



Information Commissioner of Canada

Access to Information Act

**Report Card
on the
Performance
of**

Privy Council Office

May 2007

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OVERVIEW

As part of the proactive mandate of the Office of the Information Commissioner of Canada (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 Act).

The Privy Council Office (PCO) administers the Act through the Access to Information and Privacy (ATIP) Division. The Director holds full delegated authority from the Head of the institution to make all decisions under the Act with the exception of discretionary exemptions. The delegated authority to make decisions on discretionary exemptions is delegated to the appropriate Assistant Secretary (approximately 16 positions).

A critical component of the administration of the 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.

PCO has made significant improvements in the infrastructure and number of staff supporting ATI operations and has implemented an ATI Improvement Plan. Senior Management is monitoring the progress of the ATI Improvement Plan.

This Report Card has identified a persistent serious deemed-refusal situation. This situation appears, in part, to be the result of a burdensome access request approval process and offices of primary interest (OPIs) that are not meeting their time responsibilities for processing access requests. The problem of the OPI delays during their part of the access request process will only be solved with the strong support of Senior Management.

This Report Card makes a number of recommendations for ATI operations in PCO. Of particular note, an essential component in the administrative framework to support the operation of the Act is an *ATI Operational Plan* that sets out objectives, priorities, tasks and resources, deliverables, milestones, timeframes, and responsibilities. The *Operational Plan* supports an ATI vision. As well, PCO management requires succinct, proactive reporting on ATI accomplishments, problems with access request processing, and remedies for those problems.

This Report Card assigns an overall grade to the department that signifies the extent to which the department is meeting its responsibilities under the 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, PCO rates an “F” for the first eight months of fiscal year 2006-2007. 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 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 the 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 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 problems that may have led to the deemed refusals, and recommendations for eventually eliminating the problems. PCO had a Report Card issued in April 1999 with a yearly follow-up published in the Annual Report of the Information Commissioner of Canada. The 1999 Report is available at <http://www.infocom.gc.ca/publications/cards-e.asp>.

In 2004-2005, 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 management and operation of the access to information process in a department, recommendations are made in the Report Card.

PCO administers the Act through the ATIP Division. The Director holds full delegated authority from the Head of the institution to make all decisions under the Act with the exception of discretionary exemptions. The delegated authority to make decisions on discretionary exemptions is delegated to the appropriate Assistant Secretary of whom there are approximately 16.

As part of the preparation of this Report Card, the ATIP Acting Director was interviewed on January 4, 2007. In addition, 15 access request files completed during 2005-2006, and the first eight months of 2006-2007 were randomly selected and reviewed on March 13, 2007. 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.

The Acting ATIP Director submitted the Report Card Questionnaire included at the end of this Report Card to the Commissioner’s Office. The Questionnaire provides statistical and other information on the administration of the 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 Heads of institutions, 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 Commissioner’s Office to identify the outcome of a complaint made to the Office under the Act:</p> <ul style="list-style-type: none"> <li data-bbox="597 1167 1354 1310">• Well-founded Complaints well-founded but not resolved, where the Commissioner sought consent from the requester to pursue the matter in Federal Court. <li data-bbox="597 1331 1354 1436">• Resolved Well-founded complaints resolved by remedial action satisfactory to the Commissioner. <li data-bbox="597 1457 1354 1520">• Not Substantiated Complaints considered not to be well-founded. <li data-bbox="597 1541 1354 1646">• Discontinued Complaints discontinued, on request from the complainant, prior to a final resolution of the case.
Deemed Refusal	<p>The Act 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</p>

Term	Definition
	<p>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>
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 Act:</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 Act 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>

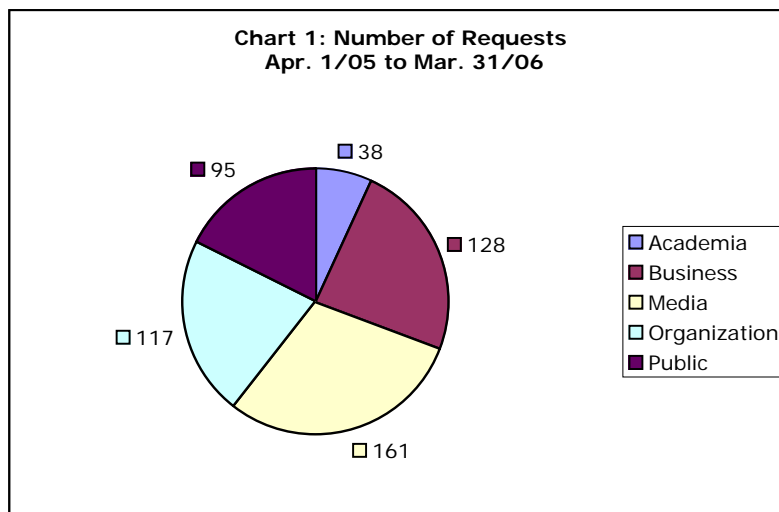
Term	Definition
Pending	<p>Unfinished requests or complaints:</p> <ul style="list-style-type: none"> <li data-bbox="537 338 1365 590">• Pending Previous Requests or complaints that were unfinished at the close of the previous fiscal year, and thus carried forward into the reporting period (the fiscal period indicated on the pie chart). <li data-bbox="537 611 1365 825">• 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 Act, 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 Act 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 fulfills 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 Act and its Regulations.</p>

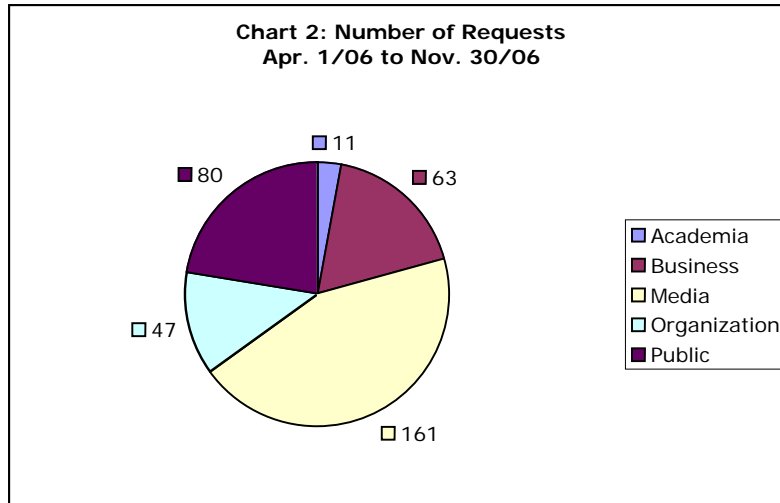
CHAPTER 1: THE ACCESS REQUEST PROCESS

The Act provides a processing framework for access requests. Any person (individual or corporation) who is a Canadian citizen, a permanent resident, or present in Canada, may 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. When records contain information that is exempted 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 fiscal year time periods for PCO are illustrated in Charts 1 and 2.





PCO may flag an access request as a “red file”. The flag means that the Prime Minister’s Office (PMO) or the Office of the Minister of Intergovernmental Affairs will be provided with a copy of the access request disclosure package for information purposes.

