

ANNUAL REPORT ON THE ACCESS TO INFORMATION ACT

2021/2022

June 29, 2022

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Presentation of the 2021/2022 Annual Report

In compliance with section 94 of the *Access to Information Act* (the “**Act**”), this annual report is prepared by Telefilm Canada (hereinafter also referred to as the “**Corporation**”) and tabled on its behalf in Parliament by the Minister of Canadian Heritage.

Purpose of the Access to Information Act

The Act gives Canadian citizens the right to access information contained in records under the control of federal institutions governed by the Act. This right is nevertheless subject to exceptions specified in the Act. Furthermore, decisions made by federal institutions on the disclosure of information are subject to independent review by the Office of the Information Commissioner of Canada (the “**OIC**”) as well as by the federal courts.

Mandate of the Institution

Telefilm Canada is a federal cultural institution dedicated to the development and promotion of the Canadian audiovisual industry. Telefilm Canada provides financial support to the private sector to create distinctively Canadian productions that appeal to domestic and international audiences. The Corporation also administers the funding programs of the Canada Media Fund.

Organization

The Vice President, Legal Services, is the designated Access to Information and Privacy Coordinator (the “**Coordinator**”) for the Corporation. Requests filed under the Act are automatically referred to designated Legal Services staff, consisting of three legal counsels and one paralegal, who ensure the coordination of filed requests as well as all aspects of their processing, including final decisions issued to requesters (“**the designated staff**”). Furthermore, the designated staff are also responsible for dealing with any other issues related to access to information within the Corporation. Monitoring of the time required to process requests filed under the Act is performed on a timely basis in the course of weekly meetings with the Coordinator. With the exception of a legal counsel located in the Atlantic region, the designated staff, as well as the Coordinator, are based in the Quebec region where the Corporation's head office is located.

Telefilm Canada was not a party to any services agreements within the meaning of section 96 of the Act during fiscal 2021/2022.

Findings

In 2021/2022 the number of access to information requests again increased compared to the previous year. Telefilm Canada received 13 formal requests, which is 4 more than in the previous financial year (2020/2021) and represents a 44% increase. This trend appears to fluctuate over time, as 2 formal requests were received in 2018/2019, 6 in 2019/2020 and 9 during the 2020/2021 period.

Regarding the number of formal access to information requests that were closed during fiscal 2021/2022, Telefilm Canada completed 10 requests, 8 of which were received during that period and 2 of which were received at the end of the previous period (2020/2021). Of those completed requests, 1 (10%) resulted in fully disclosed records and 9 (90%) in partially disclosed records. The number of closed formal requests fluctuates over time, depending on the number of new requests received during a reporting period: 7, 7, and 10 requests were respectively completed by Telefilm Canada during the 2020/2021, 2019/2020 and 2018/2019 periods. At the end of fiscal 2021/2022, the files of 5 formal access to information requests, all received during that same financial year, were carried forward to the next reporting period.

As for the number of informal requests, it dropped from 17 to 3 files, representing an 82% decrease from fiscal 2020/2021. While 2021/2022 saw a sharp reduction in informal requests compared to the previous year, this lower number is closer to the norm that emerged in prior years, as Telefilm Canada received 17 informal requests in 2020/2021, 4 in 2019/2020 and 5 in 2018/2019.

As in previous financial years, during the 2021/2022 period our institution received no requests for a release package featured on the list of completed access to information requests published on “open.canada.ca”. Moreover, the Corporation processed 2 requests for consultation from other federal institutions, the same number as in 2020/2021. These consultation files (100%) were processed within 1 to 15 days. This trend also appears to be fluctuating compared to previous financial years, with 2 consultation requests received in 2020/2021, 1 in 2019/2020 and 4 in 2018/2019.

Regarding the formal access requests received in 2021/2022, some of them sought information related to the internal management of the Corporation’s programs, activities and operations, while others focused more on particular project files or on obtaining all documents or correspondence containing specific terms.

