

DEFENCE
CONSTRUCTION
CANADA



CONSTRUCTION
DE DÉFENSE
CANADA

2020–21

Privacy Act

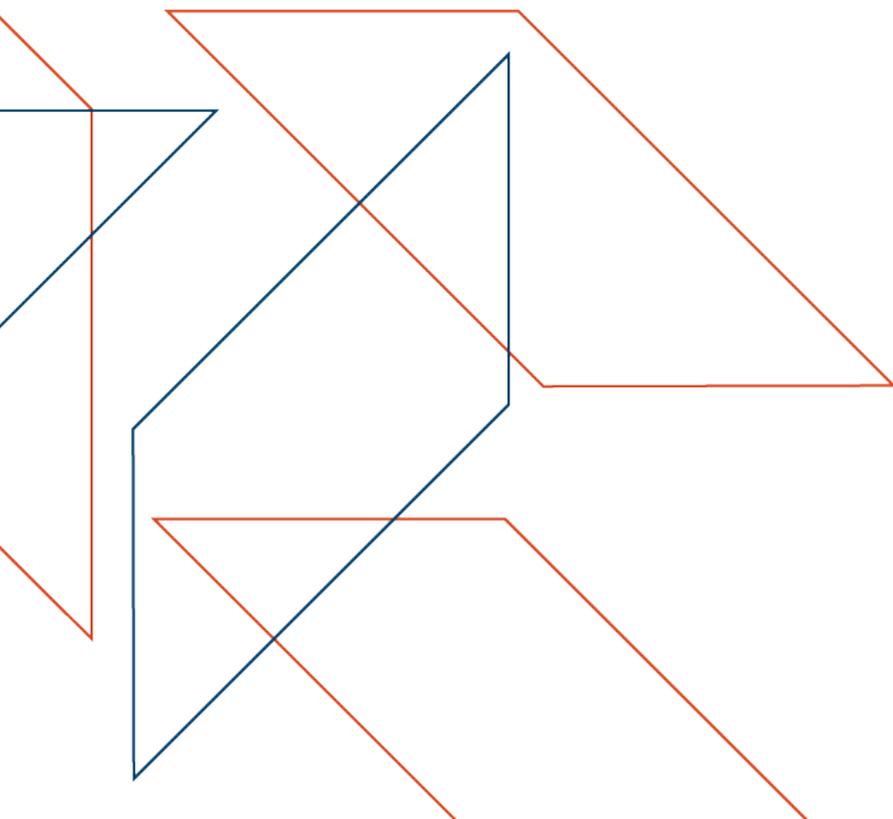
Annual Report

April 1, 2020 to March 31, 2021

Contents

Report on the <i>Privacy Act</i>.....	4
Introduction.....	4
Mandate of DCC.....	4
DCC’s Access to Information and Privacy Office.....	4
Organizational Structure.....	5
Delegation of Authority.....	6
Summary and Highlights of Activities.....	6
Training and Awareness.....	6
Policies, Guidelines and Procedures.....	7
Overview of 2020–21 Operating Environment Impacting ATIP Activity.....	8
<i>Privacy Act</i> Statistical Report.....	9
Summary of Requests.....	9
Disposition of Completed Requests.....	9
Completion Time and Extensions.....	9
Exemptions Invoked.....	9
Exclusions Invoked.....	9
Requests for Consultation from Other Government Institutions and Organizations.....	10
Monitoring Requests and Correction of Personal Information.....	10
Privacy Breach Summary.....	10
Privacy Impact Assessment (PIA).....	10
Disclosures Pursuant to Paragraph 8(2)(m).....	10
Translation.....	10
Fees and Costs.....	11
Complaints and Requests for Judicial Review.....	11

Appendix A: Delegation Order12
Appendix B: Statistical Report on the *Privacy Act*.....14
Appendix C: Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*24



Report on the *Privacy Act*

Introduction

The *Privacy Act* (PA) protects the privacy of Canadian citizens and permanent residents against the unauthorized use and disclosure of personal information about themselves held by a government institution. It also provides individuals with a right of access to that information and the right to correct inaccurate personal information. In addition, the PA legislates how the government collects, stores, disposes of, uses and discloses personal information.

Section 72 of the PA requires the head of every federal government institution to submit an annual report to Parliament on the administration of the PA during the financial year. This annual report summarizes the administration of the PA within Defence Construction (1951) Limited (DCC) during 2020–21.

Mandate of DCC

The principal mandate of DCC, pursuant to the *Defence Production Act* (DPA), is to meet the infrastructure and environmental needs of the Department of National Defence and the Canadian Armed Forces by providing quality services. DCC's mission is to provide timely, effective and efficient project delivery and full lifecycle support for infrastructure and environmental assets required for the defence of Canada.

DCC is an agent of the Crown incorporated for the purpose of carrying out the procurement for and delivering of defence infrastructure projects. The DPA defines a defence contract as a contract with an agent of Her Majesty that in any way relates to defence projects or to the designing, manufacturing, producing, constructing, finishing, assembling, transporting, repairing, maintaining, servicing or storing of, or dealing in defence projects.

