



Annual Report on the Administration of the Access to Information and Protection of Privacy Act

For the period April 1, 2013 to March 31, 2014

Department of Executive and Intergovernmental Affairs

August 2014

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Fiscal Year 2013-2014 in Review

The Department of Executive and Intergovernmental Affairs (EIA) tables an annual report in the Legislative Assembly on the administration of the *Access to Information and Protection of Privacy (ATIPP) Act*. Although this report is not a statutory requirement, it is important that the government is accountable to the public regarding this function. Statistics on the administration of the ATIPP Act are recorded individually by each public body before the information is compiled centrally in the ATIPP office within the Department of EIA.

We are pleased to table the 2013-2014 Annual Report on the Administration of the ATIPP Act. This report provides a summary of formal requests received by public bodies under the ATIPP Act between April 1, 2013 and March 31, 2014. It also provides information on important updates and work done under ATIPP throughout the fiscal year.

Requests

In fiscal year 2013-2014 a total of 113 requests were received by the public bodies under the Act, a decrease of 48% from the requests received in the 2012-2013 fiscal year. It is important to note that the sharp decrease can be easily explained by the reduction of requests made by law firms in support of the Indian Residential School Resolutions. For example, out of the 100 requests received by the Department of Justice in 2012-2013, approximately 90 of them fell into this category. The Departments of Education and Health also received numerous requests of this nature. As the deadline to apply for the Independent Assessment Process (IAP) and for the Common Experience Payment (CEP) was September 19, 2012, we did not see as many requests in 2013-2014.

This fiscal year the applicants received a response within the first 30 days after receipt of the request in 67% of the completed requests. The majority of requests were related to access to personal information.

Although public bodies are prepared to respond to a request received in any of the official languages, all requests received in 2013-2014 were received and processed in English.

Legislation

The amendments to the *Access to Information and Protection of Privacy Act* received assent June 8, 2012. To provide public bodies with administrative supports to understand and exercise their obligations under the Act, a Privacy Breach and Incidents Policy was completed and approved by Cabinet and the Privacy Management Manual was finalized. Training was offered to all staff, and the amendments were brought into force on May 10, 2013.

Administration

ATIPP Training

The Government of Nunavut is committed to the successful implementation of the ATIPP Act throughout all public bodies. As the centralized point of coordination for the ATIPP function, the ATIPP office organizes training sessions for ATIPP coordinators, and other GN staff, throughout the year.

In total 360 GN employees attended formal ATIPP training sessions this fiscal year. These sessions are often combined with records management training, or provided during employee orientation sessions. Training was also provided to the Government Liaison Officers that focused on how to assist members of the public in placing a request under the ATIPP Act.

This fiscal year there were two substantial ATIPP training sessions provided to GN employees, each consisting of five days of in-depth training covering various topics pertaining to access to information and protection of privacy. Sessions were provided on basic and advanced topics related to access to information and privacy protection.

A full day of training was delivered to employees of the City of Iqaluit and was dedicated to access and privacy principles. This training session led to further discussions between the GN and the City on implementation of access and privacy principles at the municipal level.

Consultation with Municipalities

City of Iqaluit

In January 2014 a consultation letter was sent to the City of Iqaluit regarding the future of Access to Information and Protection of Privacy (ATIPP) for the municipality. Although the letter was included in the City Council package for the following council meeting, no discussion or follow up came from the letter. In February another letter was sent to the City of Iqaluit which included a compliance schedule. Following this letter, senior staff attended an ATIPP training session hosted specifically for City staff. The Information and Privacy Commissioner was present for this session.

On March 11, 2014 the ATIPP Manager went before City Council to make a presentation on ATIPP and the compliance schedule. The discussion was positive and the Mayor and Council committed to moving forward voluntarily with ATIPP.

