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Introduction

The *Privacy Act*, (the *Act*) extends the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and to provide individuals with a right of access to that information.

The *Act* protects an individual's privacy by preventing others from having unlawful access to personal information as well as permits an individual with specific rights regarding the collection, use and disclosure of this information. The *Act* applies to all personal information that the federal government collects, uses and discloses—be it about individuals or federal employees. The *Act* relates to an individual's right to access and correct personal information the Government of Canada holds about them or the Government's collection, use and disclosure of their personal information in the course of providing services.

The Canada Council is committed to protecting the privacy of individuals with respect to the personal information that is under its control by limiting its interventions into the private lives of Canadians to lawful and necessary purposes, and ensuring privacy protection.

The *Act* requires the head of every federal government institution to submit an annual report to Parliament on the administration of the *Act* following the close of each fiscal year. This annual report is prepared and is being tabled before each House of Parliament in accordance with section 72 of the *Act*. This report summarizes how the Canada Council has fulfilled its privacy responsibilities during the fiscal year 2020-21.

Mandate of the Canada Council for the Arts

The <u>Canada Council for the Arts</u> contributes to the vibrancy of a creative and diverse arts and literary scene and supports its presence across Canada and around the world. The Council is Canada's public arts funder.

Its grants, services, initiatives, prizes, and payments support Canadian artists, authors, and arts groups and organizations. This support allows them to pursue artistic expression, create works of art, and promote and disseminate the arts.

Through its arts funding, communications, research, and promotion activities, the Council fosters evergrowing engagement of Canadians and international audiences in the arts.

The Council's <u>Public Lending Right (PLR) program</u> makes annual payments to creators whose works are held in Canadian public libraries.

The Council's Art Bank provides the broader public with a collection of over 17,000 Canadian contemporary art works to enjoy through its rental, loan, and dissemination programs.

The Canadian Commission for UNESCO operates under the authority of the Council. It shares a common history and future with the Council in terms of sustainable development characterized by the arts, science, culture, equality, and peace.

The Council is governed by an 11-member Board. Members of the Board and the Director and CEO are appointed by the Governor in Council. The Council works in close collaboration with federal, provincial, territorial and municipal departments and organizations working in the arts and culture.

A federal Crown corporation created through an Act of Parliament in 1957, the Council reports to Parliament through the Minister of Canadian Heritage. It receives funding from Parliament and its annual budget is supplemented by endowment income, donations and bequests.

For more information about the Canada Council, visit www.canadacouncil.ca.

Organizational Structure

The Canada Council is organized to fulfill its Access to Information Act responsibilities as follows:

Director and CEO	is responsible for enforcing the <i>Act</i> , its Regulations, the Policy on Access to Information and the Directive on the Administration of the <i>Access to Information Act</i> within the Canada Council and takes responsibility for decisions made in this regard.
Chief of Staff and Corporate Secretary	holds full delegation authority under the <i>Act</i> and is responsible, on behalf of the Director and CEO, for ensuring compliance with the <i>Act</i> , Access to Information Regulations and policy instruments. The Chief of Staff and Corporate Secretary is supported by the Access to Information and Privacy (ATIP) Coordinator in the administration of the <i>Act</i> .
Access to Information and Privacy (ATIP) Coordinator	held full delegation authority under the <i>Act</i> and is responsible, with the guidance and oversight of the Chief of Staff and Corporate Secretary, for ensuring compliance with the <i>Act</i> , Access to Information Regulations and policy instruments, and providing guidance and training as required.
Manager of Information Management	holds full delegation authority under the Act since February 1, 2021 and is responsible, with guidance and oversight of the Chief of Staff and Corporate Secretary, for ensuring compliance with the Act, Access to Information Regulations and policy instruments, and providing guidance and training as required.

The Manager of Information Management, under the delegation authority, is responsible for ensuring compliance with the Act, Access to Information Regulations and policy instruments, coordinating responses to all privacy and access to information requests and responding to Parliamentary Returns for the Canada Council. The work ranges from processing access to information requests to carrying out consultations with government institutions or third parties, and responding to calls and informal or "rereleases" requests for information, contributing to Info Source, preparing the annual report to Parliament and collecting statistics, and providing ATIP training to Canada Council employees.

This Office provides advice to Canada Council employees as they fulfill their obligations under the *Access to Information Act* and the *Privacy Act*.

