



Library and Archives Canada
Annual Report on the
Access to Information Act: 2018–2019



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Annual Report on the Access to Information Act (Library and Archives Canada)

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1. Report on the *Access to the Information Act*

1.1 Introduction

The *Access to Information Act* (the Act) gives Canadian citizens, permanent residents, and all individuals and corporations present in Canada the right of access to records under the control of a government institution subject to the Act. The Act complements, but does not replace, other means of obtaining government information.

This report has been prepared and tabled in Parliament in accordance with section 72 of the Act. It covers the period from April 1, 2018, to March 31, 2019, for Library and Archives Canada (LAC).

1.2 Mandate of Library and Archives Canada

The mandate of LAC is:

- to preserve the documentary heritage of Canada for the benefit of present and future generations;
- to serve as a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada as a free and democratic society;
- to facilitate co-operation among Canadian communities involved in the acquisition, preservation and diffusion of knowledge; and
- to serve as the continuing memory of the Government of Canada and its institutions.

Given LAC's role as the continuing memory of the federal government, all archival records are sent to LAC once they are no longer needed for operational purposes in their creating department. The requests that LAC receives pertaining to Government of Canada archival records are typically voluminous, large in scope and complex. LAC also holds the dormant records of former federal public servants (FPS) until a public servant becomes 80 years old, at which time that individual's records are destroyed.

Furthermore, LAC manages military personnel records in accordance with Order in Council *P.C. 1971-1989* (September 21, 1971), which transferred the control and supervision of the War Records Division of Veterans Affairs Canada (VAC) and all of its records to LAC. Most of the requests received each year by LAC are to access the restricted military personnel files of former members of the Canadian Armed Forces (CAF). These include:

- Canadian Forces regular members (1919 to 1997);
- Canadian Forces reserve members (1919 to 2007); and
- Newfoundland Militia members who served in the Second World War.

In addition to receiving requests for these restricted records, LAC also handles requests for the medical or dental records of the CAF regular and reserve members who were released from service more than five years ago, or who died in service more than five years ago.

Since 1971, LAC has worked with the relevant departments (National Defence [DND], VAC, and Public Services and Procurement Canada [PSPC]) to deliver this unique program and provide the necessary services to Canadians.

The archival government records and records of former CAF members and former FPS described above are stored in various locations, including in the National Capital Region, Winnipeg and Vancouver.

Many of these records contain personal and other sensitive information. LAC processes requests by applying both formal and informal processes.

Lastly, in addition to the requests received on above-mentioned collections, LAC also receives requests for its own operational records.

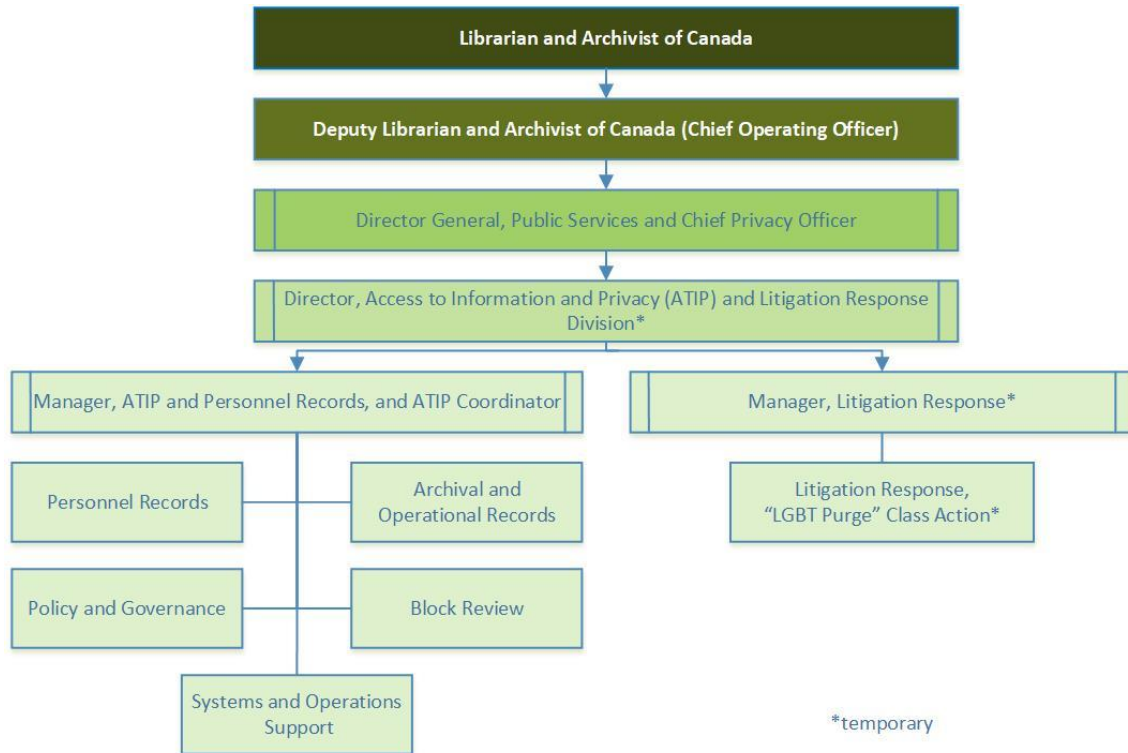
Table 1: ATI requests received by LAC in 2018–2019

Type of request	Number of requests
Formal ATI request	1,384
Informal ATI request	7,874
Total number of ATI requests	9,258

1.3 Organization

The organizational chart below outlines the reporting structure relating to Access to Information and Privacy (ATIP) at LAC.

Figure 1: Access to Information and Privacy reporting structure



Over the course of the past fiscal year, the division responsible for ATIP at LAC has temporarily changed its name from the *Regional Services and ATIP Division* to the *Access to Information and Privacy (ATIP) and Litigation Response Division*. This division has experienced ongoing growth and changes in its human resources and reporting structure to streamline and to effectively respond to the increasing number of requests received. Changes include the temporary addition of a Litigation Response team for the “LGBT Purge” Class Action (for more information, see Section 10.2) as well as the addition of human resources with diverse skill sets to support evolving business needs.

Currently, LAC’s ATIP and Litigation Response team comprises five core business areas: Personnel Records, Archival and Operational Records, Block Review, Policy and Governance, and Systems and Operations Support. Their functions are described below.

Personnel Records:

- Processes formal and informal access, and privacy requests, for restricted personnel files of former members of the CAF as well as former FPS.

Archival and Operational Records:

- Processes formal and informal access, and privacy requests on LAC’s operational records, restricted archival records under LAC’s control, and consultation requests from other Government of Canada (GC) institutions;

- Reviews restricted finding aids concerning archival records transferred to LAC for permanent custody, and severs information that remains restricted; and
- Provides access to authorized current FPS to restricted archival records under LAC's control.

Block Review:

- Performs a proactive risk-based review of archival records in LAC's holdings in accordance with the *Access to Information Act* and the *Privacy Act*, following a set procedure, to determine if blocks of records can be proactively "opened" and made available to the public and researchers.

Policy and Governance:

- Reviews the implications of changes to ATIP legislation on LAC's business;
- Develops policies and procedures; and
- Leads the development of a range of internal and external reports and analysis of statistics.

Systems and Operations Support (now a separate team, its functions were previously encompassed under Policy, Governance and Operations Support):

- Registers requests and responds to telephone inquiries regarding the status of requests;
- Provides clerical support to the Division's incoming and outgoing requests;
- Manages the institution's use of ATIP-specific software; and
- Generates statistical reports from this software for ATIP work completed on various classified networks.

In addition to these five business areas, the Division currently includes an additional team. The Litigation Response team was formed during the 2018–2019 fiscal year to meet LAC's temporary needs related to its role in supporting the GC's response to the settlement of the "LGBT Purge" Class Action (for more information, see Section 10.2) and to prepare for future upcoming class actions. Given the nature of the records held at LAC, this organization is typically involved in the GC's response to class action lawsuits, whether in providing access to historical records documenting the policies of the GC or, more specifically, the personnel files of former CAF members, former FPS and some former members of the Royal Canadian Mounted Police (RCMP).

Litigation Response:

- Works collaboratively with DND, Treasury Board of Canada Secretariat (TBS), the RCMP and PSPC to ensure that LAC provides all relevant responsive records for the claims settlement process;
- Retrieves files, prepares files for digitization, and ensures quality control of digitized records of former FPS and former members of the CAF to provide these to the lead responsive department for the class action; and

- Performs informal privacy review on records of former members of the CAF from within LAC holdings prior to providing these records to DND.

During this reporting period, there were 38.3 full-time equivalents (FTEs) assigned to processing ATI requests, which includes ATIP staff, regional staff members and digitization staff, but does not include members of the Litigation Response team as their work relates to performing informal privacy reviews.

1.4 Delegation order

For the purposes of the Act, the Minister of Canadian Heritage delegates his or her powers, authorities and responsibilities to the Librarian and Archivist of Canada. The Librarian and Archivist of Canada is accountable for developing, coordinating and implementing effective policies, guidelines, systems and procedures. This delegation order ensures that the Minister's responsibilities under the Act are met and that information is processed and disclosed appropriately.

At LAC, the Librarian and Archivist of Canada delegates his or her powers, authorities and responsibilities to:

- The Director General, Public Services, and Chief Privacy Officer;
- The Director, ATIP and Litigation Response Division (temporary name change);
- The Manager, ATIP and Personnel Records, and ATIP Coordinator; and
- The ATIP Analysts in the Division.

The latest delegation order was issued by the Minister of Canadian Heritage to LAC in May 2016 and is available in Appendix A of this report.

1.5 Statistical report

Statistical reporting pertaining to the administration of the Act has been in place since 1983. The statistical reports prepared by government institutions provide aggregate data on the application of the Act. This information is made public on an annual basis and is included with the annual reports on ATIP tabled in Parliament by each institution. Because requests submitted via the formal route are subject to statutory timelines, the statistical report provides data related to compliance by institutions to the legislated time frames, subject to the Act. A comprehensive statistical report on the formal ATI requests processed by LAC in the 2018–2019 fiscal year is available in Appendix B of this report, and several segments are highlighted in the relevant sections.

LAC processes significantly more informal ATI requests (85% of ATI requests received in 2018–2019). Information on the processing of informal requests will also be described within the written

report. The resources described in this report encompass the processing of both formal and informal ATI requests.

