

ANNUAL REPORT
on the
Privacy Act
2004 – 2005

Introduction...

Since its creation in April 2002, through Bill C-49, the Canadian Air Transport Security Authority (CATSA) is responsible for several key aviation security services, namely in the area of screening passengers and their belongings.

CATSA's mission is to protect the public by securing critical elements of the air transportation system as assigned by the government.

As a recently established Crown corporation, this is the second annual report on the *Privacy Act* that CATSA has tabled in Parliament.

Highlights and accomplishments ...

CATSA is always working to perfect its programs. In the 2004-2005 fiscal year, CATSA reorganised its Access to Information and Privacy program with a view to creating a team of professionals who would assume the key legislative responsibilities surrounding access to information and privacy issues.

In addition to the purchase, in January 2004, of the ATIPflow software, which proved to be an important step in improving CATSA's administration of requests for the Access to Information and Privacy program, CATSA hired two consultants to process requests made to CATSA much more efficiently.

Statistical report and trends ...

In the 2003-2004 fiscal year, CATSA received two (2) requests under the *Privacy Act*, one (1) of which was carried forward to the 2004-2005 fiscal year.

As the enclosed statistical report shows in the 2004-2005 fiscal year, CATSA received four (4) requests under the *Privacy Act*. Two (2) requests were processed during the reporting period while three (3) were carried forward to the current fiscal year.

Of the two (2) requests for access to personal information received by CATSA in 2004-2005, one could not be processed because there were no records relating to the request. For the other request, partial disclosure was provided

One of the requests was processed within 61 to 120 days, while the other took between 61 to 120 days to be processed.

During the reporting period, CATSA did not extend the statutory 30-day limit prescribed by the *Privacy Act*.

Complaints and investigations ...

The Privacy Commissioner of Canada received one complaint in the 2004-2005 fiscal year concerning requests for access to personal information processed by CATSA.

The applicant filed a complaint with the Privacy Commissioner concerning the delay to process the request. It was alleged that CATSA had failed to process the request within the statutory timeframe prescribed by the law.

The Office of the Privacy Commissioner launched an investigation into this allegation. CATSA collaborated fully with the investigation from the outset. Following meetings with the investigator responsible for the complaint, a letter was sent to CATSA indicating that the investigation was well-founded and that the complaint was now closed.

Organization of activities and procedures ...

CATSA is based in the National Capital Region and employs approximately 220 persons.

The organisation is headed by Mr. Jacques Duchesneau, C.M., President and Chief Executive Officer. Mr. Duchesneau is also the person designated as head of CATSA for purposes of the *Privacy Act*.

The Director of Communications was responsible for CATSA's Access to Information and Privacy program. In CATSA's organizational structure for the 2004-2005 fiscal year, the Communications Division was under the Risk and Quality Branch, whose Vice-President reported to the Executive Vice-President, who reported directly to the President and Chief Executive Officer.

In addition to her communications responsibilities, the Director of Communications served as Access to Information and Privacy Coordinator. Thus, CATSA's Access to Information program had a Coordinator and a communications analyst who were responsible for administering requests received by the organization, in addition to purchase orders to enable CATSA to hire consultants in time of need.

Regarding the information management, CATSA believes that sound management of records and information is a prerequisite to the successful application of the *Privacy Act* and a key component of good governance.

It should be observed that the current Information Management program supports the Subject Classification System (SCS) to define CATSA's programs and functions. The SCS is used to organize official records.

It is also noteworthy that the organization's Information Management division is working with Library and Archives Canada on the new functional classification system for government records. This approach will further increase record-keeping efficiency by offering the option of

tailoring the system to CATSA's programs. The new approach will continue to ensure CATSA's compliance with the *Privacy Act*.

Like any responsible organization, CATSA has established institutional procedures for the requests for access to personal information it receives. These procedures provide that once the requests are entered in the management information system, they go directly to the Access to Information and Privacy Coordinator. Program staff take care of the administrative and statutory duties related to access to personal information, particularly coordinating the collection of records, consulting, issuing notices of extension, reviewing records, coordinating approvals, and drafting replies.

The Access to Information and Privacy program staff coordinates the retrieval of the requested records from the organization's other programs. The program staff is responsible for reviewing records relating to the request and applying the exemptions and/or exclusions provided under the *Act*.

Once all the exemptions and exclusions have been identified, the program staff coordinates the executive approval process. The process established by the organization provides that first, the Access to Information and Privacy Coordinator approves the exemptions and/or exclusions, then the records go to the Director of the program concerned for approval, next to the Vice-President of the program concerned, followed by the Executive Vice-President, and finally to the President and Chief Executive Officer for final approval, as the person responsible for the application of the *Privacy Act* at CATSA.

Once the senior management approvals have been obtained, the Access to Information and Privacy program staff prepares the records to be disclosed and a reply is sent to the applicant by the Coordinator.

CATSA's Access to Information and Privacy program realizes that it is essential to ensure ongoing employee training on our obligations under the *Privacy Act*. In the 2004-2005 fiscal year, the program Coordinator started developing an information session for CATSA employees to raise their awareness of the importance and scope of the *Privacy Act*. The information sessions are planned to begin in the next fiscal year.

Initiatives...

In order to enhance the security of the restricted areas in airports, CATSA has implemented a new identity card program called RAIC. RAIC is the acronym for Restricted Area Identification Card.

For this project, CATSA conducted a Preliminary Privacy Impact Assessment (PPIA) to ensure that the privacy of personal information would be respected. The PPIA identifies risks to privacy and discusses risk reduction measures.

The PPIA was submitted to the Office of the Privacy Commissioner of Canada in July 2004, and CATSA expects to receive the Commissioner's comments shortly.

CATSA intends to continue to collaborate fully with the Office of the Privacy Commissioner to show Canadians that the organization respects their privacy and places a priority on protecting personal information used in programs and services for Canadians.

Conclusion...

CATSA recognizes and respects the fundamental principle behind the *Privacy Act*: protect the privacy of individuals with respect to personal information about themselves held by a government institution and provide individuals with a right of access to that information.

CATSA promises not only to meet its key statutory responsibilities and obligations around Access to Information and Privacy, but also to strive to continually improve its performance in processing requests for access to personal information.