



Information Commissioner of Canada

Access to Information Act

Report Card on the Performance

of

Immigration and Refugee Board

March 2006

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OVERVIEW

As part of the proactive mandate of the Commissioner's Office, each year a department (or departments) is selected for review and a Report Card is completed. The review is conducted to determine the extent to which the department is meeting its responsibilities under the *Access to Information Act*.

The Immigration and Refugee Board (IRB) administers the *Access to Information Act* through the Access to Information and Privacy (ATIP) Directorate. The Director has fully delegated authority from the Head of the institution to make all decisions under the Act. There is further delegation of authority to both departmental Counsel and Senior Access to Information and Privacy Advisors in the ATIP Directorate for making certain administrative decisions under the Act.

A critical component of the administration of the *Access to Information Act* is the leadership role of the Access to Information (ATI) Coordinator and Senior Management in a department. Senior Management exercises leadership by identifying access to information as a departmental priority and then acting upon this by providing the appropriate resources, technology and policies. Together with the ATI Coordinator, it is important for Senior Management to create a culture of openness and access to departmental information. The ATI Coordinator is the departmental champion of access to information.

The Report Card identified a serious deemed-refusal situation and lack of an up-to-date ATI support structure in the IRB's current policies, procedures and technology. Although the ATIP Director (who was appointed to the position in December 2005) has recognized the need to have the support structure updated and started on some projects, there is no comprehensive plan that covers all aspects of what must be accomplished.

This Report Card makes a number of recommendations for ATI operations in the IRB. Of particular note, an essential component in the administrative framework to support the operation of the *Access to Information Act* is the development of an ATI Operational and Improvement Plan for the ATIP Directorate. The Plan would establish priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities to guide improvements to the administration of the *Access to Information Act* in the ATIP Directorate and the IRB. Senior Management of the IRB should monitor the Plan. Other recommendations focus on the need to review the access request approval process to reduce reviews. The ATIP Director has fully delegated authority to make decisions under the *Access to Information Act* and that delegation should be exercised without reviews. Reviews to ensure that the appropriate staff are informed can be conducted in a parallel process.

This Report Card assigns an overall grade to the department that signifies the extent to which the department is meeting its responsibilities under the *Access to Information Act*. The grading system is described in Table 1.

Table 1: Grading System Used for this Report Card

Overall Grade	Overall ATI Operations
A = Ideal	<ul style="list-style-type: none">• All policies, procedures, operational plan, training plan, staffing in place• Evidence of Senior Management support including an ATI Vision• Streamlined approval process with authority delegated to ATIP Coordinator• 5% or less deemed refusals
B = Substantial	<ul style="list-style-type: none">• Minor deficiencies to the ideal that can easily be rectified• 10% or less deemed refusals
C = Borderline	<ul style="list-style-type: none">• Deficiencies to be dealt with
D = Below Standard	<ul style="list-style-type: none">• Major deficiencies to be dealt with
F = Red Alert	<ul style="list-style-type: none">• So many major deficiencies that a significant departmental effort is required to deal with their resolution or many major persistent deficiencies that have not been dealt with over the years

On this grading scale, the IRB rates an “F” for the first eight months of fiscal year (FY) 2005/2006. Its overall performance is Red Alert.

BACKGROUND & GLOSSARY OF TERMS

As part of the proactive mandate of the Commissioner's Office, each year a department (or departments) is selected for review and a Report Card is completed. The review is conducted to determine the extent to which the department is meeting its responsibilities under the *Access to Information Act*. The responsibilities and requirements can be set out in the Act or its Regulations such as the timelines required to respond to an access request. Or the responsibilities may emanate from Treasury Board of Canada Secretariat or departmental policies, procedures or other documentation in place to support the access to information process.

Fundamental to the access to information regime are the principles set out in the Purposes section of the *Access to Information Act*. These principles are:

- Government information should be available to the public
- Necessary exemptions to the right of access should be limited and specific
- Decisions on the disclosure of government information should be reviewed independently of government.

Previous Report Cards issued since 1999 focused on the deemed refusal of access requests, the situations that may have led to the deemed refusals and recommendations for eventually eliminating the problem. In 2005, the scope of the Report Cards was broadened. The scope of the Report Cards now seeks to capture an extensive array of data and statistical information to determine how an ATI Office and a department are supporting their responsibilities under the Act. Where the Commissioner's Office identifies activities during the Report Card review that would enhance the access to information process in a department, a recommendation is made in the Report Card.

The IRB administers the *Access to Information Act* through the ATIP Directorate. The Director of the office has fully delegated authority from the Head of the institution to make all decisions under the Act. There is no further delegation of authority to ATIP analysts in the office for making certain administrative decisions under the Act.

As part of the preparation of this Report Card, the ATIP Director was interviewed on February 28, 2006. In addition, 15 access request files completed during FY 2004/2005, and the first eight months of FY 2005/2006 were selected at random and reviewed on March 2, 2006. The purpose of the file review is to determine if administrative actions taken to process an access request and decisions made about an access request are appropriately documented in the case file. To the credit of the IRB, at this point in time, the inventory of access requests in a deemed-refusal situation had been completely eliminated.

The ATIP Director submitted the Report Card Questionnaire included at the end of this Report Card to the Office of the Information Commissioner. The Questionnaire provides

statistical and other information on the administration of the *Access to Information Act* in the department.

A Glossary of Terms for this Report Card is presented in Table 2.

Table 2: Glossary of Terms

Term	Definition
ATI Coordinator (or ATIP Director or Coordinator)	Each institution is required, by Treasury Board policy, to designate an official known as the Access to Information Coordinator. The Access to Information Coordinator is responsible for receiving access requests. Coordinators may also be delegated authority, from the head of the institution, to levy fees, claim extensions, give notices and invoke exemptions. The scope of a Coordinator’s authority varies from institution to institution.
Complaint Findings	<p>The following categories are used by the Office of the Information Commissioner to identify the outcome of a complaint made to the Office under the <i>Access to Information Act</i>:</p> <ul style="list-style-type: none"> <li data-bbox="586 1052 1365 1199">➤ Well-founded Complaints well-founded but not resolved, where the Commissioner sought consent from the requester to pursue the matters in Federal Court. <li data-bbox="586 1209 1365 1314">➤ Resolved Well-founded complaints resolved by remedial action satisfactory to the Commissioner. <li data-bbox="586 1325 1365 1398">➤ Not Substantiated Complaints considered not to be well founded. <li data-bbox="586 1409 1365 1524">➤ Discontinued Complaints discontinued, on request from the complainant, prior to a final resolution of the case.
Deemed Refusal	<p>The <i>Access to Information Act</i> describes a deemed refusal as follows:</p> <p style="padding-left: 40px;">10. (3) Where the head of a government institution fails to give access to a record requested under this Act or a part thereof within the time limits set out in this Act, the head of the institution shall, for the purposes of this Act, be deemed to have refused to give access.</p>