The Canada Council has no service agreements under section 96 of the *Access to Information Act* to report.

Delegation Order

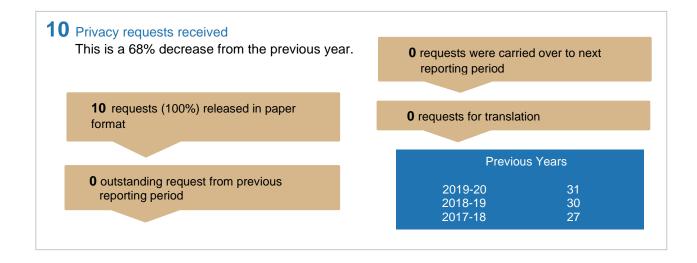
Delegation orders set out what powers, duties and functions for the administration of the *Access to Information Act* have been delegated by the head of the institution, and to whom, pursuant to section 73 of the *Act* and related regulations.

See Appendix B for information on designation and delegation.

Highlights of the Statistical Report, 2020-21

The statistical report is an accounting of Canada Council activities related to the administration of the *Privacy Act*. It is intended to provide current statistics and express trends on the administration of the legislation.

The Canada Council's 2020-21 statistical report on the *Privacy Act*, from which the data is derived, is provided in *Appendix A*.



The results of the 2020-21 reporting period are significantly lower (10 requests) than the three-year average of 29 requests. No requests are carried forward into 2021-22.

Like most organizations, universities closed their administrative offices and pivoted to online classes. Most universities were struggling and expressing concern about their ability to submit complete nomination packages to the KRF's June deadline. The challenging circumstances for universities and researchers, along with the prospect of an unbalanced and unrepresentative competition, led Council to make the difficult decision to suspend the deadline of Killam Research Fellowship program. As per the Killam Trustees' request/recommendation, Council's communication to the community included a reference to a revamped KRF program in 2021.

The Canada Council's peer assessment process is the cornerstone of the Canada Council's funding decisions. Individual assessors with specialized expertise support and complement the work of peer assessment committees. (Source: How We Make Funding Decisions).

Disposition and Completion Time

In 2020-21, a total of 10 requests were closed, with information disclosed in accordance with the provisions of the legislation following the necessary consultations, exemptions and/or exclusions prior to release. COVID-19-related measures did not affect the Canada Council's ability to fulfill its *Privacy Act* responsibilities.

10 Requests closed during the reporting period

7 responses were released in 15 days or less

1 response was released in 16 to 30 days

2 no records exist

345 pages disclosed in part

345 pages processed *

* This value includes all pages submitted and processed, not only pages directly relevant to the request.

100% on-time compliance *

0 extensions* were taken

*Extensions must be in accordance with sub-paragraphs 15(a)(ii) and 15(b) of the *Act*.

	Previous Years		
2019-20	100%		
2018-19	80%		
2017-18	100%		

Previous Years							
	ALL DISCLOSED	DISCLOSED IN PART	ALL EXEMPTED	ALL EXCLUDED	NO RECORDS EXIST	REQUEST ABANDONED	NEITHER CONFIRMED NOR DENIED
2019-20	0 (0%)	29 (94%)	0 (0%)	0 (0%)	2 (6%)	0 (0%)	0 (0%)
2018-19	0 (0%)	29 (94%)	0 (0%)	0 (0%)	2 (6%)	0 (0%)	0 (0%)
2017-18	2 (4%)	24 (92%)	0 (0%)	0 (0%)	1 (4%)	0 (0%)	0 (0%)

The four-year average is consistent for disposition of requests, including the volume of requests.

All responsive records were less than 100 pages per request. No consultations or extensions were undertaken in the processing requests, and no legal advice was considered necessary in order to respond to these requests. All information was provided electronically to each requester.

Exemptions

1 exemption was applied 6 times

s. 26 Personal Information - Information about another individual The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) about an individual other than the individual who made the request, and shall refuse to disclose such information where the disclosure is prohibited under section 8.

Previous \	⁄ears
2019-20	24
2018-19	23
2017-18	24

Responsive records, generally external assessments, contain personal information about another individual, the assessor, that is blended or intermixed with the personal information of the requester and

is subject to section 26 of the *Act*. External assessment documentation is designed to help peer assessors make informed recommendations.

