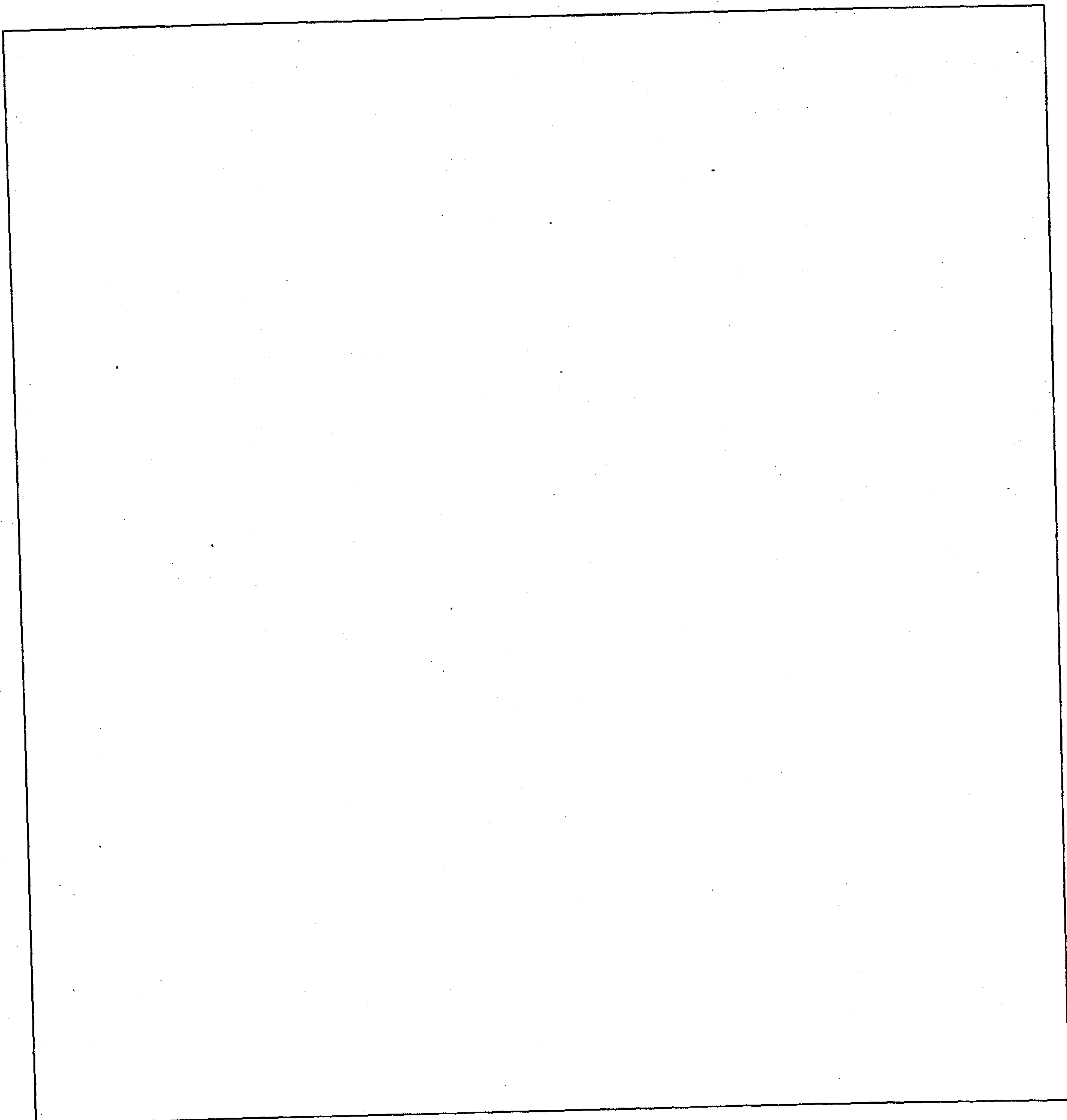


Annual Report
Access to Information
2008-2009



Statistics Canada
Statistique Canada

Canada

Access to Information

Statistics Canada

Annual Report

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ORGANIZATIONAL STRUCTURE

Mandate of Statistics Canada

Statistics Canada's mandate derives primarily from the *Statistics Act*. The Act requires that the Agency collect, compile, analyse and publish statistical information on the economic, social and general conditions of the country and its citizens. The Act also requires that Statistics Canada co-ordinate the national statistical system, specifically to avoid duplication in the information collected by government. To this end, the Chief Statistician may enter into joint data-collection or -sharing agreements with provincial and territorial statistical agencies, as well as with federal, provincial and territorial government departments, subject to confidentiality guarantees for identifiable statistical information.

