



Information Commissioner of Canada

Access to Information Act

Report Card on the Performance

of

Finance Canada

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*.

Finance Canada administers the *Access to Information Act* through the Access to Information and Privacy (ATIP) Directorate. The Director of the ATIP Directorate has limited delegated authority from the Head of the institution to make 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.

Finance Canada has made progress in reducing the deemed-refusal situation. The department is encouraged to continue its efforts to make further progress to achieve a higher grade.

This Report Card makes a number of recommendations for ATI operations in Finance Canada. 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 for the ATIP Directorate. The Plan would establish priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities to implement the Business Plan and those recommendations in this Report Card that are accepted by the department. Other recommendations focus on the need to have up-to-date comprehensive documentation in place to promote consistent decision-making by individuals with responsibilities in the operations supporting the *Access to Information Act*. These individuals require ATI training to support the fulfillment of their responsibilities.

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, Finance Canada rates a “C”. Its overall performance is Borderline for the first eight months of fiscal year (FY) 2005/2006.

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 and 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.

Finance Canada administers the *Access to Information Act* through the ATIP Division. The Director of the Division has limited delegated authority from the Head of the institution to make decisions under the Act. Delegated authority for decisions on exemptions that are applied to records resides with the Senior Associate Deputy Minister, two Associate Deputy Ministers and the Assistant Deputy Minister, Law Branch.

As part of the preparation of this Report Card, the Acting ATIP Director was interviewed on January 4, 2006. In addition, 15 access request files completed during the first eight months of FY 2004/2005 and FY 2005/2006 were selected at random and reviewed on February 15, 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.

The Acting 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 describes a deemed refusal as follows:</p> <p>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 :</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 Access to Information 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>

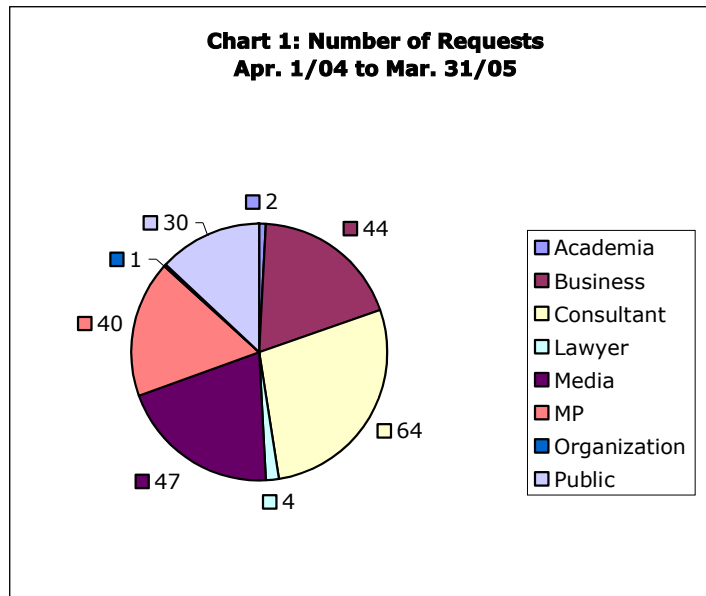
Term	Definition
Pending	<p>Unfinished requests or complaints:</p> <ul style="list-style-type: none"> ➤ Pending Previous Requests or complaints that were unfinished at the close of the previous fiscal year, and thus carried forward into the reporting period (the fiscal period indicated on the pie chart). ➤ 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 Access to Information 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 Access to Information 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 co-ordination 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 Access to Information Act and Regulations.</p>

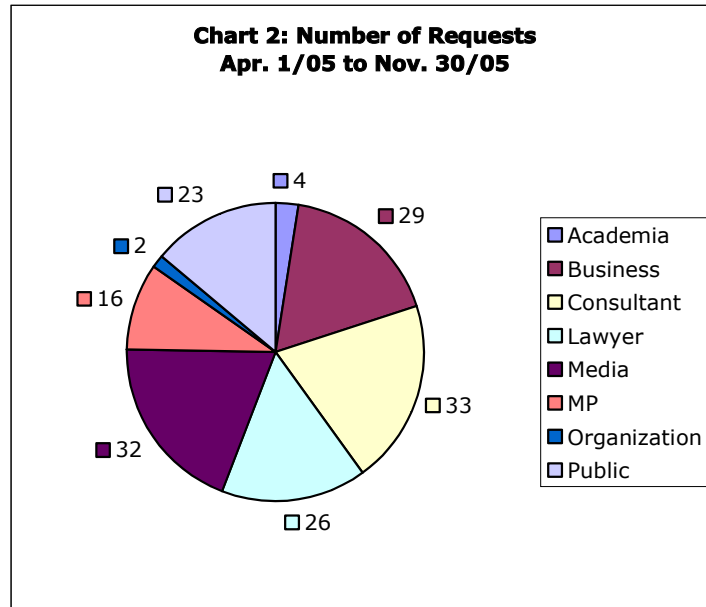
CHAPTER 1: THE ACCESS REQUEST PROCESS

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 analysis purposes including the identification of trends. The number of requesters by category and recent FY time periods for Finance Canada are illustrated in Charts 1 and 2.