Exclusions

The Canada Council did not employ any exclusion to information as described in sections 69 and 70 of the Act.

Consultations and Cabinet Confidences

During this period, no consultations were received from other Government of Canada institutions or other organizations involving Canada Council records or issues under the *Privacy Act*.

The Canada Council did not receive consultations for Cabinet Confidences and did not engage legal services or interact with the Privy Council Office for Privacy requests.

Training and Awareness

Due to the COVID-19 pandemic and the remote work situation, no formal training took place during 2020-2021.

That said, the ATIP office continues to act as a source of expertise for Canada Council employees, providing advice and guidance on the provisions of the legislation. The Office was consulted regularly on the disclosure and collection of data, and provided advice to ensure transparency and compliance with the legislation. This included advice on information management and security of information.

Policies, Guidelines, Procedures and Initiatives

During this reporting period the ATIP office provided advice for the collection, use and disclosure practices of personal information under the following conditions:

- Voluntary self-identification;
- 2. New Funding Model portal and Arts Tracking System (ATS);
- 3. Procurement contracting confidentiality clauses;
- 4. Data collection, surveys and de-identification.

Summary of Key Issues and Actions Taken on Complaints or Audits

No complaint was brought to the attention of the Canada Council in relation to the requirements of the *Privacy Act*. No audit or appeal was brought to the attention of the Canada Council in relation to the processing and outcome of requests or corrections of personal information.

Monitoring Compliance

The Manager of Information Management consults with the delegated authorities and prepares quarterly reports for the Executive Management Committee (EMC) on the status of ATI requests. In addition, the ATI Annual Report is reviewed by the Chief of Staff and Corporate Secretary, approved by the Director

and CEO and shared with the Executive Management Committee. ATIP case management software assists in the monitoring, processing and reporting on access to information requests..

The Canada Council did not receive any request for the correction of personal information.

Disposition for correction of personal information and notations

Fiscal Year	Notation attached	Requests for correction accepted
2019–20	1	1
2018–19	0	0

Material Privacy Breaches

The Council experienced one security attack caused by a phishing email link, which resulted in a privacy breach affecting at least four individual clients and the financial loss of \$81,700. The affected individuals were informed of the breach by written notice, and an investigation was conducted by an external security firm to identify the source of the attack and assess the resulting damage. The Council is in the process of developing clearer privacy and security guidelines for its employees and clients in addition to reviewing its security and privacy reporting procedures.

Privacy Impact Assessments

No Privacy Impact Assessments (PIAs) were completed during this reporting period.

Summaries for PIAs is located on the Canada Council's Privacy Impact Assessment Summaries web page.

Public Interest Disclosures

In 2020-21 there were no disclosures of personal information pursuant to section 8(2) or 8(5) of the *Privacy Act* where personal information may be disclosed.

Appendix A: Section 3

Resources

The Canada Council invested a total value of \$45,430.00 and 0.63 person years into privacy and personal information activities. Overtime accounted for \$3,600.00 in addition to the above amount. These costs do not include resources expended by various divisions of the Canada Council who assist in meeting the requirements of the *Acts*.

During 2020-21, the ATIP office did not incur any administrative costs (software licenses, professional services fees, office equipment and supplies).

These costs do not include resources expended by various divisions of the Canada Council who assist in meeting the requirements of the *Acts*.

Information Holdings

Info Source: Sources of Federal Government and Employee Information provides information about the functions, programs, activities and related information holdings of government institutions subject to the Access to Information Act and the Privacy Act. It provides individuals and employees of the government (current and former) with relevant information to access personal information about them held by government institutions subject to the Act and to exercise their rights under the Privacy Act.

To meet its Privacy reporting obligations on the administration of the *Privacy Act*, the Canada Council, in this reporting period, prepared and submitted, according to requirements:

- Annual reports to Parliament;
- Annual statistical reports;
- Annual review and update of its Info Source chapter.

