

Windsor-Detroit Bridge Authority

Privacy Act Annual Report 2020-2021



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1. Privacy Act - Annual Report 2020-2021

1.1 Introduction

The *Privacy 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 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 *Privacy Act* in accordance with section 72 of the Act. This report summarizes WDBA activities for Fiscal Year April 1, 2020, to March 31, 2021.

1.2 Organizational Structure

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

The powers, duties and functions of the administration of the Act have been fully delegated by WDBA's CEO to WDBA's Vice President, Corporate Affairs and External Relations (formerly the 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.

WDBA's ATIP requirements are managed through the ATIP Coordinator and supported by the ATIP Analyst/Corporate Communications Specialist. Additional ATIP resources are also contracted as needed.

1.3 Delegation Order

See Appendix A.

1.4 Highlights of the Statistical Report, 2020-2021

Requests

During fiscal year 2020-2021, WDBA received no privacy requests. This was a decrease from previous reporting periods.

Completed Requests

Requests Under the <i>Access to Information Act</i>	
Number of requests (2020-2021)	
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

WDBA's 2020-2021 statistical report on the *Privacy Act* is provided in Appendix B.

1.5 Training and Awareness

During fiscal year 2020-2021, WDBA promoted ATIP awareness throughout the organization by providing four sessions of mandatory training for all employees. Mandatory ATIP training occurs at WDBA on a biennial basis. The content of the training sessions included a high-level review of the ATI Act legislation, WDBA processes, exemptions, personal information and complaints. Other topics covered included the treatment of records, privacy principles and privacy breaches. In addition to these topics, the all-staff training was presented in collaboration with WDBA's Information Management Specialist who shared information management principles and best practices. All employees attended the training.

In addition to the mandatory training, the ATIP Analyst also delivered training to WDBA's Board of Directors.

An ATIP briefing is incorporated into the orientation process for new WDBA hires. Each new employee received this 1-1.5-hour training session within one month following their position's start date to provide a high-level overview of ATI Act requirements.

During "Right to Know Week," WDBA internally promoted ATIP. Communiqués were disseminated to employees that highlighted the roles and responsibilities of ATIP staff members. The messaging emphasized the work undertaken to complete ATIP requests and acted as a reminder that anyone seeking advice on interpreting the legislation could approach either the ATIP Coordinator or ATIP Analyst.

1.6 Policies, Guidelines, Procedures, and Initiatives

During the 2020-2021 reporting period, WDBA updated the organization's policy and procedure in compliance with the *Privacy Act*. WDBA initiatives undertaken during this period included:

- WDBA's manuals used for Privacy were reviewed and used to create a new and relevant policy and procedure to outline WDBA's legislated requirements as a Crown corporation in compliance with the *Privacy Act*. This policy and procedure is also reflective of the updated internal procedures for retrieving, reviewing and releasing documents. The new language ensures the process outlined is seamless and concise.
- This policy and procedure was reviewed by WDBA's Corporate Policy Committee and approved by appropriate delegates, including approval of the policy by WDBA's Board of Directors.

1.7 Summary of Key Issues and Actions Taken on Complaints and Audits

No complaints were made against WDBA under the *Privacy Act* during fiscal year 2020-2021. There are no court actions to report in relation to the *Privacy Act*.

1.8 Monitoring Compliance

WDBA's timeliness and compliance are monitored through internal tracking procedures. WDBA previously used the Access Pro Case Management software but switched to Nuix Discover software during fiscal year 2020-2021 to ensure WDBA's documentation tracking is more efficient and continues to meet deadlines. In addition, the status of each current access request is reported to the ATIP Coordinator on a weekly basis and the CEO is apprised of new requests and closure strategies.

1.9 Material Privacy Breaches

WDBA had one privacy breach to report for fiscal year 2020-2021. This privacy breach was determined to be an inadvertent error and was reported to the Office of the Privacy Commissioner and mitigated appropriately.

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 2020-2021 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 2020-2021, there were no disclosures pursuant to paragraph 8(2)(m).

Appendix A: Signed Delegation Order

Delegation of Authority Access to Information Act And Privacy Act

I, the undersigned Bryce Phillips, 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 5th day of August, 2020.



Bryce Phillips

Windsor-Detroit Bridge Authority
Chief Executive Officer

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	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				

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	All	N/A
12(3)(b)	Access in an alternative format	X				
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 - <i>Public Servants Disclosure Protection Act</i>	X				

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	All	N/A
17	Exemption - Safety of individuals	X				
18	Exemption - Economic interests of Canada	X				
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				

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	All	N/A
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				
23	Exemption - Solicitor-client privilege	X				
24	Exemption - Statutory prohibitions	X				
25	Severability	X				
26	Exception - Information to be published	X				

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	All	N/A
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				
35(2)(b)	Right to make representations	X				
37(4)	Access to be given to complainant	X				

Delegation of Authority Under the Access to Information Act						
Provision	Task/Function	Position / Title				
		VP, Communications & Stakeholder Relations	ATIP Officer	Program Director s	All	N/A
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, Communications and Stakeholder 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				
		ATIP Coordinator	ATIP Officer	Program Directors	All	N/A
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				

Delegation of Authority Under the Privacy Act						
Provision	Task/Function	Position / Title				
		ATIP Coordinator	ATIP Officer	Program Directors	All	N/A
14	Notice where access requested	X				
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				

Delegation of Authority Under the Privacy Act						
Provision	Task/Function	Position / Title				
		ATIP Coordinator	ATIP Officer	Program Directors	All	N/A
20	Exemption - Federal-provincial affairs	X				
21	Exemption - International affairs and defense	X				
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				X
25	Exemption - Safety of individuals	X				

Delegation of Authority Under the Privacy Act						
Provision	Task/Function	Position / Title				
		ATIP Coordinator	ATIP Officer	Program Directors	All	N/A
26	Exemption - Information about another individual	X				
27	Exemption - Solicitor-client privilege	X				
28	Exemption - Medical record	X				
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				

Delegation of Authority Under the Privacy Act						
Provision	Task/Function	Position / Title				
		ATIP Coordinator	ATIP Officer	Program Directors	All	N/A
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				
72(1)	Report to Parliament	X				

Delegation of Authority Under the Privacy Regulations						
Provision	Task/Function	Position / Title				
		ATIP Coordinator	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	X				

	release information to the requestor					
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: 2020-04-01 to 2021-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

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

Section 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	1	0	0	0	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	1	0	0	0	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	27.1	0
21	0	22.3	0	28	0
		22.4	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

Paper	Electronic	Other
0	1	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
6	6	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	1	6	0	0	0	0	0	0	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	1	6	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	100

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timelines Where an Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 3: Disclosures Under Subsections 8(2) and 8(5)

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

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1	0	1	0	0	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 or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	1	0	0	0	0	0	0
31 days or greater								0
Total	0	1	0	0	0	0	0	0

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other 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
Carried over to the next reporting period	0	0	0	0

Section 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

Section 8: Complaints and Investigations Notices Received

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

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	37	1	0	7

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	1
Number of material privacy breaches reported to OPC	1

Section 11: Resources Related to the *Privacy Act*

11.1 Costs

Expenditures	Amount
Salaries	\$324
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$324

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.002
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.002

Note: Enter values to three decimal places.

Appendix C: COVID-19 Supplemental Statistical Report



Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

Name of institution: Windsor-Detroit Bridge Authority

Reporting period: 2020-04-01 to 2021-03-31

Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	52	0	52
Protected B Paper Records	0	52	0	52
Secret and Top Secret Paper Records	0	52	0	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	0	0	52	52