Term	Definition
Extension	<p>Extensions to the initial 30-day time period to respond to an access request can be made in the following circumstances as described in the <i>Access to Information Act</i>:</p> <p>9(1) The head of a government institution may extend the time limit set out in section 7 or subsection 8(1) in respect of a request under this Act for a reasonable period of time, having regard to the circumstances, if:</p> <ul style="list-style-type: none"> (a) the request is for a large number of records or necessitates a search through a large number of records and meeting the original time limit would unreasonably interfere with the operations of the government institution, (b) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or (c) notice of the request is given pursuant to subsection 27(1) by giving notice of the extension and, in the circumstances set out in paragraph (a) or (b), the length of the extension, to the person who made the request within thirty days after the request is received, which notice shall contain a statement that the person has a right to make a complaint to the Information Commissioner about the extension.
Notice of Extension to Information Commissioner	<p>The <i>Access to Information Act</i> requires a notice to the Information Commissioner for extensions taken in excess of thirty days.</p>
OPI	<p>Office of primary interest or the location in a department responsible for the subject matter to which the access request relates.</p>

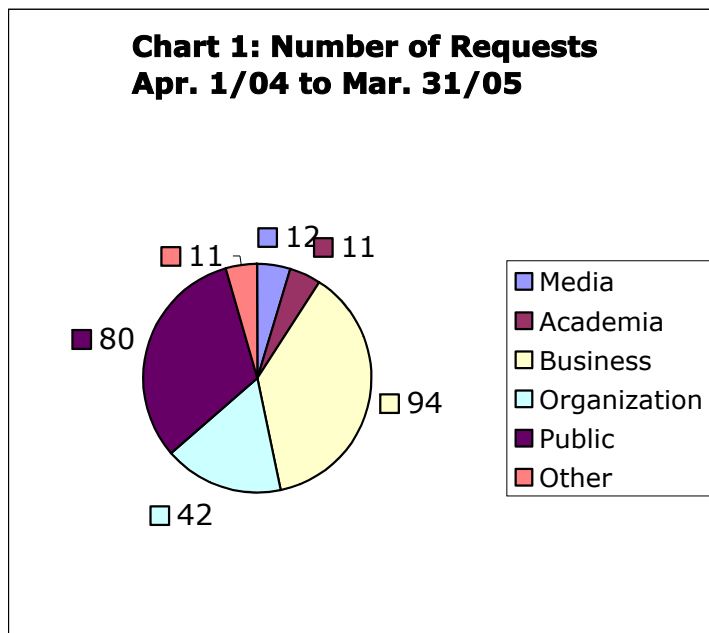
Term	Definition
Pending	<p>Unfinished requests or complaints:</p> <ul style="list-style-type: none"> ➤ Pending Previous Requests or complaints that were unfinished at the close of the previous fiscal year, and thus carried forward into the reporting period (the fiscal period indicated on the pie chart). ➤ Pending at year-end Requests or complaints that are unfinished at the end of the reporting period (the subject fiscal year), which will be carried into the next fiscal period.
Third Party	<p>For purposes of the <i>Access to Information Act</i>, any person, group of persons or organization other than the person that made an access request or a government institution.</p>
Treasury Board Guidelines	<p>The <i>Access to Information Act</i> is based on the premise that the Head of each government institution is responsible for ensuring that their institution complies with the Act, and for making any required decisions. There is also provision for a designated Minister to undertake the government-wide coordination of the administration of the Act. The President of the Treasury Board fulfils this role.</p> <p>One of the statutory responsibilities of the designated Minister is to prepare and distribute to government institutions directives and guidelines concerning the operation of the <i>Access to Information Act</i> and <i>Regulations</i>.</p>

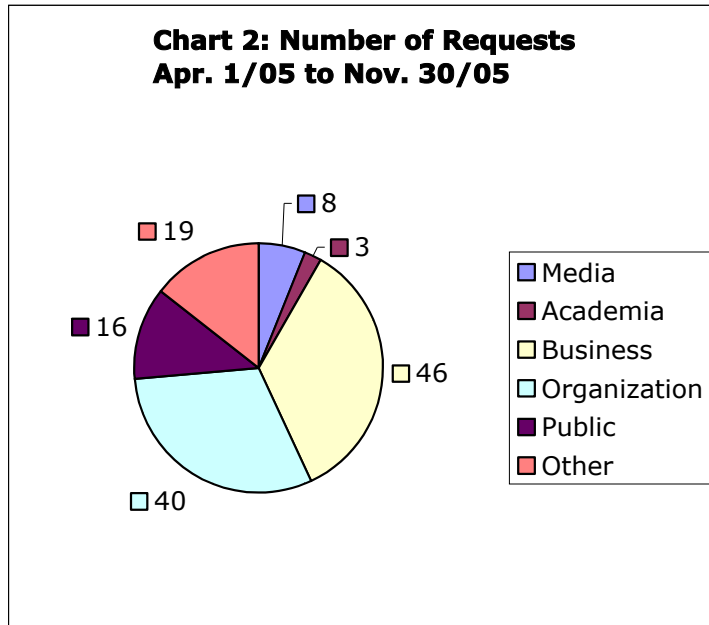
CHAPTER 1: THE ACCESS REQUEST PROCESS

The *Access to Information Act* provides a processing framework for access requests. Any member of the public who is a Canadian citizen or a permanent resident can make an access request. The Act provides a department with certain processing timelines and allows for extensions under certain circumstances to the initial 30-day time limit to respond to an access request. A request may be transferred and third parties may be consulted when an access request covers information affecting a third party. When records contain information that is exempt from disclosure or excluded from the Act, a department may deny that information to a requester.

The Client

Requesters are categorized for statistical purposes. Government and departments use the statistics for various analytical purposes including the identification of trends. The number of requesters by category and recent FY time periods for the IRB are illustrated in Charts 1 and 2.





The IRB flags access requests that are considered as either “interesting” or “non-interesting”. The interesting category consists of access requests where the records requested may be involved in litigation or where the Director General, Strategic Communications and Partnerships Branch, might be aware of an issue that may require briefing material. The ATIP Director makes the initial decision on what category to tag the access request.

In FY 2004/2005, 110 of the 250 or 44% of the access requests received were tagged as interesting. Of the 110, 45 access requests were answered in a deemed-refusal situation. In the first eight months of FY 2005/2006, 81 of 132 or 61% of completed access requests were flagged as interesting. An access request flagged as interesting will have the disclosure package reviewed by the Director General, Communications and Partnerships. The version of ATIPflow used by the ATIP Directorate cannot produce a report to determine if access requests flagged as interesting are more likely to end up in a deemed-refusal situation compared to non-interesting access requests.

The ATIP Director described the reasons for flagging an access request as interesting in the following way:

- A lawyer will need to review certain access requests to determine if the records are involved in current litigation.
- The Director General, Strategic Communications and Partnerships Branch may be aware if there are communications issues involved with the release or non-release of the records.

A review of 15 files selected at random during this review showed that:

- 11 access requests were answered in a deemed-refusal situation and nine of the access requests had been flagged as interesting.
- Four access requests were not flagged as interesting and three of those access requests were answered on time.

Recommendation 1.1: The reason(s) for flagging an access request as interesting be documented in the *ATIP Desktop Procedures* that is under development.

Request Clarification

The number of access requests that required clarification in FY 2004/2004 was 22 or 9% of the access requests received. In the first eight months of FY 2005/2006, nine or 7% of the access requests received required clarification. The ATIP Directorate confirms in writing with the requester the content of a clarified access request some of the time. There are no documented criteria to provide guidance on when to seek clarification. The Director of the ATIP Directorate stated that some of the circumstances for seeking clarification included a lack of time period for records requested, the absence of an application fee, and a vague topic for the access request.

