

ANNUAL REPORT ON THE PRIVACY ACT

2022/2023

July 7, 2023

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Presentation of the 2022/2023 Annual Report

In compliance with section 72 of the *Privacy Act* (hereinafter also referred to as 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 *Privacy Act*

The Act gives everyone the right to access their personal information held by government institutions that are subject to the Act, and protects that information against unauthorized collection, use, retention and disclosure. This right is subject to exceptions specified in the Act. Also, decisions made by federal institutions on the use and disclosure of personal information are subject to independent review by the Office of the Privacy Commissioner of Canada (the “**Commissioner**”) 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 normally referred to designated Legal Services staff, consisting of 3 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 issues related to privacy within the Corporation. Monitoring of the time required to process requests filed under the Act is performed on a timely basis, including 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 did not use the services of ATIP¹ consultants, and was not a party to any services agreements within the meaning of section 73.1 of the Act during fiscal 2022/2023.

Findings

In 2022/2023, the number of requests to access personal information increased compared to the previous year. Telefilm Canada received 4 requests under the Act during fiscal 2022/2023, which is 2 more than in the previous financial year (2021/2022). This increase (100%) reflects a trend that seems to fluctuate over time, considering the lack of requests in 2019/2020 compared to the 3 and 2 requests received in 2020/2021 and 2021/2022, respectively.

Regarding the number of privacy requests that have been closed, Telefilm Canada completed 4 requests during fiscal 2022/2023, all received during the period covered by this report.

The 4 files (100%) completed during the 2022/2023 period were closed within the legislated timelines. The processing time for these files ranged between 1 to 15 days (2 files or 50%) to 16 to 30 days (2 files or 50%).

¹ ATIP : Access to Information and Privacy

Two requests (50%) resulted in partially disclosed records, one request (25%) resulted in fully disclosed records, whereas another request was abandoned.

As in the 2019/2020 to 2021/2022 periods, the Corporation made no disclosures pursuant to section 8(2)(m) of the Act during fiscal 2022/2023. Moreover, the Corporation did not complete any privacy impact assessments during that financial year.

During the 2022/2023 period, the Corporation did not process any consultation requests from other government institutions. As well, no new or revised institution-specific policies, guidelines or procedures related to privacy have been implemented by the Corporation. Furthermore, no new systematic collection or consistent use of social insurance numbers began during the same period.

No material privacy breaches were reported in fiscal 2022/2023 to the Commissioner and to the Privacy and Data Protection Division at the Treasury Board Secretariat. During that same financial year, only one complaint file was still being processed by the Commissioner, in connection with a notice of complaint received in 2020/2021, and no further developments occurred in connection with this file during the period covered by this report. This complaint alleges that Telefilm Canada contravened section 12(1) of the Act (right of access) while processing the request. Aside from this complaint file opened in 2020/2021, no other privacy-related complaints were sent to the Corporation by the Commissioner during fiscal 2022/2023.

Aside from the weekly meetings previously mentioned in the “Organization” section of this report, no additional monitoring measures were required during the 2022/2023 period with respect to the time needed to process requests filed under the Act.

Activities in Support of Access to Personal Information, Privacy Protection and Compliance Monitoring

Telefilm Canada maintains practices aimed at providing any individual wishing to access their personal information with as much material and documents as can be made available legally while respecting the Corporation’s confidentiality guidelines, without requiring a formal access request under the Act or, whenever possible, without even opening an informal request file.

In addition to the above, Telefilm Canada also carries out other activities to monitor compliance with the Act and related directives issued by the Treasury Board Secretariat. These include, among others:

- Using technological tools, including the *ATIP Online Management Tool* made available by the Treasury Board Secretariat, to help track the processing of requests made under the Act and responses issued thereto.
- Monitoring the time required to process requests made under the Act on a timely basis, including weekly meetings attended by the Coordinator and designated Legal Services staff who handle access requests.
- Determining, as part of the designated Legal Services staff’s processing of each request made under the Act, whether inter-institutional consultation is necessary for the proper exercise of discretion not to disclose information, or required in relation to the disclosure of potentially sensitive information. Where appropriate, designated Legal Services staff will inform the Coordinator as part of their regular discussions with the latter.
- Systematically consulting designated Legal Services staff when developing templates as well as reviewing, on a timely basis, draft contracts, agreements and arrangements, thereby ensuring the

inclusion of appropriate privacy protections. The Coordinator is informed of these consultations in the course of regular meetings with his staff.

Training and Awareness

In order to raise awareness on the part of employees and managers about important aspects related to privacy, Legal Services provided mandatory training to all Telefilm Canada employees during fiscal 2022/2023. As was the case in previous financial years, this training was delivered by way of an interactive online platform allowing individual progress to be tracked, and included a questionnaire to test each participant's comprehension. Total participation for all offices was estimated at 220 individuals. During the same period, Legal Services also provided to 25 new employees live virtual training sessions to raise their awareness about, among other things, important aspects related to privacy. Also, Legal Services responded on a regular basis to the questions and needs of the Corporation's employees and managers regarding privacy.