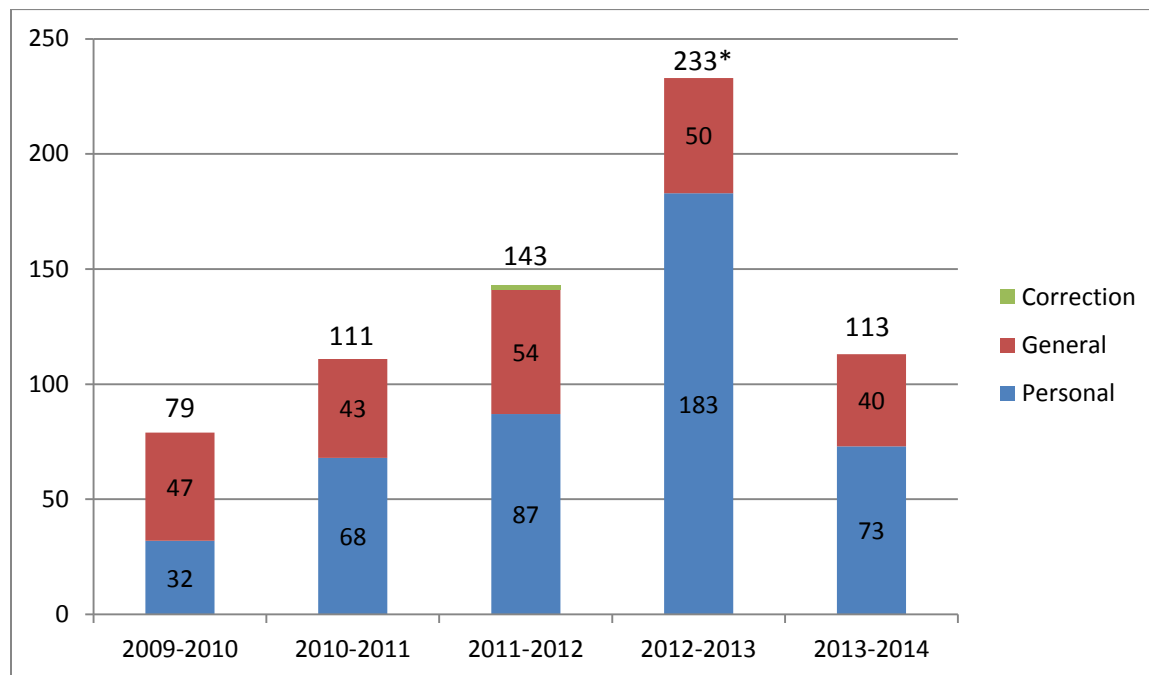
Other progress (2014-2015)

Given the higher capacity of the two largest municipalities in the Kivalliq and Kitikmeot regions Rankin Inlet and Cambridge Bay were also sent consultation letters and compliance schedules. Training sessions on ATIPP were delivered in Rankin Inlet and Cambridge Bay. One employee from Rankin Inlet attended a one day session, while there were no attendees for the Cambridge Bay municipality session. On May 13, 2014 the Cambridge Bay Council made a motion to respond to the GN saying they would refer all ATIPP issues to the Nunavut Association of Municipalities. By the date of this report, no further correspondence has been received by the GN from Cambridge Bay or Rankin Inlet.

Statistics Fiscal Year 2013-2014

Total Number of Formal Requests Received by Fiscal Year

Since 2008, the number of formal requests received by the Government of Nunavut has steadily increased. The majority of requests received by public bodies are from applicants seeking personal information about themselves held by the government.



* The 2012-2013 number (233) includes the total of requests open in 2012-2013, whereas the other years only report the new requests received in each fiscal year. There were only 218 requests received in 2012-2013.

Total Number of Requests Received by Public Bodies in 2013-2014

In 2013-2014 a total of 113 formal access to information requests were received by public bodies under the ATIPPA Act. The table below lists public bodies that received one or more formal requests. Out of the public bodies who received formal requests in 2012-2013, the Department of Justice received the highest percentage with 24.8 percent of the requests. Out of the 28 requests received by the Department of Justice 19 were in relation to the Indian Residential School Resolutions.

Some public bodies did not receive any requests in fiscal year 2013-2014: Apprenticeship, Trade and Occupations Certificate Board; Labour Standards Board; Legal Services Board of Nunavut; Liquor Commission; Liquor Licensing Board; Nunavut Business Credit Corporation; Nunavut Development Corporation; Public Records Committee; Qullit Nunavut Status of Women

Council; Victims Assistance Committee; Workers' Safety and Compensation Commission (WSCC); and, the Departments of Culture and Heritage and Environment. Although the WSCC did not receive any new formal access to information requests, numerous requests were placed on behalf of individuals making claims for Indian Residential School Resolutions. As it is policy of the WSCC, workers are entitled to a copy of their file at no cost. These were not tracked, and are therefore not included in the numbers.

