



Canada Council
for the Arts

Conseil des arts
du Canada

Annual Report on the Administration of the *Access to Information Act*

For the reporting period of April 1, 2024 – March 31, 2025

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Introduction

Purpose of the Access to Information Act

The *Access to Information Act* provides Canadians with a right of access to information in records under the control of a government institution conforming with the principle that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

Section 94 of the *Access to Information Act* requires that the head of every government institution prepare, for submission to Parliament, an annual report on the administration of the *Act* within the institution during each financial year.

This annual report is tabled in Parliament pursuant to section 94 of the *Access to Information Act* and describes how the Council administered its responsibilities for the reporting period.

Canada Council for the Arts' Mandate

The Council is Canada's national public arts funder, with a mandate to foster and promote the study and enjoyment of, and the production of works in, the arts. Through its grants, services, prizes, initiatives, and payments, the Council supports a dynamic and diverse arts and literary scene. These activities generate a meaningful economic, cultural, and social impact for over 2,000 communities in all parts of the country and beyond. The investments and leadership of the Council help advance public engagement in the arts from coast to coast to coast while also contributing to the international recognition of artists and arts organizations from Canada.

The Council's Public Lending Right (PLR) program 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. The Board and the Director and CEO are appointed by the Governor in Council. The Council works closely with federal, provincial, territorial, and municipal arts and cultural agencies and departments.

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. The Council does not have any non-operational ("paper") subsidiaries to report during 2024-25.

For more information in regards to the above-mentioned, please refer to Council's following websites:

- Canada Council for the Arts: <https://canadacouncil.ca/>
- Public Lending Right Program: <https://publiclendingright.ca/>

- Art Bank: <https://artbank.ca/>
- CCUNESCO: <https://en.ccunesco.ca/>

Organizational Structure

The Chief Information Officer (CIO) and the Manager Information Management (IM) and Access to Information and Privacy (ATIP) are designated through a delegation with responsibilities related to the *Access to Information Act* in the name of the Director and CEO. The ATIP office is located within the Council's Office of the Chief Information Officer division, and the Manager IM and ATIP reports to its CIO.

The CIO is responsible for overseeing the implementation and monitoring of compliance with the *Access to Information Act* and related Treasury Board policies, directives and process. The Manager IM and ATIP is responsible for the implementation of policies, directive and process in compliance with the *Access to Information Act* and providing support and advice on its administration to meet the various Treasury Board of Canada Secretariat (TBS) requirements of the *Act*. The Council's Finance division is responsible for meeting the reporting requirements of Part 2 Proactive Publication under the *Access to Information Act*.

The ATIP Office resources targeted ways to support the Council's programs and activities and assess access to information compliance, while balancing its responsibilities to respond to public information requests. The ATIP Office contracted legal services for advice. The access to information component operations in 2024–25 required 0.950 FTEs.

The ATIP Office responsibilities range from processing access to information requests to carrying out consultations with government institutions or third parties and responding to calls, preparing the annual report to Parliament and collecting statistics, providing advice and training to Canada Council employees.

In 2024–25, the total costs incurred by the ATIP Office for the administration of the *Act* are estimated to be \$109,109 which are distributed as follows: \$89,000 for salaries, with no overtime and \$20,109 in goods and services.

The Council does not have any non-operational ("paper") subsidiaries during this reporting period.

For a breakdown of the group(s) and/or position(s) responsible for meeting each applicable proactive publication requirement under Part 2 of the *Access to Information Act*, see the section "Proactive Publication under Part 2 of the ATIA", below.

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 subsection 95(1) of the *Act* and related regulations.

See [Annex A](#) for information on designation and delegation.

Performance under Part 1 of the *Access to Information Act*, 2024–25

The following section provides an overview of key data on the Council's performance in administering Part 1 of the *Access to Information Act* for 2024-25.

Formal requests

The Council received 14 formal requests under the *Access to Information Act* in the 2024-25 reporting period. Including one request, which was carried forward from the previous reporting period, the total number of ATI requests processed is 15. In total, 47% of completed requests for records were “all disclosed”, 27% of records were “disclosed in part”, 20% where “no records exist” and 6% were abandoned. 79% of requests were processed within the 30-day legislated timeline. The remaining 21% required extensions beyond the 30-day timeline due to complexities that included third party information embedded in the records requested.