The Canada Council currently reports on 13 active Personal Information Banks (PIBs) in its Info Source

Appendix A: Statistical Report on the Privacy Act

	Government	Gouvernen
*	of Canada	du Canada

Statistical Report on the Privacy Act

Name of institution: Canada Council for the Arts

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	10
Outstanding from previous reporting period	0
Total	10
Closed during reporting period	10
Carried over to next reporting period	0

Section 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of		Completion Time						
Disposition of Requests	1 to 15 Days	16 to 30 Days	60 Days	120 Days	121 to 180 Days	365 Days	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	7	1	0	0	0	0	0	8
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	2	0	0	0	0	0	0	2
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	9	1	0	0	0	0	0	10

TBS/SCT 350-63

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	6
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
<u> </u>		22.4	0	1	•

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
8	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	345	8

2.5.2 Relevant pages processed and disclosed by size of requests

	Pages Processed Pages		Pag	1-500 501-1000 ages Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed		
Disposition	Number of Requests	Pages Disclos ed	of Reques ts	Pages Disclos ed	of Reques ts	Pages Disclose d	of Reques ts	Pages Disclosed	of Reques ts	Pages Disclos ed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	8	345	0	0	0	0	0	0
All exempte	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	8	345	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	
umennes	10
Percentage of requests closed within legislated	
timelines (%)	100

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

	Principal Reason				
Number of Requests Closed Past the Legislated Timelines	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

	1:	15(a)(i) Interference with operations			15 (a)(ii) Consultation			
Number of								
requests	Further review				Cabinet			15(b)
where an	required to				Confidence			Translation
extension	determine	Large volume of	Large volume of	Documents are	Section			purposes or
was taken	exemptions	pages	requests	difficult to obtain	(Section 70)	External	Internal	conversion
0	0	0	0	0	0	0	0	0

5.2 Length of extensions

	1:	5(a)(i) Interferen	ce with operation	15 (a)(ii) Consultation				
Length of Extensions	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	15(b) Translation purposes or conversion
1 to 10 aveh	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	0	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

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

	Nu	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	Total
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

	N	Number of days required to complete consultation requests						ts
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	Total
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

	Fewer The Pages Pro		101-500 Pages Processed		501-1000 Pages Processed		1001–5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	Number of Requests	Pages Disclos ed	of Reques ts	Pages Disclos ed	of Reques ts	Pages Disclose d	of Reques ts	Pages Disclosed	of Reques ts	Pages Disclos ed
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

	Fewer Th Pages Prod		101–500 Proce	Pages ssed		-1000 rocessed		1-5000 rocessed	Pag	jes essed
Number of Days	Number of Requests	Pages Disclos ed	of Reques ts	Pages Disclos ed	of Reques ts	Pages Disclose d	of Reques ts	Pages Disclosed	of Reques ts	Pages
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
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	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	\$45,430	
Overtime	\$3,600	
Goods and Services	\$0	
Professional services contracts	Professional services contracts \$0	
Other		
Total		\$49,030

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.630
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.630

Appendix B: Delegation Order



Access to Information Act and Privacy Act Delegation Order

The Director and CEO of the Canada Council for the Arts, pursuant to subsection 95(1) of the Access to Information Act and section 73 of 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, duties and functions of the Director and CEO as the head of Canada Council for the Arts, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et

la Loi sur la protection des renseignements personnels

En vertu du paragraphe 95(1) de la Loi sur l'accès à l'information et de l'article 73 de la Loi sur la protection des renseignements personnels, le directeur et chef de la direction du Conseil des arts du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont le directeur et chef de la direction est, en qualité de responsable du Conseil des arts du Canada, investi par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

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Position Poste	Access to Information Act and Regulations Loi sur l'accès à l'information et Règlement	Rrivacx Act and Regulations I Loi sur la protection des renseignements personnels et Règlement
Chief of Staff and Corporate Secretary Directrice de cabinet et secrétaire du conseil	Full authority Autorité absolue	Full authority Autorité absolue
Manager, Information Management Gestionnaire, Gestion de l'information	Full authority Autorité absolue	Full authority Autorité absolue

Dated, at the City of Ottawa this 30 th day of May 2021 Daté, en la ville de Ottawa ce 30e jour de maj 2021

Simon Brault

Simon Brault Director and CEO | Directeur et chef de la direction

Bringing the arts to life L'art au cœur de nos vies

References

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Privacy Practices, Directive on	http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=18309
Info Source	http://canadacouncil.ca/about/public-accountability/info- source
Information about programs and information holdings	https://www.canada.ca/en/treasury-board- secretariat/services/access-information-privacy/access- information/information-about-programs-information- holdings.html