

Privacy Act Annual Report 2016-2017

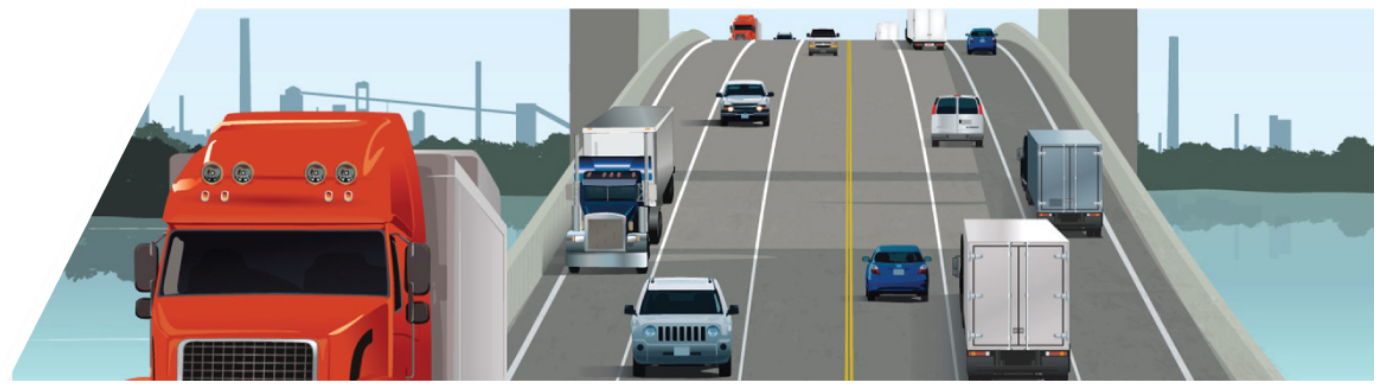
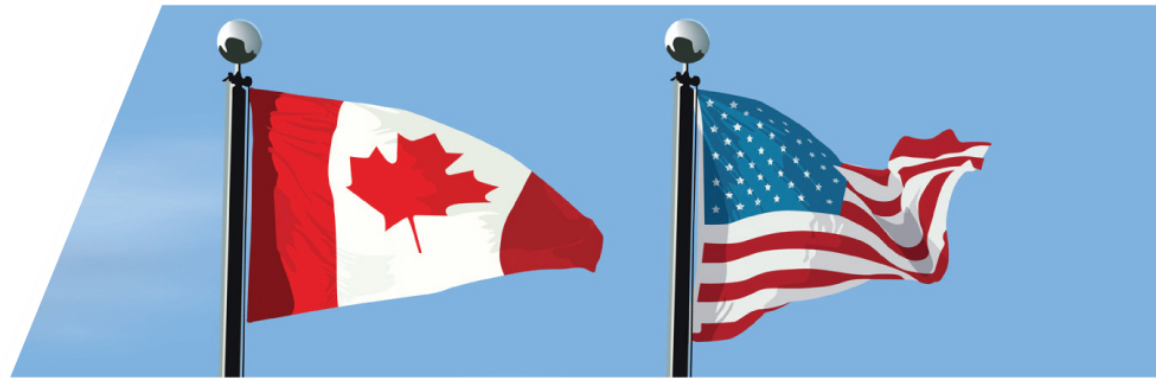


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1. Privacy Act – Annual Report 2016-2017

1.1 Introduction

The *Privacy Act* (the *Act*) provides Canadian citizens, permanent residents of Canada and all individuals present in Canada with the right of access to, and the right to request the correction of personal information about themselves that is under the control of a government institution. The right of access also extends to the personal opinions and views that have been expressed about the individual by other individuals, including the names of those other individuals where they appear with the views and opinions that they have expressed.

The *Act* also provides the legal framework for the collection, use, disclosure, accuracy, retention, protection and disposition of personal information which is under the control of government institutions subject to the *Act*.

Windsor-Detroit Bridge Authority (WDBA) is pleased to present Parliament with its Annual Report on the administration of the *Act* in accordance with section 72 of the *Act*. This report summarizes WDBA activities for Fiscal Year April 1, 2016, to March 31, 2017.

1.2 Mandate

Windsor-Detroit Bridge Authority (WDBA) is a not-for-profit Crown corporation which reports to Parliament through the Minister of Infrastructure and Communities. As such, WDBA is wholly owned by the Government of Canada but is structured like a private company and operates independently from government.

