

2014-15
Annual Report
on the
Access to Information Act

Bringing the arts to life De l'art plein la vie



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Report on the Access to Information Act

1 Introduction

The <u>Access to Information Act</u> (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 is prepared and tabled in Parliament in accordance with Section 72 of *the Access to Information Act.* This report describes how, during this reporting period, April 1, 2014, to March 31, 2015 (2014-15), the Canada Council for the Arts (Canada Council) fulfilled its access to information responsibilities.

2 Canada Council for the Arts Mandate

The Canada Council is a federal Crown corporation created by an Act of Parliament in 1957 (*Canada Council for the Arts Act*) "to foster and promote the study and enjoyment of, and the production of works in the arts."

The Canada Council offers a broad range of grants and services to professional Canadian artists and arts organizations in music, theatre, writing and publishing, visual arts, dance, media arts and integrated (interdisciplinary) arts. It raises public awareness of the arts through its communications, research and arts promotion activities.

The Canada Council's prizes and fellowships celebrate creativity by recognizing exceptional Canadians in the arts, humanities and sciences every year. The Canadian Commission for UNESCO operates under the general authority of the Canada Council. The Canada Council Art Bank, which contains 17,500 works of contemporary Canadian art in its collection, rents to the public and private sectors, and via the web and partners, works to make the collection accessible to all Canadians.

The Canada Council is governed by an 11-member Board. Members of the Board and the Director/CEO of the Canada Council are appointed by the Governor in Council for fixed terms. The Canada Council firmly believes in peer assessment for attributing public funds to advance the arts – more than 650 artists and arts professionals from across the country serve annually as peer assessors.

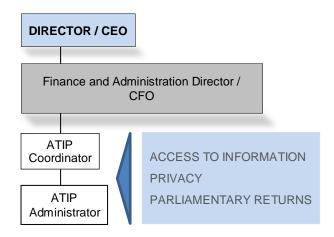
The Council works in close co-operation with federal, provincial/territorial and municipal cultural agencies and departments. The Canada Council reports to Parliament through the Minister of Canadian Heritage.

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

3 How the Canada Council for the Arts fulfills its Responsibilities

The Access to Information and Privacy (ATIP) Office is part of the Finance and Administration Division headed by a Director/CFO. The ATIP Office coordinates responses to ATIP requests and consultations from other government institutions, and is also responsible for responding to Parliamentary Returns for the Canada Council.

The Canada Council fulfills its obligations under the Access to Information Act and the Privacy Act through the assignment of two full-time positions to its ATIP Office; one Coordinator and one Administrator. The ATIP Office functions involve processing of access to information requests and privacy requests, consultations with government institutions or third parties, and responding to calls and informal requests for information, contributing to Info Source, preparing the annual report to Parliament, and collecting and analysing statistics. This office also provides advice and training to Canada Council employees as they fulfill their obligations under the *Access to Information Act* and the *Privacy Act*.



4 Delegation of Authority

The head of the institution may decide to delegate specific powers, duties and functions of the administration of the *Access to Information Act*. The delegation order defines which position(s) have the appropriate capacity to fulfill the duty, pursuant to section 73 of the *Act* and related regulations. Once an order is signed, the powers, duties or functions that have been delegated may only be exercised or performed by the head of the institution or by the named officer(s) or employee(s). Discretion must be both reasonable and impartial when making decisions for access to information, and in the resolution of complaints. Delegates are accountable for any decisions they make. Final responsibility still rests with the CEO/Director. Senior management may give advice or raise issues to consider in the request or complaint processes.

The Director/CEO of the Canada Council for the Arts has delegated most of the responsibilities set out in the *Access to Information Act* to the Director/CFO, ATIP Coordinator and specific responsibilities to the ATIP Administrator.

The approved ATI delegation order is found in Appendix C.

5 Reading Room

The Canada Council provides facilities for consulting documents used by employees of the institution in administering or carrying out programs or activities of the institution that affect the public. The term "manual" includes user guides, directives, guidelines, instructions and procedural material. The availability of such manuals allows members of the public to understand how decisions that affect them are made and opens up the decision-making process to public examination. In accordance with subsection 71(1) of the Access to Information Act and paragraph 8(3)(a) of the Access to Information Regulations, the Canada Council reading room facilities are located at the following address:

150 Elgin Street Ottawa, Ontario

6 Statistical Report

The statistical report is an accounting of Canada Council activities related to the administration of the *Access to Information Act*. It is intended to provide up-to-date statistics and express trends on the administration of the legislation. The Canada Council's 2014–15 statistical report on the *Access to Information Act* is provided in Appendix A.

This report is made public on an annual basis in the *Info Source Bulletin* and is included with the annual reports on access to information and privacy, which are tabled in Parliament.

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

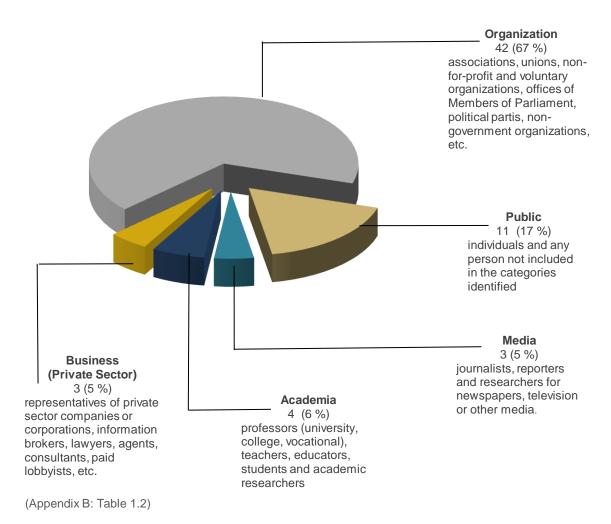
In 2014-15, the Canada Council received a total of 63 new requests under the *Access to Information Act* representing a decrease of 14 requests (18%) from last year's total of 77. In addition to the new requests, 2 requests were still being processed at the end of 2013–14 and were carried into the 2014-15 reporting period; one request was processed informally. (Appendix B: Table 1.1)

5 requests continue to be processed into the 2015-16 reporting period. These requests require third party consultations (Appendix B: Table 2.5.3) or were received towards the end of the current reporting period.