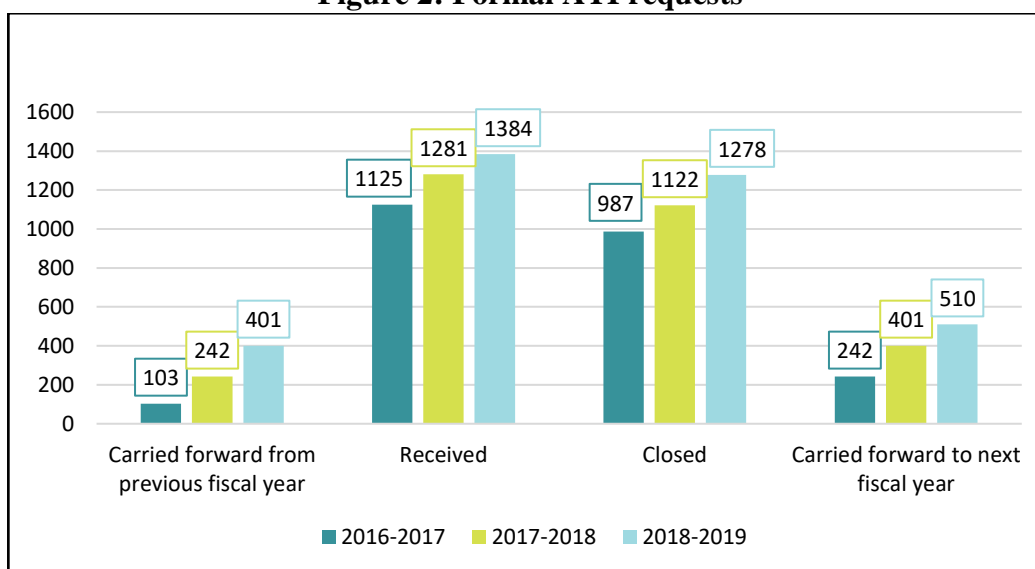
2. Interpretation of the Statistical Report for Requests under the Access to Information Act

Part 1 – Requests under the Access to Information Act

1.1 Number of formal requests

Each year, LAC receives a significant number of ATI requests and processes significantly more informal requests than formal requests.

Figure 2: Formal ATI requests



Requests completed

In 2018–2019, LAC completed 5,979 informal requests (82% of ATI requests completed) and completed 1,287 formal requests (18% of ATI requests completed). This represents an increase of 14% in completed formal requests over the previous fiscal year, in which LAC responded to 1,122 formal requests. It also represents a 30% increase over the 2016–2017 fiscal year, in which LAC responded to 987 formal requests.

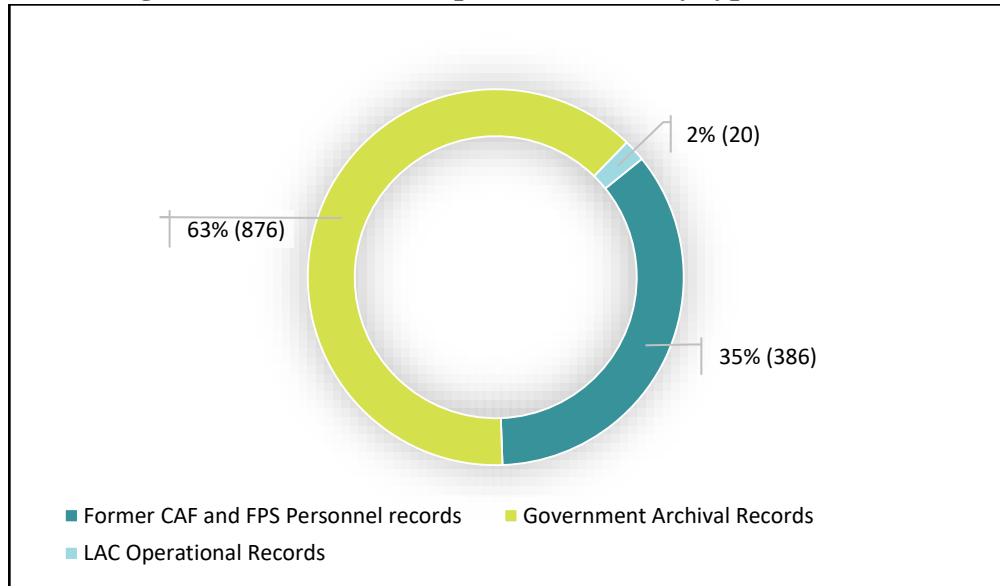
LAC reviewed 511,920 pages pursuant to formal access to information requests in 2018–2019.

LAC’s ability to respond to ATI requests can be attributed to a number of factors, such as the number of requests received in a given year and their volume (number of pages to be reviewed), the staff resources available for this workload, and the implementation of process improvements.

Requests received

LAC receives formal ATI requests on three types of records in its holdings. The majority of formal ATI requests (63%) are for access to the archival collections of federal departments, and 35% of requests are for records of former CAF members and former FPS. Only 2% of the formal ATI requests processed by LAC in 2018–2019 were for operational records created by LAC.

Figure 3: Formal ATI requests received by type of record



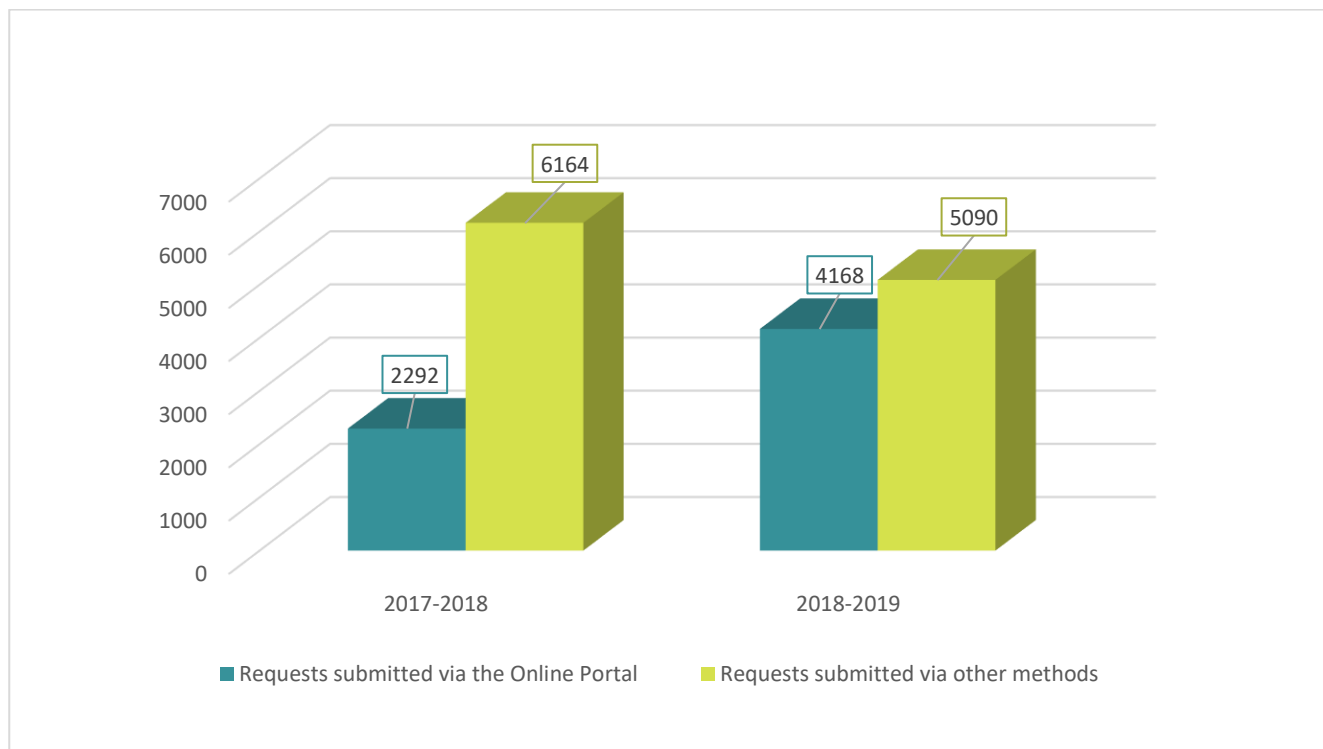
During the past three years, LAC has experienced ongoing growth in the number of ATI requests that it receives. In 2016–2017, LAC received 1,125 formal ATI requests, 53% more than in 2015–2016 (737). In 2017–2018, the trend of increased formal ATI requests continued, as LAC received 14% more formal ATI requests (1,282) than in 2016–2017. This past year, 2018–2019, LAC received another 8% more formal ATI requests (1,382) than in 2017–2018, another increase. There are several factors that LAC believes have contributed to this upward trend.

In May 2016, the *Interim Directive on the Administration of the Access to Information Act* came into effect. The Interim Directive eliminated all fees except for the \$5 application fee for formal requests. In the three months immediately following the implementation of the Interim Directive, LAC received 38% more formal requests than it did in the preceding three months.

The public and LAC’s clients have demonstrated a greater awareness about their legislated rights under the Act. With increased media coverage related to proposed amendments to the Act and the notable higher interest by some researchers, LAC has received a significant number of requests for records containing certain types of information, for example, historical records containing security and intelligence material. These types of records often also require consultation with the creating department as part of the processing of the request, which can increase the overall processing timeline.

In September 2016, LAC introduced online application forms on its website, for submitting ATI and privacy requests. Since that time, LAC has noted that its clients have used these forms more and more frequently.

Figure 4: Number of requests submitted online



In 2018–2019, LAC registered 82% more ATI requests (4,168) submitted through its online forms than in 2017–2018. In 2017–2018, LAC registered 330% more ATI requests (2,292) submitted through its online forms than in 2016–2017 (533 requests).

In 2016–2017, online ATI requests comprised 7% of the ATI requests received by LAC. In 2017–2018, online ATI requests comprised 27% of the ATI requests received by LAC. In 2018–2019, online ATI requests comprised 45% of the ATI requests received by LAC. Providing clients with easier and faster self-serve methods for submitting requests may also be contributing to the overall increase in requests received.

Sources of requests

LAC received a total of 9,258 ATI requests in 2018–2019, including 1,384 formal and 7,874 informal requests. Approximately 39% of the requests received were from entities that declined to self-identify.