LEGISLATED TIMELINE (DAYS)	NUMBER OF REQUESTS COMPLETED	COMPLEXITIES	PERCENTAGE OF REQUESTS COMPLETED	DISPOSITION OF REQUESTS
0 to 15	5	None	36%	3 no records exist 2 all disclosed
16 to 30	6	None	43%	5 all discloses 1 disclosed in part
Processed beyond the legislated 30 days				
31 to 60	2	Extension applied: ATI s. 9(1)(b) for consultations	14%	2 disclosed in part
121 to 180	1	Carried forward from 2023-2024. Extension applied, ATI s. 9(1)(b) for consultations with third parties*	7%	1 disclosed in part
181 to 365	1	Extension applied: ATI s. 9(1)(b) for consultations with third parties*	0%	1 Abandoned by requester
TOTALS	15		100%	15
*Third parties refer to applicants to the Council's programs or activities. In compliance with sections 27 and 28 of the <i>ATI Act</i>, third parties may claim an exemption for the disclosure of information that they have reason to believe may contain information described in subsection 20(1), 19 and 24 of the <i>Act</i>. Third parties are given an opportunity to make representations concerning disclosure. If no response is received from the third party within the 20-day limit to make representations a decision letter is issued to the third party identifying, under section 44 of the <i>Act</i> of their right for judicial review. Following this additional 20-day process, if no application is made, the information is provided to the requester.				

At the end of 2024-25, no requests were carried forward into 2025-26.

Of the 9,283 pages processed in 2024–25, 3,062 pages (33% of the total pages processed) were either fully disclosed or disclosed in part. All records were provided to requesters in electronic format. One request was abandoned during processing of 6,221 pages and represented 67% of the pages processed during this fiscal year.

In 2024–25, the Council invoked 21 exemptions across 11 sections of the *Access to Information Act*.

Proportions of the release records contained personal information about a third party. The breakdown of

the use of exemptions is as follows:

# Requests	Section of the ATIA
1	16(2) Security
4	19(1) Personal information
2	20(1)(b) Third Party financial, commercial, scientific or technical information that is confidential
1	20(1)(c) Third Party information material financial loss or gain
1	20(1)(d) Third Party information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations
3	21(1)(a) Operations of Government advice or recommendations
3	21(1)(b) Operations of Government account of consultation or deliberations
1	21(1)(c) Negotiations - positions or plans
3	21(1)(d) Operations of Government
1	22 Operations of Government account of consultations or deliberations
1	22.1(1) Internal audits
21	TOTAL

The Council did not invoke any exclusion provisions described in sections 68 and 69 of the *Act*.

Individuals submitting requests under the *Access to Information Act* may request to have responsive records translated to either of Canada's official languages. The Council did not receive or process any requests for translation in 2024-25.

Access to information (ATI) requests received in this reporting period did not include any audio or visual formats to be processed for disclosure.

The Council received 68 informal requests in 2024–25 through the Open Government Informal Request for ATI Records Previously Released site. All 68 informal requests were completed, for which 3,050 pages were released.

Inter-institutional consultation

The Council received and completed 3 new inter-institutional consultations from other Government of Canada institutions in 2024-25.

One consultation was completed and disclosed entirely within 15 days to 21 days; 1 consultation was disclosed in part within 15 days; and one consultation was disclosed in part within 30 days.

Training and Awareness

The ATIP Office offers virtual and in-person training and awareness sessions to Council employees. These sessions focus on the administration of the *Access to Information Act*, as well as best practices for managing corporate information. Staff can also request targeted sessions or more intensive workshops on any topic related to access to information.

To promote awareness of their roles and responsibilities, all employees receive mandatory Access to Information training (Access to Information and Privacy Fundamentals (COR502) through the Canada School of Public Service) as part of the Council onboarding process. In total, 60 employees received Access

to Information Q&A training in 2 separate sessions (June and November 2024) where a range of questions were asked by participants throughout the presentations. The ATIP Office routinely addresses a variety of questions from employees on the *ATI Act* Part 1 and Part 2. Advice and consultations with other related fields of expertise are consulted within the Council to provide effective and complete advice.

Policies, Guidelines, and Procedures

No new or revised access to information policies or guidelines were formally implemented during this fiscal year, including procedures for meeting proactive publication requirements. Proactive Publications for *Travel* and *Hospitality* are published once approved. The system where proactive publications are published is the Open Government Proactive disclosure web page. The links are provided under Proactive Publication under Part 2 of the *ATI Act* below.

In 2024-25 the ATIP Office continued to process requests through the ATIP Online Management Tool.

The ATIP Office proactively monitors a variety of information networks for any coming changes to legislation, and ATI policies or directives that might impact the Council. This proactive approach allows the Council to plan effectively and implement any necessary structural or operational changes in a timely manner to ensure the Council's compliance.

Initiatives and Projects to Improve Access to Information

No new initiatives or projects to improve access to information were implemented during this fiscal year. However, in the spirit of strengthening transparency and accountability (derived from other legislation and/or policies), the Council proactively discloses additional information as described under the Proactive Publication Requirements Table below.