WDBA is responsible for the management of the procurement process for the design, building, financing, operation and maintenance of the new bridge between Windsor, Ontario and Detroit, Michigan through a public-private partnership (P3). WDBA will select the private-sector partner and manage the P3 concession agreement. WDBA is also responsible for project oversight.

WDBA is set out to fulfil its mandate under the terms of its Letters Patent and of the Crossing Agreement. WDBA is responsible for carrying out the obligations of the Crossing Authority as a party to the Crossing Agreement.

1.3 Organizational Structure

WDBA is led by a President and Chief Executive Officer (CEO) and governed by a board of directors who are responsible for overseeing the business activities and other affairs of WDBA. All Directors are approved by the Government of Canada with the Chair and President and



CEO holding office for five years and the directors holding office for up to four years. WDBA is located in Windsor, Ontario.

In accordance with Section 73 of the *Act*, the powers, duties and functions of the administration of *the Act* have been fully delegated by WDBA’s President and CEO to WDBA’s Vice President, Communications and Stakeholder Relations who also serves as the organization’s ATIP Coordinator. A copy of WDBA’s Delegation Order is provided in Appendix A. The Delegation Order included supersedes the previous Delegation Order dated April 29, 2016, authorizing WDBA’s Chief Financial Administrative Officer these powers, duties, and functions.

WDBA’s ATIP requirements are managed through the ATIP Coordinator and supported by an ATIP Analyst/Records Administrator. Additional ATIP resources are also contracted as needed.

1.4 Highlights of the Statistical Report, 2016-2017

During Fiscal Year 2016-2017, WDBA received no requests under the *Act*. In comparison to the previous reporting period, 2015-2016, this is one less request. Given WDBA’s early stage of operations, launching in 2014, there is minimal statistical data for further comparison.

Requests Under the <i>Privacy Act</i>	
Number of requests (2016-2017)	
Type	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	1
Total	1
Closed during reporting period	1
Carried over to next reporting period	0

In accordance with section 15 of the *Act*, requests may be extended for a maximum of 30 days if meeting the original timeframe would unreasonably interfere with operations, consultations are necessary, translation is necessary, or converting information into an alternative format is required.

The request carried over from previous reporting period, 2015-2016 was extended for the following reason: 15(1)(a) Interference with operations.

In Fiscal Year 2016-2017, WDBA received no consultations from other institutions and no requests for the correction of personal information.



WDBA's 2016-2017 statistical report on the *Act* is provided in Appendix B.

1.5 Training

During Fiscal Year 2016-2017, WDBA continued to promote Access to Information and Privacy (ATIP) awareness throughout the organization by providing mandatory training sessions for employees with two held in May 2016 and with three in November 2016. A third-party ATIP consultant delivered the five, three-hour training sessions to all staff who had not attended a previous training session within the last twelve months. The training course was also offered as an optional refresher for staff if the employee had attended a session within the last twelve months. Across the five training sessions, 51 employees participated.

The content of the training sessions included a high level review of the *Access to Information Act* and the *Privacy Act* requirements, roles and responsibilities and the formulation of recommendations on the disclosure of information.

WDBA's Executive Team also received a private training session to highlight their roles and responsibilities under the *ATI Act* and *Privacy Act*. This session also covered specific topics of interest such as the application of the *ATI Act* to meeting minutes, project records and personal notes as defined by the Courts.

As of spring 2016, an ATIP briefing has been incorporated into the orientation process for new WDBA hires. Twenty-seven employees received this one-hour training session, within one week following their position's start date to provide a high level overview of ATIP requirements. The mandatory training sessions then followed based on the relevant start dates.

1.6 Policies, Guidelines, Procedures and Initiatives

During the 2016-2017 reporting period, WDBA undertook various initiatives to comply with the *Act* and guidelines offered by the Office of the Privacy Commissioner of Canada. WDBA initiatives identified in WDBA's ATIP Management Framework are ongoing and are as follows:

- contracting an ATIP consultant to produce a Policy and Procedure Manual covering the processing of requests for personal information and the correction of personal information
- conducting a core privacy impact assessment
- development of a privacy breach and incident policy and procedural manual.
- development of a policy on the collection of personal information
- development of an informative brochure on privacy to be disseminated to WDBA employees.