Sources

The largest source of access to information requests were organizations, originating 42 of the 65 requests received (67%).

ALL SOURCES FOR REQUESTS RECEIVED BY THE CANADA COUNCIL FOR THE ARTS IN 2014-15



Requests from the public have increased for information that is not proactively disclosed. The ATIP Office, jointly with the Reference and Documentation Centre and the Research and Evaluation Section, encourages openness through proactive dissemination of information on the Canada Council's website.

Four-year trend: Canada Council's sources of Access to Information Act Requests

NUMBER OF REQUESTS RECEIVED (%)

SOURCE OF REQUEST	2011-12	2012-13	2013-14	2014-15
Media	3 (4 %)	1 (1 %)	2 (2 %)	3 (5 %)
Academia	4 (5 %)	2 (2 %)	4 (5 %)	4 (6 %)
Business (private sector)	6 (7 %)	1 (1 %)	3 (4 %)	3 (5 %)
Organization	66 (80 %)	92 (91 %)	59 (77 %)	42 (67 %)
Public	3 (4 %)	5 (5 %)	9 (12 %)	11 (17 %)
Total	82 (100 %)	101 (100 %)	77 (100 %)	63 (100 %)

(Appendix B: Table 1.2)

TREND

Organizations continue to be the largest user of the ATI process. This is due in part to the external assessment process which is part of the advisory cornerstone of the Council's funding decisions. As described in this report, artists and arts organizations are encouraged to request and review their written assessments. These assessments are reviewed under the ATI Act since the content may contain personal information that could identify the assessors and is protected under section 19(1) of the ATI Act and section 3(e) of the Privacy Act.

Under 19(1), personal information is recorded and is about an identifiable individual. The action of referring to paragraphs (a) to (i) under the definition for personal information in the *Privacy Act*, assists in determining to whom the information belongs.

Source: Peer Assessment: How the Council Makes its Decisions

Complexity

In 2014–15, the Canada Council ATIP Office responded to 63 formal access to information requests involving the review of 1,130 pages (4,090 fewer pages, or 78% less, than the previous reporting period). The ATIP Office recommended all 1,130 pages (100%) reviewed to be released.

Requests span a wide range of topics relevant to the Canada Council's roles and responsibilities. Frequent topics of interest pertain to the peer assessment process, assessment letters related to specific grant applications, funding to individual professional artists and arts organizations, funding criteria, and procedures used to administer the Canada Council's programs and activities.

Offices of primary interest provide context and guidance to the ATIP Office on the sensitivity of information in the responsive records. The ATIP Office reviews responsive records line-by-line, citing specific provisions of the *Act* if information is withheld, and complicating this determining if personal information matching within a given record is present.

Four-year trend: Canada Council's processing of Access to Information Act Requests

	REQU	REQUESTS		NUMBER OF PAGES		
Reporting Period	Received	Completed	Processed	Released	On-Time Compliance Rate	
2014-15	63	60	1,130	1,130	100 %	
2013-14	77	78	5,220	5,216	99 %	
2012-13	101	100	2,036	2,036	100 %	
2011-12	82	82	3,094	2,662	100 %	

(Appendix B: Table 2.5.1)

TREND

The decrease in the total volume of pages processed is largely attributed to multi-year grants to organizations during 2012-13 resulting in an increase in the number of applicants seeking access to their assessments. Multi-year grants provide ongoing support to the overall activities and organizational structure. The Canada Council encourages organizations to request and review their written assessments. 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.

During this reporting period there was one anomaly, in which Sections 21(1)(a), (c) and (d) were applied rendering the information as "all exempt" in the first 30 days. Then, in the following 61 to 120 days, in recognition of the "duty to assist" principle and taking into consideration the spirit of the *Access to Information Act*, the Canada Council "disclosed in part" the record. To conclude, the requester received an "all disclosed" version of the record when senior management recorded their decisions (181 to 365 days). This is documented in the statistics of the Canada Council in Appendix B: Table 2.1 as: All exempted: 1 to 15 days; Disclosed in part: 31 to 60 days; and All disclosed: 181 to 365 days.

2 requests involved processing 529 pages, approximately 50%, of all pages (1,130) processed during this reporting period. Those pages were disclosed in part. The remaining 57 requests involved 601 pages where 82% of those were disclosed in part, 10% were all disclosed, 1% was all exempted and 5% were abandoned. (Appendix B: Table 2.5.2)

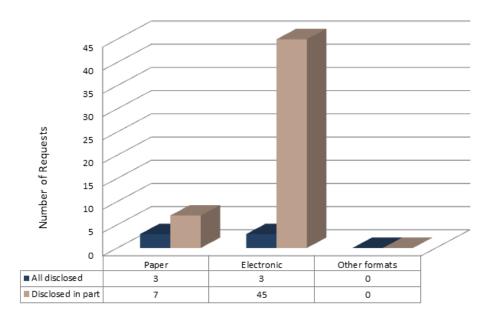
"Format" refers to the method that requesters have chosen to access the records requested, including the choice to receive copies or to examine the records onsite at the Canada Council. Requesters wanted to receive the information in a paper copy in 10 instances, and in 48 cases records were provided in an electronic format. They have the option of receiving information in an electronic format, eliminating the cost of photocopies and couriers. (Appendix B: Table 2.4)

Two requests (4%) involved the review and processing of 101 to 500 pages. The remaining 57 cases (96%) involved reviewing and processing less than 100 pages. Processing requests with a large volume of files takes significantly longer requiring close attention to ensure internal consistency, providing information necessary for the exercise of rights under the *Act*, clarifying what information the requester is seeking, giving notice of intended disclosure of any third party information and ensuring the response is accurate and complete.