Recommendation 1.2: The *ATIP Desktop Procedures* for the ATIP Directorate include criteria for clarifying or modifying an access request.

Section 31 of the *Access to Information Act* requires that a complaint to the Office of the Information Commissioner must be made within one year of the date of the receipt of the access request. The ATIP Directorate will notify the requester of this requirement some of the time.

Recommendation 1.3: The *ATIP Desktop Procedures* include a requirement to notify a requester of the limitation of the right to complain when an access request is nearing one year old.

Pages Reviewed

The number of pages reviewed for access requests completed in FY 2004/2005 was 31,650 or an average of 125 pages per request. Of the total number of pages reviewed, 20,947 pages or 69% were disclosed in total or in part to the requester. In the first eight months of FY 2005/2006, 25,145 pages or an average of 160 pages per request were reviewed. Of the total number of pages reviewed, 12,921 or 51% were disclosed in total or in part to the requester.

The ATIP Directorate also reviews claims by other institutions – primarily Citizenship and Immigration Canada and the Canada Border Services Agency – to exempt records from disclosure. In FY 2004/2005, the ATIP Directorate received 157 consultations and reviewed 2,731 pages. In the first eight months of FY 2005/2006, 27 consultations were received and 421 pages reviewed.

Fees Collected

In FY 2004/2005, the ATIP Directorate collected \$633 in fees for processing access requests. In the first eight months of FY 2005/2006, \$430 were collected.

Although the department does not have a fee waiver policy, fee waivers amounting to \$860 were recorded in FY 2004/2005 and further fee waivers amounting to \$210 were recorded in the first eight months of FY 2005/2006. Other fee waivers were granted but not recorded. For example, photocopy fees of up to \$25 are routinely waived but not recorded.

While it is commendable that the department is waiving fees without a documented policy, decisions on fee waivers may be made in an arbitrary or inconsistent manner.

Recommendation 1.4: The ATIP Directorate develop a fee waiver policy for access requests.

Request Disposition

The ATIP Directorate reported a relatively high number of access requests that were either abandoned by the requester or the office was unable to process. In FY 2004/2005, the disposition of 27% of the access requests processed was either “abandoned by the requester” or “unable to process”. In the first eight months of FY 2005/2006, the percentage increased to 30%. The ATIP Director stated that the high number of requests in the unable to process category reflects access requests where no records existed.

Recommendation 1.5: The ATIP Directorate document the criteria for categorizing an access request as abandoned or unable to process in the *ATIP Desktop Procedures*.

Because of the subject matter of access requests received by the IRB, the ATIP Director does not consider that there are opportunities to treat an access request informally.

Time to Process Requests

The *Access to Information Act* allows 30 calendar days without an extension for departments to process an access request. Departments will usually have a request-

processing model that allocates a portion of the 30 days to each departmental function that has a role in responding to access requests. An ATIP Directorate can then analyze the actual time taken by departmental functions against allocated time to determine if, where and/or what improvements might be required when actual time exceeds allocated time. The IRB ATIP Directorate has a request-processing model that is based on 30 calendar days. The ATIP Directorate was not able to use *ATIPflow* to produce comprehensive data on the average number of days to complete each departmental function's role in the access request process. The statistics in Table 3 indicate that some OPIs are not adhering to their responsibility to provide records within a certain timeframe to the ATIP Directorate.

Table 3: The IRB Request Processing Model and Days Taken for the First Eight Months of FY 2005/2006

Processing Model - Stages	April 1/05 to Nov. 30/05	
	Days Allocated	Average Actual Days
ATI intake	1	1
OPI search	8	14.72
Records review and preparation	14	7.5
Legal	3	Unavailable
Communications	3	Unavailable
Approval or otherwise – OPI	N/A	N/A
Approval or otherwise – DMO	N/A	N/A
Approval or otherwise - MO	N/A	N/A
ATI release	1	1

Recommendation 1.6: The ATIP Directorate produce a weekly report that provides information on access requests that are required to be completed at each stage in the request-processing model in order to proactively manage the deemed-refusal situation.

Recommendation 1.7: The ATIP Directorate conduct an analysis of OPI response times for the FY 2005/2006 to determine the OPIs that are not providing records to the ATIP Directorate on time, and incorporate measures for improving performance in an ATI Improvement Plan.

The review/approval process for an access request disclosure package consists of the following steps:

1. An ATIP analyst prepares the access request disclosure package with recommendations and a routing memo is attached.
2. The access request disclosure package is reviewed by the ATIP Director and sign-off is obtained; the ATIP Director can indicate if the package is to be reviewed by Legal Services.
3. If the access request is flagged as interesting, the access request disclosure package is reviewed by the Director General, Strategic Communications and Partnerships Branch¹ and a sign-off is obtained; the Director General may refer the package to Legal Services.
4. If the access request disclosure package is referred to Legal Services, a sign-off is obtained.
5. The Director of the ATIP Directorate exercises delegated authority by signing the letter to the requester that accompanies the access request disclosure package.

The request-processing model allows up to six of 30 days for reviews. The reviews may be at two levels:

- Legal Services
- Director General, Strategic Communications and Partnerships Branch.

A department may have various internal communication needs to fulfill in order for information to be released under the *Access to Information Act*. The communication requirements or issue management process should be conducted in parallel to the access request process, not as part of the process. Numerous review stages in the process only serve to delay the release of information to the requester.

Recommendation 1.8: The access request processing model be revised to eliminate review stages in the process and that any reviews be conducted in parallel to the access request process.

¹ The ATIP Coordinator reports to the Director General.

Extensions Profile

Subsection 9(1) of the *Access to Information Act* provides circumstances when the initial thirty-day response time to an access request may be extended. These circumstances are:

- The request is for a large number of records or necessitates a search through a large number of records and meeting the original time limit would unreasonably interfere with the operations of the government institution.
- Consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit.
- Notice of the request is given pursuant to subsection 27(1) [to a third party who may have an interest in the disclosure of a record or part of a record].

The IRB ATIP Directorate always sends the notice of the extension to the requester within the initial 30-day response time and, where required, always sends a copy of the notice to the Office of the Information Commissioner. When it is unlikely that an extended date will be met, the requester will rarely be contacted. The requester will rarely be told of an expected new response date or that the requester has a right to complain to the Information Commissioner. The IRB had 14 time extensions for volume of records for completed access requests in FY 2004/2005 and 16 extensions for the first eight months of FY 2005/2006. All of these extensions were made under paragraph 9(1)(a) of the Act that allows a time extension for a search for or through a large volume of records.

The IRB did not consult with another institution or consult on section 69 of the *Access to Information Act*. Section 69 of the Act deals with records excluded from coverage of the Act that are confidences of the Queen's Privy Council of Canada. Departments consult with the Privy Council Office to determine whether or not the exclusion applies to records.

The IRB did not have any consultations with third parties under section 27 of the Act.