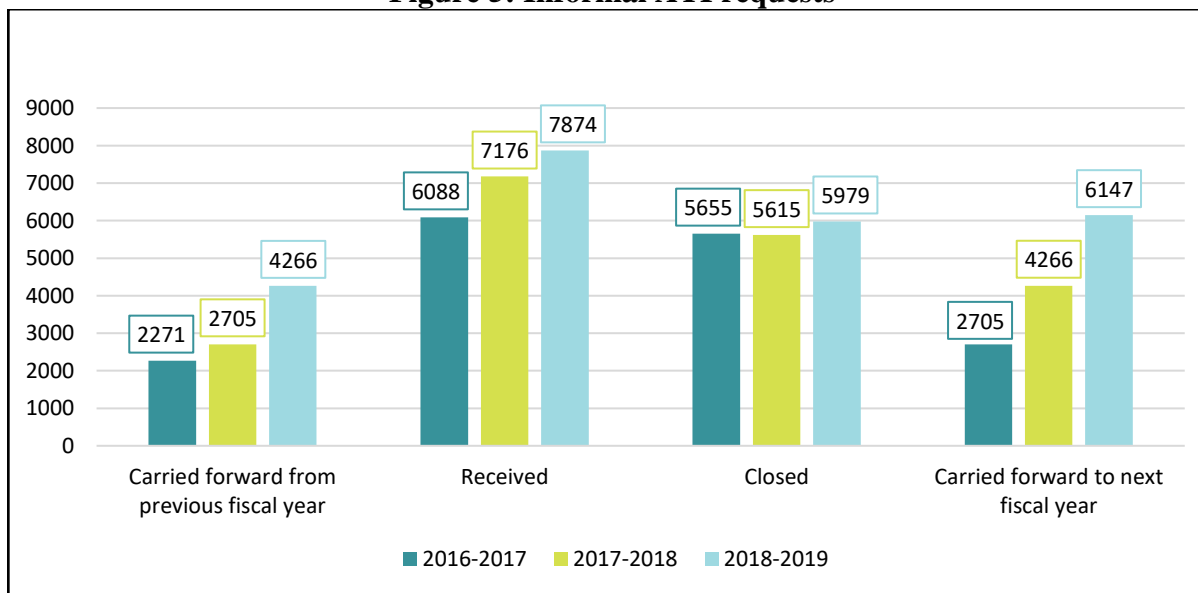
Table 2: Sources of requests

Source	Formal	Informal	Total
Media	39	47	86 (1%)
Academia	554	644	1,198 (13%)
Business (private sector)	43	68	111 (1%)
Organization	54	1,405	1,459 (16%)
Public	415	2,357	2,772 (30%)
Decline to identify	279	3,353	3,632 (39%)

1.2 Number of informal requests

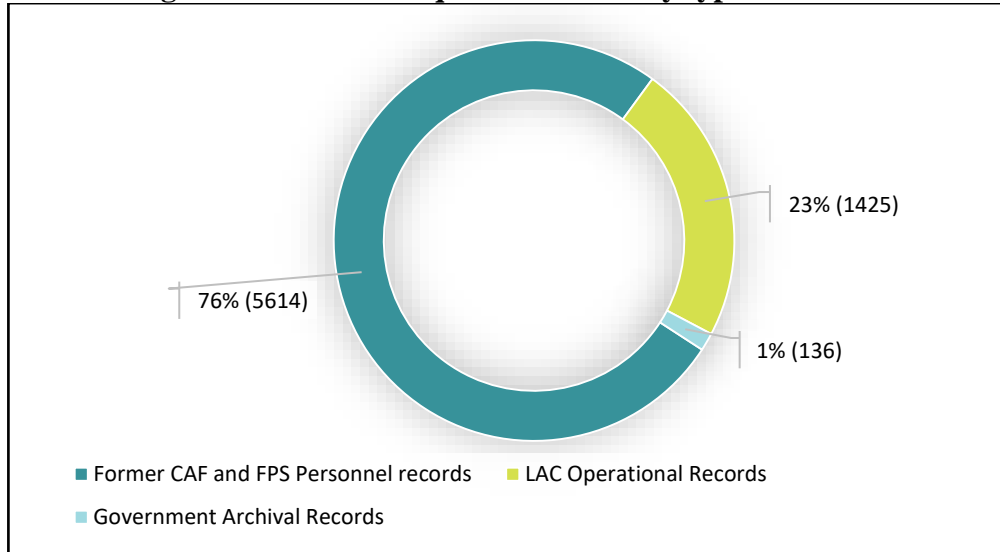
In addition to the significant number of formal ATI requests that LAC completed, LAC responded to 5,979 informal ATI requests in 2018–2019. This represents an increase of 6% in informal requests completed compared with the previous fiscal year (5,615). Informal ATI requests constitute a significant operational activity for LAC’s ATIP and Litigation Response Division.

Figure 5: Informal ATI requests



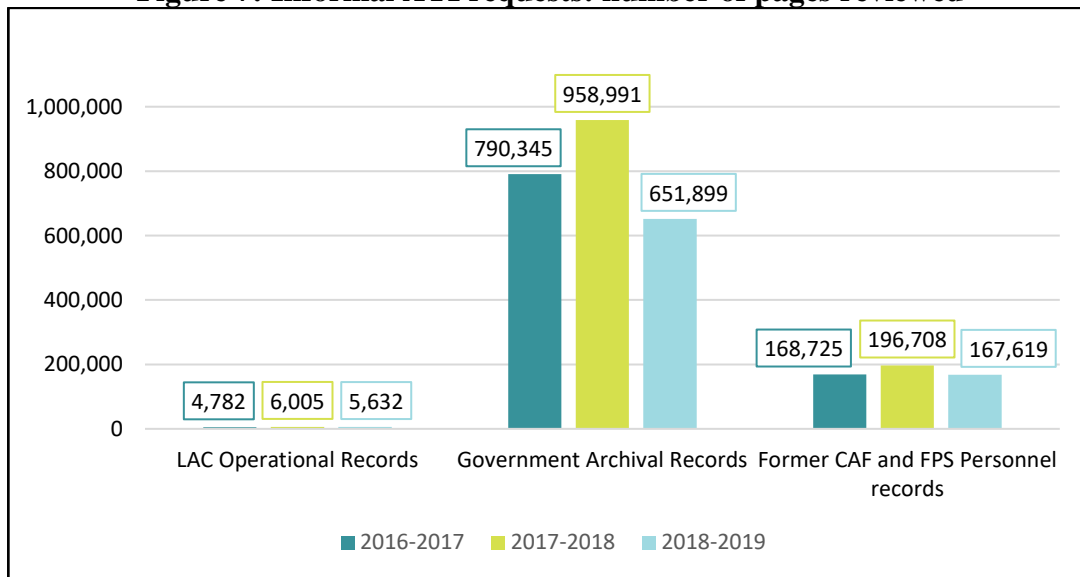
Like formal ATI requests, informal ATI requests are made to access three types of records within LAC’s holdings. These include GC archival records, former CAF and former FPS personnel records, and LAC’s own operational records. More than three quarters (76%) of informal ATI requests applied to former CAF members and former FPS personnel records.

Figure 6: Informal requests received by type of record



While the number of formal and informal ATI requests received by LAC has increased by 9.5% since 2017–2018, the number of pages reviewed has decreased by 15%. In 2018–2019, 511,920 pages of records were reviewed for formal ATI requests and 825,150 pages of records were reviewed for informal ATI requests (total of 1,337,070 pages).

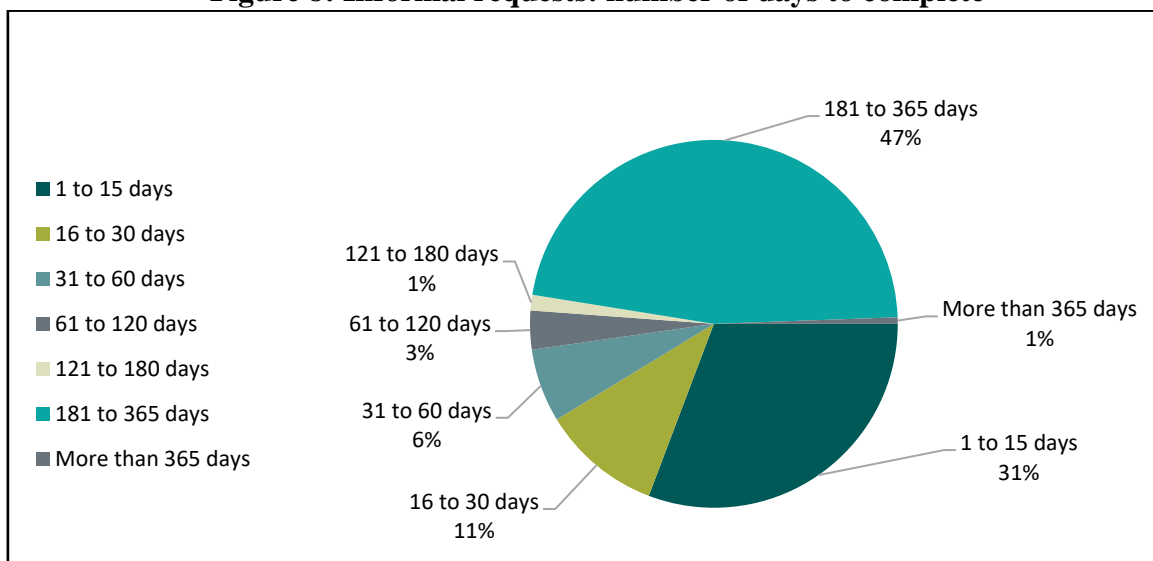
Figure 7: Informal ATI requests: number of pages reviewed



Note: Of the pages reviewed for informal requests, nearly 79% were GC archival records.

Formal requests are processed based on the statutory time frames under the Act; however, informal requests are not subject to the same time frames. LAC strives to limit the number of days that it takes to complete informal ATI requests, and it tries to provide responses to its clients in a timely manner: 42% of informal requests were processed within 30 days.

Figure 8: Informal requests: number of days to complete



Additional requests

This past fiscal year, LAC has been actively supporting the GC settlement of the “LGBT Purge” Class Action lawsuit (for more information, see Section 10.2). As described in Schedule “L” of the [Final Settlement Agreement](#), LAC is involved with the GC Research Project to locate Canada’s official non-personal records of the “LGBT Purge” within the documents held by LAC. Our Archival and Operational Records unit is assisting with the review of policy-related government records that were identified as part of the settlement process. These records will be reviewed by LAC for any ATI or Privacy restrictions and provided by the GC to researchers in accordance with the settlement agreement. The project will be ongoing in the 2019–2020 fiscal year.