(Appendix B: Table 2.5.1)

The following table indicates the preferred format of access to the records disclosed during 2014-15 and whether copies of the original records were released in whole or in part:

Preferred Format of Access to Records Disclosed by the Canada Council for the Arts During 2014-15



NOTE: In 5 instances (3%) no information was released - no records exist, abandoned or all exempted. (Appendix B: Table 2.4)

TREND

The Canada Council continues to offer electronic delivery when responding to access to information requests. 83% of responses were supplied to requesters electronically. In the previous reporting period, 95% of requests were provided electronically. Requests received from a public source are generally provided in a physical format due to the method of communication established by the requester (as defined in section 3 of the Act).

Other formats that would allow a person with a sensory disability to read or listen to that record has not been requested or applied by the Canada Council to date.

In processing ATI requests, the Canada Council did not encounter any other complexities as there was no requirement for:

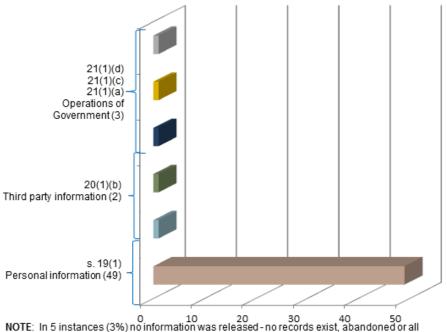
- external consultations (Appendix B: Table 5.1; 5.2; 5.3)
- assessment of fees: search, production, programming, preparation, alternate format or reproduction (Appendix B: Part 4)
- legal advice, (Appendix B: Table 6.1)
- information released to be translated into the other official language. (Appendix B: Table 2.7)

Exemptions Invoked

Exemptions 13 through 24 exclude information from the right of access under the *Act*. These exemptions are the only basis for refusing access to information and are intended to protect information relating to a particular public or private interest. Before applying exemptions, consideration must be given to the intention and spirit of the act, institutional accountability, nature of the information, sensitivity, context and confidentiality, and the passage of time. In addition, case law (court decisions) and past Office of the Information Commissioner (OIC) of Canada investigation outcomes must be weighed.

Of the 60 access to information requests processed, the Canada Council disclosed all information for 6 requests. The Canada Council invoked a total of 54 exemptions as per specific sections of the *Access to Information Act*.

EXEMPTIONS INVOKED BY THE CANADA COUNCIL FOR THE ARTS IN 2014-15



(Appendix B: Table 2.2)

TREND

Due to the nature of the information collected in its grants and services programs to professional Canadian artists and arts organizations, the most frequent outcome of the requests processed required that exemptions be invoked resulting in only a portion of the information being disclosed in 49 cases. Application forms for individuals and external assessments collect personal information, while application forms for arts organizations collect financial information requiring third party consultation and consent for access.

Compared to previous years, there is little change in the trend for invoking Section 19(1) and 20(1) of the ATI Act. The Canada Council's broad range of grants and services are directed towards professional Canadian artists and arts organizations. Personal and confidential information are collected during the application process.

Discretion is exercised in the application of provisions ensuring a fair, reasonable and impartial approach considering the intention of the Act, jurisprudence, consultations, content and other relevant factors.

Third parties include government bodies and offices to which the Act does not apply. While some third party information may be sensitive in nature, the Canada Council undertakes to release as much information as possible, respecting the spirit of the Act. 3 requests required third party consultations under section 20(1)(b) and 20(1)(b.1) of the Act. Partial disclosure of information was applied in 2 cases; the remaining consultation (1) resulted in full disclosure of the information requested. The ATIP Office provides third parties with sufficient information on the application of exemptions and factoring in the passage of time which affects the complexity of requests. In most instances third parties have little or no experience with the Access to Information Act.

Section 19, personal information, was applied in 49 instances along with section 3(e) of the Privacy Act (the personal opinions or views of the individual except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual by a government institution or a part of a government institution specified in the regulations). Access to external assessments forms the basis for most requests where section 19 is applied. When applying this section of the Act, consideration is given to consent for disclosure (section 19(2)(a)), the public availability of the information (section 19(2)(b)) and disclosure with respect to section 8 of the Act.

Complicating the application of an exemption is the protection of personal information from data matching through data mining of personal information held in a record. The content must be thoroughly analysed to protect personal information, especially when detailed financial information is provided. Although a financial statement by itself may not reveal personal information, the associated commentary and reports may enable data matching resulting in the disclosure of personal financial information.