Recommendation 1.9: The ATIP Directorate conduct an analysis of the completed access requests for FY 2004/2005 and FY 2005/2006 to determine the reasons for missed extension dates and develop measures to resolve the situation as part of an ATI Improvement Plan.

Transfer Profile

In FY 2004/2005, four access requests were transferred to other institutions. In the first eight months of FY 2005/2006, seven requests were transferred to other institutions. All transfers with the exception of one occurred as required within 15 days of the receipt of the access request.

Claims for Exemptions

The ATIP Director stated that the ATIP office generally does not document the rationale for claiming an exemption in the access request file. The rationale for claiming an exemption is prepared by the ATIP Directorate – sometimes in concert with the OPI – through oral discussions.

A random group of 15 completed access request files closed between April 1, 2005, and November 30, 2005, were reviewed. The review indicated that:

- The rationale for claiming exemptions was not documented where the rationale was not obvious from the information.
- There was no documentation to indicate whether or not the department exercised discretion in deciding whether to claim a discretionary exemption.
- In cases where there was a mandatory exemption, there was no documentation to determine if the department took into account an exception that could lead to the disclosure of the information – for example, with a résumé that appeared to be prepared for public consumption.
- It was difficult in some files to identify the OPI.
- It was difficult in some of the files to follow the chronology of actions/events.
- ATIP*flow* was not used to its full extent to record summaries of actions or events and there were few notes or comments.
- When an access request was clarified, there was no new due date for a response to the access request.

Recommendation 1.10: The ATIP Directorate institute requirements in the *ATIP Desktop Procedures* for documenting the rationale for claiming all exemptions for the exercise of discretion and for the consideration of exceptions to mandatory exemptions.

Recommendation 1.11: The ATIP Directorate institute requirements in the *ATIP Desktop Procedures* for the completion of documentation in the access request-processing file that provides a record of responsible individuals and their actions, events and decisions.

CHAPTER 2: DEEMED REFUSALS

Since Canadians have a right to timely access to information (i.e. 30 days or within extended times under specified conditions), a delayed response is equivalent to a denied response. Parliament articulated this “timeliness” requirement in subsection 10(3) of the *Access to Information Act*, which states:

Where the Head of a government institution fails to give access to a record requested under this Act or a part thereof within the time limits set out in this Act, the head of the institution shall, for the purposes of this Act, be deemed to have refused to give access.

As a result, the Information Commissioner has adopted the following standard as being the best measure of a department’s compliance with response deadlines: percentage of requests received which end as deemed refusals.

Table 4: Deemed refusals

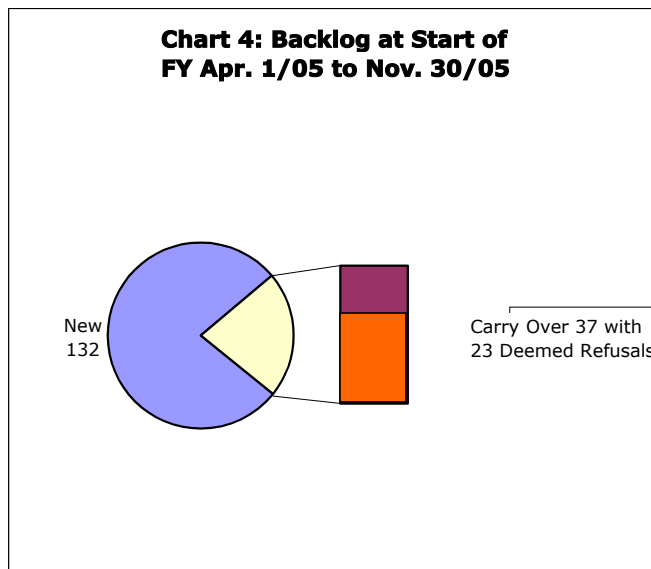
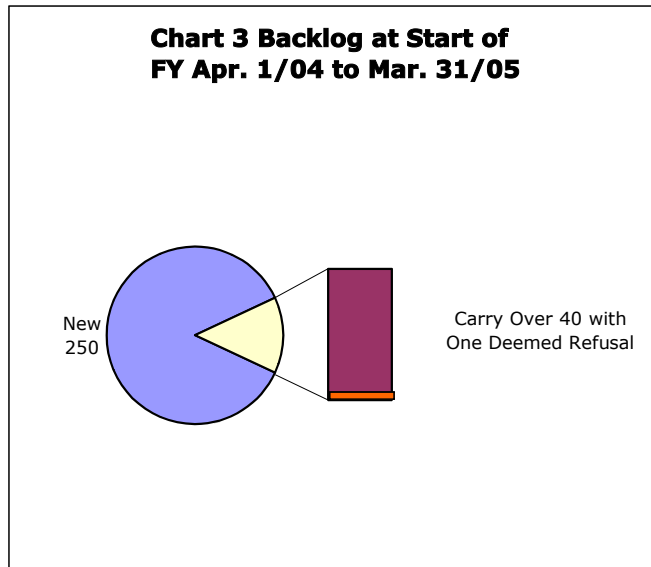
% of Deemed Refusals	Comment	Grade
0-5%	Ideal compliance	A
5-10%	Substantial compliance	B
10-15%	Borderline compliance	C
15-20%	Below standard compliance	D
More than 20%	Red alert	F

In FY 2004/2005, the department received 250 new access requests and carried over 40 access requests from the previous FY for a total of 290 access requests. Of the 290 access requests, 49 were completed in a deemed-refusal situation, one was carried over from the previous FY in a deemed-refusal situation and a further 23 were carried over to the next FY in a deemed-refusal situation. The deemed-refusal ratio for FY 2004/2005 was 290:72 or 25.2% resulting in an “F” on the grading scale.

For the first eight months of FY 2005/2006, the department received 132 new access requests and carried over 37 access requests from the previous FY for a total of 169 access requests. By November 30, 2005, of the 169 access requests, 18 were completed in a deemed-refusal situation, 23 were carried over from the previous FY in a deemed-refusal situation and a further 25 remained in a deemed-refusal situation at the end of the eight month period. The deemed-refusal ratio for the first eight months of FY 2005/2006 was 169:66 or 39.1% resulting in an “F” on the grading scale.

The ATIP Director’s view is that the deemed-refusal backlog is related in most cases to unfilled positions in the ATIP Directorate for access request processing.

The following Charts illustrate the backlog of access requests in a deemed-refusal situation at the start of each fiscal year.



At the start of 2004/2005, the IRB had 40 pending access requests with only one in a deemed-refusal situation.

For FY 2005/2006, the IRB started the year with 37 pending access requests with 23 or 62% in a deemed-refusal situation. This backlog constitutes a serious problem that must be dealt with to comply with the time requirements of the *Access to Information Act*.

Recommendation 2.1: The ATIP Directorate produce a monthly report that provides the ATIP Director and Senior Management with information on how well timelines are met in the access request-processing model. The reports will provide Senior Management, OPIs and the ATIP Director with information needed to gauge overall IRB compliance with the Act's and Board's time requirements for processing access requests.

Recommendation 2.2: The IRB should come into substantial compliance with the Act's deadlines no later than March 31, 2007.