LAC undertakes significant efforts to make its archival holdings available so that clients will not have to submit ATI requests:

- *Block Review*: On the day they are transferred to LAC, most GC archival records are restricted or closed by default, in case there are legislated exemptions that apply to the records (a complete review of the records, by the creating department, is not routinely done prior to transfer). These restrictions may include any applicable exemptions or exclusions under the *Access to Information Act* or the *Privacy Act*. In alignment with LAC’s mandate, the GC’s direction on Open Government, and LAC’s [Access Policy Framework](#), and in compliance with all applicable laws, LAC proactively reviews records to assess whether enduring exemptions still apply. In cases where LAC’s assessment determines that there are no enduring

exemptions, the block or series of records is opened. When a GC archival record is declared open or without restrictions, LAC clients can request copies (paper or digital) or consult the records on site in the location where they are stored without having to resort to informal or formal ATI requests. In 2018–2019, LAC proactively opened more than 3.5 million pages of GC archival records. The application of Block Review continues to result in the regular, ongoing and timely removal of access restrictions on government archival records in LAC’s holdings, with the outcome of improved availability of material for Canadians, and an overall reduction in the number of formal and informal ATIP requests. For information about the records opened through Block Review, see [Index of records opened through LAC's block review initiative](#). More information about [Block Review](#) can be found online. In 2018–2019, 5,116,000 pages were reviewed under Block Review, and 3,580,226 (70%) of those pages were opened. In addition to the substantial efforts made to apply Block Review procedures to government archival records, LAC also actively shared information on the initiative during the 2018–2019 fiscal year.

Table 3: Presentations promoting Block Review

Date	Event
May 28–30, 2018	Presentation on Block Review at the ARMA (Association of Records Managers and Administrators) Canada Conference in Vancouver, 75 participants
June 1, 2018	Presentation on Block Review and LAC records relating to Canadian Nuclear History at the Nuclear Histories Conference at LAC in Ottawa, 50 participants
June 5, 2018	Presentation on Block Review at the 2018 ARMA National Capital Region (NCR) conference “Proactive Opening of GC Archival Records,” more than 50 participants
June 13, 2018	Full-day Workshop on Block Review provided at the Association of Canadian Archivists 2018 Conference in Edmonton, 20 participants
June 19, 2018	Presentation on Block Review at the Library Employees and Archivists as Idea Baristas one-day conference sponsored by LAC, Université du Québec en Outaouais, Carleton University and the University of Ottawa, 100 participants
November 26, 2018	Presentation on Proactive Opening of Government Records Under Block Review at the CAPA (Canadian Access and Privacy Association) Conference in Ottawa, 250 participants

- Indigenous digitization project – We Are Here: Sharing Stories:*

LAC holds an incredible wealth of information in a variety of formats related to Indigenous heritage and histories, including material that documents the relationship between Indigenous peoples and the GC. LAC is committed to reconciliation based on the recognition of Indigenous rights, the Truth and Reconciliation Commission Calls to Action, and the “Principles respecting the Government of Canada's relationship with Indigenous peoples” issued by the Department of Justice Canada. In 2017, the GC dedicated funding over three years to LAC for two digitization and digital access initiatives, including *We Are Here: Sharing Stories*. This initiative focuses on increasing online access to LAC’s holdings that contain content related to First Nations, Inuit and the Métis Nation, including government records, private archival records and published works. As part of the initiative, government records in LAC’s holdings are reviewed by ATIP analysts to identify any ATI or Privacy

restrictions prior to the removal of current access restrictions. The outcome of this initiative includes improved availability of material for Canadians, and an overall reduction in the number of formal and informal ATIP requests pertaining to these records. Material being digitized for the initiative includes textual material, photographs, audiovisual recordings, Indigenous language dictionaries, records created by Indigenous peoples, and cartographic material. All descriptive work for newly digitized material is led by Indigenous archivists on the project team, ensuring content is culturally relevant, sensitive and historically accurate. The goal of the *We Are Here: Sharing Stories* initiative is to provide free online access to unrestricted digital material through LAC's website, through social media and using other digital platforms. In the 2018–2019 fiscal year, the initiative digitized over 200,000 pages of material from LAC's government and private collections.

- *ATI summaries:* Through proactive disclosure, clients can search for information online first through the Open Data Portal, where LAC posted 743 ATI summaries in 2018–2019. Clients can then request and obtain copies of previously reviewed and released ATI packages. See [Completed Access to Information Requests](#).
- *Departmental researchers:* Sometimes a federal government institution must consult records that have been transferred to LAC. In these circumstances, LAC facilitates access to these records when requested and approved by that department. A procedure is in place to grant designated staff access to records that would otherwise be restricted under the ATIP legislation. Researchers must provide a Departmental Researcher Authorization Letter to LAC, signed by an authority at the Director level or above from the Department that created the records, to access these government archival records. In 2018–2019, LAC processed 186 departmental researcher requests. This represents a decrease of 13.5% (29) in departmental researcher requests processed compared with the 2017–2018 fiscal year (215).
- *Finding aids:* When archival records created by federal institutions are transferred to LAC, they are accompanied by indices or lists. These finding aids describe the contents and location of each archival file to facilitate its identification within LAC's archival holdings. Many finding aids also contain sensitive or personal information and must be reviewed prior to their being made publicly available. In 2018–2019, LAC reviewed 59 finding aids, a decrease of 48.7% compared with the 2017–2018 fiscal year (115).

Part 2 – Requests closed during the reporting period

2.1 Disposition and completion time

In 2018–2019, LAC completed 1,278 formal requests. In 955 (75%) of these cases, all or parts of the records were disclosed.

The following tables provide information about disclosure and completion times for completed formal ATI requests during the last three fiscal years.

Table 4: Disclosure of records for completed requests

Disclosure	2018-2019	2017–2018	2016–2017
Fully disclosed	463 (36%)	352 (31%)	325 (33%)
Partially disclosed	492 (39%)	471 (42%)	419 (42%)
Exempted in entirety	4 (0%)	2 (0%)	2 (0%)
Excluded in entirety	99 (8%)	64 (6%)	54 (5%)
No existing records	88 (7%)	132 (12%)	86 (9%)
Transferred to another institution	8 (1%)	19 (2%)	25 (3%)
Request abandoned	124 (10%)	82 (7%)	75 (8%)
Neither confirmed nor denied	0 (0%)	0 (0%)	1 (0%)
Total number of requests	1,278	1,122	987

Note: Percentages may not add up to 100 due to rounding

Table 5: Number of days to complete formal requests

Number of days	2018-2019	2017–2018	2016–2017
1 to 15 days	495 (39%)	499 (44%)	492 (50%)
16 to 30 days	497 (39%)	376 (34%)	215 (22%)
31 to 60 days	49 (4%)	65 (6%)	70 (7%)
61 to 120 days	104 (8%)	91 (8%)	108 (11%)
121 to 180 days	56 (4%)	30 (3%)	45 (5%)
181 to 365 days	22 (2%)	49 (4%)	43 (4%)
More than 365 days	55 (4%)	12 (1%)	14 (1%)

Note: Percentages may not add up to 100 due to rounding

In 2018–2019, 78% of requests completed were provided to the requester within 30 days. This is the same as in 2017–2018, when 78% of requests were provided within 30 days.

2.2 Exemptions

During 2018–2019, LAC invoked 16 exemptions under the Act. The following table shows the five most frequent exemptions applied by LAC.

Table 6: Exemptions most frequently applied by LAC

Number of Requests	Section	Description
454	19(1)	Personal information about an identifiable individual
49	24(1)	Statutory prohibitions against disclosure
53	23	Solicitor-client privilege
42	15(1)	Contains information the disclosure of which could reasonably be expected to be injurious to the conduct of international affairs, the defence of Canada or any state
24	13(1)(a)	Obtained in confidence from a foreign government

Note: One request may invoke multiple sections of the Act (e.g., paragraphs 13[1][c] and 15[1][c]). However, if the same exemption is used several times for the same request, it is reported only once.

Consistent with the past several reporting periods, the most frequently applied exemption is subsection 19(1).

2.3 Exclusions

The Act does not apply to certain information. The following table presents a comparison of the exclusions that LAC has invoked in the three past fiscal years.

Table 7: Exclusions invoked by LAC in the past three fiscal years

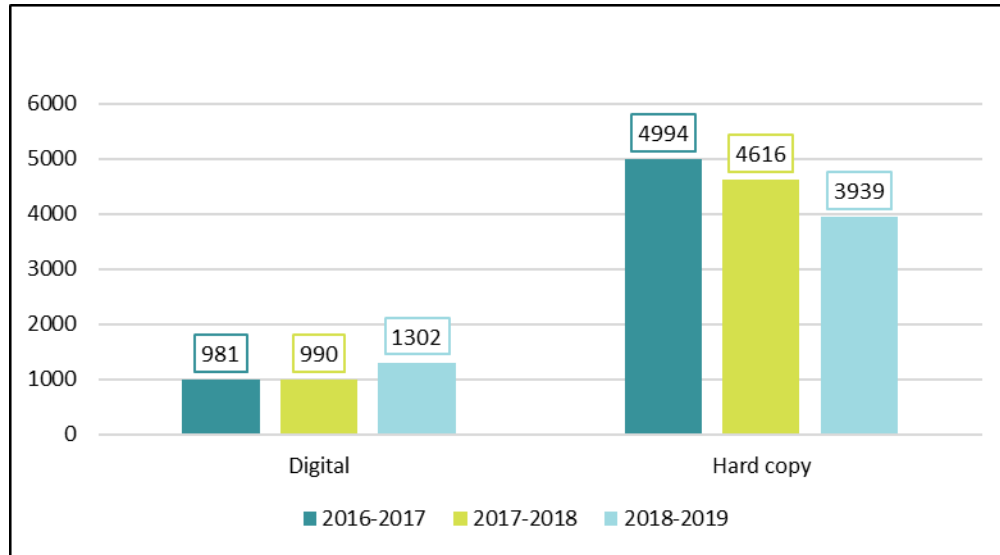
Section of the <i>Access to Information Act</i>	Number of Requests 2018–2019	Number of Requests 2017–2018	Number of Requests 2016–2017
68(a) published material or material available for purchase by the public	143	109	70
68(b) library or museum material preserved solely for public reference or exhibition purposes	3	6	3
68(c) material placed at LAC, the National Gallery of Canada, the Canadian Museum of History, the Canadian Museum of Nature, or the Canada Science and Technology Museum by or on behalf of persons or organizations other than government institutions	12	11	5
69(1) confidences of the Queen’s Privy Council	1	0	0
69(1)(g) re (a) records that contain information about the contents of any record within a class of records (memoranda of proposal or recommendation to council)	0	0	1

2.4 Format of information released

Applicants continue to have the option of receiving information in either paper or digital format. Digital release packages are saved in PDF format and provided on CD-ROM, thereby reducing the costs associated with printing and shipping copies.

In 2018–2019, the majority of release packages (696) for formal ATI requests were provided on CD-ROM.