Finance Canada flags access requests as either routine or MINO. MINO indicates that the Minister's Office has indicated an interest in viewing the release package of records for an access request prior to its release to the requester. There is a weekly meeting where new access requests are reviewed to determine if an access request will be flagged as MINO. There is no documentation to indicate criteria for flagging an access request.

In FY 2004/2005, 115 of 282 or 41% of completed access requests were flagged as MINO. In the first eight months of FY 2005/2006, 57 of 165 or 36% of completed access requests were flagged as MINO. Of the 18 access requests carried over to FY 2005/2006 in a deemed-refusal situation, nine were flagged as MINO.

Recommendation 1.1: The reason(s) for flagging an access request in any category other than routine be documented.

Recommendation 1.2: The completed access requests for FY 2005/2006 be reviewed to determine the reason(s) for delayed responses to access requests and measures be developed and implemented to eliminate the delays.

Request Clarification

The number of access requests that required clarification in FY 2004/2005 was 37 or 13% of the requests received. In the first eight months of FY 2005/2006, 25 or 15% of the access requests received required clarification. The ATIP Directorate always confirms in writing with a requester the content of a clarified access request. There are no documented criteria for seeking clarification. The Acting Director stated that the decision

to seek clarification is on a case-by-case basis and may result from discussions with a requester.

Recommendation 1.3: The *ATIP Procedure Manual* be amended to document criteria for clarifying or modifying an access request.

Pages Reviewed

The number of pages reviewed for access requests completed in FY 2004/2005 was 80,476 or an average of 285 pages per request. Of the total number of pages reviewed, 41,045 pages or 51% were disclosed in total or in part to the requester. In the first eight months of FY 2005/2006, 39,861 pages or an average of 242 pages per request were reviewed. Of the total number of pages reviewed, 62% were disclosed in total or in part to the requester.

The ATIP Directorate also reviews claims by other institutions to exempt records from disclosure using the economic interests of Canada exemption in section 18 of the *Access to Information Act*. In FY 2004/2005, the ATIP Directorate reviewed 1,917 pages. In the first eight months of FY 2004/2005, 32,188 pages reviewed.

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

Recommendation 1.4: The *ATIP Procedure Manual* be amended to include a requirement to notify a requester of the one-year limitation of the right to complain when an access request is almost one year old.

Fees Collected

In 2004/2005, the ATIP Directorate collected \$6,566.09 in fees for processing access requests. In the first eight months of FY 2005/2006, \$1,771.45 was collected. In the *Annual Report to Parliament on the Access to Information Act* (FY 2004/2005), the department states that it routinely waives fees under \$25. While this is a position to be commended, it does not in itself constitute a fee waiver policy.

Although the department does not have a fee waiver policy¹, 45 fee waivers were granted in FY 2004/2005, and a further 53 fee waivers were granted in the first eight months of FY 2005/2006.

¹ There is a note in the *Annual Report to Parliament on the Access to Information Act* stating that the department waives fees under \$25.

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 1.5: 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 Directorate was unable to process in FY 2004/2005. The access requests designated as abandoned have decreased substantially for the first eight months of FY 2005/2006. In both of the fiscal years, most of the access requests designated as “unable to process” were access requests where records did not exist.

The ATIP Directorate will notify the requester when an access request will be treated as abandoned or unable to process. When an access request is to be treated informally, the requester is consulted. There are currently no documented criteria to consider for treating an access request informally.

Recommendation 1.6: The ATIP Directorate develop decision criteria when considering whether or not to discuss with a requester that an access request be treated informally.

Time to Process Requests

The *Access to Information Act* allows 30 calendar days (or approximately 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 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 Finance Canada ATIP Directorate has a request-processing model that is based on 22 working days. Table 3 below provides a comparison between days allocated against days taken by activity to process access requests.

Table 3: The Finance Canada Request Processing Model

Processing Model – Stages	Days Allocated	Average # Days Taken FY 2004/2005	Average # Days Taken FY 2005/2006 to Nov. 30
ATI intake	1	1	1
OPI search	10	7.67	7.11
Records review and preparation	5	16.03	3.04
ATIP Director	1	N/A	N/A
Approval or otherwise – LAW	1	9.22	2.4
Communications	2	3.25	2
Approval or otherwise – Associate DMO/DMO	1	5.38	2.48
ATI release	1	N/A	N/A

Recommendation 1.7: The ATIP Directorate produce a weekly report that provides information on access requests that are required to be completed for the week at each stage in the request-processing model, in order to proactively manage the deemed-refusal situation.

The request-processing model allows up to four of 22 working days for reviews and approvals. The reviews may be up to four levels for files flagged Minister’s Office (MINO) – Office of Primary Interest (OPI), Communications, Deputy Minister’s Office and Minister’s Office. Although the Assistant Deputy Minister (ADM) of the Law Branch has delegated authority to make decisions on the release of records, a “review” can become a de facto “approval”. On routine access requests, the ATIP Director has delegated authority to make decisions. Routine is described in the Delegation Order as those files submitted on a regular basis and for which there are no communications concerns.