CHAPTER 3: RESOURCE PROFILE

Employee Profile

The processing of access requests is the responsibility of the ATIP Directorate under the direction of the ATIP Director. The ATIP Directorate is also responsible for processing requests under the *Privacy Act*. The ATIP Directorate:

- Offers training
- Participates in various working groups
- Reviews records from other departments for exemption claims for IRB records in their possession
- Provides policy advice.

The staff of the ATIP Directorate allocated to ATI and all other activities is comprised of 10 employees: the Director, six analysts, one part-time analyst and two support staff. The ATIP Director is of the view that the number of staff positions is sufficient to meet the ATI processing needs of the department although staffing vacant positions has been a persistent problem that has contributed to the deemed-refusal situation.

Budget

The salary budget for FY 2004/2005 for the ATIP Directorate was \$490,000 for eight person years. The ATI salary budget for 2003/2004 was \$469,337 for a utilization of nine person years. The FY 2002/2003 budget was \$443,046 for 7 person years.

Contractors have not been used by the ATIP Directorate to assist with access request processing.

The ATIP operating budget for FY 2004/2005 was \$39,750. The ATIP operating budget for FY 2003/2004 was \$40,250. For FY 2002/2003, the ATIP operating budget was \$129,147.

The portion of the budget allocated for training in FY 2004/2005 was \$5,570, in FY 2003/2004 \$10,400 and in FY 2002/2003 \$15,371.

Recommendation 3.1: IRB investigate the use of consultants when there is a temporary increase in workload that cannot be handled with internal resources, if the increased workload is likely to result in access requests in a deemed-refusal situation.

CHAPTER 4: LEADERSHIP FRAMEWORK

A critical component of the administration of the *Access to Information Act* is the leadership role of the ATI Coordinator and Senior Management in a department. Senior Management exercises leadership by identifying access to information as a departmental priority and then acting upon this by providing the appropriate resources, technology and policies. Together with the ATI Coordinator, it is important for Senior Management to create a culture of openness and access to departmental information. The ATI Coordinator is the departmental champion of access to information. In this respect, the Coordinator and their staff provide the skilled policy and procedural leadership and training for the access process to work effectively in a department.

The IRB does not have in place a departmental access to information vision nor an operational plan for the ATIP Directorate. Each would serve as a basis for planning and operating the ATIP Directorate. Support of an access to information vision by Senior Management and communication of that vision to departmental employees would demonstrate a commitment to a culture of access to information.

One of the reasons for the backlog of access requests and the deemed-refusal situation at the IRB ATIP Directorate was and is a continuing number of vacant positions. In addition, the usual infrastructure for the operational support for the ATIP Directorate - policies, ATI Processing Manual, up-to date technology support – is either missing or out of date. The current Acting ATIP Director has recognized these needs and started processes to develop or acquire the needed infrastructure.

At the present time, there is no overall plan that sets out the ATI objectives and priorities and how they will be achieved. Both an ATI Operational Plan and an ATI Improvement Plan that set out objectives, priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities would be an ideal way of encapsulating what needs to be accomplished in the IRB to support the operation of the *Access to Information Act*. The Senior Management Committee of the department should monitor the plans.

Recommendation 4.1: Senior Management initiate the development of an access to information vision that can be communicated to departmental employees.

Recommendation 4.2: The ATIP Directorate develop both an ATI Operational Plan and an ATI Improvement Plan to support the departmental access to information vision and to guide the implementation of improvements to eliminate the deemed-refusal situation at the IRB.

There is no published ATI Policy and Procedures Manual (known at IRB as *ATIP Desktop Procedures*) for IRB staff, although there is a compulsory training session on ATI for all staff. There is a one-page *Quick Guide to Processing ATIP Requests* for IRB

staff. The Director has just initiated the development of *ATIP Desktop Procedures*. The *ATIP Desktop Procedures* could be used by new advisers as an introduction to the ATIP Directorate policies and procedures for processing access requests. *ATIP Desktop Procedures* would also promote a consistent interpretation by all advisors of access request processing matters.

Recommendation 4.3: The ATIP Directorate complete the development of the *ATIP Desktop Procedures* for the ATIP Directorate to provide a consistent approach to the processing of access requests.

Recommendation 4.4: The ATIP Directorate develop an ATI Policy and Procedures Manual for IRB staff.

Recommendation 4.5: The ATIP Directorate develop criteria to consider for exercising discretion on whether or not to release information considered subject to a discretionary exemption.

The ATIP Directorate does have training plans for all ATIP Directorate staff.

The ATIP Directorate is implementing *ATIPimage*. *ATIPimage* scans pages retrieved in response to an access request. An ATIP officer can then review and prepare information on the electronic record for disclosure or non-disclosure.

The ATIP Directorate uses *ATIPflow* but that technology as developed is not used to its full advantage as a proactive management tool. Generally, the use of *ATIPflow* is limited to statistical reporting and file control. The version of *ATIPflow* used by the ATIP Directorate does not have the capacity to produce reports on how timelines for IRB functions involved in access request processing are meeting their responsibilities.

Recommendation 4.6: The ATIP Directorate upgrade *ATIPflow* to provide the Office with the capacity to proactively manage ATI administration.

CHAPTER 5: INFORMATION MANAGEMENT FRAMEWORK

The *Access to Information Act* relies on records being created or received, indexed and filed in a way that they are readily retrievable. This applies to both paper and electronic records.

The IRB is implementing the Treasury Board Secretariat *Policy on the Management of Government Information*. The IRB is undertaking a Capacity Assessment to provide a qualitative assessment of the Board's ability to implement the *Policy*. An Information Management Working Group was established in late Fall of FY 2005/2006.

The IRB has undertaken a number of activities to provide access to information using alternative methods. These activities are seen as providing proactive and transparent disclosure of information. The activities to date include the routine disclosure of travel and hospitality expenses, certain contract information for contracts over \$10,000 and evaluation, audit and review reports by posting the information periodically on the IRB Internet site. The information may be viewed at:

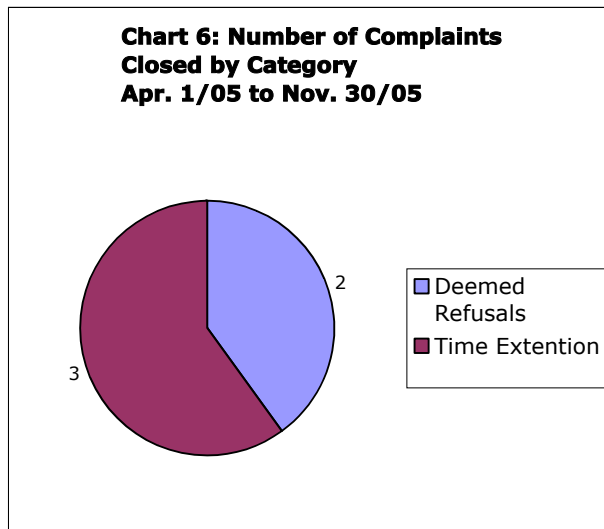
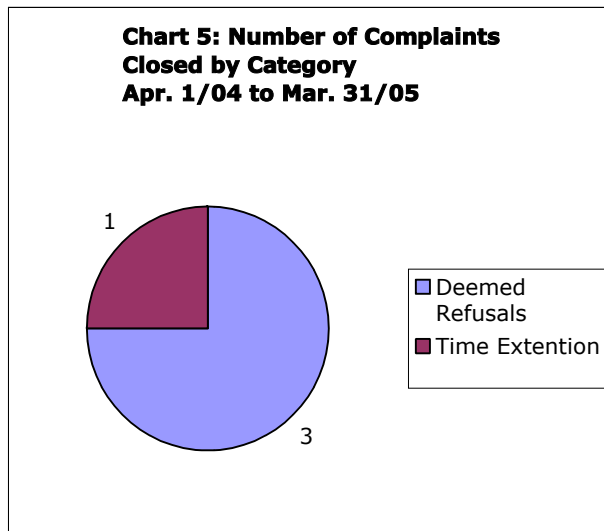
http://www.irb-cisr.gc.ca/en/about/transparency/index_e.htm . The department is encouraged to investigate what other information might be proactively disclosed.