None of the 10 files completed during the 2021/2022 period were closed past the legislated timelines. The processing time for these files ranged between 16 to 30 days (6 files or 60%), 31 to 60 days (1 file or 10%), 61 to 120 days (2 file or 20%) and 121 to 180 days (1 file or 10%), most of them (6 files or 60%) having been processed in 30 days or less. Four of these files required an extension of processing time. These extensions were necessary due to – among other things – the volume of documents covered by the requests and more complex nature of the information in two of these cases, as well as consultations conducted with another federal institution in the other two cases.

Aside from the weekly meetings previously mentioned under the “Organization” section of this report, no additional monitoring measures were required during the 2021/2022 period with respect to the time needed to process requests filed under the Act.

During the 2021/2022 period, the OIC opened 1 complaint file in connection with requests processed by the Corporation, compared to 1 complaint file in 2020/2021, 1 in 2019/2020 and 11 in 2018/2019. This complaint is currently being reviewed by the OIC and pertains to an extension taken by the Corporation. In addition to the notice of complaint received in 2021/2022, a second complaint file remained pending at the OIC during the same period. The latter stems from a notice of complaint received in 2019/2020 concerning certain exemptions invoked under the Act.

In order to raise awareness on the part of employees and managers about important aspects related to access to information, Legal Services provided a training session to the Corporation’s staff during the 2021/2022 period. As in previous financial years, this training was delivered by way of an interactive online platform and included a questionnaire. Total participation for all offices was estimated at 189 individuals.

During the same period, Legal Services also provided to 36 new employees live virtual training sessions to raise their awareness about, among other things, important aspects related to access to information. In addition, Legal Services staff continued to be consistently available to respond to the needs and questions of the Corporation’s employees and managers regarding access to information.

During the 2021/2022 period, the Corporation did not implement any new or revised access to information policies, guidelines or procedures.

Due to the public health measures imposed in connection with the COVID-19 pandemic during the 2021/2022 period, designated Legal Services staff could not maintain regular on-site presence should there be a need to process physical files (for example, reviewing paper records, scanning documents, and

processing incoming and outgoing mail). As Telefilm Canada's offices remained officially closed, all staff continued working remotely during fiscal 2021/2022. Aside from the lack of regular on-site presence, the continuation of the COVID-19 pandemic had no other impact on the Corporation's ability to fulfill its responsibilities under the Act and did not require adopting specific measures in connection with access to information or the Act.

Schedule "A"

Copy of the Delegation Order

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MEMO

TO: Stéphane Odesse, Director, Legal Services and ATIP Coordinator
Pierre-Yves Marchand, Paralegal
Khadidja Kedir, Legal Counsel
Joshua Samson, Legal Counsel
Jordan Bélanger, Legal Counsel

FROM: Christa Dickenson, Executive Director

DATE: January 11, 2021

SUBJECT: Delegation of Powers, Duties and Functions under the *Access to Information Act* and the *Privacy Act*.

This is to confirm in writing that effective October 13, 2020 I designated, pursuant to sections 95(1) of the *Access to Information Act* ("ATIA") and 73(1) of the *Privacy Act*, Stéphane Odesse, Director, Legal Services and Access to Information and Privacy ("ATIP") Coordinator for Telefilm Canada, to exercise and perform all the powers, duties and functions of the Executive Director as head of Telefilm Canada under the ATIA and the *Privacy Act*.

In addition, effective October 13, 2020 I delegated these same powers, duties and functions to Pierre-Yves Marchand, Paralegal, Khadidja Kedir, Legal Counsel, Joshua Samson, Legal Counsel and Jordan Bélanger, Legal Counsel, for the administration and carrying out of all and any of Telefilm Canada's responsibilities and activities pursuant to and under the ATIA and the *Privacy Act*.

The Paralegal and Legal Counsels listed above shall report directly to the Director, Legal Services and ATIP Coordinator and to no other person within Telefilm Canada for ATIA and *Privacy Act* purposes.