The Delegation Order for delegated authority to make decisions under the *Access to Information Act* last changed on December 16, 2004. The accompanying documentation that describes the delegation considerations appears to be based on delegation related to “anticipated communications concerns” rather than knowledge of the legislation. As an example, the ADM of the Law Branch has delegated authority to make decisions about

an exemption where there are no anticipated communication concerns about the release of the information. If there is a need for “Questions and Answers” to be developed (as determined by the Communications and Consultations Branch), the access request becomes “sensitive” and the approval of the response to the access request is referred to either the Senior Associate Deputy Minister, Associate Deputy Minister (refers to all positions at or above that level) or Associate Deputy Minister and Finance G-7 Deputy.

There is also a requirement for the response to be reviewed by the Offices of the Minister and Deputy Minister for access requests tagged as MINO. The ATIP Director stated that the reviews by the Offices of the Minister and Deputy Minister do not result in delays to the release of records because an advance copy of the response to an access request is provided during the approval process.

The above process based on communications needs does not reflect decision-making based on knowledge of the Act. Although it is necessary to have a communications process that informs internal stakeholders about a response to an access request, that process should be parallel to and not form part of the access process approval process.

The current access request-processing model allocates four days to the approval process. On average, it took seven days or approximately one-third of the time allocated to the request-processing model.

Numerous review stages in the process of responding to an access request has the potential to delay the release of information to the requester and may be a factor that contributes to an unacceptable deemed-refusal situation.

The access process should be reviewed to eliminate the need for multiple reviews. This recommendation is not meant in any way to discourage a strong communication network between OPIs, Communications, Senior Management and the ATIP Division to discuss an access request and the response to the request. The ATIP Director and ATIP Officers are the staff in institutions who have expert knowledge of the *Access to Information Act*. Consultation must take place with program staff and others involved in the process as part of the process for responding to access requests. Consultations should take place as part of the records processing by the ATI Division, not as a separate step in the process requiring multiple reviews and/or sign-offs. Adding additional steps in the access process usually lead to delays in response times and increases in the number of requests in a deemed-refusal situation.

Recommendation 1.8: Finance Canada review the access request process to eliminate numerous review and approval stages that do not add value to the ATI decision-making process. Communication requirements for OPIs and other individuals who require information on an access request disclosure package be handled in a separate and parallel process.

Recommendation 1.9: The Delegation Order for Finance Canada be amended to provide delegated authority under the *Access to Information Act* to the individuals who have the necessary knowledge to make the decisions required by the Act.

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 Finance Canada 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 be contacted some of the time.

Finance Canada had only six extensions based on a search for a large number of records in FY 2004/2005 and only one extension for the same reason in the first eight months of FY 2005/2006.

Finance Canada did have a significant number of consultations with another institution and 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.

In FY 2004/2005, Finance Canada extended the original 30-day time limit for consultation with another institution 135 times, with a domestic government eight times, with an individual once and for consultation with the Privy Council Office 22 times. In the first eight months of FY 2005/2006, extensions were taken 95 times to consult with another institution, 20 times to consult with a domestic government, three times to consult with an individual and 33 times to consult with the Privy Council Office.

Recommendation 1.10: The *ATIP Procedure Manual* be amended to incorporate a requirement to contact the requester when an extended date will not be met and inform the requester a) that the response will be late b) of an expected date for a final response c) of the right to complain to the Information Commissioner.

Under subsection 27(1) of the Act, where the head of the institution intends to disclose a record or part of a record that the Head believes may contain third party information as described in section 20 of the Act, the third party is provided with a notice. The purpose of the notice is to allow a third party 20 days to make representations on whether or not in their view the record should not be disclosed. A department is required to provide the notice to the third party within 30 days of the receipt of the access request. Finance Canada undertook consultations on 37 access requests in FY 2004/2005 sending 128 notices to third parties. The time requirements set out in section 27 of the Act were not met for 91 of the notices. A similar situation occurred in the first eight months of FY 2005/2006. Of 157 notices sent to third parties, 90 did not conform to the time requirements set out in section 27.

Recommendation 1.11: The ATIP Directorate develop a plan to implement measures to increase compliance with the timelines set out in section 27 of the *Access to Information Act*.

Transfer Profile

In FY 2004/2005, one access request was transferred to another institution. In the first eight months of FY 2005/2006, two 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 Directorate stated that the Directorate almost always documents the rationale for claiming an exemption in the access request file. The rationale for claiming the exemption is prepared by the OPI – sometimes with the assistance of the ATIP Directorate. The ATIP Directorate maintains an exemptions checklist for each exemption that is used by the Directorate as a “challenge document” to ensure that claims for exemptions made by OPIs are vetted and documented appropriately. In some instances, the checklist provides documentation on the exercise of discretion. Discretionary exemptions provide government institutions with an option to disclose the information where it is felt that no injury will result from the disclosure or where it is of the opinion that the interest in disclosing the information outweighs any injury that could result from disclosure.

There is no requirement to document and place the rationale for exercising a discretion in the access request-processing file. The Director reports that the practice is informally

followed by the ATIP Directorate. This is accomplished by placing the rationale in the approval briefing note to Senior Management accompanying the proposed access request release package. The *Guidelines for Branch Review* include a discussion of circumstances to consider in determining whether or not to release information even though a discretionary exemption may be claimed.