The *Statistics Act* specifically requires Statistics Canada to conduct a Census of Population and a Census of Agriculture every five years. The Act also gives the Agency substantial powers to request information for statistical purposes through surveys of Canadian businesses and households. By default, response to Statistics Canada's surveys is mandatory under the Act; refusal to participate is subject to legal penalties. The Act includes provisions to make participation in data collection voluntary: Statistics Canada has done so generally with household data collection other than the Census of Population and the Labour Force Survey—the latter produces key economic data. The Census of Agriculture and all other surveys of businesses, including surveys of agricultural businesses, are mandatory.

Statistics Canada can also, by law, access all administrative records, including personal and business tax data, customs declarations, and birth and death records. Such records are critical sources of statistical information, which enable the Agency to reduce reporting burden on business and individual respondents. Statistics Canada is considered a leader among the world's statistical agencies in reducing reporting burden by using administrative data.

These mechanisms help Statistics Canada achieve its long-standing strategic outcome, which is to ensure Canadians have access to objective, high-quality, non-partisan statistics, statistical products, services and analyses on Canada's economy and society that fulfill legal requirements, are relevant to policy formulation and decision makers, and are responsive to emerging issues.

Administration of the *Access to Information Act*

The *Access to Information Act (ATIA)* gives the general public the right to access information controlled by federal government institutions, subject to limited and specific exceptions. Some of these exceptions are mandatory, others are discretionary. By virtue of section 24 of the *ATIA*, which is a mandatory provision, information collected under the *Statistics Act* and protected by section 17 of that Act, cannot be made available to anyone attempting to obtain it using the *Access to Information Act*. This exception enables the Agency to continue giving a clear and unqualified assurance to its respondents that the confidentiality provisions of the *Statistics Act* are preserved by the *Access to Information Act*.

The administration of the access to information legislation within Statistics Canada is the responsibility of the Data Access and Control Services Division. The director of this division is

the Access to Information and Privacy Coordinator and reports directly to the Assistant Chief Statistician, Corporate Services Field.

The Confidentiality and Legislation Committee is a senior management committee established at Statistics Canada to deal with matters concerned with the confidentiality aspects of the *Access to Information Act*, the *Corporations Returns Act* and the *Statistics Act*. This Committee is co-chaired by two Assistant Chief Statisticians and secretariat services are provided by the Data Access and Control Services Division.

DELEGATION INSTRUMENT

A detailed list of authorities under the *Access to Information Act* has been formally delegated by the Minister Responsible for Statistics Canada (Appendix I).

OPERATING POLICIES: ACCESS TO INFORMATION

Application fees

Application fees are applied as described in the *Access to Information Act*.

Other fees

Statistics Canada waives the charges if the amount payable is less than \$25.00.

IMPLEMENTATION: ACCESS TO INFORMATION

Access to information requests

During the current reporting period, Statistics Canada received 52 access to information requests and completed all but six. The outstanding ones have been carried forward to the next reporting period. In addition, there were seven completed requests that had been carried forward from the previous reporting period.

Types of records requested

Most of the requests fell into two general categories:

1. Records related to the administration of the Agency
2. Data from statistical programs, or background information relating to statistical programs

Records related to the administration of the Agency

The majority of the requests fell into this category. While processing of these types of requests is becoming more complex, most records were released with minimal requirement for exemptions.

It should be noted that during the current reporting period, there was a noticeable increase in the number of requests that could not be processed. In all cases, this was due to the fact that there were no records for the information being requested. The majority of these requests were related to temporary call-ups for a specific month.

Statistical program records or background information relating to programs

There were 10 requests related to data from statistical programs or to background information on statistical programs. Two of these were excluded pursuant to paragraph 68(a) as the information was available for purchase through Statistics Canada's regular dissemination program.

Disposition of requests completed during reporting period	
All disclosed	14
Disclosed in part: Combined exemptions and exclusions	
19(1)	10
16(2)(c), 19(1) and 23	1
18(b), 19(1), 21(1)(b) and (c) and 24	1
19(1) and 20(1)(c)	1
19(1) and 24	1
20(1)(b) and (c)	1
23	1
68(a)	1
Nothing disclosed	
68(a)	2
24	1
Unable to process	16
Abandoned	2
Transferred	1
Total	53

Formal/informal interface

As the country's national statistical agency, Statistics Canada is responsible for providing Canadians with information about economic conditions and the demographic, cultural and social characteristics of the country. In the current reporting period, there were 299,000 contacts handled by Statistics Canada's client contact centre and through regional offices. In addition, Statistics Canada's Library in Ottawa responded to 468 reference questions from external users. 97 were from other federal departments and 371 were from the public.