1.7 Complaints, Investigations and Federal Court Cases

During Fiscal Year 2016-2017, no complaints were filed against WDBA under the *Act*. As such, no audits or investigations were conducted at WDBA by the Office of the Privacy Commissioner of Canada.

1.8 Monitoring Compliance

During this reporting period, WDBA did not receive any requests under the *Act* and therefore did not monitor the time it takes to process personal information requests and requests for the correction of personal information. WDBA will implement an internal tracking procedure as needed to monitor response timeliness.

1.9 Material Privacy Breaches

WDBA does not have any privacy breaches to report for Fiscal Year 2016-2017.

1.10 Privacy Impact Assessments

The Privacy Impact Assessment (PIA) is the component of risk management that aims to ensure compliance with the requirements of the *Act* and that the privacy rights of individuals are adequately protected by:

- the application of sound risk management principles
- the implementation of cost-effective security measures
- ensuring that all activities involving the creation, collection, use, disclosure/sharing, retention, protection and disposition of personal information are properly assessed and that the potential risks associated with those activities are properly addressed or mitigated.

WDBA did not conduct any privacy impact assessments during the 2016-2017 reporting period.

1.11 Disclosures Under Paragraph 8(2)(m) of the *Privacy Act*

Paragraph 8(2)(m) allows for disclosure of personal information under the control of a government institution when the disclosure would benefit public interest and outweigh any invasion of privacy that could result or if disclosure would clearly benefit the individual to whom the personal information relates. During Fiscal Year 2016-2017, there were no disclosures pursuant to paragraph 8(2)(m).



Appendix A: Delegation Order



**Delegation of Authority
Access to Information Act
And
Privacy Act**

I, the undersigned, Michael Cautillo, pursuant to Section 73 of the Access to Information Act and Section 73 of the Privacy Act, hereby authorize those officers and employees of the Windsor-Detroit Bridge Authority occupying the positions identified within the attached schedules to exercise signing authorities or perform any of the CEO's powers, duties or functions specified therein.

Dated at Windsor this 17th day of November, 2016.

A handwritten signature in black ink, appearing to read "M. Cautillo", is written over a solid horizontal line.

President & CEO

**Delegation of Authority Under the
Access to Information Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
4(2.1)	Responsibility of government institutions	X				
7(a)	Notice when access requested	X				
7(b)	Giving access to record	X				
8(1)	Transfer of request to another government institution	X				
9	Extension of time limits	X				
11(2), (3), (4), (5), (6)	Additional fees	X				
12(2)(b)	Language of access	X				
12(3)(b)	Access in an alternative format	X				



**Delegation of Authority Under the
Access to Information Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
13	Exemption - Information obtained in confidence	X				
14	Exemption - Federal-provincial affairs	X				
15	Exemption - International affairs and defense	X				
16	Exemption - Law enforcement and investigations	X				
16.5	Exemption - Public Servants Disclosure Protection Act	X				
17	Exemption - Safety of individuals	X				
18	Exemption - Economic interests of Canada	X				



**Delegation of Authority Under the
Access to Information Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
18.1	Exemption - Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.					X
19	Exemption - Personal information	X				
20	Exemption - Third-party information	X				
21	Exemption - Operations of Government	X				
22	Exemption - Testing procedures, tests and audits	X				
22.1	Exemption - Audit working papers and draft audit reports	X				



**Delegation of Authority Under the
Access to Information Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
23	Exemption - Solicitor-client privilege	X				
24	Exemption - Statutory prohibitions	X				
25	Severability	X				
26	Exception - Information to be published	X				
27(1), (4)	Third-party notification	X				
28(1)(b), (2), (4)	Third-party notification	X				
29(1)	Where the Information Commissioner recommends disclosure	X				
33	Advising Information Commissioner of third-party involvement	X				



**Delegation of Authority Under the
Access to Information Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
35(2)(b)	Right to make representations	X				
37(4)	Access to be given to complainant	X				
43(1)	Notice to third party (application to Federal Court for review)	X				
44(2)	Notice to applicant (application to Federal Court by third party)	X				
52(2)(b), (3)	Special rules for hearings	X				
71(1)	Facilities for inspection of manuals	X				
72	Annual report to Parliament	X				