A random group of 15 completed access request files closed between April 1, 2004, and November 30, 2005, were reviewed. The ATIP^{flow} documentation summarizing the access request processing was always in the processing file and this documentation accurately reflected the actions taken and the approvals received. Relevant records were retained in the access request-processing file, with the exception of the disclosure package (beginning in 2006, the disclosure package forms part of the file). The department made routine use of partial releases of records when an extension was claimed. The review indicated generally that:

- The rationale for claiming exemptions was poorly documented where the rationale was not obvious from the information – typically only a section of the Act was cited.
- There was generally 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.

Recommendation 1.12: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to document the rationale for exercising discretion.

Recommendation 1.13: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to document the rationale for claims for exemptions.

Recommendation 1.14: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to consider exceptions to mandatory exemptions that could lead to disclosure of records and document the steps taken.

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 282 new access requests and carried over 76 access requests from the previous FY for a total of 358 access requests. Of the 358 access requests, 21 were completed in a deemed-refusal situation, 42 were carried over from the previous FY in a deemed-refusal situation and a further 18 were carried over to the next FY in a deemed-refusal situation. The deemed-refusal ratio for FY 2004/2005, was 358:81 or 22.6% resulting in an “F” on the grading scale.

For the first eight months of FY 2005/2006, the department received 165 new access requests and carried over 62 access requests from the previous FY for a total of 227 access requests. By November 30, 2005, of the 227 access requests, six were completed in a deemed-refusal situation, 18 were carried over from the previous FY in a deemed-refusal situation and a further three 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 227:27 or 11.9% resulting in a “C” on the grading scale.

The ATIP Director’s view is that the deemed refusals are related in many cases to delays when other departments have to be consulted and to delays for internal consultations among branches when an access request covers records in multiple branches.

The department has made considerable progress in improving the deemed-refusal situation and is encouraged to maintain the current momentum to achieve ideal compliance.

Recommendation 2.1: Finance Canada continue in its efforts to reduce the deemed-refusal situation and achieve a grade of ideal compliance by 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 claiming certain exemptions and provides policy advice.

The staff of the ATIP Directorate allocated to ATI is comprised of 12 employees — the Director, two Senior ATIP Advisors, eleven ATIP Officers and two support staff. In addition, there are two ATIP Officer positions vacant and there are three ATIP Officers on deployment.

The Acting Director has indicated that there is a Business Plan to improve the compliance rate in responding to access to information and privacy requests. Services produced by the ATIP Directorate are listed in the Business Plan. There is a current staffing problem concerning vacant positions that are not filled.

Budget

The salary budget for FY 2004/2005 for the ATI component of the ATIP Directorate was \$687,085 for 12 person years (with 3 additional FTEs on deployment). The ATI salary budget for FY 2003/2004 was \$397,141 (FTEs are not available). The FY 2002/2003 budget was \$293,002 (FTEs are not available).

The ATI operating budget for FY 2004/2005 was \$83,900 although \$114,573 was used. The ATI operating budget for FY 2003/2004 was \$27,000 although \$151,300 was used. For FY 2002/2003 the ATI operating budget was \$105,600 although \$213,206 was used.

The portion of the budget allocated for ATI staff training in FY 2004/2005 was \$3,820. In each of the two previous fiscal years, approximately \$5,000 was allocated to training.

Recommendation 3.1: The ATIP Division review the staffing process in concert with HR to identify measures to staff the vacancies in the ATIP Division.

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.

Finance Canada does not have in place a departmental access to information vision but does have a Business Case and Business Plan for increased resources to meet an increasing volume of access requests. The Business Case was approved and the Business Plan is in a departmental approval process. The ATIP Directorate does not have a published Operational Plan that specifies objectives, priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities (although some of this information is part of the Business Case). The Operational Plan should have a component that deals with further improvement to the deemed refusal situation. An ATI vision and operational plan would serve as a sound basis for planning and operating the ATIP Division and supporting the Business Plan. 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.

The ATIP Directorate does not have an ATIP Policy and Procedure Manual for departmental staff. There is a *Guidelines for Branch Review* that could serve as a building block for a Procedure Manual. There is no internal ATI Office Manual although the ATIP Directorate is in the process of developing a Manual.

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 an ATI Operational Plan to support the departmental access to information vision and Business Case.

Recommendation 4.3: The ATIP Directorate complete the development of an ATI Office Manual and enhance the current *Guidelines for Branch Review* into a full Procedure Manual for OPIs.

The ATIP Directorate does not have a published ATI Training Plan. Training is an important foundation in creating a culture of access to information. As well, each manager and employee to varying degrees must be aware of their responsibilities for the management of information and access to it. A Training Plan will allow the ATIP Directorate to initially focus resources on priority areas where training will have the highest level of return.

Recommendation 4.4: The ATIP Directorate develop and implement an Access to Information Training Plan for departmental personnel.

The ATIP Directorate uses *ATIPflow* but that technology as developed is not used to its full advantage as a proactive management tool. For example, weekly reports are sent to Branches for outstanding access requests. A proactive approach would be a report that also identifies access requests that are due in the next week. This approach would be useful in maintaining adherence to departmental timelines for processing access requests. Summary reports to Senior Management on how OPIs and other activities involved in access request processing are meeting their time requirements would also be useful to proactively identify potential time commitment problems. The ATIP Directorate uses *ATIPimage* in conjunction with *ATIPflow*. *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.

Recommendation 4.5: The ATIP Directorate review its use of *ATIPflow* to provide proactive management of ATIP 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.