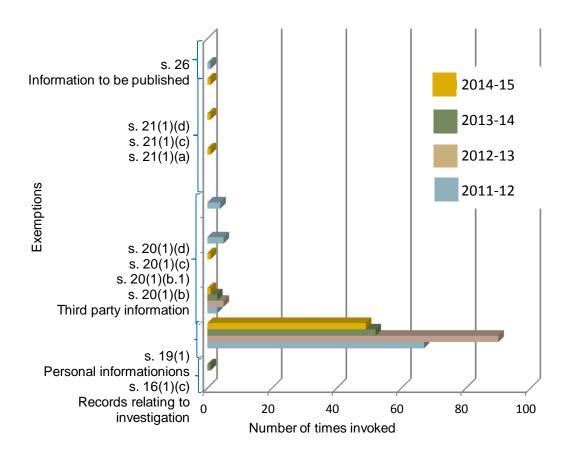
Section 21(1)(a), (c) and (d), which protect certain classes of information about the internal decision-making processes of government, and for which disclosure could interfere with the operations of government institutions, was applied to 1 request and the information was "all exempt". In recognition of "duty to assist" and taking into consideration the spirit of the *Access to Information Act*, the Canada Council "disclosed in part" the record. Once senior management recorded its decisions, the requester received an "all disclosed" version of the record.

No other exemptions were invoked during this reporting period.

TREND

The application of exemptions applied from reporting period to reporting period does not change significantly. As cited above, both application forms for individuals and external assessments collect personal information, while application forms for arts organizations collect financial information requiring third party consultation and consent for release.

FOUR YEAR TREND: ATI EXEMPTIONS INVOKED BY THE CANADA COUNCIL FOR THE ARTS



NOTE: More than one exemption may be applied to a request. If the same exemption was used several times for one request, it is only reported once.

Access to Information Act

Exclusions Invoked

Exclusions are for those records not covered by the *Act* and include published material (section 68), material available for purchase, library or museum material and confidences of the Queen's Privy Council (sections 68 and 69).

Exclusions were not invoked during this reporting period. (Appendix B: Table 2.3; 6.2)

Deemed refusals

The Canada Council's access function works in a climate of compliance. There were no deemed refusals to report for 2014-15. (Appendix B: Table 2.6.1; 2.6.2)

Disposition of Completed Requests

The disposition or disclosure of information of an ATI request is classed as one of the following: All disclosed, Disclosed in part, All exempted, All excluded, Request abandoned, or No records exist. Following the necessary consultations, exemptions and/or exclusions are cited on the requested information prior to release.

TWO-YEAR TREND: DISPOSITION OF ATI REQUESTS COMPLETED BY THE CANADA COUNCIL

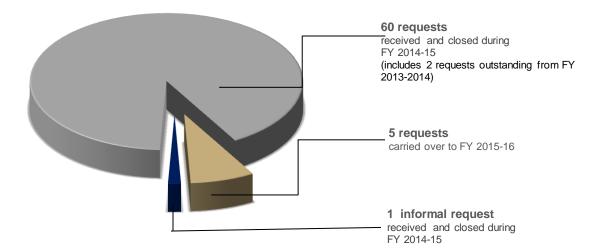
DISPOSITION OF REQUESTS	REQUESTS AS PERCENTAGE		NUMBER O	F REQUESTS
COMPLETED	2013–14	2014–15	2013–14	2014–15
All disclosed	14 %	10 %	11	6
Disclosed in part	67 %	79 %	52	49
All exempted	0 %	2 %	0	1
All excluded	0 %	0 %	0	0
No records exist	3 %	2 %	2	1
Request transferred	0 %	0 %	0	0
Request abandoned	1 %	5 %	1	3
Treated informally	15 %	2 %	12	1
Total	100 %	100 %	78	61

TREND

The Canada Council continues to disclose in part the majority of the information requested. This is mainly due to the content of the information released which contains personal information in the context of the Canada Council external peer assessment process. The information of a personal nature is not released in accordance with section 19(1) of the *ATI Act* and section 3(e) of the *Privacy Act*.

63 requests were received during the current reporting period, 2 of which were outstanding from the previous reporting period. 5 requests are carried over into 2015-16.

REQUESTS OPENED, CARRIED OVER AND CLOSED DURING 2014-15



NOTE: In 5 instances (3%) no information was released - no records exist, abandoned or all exempted.

(Appendix B: Table 1.1)

In 1 case, documentation did not exist and 3 requests were abandoned – this may occur at any point during the processing of the request, and is most often the result of lack of response by the requester.

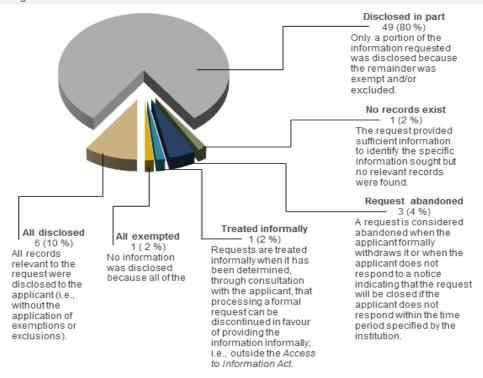
DISPOSITION OF ATI REQUESTS PROCESSED BY THE CANADA COUNCIL FOR THE ARTS IN 2014-2015

0 (0 %) All excluded

No information was disclosed because all of the information requested qualified for exclusion under sections 68, 68.1, 68.2, 69 or 69.1 of the Access to Information Act.

Request transferred

The request was transferred to another government institution with a greater interest in the records sought.



(Appendix B: Table 2.1)

Completion Times and Extensions

A request is closed when a response has been sent to the requester, the request is transferred to another federal government institution or the request is abandoned.

In 2014–15, 60 requests were completed, with information disclosed in accordance with the provisions of the legislation as shown in the following chart.