Otherwise, an access request is considered to be routine. A listing of newly-received access requests is circulated weekly to PMO and the Intergovernmental Affairs (IGA) Deputy Minister’s Office who indicate the access requests to be flagged.

In 2005-2006, 200 (37%) of the 539 access requests received were flagged as red files. In the first eight months of 2006-2007, only 10 (3%) of 362 received were flagged as red files. The Director stated that the provision of the access request disclosure package to the PMO and IGA Offices does not delay access request processing.

Request Clarification

The number of access requests that required clarification in 2005-2006 was 74 (14%) of the access requests completed. In the first eight months of 2006-2007, 51 (14%) of the access requests completed required clarification. The ATIP Division almost always confirms in writing with the requester the content of a clarified access request. There are no documented criteria to provide guidance on when to seek clarification. The Director of the ATIP Division stated that the circumstances for seeking clarification are usually self-evident.

Recommendation 1.1: That the *ATIP Procedures Manual* include criteria in the form of a checklist for clarifying or modifying an access request. The checklist could also be used to provide requesters with information on how to formulate a clear access request.

Pages Reviewed

The number of pages reviewed for access requests completed in 2005-2006 was 68,912, an average of 119 pages per request. Of the total number of pages reviewed, 37,714 pages (55%) were disclosed in total or in part to the requester. In the first eight months of 2006-2007, 60,996 pages, an average of 173 pages per request were reviewed. Of the total number of pages reviewed, 42,535 (70%) were disclosed in total or in part to the requester.

The ATIP Division also receives consultations from other institutions on whether or not records that PCO has an interest in, or were created by PCO, may be released. In 2005-2006, the ATIP Division reviewed 10,507 pages. In the first eight months of 2006-2007, 8,279 pages were reviewed.

Fees Collected

In 2005-2006, the ATIP Division collected \$2,401 for processing access requests. In the first eight months of 2006-2007, \$1,935 was collected.

PCO has a fee waiver policy that is documented at various places in the *ATIP Procedures Manual*. Data on the amount of fees waived is not available.

Request Disposition

The ATIP Division reported a relatively high number of access requests that were either abandoned by the requester or the Division was unable to process. In 2005-2006, the disposition of 31% of the access requests processed was either “abandoned by the requester” or “unable to process”. In the first eight months of 2006-2007, the percentage increased slightly to 33%. This percentage is higher than the norm for government institutions.

The Acting ATIP Director stated that the high number of requests in the unable to process category reflects access requests where no records existed. In the abandoned category, there was no documentation available to identify reasons for abandonment of an access request by a requester. Typical reasons cited by the Acting ATIP Director for the abandonment of an access request were no response from the requester to a fee estimate or to clarify the access request. The ATIP Division will process access requests to a certain point, for example, a fee estimate, and that processing contributes to the workload of the Division, even though the access request is abandoned.

<p>Recommendation 1.2: That the ATIP Division review the abandoned access requests to identify the reasons for abandonment to determine if there could be changes to the access request processing procedures to reduce the number of abandoned access requests.</p>

When an access request is to be treated informally, the requester will always be consulted. Access requests are typically treated informally when a requester agrees to accept the disclosure package from another access request because the two access requests were for similar records. The *ATIP Procedures Manual* documents the criteria for treating an access request informally.

Time to Process Requests

The Act allows 30 calendar days (or 21 working 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 Division 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 the actual time exceeds allocated time.

The PCO access request processing model is based on 21 working days. The ATIP Division was not able to use *ATIPflow* to produce accurate data on the average number of days to complete each departmental function’s role in the access request process. In addition, the ATIP Director stated that the estimated data supplied for Table 3 should be considered unreliable due to data entry problems. The statistics in Table 3, while unreliable, all indicate a trend of numerous delays in the access process.

Table 3: The PCO Request Processing Model and Days Taken for the First Eight Months of 2005-2006

Processing Model - Stages	Apr. 1/06 to Nov. 30/06	
	Days Allocated	Average Actual Days
ATI intake	1	
OPI search	4	8.06
Records review and preparation		
-ATIP review	3	13.86 (OPI only)
-OPI Review	6	
-ATIP Preparation	2	
Legal		
Communications		
Approval or otherwise – OPI	4	6.21

Processing Model - Stages	Apr. 1/06 to Nov. 30/06	
	Days Allocated	Average Actual Days
(Appropriate Assistant Secretary)		
Approval or otherwise – DMO		
Approval or otherwise - MO		
ATI release	1	1

Recommendation 1.3: That the ATIP Division produce a weekly report that provides information on the time taken to complete access requests against allocated time at each stage in the access request processing model in order to proactively manage the deemed-refusal situation.

Recommendation 1.4: That the ATIP Division conduct an analysis of OPI response times against allocated times for 2006-2007 to determine the OPIs that are not providing records to the Division on time, and incorporate measures for improving performance in an *ATI Operational Plan*.

Recommendation 1.5: That the ATIP Division implement measures for data entry for *ATIPflow* to eliminate unreliable and incomplete reporting.

The review/approval process for an access request was recently changed in the following ways:

- the Acting ATIP Director now holds full delegated authority from the Head of the institution to make all decisions under the Act, with the exception of decisions on discretionary exemptions. The decisions on discretionary exemptions are delegated to the appropriate Assistant Secretary;
- access requests are sent to the OPI, and the records are returned to the ATIP Directorate with OPI comments on exemptions. Previously, the records were retrieved by the OPI, assessed by the ATIP Directorate, and then sent back to the OPI for review. In some cases, the disclosure package is returned to the OPI for review as part of the approval process.

Recommendation 1.6: That the ATIP Division amend the *ATIP Procedures Manual* to indicate that a requester be notified of an expected date for a response, when a time extension will not be met, and of the right to complain to the Office of the Information Commissioner of Canada about the delay.

Extensions Profile

Subsection 9(1) of the Act provides circumstances when the initial 30-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; and
- 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 ATIP Division “always” sends the notice of the extension under subsection 9(1) of the Act to the requester within the initial 30-day response time and, where required, “always” sends a copy of the notice to the Commissioner’s Office. When it is unlikely that an extended date will be met under paragraphs 9(1)(a) and (b), the requester will “rarely” be contacted to be informed that the response will be late, of an expected final response date and of the right to complain to the Office of the Information Commissioner about the delay. PCO had 22 time extensions for searches through a large volume of records for completed access requests in 2005-2006, and 13 extensions for the first eight months of 2006-2007.

Recommendation 1.7: That the ATIP Division develop and implement a briefing session for individuals with delegated authority to provide information on their responsibilities under the *Access to Information Act*, including criteria for exercising discretion.

PCO had an estimated 119 consultations with other institutions or organizations in 2005-2006, and 53 consultations for the first eight months of 2006-2007. 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, including PCO, consult with the Legislation and House Planning/Counsel Secretariat (LHP/Counsel) of the Privy Council Office to determine whether or not the exclusion applies to records. PCO consulted with the LHP/Counsel an estimated 100 times in 2005-2006, and a further 44 times during the first eight months of 2006-2007.

In 2005-2006, PCO consulted with 46 third parties and there were 29 consultations for the first eight months of 2006-2007. It is unclear how often timelines required by the Act were met due to the inaccuracy of statistical information during data entry. A recommendation about data entry has been made in another section of this Report Card.