Finance Canada is implementing the Treasury Board Secretariat *Policy on the Management of Government Information*. The department completed a Capacity Assessment in 2004 that provided a qualitative assessment of the department's ability to implement the Policy. The Capacity Assessment identified six key priorities to be addressed as follows:

- Use value added Information Management (IM) Tools to support business processes
- Clarify roles and responsibilities for managing information
- Improve awareness and communications
- Implement a disciplined approach to managing information
- Optimize the use of IM resources
- Develop IM skills and capacity to serve the business.

The Corporate Information Services Section of the IM Division is responsible for the departmental file classification systems. The file classification systems for Tax Policy Branch and Economic and Fiscal Policy Branch were updated in 2004. The file classification systems for the other branches are in need of revisions. There is a file classification system for all the areas of the organization. The two revised file classification systems (Tax Policy Branch and Economic and Fiscal Policy Branch) are for both paper and electronic records. The others are for paper records. Finance Canada decided not to adopt the Records, Document and Information Management System.

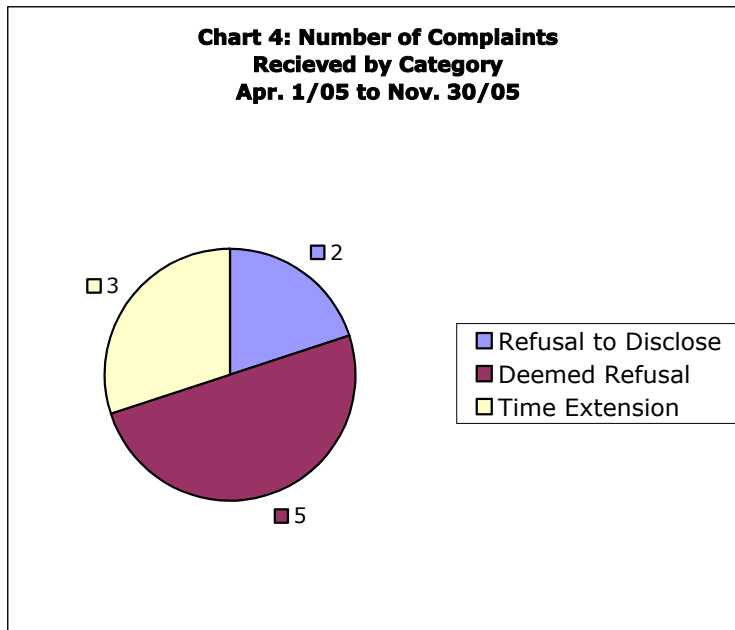
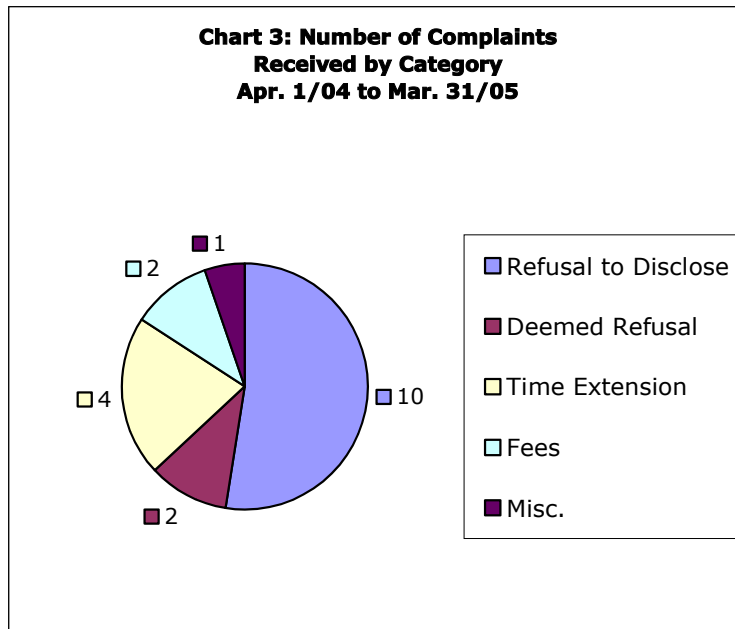
Finance Canada has undertaken a number of activities to provide access to information using alternative methods. These activities are seen as providing proactive disclosure of information. The activities to date include the routine disclosure of travel and hospitality expenses, departmental contracts over \$10,000 and reclassification information by posting the information periodically on the Finance Canada Internet site. The department will add grants and contributions in May 2006. The department is encouraged to investigate what other information might be proactively disclosed.

Recommendation 5.1: Finance Canada as part of the renewal of the IM Program determine additional categories of information that may be disclosed proactively.

CHAPTER 6: COMPLAINT PROFILE

Complaints—Deemed Refusals

The Office of the Information Commissioner completed the investigation of 19 complaints made against Finance Canada under the **Access to Information Act** in FY 2004/2005. For the first eight months of FY 2005/2006, a further ten complaint investigations were completed. Charts 3 and 4 illustrate the reasons that the complaints were made by a requester for complaints received for the period.



The deemed-refusal complaints against Finance Canada constituted 24% of the complaint workload for that department at the Office of the Information Commissioner in the FYs illustrated in the above Charts.