COMPLETION TIME OF 2014-15 ATI REQUESTS PROCESSED BY THE CANADA COUNCIL

NUMBER OF REQUESTS	COMPLETION TIME
43 (71%)	Within 1 to 15 days
12 (20%)	Within 16 to 30 days
3 (5%)	Within 31 to 60 days
1 (2%)	Within 61 to 120 days
0 (0%)	Within 121 to 180 days
1 (2%)	Within 181 to 365 days

(Appendix B: Table 2.1)

Access to Information Act

Section 9 of the *Access to Information Act* allows a reasonable extension beyond the legislated 30 calendar day time limit only in the following instances:

- The request is for a large number of records or a lengthy search of a large number of records would unreasonably interfere with the operations of the institution to meet the original time limit,
- Consultations are required to comply with the requested information, or
- Notice of the request is given in accordance with 27(1) Notice to third parties (consultations with
 individuals or entities that are not part of the Canada Council). This ensures the third party has the
 opportunity to make formal representations to the Canada Council concerning the sensitivity of information
 in terms of the limitations set forth in section 20(1) and 24 of the Act, the Courts, the passage of time and
 the spirit of the Act.

The Canada Council, as required under subsection 9(2) of the *Act*, informed the Information Commissioner of 3 extensions taken beyond 30 calendar days requiring notices to third parties. The requester is given notice of the extension, within 30 days after the request is received, and advised of the length of the extension.

During this reporting period there was one anomaly, where Section 21(1)(a), (c) and (d) were applied rendering the information as "all exempt" in the first 30 days. Then, in the following 61 to 120 days, in recognition of the "duty to assist" principle and taking into consideration the spirit of the *Access to Information Act*, the Canada Council "disclosed in part" the record. To conclude, the requester received an "all disclosed" version of the record when senior management recorded their decisions (181 to 365 days). This is documented in the statistics of the Canada Council in Appendix B: Table 2.1 as: All exempted: 1 to 15 days; Disclosed in part: 31 to 60 days; and All disclosed: 181 to 365 days.

USE OF ATI EXTENSION S. 9(1) (C) BY THE CANADA COUNCIL FOR THE ARTS

DISPOSITION	CO	MPLETION TIME (in days	s)
OF REQUESTS	31 to 60	61 to 120	181 to 365
All disclosed	0	0	1
Disclosed in part	2	1	0
All exempted	0	0	0
All excluded	0	0	0
No records exist	0	0	0
Request abandoned	1	0	0
Total 2014-15	3	1	1
Percentage 2014-15	5 %	2%	2%

(Appendix B: Table 3.1; 3.2)

Informal Requests

The ATIP Office provides informal assistance to expedite requests outside the *Act*. Informal requests for records do not invoke a right of complaint provided under the Access to Information Act. During this period, the Canada Council treated 1 request as informal compared to 3 in the previous reporting period. The information was provided within 15 days.

(Appendix B: Table 1.3)

Summaries of Completed Access to Information Act Requests

The summaries of completed access to information requests (disclosed in full or disclosed in part) are proactively posted to the Canada Council website within thirty calendar days after the end of each month. The summaries cover the substance or main points of the request and not necessarily all the details. Summaries are kept on the Canada Council's web site for a minimum period of two years and are linked to the Open Government web-site.

These summaries did not result in additional releases of previously released informal requests for information.

7 Fees

The Access to information request fee is levied only for the activities and formats described in section 7 of the Access to Information (ATI) Regulations. Discretion is exercised concerning the waiver, reduction or refund of fees. Generally, fees are waived if the information is normally available without a charge or if there may be a public benefit through the release of the information.

During the reporting period, 8 requests with fees totaling \$40 were collected. The cost of processing for the first five hours is not charged by the Canada Council as prescribed under the *Act*. In 63 instances the Canada Council waived access fees valuing \$315. Fees are waived when an organization requests access to their external assessments. (Appendix B: Part 4)

No other fees were collected as described in section 7 of the ATI Regulations.

8 Resources

During 2014–15, the ATIP Office incurred \$35,040 in salary costs for 0.66 person years to ensure appropriate implementation of the *ATI Act*. Additional operating costs were calculated to be \$2,500 for software maintenance fees. The costs for resources and operational costs are distributed across the implementation of the Privacy Act and Parliamentary Returns responses (this value is determined by the volume of requests for the 3 areas of delegated responsibility during the reporting period).

No professional service contracts were entered into for the purposes of the administration of the Act. No direct monitoring was conducted during the reporting period concerning:

- the time to process ATI requests (the process requires internal consultations, third party consultations in some instances, record reviews, application of exemptions and/or exclusions and preparation of released records).
- frequency (based on 60 ATI requests during the current reporting period, it is estimated that the Canada Council receives 1 ATI request every 3.5 days.)
- level of officials advised (the ATIP Office consults with various sections and levels of personnel when an ATI request is received – when requests are considered sensitive, senior management is advised prior to release)

(Appendix B: Table 9.1; 9.2)

These costs do not include resources expended by the Canada Council program areas to meet the requirements of the Act.

9 Consultations

Received from other Government of Canada institutions and organizations

During this period, 12 *Access to Information Act* consultation requests were received from other federal government departments involving Canada Council records or issues; and one was carried forward from 2013-14. The Canada Council was asked to review a total of 198 pages of information as part of these consultations.

TWO-YEAR TREND: CONSULTATIONS RECEIVED FROM OTHER GOVERNMENT OF CANADA INSTITUTIONS BY THE CANADA COUNCIL

CONSULTATIONS	NUMBER OF	REQUESTS	NUMBER OF PAGES TO REVIEW	
	2013–14	2014–15	2013–14	2014–15
Received during reporting period	7	12	445	193
Outstanding from the previous reporting period	0	1	0	5
Total	7	13	445	198
Closed during the reporting period	7	13	445	198
Pending at the end of the reporting period	0	0	0	0

TREND

This is an increase of 6 requests (46%) compared to the previous year. The requests are related to records that are not proactively disclosed and related to exchanges between the Canada Council and other Government of Canada institutions. The number of pages reviewed has decreased from the previous year.