Figure 9: Format of release packages



For informal ATI requests, the majority of release packages (3,939) were prepared in an analogue (paper) format. LAC prioritizes formal requests and urgent requests, and therefore, all elements of the processing of these requests (including digitization) are completed to meet statutory deadlines. In addition to release packages that are mailed to clients, LAC offers its clients the ability to consult original records on site. Records that are deemed “open” are available to be consulted on site in the city where they are stored.

2.5 Complexity

Factors that increase the complexity of processing requests may include requests in which:

- consultation is required (e.g., in the case of intelligence records where consultation with a foreign entity or country, or with multiple departments, may be required);
- legal advice must be sought; or
- information about more than one individual is found in the records (e.g., sometimes with medical or psychological records).

Other complexities may also include mould remediation and digitization, discussed below.

2.5.1 Relevant pages processed and disclosed

In 2018–2019, LAC reviewed more than 1,337,070 million pages of records pursuant to formal and informal ATI requests. This is an overall decrease of 15% in pages reviewed, compared with the 2017–2018 fiscal year, in which LAC reviewed more than 1.5 million pages.

Table 8: Number of pages reviewed

Type of Request	Number of Pages Reviewed
Informal	825,150
Formal	511,920
Total	1,337,070

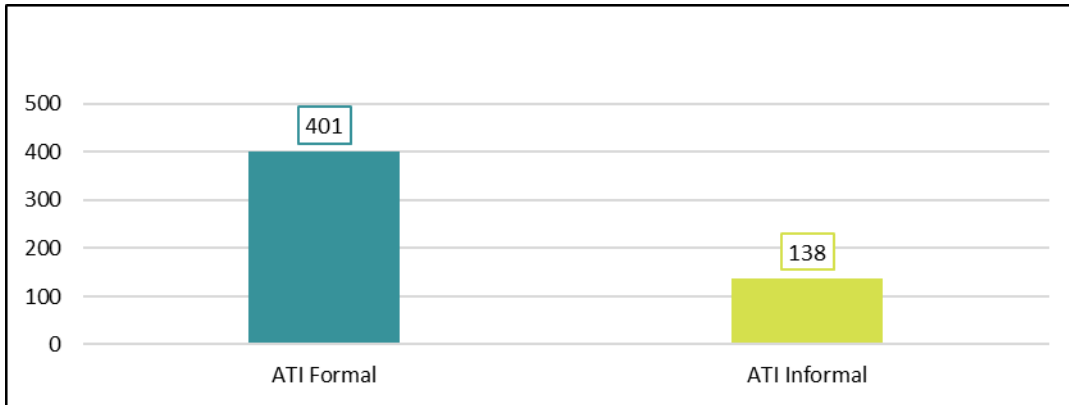
LAC responds to formal and informal ATI requests in Ottawa, as well as informal requests in Winnipeg and Vancouver for records stored in those cities.

Of the 1,337,070 pages reviewed, 1,163,638 pages were released in their entirety. This represents a disclosure rate of 87%. Of the pages not entirely disclosed, a significant amount of the material reviewed this year contained exemptions for information containing national security and/or intelligence, under subsection 15(1), related to the conduct of international affairs, the defence of Canada or any state.

2.5.2 Relevant pages processed and disclosed by size of requests

Of the 1,278 ATI formal requests completed, 919 (72%) requests required the review of up to 500 pages. A total of 263 (21%) formal requests involved the review of more than 500 pages, including 9 requests that required the review of more than 5,000 pages.

Figure 10: Average number of pages reviewed per request



As indicated above, the average number of pages reviewed per formal ATI request is 401 pages; the average number of pages reviewed per informal ATI request is 138 pages. Notably, the number of pages reviewed for formal and informal requests for government archival records is significantly higher than the average number of pages reviewed for former CAF and former FPS personnel records and LAC’s operational records. The following table outlines the average number of pages by record type.

Table 9: Average number of pages reviewed by type of record

Average Number of Pages Reviewed by Type of Record	ATI formal	ATI informal
Personnel records	52,438	167,619
LAC operational records	6,523	5,632
Government archival records	452,959	651,899

2.5.3 Other complexities

LAC’s ATIP analysts, with their knowledge and experience, are often able to provide open access to what was once restricted and/or classified information. In these cases, LAC applies the TBS’s [Security Organization and Administration Standard](#) section 12.4 when processing formal ATI requests: “A decision to deny access to a record, or any part of it, must be based solely on the exemption provisions of the Acts as they apply at the time of the request. A decision to deny access must not be based on the security classification or designation, however recently it may have been assigned.”

When enduring exemptions likely still do apply, LAC consults with the department that created the record for advice on potential severances. LAC does not consult the department that created the record when there are no apparent exemptions that still apply. LAC also does not consult the department that created the record on informal ATI requests. In the course of reviewing an informal request, if LAC’s ATIP analyst determines that there may be potential enduring exemptions or exclusions, LAC will close the informal request and require the requester to submit a formal request for access to these records instead.

Consultations with departments that created the records on formal ATI requests account for almost half (41%) of the total complexities identified (135 of 331). The other complexities categorized as “Other” include mould remediation, digitization and quality assurance. Mould remediation on records and digitization of records is undertaken by preservation and digitization specialists at LAC, not the ATIP and Litigation Response Division. Mould remediation on archival records can be a lengthy process, as it includes several technical steps.

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

In 2018–2019, LAC closed 96 formal requests past the statutory deadline, resulting in a status of “deemed refusals.” This is almost double the number in the 2017–2018 fiscal year, when 55 deemed refusals were identified. An institution calculates deemed refusals once the request is closed. In some cases, the deemed refusals pertain to requests that were carried forward from the previous fiscal year.

Table 10: Reasons for deemed refusals

Reasons for Deemed Refusals	Total
External consultation	60
Other*	23
Workload	13
Internal consultation	0

*Reasons categorized as “Other” may include analyst absences. In addition, LAC holds records that are also accessed by other federal departments (in accordance with section 19 of the Act and section 8(2)(a) of the *Privacy Act*) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose. This means that, at times, the relevant records may not be available for LAC ATI review.

Section 7.7.2 of the *Interim Directive on the Administration of the Access to Information Act*, issued in May 2016, directed federal institutions to apply the same importance to consultation as to the processing of their own ATI requests.

With the elevated number of formal ATI requests being submitted to LAC, LAC is in turn sending higher numbers of consultation requests to creating departments for advice on severances. Though consultations and ATI formal requests are prioritized on an equal basis with new requests coming into the queue for processing, LAC has identified that the departments being consulted are increasingly requesting longer time extensions and are then also sometimes not able to respond to LAC in accordance with their consultation time frames. These delays then affect LAC’s ability to respond within the statutory time limits, even with the extensions taken.

Following discussions between LAC and other GC departments in the last fiscal year, in which it was confirmed that all departments have been experiencing significant increases in volume workload,

LAC investigated internal procedures that it could implement to reduce the volume burden of consultations sent to other departments. In order to streamline and reduce the total number of consultation packages as well as the total number of pages requiring consultation, LAC introduced a new peer-review process for its ATIP analysts in 2018–2019. Prior to any consultation packages leaving LAC, they are peer-reviewed with experienced colleague analysts, thus resulting in fewer pages sent for consultation with other departments.

LAC is also onboarding to secure technology infrastructure platforms to optimize communication while ensuring that the appropriate cybersecurity and privacy protection mechanisms are in place. For more information, see Section 10.2.

While LAC is actively working to make its processes more streamlined and efficient, the number and complexity of the requests it receives continue to increase.

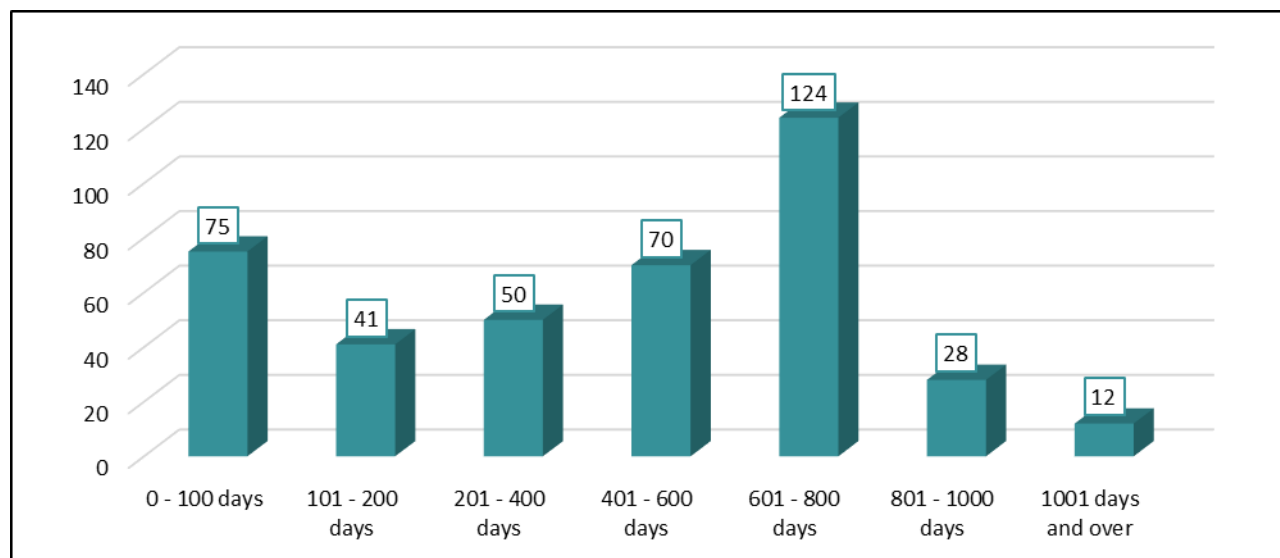
In 2018–2019, LAC sent 282 consultation packages to other departments (departments that originally created the records, or departments that may have a stake in the potential disclosure). During this same time, departments responded with advice on 259 requests. Of the 259 requests returned from other departments, 53% (138) were for consultations sent to them between 2016–2017, and 2017–2018 and 47% were for consultations sent to them between 2014–2015, and 2015–2016.

Table 11: Consultation requests returned to LAC during 2018–2019 from past Fiscal Years

Fiscal Year of Consultation Request	Number of Requests
2014-2015	33
2015-2016	27
2016-2017	32
2017-2018	25
Total Consultations closed from past FY's	117
2018-2019	32
Grand Total Consultations closed	149

At the end of the 2018–2019 fiscal year, there were 400 consultation requests pending a response from other departments. The following graph illustrates the number of consultation packages and the number of days elapsed.