CHAPTER 7: CONCLUSION

This Report Card makes a number of recommendations for ATI operations in Finance Canada. 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 for the ATIP Directorate. The Plan would establish priorities, tasks and resources, deliverables, milestones, timeframes and responsibilities to implement those recommendations in this Report Card that are accepted by the department. Other recommendations focus on the need to have up-to-date comprehensive documentation in place to promote consistent decision-making by individuals with responsibilities in those operations supporting the *Access to Information Act*. These individuals require ATI training to support the fulfillment of their responsibilities.

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 in any category other than routine be documented.

Recommendation 1.2: The completed access requests for FY 2005/2006 be reviewed to determine the reason(s) for delayed responses to access requests and measures be developed and implemented to eliminate the delays.

Recommendation 1.3: The *ATIP Procedure Manual* be amended to document criteria for clarifying or modifying an access request.

Recommendation 1.4: The *ATIP Procedure Manual* be amended to include a requirement to notify a requester of the one-year limitation of the right to complain when an access request is almost one year old.

Recommendation 1.5: The ATIP Directorate develop a fee waiver policy for access requests.

Recommendation 1.6: The ATIP Directorate develop decision criteria when considering whether or not to discuss with a requester that an access request be treated informally.

Recommendation 1.7: The ATIP Directorate produce a weekly report that provides information on access requests that are required to be completed for the week at each stage in the request-processing model, in order to proactively manage the deemed-refusal situation.

Recommendation 1.8: Finance Canada review the access request process to eliminate numerous review and approval stages that do not add value to the ATI decision-making process. Communication requirements for OPIs and other individuals who require information on an access request disclosure package be handled in a separate and parallel process.

Recommendation 1.9: The Delegation Order for Finance Canada be amended to provide delegated authority under the *Access to Information Act* to the individuals who have the necessary knowledge to make the decisions required by the Act.

Recommendation 1.10: The ATIP Procedure Manual be amended to incorporate a requirement to contact the requester when an extended date will not be met and inform the requester a) that the response will be late b) of an expected date for a final response c) of the right to complain to the Information Commissioner.

Recommendation 1.11: The ATIP Directorate develop a plan to implement measures to increase compliance with the timelines set out in section 27 of the *Access to Information Act*.

Recommendation 1.12: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to document the rationale for exercising discretion.

Recommendation 1.13: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to document the rationale for claims for exemptions.

Recommendation 1.14: The ATIP Directorate include a requirement in the *Guidelines for Branch Review* to consider exceptions to mandatory exemptions that could lead to disclosure of records and document the steps taken.

Chapter 2: Deemed Refusals

Recommendation 2.1: Finance Canada continue in its efforts to reduce the deemed-refusal situation and achieve a grade of ideal compliance by March 31, 2007.

Chapter 3: Resource Profile

Recommendation 3.1: The ATIP Division review the staffing process in concert with HR to identify measures to staff the vacancies in the ATIP Division.

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 an ATI Operational Plan to support the departmental access to information vision and Business Case.

Recommendation 4.3: The ATIP Directorate complete the development of an ATI Office Manual and enhance the current *Guidelines for Branch Review* into a full Procedure Manual for OPIs.

Recommendation 4.4: The ATIP Directorate develop and implement an Access to Information Training Plan for departmental personnel.

Recommendation 4.5: The ATIP Directorate review its use of *ATIPflow* to provide proactive management of ATIP administration.

Chapter 5: Information Management Framework

Recommendation 5.1: Finance Canada as part of the renewal of the IM Program determine additional categories of information that may be disclosed proactively.

Office of the Information Commissioner of Canada

Report Card Questionnaire

Department of Finance

Completed by:

Diane Manseau, Acting Coordinator, ATIP

Ray Davidson, Senior ATIP Officer and

Rachel Sabourin, Chief Corporate Information Services

Date: January 27, 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
Academia	2	4
Business	44	29
Consultant	64	33
Lawyer	54	26
Media	47	32
Member of Parliament	40	16
Organization	1	2
Other Government	0	0
Public	30	23
Total	282	165

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

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
Routine	Regular requests	167	108
MINO	Minister's office indicates an interest in viewing the release package	115	57
		282	165

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	37	25

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 checked="" type="checkbox"/>	Almost always	<input type="checkbox"/>	Sometimes	<input type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.4 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	80,476	39,861
Pages disclosed in total or in part	41,045	24,669
Pages for consultation under paragraphs 9(1)(a) and/or (b) and/or notification under (c)	3,321	1,917

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.)

NOTE: We have been in that situation before, and if it happens again, we will notify the requestor. This will be added to our procedure manual.

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	\$ 1,365.00	\$800.00
Amount of photocopying fees collected	\$ 2,589.94	\$732.80
Amount of search fees collected	\$ 2,326.15	\$238.80
Amount of preparation fees collected	\$ 285.00	\$ 0
Amount of programming fees collected	\$ 0	\$ 0
Total	\$ 6,566.09	\$ 1,771.60
Number of fee waivers sought	N/A	N/A
Number of fee waivers granted	45	53
Amount of fees waived	\$ 4,717.01	\$ 1,974.45

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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NOTE: We have a paragraph in the Annual Report under Fees which indicates that the Department waives any fees assessed under the Act that are under \$25.00.