DCC's Letters Patent permit DCC to take on, lease, or in exchange, procure, purchase or otherwise acquire, construct, alter, renovate, add to, improve, and to hold, manage, maintain, operate, supervise, repair, heat, lease, sell, salvage, realize or otherwise dispose of real and personal property—and in particular, lands and buildings. DCC reports to Parliament through the Minister of Public Services and Procurement.

DCC's Access to Information and Privacy Office

DCC's Access to Information and Privacy (ATIP) Office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure DCC meets its responsibilities under the *Access to Information Act* (ATIA) and the PA.

The main activities of the ATIP Office include the following:

- monitoring compliance with relevant Acts, regulations, procedures and policies;
- processing requests under both Acts;
- developing and maintaining policies, procedures and guidelines to ensure DCC respects the Acts;
- promoting awareness of the Acts within DCC to ensure employees know and understand their responsibilities;
- preparing annual reports to Parliament and other statutory reports, as well as other material Central Agencies may require;
- representing DCC in dealings with the Treasury Board of Canada Secretariat (TBS), the Information and Privacy Commissioners, and other government departments and agencies to determine how the Acts apply to DCC; and
- helping DCC meet its commitments to ensure openness and transparency through proactive and informal disclosure of information.

During 2020–21, the ATIP Office supported DCC’s compliance with ancillary statutory requirements by doing the following:

- reporting travel and hospitality expenses of senior officials on the Open Government portal;
- responding to parliamentary questions (Order Paper Questions);
- responding to constituent inquiries; and
- reviewing DCC’s corporate services contracts.

Organizational Structure

During 2020–21, the ATIP Office had two full-time positions: the ATIP Coordinator and the ATIP Administrator. The ATIP Deputy Coordinator position was vacated during the reporting period, and a recruitment process was initiated to staff the role. As is the case for most institutions, recruitment and retention of qualified ATIP professionals is a significant challenge for DCC.

DCC was not party to any service agreements under section 73.1 of the PA during 2020–21.

Delegation of Authority

Pursuant to section 73 of the *Privacy Act*, DCC's President has delegated his powers and duties to the ATIP Coordinator to allow the Corporation to meet its legislated requirements. These powers may be sub-delegated to the Deputy Coordinator, as required.

See Appendix A for the Delegation Order.

Summary and Highlights of Activities

During 2020–21, the ATIP Office continued to monitor the TBS initiative to procure new ATIP processing software.

Members of DCC's ATIP team also offered privacy policy recommendations related to program function and responded to requests for privacy impact advice.

Training and Awareness

During 2020–21, DCC continued to inform senior management of the volume of access to information and privacy requests and increase awareness of access to information and privacy issues.

The ATIP Office briefs DCC's five executives monthly and 20 senior managers twice a year. Topics covered in the presentation include the following:

- annual and quarterly comparisons of ATIP requests handled and pages reviewed;
- consultation requests, by region and government institution; and
- annual ATIP requests, by source type.

During 2020–21, the ATIP Office expanded its reporting to include DCC's Board of Directors. Through quarterly reports, the ATIP Office provides an overview of its activities administering the ATIA and the PA. Topics covered in the ATIP Board Report include the following:

- ATIP activities relating to legislative compliance;
- statistical reporting and new request summaries;
- corporate risk assessments; and
- issues identified through ATIP-related environmental scans.

A plain language policy document on the PA is accessible to all employees via the DCC intranet.

The ATIP Office created a training module for DCC employees based on the Canada School of Public Service's introductory online ATIP course. This self-directed training covers DCC's responsibilities under the ATIA and PA and is reviewed by the ATIP Coordinator annually.

Also, the ATIP Office continued to provide advice and guidance to regional and site employees on ATIP activities.

The ATIP Coordinator trained the ATIP Administrator on DCC ATIP processes and practices, and provided general training based on TBS resources, including the Interim Directive on the ATIA, Access to Information Regulations and Access to Information Manual.

Policies, Guidelines and Procedures

Development and review of PA-related policies, guidelines and procedures, including DCC's Privacy Impact Assessment Policy, Privacy Breach Protocol, and Privacy Management Framework, continued into this reporting period.

In addition, the ATIP Office continued to use its refined tasking process to identify appropriate points of contact within each region. In the preceding reporting period, lead contacts were identified and compiled in a reference document for use by the ATIP Office. This document is updated regularly, with the goal of improving engagement of appropriate subject-matter experts when retrieving DCC-held records and responding to external consultation requests.

DCC has established and reminds employees of their obligations under DCC ATIP policies and procedures, and DCC's Code of Business Conduct, which incorporates the *Public Servants Disclosure Protection Act* by reference. The Code articulates expectations and provides procedures for the disclosure of wrongdoing under that Act. The Code also sets out DCC employees' obligations under the PA to help ensure effective and consistent administration of and compliance with the PA and its regulations.