Figure 11: Number of consultation requests pending at end of 2018–2019 and number of days elapsed



As mentioned above, LAC has been informed by many departments with which it is consulting that they are experiencing higher volumes of ATIP requests, which is affecting their ability to respond.

2.6.2 Number of days past deadline

Of the 96 deemed refusals, 78% (75 requests) exceeded timelines including additional extensions taken, and 22% exceeded timelines where the request had not been identified as requiring or eligible for an extension.

Table 12: Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	6	5	11
16 to 30 days	7	5	12
31 to 60 days	3	6	9
61 to 120 days	0	7	7
121 to 180 days	5	6	11
181 to 365 days	0	27	27
More than 365 days	0	19	19
Total	21	75	96

2.7 Requests for translation

Consistent with the previous fiscal years, in 2018–2019 there were no requests for translation from English to French or from French to English.

Part 3 – Extensions

3.1 Reasons for extensions and disposition of requests

Table 13: Reasons for extensions and disposition of requests

Extension	2018-2019	2017–2018	2016–2017
9(1)(a) Large volume of records	248	177	114
9(1)(b) Consultation necessary - s.69	0	1	0
9(1)(b) Consultation necessary - Other	150	162	244
9(1)(c) Third party notice required	0	3	0
Total	398	343	358

As mentioned previously, LAC sends a high number of consultation requests to creating departments. With the elevated number of formal ATI requests being submitted to LAC, and the complexity of the records being sought, LAC is in turn sending higher numbers of consultation requests to creating departments for advice on severances. This contributes to the volume of consultation packages and often affects extensions taken.

Because of an increased research interest in records related to national security and intelligence, and the challenges related to processing requests for records containing this material, LAC and other GC institutions have undertaken discussions through various working groups to improve the initial review and consultation process between departments as well as more efficient ways to process new incoming requests for records containing this subject matter.

3.2 Length of extensions

LAC did not only require extensions to timelines when consulting creating departments. In 2018–2019, the number of pages requested in response to an ATI request also increased, which in turn has had an effect on the number of extensions that LAC sought because of volume. The following table shows the number of days of extension that LAC requested for 398 of the formal ATI requests received in 2018–2019.

Table 14: Length of extensions

Length of extension	Number of requests
0 to 30 days	29
31 to 60 days	113
61 to 120 days	135
121 to 180 days	50
181 to 365 days	57
366 days or more	14
Total	398

Part 4 – Fees

During the reporting period, LAC collected \$5,890 in application fees. This is an increase of \$570 (11%) over 2017–2018, in which LAC collected \$5,320 in application fees. Consistent with section 7.5 of the *Interim Directive on the Administration of the Access to Information Act*, LAC no longer collects fees over and above the \$5.00 application fee for each submitted formal request. In addition, LAC waived or refunded fees related to 367 requests compared to 355 requests in 2017–2018.

Part 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other Government of Canada institutions and other organizations

During the 2018–2019 fiscal year, LAC received 30 consultation requests from other GC institutions and also completed 32 consultation requests from other government institutions. LAC provided consultation on 556 pages and has 0 requests pending. This is an increase from the 2017–2018 fiscal year, in which LAC received 27 and completed 25 consultation requests; in addition, the number of pages requiring consultation was significantly higher. In 2017–2018, those 25 consultation requests from other GC institutions comprised 277 pages for LAC to review.

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

The table below outlines the period of time required to process the consultation requests completed by LAC in 2018–2019.

Table 15: Number of days required to complete consultation requests

Recommendation	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days
Disclose entirely	18	6	1	0	1	0	0
Disclose in part	0	1	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0
Exclude entirely	0	1	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0
Other	4	0	0	0	0	0	0

5.3 Recommendations and completion time for consultations received from other organizations

LAC received one (1) request for consultation from other (private sector) organizations.

Part 6 – Completion time of consultations on Cabinet confidences

6.1 Requests with Legal Services

LAC consulted Legal Services on two (2) occasions on Cabinet confidences in 2018–2019.

6.2 Requests with the Privy Council Office

LAC did not consult the Privy Council Office on Cabinet confidences in 2018–2019.

Part 7 – Complaints and investigations

In 2018–2019, LAC received 160 notifications of complaints or investigations from the Office of the Information Commissioner. This represents a significant increase from the 25 notifications of complaints or investigations received in 2017–2018 and the 15 received in 2016–2017. This increase

was anticipated by LAC due to the challenges related to the elevated workload that exists across the GC and their impact on requests where LAC must consult with other GC departments prior to finalizing release packages.

Key issues that were raised this year as a result of complaints received by LAC relate to time extensions and LAC’s application of exemptions. In an effort to deal with these concerns, LAC has implemented new procedures to address outstanding consultations with other government departments in order to improve response times. LAC has also developed a more robust process of review in advance of consulting other government departments through its new peer-review process.

The majority of active complaints filed with the Office of the Information Commissioner on LAC’s ATI packages are the result of “deemed refusals”: packages not received by requesters on time. These are largely because of late returns to LAC where LAC has consulted with other GC departments on the contents of records prior to finalizing the release package. Some consultations in the LAC queue may take several years to complete because of the number of pages and complexity of the content, which requires specific subject-matter expertise. LAC has proactively contacted other government departments on active complaints and the most significantly overdue consultations, to discuss how to improve processes and have consultation packages return to LAC on time.

Table 16: Complaints and investigations received by LAC in 2018–2019

Section 32 Notice of intention to investigate	Section 35 Investigations in private	Section 37 Commissioner shall provide a record of report	Total complaints
137	0	23	160

Part 8 – Court action

In 2018–2019, there were no new court cases involving LAC.

Part 9 – Resources related to the *Access to Information Act*

9.1 Costs

During the past fiscal year, LAC’s costs related to the administration of the Act have grown in conjunction with its workload and in response to specifically funded initiatives.

The assumption of important initiatives that enable LAC to work in an increasingly digital environment have also added to these costs.

In 2018–2019, TBS approved \$6.2 million in funding for LAC’s work to support the GC settlement of the “LGBT Purge” Class Action and to fulfill its roles and responsibilities under Schedules “L” and “O” of the Final Settlement Agreement. This funding covers the expenses that LAC must incur

for its response to this class action, such as the salary costs for the Litigation Response team and ATIP analyst reviewing the historical records, support services across LAC for this team, and other costs associated with the implementation of this initiative.

In addition to the work performed by staff in LAC's ATIP and Litigation Response Division, it is important to highlight that staff from across the institution work to support the division.

Due to the significant increase in ATIP requests received by LAC in recent years, in 2017–2018, LAC undertook an extensive consultation to address and gain a better understanding of the impacts of this increase in volume across LAC's various business areas.

In light of this information, LAC continues to identify efficiencies and make adjustments to respond to the maximum of requests with the resources it has, while also refining its mechanisms to accurately track and reflect the costs associated with the administration of the Act from across the institution.

In 2018–2019, LAC's archivists, reference services, circulation, preservation, translation and web publishing staff played key roles to ensure that:

- ATIP requests at LAC are responded to in a timely manner; and
- Info Source and Annual Reports are translated and published;

In the 2017–2018 annual report, the costs reported by LAC included only those of the ATIP division and digitization associated with the administration of the Act. What follows are the comprehensive costs associated with the administration of the Act for 2018–2019.

Table 17: Costs of administering the *Access to Information Act*¹

Cost category	Salary²	Operations and maintenance
ATIP and Litigation Response Division	\$1,730,129.10	\$66,705.81
ATIP software licenses		\$64,883.17
ATIP Shipping	\$40,123.25	\$24,415.01
ATIP Transportation / travel		\$3,085.07
Digitization	\$91,352.00	
Regional staff	\$31,240.31	
Other costs ³	\$ 580,160.08	\$31,131.94
Total cost	\$2,473,004.74	\$190,221.00

Notes:

- 1 The financial information presented in this table represents the most current data at the time of the production of this report.
- 2 The financial information presented in this table excludes costs for Employee Benefit Plans (EBPs) (20% of salary).
- 3 The variance in costs from those reported for 2017-2018 is mainly due to costs incurred in the category “Other costs”. This financial information includes the costs associated with the application of the Act related to services such as those provided by archivists, reference, circulation, preservation, translation and web publishing.

9.2 Human resources

In 2018–2019, there were 38.3 FTEs in the ATIP and Litigation Response Division and across the institution performing work associated with the application of the Act.

Over the course of the past fiscal year, LAC’s ATIP and Litigation Response Division has experienced ongoing growth, implemented temporary organizational changes and adapted its human resources and reporting structure to diversify skill sets, streamline operations and effectively respond to its evolving business in ATIP. In the second quarter of 2018–2019, four (4) access archivists (HR-02) were added to assist the Division with work in Policy and Governance, Government and Archival Records, and Block Review. The Litigation Response team was formed in the third quarter of 2018–2019, which included ATIP analysts, clerical support, team leads and managers. Staff for this team are located in the National Capital Region and Winnipeg. In the fourth quarter of 2018–2019, the Division also added an access archivist (HR-03) to assist with projects being undertaken in Block Review.

Over the course of the fiscal year, LAC made a concerted effort to staff new and vacant positions at every level, including multiple positions in all of the following classifications: PM-06, PM-05, PM-04, PM-03, PM-01, AS-03, AS-02, AS-01, CR-04 and EC-04. As a result, LAC conducted large staffing processes, created pools of candidates, and used several hiring mechanisms, including the

hiring of casual employees, a free agent, as well as determinate and indeterminate hiring. LAC's Human Resources team dedicated 0.6 FTEs to assist the ATIP and Litigation Response Division with these efforts. From April 1, 2018, to March 31, 2019, LAC's Human Resources team completed over 120 staffing actions, in a team where there are 54.3 FTEs.

Part 10 – Miscellaneous

10.1 Education and training

During the reporting period, several initiatives were undertaken to raise awareness of the roles and responsibilities of ATIP analysts and to train LAC employees on their specific responsibilities.

Right to Know Day

In September 2018, LAC participated in international [Right to Know Day](#), which aims to raise awareness of individuals' right to access government information, including personal information about themselves held by the government. For this event, LAC hosted an information booth at its public-oriented building at 395 Wellington Street in Ottawa to provide information to researchers and clients about access and privacy, and to share information on how to access LAC's vast collection of archival GC records. A second booth was set up at LAC's main offices in Gatineau, to provide LAC employees with more information about ATIP legislation. Internal messaging was sent to all LAC employees throughout Right to Know Week, and information about the event was shared with the public on LAC's website.