Transfer Profile

In 2005-2006, eight access requests were transferred to other institutions. In the first eight months of 2006-2007, five access requests were transferred to other institutions. All transfers occurred as required within 15 days of the receipt of the access request.

Claims for Exemptions

The *ATIP Procedures Manual* states that the rationale for claiming an exemption is to be documented and the ATIP Division has a process in place for that documentation.

A random group of 15 completed access request files closed between April 1, 2005 and November 30, 2006, were reviewed. The review indicated that:

- the rationale for claiming exemptions was documented, but the typical rationale was merely a repetition of the wording of the exemption;
- there was no documentation to indicate whether or not the department exercised discretion properly in deciding whether to claim a discretionary exemption;
- in cases where there was a mandatory exemption, there was no documentation to indicate that the department took into account exceptions permitting disclosure of the information – for example, paragraphs 16(3), 19(2), 20(2), 20(4), 20(5) and 20(6);
- where extensions of 60 days were taken involving third-party consultations, the third party generally responded within the 20 days allowed, but PCO's processing took up the time allocated to the third party to make representations after the Head's decision was made.

On a positive note, the review indicated that:

- the processing of an access request was easy to follow and the files contained all relevant documentation to track the processing of an access request;
- OPIs were identified;
- there was a documented requirement to place the rationale for claiming an exemption onto the processing file;

- in two cases, there was an excellent discussion of the rationale for claiming exemptions.

Recommendation 1.8: That the ATIP Division institute requirements in the *ATIP Procedures Manual* for documenting the rationale for claiming all exemptions, for the exercise of discretion, for the consideration of exceptions to mandatory exemptions, and for challenging unsupported recommendations made by consulted institutions.

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 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

The Office of the Information Commissioner has conducted Report Cards and status reviews on PCO on six occasions. Although the department obtained ideal compliance – a grade of A – on two occasions, it has not been able to maintain that grade. Therefore, PCO has not been able to meet its obligations under the *Access to Information Act* to respond to access requests in a timely manner.

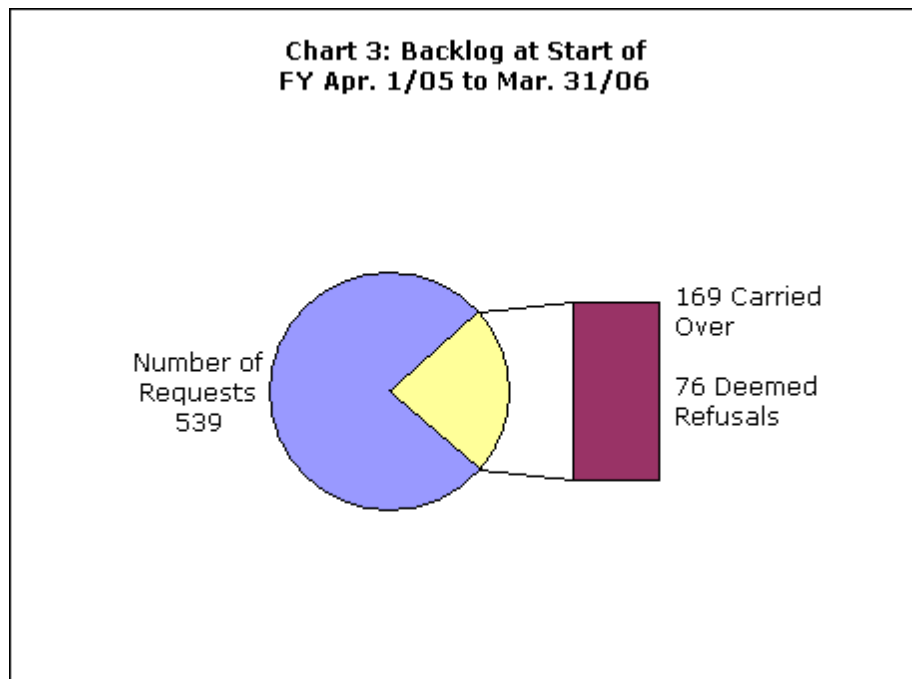
In 2005-2006, the department received 539 new access requests and carried over 169 access requests from the previous fiscal year, for a total of 708 access requests. Of the 708 access requests, 84 were completed in a deemed-refusal situation, 76 were carried over from the previous fiscal year in a deemed-refusal situation, and a further 51 were carried over to the next fiscal year in a deemed-refusal situation. The deemed-refusal ratio for 2005-2006 was 29.8%, resulting in an “F” on the grading scale.

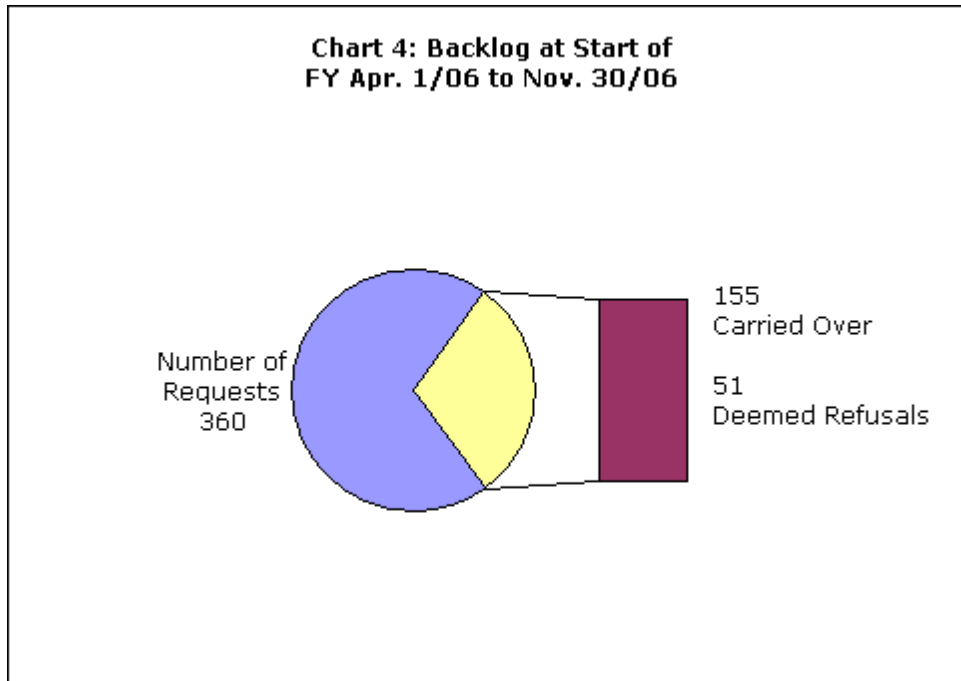
For the first eight months of 2006-2007, the department received 360 new access requests and carried over 155 access requests from the previous fiscal year, for a total of 515 access requests. By November 30, 2006, of the 515 access requests, 26 were completed in a deemed-refusal situation, 51 were carried over from the previous fiscal year in a deemed-refusal situation, and a further 38 remained in a deemed-refusal situation at the

end of the eight-month period. The deemed-refusal ratio for the first eight months of 2006-2007 was 22.3%, resulting in an “F” on the grading scale.