Any proposed changes to the authority and procedure hereby granted shall require my prior written authorization.

Signed this 11th day of January, 2021.

Telefilm Canada



Christa Dickenson
Executive Director



Schedule "B"
Statistical Report



Statistical Report on the Access to Information Act

Name of institution: Telefilm Canada

Reporting period: 2021-04-01 to 2022-03-31

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

		Number of Requests
Received during reporting period		13
Outstanding from previous reporting periods		2
• Outstanding from previous reporting period	2	
• Outstanding from more than one reporting period	0	
Total		15
Closed during reporting period		10
Carried over to next reporting period		5
• Carried over within legislated timeline	5	
• Carried over beyond legislated timeline		

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	1
Business (private sector)	3
Organization	0
Public	8
Decline to Identify	1
Total	13

1.3 Channels of requests

Source	Number of Requests
Online	13
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	13

Section 3: Applications to the Information Commissioner on Declining to Act on Requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	0

Section 4: Requests Closed During the Reporting Period

4.1 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	1	0	0	0	0	0	1
Disclosed in part	0	5	1	2	1	0	0	9
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 transferred	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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	0	6	1	2	1	0	0	10

4.2 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)	6
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	6
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
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)	7	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	4	23	1
15(1) - Def.*	0	16,3	0	20(1)(b)	6	23,1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	1
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16,5	0	20(1)(d)	0		
16(1)(a)(iii)	0	16,6	0				
16(1)(b)	0	17	0				
16(1)(c)	0						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	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

4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	10	0	0	0	0

4.5 Complexity

4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
1876	1875	10

4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	1	1	0	0	0	0	0	0	0	0
Disclosed in part	5	163	3	790	1	922	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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	6	164	3	790	1	922	0	0	0	0

4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	1	0	0	1
Disclosed in part	1	0	0	1
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	2	0	0	2

4.6 Closed requests

4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	10
Percentage of requests closed within legislated timelines (%)	100

4.7 Deemed refusals

4.7.1 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

4.7.2 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 timeline 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

4.8 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 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	2	0	2	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	2	0	2	0

5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	0	0
31 to 60 days	0	0	2	0
61 to 120 days	1	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	1	0	0	0
365 days or more	0	0	0	0
Total	2	0	2	0

Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	13	\$65,00	0	\$0,00	0	\$0,00
Other fees	0	\$0,00	0	\$0,00	0	\$0,00
Total	13	\$65,00	0	\$0,00	0	\$0,00

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 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

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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 9: Investigations and Reports of finding

9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
1	0	0

9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
0	0	0	0	0	0

Section 10: Court Action

10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

Section 11: Resources Related to the Access to Information Act

11.1 Allocated Costs

Expenditures	Amount
Salaries	\$104 316
Overtime	\$16 031
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$120 347

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1,000
Part-time and casual employees	0,000
Regional staff	0,000
Consultants and agency personnel	0,000
Students	0,000
Total	1,000

Note: Enter values to three decimal places.

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

Name of institution: Telefilm Canada

Reporting period: 2021-04-01 to 2022-03-31

Section 1: Capacity to Receive Requests under the *Access to Information Act* and the *Privacy Act*

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	0
Able to receive requests by email	0
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records under the *Access to Information Act* and the *Privacy Act*

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	52	0	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	52	0	0	52

Section 3: Open Requests and Complaints Under the Access to Information Act

3.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2022	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	5	0	5
Received in 2020-2021	0	0	0
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	5	0	5

3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	1
Received in 2020-2021	0
Received in 2019-2020	1
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	2

Section 4: Open Requests and Complaints Under the Privacy Act

4.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2022	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	0	0	0
Received in 2020-2021	0	0	0
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	0	0	

4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	0
Received in 2020-2021	1
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	1

Section 5: Social Insurance Number (SIN)

Did your institution receive authority for a new collection or new consistent use of the SIN in 2021-2022?	No
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