Recommendation 5.1: The IRB as part of the renewal of the Information Management Program identify additional categories of information that could be disclosed proactively.

CHAPTER 6: COMPLAINT PROFILE

Complaints—Deemed Refusals

The Office of the Information Commissioner completed the investigation of four complaints made against the IRB under the *Access to Information Act* in FY 2004/2005. For the first eight months of FY 2005/2006, a further five complaint investigations were completed. Charts 5 and 6 illustrate the reasons that the complaints were made by a requester for complaints received for the period.



The deemed-refusal complaints against the IRB constituted 75% of the complaint workload for the IRB at the Office of the Information Commissioner in FY 2004/2005. For the first eight months of FY 2005/2006, the percentage was 60%.

CHAPTER 7: CONCLUSION

This Report Card makes a number of recommendations for ATI operations in the IRB. Of particular note, an essential component in the administrative framework to support the operation of the *Access to Information Act* is the development of an ATI Operational Plan and an ATI Improvement Plan for the ATIP Directorate. The Plans would establish priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities to:

- Deal with and eliminate the deemed-refusal situation
- Manage the day-to-day operations of the ATIP Directorate
- Implement those recommendations in this report card that are accepted by the department.

Other recommendations focus on the need to have an up-to-date infrastructure in place – policies, procedures and technology - to support the administration of the *Access to Information Act* in the IRB and the ATIP Directorate. Up-to-date comprehensive documentation needs to be in place to promote consistent decision-making by individuals with responsibilities in the operations supporting the *Access to Information Act*.

LIST OF RECOMMENDATIONS

The following is a list of recommendation by chapter.

Chapter 1: The Access Request Process

Recommendation 1.1: The reason(s) for flagging an access request as interesting be documented in the *ATIP Desktop Procedures* that is under development.

Recommendation 1.2: The *ATIP Desktop Procedures* for the ATIP Directorate include criteria for clarifying or modifying an access request.

Recommendation 1.3: The *ATIP Desktop Procedures* include a requirement to notify a requester of the limitation of the right to complain when an access request is nearing one year old.

Recommendation 1.4: The ATIP Directorate develop a fee waiver policy for access requests.

Recommendation 1.5: The ATIP Directorate document the criteria for categorizing an access request as abandoned or unable to process in the *ATIP Desktop Procedures*.

Recommendation 1.6: The ATIP Directorate produce a weekly report that provides information on access requests that are required to be completed at each stage in the request-processing model in order to proactively manage the deemed-refusal situation.

Recommendation 1.7: The ATIP Directorate conduct an analysis of OPI response times for the FY 2005/2006 to determine the OPIs that are not providing records to the ATIP Directorate on time, and incorporate measures for improving performance in an ATI Improvement Plan.

Recommendation 1.8: The access request processing model be revised to eliminate review stages in the process and that any reviews be conducted in parallel to the access request process.

Recommendation 1.9: The ATIP Directorate conduct an analysis of the completed access requests for FY 2004/2005 and FY 2005/2006 to determine the reasons for missed extension dates and develop measures to resolve the situation as part of an ATI Improvement Plan.

Recommendation 1.10: The ATIP Directorate institute requirements in the *ATIP Desktop Procedures* for documenting the rationale for claiming all exemptions for the exercise of discretion and for the consideration of exceptions to mandatory exemptions.

Recommendation 1.11: The ATIP Directorate institute requirements in the *ATIP Desktop Procedures* for the completion of documentation in the access request-processing file that provides a record of responsible individuals and their actions, events and decisions.

Chapter 2: Deemed Refusals

Recommendation 2.1: The ATIP Directorate produce a monthly report that provides the ATIP Director and Senior Management with information on how well timelines are met in the access request-processing model. The reports will provide Senior Management, OPIs and the ATIP Director with information needed to gauge overall IRB compliance with the Act's and Board's time requirements for processing access requests.

Recommendation 2.2: The IRB should come into substantial compliance with the Act's deadlines no later than March 31, 2007.

Chapter 3: Resource Profile

Recommendation 3.1: IRB investigate the use of consultants when there is a temporary increase in workload that cannot be handled with internal resources if the increased workload is likely to result in access requests in a deemed-refusal situation.

Chapter 4: Leadership Framework

Recommendation 4.1: Senior Management initiate the development of an access to information vision that can be communicated to departmental employees.

Recommendation 4.2: The ATIP Directorate develop both an ATI Operational Plan and an ATI Improvement Plan to support the departmental access to information vision and to guide the implementation of improvements to eliminate the deemed-refusal situation at the IRB.

Recommendation 4.3: The ATIP Directorate complete the development of the *ATIP Desktop Procedures* for the ATIP Directorate to provide a consistent approach to the processing of access requests.

Recommendation 4.4: The ATIP Directorate develop an ATI Policy and Procedures Manual for IRB staff.

Recommendation 4.5: The ATIP Directorate develop criteria to consider for exercising discretion on whether or not to release information considered subject to a discretionary exemption.

Recommendation 4.6: The ATIP Directorate upgrade *ATIPflow* to provide the Office with the capacity to proactively manage ATI administration.

Chapter 5: Information Management Framework

Recommendation 5.1: The IRB as part of the renewal of the Information Management Program identify additional categories of information that could be disclosed proactively.

Office of the Information Commissioner of Canada

Report Card Questionnaire

Department: Immigration and Refugee Board

Completed by: Eric Villemaire

Title: Acting Director, Access to Information and Privacy

Date: March 10, 2006

1. ACCESS REQUEST PROCESS

1.1 THE CLIENT (REQUESTER)

1.1.1 Client Profile

Source	Number of Requests	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Media	12	8
Academia	11	3
Business	94	46
Organization	42	40
Public	80	16
Other	11	19
Total	250	132

1.1.2 Request Categorization

Does the ATI Office categorize access requests in any manner (for example, sensitive, routine and so on)?

Yes	X	No	
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If Yes, please list and define the categories and if possible indicate the number of access requests in each category.

Category	Definition of Category	Number of Requests	
		April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Interesting		110	81
Non-interesting		140	51

1.1.3 Request Clarification

1.1.3.1 Access requests where clarification was sought	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Number of Requests	22	9

1.1.3.2 Are there documented criteria for seeking clarification?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If Yes, please provide a copy with the completed questionnaire.

1.1.3.3 If a request is clarified or modified, does the ATI Office confirm, in writing, its understanding of the revised request? (Please provide any guidelines followed in this regard with the completed questionnaire.)