The Acting ATIP Director’s view is that the deemed-refusal backlog is related in most cases to unfilled positions in the ATIP Division for access request processing, even though some consultants have been hired to deal with the backlog of access requests in a deemed-refusal situation. A review of the statistical trends from the processing model in Table 3 indicates that some OPIs are exceeding the time allocated to their part of the processing model.

The following Charts 3 and 4 illustrate the backlog of access requests in a deemed-refusal situation at the start of each fiscal year.





At the start of 2005-2006, PCO had 169 pending access requests, with 76 (45%) in a deemed-refusal situation.

For the first eight months of 2006-2007, PCO started the year with 155 pending access requests, with 51 (33%) in a deemed-refusal situation. This backlog constitutes a serious problem that must be dealt with to comply with the time requirements of the Act. The Director noted that the length of time required to respond to an access request in a deemed-refusal situation has been reduced substantially.

Recommendation 2.1: That the ATIP Division produce a monthly report to Senior Management that deals with an analysis of the deemed-refusal situation along with recommendations on remedial measures to reduce and eliminate the deemed-refusal situation.

Recommendation 2.2: That the Clerk of the Privy Council Office take responsibility to ensure that the ATIP Office implement all of our recommendations in the Report Cards and status reviews to ensure that the department attains and maintains ideal compliance without further delay.

CHAPTER 3: RESOURCE PROFILE

Employee Profile

The processing of access requests is the responsibility of the ATIP Division under the direction of the Acting ATIP Director. The ATIP Division is also responsible for processing requests under the *Privacy Act* and coordinating responses to written Order Paper questions in Parliament and the Senate. The ATIP Division:

- offers training;
- participates in various working groups;
- reviews records from other departments for claims for exemptions for PCO records (not excluded records under section 69 of the Act) in their possession;
- provides ATI policy advice.

The staff of the ATIP Division allocated to ATI includes all staff of the Division, with the exception of 0.5 of an FTE allocated to privacy and 0.4 of an FTE allocated to parliamentary returns. The ATIP Division is comprised of 24 employees (see Employee Profile at Section 3.1 of the Report Card Questionnaire which follows).

The Acting 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. There is also a shortage of ATIP resources within the federal government to recruit for vacant positions.

Budget

The salary budget for 2005-2006 for the ATI portion of the ATIP Division was \$1,082,627, and 15 FTEs were used. The ATI salary budget for 2004-2005 was \$1,020,426, with a utilization of 15 FTEs. The 2003-2004 budget was \$925,354 for 15 FTEs.

Contractors were used extensively by the ATIP Division in 2005-2006, at a cost of \$375,248, to assist with the backlog in access request processing.

The ATIP Division operating budget for 2005-2006 was \$376,627. The ATIP operating budget for 2004-2005 was \$148,777. For 2003-2004, the ATIP operating budget was \$132,400.

The portion of the budget allocated for training for 2005-2006 was \$6,557 for 2004-2005, \$2,767, and \$3,763 for 2003-2004.

Recommendation 3.1: That PCO develop a strategy to fill vacant ATI positions.

CHAPTER 4: LEADERSHIP FRAMEWORK

A critical component of the administration of the 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 the staff provide the skilled policy and procedural leadership and training in order for the access process to work effectively in a department.

The Director holds full delegated authority from the Head of the institution to make all decisions under the Act with the exception of discretionary exemptions. The delegated authority to make decisions on discretionary exemptions is delegated to the appropriate Assistant Secretary (approximately 16 positions). While the Delegation Order was recently changed to provide the ATI Coordinator with more delegated authority, it falls short of providing full delegated authority to the individual(s) with the necessary training and skills to make knowledgeable decisions under the Act. In addition, the ATIP Division is reorganizing with the introduction of team leaders. As a start, PCO should investigate the delegation of routine administrative functions to the team leaders.

Recommendation 4.1: That PCO review the Delegation Order to determine how further delegation can be made to both the ATI Coordinator and to team leaders in the ATIP Division.

PCO does not have in place a departmental access to information vision. 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. PCO does have documented key priorities and an *ATI Improvement Plan*. Examples of key priorities for 2006-2007 are:

- fully implementing the *ATI Improvement Plan*;
- ensuring there is sufficient staff to process access requests by creating and staffing new positions;
- improving ATIP training to staff in Secretariats.

In September 2006, PCO staff met with staff of the Commissioner's Office and reported the following progress on the *ATI Improvement Plan*:

- staff in the ATIP Division increased from 18 to 24;
- revised Delegation Order;
- training sessions to PCO staff increased;

- weekly reports on ATI statistics.

There is no overall plan that sets out the ATI objectives and priorities and how they will be achieved. An *ATI Operational Plan* that sets 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 ATIP Division to support the operation of the Act. The Senior Management Committee of the department should monitor the plan.

Recommendation 4.2: That Senior Management initiate the development of an access to information vision that can be communicated to departmental employees.

Recommendation 4.3: That the ATIP Division develop an *ATI Operational Plan* to support the departmental access to information vision.

There is a published *ATIP Procedures Manual* last updated in 2002. The manual is also available on the PCO Intranet site for PCO staff. The manual includes documentation on the responsibilities of OPIs but does not include the roles and responsibilities of staff who hold delegated authority. In the case of PCO, 16 Assistant Secretaries hold delegated authority to make decisions on discretionary exemptions.

Although funding is available for ATI training, and a key priority for 2006-2007 is training, there is no documented training plan. The ATIP Office does conduct on-call training and all new employees receive ATI training. However, without a plan, it is difficult to assess whether or not the training is effective and applied where most needed.

Recommendation 4.4: That the ATIP Division update the *ATIP Procedures Manual* on a regular basis.

Recommendation 4.5: That the ATIP Division include in the *ATIP Procedures Manual* the roles and responsibilities of staff who hold delegated authority to make decisions under the *Access to Information Act*.

The ATIP Directorate is migrating the current *ATIPflow* to the new *Access Pro Case Management System*. This should provide the ATIP Division with improved technological support for processing access requests and for the administration of request

processing. The Division also uses the image scanning and severing component of the Records, Document, and Information Management System¹ (RDIMS) to assist in request processing.

¹ RDIMS integrates records management, document management, imaging, optical character recognition, full-text indexing search and retrieval, workflow, an on-line document viewer, and reporting capabilities. The full document life cycle of any type of electronic document, such as electronic correspondence, reports, manuals, images, graphics, and spreadsheets are managed by RDIMS. RDIMS also supports the management of non-electronic documents such as paper documents, photographs, maps, video, and audio tapes.

CHAPTER 5: INFORMATION MANAGEMENT FRAMEWORK

The 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.

In 1999-2000, PCO undertook an Information Management (IM) Capacity Check, which assessed the records management environment in each of the operational areas of the department. The resulting strategies have driven PCO's IM priorities since then and include the:

- implementation of RDIMS;
- creation of decentralized records offices in secretariats;
- creation of a file classification system that reflects secretariat functions.

PCO's governance structure includes two management committees that consider corporate management issues, including Information Management (IM). These committees are the Executive Committee and the Corporate Management Advisory Committee.