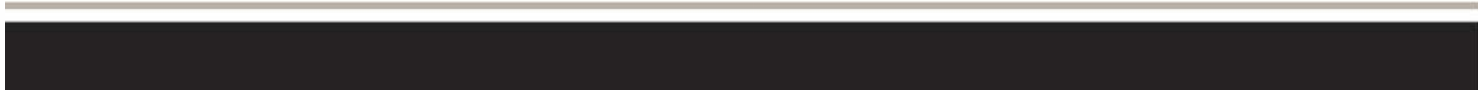
**Delegation of Authority Under the
Access to Information Regulations**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
6(1)	Transfer of request	X				
7(2)	Search and preparation fees	X				
7(3)	Production and programming fees	X				
8	Providing access to record(s)	X				
8.1	Limitations in respect of format	X				



**Delegation of Authority Under the
Privacy Act**

Provision	Task/Function	Position / Title			All	N/A
		VP, Communi cations & Stakehol der Relations	ATIP Officer	Program Directors		
8(2)(j)	Disclosure for research purposes	X				
8(2)(m)	Disclosure in the public interest or in the interest of the individual	X				
8(4)	Copies of requests under 8(2)(e) to be retained	X				
8(5)	Notice of disclosure under 8(2)(m)	X				
9(1)	Record of disclosures to be retained	X				
9(4)	Consistent uses	X				
10	Personal information to be included in personal information banks	X				
14	Notice where access requested	X				



**Delegation of Authority Under the
Privacy Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
15	Extension of time limits	X				
17(2)(b)	Language of access	X				
17(3)(b)	Access to personal information in alternative format	X				
18(2)	Exemption (exempt bank) - Disclosure may be refused	X				
19(1)	Exemption - Personal information obtained in confidence	X				
19(2)	Exemption - Where authorized to disclose	X				
20	Exemption - Federal-provincial affairs	X				
21	Exemption - International affairs and defense	X				



**Delegation of Authority Under the
Privacy Act**

Provision	Task/Function	VP, Communi cations & Stakehol der Relations	Position / Title			N/A
			ATIP Officer	Program Directors	All	
22	Exemption - Law enforcement and investigation	X				
22.3	Exemption - Public Servants Disclosure Protection Act	X				
23	Exemption - Security clearances	X				
24	Exemption - Individuals sentenced for an offence					X
25	Exemption - Safety of individuals	X				
26	Exemption - Information about another individual	X				
27	Exemption - Solicitor-client privilege	X				
28	Exemption - Medical record	X				



**Delegation of Authority Under the
Privacy Act**

Provision	Task/Function	Position / Title				
		VP, Communi- cations & Stakehol- der Relations	ATIP Officer	Program Directors	All	N/A
31	Notice of intention to investigate	X				
33(2)	Right to make representation	X				
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	X				
35(4)	Access to be given	X				
36(3)	Report of findings and recommendations (exempt banks)	X				
37(3)	Report of findings and recommendations (compliance review)	X				
51(2)(b)	Special rules for hearings	X				
51(3)	Ex parte representations	X				



**Delegation of Authority Under the
Privacy Act**

Provision	Task/Function	Position / Title				
		VP, Communi cations & Stakehol der Relations	ATIP Officer	Program Directors	All	N/A
72(1)	Report to Parliament	X				



**Delegation of Authority Under the
Privacy Regulations**

Provision	Task/Function	Position / Title				
		ATIP Coordi- nator	ATIP Officer	Program Directors	All	N/A
9	Reasonable facilities and time provided to examine personal information	X				
11(2)	Notification that correction to personal information has been made	X				
11(4)	Notification that correction to personal information has been refused	X				
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	X				
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	X				



Appendix B: **Statistical Report on the** ***Privacy Act***





Statistical Report on the *Privacy Act*

Name of institution: Windsor-Detroit Bridge Authority

Reporting period: 2016-04-01 to 2017-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	1
Total	1
Closed during reporting period	1
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	1	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	0	0	1

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	1
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

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

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	1	0	0
Total	1	0	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	0	0	0
Disclosed in part	1980	21	1
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	1980	21	1

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	1	21	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	1	21	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 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
1	1	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	1	1
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	1	1

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

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

Part 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

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
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	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 6: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	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

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 8: Complaints and Investigations Notices Received

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

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
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Part 10: Resources Related to the Privacy Act

10.1 Costs

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

10.2 Human Resources

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

Note: Enter values to two decimal places.