During this reporting period, the Canada Council did not receive recommendations for consultations from other organizations, including provincial, territorial municipal or foreign governments. (Appendix B: Table 5.3)

These requests are given priority within the time constraints that applied to each of them. The Canada Council completed each consultation within a 15 calendar day period. (Appendix B: Table 5.2)

Cabinet confidences

The Supreme Court of Canada has recognized that Cabinet confidentiality is essential to good government. To preserve this rule of confidentiality, subsection 69(1) of the *Access to Information Act* provides that the Act does not apply to confidences of the Queen's Privy Council for Canada.

During the reporting period 2014-15, the Canada Council did not consult on Cabinet confidences with the Privy Council Office on the application of section 69 of the *Act* and is consistent with previous years. (Appendix B: Part 6)

10 Education and Training

The Canada Council is committed to providing ongoing development and training to Canada Council's employees that includes the purpose of the Act, definitions, responsibilities, principles for assisting requesters, delegation, exemption and exclusion applications, discretion, provisions for complete, accurate and timely responses, the complaint process, right of access, policy instruments (as issued by the Treasury Board of Canada Secretariat and Canada Council).

With delegated responsibilities, the ATIP Office is responsible for providing this training to employees of the Canada Council.

The ATIP Office conducted five open ATIP information training session for Canada Council employees during this reporting period; 82 of approximately 235 employees attended the bilingual sessions. The sessions are designed to ensure that employees are aware of their roles and responsibilities related to ATI requests accounted for in this report.

ATIP TRAINING PROVIDED BY THE ATIP OFFICE TO CANADA COUNCIL EMPLOYEES IN 2014-15

MONTH/YEAR	NUMBER OF ATTENDEES
June 2014	33
September 2014	8
October 2014	12
November 2014	9
February 2015	20

The ATIP Office continually provides advice and guidance on the provisions of the legislation to management and is consulted regularly on ATI issues and concerns.

Training and education for the ATIP personnel can include activities that serve to increase access to information awareness, formal training, research, discussion groups, conferences, Access to Information and Privacy (ATIP) community meetings, shared learning among colleagues, on-the-job training, special projects, job shadowing and communications activities that promote learning.

The ATIP Office of the Canada Council was invited to become a member of the ADM ATIP Committee, a senior level committee which meets quarterly to provide strategic and collaborative leadership to facilitate effective, well-coordinated, and proactive management of the ATIP program across the Government of Canada.

In addition, the ATIP Office participates in ATIP community meetings to increase its knowledge and awareness, and to keep up-to-date with recent Court decisions that impact rights of access.

11 Policies, Guidelines, Procedures and Initiatives

The ATIP Office, in association with the Research and Evaluation section and the Reference and Documentation Centre of the Canada Council, is preparing a report on Council's Open Data & Information Strategy for 2016-17. This strategy is aligned with larger public sector values around open data and transparency. The added value of making information and data openly available will have positive implications for accountability and workload related to administrative tasks. This project will employ a phased-in implementation plan.

During this reporting period the ATIP Office provided access to information advice for incorporation into Canada Council policies, guidelines or procedural developments as follows:

- Peer assessor names proactive disclosure
- Disclosure of Names of Internal Assessment Committee Members
- Support Material Disposition Practices
- Open information and Open data practices
- Cabinet confidences guideline

Under the *Access to Information Act*, the Treasury Board President is the designated minister responsible for preparing policy instruments concerning the operation of the *Act* and its Regulations. The *Act* establishes that policy and guidelines are the appropriate vehicles for supporting the administration of the *Act*. The ATIP office provides links to ATI directives and guidelines on the Canada Council's intranet page.

12 Complaints, Investigations and Federal Court Cases

Clients of the Canada Council filed 1 new complaint with the Information Commissioner under section 32 of the *ATI Act* in 2014–15; no new complaints had been filed since. The purpose for the new complaint for a formal request made under the *Access to Information Act* was related to the exemption or exclusion of information. The investigation, carried out under section 65 of the *ATI Act*, concluded that the complaint was discontinued under section 37 of the *Act*. All completed complaints were associated with formal responses to requests made under the *Access to Information Act*. (Appendix B: Part 7)

No applications or appeals were submitted to the Federal Court or the Federal Court of Appeal during fiscal year 2014–15. There have been no court cases against the Canada Council in relation to the *Access to Information Act* for several years.

(Appendix B: Part 8)

13 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 ATIP reporting obligations on the administration of the *Access to Information 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.

Appendix A:

Statistical Report on the Access to Information Act

*	Government	Gouvernement
T	of Canada	du Canada

Statistical Report on the Access to Information Act

Name of institution: Canada Council for the Arts

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	63
Outstanding from previous reporting period	2
Total	65
Closed during reporting period	60
Carried over to next reporting period	5

1.2 Sources of requests

Source	Number of Requests
Media	3
Academia	4
Business (private sector)	3
Organization	42
Public	11
Decline to Identify	0
Total	63

1.3 Informal requests

	Completion Time						
1 to 15 Days	16 to 30 Days	31 to 60 Days				More Than 365 Days	Total
1	0	0	0	0	0	0	1

2014-15 ATI Annual Report Appendices

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

Canadä.