PCO is currently contracting, via Public Works and Government Services Canada, for a full-scale review of the strategies and mandate of PCO's IM program. The review is undertaken to ensure that the information and records management program continues to meet the requirements of the Government of Canada IM environment.

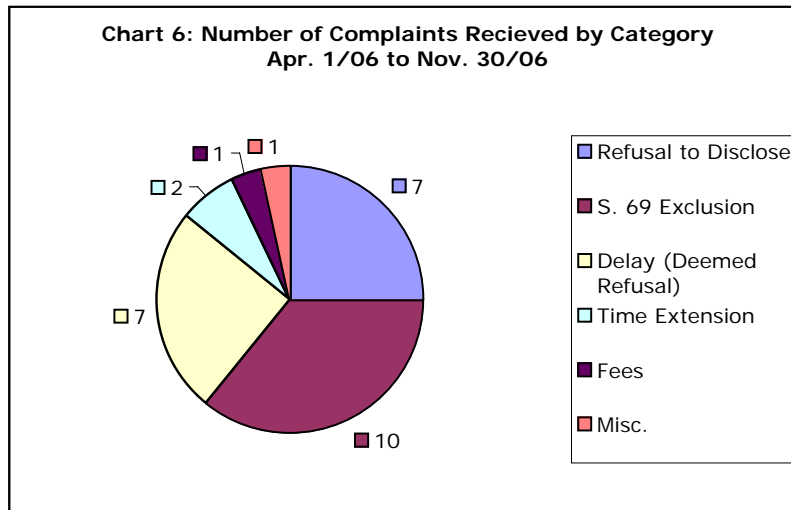
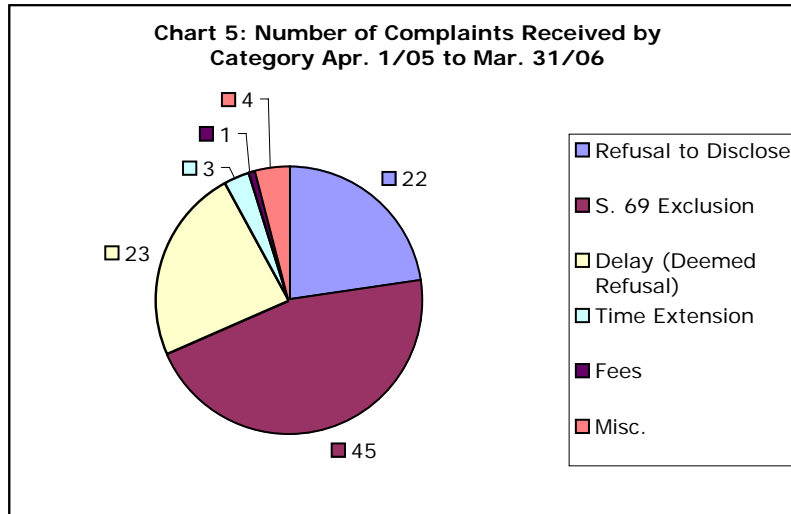
PCO Corporate Information Services Division provides one-on-one records training to all new employees, including providing staff with the *Users Guide to Records Keeping at PCO*. The *Guide* is also available on the PCO intranet.

A number of activities have been undertaken at PCO 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 information on grants and contributions awarded by PCO. The information may be viewed at: <http://www.pco-bcp.gc.ca/default.asp?Language=E&Page=Home>. The department is encouraged to investigate what other information might be proactively disclosed.

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

CHAPTER 6: COMPLAINT PROFILE

The Commissioner's Office completed the investigation of 98 complaints made against PCO under the Act in 2005-2006. For the first eight months of 2006-2007, a further 28 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 PCO constituted 23% of the complaint workload for PCO at the Commissioner's Office in 2005-2006. For the first eight months of 2006-2007, the workload increased slightly to 25%.

CHAPTER 7: CONCLUSION

This Report Card makes a number of recommendations for ATI operations in PCO. Of particular note, an essential component in the administrative framework to support the operation of the Act is an *ATI Operational Plan* that sets out objectives, priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities. The *Operational Plan* supports an ATI vision. Other recommendations deal with a persistent deemed-refusal situation. While PCO has made substantial progress in developing the ATI infrastructure needed to support the processing of access requests, there remain:

- a cumbersome access request approval process; and
- OPIs who are not meeting their time responsibilities for processing access requests.

As well, PCO management should require succinct, proactive reporting on ATI accomplishments, problems with access request processing, and remedies for those problems.

LIST OF RECOMMENDATIONS

The following is a list of recommendation by chapter.

Chapter 1: The Access Request Process

Recommendation 1.1: That the *ATIP Procedures Manual* include criteria in the form of a checklist for clarifying or modifying an access request. The checklist could also be used to provide requesters with information on how to formulate a clear access request.

Recommendation 1.2: That the ATIP Division review the abandoned access requests to identify the reasons for abandonment to determine if there could be changes to the access request processing procedures to reduce the number of abandoned access requests.

Recommendation 1.3: That the ATIP Division produce a weekly report that provides information on the time taken to complete access requests against allocated time at each stage in the access request processing model in order to proactively manage the deemed-refusal situation.

Recommendation 1.4: That the ATIP Division conduct an analysis of OPI response times against allocated times for 2006-2007 to determine the OPIs that are not providing records to the Division on time, and incorporate measures for improving performance in an *ATI Operational Plan*.

Recommendation 1.5: That the ATIP Division implement measures for data entry for *ATIPflow* to eliminate unreliable and incomplete reporting.

Recommendation 1.6: That the ATIP Division amend the *ATIP Procedures Manual* to indicate that a requester be notified of an expected date for a response, when a time extension will not be met, and of the right to complain to the Office of the Information Commissioner of Canada about the delay.

Recommendation 1.7: That the ATIP Division develop and implement a briefing session for individuals with delegated authority to provide information on their responsibilities under the *Access to Information Act*, including criteria for exercising discretion.

Recommendation 1.8: That the ATIP Division institute requirements in the *ATIP Procedures Manual* for documenting the rationale for claiming all exemptions, for the exercise of discretion, for the consideration of exceptions to mandatory exemptions, and for challenging unsupported recommendations made by consulted institutions.

Chapter 2: Deemed Refusals

Recommendation 2.1: That the ATIP Division produce a monthly report to senior management that deals with an analysis of the deemed-refusal situation along with recommendations on remedial measures to reduce and eliminate the deemed-refusal situation.

Recommendation 2.2: That the Clerk of the Privy Council Office take responsibility to ensure that the ATIP Office implement all of our recommendations in the Report Cards and status reviews to ensure that the department attains and maintains ideal compliance without further delay.

Chapter 3: Resource Profile

Recommendation 3.1: That PCO develop a strategy to fill vacant ATI positions.

Chapter 4: Leadership Framework

Recommendation 4.1: That PCO review the Delegation Order to determine how further delegation can be made to both the ATI Coordinator and to team leaders in the ATIP Division.

Recommendation 4.2: That Senior Management initiate the development of an access to information vision that can be communicated to departmental employees.

Recommendation 4.3: That the ATIP Division develop an *ATI Operational Plan* to support the departmental access to information vision.