Public Body	# of Requests	% of Total Requests
Community and Government Services	7	6.1%
Economic Development and Transportation	6	5.3%
Education	15	13.3%
Executive and Intergovernmental Affairs	10	8.8%
Family Services	2	1.8%
Finance	13	11.5%
Health	26	23%
Justice	28	24.8%
Nunavut Arctic College	1	0.9%
Qulliq Energy Corporation	2	1.8%
Nunavut Housing Corporation	3	2.7%
Total	113	100.0%

Types of Applicants

The types of applicants placing requests in the 2013-2014 fiscal year is presented below. This table only represents the new requests received in the fiscal year.

Type of Applicant	# of Requests	% of Total Requests
Law Firm (Indian Residential School)	44	39.8%
Law Firm (other)	10	8.8%
Public	28	23.9%

Media	19	16.8%
Business	12	10.6%
Total	113	99.9%*

*Due to rounding, percentages do not equal 100%

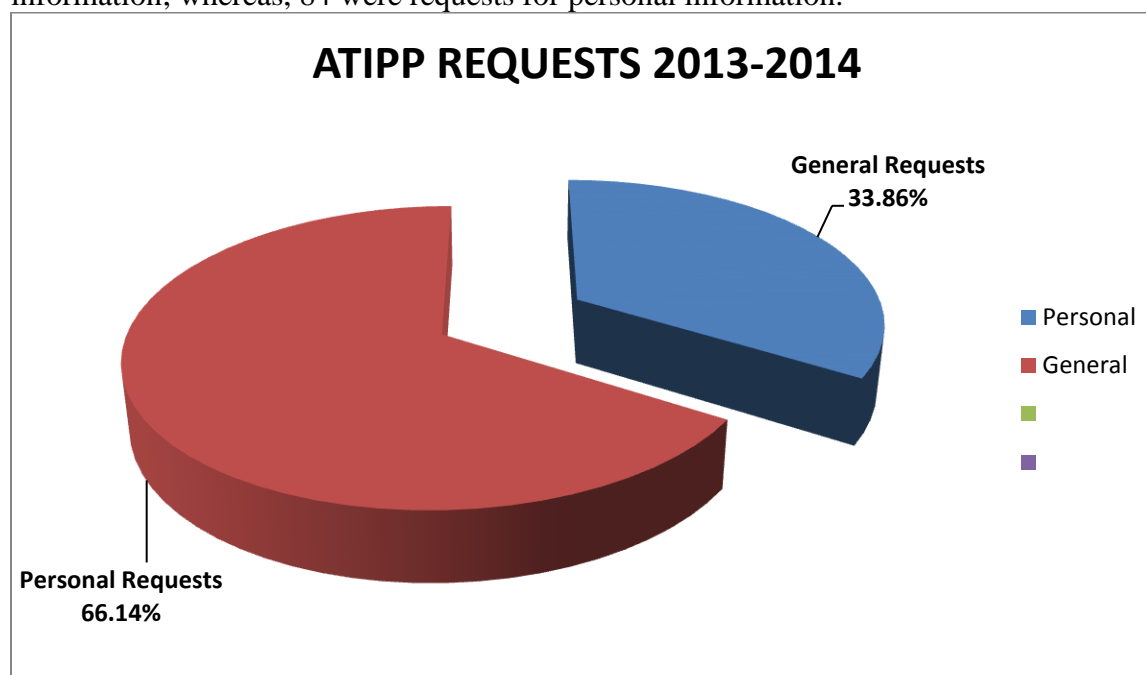
Total Number of Formal Requests Completed in 2013-2014

In 2013-2014, a total of 113 formal requests were received by public bodies under the ATIPP Act. Fourteen (14) requests were carried over from 2012-2013 resulting in a total of 127 formal requests being open during the 2013-2014 fiscal year. Any request that was still open on April 1, 2014 was carried over into the 2014-2015 fiscal year.