Each year, DCC employees are required as a condition of employment to review their obligations and responsibilities under the Code and to actively acknowledge through an electronic process their continued compliance. DCC sends each employee an e-mail reminder and tracks responses through an automated system. This allows DCC to keep accurate records and to take appropriate follow-up action. New employees must pass an online test regarding the Code shortly after they are hired. In 2020–21, 100% of DCC's employees responded to the annual request for review, and all new hires completed the required test.

Overview of 2020–21 Operating Environment Impacting ATIP Activity

DCC continues to modernize its IT infrastructure to ensure the Corporation keeps pace with industry and government partners in the use and application of technology for infrastructure and environment services. Since being affected by a cyber incident in September 2019, DCC has continued to update its IT systems in line with industry standards and is dedicated to ensuring efficiency and effectiveness.

DCC fully supports openness, transparency and accountability, guiding principles of the Government of Canada. However, DCC's ability to carry out ATIP activities was hindered by the circumstances and exceptional measures put in place to respond to the COVID-19 pandemic and protect the health and safety of its employees.

DCC took its lead from the Public Health Agency of Canada, and employees were supported in their transition to working from home whenever possible. This transition impacted the ATIP Office, whose employees faced, as did other Government of Canada ATIP personnel, the unprecedented reality of working in a new physical location and set-up, while trying to balance multiple work and home responsibilities.

As a result, DCC's ATIP Office operated at reduced capacity throughout 2020–21.

Privacy Act Statistical Report

Summary of Requests

The table below shows the number of PA requests received and processed by DCC over the past five reporting periods:

Reporting Period	Requests Received	Number of Pages Processed	Completion Time
2020–21	0	0	Not applicable
2019–20	0	0	Not applicable
2018–19	2	64	Within 15 days
2017–18	0	0	Not applicable
2016–17	1	28	Within 30 days

Between April 1, 2020, and March 31, 2021, DCC did not receive any requests for personal information under the PA, and no requests under the PA were carried over from the previous reporting period.

Disposition of Completed Requests

Not applicable.

Completion Time and Extensions

Not applicable.

Exemptions Invoked

DCC did not invoke any exemptions, since no requests were completed during 2020–21.

Exclusions Invoked

DCC did not invoke any exclusions, since no requests were completed during 2020–21.

Requests for Consultation from Other Government Institutions and Organizations

DCC did not receive any consultation requests during 2020–21.

Monitoring Requests and Correction of Personal Information

The ATIP Administrator monitors DCC's case management system daily to check for "red" highlights in case files, which indicate a delay. This ensures continued compliance with principles of the PA.

The ATIP Administrator meets with the ATIP Coordinator weekly to review the status of case files and develop appropriate strategies to improve compliance rates.

Additionally, the ATIP Coordinator distributes the ATIP Monthly Activity Report by e-mail to the Executive Management Group. This report captures new requests, both formal and informal, as well as requests for consultation received during the preceding month. It also contains statistical information regarding ATIP Office activity on a monthly and year-to-date basis.

No correction of personal information occurred during this reporting period.

Privacy Breach Summary

No material privacy breaches occurred during the reporting period.

Privacy Impact Assessment (PIA)

DCC discontinued the PIA for the Secure Cloud and Managed Services project. No new PIAs were initiated or completed during 2020–21.

Disclosures Pursuant to Paragraph 8(2)(m)

DCC made no disclosures under paragraph 8(2)(m) of the PA during 2020–21.

Translation

There were no requests for records to be translated during 2020–21.

Fees and Costs

DCC's costs directly associated with administering the PA in 2020–21 were estimated to be \$7,898. The majority of DCC's ATIP Office costs were for work under the *Access to Information Act* and are noted in the 2020-21 *Access to Information Act* Annual Report.

Complaints and Requests for Judicial Review

DCC did not receive any complaints from the Office of the Privacy Commissioner in 2020–21, and there were no requests for judicial review.

Appendix A: Delegation Order

Appendix B:
Statistical Report on the *Privacy Act*

Statistical Report on the *Privacy Act*

Name of institution: Defence Construction Canada

Reporting period: 2020-04-01 to 2021-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Closed during reporting period	0
Carried over to next reporting period	0

Section 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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Paper	Electronic	Other
0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	0

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timelines Where an Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.8 Requests for translation

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

Section 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation		
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal
0	0	0	0	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation		
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal
1 to 15 days	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0
31 days or greater							
Total	0	0	0	0	0	0	0

Section 6: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over to the next reporting period	0	0	0	0

6.2 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	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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	0	0	0	0	0	0	0	0

6.3 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	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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	0	0	0	0	0	0	0	0

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer 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
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

7.2 Requests with Privy Council Office

Number of Days	Fewer 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
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

Section 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
----------------------------	---

9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	4	0	0	0

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

Section 11: Resources Related to the *Privacy Act*

11.1 Costs

Expenditures	Amount
Salaries	\$7,898
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$7,898

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.160
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.160

Note: Enter values to three decimal places.

Appendix C:
Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

Name of institution: Defence Construction Canada

Reporting period: 2020-04-01 to 2021-03-31

Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	0

Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	0	52	52
Protected B Paper Records	0	0	52	52
Secret and Top Secret Paper Records	0	0	52	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	0	0	52	52