Recommendation 4.4: That the ATIP Division update the *ATIP Procedures Manual* on a regular basis.

Recommendation 4.5: That the ATIP Division include in the *ATIP Procedures Manual* the roles and responsibilities of staff who hold delegated authority to make decisions under the *Access to Information Act*.

Chapter 5: Information Management Framework

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

**EXCERPT FROM THE CLERK OF THE PRIVY COUNCIL OFFICE'S
RESPONSE TO STATUS REPORT**

“I would like to begin by reaffirming that the Privy Council Office takes the comments and recommendations of the Office of the Information Commissioner seriously. The Privy Council Office supports the principles that government information should be available to the public. The PCO Access to Information and Privacy Division is committed to making government information available to the public and to maintaining compliance ... Over a 10-year period the volume of requests grew from 199 requests in 1996-97 to 592 requests in 2006-07. The number of consultations by other government institutions with PCO has also risen from 117 in 1996-97 to 427 in 2006-07.

The ATIP Division is proactively working to become more effective and efficient through a number of initiatives. A new ATIP Director assumed responsibility for the Division on 2 April 2007, and a reorganization of the Division is underway. The organization is being adjusted to provide the staffing flexibility necessary to create the most effective organization possible. A process to fill existing vacancies is underway. Adequate staffing will reduce workload-to-officer ratios, and help us better address the timeliness of ATIP requests.

An internal review of operational processes will be undertaken. This will include an analysis of OPI response times and a review of over-sight and cross-checking procedures. Performance measures and other performance volumetrics will be developed. Reporting practices will be streamlined to ensure senior management has a clear understanding of the status of access requests.

I am confident that the ATIP Division is taking the necessary foundational steps that will allow it to address the concerns and recommendations contained in the Report Card. These improvements should enable the ATIP Division to improve its performance in responding to its responsibilities under the Act.”

Office of the Information Commissioner of Canada

Report Card Questionnaire

Department **Privy Council Office**

Completed by **Jaye Jarvis**

Title **A/Director**

Date **January 5, 2007**

1. ACCESS REQUEST PROCESS

1.1 THE REQUESTER

1.1.1 Profile of Requester

Source	Number of Requests	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Media	161	161
Academia	38	11
Business	128	63
Organization	117	47
Public	95	80
Other		
Total	539	362

1.1.2 Request Categorization

Are requests categorized in any manner (i.e., sensitive, routine, etc.)?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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If Yes, please list and define the categories and if possible indicate the number of access requests in each category. (See page 5 of the Procedure manual)

Category	Definition of Category	Number of Requests	
		April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Red file – IGA		1	4
Red file – PMO		199	6
Red file PMO and IGA		0	0
Routine		339	352

1.1.2.1 – If yes, who makes the determination of the category?

PCO ATIP uses the category box in the ATIPflow system as a reminder for the officer to indicate when disclosure packages of requests are to be sent to the PMO or the Office of the Minister of Intergovernmental Affairs. A list of newly received access requests is circulated to PMO and IGA. Contacts from those offices indicate to the ATIP Coordinator which files are of interest. When the file is completed a release package (red file) is sent to the office for information only.

1.1.3 Request Clarification

1.1.3.1 – Access requests where clarification was sought	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Number of Requests	74	51

1.1.3.2 – Are there documented criteria for seeking clarification?

Yes	X	No	
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If Yes, please provide a copy of the documented criteria with the completed questionnaire. (See page 5 of Procedure Manual)

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		Almost always	X	Sometimes		Rarely		Never	
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1.1.4 Client Service

1.1.4.1 – Disclosure to Requester	Number	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Pages reviewed	68,912	60,996
Pages disclosed in total or in part	37,714	42,535

1.1.4.2 – Consultations	Number	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Pages received for consultation	10,507	8,279

1.1.4.3 – 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 checked="" type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.4.4 – Fees Collected	Number/Amount	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Amount of application fees collected	\$2,015	\$1,653
Amount of photocopying fees collected	\$191	\$45
Amount of search fees collected	\$195	\$227.50
Amount of preparation fees collected	\$0	\$0
Amount of programming fees collected	\$0	\$0
Total	\$2,401	\$1,935.50

1.1.4.5 – Does the department ever waive fees?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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If Yes, please provide the following details:

1.1.4.5.1 – Fees Waived (no reliable data)	April 1/05 to March 31/06			April 1/06 to Nov. 30/06		
	Number of Fee Waivers Sought	Number of Fee Waivers Granted	Amount Waived	Number of Fee Waivers Sought	Number of Fee Waivers Granted	Amount Waived
Application Fee			\$			\$
Search Fee			\$			\$
Preparation Fee			\$			\$
Photocopy Fee			\$			\$
Total			\$			\$

1.1.4.5.2 – Does the department have a written fee waiver policy?

Yes	X	No	
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If Yes, please provide a copy of the policy with the completed questionnaire.
(See pages 4-5, 8-9 and 28-29 of Procedure manual)

1.1.4.6 – 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		Almost always	X	Sometimes		Rarely		Never	
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1.1.5 Request Disposition

Disposition of Completed Requests For the Period	Number of Requests	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
All disclosed	85	47
Disclosed in part	219	162
Nothing disclosed (excluded)	40	1
Nothing disclosed (exempt)	11	3
Transferred	8	5
Unable to process	94	70
Abandoned by applicant	83	45
Treated informally	37	20
Total completed	577	353
Carried forward	177	186

1.1.5.1 – If access requests are categorized as unable to process or abandoned by applicant, is the requester notified in writing?

Always	X	Almost always		Sometimes		Rarely		Never	
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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 checked="" 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 checked="" type="checkbox"/>	No	<input type="checkbox"/>
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If Yes, please provide a copy with the completed questionnaire. (See page 6 of Procedure manual)

1.2 REQUEST PROCESSING

1.2.1 Time to Process Requests

Processing Model - Stages	April 1/05 to Mar. 31/06		April 1/06 to Nov. 30/06	
	Days Allocated	Average Actual Days	Days Allocated	Average Actual Days
ATI intake	1		1	
OPI search	4	5.94	4	8.06
Records review and preparation				
ATIP Review	3	OPI	3	OPI
OPI Review	6	Review	6	Review
ATIP Preparation	2	8.81	2	13.86
Legal				
Communications				
Approval or otherwise – OPI	2	4.12	4	6.21
Approval or otherwise – DMO	2	1.82		
Approval or otherwise - MO				
ATI release	1		1	

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 1/05 to March 31/06	April 1/06 to Nov. 30/06
For volume (search for large number of records) 30 days and under		
For volume (search for large number of records) 31 days and over		
For volume (search through large number of records) 30 days and under	9	2
For volume (search through large number of records) 31 days and over	13	11

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	X	Sometimes		Rarely		Never	
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1.2.2.6 – Extensions under Paragraph 9(1)(b)	Number of Extensions	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
NOT DIFFERENTIATED	219	97
For consultation with another institution	109 est	48 est
For consultation with domestic government	3 est	1 est
For consultation with foreign government		
For consultation with individual	7 est	4 est
For consultation for section 69	100 est	44 est

1.2.2.7 If a request concerns third party records and consultations are necessary, are consultations taken under paragraph 9(1)(c)? (for possible section 20 exemption)

Depends on the nature of the consultation and what exemption may apply.