Carried forward from 2012-2013	14
New requests in 2013-2014	113
Total requests that were open during 2013-2014	127
Completed in 2013-2014	114
Carried forward as of March 31, 2014	13

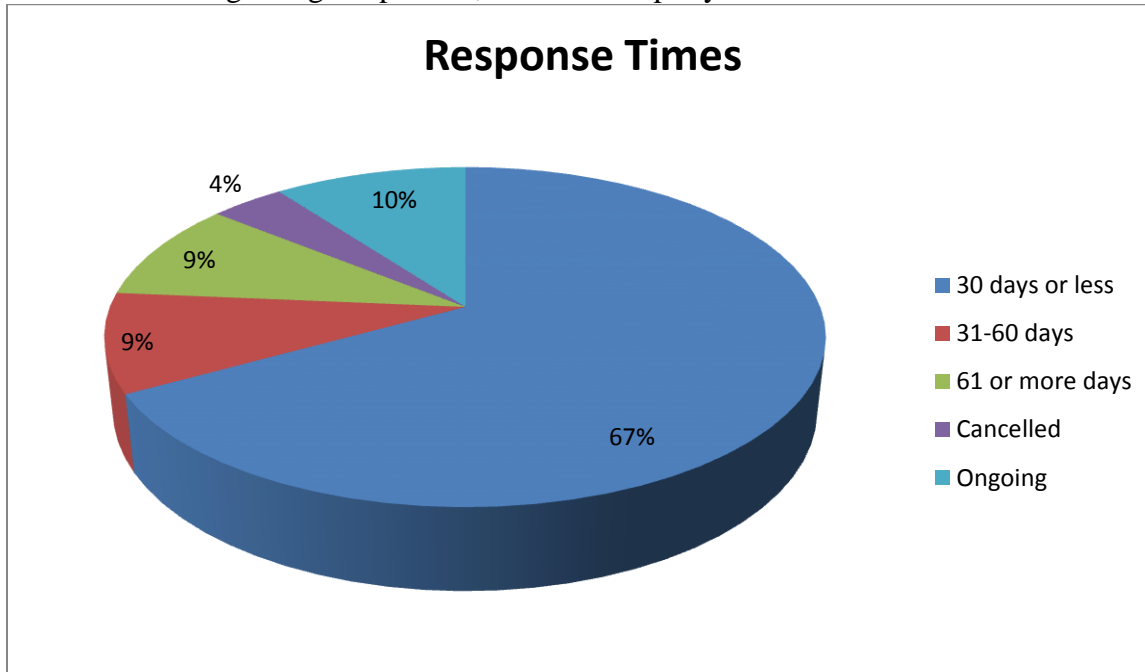
Purpose of Formal Requests in 2013-2014

In fiscal year 2013-2014 of the 127 open ATIPP requests, 43 were general requests for access to information; whereas, 84 were requests for personal information.



Response Time of Total Formal Requests Completed in 2013-2014

Under section 8 of the *Access to Information and Protection of Privacy Act*, a public body has 30 calendar days from the date it receives a formal request for access to information to provide a response to the applicant. There are many reasons why a public body may require more than 30 days to process a formal access to information request, including, but not limited to: the complexity of a request, third party notifications, time required to seek more information or fee payment from an applicant, as well as reviews conducted by the Information and Privacy Commissioner regarding the process, fees or third party reviews.



The chart above indicates that 67% of requests were responded to within the first 30 days. Most of the requests that exceeded the 30 day time limit were extended using legitimate reasons as stipulated by section 11 of the ATIPP Act.

The chart on the following page presents a detailed summary of all formal requests open in 2013-2014. Any request that was opened in 2013-2014 and remained open past March 31, 2014 was carried over into the 2014-2015 fiscal year.

Summary of all ATIPP requests handled in fiscal year 2013-2014

Public Body	RESPONSE TIME				Cancelled	PURPOSE OF REQUEST		OPEN REQUESTS IN 2012-2013			
	30 days or less	31-60 days	61 or more days	Ongoing		Personal	General	Carried over from 2012-2013	New 2013-2014	Completed 2012-2013	Carried Over to 2014-2015
Community and Government Services	3	1	2	1	0	1	6	0	7	6	1
Economic Development and Transportation	2	1	1	0	3	3	4	1	6	6	0
Education	11	0	1	3	1	14	2	1	15		
Environment	0	0	2	0	0	1	1	2	0	2	0
Executive and Intergovernmental Affairs	8	0	1	1	0	2	8	0	10	9	1
Family Services	0	0	0	2	0	2	0	0	2	0	2
Finance	8	0	1	4		8	5	0	13	9	4
Health and Social Services	19	3	1	3	1	17	10	1	26	24	3
Justice	30	3	1	0	0	30	4	6	28	34	0
Nunavut Arctic College	0	3	0	0	0	3	0	2	1	3	0
Nunavut Housing Corporation	2	1	1	0	0	3	1	1	3	3	0
Qulliq Energy Corporation	2	0	0	0	0	0	2	0	2	2	0
TOTAL	85	12	12	13	5	84	43	14	113	114	13