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 checked="" type="checkbox"/>	Almost always	<input type="checkbox"/>	Sometimes	<input type="checkbox"/>	Rarely	<input type="checkbox"/>	Never	<input type="checkbox"/>
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1.1.5 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	35	24
Disclosed in part	161	114
Nothing disclosed (excluded)	1	3
Nothing disclosed (exempt)	1	4

Disposition of Completed Requests For the Period	Number of Requests	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Transferred	1	2
Unable to process	71	34
Abandoned by applicant	24	7
Treated informally	2	1
Total completed	296	189
Carried forward	62	38

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 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	10	7.67	10	7.11
Records review and preparation	5	16.03	5	3.04
ATIP Director	1	N/A	1	N/A
Communications	2	3.25	2	2

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
Approval or otherwise – LAW	1	9.22	1	2.4
Approval or otherwise – ASSOCIATE DMO/DMO	1	5.38	1	2.48
ATI release	1	N/A	1	N/A

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	X	Rarely		Never	
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b) Of an expected date for the final response

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

Always		Almost always		Sometimes	X	Rarely		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	6	1

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) 31 days and over	1	0
For volume (search through large number of records) 30 days and under	11	0
For volume (search through large number of records) 31 days and over	1	0

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 1/04 to March 31/05	April 1/05 to Nov. 30/05
For consultation with another institution	135	95
For consultation with domestic government	8	20
For consultation with foreign government	0	0
For consultation with individual	1	3
For consultation for section 69	22	33

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

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 consultations taken under paragraph 9(1)(b)?

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?

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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1.2.2.11 Is the third-party timing process (as set out in section 28) observed?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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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	<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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1.2.2.13 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	37	31
Average length of time to receive representations from third parties	29.52	16.52
Average length of time to make a decision after receipt of representations from third parties	N/A	N/A
Number of notices under section 27	128	157
Number of notices for which section 27 time frame was not met	91	90
Number of requests for which <i>paragraph 28(1)(b)</i> time frame was not met	1	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	1	2
Transferred over 15 Days	0	0

Transfers	Number of Transfers	
	April 1/04 to March 31/05	April 1/05 to Nov. 30/05
Total transferred	1	2
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		The recommendation is sent with the records from the Branches.
1.3.2 Is the exemption rationale prepared by the OPIs?	X		
1.3.3 Is the exemption rationale prepared by ATI?		X	May assist the OPI .
1.3.4 Is there a documented exemption challenge function in ATI if the rationale is prepared by OPIs?	X		Sections check list.
1.3.5 Is there a documented requirement to place the rationale for exercising a discretionary exemption on file?	X		This is part of the briefing note from the Branch when providing their records. This forms part of the approval briefing note to senior management. We now have a section in our guidelines for OPI on how to exercise discretion when applying exemptions.

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:	76	62
2.	Requests carried over from the prior fiscal — in a deemed-refusal situation on the first day of the new fiscal:	42	18
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:	282	165
4.A	How many were processed <i>within</i> the 30-day statutory time limit?	171	113
4.B	How many were processed beyond the 30-day statutory time limit <i>where no extension was claimed?</i>	7	2
4.C	How long after the statutory time limit did it take to respond <i>Where no extension was claimed?</i>		
	1-30 days:	6	2
	31-60 days:	1	0
	61-90 days:	0	0
	Over 91 days:	0	0
5.	How many were extended pursuant to section 9?	96	42
6.A	How many were processed <i>within</i> the extended time limit?	37	19
6.B	How many exceeded the extended time limit?	14	4
6.C	How long after the expiry of the extended deadline did it take to respond?		
	1-30 days:	10	3
	31-60 days:	3	1
	61-90 days:	0	0
	Over 91 days:	1	0
7.	As of November 30, 2005, how many requests are in a deemed-refusal situation?		3
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:		
	<ul style="list-style-type: none"> • Internal consultation with different Branches when no extension is granted. (No consultations with 3rd parties/departments/etc.) • Departmental consultations (DFAIT, PCO) 		

3. RESOURCE PROFILE

3.1 Employee Profile

Please list all ATI Office employees.

Full-time Position	Classification	Number	Years of Experience
Vacant	EX-01	1	
A/Director	A/PM-06	1	9 1/2 YEARS
Officer	PM-04	1	5 YEARS
Officer	A/PM-05	2	5 YEARS
Officer	PM-01	4	3 MONTHS TO 1 YEAR
Commis	CR-04	1	3 YEARS
Administrative Assistant	AS-01 - * 65%	1	6 ½ YEARS
Officer	PM-05 – Deployment	1	12 YEARS
Officer	PM-03 – Deployment	1	3 YEARS
Officer	PM-04 – Deployment	1	4 1/2 YEARS
Vacant	PM-04	2	

3.2 Salary Dollar Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used	FTEs Allocated	FTEs Used
2004/2005	\$ 687,085.	\$ 617, 881.	12	11
2003/2004	\$ 488,200.	\$ 397,141.	N/A	7
2002/2003	\$ 326,200.	\$ 293,002.	N/A	N/A

3.3 Operating Budget for ATI Office

Fiscal Year	Budget Allocated	Budget Used
2004/2005	\$ 83,950.	\$ 114,573.
2003/2004	\$ 27,000.	\$ 151,300.
2002/2003	\$ 105,600.	\$ 213,206.