Summary of Key Issues and Actions Taken on Complaints

As of March 31, 2024, no complaint, investigation, appeal or court action was brought to the attention of the Council in relation to the processing and outcome of access to information requests. No complaints were carried forward from previous reporting years.

Proactive Publication under Part 2 of the ATIA

The Council is subject to the proactive publication requirements indicated in the following table. The Council publishes information as required for proactive publication requirements on open.canada.ca and the Council's website pages provided below. The responsible divisions within the Council have established processes to ensure timely publishing of reports.

In 2024-25, the Council published 100% of proactive publication requirements due during the reporting period within the legislated timelines.

Proactive Publication Requirements Table

Legislative Requirement	Section of ATIA	Publication Timeline	Does requirement apply to your institution? (Y/N)	Internal group(s) or position(s) responsible for fulfilling requirement	% of proactive publication requirements published within legislated timelines*	Link to web page where published**
Apply to all Government Institutions as defined in section 3 of the <i>Access to Information Act</i>						
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	Y	Finance	90%	Government Travel Expenses (canada.ca)
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Y	Finance	90%	Hospitality Expenses (canada.ca)
Reports tabled in Parliament	84	Within 30 days after tabling	Y	Strategy and Public Affairs ATIP Office	100%	Corporate Reports Canada Council for the Arts Access to Information and Privacy Acts (canadacouncil.ca)
*When counting proactive publication requirements count monthly or quarterly reports as a single publication.						
**i.e., specific page where that information is located on open.canada.ca or the institution's website						

In the spirit of strengthening transparency and accountability (derived from other legislation and/or policies), the Council proactively discloses the following information on its website:

Grants and Contributions over \$25,000	Grant and Prize Recipients over \$25,000
Peer Assessment Committee Members	Peer Assessment Committee Members
Contracts over \$10,000	Disclosure of Contracts
Reclassification of positions	Disclosure of Position Reclassifications
Disclosure of Agreements over \$25,000	Disclosure of Agreements
Privacy Impact Assessment Summaries	Privacy Impact Assessment Summaries
Completed Access to Information Request Summaries	Completed ATI Requests
Disclosure of Wrongdoing in the Workplace	Disclosure of Wrongdoing in the Workplace

Council divisions retrieve information for proactive publication from various repositories and then verify the accuracy of this information. Once approved, the information is proactively published.

Monitoring Compliance

The Chief Information Officer (CIO) is kept apprised of all matters and developments pertaining to the requests, including processing time, consultations undertaken and any necessary extensions through weekly status reports. The CIO briefs the Senior Management Committee (SMC) on ATI activities on a regular basis. This includes monitoring and reporting on the timeliness, accuracy and completeness of proactively published information under Part 2 of the *Act* through a monthly review of its status of posting to the open.canada.ca website of travel and hospitality expenses and the Council website for Reports tabled in Parliament.

The ATIP Office assures that standard clauses for Access to Information are incorporated in contracts, agreements, and arrangements templates to ensure that measures to support the right of public access to information are in place.

The ATIP Office uses a case management system that tracks both active and closed requests. This system is designed to follow legislative requirements and deadlines. These are reported in the weekly CIO report as described above.

ANNEX A: 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.

Schedule | Annexe

Position Poste	<i>Access to Information Act</i> and Regulations <i>Loi sur l'accès à l'information</i> et Règlement	<i>Privacy Act</i> and Regulations <i>Loi sur la protection des</i> <i>renseignements personnels</i> et Règlement
Chief Information Officer Dirigeant principal de l'information	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
10th day of August 2023

Daté, en la ville de Ottawa ce
10e jour de août 2023

A handwritten signature in black ink, appearing to read "Michelle Chawla".

Michelle Chawla
Director and CEO | Directrice et chef de la direction

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

References

<i>Access to Information Act</i>	<u>Access to Information Act (justice.gc.ca)</u>
<i>Access to Information and Privacy Requests</i>	<u>Access to Information and Privacy Acts (canadacouncil.ca)</u>
<i>Completed access to information requests</i>	<u>Completed ATI Requests Canada Council for the Arts</u>
<i>Proactive Disclosure</i>	<u>Proactive Disclosure Canada Council for the Arts</u>
<i>Access to Information, Policy on</i>	<u>Policy on Access to Information- Canada.ca</u>
<i>Access to Information Act, Interim Directive on the Administration of the</i>	<u>Directive on Access to Information Requests- Canada.ca</u>
<i>Open information</i>	<u>Using and publishing Open Data and Information Open Government - Government of Canada</u>