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

	Completion Time							
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days		181 to 365 Days	More Than 365 Days	Total
All disclosed	4	1	0	0	0	1	0	6
Disclosed in part	35	11	2	1	0	0	0	49
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	2	0	1	0	0	0	0	3
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	43	12	3	1	0	1	0	60

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	1
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)		21(1)(c)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(c)		21(1)(d)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	49	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	1	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	1	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0			-	
16(1)(b)	0			-			
16(1)(c)	0						
16(1)(d)	0	* I.A.: In	ternational Affa	airs Def.: Defence	e of Canada	S.A.: Subversive A	ctivities

^{*} 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)	1	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	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	3	3	0
Disclosed in part	7	45	0
Total	10	48	0

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	53	53	6
Disclosed in part	1065	1077	49
All exempted	12	0	1
All excluded	0	0	0
Request abandoned	0	0	3
Neither confirmed nor			
denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

		han 100 rocessed		-500 rocessed		1000 rocessed	1001-5000 Pages Processed			an 5000 rocessed
Disposition	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	6	53	0	0	0	0	0	0	0	0
Disclosed in part	47	548	2	529	0	0	0	0	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	3	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	57	601	2	529	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	3	0	0	0	3
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	3	0	0	0	3

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

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

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	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

2.7 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

	9(1)(a)	9(1 Consu	9(1)(c)	
Disposition of Requests Where an Extension Was Taken	Interference With Operations	Section 69	Other	Third-Party Notice
All disclosed	0	0	0	0
Disclosed in part	0	0	0	3
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	3

3.2 Length of extensions

	9(1)(b) 9(1)(a) Consultation		9(1)(c)	
Length of Extensions	Interference With Operations	Section 69	Other	Third-Party Notice
30 days or less	0	0	0	0
31 to 60 days	0	0	0	3
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	0	0	3

Part 4: Fees

	Fee Co	ollected		or Refunded
Fee Type	Number of Requests	Amount	Number of Requests	Amount
Application	8	\$40	50	\$250
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
Total	8	\$40	50	\$250

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	12	193	0	0
Outstanding from the previous reporting period	1	5	0	0
Total	13	198	0	0
Closed during the reporting period	13	198	0	0
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

	Numb	er of Da	ys Requi	red to Co	omplete (Consulta	tion Req	uests
							More	
		16 to	31 to	61 to	121 to	181 to	Than	
	1 to 15	30	60	120	180	365	365	
Recommendation	Days	Days	Days	Days	Days	Days	Days	Total
Disclose entirely	11	0	0	0	0	0	0	11
Disclose in part	2	0	0	0	0	0	0	2
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	13	0	0	0	0	0	0	13

5.3 Recommendations and completion time for consultations received from other organizations

	Numb	er of Da	ys Requi	red to C	omplete	Consulta	tion Req	uests
							More	
		16 to	31 to	61 to	121 to	181 to	Than	
	1 to 15	30	60	120	180	365	365	
Recommendation	Days	Days	Days	Days	Days	Days	Days	Total
Disclose entirely	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

		han 100 rocessed) Pages essed		1000 rocessed		-5000 rocessed		an 5000 rocessed
Number of Days	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

		han 100 rocessed		0 Pages essed		1000 rocessed		-5000 rocessed		an 5000 ocessed
Number of Days	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
1	1	1	3

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		\$35,040
Overtime		\$0
Goods and Services		\$2,500
 Professional services contracts 	\$0	
Other	\$2,500	1
Total		\$37,540

9.2 Human Resources

	Person Years Dedicated to Access to Information
Resources	Activities
Full-time employees	0.66
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.66

Note: Enter values to two decimal places.



Appendix B: Delegation Order



Access to Information Act and Privacy Act Designation Order Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels

The Director and CEO of the Canada Council for the Arts, pursuant to section 73 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.

En vertu de l'article 73 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.

Date

Director and CEO / Directeur et chef de la direction

SCHEDULE A: Section of the *Access to Information Act* Delegated



	Access to Information Act Delegation		Doc's!	n/Tiel
IFAR OF THE INCTIO	TVO)		Positio	_
HEAD OF THE INSTITU	JTION:	DIKEC	TOR 8	CEO
Section	Description	Director, CFO Finance & Administration	ATIP Coordinator	ATIP Administrator
4(2.1)	Responsibility of government institutions	1	1	1
7(a)	Issue notice when access requested	1	1	
7(b)	Giving access to record	1	1	
8(1)	Transfer of request to another government institution or accept transfer from another institution and give notice to the applicant	1	*	
9	Extension of time limits	1	1	1
10	Notice where access is refused	4	1	
11(2); (3); (4); (5); (6)	Payment of additional fees	1	1	1
12(2)(b)	Language of access	1	1	
12(3)(b)	Responsibility of government institutions	1	1	1
Exemption Provision	s of the Access to Information Act		100	
13	Exemption – Information obtained in confidence	1	1	
14	Exemption – Federal-provincial affairs	1	1	
15	Exemption – International affairs and defense	1	1	
16	Exemption – Law enforcement and investigations	1	1	
16.5	Exemption – Public Servants Disclosure Protection Act	1	1	
17	Exemption – Safety of individuals	1	1	
18	Exemption – Economic interests of Canada	1	1	
19	Exemption – Personal information	1	1	
20	Exemption – Third-party information	1	1	
21	Exemption – Operations of Government	1	1	
22	Exemption – Testing procedures, tests and audits	1	1	
22.1	Exemption – Audit working papers and draft audit reports	1	1	
23	Exemption – Solicitor-client privilege	1	1	
24	Exemption – Statutory prohibitions	1	1	
Other Provisions of t	he Access to Information Act	TARREST TO		
25	Severability	1	1	
26	Exception – Information to be published	1	1	
27(1); (4)	Third-party notification	1	1	1
28(1)(b); (2); [4)	Third-party notification	1	1	
29(1)	Where the Information Commissioner recommends disclosure	1	1	
33	Advising Information Commissioner of third-party involvement	1	1	
35(2)(b)	Right to make representations	1	1	~
37(1)	Findings of Information Commissioner	1	1	
37(4)	Access to be given to complainant	1	1	
43(1)	Notice to third party (application to Federal Court for review)	1	1	
44(2)	Notice to applicant (application to Federal Court by third party)	1	1	
52(2)(b); (3)	Special rules for hearings	1	1	