Complaints and investigations

There were no complaints lodged with the Office of the Information Commissioner during the current reporting period.

There was one outstanding complaint from a previous reporting period. The complaint alleged that access to information requests from the media are subject to special scrutiny resulting in unjustifiable delays that violate the spirit and letter of the *Access to Information Act*. Most federal government departments also received the same complaint. During the current reporting period, the Office of the Information Commissioner ruled that while there existed no procedures that would specifically delay requests from the media, procedures in some departments led to delays, and requested that departments advise it how their procedures would change to address the complaint. Statistics Canada responded to the Office of the Information Commissioner that because Statistics Canada does not apply special scrutiny to any requests, including those from the media, it would continue to follow its current procedures.

TRAINING INITIATIVES FOR ACCESS TO INFORMATION

Data Access and Control Services Division provides formal instruction to Agency staff on the *Access to Information Act*. In 2008-2009, six sessions were presented as part of the Agency's Middle Managers training program and the Business and Economic Statistics training program. The division also presented seven additional sessions on the general application of the Act in certain regional offices as well as to senior managers. An estimated 300 persons attended the sessions.

STATISTICAL REPORT

The following includes the statistical report on access to information for the current reporting period, as well as the methodology used for calculating costs.



REPORT ON THE ACCESS TO INFORMATION ACT / RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution Statistics Canada / Statistique Canada				Reporting period / Période visée par le rapport 04/01/2008 - 03/31/2009	
Source	Media / Médias 7	Academia / Secteur universitaire 6	Business / Secteur commercial 9	Organization / Organisme 3	Public 27

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information

Received during reporting period / Reçues pendant la période visée par le rapport	52
Outstanding from previous period / En suspens depuis la période antérieure	7
TOTAL	59
Completed during reporting period / Traitées pendant la période visées par le rapport	53
Carried forward / Reportées	6

II Disposition of requests completed / Disposition à l'égard des demandes traitées

1. All disclosed / Communication totale	14	6. Unable to process / Traitement impossible	16
2. Disclosed in part / Communication partielle	17	7. Abandoned by applicant / Abandon de la demande	2
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	1	8. Treated informally / Traitement non officiel	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	2	TOTAL	53
5. Transferred / Transmission	1		

III Exemptions invoked / Exceptions invoquées

S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)	1	S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	1
(c)		(c)		(d)		(c)	1
(d)		(d)		S. Art. 19(1)	14	(d)	
S. Art. 14		S. Art. 16(2)	1	S. Art. 20(1)(a)	1	S. Art. 22	
S. Art. 15(1) International rel. / Relations intern.		S. Art. 16(3)		(b)		S. Art. 23	2
Defence / Défense		S. Art. 17		(c)	2	S. Art. 24	3
Subversive activities / Activités subversives		S. Art. 18(a)		(d)		S. Art. 26	

IV Exclusions cited / Exclusions citées

S. Art. 68(a)	3	S. Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	
S. Art. 69(1)(a)		(f)	
(b)		(g)	

V Completion time / Délai de traitement

30 days or under / 30 jours ou moins	45
31 to 60 days / De 31 à 60 jours	3
61 to 120 days / De 61 à 120 jours	4
121 days or over / 121 jours ou plus	1

VI Extensions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche		
Consultation	2	1
Third party / Tiers		4
TOTAL	2	5

VII Translations / Traduction

Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation

Copies given / Copies de l'original	28
Examination / Examen de l'original	
Copies and examination / Copies et examen	3

IX Fees / Frais

Net fees collected / Frais net perçus	
Application fees / Frais de la demande	180.00
Reproduction	512.20
Searching / Recherche	170.00
TOTAL	862.20
Fees waived / Dispense de frais	No. of times / Nombre de fois
\$25.00 or under / 25 \$ ou moins	2
Over \$25.00 / De plus de 25 \$	

X Costs / Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 89,909
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 10,517
TOTAL	\$ 100,426
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	1.4



Methodology for calculating costs

Access to information

1. Salary costs	Person-years	\$
(a) Subject-matter divisions	0.2	10,248
(b) Access to information and privacy office	1.2	79,661
Sub-total	1.2	89,909
2. Administration costs		
(a) Subject-matter divisions		0
(b) Access to information and privacy office ¹		10,517
Sub-total		10,517
TOTAL	1.4	100,426

¹ The administration costs are based on a percentage of the total annual expenditures of the office equivalent to the percentage of person-year utilization for access to information.