Always	<input type="checkbox"/>	Almost always	<input type="checkbox"/>	Sometimes	<input checked="" type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.4 Client Service

1.1.4.1 Disclosure to Client	Number	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Pages reviewed	31,650	25,145
Pages disclosed in total or in part	20,947	12,921
Pages for consultation under paragraphs 9(1)(a) and/or (b) and/or notification under (c)	157 consult 2731 pages	27 consult 421 pages

1.1.4.2 If a request is almost one year old, does the ATI Office notify the requester about section 31, and the one-year limitation on the right to complain from the time the request is made? (Please attach any written guidelines you follow in this regard.)

Always	<input type="checkbox"/>	Almost always	<input type="checkbox"/>	Sometimes	<input type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input checked="" type="checkbox"/>
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1.1.4.3 Fees Collected/Waived	Number/Amount	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Amount of application fees collected	\$495.00	\$430.00
Amount of photocopying fees collected	\$88.00	\$0.00
Amount of search fees collected	\$50.00	\$0.00
Amount of preparation fees collected	\$0.00	\$0.00
Amount of programming fees collected	\$0.00	\$0.00
Total	\$633.00	\$430.00
Number of fee waivers sought	See notes	See notes
Number of fee waivers granted	See notes	See notes
Amount of fees waived	\$860.00	\$210.00

1.1.4.4 Does the department have a written fee waiver policy?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If Yes, please provide a copy with the completed questionnaire.

1.1.4.5 If the \$5.00 application fee is not included with an access request and if the request concerns a matter under the *Privacy Act*, is the requester consulted on which Act to process the request under?

Always	<input type="checkbox"/>	Almost always	<input checked="" type="checkbox"/>	Sometimes	<input type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.5 Request Disposition

Disposition of Completed Requests For the Period	Number of Requests	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
All disclosed	122	34
Disclosed in part	49	47
Nothing disclosed (excluded)	0	0
Nothing disclosed (exempt)	9	5
Transferred	4	7
Unable to process	35	33
Abandoned by applicant	34	7
Treated informally	0	0

Disposition of Completed Requests For the Period	Number of Requests	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Total completed	253	133
Carried forward	0	0

1.1.6 Informal Treatment of Requests

1.1.6.1 If access requests are treated informally, is this done in consultation with the requester?

Always	<input type="checkbox"/>	Almost always	<input type="checkbox"/>	Sometimes	<input type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.6.2 Are there documented criteria for treating an access request informally?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If Yes, please provide a copy with the completed questionnaire.

1.2 REQUEST PROCESSING

1.2.1 Time to Process Requests

Processing Model - Stages	April 1/04 to Mar. 31/05		April 1/05 to Nov. 30/05	
	Days Allocated	Average Actual Days	Days Allocated	Average Actual Days
ATI intake	1	1	1	1
OPI search	8	23.84	8	14.72
Records review and preparation	14	5.38	14	7.5
Legal	3	See notes	3	See notes
Communications	3	See notes	3	See notes
Approval or otherwise – OPI	N/A	See notes	N/A	See notes
Approval or otherwise – DMO	N/A	See notes	N/A	See notes
Approval or otherwise - MO	N/A	See notes	N/A	See notes

Processing Model - Stages	April 1/04 to Mar. 31/05		April 1/05 to Nov. 30/05	
	Days Allocated	Average Actual Days	Days Allocated	Average Actual Days
ATI release	1	See notes	1	See notes

1.2.2 Extensions Profile

1.2.2.1 When extensions are necessary under subsection 9(1), are notices sent to the requester within 30 days?

Always	X	Almost always		Sometimes		Rarely		Never	
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1.2.2.2 When notice is sent under paragraphs 9 (1)(a) and/or (b) extending the time limit for more than thirty days, how often is a copy of the notice sent to the Office of the Information Commissioner?

Always	X	Almost always		Sometimes		Rarely		Never	
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1.2.2.3 Following an extension, if it is unlikely that the extended date will be met, does the ATI Office contact the requester to indicate:

a) The response will be late

Always		Almost always		Sometimes		Rarely	X	Never	
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b) Of an expected date for the final response

Always		Almost always		Sometimes		Rarely	X	Never	
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c) Of the right to complain to the Information Commissioner

Always		Almost always		Sometimes		Rarely	X	Never	
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1.2.2.4 Extensions Under Paragraph 9(1)(a)	Number of Extensions	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
For volume (search for large number of records) 30 days and under	14	16
For volume (search for large number of records) 31 days and over	See notes	See notes
For volume (search through large number of	See notes	See notes

1.2.2.4 Extensions Under Paragraph 9(1)(a)	Number of Extensions	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
records) 30 days and under		
For volume (search through large number of records) 31 days and over	See notes	See notes

1.2.2.5 If consultations are necessary under paragraph 9(1)(b), are these sent out as soon as the need has been identified?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.6 Extensions Under Paragraph 9(1)(b)	Number of Extensions	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
For consultation with another institution	0	0
For consultation with domestic government	0	0
For consultation with foreign government	0	0
For consultation with individual	0	0
For consultation for section 69	0	0

1.2.2.7 If a request concerns third-party records and consultations are necessary, are consultations taken under paragraph 9(1)(c)?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.8 If a request concerns third-party records and consultations are necessary, are consultations taken under paragraph 9(1)(b)?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.9 Are third-party notices sent as soon as the need for the notice is identified?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.10 When notice is sent under paragraph 9(1)(c), how often is a copy of the notice sent to the Office of the Information Commissioner?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.11 Is the third-party timing process (as set out in section 28) observed?

Yes		No	
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If No, please provide comments.

We have not consulted any third party during the reporting dates
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1.2.2.12 Does the ATI Office provide a partial release of the requested records for portions of the request that are not involved in the consultation process under paragraphs 9(1)(b) and/or 9(1)(c)?

Always		Almost always		Sometimes		Rarely		Never	
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1.2.2.13 Notification Under Paragraph 9(1)(c)	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Number of requests where third party consulted	0	0
Average length of time to receive representations from third parties	0	0
Average length of time to make a decision after receipt of representations from third parties	0	0
Number of notices under section 27	0	0
Number of notices for which section 27 time frame was not met	0	0
Number of requests for which <i>paragraph 28(1)(b)</i> timeframe was not met	0	0

1.2.3 Transfer Profile

Transfers	Number of Transfers	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Transferred within 15 Days	3	7
Transferred over 15 Days	1	0
Total transferred	4	7
Transfers refused	0	0

1.3 CLAIMS FOR EXEMPTIONS

Please provide any relevant documentation for the following questions.