ATIPP Training Statistics 2013-2014

The Government of Nunavut is committed to the successful implementation of the ATIPP Act throughout all public bodies. Training sessions on the legislation are provided to employees throughout each fiscal year, the majority of which is done through the Department of Executive and Intergovernmental Affairs.

Date	Location	Audience	Attendance	Type	Presenter
19-Apr-13	Iqaluit	NAC students	9	Records Management - NAC	ATIPP Manager / Records Management
07-May-13	Iqaluit	Health ATIPP Coordinators	2	ATIPP Coordinators	ATIPP Manager / Justice
07-May-13	Iqaluit	Various GN departments	12	Records Management	ATIPP Manager / Records Management
08-May-13	Iqaluit	Various GN departments	11	Records Management	ATIPP Manager / Records Management
23-May-13	Iqaluit	Various GN departments	19	Employee Orientation Program	ATIPP Manager / EOP
29-May-13	Iqaluit	Justice / QEC ATIPP Coordinators	4	ATIPP Coordinators	ATIPP Manager / Justice
04-Jun-13	Iqaluit	Family Services ATIPP Coordinators	3	ATIPP Coordinators	ATIPP Manager / Justice
11-Jun-13	Iqaluit	Various GN departments	10	Records Management	ATIPP Manager / Records Management
13-Jun-13	Iqaluit	Various GN departments	9	Records Management	ATIPP Manager / Records Management
27-Jun-13	Iqaluit	Various GN departments - Summer Students and ILDP	19	Employee Orientation Program	ATIPP Manager / EOP
18-Sept-13	Iqaluit	GLOs	19	GLO- ATIPP Training	Legal Counsel (Justice)
23-Sept-13	Iqaluit	Various GN + city	12	Basic ATIPP	ATIPP consultant
24-Sept-13	Iqaluit	Various GN	9	Advanced ATIPP	ATIPP consultant
25/26-Sept-13	Iqaluit	Various GN + city	11	Privacy Impact Assessments	ATIPP consultant

27-Sept-13	Iqaluit	Health staff	8	Health and ATIPP	ATIPP consultant
25-Sept-13	Iqaluit	Various GN	12	Records Management	Records Management
26-Sept-13	Iqaluit	Various GN	9	Records Management	Records Management
3-Oct-13	Iqaluit	Managers/Supervisors	15	EOP - Managers	ATIPP Manager
8-Nov-13	Iqaluit	CSFN staff	2	ATIPP - CSFN employees	ATIPP Manager
13-Nov-13	Iqaluit	Various GN	12	Records Management	ATIPP Manager
21-Nov-13	Iqaluit	Various GN	22	Employee Orientation Program	ATIPP Manager
27-Nov-13	Iqaluit	ATIPP Coordinators	9	Writing representations to the IPC	Legal Counsel (Justice)
11-Jan-14	Iqaluit	Various GN	9	Records Management	ATIPP Manager
12-Jan-14	Iqaluit	Various GN	12	Records Management	ATIPP Manager
5-Feb-14	Pond Inlet	Various GN	14	Employee Orientation Program	ATIPP Manager
7-Feb-14	Iqaluit	Various GN	7	Records Management	ATIPP Manager
17-Feb-14	Iqaluit	Various GN Employees	26	ATIPP Specific	ATIPP Consultant
18-Feb-14	Iqaluit	City of Iqaluit	10	Access and privacy Principles	ATIPP Consultant/ATIPP Manager
19-Feb-14	Iqaluit	Various GN Employees	10	ATIPP For Managers	ATIPP Consultant
20/21-Feb-14	Iqaluit	ATIPP Coordinators	6	Privacy Breaches and Incidents	ATIPP Consultant
24-Feb-14	Iqaluit	Various GN	16	Employee Orientation Program	ATIPP Manager
5-March-14	Pangnirtung	Various GN	12	Employee Orientation Program	ATIPP Manager
		TOTAL	360		