Investigator, under the sections of the Act set out in the schedule opposite each position.

En vertu de l'article 73 de la Loi sur la protection des renseignements personnels, le Ministre de la Sécurité publique et de la Protection civile délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont il est, en qualité de responsable d'une institution fédérale, c'est à dire, Bureau de l'enquêteur correctionnel, investi par les articles de la Loi mentionnés en regard de chaque poste.

Schedule

Annexe

Position

Sections of the Privacy Act

Poste

Articles de la Loi sur la Protection des renseignements personnels

Correctional Investigator
Enquêteur correctionnel

8(2)(j), 8(2)(m), 8(4), 8(5), 9, 10, 14, 15, 17(2), (3), 18(2) 19 to/à 28 incl., 31, 33(2), 35(1), 35(4), 36(3), 37(3), 51, 72(1).

Executive Director and General Counsel
Directeur exécutif et avocat général

Section of the Regulations

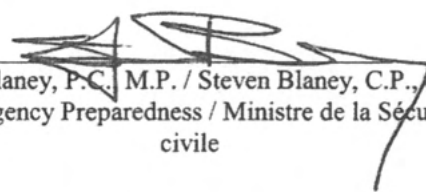
Articles des Règlements

Access to Information and Privacy Coordinator
Coordonnateur, accès à l'information et protection des renseignements personnels

9, 11(2), 11(4), 13(1), 14.

Dated at the City of Ottawa this 21st day of
January, 2014

Daté en la ville d'Ottawa ce 21 ième jour de
janvier, 2014


Steven Blaney, P.C., M.P. / Steven Blaney, C.P., député
Minister of Public Safety and Emergency Preparedness / Ministre de la Sécurité publique et de la Protection civile