In addition to coaching involving one-on-one support and closer follow-up which Legal Services initially provides to its designated staff who have functional or delegated responsibilities for the administration of the Act, designated staff are also encouraged to, among other things, participate in additional in-depth training provided virtually by the Treasury Board Secretariat on a regular basis.

Impact of COVID-19-Related Measures

With the lifting of health restrictions over the 2022-2023 period, COVID-19 had no impact on the Corporation's ability to fulfill its responsibilities under the Act and did not require adopting specific mitigation measures in connection with privacy or the Act.²

² Telefilm Canada does not generate or process *Secret* or *Top Secret* documents as part of its operations.

Schedule "A"

Copy of the Delegation Order



Canada

MEMO

TO: Stéphane Odesse, Vice President, Legal Services and ATIP Coordinator

Pierre-Yves Marchand, Paralegal, Khadidja Kedir, Legal Counsel, Joshua Samson, Legal Counsel Zara Bouyema, Legal Counsel

FROM: Francesca Accinelli, Acting Executive Director and CEO

DATE: January 26th, 2023

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 January 26th 2023, I designated, pursuant to sections 95(1) of the *Access to Information Act* (the “**ATIA**”) and 73(1) of the *Privacy Act*, Stéphane Odesse, Vice President, Legal Services and Access to Information and Privacy Coordinator for Telefilm Canada, to exercise and perform all the powers, duties and functions of the Acting Executive Director and CEO as head of a federal institution, namely Telefilm Canada, under the ATIA and the *Privacy Act*, except with regards to access to information requests and requests for personal information pertaining to managers and staff members of Telefilm Canada. These latter requests are the exclusive responsibility of the Acting Executive Director and CEO and must therefore be sent to her, without delay, for processing and decision.

In addition, as of January 26th, 2023, I have delegated to Pierre-Yves Marchand, Paralegal, Khadidja Kedir, Legal Counsel, Joshua Samson, Legal Counsel and Zara Bouyema, Legal Counsel, the powers, duties and functions to assist the Vice President, Legal Services and Access to Information and Privacy Coordinator in the processing of access to information requests and personal information requests, with the same exceptions indicated in the preceding paragraph.

This revokes the delegation of powers, duties and functions under the ATIA and the PA dated September 16th, 2022.

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

Signed this 26th day of January 2023.

Telefilm Canada

Francesca
Accinelli

Digitally signed by
Francesca Accinelli
Date: 2023.01.27
14:55:56 -0500

Francesca Accinelli
Acting Executive Director and CEO

Schedule “B”

Statistical Report

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Section 3: Requests Closed During the Reporting Period

3.1 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	1	0	0	0	0	0	0	1
Disclosed in part	0	2	0	0	0	0	0	2
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	1	0	0	0	0	0	0	1
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	2	2	0	0	0	0	0	4

3.2 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	2
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		

3.3 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

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	3	0	0	0	0

3.5 Complexity

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

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
862	862	4

3.5.2 Relevant pages processed by 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	0	0	1	308	1	553	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	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	1	1	308	1	553	0	0	0	0

3.5.3 Relevant minutes processed and disclosed for audio formats

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

3.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

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

3.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.7 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

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	4
Percentage of requests closed within legislated timelines (%)	100

3.7 Deemed refusals

3.7.1 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

3.7.2 Request 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

3.8 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 4: 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 5: 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 6: Extensions

6.1 Reasons for extensions

Number of extensions 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 ConfidenceSection (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

6.2 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 ConfidenceSection (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Section 7: Consultations Received From Other Institutions and Organizations

7.1 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 within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

7.2 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	
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

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

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	
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

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: Complaints and Investigations Notices Received

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

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	0	0	0	0
Central	0	0	0	0
Total	0	0	0	0

Section 11: Privacy Breaches**11.1 Material Privacy Breaches reported**

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	0
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Section 12: Resources Related to the Privacy Act**12.1 Allocated Costs**

Expenditures		Amount
Salaries		\$111 378
Overtime		\$2 635
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$114 011

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.940
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.940

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: 2022-04-01 to 2023-03-31

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	52
Able to receive requests by email	52
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	0	52	52
Protected B Paper Records	0	0	52	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, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	5	0	5
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	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 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 2022-2023	0
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2016-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	0

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, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	0	0	0
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	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	0	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 2022-2023	0
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	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	1

Section 5: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2022-2023?	No
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Section 6: Universal Access under the Privacy Act

How many requests were received from confirmed foreign nationals outside of Canada in 2022-2023?	0
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