Always	X	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 extensions taken under paragraph 9(1)(b)? (for possible section 20 exemption)

Always		Almost always		Sometimes		Rarely		Never	X
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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	X	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? (copy of letter to applicant)

Always	X	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	X	No	
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If No, please provide comments.

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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	X	Rarely		Never	
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1.2.2.13 – Notification under Paragraph 9(1)(c)	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Number of requests where third party consulted (action - consult 3 rd party)	46	29
Average length of time to receive representations from third parties	18.96	18.73
Average length of time to make a decision after receipt of representations from third parties		
Number of notices under section 27 (action - extend 3 rd party)	29	23
Number of notices for which section 27 time frame was not met	13est	10est
Number of requests for which <i>paragraph 28(1)(b)</i> time frame was not met	NA	NA

1.2.3 Transfer Profile

Transfers	Number of Transfers	
	April 1/05 to March 31/06	April 1/06 to Nov. 30/06
Transferred within 15 days	8	5
Transferred over 15 days		
Total transferred	8	5
Transfers refused		

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		
1.3.2 – Is the exemption rationale prepared by the OPIs?			Sometimes
1.3.3 – Is the exemption rationale prepared by ATI?			Sometimes
1.3.4 – Is there a documented exemption challenge function in ATI if the rationale is prepared by OPIs?	X		if there is disagreement
1.3.5 – Is there a documented requirement to place the rationale for exercising a discretionary exemption on file?	X		

2. DEEMED-REFUSAL REQUESTS

Statistics for Analysis of Deemed-Refusal Requests			
Part A: Requests carried over from the prior fiscal period.		April 1/05 to March 31/06	April 1/06 to Nov. 30/06
1.	Number of requests carried over:	169	155
2.	Requests carried over from the prior fiscal year in a deemed-refusal situation on the first day of the new fiscal year:	76	51
Part B: New Requests — Exclude requests included in Part A.		April 1/05 to March 31/06	April 1/06 to Nov. 30/06
3.	Number of requests received during the fiscal period:	539	360
4.A	How many were processed <i>within</i> the statutory 30-day time limit?	226	167
4.B	How many were processed beyond the statutory 30-day time limit <i>where no extension was claimed</i> ?	47	14
4.C	How long after the expiry of the statutory 30-day time limit did it take to respond <i>where no extension was claimed</i> ?		
	1-30 days:	14	9
	31-60 days:	9	2
	61-90 days:	7	2
	Over 91 days:	17	1
5.	How many were extended pursuant to section 9?	201	124
6.A	How many were processed <i>within</i> the extended time limit?	74	32
6.B	How many exceeded the extended time limit?	37	12
6.C	How long after the expiry of the extended deadline did it take to respond?		
	1-30 days:	16	7
	31-60 days:	3	3
	61-90 days:	4	2

Statistics for Analysis of Deemed-Refusal Requests			
	Over 91 days:	14	0
7.	As of November 30, 2006, how many requests are in a deemed-refusal situation?		38
Part C: Contributing Factors			
8.	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:		

3. RESOURCE PROFILE

3.1 Employee Profile

Please list all ATI Office employees.

Full-time Position	Classification	Number	Years of Experience
Director	EX-1	1	18
Deputy Director	PM-06	1	16
Senior ATIP Officer	PM-05	8	5-20
Senior ATIP Officer (50%)	PM-05	1	20
ATIP Officer	PM-04	6	5-15
Junior ATIP Officer	PM-01	1	2
Parliamentary Returns Officer (40%)	AS-02	1	2
Administrative Officer	AS-02	1	5
ATIP Assistant	CR-05	3	1-5

Full-time Position	Classification	Number	Years of Experience
	Records and Administrative Clerk	CR-04	1
Part-time Position	Classification	Number	Years of Experience

3.2 Salary Dollar Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used	FTEs Allocated	FTEs Used
2005/2006	\$1,082,627	\$1,024,410	17.5	14.93
2004/2005	\$1,013,540	\$1,020,426	17.5	14.91
2003/2004	\$968,040	\$925,354	17.5	14.94

3.3 Operating Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used
2005/2006	\$376,627	\$543,240
2004/2005	\$148,777	\$85,249
2003/2004	\$132,400	\$108,442

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
2005/2006	\$6,557.04	\$
2004/2005	\$2,767.47	\$
2003/2004	\$3,763.66	\$

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

Fiscal Year	Budget Allocated	Budget Used
2005/2006	\$	\$375,248.32
2004/2005	\$	\$36,660
2003/2004	\$	\$31,500

4. LEADERSHIP FRAMEWORK

4.1 Is the ATI Coordinator responsible exclusively for the administration of the ATI Office?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If No, please list other responsibilities of the ATI Coordinator.

Also includes the administration of the Privacy Act and responsible for Parliamentary Returns for the department.

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, time frames and responsibilities?	X		Document on Key Priorities for the Division
4.1.3 – Is there a published ATIP Policy and Procedures Manual for departmental staff?	X		
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		

Question	Yes	No	Comments
4.1.6 – Is there an internal ATI Office Manual on processing access requests?	X		
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		
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 for new departmental employees
4.1.12 – Has <i>ATIPflow</i> or similar application been implemented?	X		Also use the scanning and severing component of RDIMS
4.1.13 – Is <i>ATIPflow</i> used proactively to identify potential problems?	X		
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	
4.1.16 – Does the ATI Office provide policy advice on the <i>Access to Information Act</i>?	X		

4.2 Dealing with ATI Problems

Condition	Action Taken	Comment on Progress
Timeliness of responses to requests	<p>Create new officer positions to ensure sufficient staff to handle work load</p> <p>Changed delegation order to allow Coordinator to sign for mandatory exemptions and Assistant Secretaries to sign for discretionary exemptions</p> <p>Deadline reports and case action manager reports provided to OPIs</p>	Seconded in employees to fill positions
Need for training in operational areas	Increase profile of ongoing training	New training program to be developed.
Lack of trained ATIP officers in the public service	Created an ATIP Developmental position to develop officer in house.	Started in the summer of 2006
Increased workload in ATIP office	Internal reorganization of the ATIP Division	In progress

4.3 Solutions to Unanticipated Service Demands between April 1, 2005 and November 30, 2006

Service Demand	Solution
July 2005 the OIC self initiated 126 delay complaints.	Hired 5 consultants to work on these files.
Requests for large number of records eg. All Cabinet discussion papers for the last five years.	Be proactive by negotiating with applicant to narrow scope of request.

Service Demand	Solution
Royal Commissions – Gomery, Arar	Problem of consistency of treatment of records in numerous requests. Maintaining accurate documentation of decisions made. Longer range solution: acquiring OCR capability for review of records electronically.

5. INFORMATION MANAGEMENT FRAMEWORK

5.1 What activities were planned and what progress was made between April 1, 2005, and November 30, 2006, on providing access to information using alternative methods?