72	Annual report to Parliament	¥	1	
Access to Inform	nation Regulations	William Trail Control of the Control		
5	Inform person making request	· /	1	1
6(1)	Transfer of requests	4	1	1
7(2)	Search and preparation fees	· · · · · · · · · · · · · · · · · · ·	1	1
7(3)	Production and programming fees	7	1	1
8	Providing access to record(s)	4	1	
8.1	Limitations in respect of format	· ·	1	
	The state of the s			

Includes acting appointments and assignments to these positions made pursuant to Canada Council employment practices.

position designated to exercise the powers and perform the duties and functions of the Head of the Institution under the section(s) of the Act.

SCHEDULE B: Section of the Privacy Act Delegated



		P	ositio	n/Title
HEAD OF THE INSTITUTION: DIRECT				
Section	Description	Director, CFO Finance & Administration	ATIP Coordinator	ATIP Administrator
8(2)(j)	Disclosure for research and statistical purposes	1	1	1
8(2)(m)	Disclose personal information in the public interest or in the interest of the individual	1	1	
8(4)	Copies of requests under 8(2)(e) to be retained	V	1	1
8(5)	Notice of disclosure under paragraph 8(2)(m)	1	1	
9(1)	Record of disclosures	1	1	1
9(4)	Consistent uses	1	1	
10	Personal information banks	1	1	1
11(a)	Publish annually an index of all personal information banks and their respective contents	1	1	1
11(b)	Publish annually an index of all personal information held by the institution which is not part of a bank	1	1	1
14(a)	Notice where access requested	V	1	
14(b)	Giving access to the record	1	1	
15	Extension of time limits	1	1	/
16	Access refused	1	1	
17(2)(b)	Language of access	1	1	1
17(3)(b)	Access in an alternate format	1	1	1
xemption P	rovisions of the <i>Privacy Act</i>		900	Wall.
18(2)	Exempt banks – Disclosure may be refused	1	1	
19	Exemption – Personal information obtained in confidence	1	1	
20	Exemption – Federal-provincial affairs	1	1	
21	Exemption – International affairs and defence	1	1	
22	Exemption – Law enforcement and investigation	✓	1	
22.3	Exemption – Public Servants Disclosure Protection Act	1	1	
23	Exemption – security clearances	1	1	
24	Exemption – individuals sentenced for an offence	1	1	
25	Exemption – safety of individuals	1	1	
26	Exemption – information about another individual	1	1	
27	Exemption – solicitor-client privilege	1	1	
28	Exemption – medical record	1	~	
ther Provis	ons of the Privacy Act			
31	Receive notice of investigation by the Privacy Commissioner	4	4	
33(2)	Right to make representation	1	1	1
35(1)(b)	Notice of actions to implement recommendations of Commissioner	1	1	
35(4)	Access to be given	1	1	
36(3)	Report of findings of investigation (exempt bank)	1	1	



37(3)	Report of findings and recommendations (compliance review)	1	1	
47	Burden of proof	1	1	
51(2)(b)	Special rules for hearings	1	1	
51(3)	Ex parte representations	1	1	
70	Cabinet confidences	1	/	
72(1)	Report to Parliament	1	1	1
rivacy Regu	ilations			
7	Retention for specific time	1	1	1
9	Reasonable facilities and time provided to examine personal information	1	1	1
11(2)	Notifications that correction of personal information has been made	1	1	1
11(4)	Notification of refusal to correct personal information	1	1	
13(1)	Disclosure of personal information relating to medical information to physical or mental health to qualified practitioner or psychologist for an opinion on whether to release information to the requester	~	1	
14	Disclosure of personal information relating to physical or mental health may be made to a requester in the presence of a qualified medical practitioner or psychologist	1	1	

^{*} Includes acting appointments and assignments to these positions made pursuant to the Public Service Employment Act and regulations.

position designated to exercise the powers and perform the duties and functions of the Head of the Institution under the section(s) of the Act.

References

Access to Information Act	http://laws-lois.justice.gc.ca/eng/acts/A-1/FullText.html/		
Access to Information and Privacy Requests	http://canadacouncil.ca/council/transparency/access-to-		
	information-and-privacy-acts		
Canada's Action Plan on Open Government	http://data.gc.ca/eng/canadas-action-plan-open-government		
Completed access to information requests	http://canadacouncil.ca/council/transparency/proactive-		
	disclosure/completed-access-to-information-requests		
Info Source Bulletin	http://canadacouncil.ca/council/transparency/access-to-		
	information-and-privacy-acts		
Info Source publications	http://www.infosource.gc.ca		
Sources of Federal Government and Employee Information	http://www.infosource.gc.ca/emp/emptb-eng.asp		
Web Analytics Privacy Impact Assessment Report	http://www.tbs-sct.gc.ca/atip-aiprp/tools/piar-refrpcpr-eng.asp		