Canadian Access and Privacy Association (CAPA) Conference 2018

In November 2018, LAC's ATIP Coordinator gave a presentation on the Proactive Opening of Government of Canada Archival Records Under Block Review at the CAPA Conference, an annual conference on access and privacy issues in Canada held in Ottawa. There were also 18 staff members from LAC's ATIP and Litigation Response Division who attended the one-day conference.

Training for LAC's response to the "LGBT Purge" Class Action

In conjunction with LAC's engagement in supporting the GC's settlement for the "LGBT Purge" Class Action lawsuit, LAC staff participated in a number of training and LGBTQ2+ awareness activities this past fiscal year. Several training sessions were organized by DND for the Litigation Response team on ATIP processes, systems and vicarious trauma. There were 17 staff members who participated in this training, which was specifically organized to support them in understanding the tools and techniques available to them to deal with potentially disturbing images, reports and testimonies they could encounter during their day-to-day tasks in reviewing files, speaking with applicants and interacting within the team.

In addition to these training sessions, LAC held film screenings of *The Fruit Machine* and *Ti-Gars* in January 2019, with 25 ATIP and Litigation Response Division staff members in attendance. In

March 2019, LAC hosted guest speaker Amanda Jetté Knox. Knox’s talk entitled “Leading with Love: One Family’s Journey through Transition” was attended by 75 LAC staff members.

Directed training and mentoring

Internal training and mentoring efforts at LAC were significant this year because of the need to develop employees who were new to LAC as well as new to ATIP. The guidance provided by experienced LAC ATIP analysts is important in the successful processing of new incoming requests. A new peer-review process was introduced in ATIP this fiscal year to support new analysts.

In 2018–2019, new staff in the ATIP and Litigation Response Division completed the following training;

- CSPS Access to Information and Privacy Fundamentals (I015)—24 participants;
- CSPS Access to Information in the Government of Canada (I701)—24 participants; and
- CSPS Privacy in the Government of Canada (I702)—20 participants.

The Division also organized a series of “101” sessions for new employees, specifically about LAC and how the Division is an integral part of client access to restricted GC archival material. Topics included genealogy, references services, acquisition of GC archival records, preservation and conservation. These orientation sessions are repeated annually for new employees.

In 2018–2019, LAC’s ATIP Division provided presentations to raise awareness about its work to 170 LAC staff members, more than 100 LAC managers and stakeholders, and more than 695 members of the public (including members of the ATIP and archival communities in Canada). These presentations covered topics such as proactive opening of GC records through Block Review (for more information, see Section 10.2), Indigenous claims research, working with classified digital archival records, and other projects currently being undertaken by the Division.

10.2 Significant changes to organization, programs, operations or policy

Over the course of the past fiscal year, LAC’s ATIP and Litigation Response Division has implemented temporary organizational changes, adapted its operations, and strengthened its policies and procedures to effectively respond to its evolving business, increased volume, and specifically funded activities such as LAC’s response to the “LGBT Purge” Class Action.

Temporary organizational changes

In the third quarter of the fiscal year, LAC temporarily added a Litigation Response team to its ATIP Division to respond to immediate needs, and to meet its roles and responsibilities related to the “LGBT Purge” Class Action. To continue to ensure the effective delivery of public services, LAC’s Regional Services team, which is part of the same Division, has temporarily joined the Reference Services Division. To reflect these changes, the Regional Services and ATIP Division has temporarily been renamed the ATIP and Litigation Response Division.

Operations

During the past fiscal year, LAC has continued its efforts to improve its business processes and increase public access in alignment with the GC’s initiative and directives on [Proactive Disclosure](#) and [Open Government](#) and in preparation for proposed changes introduced by Bill C-58.

The capacity to work in an increasingly digital environment is integral to LAC’s current business needs and ability to provide access. LAC encourages its clients to submit ATIP requests electronically through its [online portal](#). In 2018–2019, LAC received 5,304 informal and 1,231 formal ATIP requests through its online ATIP request portal, a total of 6,535 ATIP requests. ATI requests made up approximately 64% (4,168) of requests received online. During the fiscal year, LAC made changes to receive ATIP correspondence by email and improve its online request forms based on client feedback. Using the LAC ATIP Online Request service is a faster, easier and more convenient way for LAC’s clients to submit ATI requests. Preparatory work to improve LAC’s network capacity and onboarding to a new system and classified network infrastructure was also completed in 2018–2019. These efforts enable LAC to work more effectively, and they streamline the processing of requests.

As previously mentioned, LAC introduced a peer-review process for ATIP analysts to streamline and help reduce the potential volume and completion time of consultation requests sent out in 2018–2019.

LAC is also collaborating with other organizations involved in the processing of requests for access to records containing security and intelligence information on the development of more efficient and shared practices. LAC’s onboarding to secure technology infrastructure platforms will optimize communication while ensuring that the appropriate cybersecurity and privacy protection mechanisms are in place.

While LAC is actively working to make its processes more streamlined and efficient, the number and complexity of the requests it receives continue to increase. Any increase to the volume of requests received by LAC affects its ability to process requests, and it has an impact on all supporting business areas. In 2018–2019, LAC received 8% more formal ATI requests and 6% more informal ATI requests than in 2017–2018. On March 31, 2019, the response rate for new non-urgent incoming informal ATIP requests was 14 months, as approximately 6244 of these requests were in the queue. Clients faced with a long waiting period for a response to their informal request may, as a result, choose to submit a formal request in order to receive their response in the legislated time frame. LAC is in the process of identifying various options and the resources needed to reduce the outstanding

queue of informal ATI requests and considerably reduce the current wait time. At the same time, LAC continues to process a growing number of formal ATIP requests within the legislated time frame, and urgent informal privacy requests in an expedited manner.

Policy

The addition of a Policy and Governance unit to LAC's ATIP team at the end of March 2017 has enabled LAC to accomplish significant work to strengthen its policies and procedures, and to meet the requirements and directives of TBS and the Office of the Privacy Commissioner. During the past fiscal year, the Policy and Governance unit has revised LAC's *Info Source* chapter, and developed templates and processes for privacy notices, personal information banks, classes of records and privacy impact assessments. In addition, the Policy and Governance unit worked on ATIP workflows, drafted the annual reports to Parliament, and continued its oversight of LAC's reporting via the [Open Data](#) portal.

ATIP legislation renewal process

LAC is also an active member in a number of interdepartmental working groups focused on making recommendations on improving the *Access to Information Act* and *Privacy Act*. In the 2018–2019 fiscal year, this included participation in discussions led by the Department of Justice Canada to establish a new Privacy Framework for the GC.

Human Resources Multi-Institutional Disposition Authority (MIDA) (98/005)

Effective April 1, 2018, [MIDA \(98/005\)](#) was revoked, which ended the transfer of dormant records of FPS to LAC. New disposition authorizations have been issued, which provide GC institutions with the authority to dispose of their human resources records at the end of their respective retention periods. Files that are currently stored at LAC (in Winnipeg) are being managed until the end of their predetermined retention period. This change in policy is aligned with LAC's mandate to only acquire, preserve and store archival records.

10.3 Changes as a result of issues raised by the Office of the Information Commissioner

In the fourth quarter of 2017–2018, LAC responded to issues raised by the Office of the Information Commissioner (OIC) regarding the timelines associated with formal ATI requests in which consultations were sent to creating departments. The OIC presented complaints from clients regarding lengthy extensions on requests. LAC addressed this concern by proactively assigning one (1) FTE to review requests in which the time frames for consultation exceeded the allowable days and by putting in place a senior lead analyst to coordinate LAC's interactions with the OIC and its investigators.

10.4 Changes as a result of issues raised by other agents of Parliament

There are no changes to report for the 2018–2019 fiscal year.

10.5 Monitoring

LAC monitors the time invested in processing privacy requests through the specialized ATIP software Access Pro Case Management from CSDS Systems Inc. This software enables LAC to track all request-related activities (e.g., time management, correspondence, consultations and fees) and allows each activity to be reported with specific timelines. A system feature called the “Dashboard” also provides system users, supervisors and managers with information about various data fields. The Dashboard is reviewed monthly by the Systems Specialist in the ATIP and Litigation Response Division to ensure accuracy of reporting including monthly, quarterly and annual statistical reports. The Systems Specialist also produces a number of ad hoc reports throughout the year to help keep LAC’s management informed.

The “dashboard” is one tool pertaining to monitoring and compliance; however, LAC has designed several tools and reporting mechanisms to review progress and level of completion of requests. Data fields available for review include the number of requests and request actions that are due within a specific period. Other features, such as system-designed reports and search-builders, allow users, managers and the system administrator to track all active and closed requests for accuracy, completeness and compliance with regard to regulations, policies and procedures.

If an irregularity is identified in the data reported, this will be brought to the attention of section supervisors. Depending on the severity of the irregularity identified, the case may be brought to the attention of the ATIP Coordinator, Director, Chief Privacy Officer, other senior executives, or the Librarian and Archivist of Canada.

10.6 Information holdings

Sources of Federal Government and Employee Information (Info Source) is a series of bulletins containing information about, and collected by, the Government of Canada. The primary purpose of *Info Source* is to assist individuals in exercising their rights under the Act. *Info Source* also supports the federal government’s commitment to facilitate access to information regarding its activities.

A description of LAC’s functions, programs, activities and related information holdings can be found in [*Sources of Federal Government and Employee Information 2018*](#).

To improve service delivery and reduce the technical burdens for the requesters who chose to submit their request online, the Public Services Branch at LAC has updated its program-related information available online, including *Info Source*. All *Info Source* publications are available online free of charge.

Additional copies of this report are available upon request:

Access to Information and Privacy Coordinator

Library and Archives Canada

395 Wellington Street

Ottawa, Ontario K1A 0N4

3. Appendices

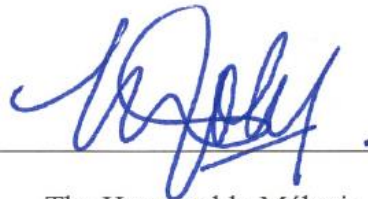
Appendix A: Delegation Order – *Access to Information Act*

DELEGATION ORDER

Access to Information Act and Privacy Act

Pursuant to Section 73 of the *Access to Information Act* and the *Privacy Act*, I, as head of Library and Archives Canada, hereby designate the persons holding the positions set out in the schedule hereto, or persons occupying on an acting basis those positions, to exercise my powers and functions under these Acts specified opposite each position.

This Delegation Order supersedes all previous
Access to Information Act and *Privacy Act* Delegation Orders.