Planned Activity	Action Taken	Comment on Progress
On October 21, 2005, the Government announced its commitment to proactively disclose the awarding of grants and contributions over \$25,000 as part of its Management Improvement Agenda.	On May 31, 2006, the PCO began providing information on its web site on grants and contributions awarded by the institution.	Continue to provide proactive disclosure on travel, hospitality, grants and contributions, and contracts over \$10,000

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

<p>PCO’s designated senior official responsible for information management is the Assistant Deputy Minister of the Corporate Services Branch (ADM, CSB). The ADM, CSB, is responsible for Information Management and Access to Information and Privacy, as well as informatics, and other corporate services functions.</p> <p>PCO has made extensive efforts to implement the <i>Policy on the Management of Government Information</i>, and managed its information in accordance with the previous policy. It is also fully compliant with the <i>Library and Archives of Canada Act</i>.</p> <p>PCO’s governance structure includes two management committees which consider, discuss, recommend, and decide on a variety of corporate management issues, including Information Management:</p>

- PCO Executive Committee: Chaired by the Clerk of the Privy Council, the PCO Executive Committee deals with corporate management priorities, including IM. The secretary to the Executive Committee is the ADM, CSB. The membership of the Executive Committee consists of all PCO Deputy Secretaries.
- Corporate Management Advisory Committee (CMAC): Jointly chaired by the Executive Director of PCO Finance and Corporate Planning Division and another PCO Director of Operations, this committee provides advice and recommendations to the PCO Executive Committee and the ADM, CSB on corporate management issues, including IM. The Director, Corporate Information Services, is a permanent member of this committee, as is the Director of Informatics and Technical Services.

PCO's Information Management strategy is guided by the following strategic initiatives:

Secretariat Review

In 1999-2000, PCO undertook a Secretariat Review (IM Capacity Check equivalent) which assessed the records management environment within each of the operational areas (secretariats) of the department, and determined strategies to improve information management across the department. The resulting strategies have driven PCO's IM priorities since 2000, including the implementation of RDIMS, creation of decentralized records offices within secretariats, and creation of a file classification system that reflects secretariat functions.

Information Management Strategic Plan

In 2004, PCO updated its IM Strategic Plan, which remains in effect in 2006-07. The Strategic Plan sets out the objectives for IM at PCO, providing direction to all aspects of PCO's IM program:

- Culture of Collaboration and Sharing
- Legislation, Acts, and GoC Policies Compliance
- Tight Integration of IS [IM] and IT Management
- Federated Model for Delivery of IS [IM]
- Common Information Repository for all Electronic Files
- Access to Quality Information
- Seamless and Secure Technical Environment
- Effective Corporate Memory Retention Policies and Practices
- Sufficient, Flexible, and Responsive IS [IM] and IT Capacities

IGA IMCC and Resulting IM Strategic Plan

The largest operational branch of PCO is Intergovernmental Affairs (IGA). Intergovernmental Affairs provides analysis, advice, liaison and strategic planning in relation to policy files with important intergovernmental implications (federal-provincial-territorial). It also addresses constitutional and legal issues relating to the evolution of the federation and Canadian unity. An Information Management Capacity Check was conducted in late 2004-05, resulting in a strategic plan for IM (attached). Implementation of the first steps in the plan is under way in 2006-07, with a Records Review and Integration Project to bring all IGA records under the control of a functional classification system, managed by an information specialist on IGA premises. The strategic plan also entails defining roles and responsibilities for information management between IGA and PCO's Corporate Information Services Division, and measures to improve information handling practices and increase awareness of the benefits of good information management.

Updating of PCO's IM Strategies in 2006-07

PCO is currently contracting via Public Works and Government Services Canada for a full-scale review of the mandate and strategies of the PCO IM program in order that PCO can ensure that its information and records management program is able to continue to meet the demands of the evolving GOC IM environment (new policy and legislative requirements for IM, increased emphasis on accountability, staff turn-over, the impact of technology, etc.); and is able to make a major contribution to the best possible business outcomes for PCO secretariats and the department as a whole. The review will entail an assessment of Corporate Information Services Division's current IM mandate, services, employee competencies, and human and financial resource levels and recommendations on the necessary changes to the mandate and a strategic plan for the next five to ten years.

Information Management Outreach

In order to ensure that all PCO employees are fully aware of their responsibilities under the MGI Policy, including documenting decisions, PCO Corporate Information Services Division provides one-on-one records training to all new employees, including providing staff with the *Users Guide to Records Keeping at PCO*. This guide is also available on the PCO Intranet. All new employees are also required to attend an orientation session on information management, provided weekly, which outlines IM and ATIP responsibilities. Corporate Information Services Division regularly participates in ATIP training sessions for PCO secretariats in order to ensure that managers and staff understand their records responsibilities.

Continuity of Government

PCO Corporate Information Services Division maintains an essential records program and is an active participant in the departmental emergency management and business continuity program. The Essential Records Program will be updated in 2007-08 in conjunction with IT disaster recovery planning.

Highlights of PCO's IM Business Plan for 2006-07 include:

- RDIMS upgrade to the most recent version (4.7), with the switch-over scheduled for March 2007. Following the upgrade, PCO's business-centered implementation approach will be resumed in April 2008.
- Revamp of IM orientation and training offerings.
- Improvements to Internet site governance and content.
- Continued active participation in the GOC information management community. The Director of Corporate Information Services Division is currently Chair of the Government of Canada Records Management Requirements Working Group, and is a member of the Information Management Forum and RDIMS Board of Directors. Other CISD managers participate in the Council of Federal Libraries, the Condition of Archival Records in Federal Institutions Advisory Group, and the IM Forum Working Group on IM Professional Development.

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	95 %

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?

PCO has classification schemes for both administrative and operational records. See the attached document entitled AFile Classification System Descriptions,

Including EPIC - this describes all active and dormant operational PCO classification systems dating back 30 years. The attached document entitled AEPIC Function Prefix Descriptions describes each section within the active classification system for operational records at PCO.

Classification schemes are maintained by PCO Corporate Information Services Division. New files are frequently added by Records Classifiers as new functions and subjects arise and by the Information Management Policy, Planning and Advisory Services Section when larger modifications of the classification scheme(s) is/are required. The most recent classification scheme for operational records came into use on April 1, 2006, and is updated on a daily basis. The current active classification scheme (EPIC Electronic and Paper Information Classification system) covers all areas of the department, with the exception of the Intergovernmental Affairs Secretariat; a project is currently underway to develop a classification scheme for this PCO business function. EPIC covers both paper and electronic records. PCO uses RDIMS. Approximately half of the employees of PCO have access to RDIMS. This number will increase significantly over the next two years. The implementation of additional work groups is presently on hold while IM and IT resources are dedicated to the upgrade of RDIMS to the most recent version; implementation of additional work groups will resume in 2007-08.

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 1/05 to March 31/06	April 1/06 to Nov. 30/06
Refusal to disclose	22	7
S. 69 Exclusion	45	10
Delay (deemed refusal)	23	7
Time extension	3	2
Fees	1	1
Language	0	0
Publication	0	0
Miscellaneous	4	1
Total resolved	98	28

6.2 Complaint Findings

Category	Number of Complaint Findings	
	April 1/05 to March 31/06	April 5/06 to Nov. 30/06
Resolved	62	19
Not resolved	6	0
Not substantiated	17	6
Discontinued	13	3
Total Findings	98	28