Appendix I

Access to Information and Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et la protection des renseignements personnels

The Minister Responsible for Statistics Canada, pursuant to section 73 of the *Access to Information Act* and the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Minister as the head of a government institution, under the section of the Act set out in the schedule opposite each position. This Designation Order supersedes all previous Designation Orders.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*, le Ministre responsable de Statistique Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire les-dits postes, les attributions dont il est, en qualité de responsable d'une institution fédérale, investi par les articles des Lois mentionnées en regard de chaque poste. Le présent décret de délégation remplace et annule tout décret antérieur.

Schedule/Annexe

Position/ Poste	<i>Access to Information Act</i> and Regulations/ <i>Loi sur l'accès à l'information</i> et règlements	<i>Privacy Act</i> and Regulations/ <i>Loi sur la protection des renseignements personnels</i> et règlements
Assistant Chief Statistician, Management Services/ Statisticien en chef adjoint, Services de gestion	Full authority as allowed by TBS Regulations/ Autorité absolue	Full authority as allowed by TBS Regulations / Autorité absolue
Coordinator, Access to Information and Privacy Rights/ Coordinateur (trice), Accès à l'information et la protection des renseignements personnels; Director and Assistant Director, Data Access and Control Services/ Directeur (trice) et Directeur (trice) adjoint (e), Division des	Full authority as allowed by TBS Regulations / Autorité absolue	Full authority as allowed by TBS Regulations / Autorité absolue

services d'accès et de
contrôle des données

Chief, Data Access and
Control Services/ Chef,
Division des services
d'accès et de contrôle des
données

Access to Information Act/
Loi sur l'accès à
l'information : Sections/
Articles: 7(a), 7(b), 8(1), 9,
11(2), 11(3), 11(4), 11(5),
11(6), 12(2)(b), 12(3)(b),
13, 14, 15, 16, 17, 18, 19,
20, 21, 22, 22.1, 23, 24, 25,
26, 27(1), 27(4), 28(1)(b),
28(2), 28(4), 33, 35(2)(b),
71(1)

Sections/ Articles: 8(2)(j),
8(2)(m), 8(4), 8(5), 9(1), ,
9(4), 10, 14, 15, 17(2)(b),
17(3)(b), 18(2), 19(1), 19(2),
20, 21, 22, 23, 24, 25, 26,
27, 28

Regulations/Règlements :
Sections/Articles : 9, 11(2),
11(4), 13(1), 14

Regulations/Règlements :
Sections/Articles : 6(1),
7(2), 7(3), 8, 8.1

Senior Access to
Information and Privacy
Project Manager/ Agent de
projet, principal(e), Accès à
l'information et la
protection des
renseignements personnels

Sections/ Articles: 7(a),
8(1), 9, 11(2), 11(3), 11(4),
11(5), 11(6), 13, 14, 15, 16,
17, 18, 19, 20, 21, 22, 23,
24, 25, 26, 27(1), 27(4),
28(1)(b), 28(2), 28(4), 71(1)

Sections/ Articles: 8(2)(j),
8(2)(m), 10, 14, 15, 18(2),
19(1), 20, 21, 22, 23, 24,
25, 26, 27, 28

Regulations/Règlements :
Sections/Articles : 9, 11(2)

Regulations/Règlements :
Sections/Articles : 6(1),
7(2), 7(3), 8, 8.1

Access to Information and
Privacy Project Officer/
Agent de projet, Accès à
l'information et la
protection des
renseignements personnels

Sections 8(1) and 9 for all
records/ Articles 8(1) et 9
pour tous les dossiers

Section 15 for all records/
Article 15 pour tous les
dossiers

Dated, at the City of Ottawa
this 20 day of 08, 2009

Daté, en la ville d'Ottawa
ce 20 jour de 08 2009

THE HONOURABLE TONY CLEMENT
MINISTER RESPONSIBLE FOR STATISTICS CANADA

A handwritten signature in black ink, appearing to read 'Tony Clement', is written over the text below.

MINISTRE RESPONSABLE DE STATISTIQUE CANADA
L'HONORABLE TONY CLEMENT