The Honourable Mélanie Joly
Minister of Canadian Heritage

MAY 26 2016

Date

Powers and functions delegated pursuant to Section 73 of the *Access to Information Act* and the *Access to Information Regulations*

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Act</i>							
4(2.1)	Responsibility of government institutions	x	x	x	x	x	x
7(a)	Notice where access requested	x	x	x	x	x	x
7(b)	Giving access to record	x	x	x	x	x	x
8(1)	Transfer of request to another government institution	x	x	x	x	x	x
9	Extension of time limits	x	x	x	x	x	x
11(2), (3), (4), (5), (6)	Additional fees	x	x		x	x	x
12(2)(b)	Language of access	x	x	x	x		
12(3)(b)	Access in an alternative format	x	x	x	x		
13	Exemption - Information obtained in confidence	x	x	x	x	x	x
14	Exemption - Federal-provincial affairs	x	x	x	x	x	x
15	Exemption - International affairs and defence	x	x	x	x	x	x
16	Exemption - Law enforcement and investigation	x	x	x	x	x	x
16.5	Exemption - <i>Public Servants Disclosure Protection Act</i>	x	x	x	x	x	x
17	Exemption - Safety of individuals	x	x	x	x	x	x
18	Exemption - Economic interests of Canada	x	x	x	x	x	x
18.1	Exemption - Economic interests of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	x	x	x	x	x	x
19	Exemption - Personal information	x	x	x	x	x	x
20	Exemption - Third party information	x	x	x	x	x	x
21	Exemption - Operations of Government	x	x	x	x	x	x
22	Exemption - Testing procedures, tests and audits	x	x	x	x	x	x
22.1	Exemption - Audit working papers and draft audit reports	x	x	x	x	x	x
23	Exemption - Solicitor-client privilege	x	x	x	x	x	x
24	Exemption - Statutory prohibitions	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Act</i>							
25	Severability	X	X	X	X	X	X
26	Exemption - Information to be published	X	X	X	X	X	X
27(1), (4)	Third-party notification	X	X	X	X	X	X
28(1)(b), (2), (4)	Third-party notification	X	X	X	X	X	X
29(1)	Where the Information Commissioner recommends disclosure	X	X	X	X	X	X
33	Advising Information Commissioner of third-party involvement	X	X	X	X	X	X
35(2)(b)	Right to make representations	X	X	X	X	X	X
37(4)	Access to be given to complainant	X	X	X	X	X	X
43(1)	Notice to third-party (application to Federal Court for review)	X	X	X	X	X	X
44(2)	Notice to applicant (application to Federal Court by third-party)	X	X	X	X	X	X
52(2)(b), (3)	Special rules for hearings	X	X	X	X	X	X
71(1)	Facilities for inspection of manuals	X	X	X	X	X	X
72	Annual report to Parliament	X	X	X	X	X	X

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Access to Information Regulations</i>							
6(1)	Transfer of request	x	x	x	x		
7(2)	Search and preparation fees	x	x	x	x		
7(3)	Production and programming fees	x	x	x	x		
8	Providing access to record(s)	x	x	x	x		
8.1	Limitations in respect of format	x	x	x	x		

Legend:

LAC Librarian and Archivist of Canada

DGS Director General, Services

DIR Director, Regional Services and ATIP

MAI Manager, Access to Information and Privacy Division, PM-06

A1 Senior Analyst, Access to Information and Privacy Division, PM-05, PM-04

A2 Personnel Records Analyst, Access to Information and Privacy Division, PM-03

Powers and functions delegated pursuant to Section 73 of the *Privacy Act* and *Privacy Regulations*

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Act</i>							
8(2)(j)	Disclosure for research purposes	x	x	x	x		
8(2)(m)	Disclosure in the public interest or in the interest of the individual	x	x	x	x		
8(4)	Copies of requests under 8(2)(e) to be retained	x	x	x	x	x	x
8(5)	Notice of disclosure under 8(2)(m)	x	x	x	x	x	x
9(1)	Record of disclosures to be retained	x	x	x	x	x	x
9(4)	Consistent uses	x	x	x	x	x	x
10	Personal information to be included in personal information banks	x	x	x	x	x	x
14	Notice where access requested	x	x	x	x	x	x
15	Extension of time limits	x	x	x	x	x	x
17(2)(b)	Language of access	x	x	x	x		
17(3)(b)	Access to personal information in alternative format	x	x	x	x	x	x
18(2)	Exemption (exempt bank) - Disclosure may be refused	x	x	x	x	x	x
19(1)	Exemption - Personal information obtained in confidence	x	x	x	x	x	x
19(2)	Exemption - Where authorized to disclose	x	x	x	x	x	x
20	Exemption - Federal-provincial affairs	x	x	x	x	x	x
21	Exemption - International affairs and defence	x	x	x	x	x	x
22	Exemption - Law enforcement and investigation	x	x	x	x	x	x
22.3	Exemption - <i>Public Servants Disclosure Protection Act</i>	x	x	x	x	x	x
23	Exemption - Security clearances	x	x	x	x	x	x
24	Exemption - Individuals sentenced for an offence	x	x	x	x	x	x
25	Exemption - Safety of individuals	x	x	x	x	x	x
26	Exemption - Information about another individual	x	x	x	x	x	x
27	Exemption - Solicitor-client privilege	x	x	x	x	x	x
28	Exemption - Medical record	x	x	x	x	x	x
31	Notice of intention to investigate	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Act</i>							
33(2)	Right to make representation	x	x	x	x	x	x
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	x	x	x	x	x	x
35(4)	Access to be given	x	x	x	x	x	x
36(3)	Report of findings and recommendations (exempt banks)	x	x	x	x	x	x
37(3)	Report of findings and recommendations (compliance review)	x	x	x	x	x	x
51(2)(b)	Special rules for hearings	x	x	x	x		
51(3)	Ex parte representations	x	x	x	x		
72(1)	Report to Parliament	x	x	x	x	x	x

Delegation		Position					
		LAC	DGS	DIR	MAI	A1	A2
Section	Description	1	2	3	4	5	6
<i>Privacy Regulations</i>							
9	Reasonable facilities and time provided to examine personal information	x	x	x	x		
11(2)	Notification that correction to personal information has been made	x	x	x	x		
11(4)	Notification that correction to personal information has been refused	x	x	x	x		
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	x	x	x	x		
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	x	x	x	x		

Legend:

- LAC Librarian and Archivist of Canada
- DGS Director General of Services
- DIR Director
- MAI Manager, Access to Information and Privacy Division, PM-06
- A1 Senior Analyst, Access to Information and Privacy Division, PM-05, PM-04
- A2 Analyst, Access to Information and Privacy Division, PM-03

Appendix B: Statistical Report on the *Access to Information Act*



Government of Canada / Gouvernement du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Library and Archives Canada

Reporting period: 2018-04-01 to 2019-03-31

Part 1: Requests Under the *Access to Information Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	1,384
Outstanding from previous reporting period	404
Total	1,788
Closed during reporting period	1,278
Carried over to next reporting period	510

1.2 Sources of requests

Source	Number of Requests
Media	39
Academia	554
Business (private sector)	43
Organization	54
Public	415
Decline to Identify	279
Total	1,384

1.3 Informal requests

Completion Time							Total
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
1,839	630	386	204	82	2,804	34	5,979

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	151	203	20	36	28	10	15	463
Disclosed in part	104	222	21	67	26	12	40	492
All exempted	0	2	0	0	2	0	0	4
All excluded	85	12	2	0	0	0	0	99
No records exist	57	29	2	0	0	0	0	88
Request transferred	7	1	0	0	0	0	0	8
Request abandoned	91	28	4	1	0	0	0	124
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	495	497	49	104	56	22	55	1,278

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	24	16(2)	1	18(a)	0	20.1	0
13(1)(b)	6	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	5	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	10	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	3	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	42	16.1(1)(d)	0	19(1)	454	22.1(1)	0
15(1) - I.A.*	1	16.2(1)	0	20(1)(a)	0	23	53
15(1) - Def.*	1	16.3	0	20(1)(b)	10	24(1)	49
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	2		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	4		
16(1)(a)(iii)	1	17	0				
16(1)(b)	1						
16(1)(c)	5						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	143	69(1)	1	69(1)(g) re (a)	0
68(b)	3	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	12	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	143	319	1
Disclosed in part	115	377	0
Total	258	696	1

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	166,786	166,780	463
Disclosed in part	343,815	331,480	492
All exempted	1,319	0	4
All excluded	0	0	99
Request abandoned	0	0	124
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	232	7,180	136	35,445	49	33,823	45	84,246	1	6,086
Disclosed in part	179	4,822	147	39,050	73	50,886	85	164,866	8	71,856
All exempted	2	0	0	0	2	0	0	0	0	0
All excluded	99	0	0	0	0	0	0	0	0	0
Request abandoned	124	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	636	12,002	283	74,495	124	84,709	130	249,112	9	77,942

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	60	0	0	80	140
Disclosed in part	73	0	0	107	180
All exempted	2	0	0	0	2
All excluded	0	0	0	4	4
Request abandoned	0	1	0	4	5
Neither confirmed nor denied	0	0	0	0	0
Total	135	1	0	195	331

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
96	23	60	0	13

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	6	5	11
16 to 30 days	7	5	12
31 to 60 days	3	6	9
61 to 120 days	0	7	7
121 to 180 days	5	6	11
181 to 365 days	0	27	27
More than 365 days	0	19	19
Total	21	75	96

2.7 Requests for translation

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

Part 3: Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	92	0	76	0
Disclosed in part	154	0	71	0
All exempted	0	0	2	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	2	0	1	0
Total	248	0	150	0

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	28	0	1	0
31 to 60 days	102	0	11	0
61 to 120 days	91	0	44	0
121 to 180 days	9	0	41	0
181 to 365 days	12	0	45	0
365 days or more	6	0	8	0
Total	248	0	150	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	1,178	\$5,890	44	\$217
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	323	\$688
Reproduction	0	\$0	0	\$0
Total	1,178	\$5,890	367	\$905

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	30	538	1	10
Outstanding from the previous reporting period	2	18	0	0
Total	32	556	1	10
Closed during the reporting period	32	556	1	10
Pending at the end of the reporting period	0	0	0	0

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	18	6	1	0	1	0	0	26
Disclose in part	0	1	0	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	1	0	0	0	0	0	1
Consult other institution	0	0	0	0	0	0	0	0
Other	4	0	0	0	0	0	0	4
Total	22	8	1	0	1	0	0	32

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	1	0	0	0	0	0	0	1
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	1

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
137	0	23	160

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources Related to the Access to Information Act

9.1 Costs

Expenditures	Amount
Salaries	\$2,472,265
Overtime	\$740
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$2,473,005

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	35.53
Part-time and casual employees	0.84
Regional staff	0.45
Consultants and agency personnel	0.00
Students	1.52
Total	38.34