Questions	Yes	No	Comments
1.3.1 Is there a rationale on file when an exemption is invoked?		X	Not usually for mandatory exemptions
1.3.2 Is the exemption rationale prepared by the OPIs?		X	
1.3.3 Is the exemption rationale prepared by ATI?	X		Through verbal conversation with the Director of ATIP
1.3.4 Is there a documented exemption challenge function in ATI if the rationale is prepared by OPIs?		X	Not applicable
1.3.5 Is there a documented requirement to place the rationale for exercising a discretionary exemption on file?		X	

2. DEEMED REFUSALS

Statistics for Analysis of Deemed-Refusal Requests			
Part A: Requests carried over from the prior fiscal period.		April 1/04 to March 31/05	April 1/05 to Nov. 30/05
1.	Number of requests carried over:	40	37
2.	Requests carried over from the prior fiscal — in a deemed-refusal situation on the first day of the new fiscal:	1	23
Part B: New Requests — Exclude requests included in Part A.		April 1/4 to March 31/05	April 1/05 to Nov. 30/05
3.	Number of requests received during the fiscal period:	250	132
4.A	How many were processed <i>within</i> the 30-day statutory time limit?	161	68
4.B	How many were processed beyond the 30-day statutory time limit <i>where no extension was claimed?</i>	43	14
4.C	How long after the statutory time limit did it take to respond <i>Where no extension was claimed?</i>		
	1-30 days:	30	13
	31-60 days:	9	0
	61-90 days:	4	1
	Over 91 days:	0	0
5.	How many were extended pursuant to section 9?	14	16
6.A	How many were processed <i>within</i> the extended time limit?	4	10
6.B	How many exceeded the extended time limit?	5	4
6.C	How long after the expiry of the extended deadline did it take to respond?		
	1-30 days:	0	3
	31-60 days:	3	0
	61-90 days:	2	0
	Over 91 days:	0	1
7.	As of November 30, 2005, how many requests are in a deemed-refusal situation?		25

Statistics for Analysis of Deemed-Refusal Requests	
Part C: Contributing Factors	
8.	<p>Use this area to describe any particular aspect about a request or type of request that may impact on the difficulty or time necessary to complete a request:</p> <ul style="list-style-type: none"> 1- Request is ambiguous, we call applicant for clarification and they don't seem to know exactly what they want 2- Staffing issues 3- Training of new staff

3. RESOURCE PROFILE

3.1 Employee Profile

Please list all ATI Office employees.

Full-time Position	Classification	Number	Years of Experience
Director	PM 6	1	12
Analyst	PM 4	6	1 TO 22
Clerk	CR 4	1	4
Admin. Assistant	AS 1	1	3
Part-time Position	Classification	Number	Years of Experience
Analyst	PM 4	1	2

3.2 Salary Dollar Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used	FTEs Allocated	FTEs Used
2004/2005	\$522,420	\$554,162		8
2003/2004	\$469,337	\$484,507		9
2002/2003	\$443,046	\$346,747		7

3.3 Operating Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used
2004/2005	\$39,750	\$38,176
2003/2004	\$40,250	\$27,363
2002/2003	\$114,748	\$129,147

3.4 Breakdown of ATI Office Operating Budget Used or Set Aside for ATI Training or Training Materials

Fiscal Year	ATI Staff Training	Departmental ATI Training
2004/2005	\$5,570	\$ SEE NOTES
2003/2004	\$10,400	\$ SEE NOTES
2002/2003	\$15,371	\$ SEE NOTES

3.5 Breakdown of ATI Office Operating Budget Used or Set Aside for ATI Consultants

Fiscal Year	Budget Allocated	Budget Used
2004/2005	\$ N/A	\$ N/A
2003/2004	\$ N/A	\$ N/A
2002/2003	\$ N/A	\$ N/A

4. LEADERSHIP FRAMEWORK

Please provide any relevant material with your completed questionnaire to support a “Yes” answer in the table below.

Question	Yes	No	Comments
4.1.1 Is there a documented ATI Vision?		X	
4.1.2 Is there a published ATIP Operational Plan with clearly defined objectives, deliverables, timeframes and responsibilities?		X	
4.1.3 Is there a published ATIP Policy and Procedures Manual for departmental staff?		X	Training tool/session compulsory for all staff
4.1.4 Is the ATIP Policy and Procedures Manual kept up-to-date through at least a bi-annual review process?		X	
4.1.5 Are OPIs ATI responsibilities clearly defined through documentation provided to OPIs?	X		See attachment
4.1.6 Is there an internal ATI Office Manual on processing access requests?		X	In progress
4.1.7 Are there documented criteria for taking extensions under paragraphs 9(1)(a) and 9(1)(b)?		X	
4.1.8 Is there a Delegation Order?	X		See attachment
4.1.9 Are the ATI roles and responsibilities for those with delegated authority clearly defined?	X		
4.1.10 Does the approval process require the approval or concurrence of officials who are not holders of delegated authority?		X	
4.1.11 Is there a published ATIP Training Plan?	X		Training plans for all DAIP employees
4.1.12 Has <i>ATIPflow</i> or similar application been implemented?	X		
4.1.13 Is <i>ATIPflow</i> used proactively to identify potential problems?	X		Reports, etc.

Question	Yes	No	Comments
4.1.14 Is <i>ATIPflow</i> used to provide at least monthly reports to Senior Management?	X		
4.1.15 Has an audit of the ATI Program been conducted in the last three years?		X	

4.2 Dealing with ATI Problems

Condition	Action Taken	Comment on Progress
Awareness requirement	Training	Increased awareness
Standard Process	Working on Desk Top Manual	Should be completed during FY 06/07

4.3 Solutions to Unanticipated Service Demands between April 1, 2004, and November 30, 2005

Service Demand	Solution
Large increase in FY 04/05	Received temporary funding for two analysts for FY 05/06

5. INFORMATION MANAGEMENT FRAMEWORK

5.1 What activities were planned and what progress was made between April 1, 2004, and November 30, 2005, on providing access to information using alternative methods?

Planned Activity	Action Taken	Comment on Progress
Proactive disclosure Hospitality and Travel expenses	On the WEB	

5.2 What has been accomplished to implement the TBS *Policy on the Management of Government Information*?

CPMP is undertaking being the project authority to carry out an IM Capacity Check Self Assessment. An IM Working Group was established in the late Fall of 2005 with representatives from Library and Archives Canada also sitting in on the Project Team. We are currently reviewing the RFP bids and a contract award should be in place by late January 2006. The IMCC is scheduled to be completed by April 30, 2006 with an action plan as the final deliverable. Also, CPMP representatives are sitting on the Small Agencies IM Advisory Committee and the Governance and Accountability Working Group.

5.3 What approximate percentage of departmental record holdings is covered by a Departmental Retention and Disposition Plan(s) and Records Disposition Authorities?

Departmental Retention and Disposal Plan(s)	100 %
Records Disposal Authority	100 %

5.4 Does the department have a classification scheme or schemes for its information?

Yes	X	No	
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If Yes, please provide documentation that explains the classification scheme(s)

5.5 How is the classification scheme(s) maintained for currency and comprehensiveness?

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6. COMPLAINT PROFILE

Data supplied by the Office of the Information Commissioner on complaints made to their Office and the resolution of those complaints.

6.1 Complaints by Categories

Category	Number of Complaints	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Refusal to disclose	0	2
Delay (deemed refusal)	3	3
Time extension	1	0
Fees	0	0
Language	0	0
Publication	0	0
Miscellaneous	0	0
Total resolved	4	5

6.2 Complaint Findings

Category	Number of Complaint Findings	
	April 1/04 to March 31/05	April 5/05 to Nov. 30/05
Resolved	4	2
Not resolved	0	0
Not substantiated	0	2
Discontinued	0	1
Total Findings	4	5