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	\$ 3,820.	\$ N/A
2003/2004	\$ 5,118.	\$ N/A
2002/2003	\$ 5,070.	\$ N/A

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

Fiscal Year	Budget Allocated	Budget Used
2004/2005	\$ 20,000.	\$ 23,325.
2003/2004	\$ NIL	\$ 102,718.
2002/2003	\$ 70,400.	\$ 123,560.

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, time frames and responsibilities?	X		Business Case Business Plan/Nov. 05
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		<ul style="list-style-type: none"> • Presentation • Guidelines • Intranet • Guiding Principles for PM-05 & PM-04. • Fee estimates • One pager to new employees.
4.1.6 Is there an internal ATI Office Manual on processing access requests?	X		<ul style="list-style-type: none"> • We are in the process of creating one.
4.1.7 Are there documented criteria for taking extensions under paragraphs 9(1)(a) and 9(1)(b)?	X		<ul style="list-style-type: none"> • ATI Training Session. • TB Policy Guidelines. • TB 1 day session. • Implementation Report from TB.
4.1.8 Is there a Delegation Order?	X		

Question	Yes	No	Comments
4.1.9 Are the ATI roles and responsibilities for those with delegated authority clearly defined?	X		Delegation
4.1.10 Does the approval process require the approval or concurrence of officials who are not holders of delegated authority?	X		Communications & Consultations
4.1.11 Is there a published ATIP Training Plan?		X	<ul style="list-style-type: none"> • HR is in the process of creating a training plan for training requirements for ATI staff. • We are working on a Professional Development Program for PM's. • All ATI officers take TBS courses. • All ATI officers and some OPI take courses with Yvon Gauthier or with the Canada School of Public Service. • University of Alberta Certification Program.
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		<ul style="list-style-type: none"> • i.e. upcoming late files • Active requests by officer • Outstanding File List

Question	Yes	No	Comments
4.1.14 Is <i>ATIPflow</i> used to provide at least monthly reports to Senior Management?	X		Weekly reports are prepared and sent to all Branches for outstanding requests
4.1.15 Has an audit of the ATI Program been conducted in the last three years?	X		CAC

4.2 Dealing with ATI Problems

Condition	Action Taken	Comment on Progress
Compliance Rate	<ul style="list-style-type: none"> • Weekly staff meeting • Weekly Team Leaders meeting • Mentoring of PM's • Presentation including record management • Quarterly Statistical Report 	
Backlog of 1999 ATIP Request (3 tobacco – 23,000+ pages)	Clean backlog	Closed one and almost closed 2 more (expect by end of fiscal year)

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

Service Demand	Solution
	4 new PM-04 in 2004/2005
	4 new PM-01 – Develop. Program in 05
1 PM-03 Deployed at PCO/Dec. 04	
1 PM-04 Transfer DND in /Feb. 05	
1 PM-04 Deployed Vancouver/ Oct. 05	
1 PM-04 Transfer- DFAIT – Jan. 6	Competition/Deployment in January/06
1 PM-05 – Deployed - April / 05	

Service Demand	Solution
1 EX-01 - July/05	Staffing of EX-01 in process

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 & travel expenses	On the Web	
Proactive Contract under 10K	On the Web	
Reclassification	On the Web	
Grant and Contribution Information (the first posting will be May 31, 2006)	In progress	The first posting will be May 31, 2006

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

An IM Capacity Check was completed in 2004. The Department has identified 6 key priorities to be addressed in the next 3 years:

- Use Value Added IM Tools to support the Business Process
- Clarify Roles and Responsibilities for Managing Information
- Improve Awareness & Communications
- Implement a Disciplined Approach for Managing Information
- Optimize Use of Resources
- Develop IM Skills and Capacity to Serve the Business

A Committee was established to develop a strategy for the implementation of the IMCC Recommendations.

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)	85 %
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Records Disposal Authority	70 %
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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)

Block numeric subject based file classification system – 1 system per branch

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

The Corporate Information Services Section of the Information Management Division is responsible to update/revise departmental file classification systems. The file classification systems for Tax Policy Branch and Economic and Fiscal Policy Branch have been updated in 2004. The systems for the other branches are in need of revisions. It is hoped that this can be done in the next 3 years. There is a file classification system for all the areas of the organization. The two (2) revised file classification systems (Tax Policy Branch and Economic and Fiscal Policy Branch) are for both paper and electronic records. The others are for paper records.

In 2001, the Department of Finance opted not to adopt RDIMS. Two (2) branches, Tax Policy Branch and Economic and Fiscal Policy Branch, have since developed an in-house customized electronic document management system using the Profiling function of Windows. This system allows faster research and retrieval of electronic records. It does not provide life-cycle management of the information.

6. COMPLAINT PROFILE – To be completed by OIC

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	10	2
Delay (deemed refusal)	2	5
Time extension	4	3
Fees	2	0
Language	0	0
Publication	0	0
Miscellaneous	1	0
Total resolved	19	10

6.2 Complaint Findings

Category	Number of Complaint Findings	
	April 1/04 to March 31/05	April 5/05 to Nov. 30/05
Resolved	13	7
Not resolved	0	0
Not substantiated	5	3
Discontinued	1	0
Total Findings	19	10