

ANNUAL REPORT ON THE ACCESS TO INFORMATION ACT

2019/2020

July 31, 2020



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Presentation of the 2019/2020 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 Director of Legal Services is the designated Access to Information and Privacy Coordinator (the “**Coordinator**”) for the Corporation. The Coordinator refers requests filed under the Act to Legal Services staff, who ensure their coordination as well as all aspects of their processing, including final decisions issued to applicants. Furthermore, Legal Services staff deal 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.

Telefilm Canada has not been a party to any services agreements within the meaning of section 96 of the Act.

Findings

In 2019/2020, the number of access to information requests slightly increased compared to the previous year. Telefilm Canada received 6 formal access to information requests, which is 4 more than in the previous financial year (2018-2019) and represents a 200% increase. This trend appears to fluctuate over time, as 28 formal requests were received in 2017/2018 and 10 during the 2016/2017 period.

Regarding the number of formal access to information requests that have been closed, Telefilm Canada has completed 7 requests during the 2019/2020 period, including the 6 formal requests received during such period, as well as the request outstanding from the previous period. The number of closed formal requests fluctuates over time, depending on the number of new requests received during a reporting period: 10, 28 and 5 requests have respectively been completed by Telefilm Canada during the 2018/2019, 2017/2018 and 2016/2017 periods.

As for the number of informal requests, it decreased from 5 to 4 files, representing a 20% decline from the 2018/2019 financial year. This trend also appears to fluctuate slightly over time, as Telefilm Canada received 4 informal requests in 2017/2018 and 7 in 2016/2017.

As in previous financial years, during the 2019/2020 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 a single request for consultation from another federal institution, 3 less than in 2018/2019. This trend also appears to be fluctuating compared to previous financial years, with 8 requests for consultation received in 2017/2018 and 3 in 2016/2017.

Contrary to the trend in recent years, formal access requests received in 2019/2020 mostly sought the disclosure of information related to the management of the Corporation’s internal affairs and the conclusion of various contracts. Indeed, formal access requests received in previous years focused more on specific project files or on obtaining all documents or correspondence containing specific terms.

None of the 7 files completed during the 2019/2020 period were closed past the legislated timelines. The processing time for these files ranged between 1 to 15 days (1 file or 14%), 16 to 30 days (4 files or 57%) and 61 to 120 days (2 files or 29%), most of them (5 files or 71%) having been processed in less than 30 days. Only 2 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 the first case, as well as the consultations conducted with other federal institutions in the second case.

Aside from the weekly meetings previously mentioned under the “Organization” section of this report, no additional monitoring measures were required during the 2019/2020 period with respect to the time needed to process requests filed under the Act.

During the 2019/2020 period, the OIC opened only 1 complaint file in connection with requests processed by the Corporation, compared with 11 complaint files in fiscal 2018/2019, 2 in 2017/2018 and 6 in 2016/2017. This complaint file, which is currently being processed by the OIC, concerns the application of exceptions 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 1 training session to the Corporation’s staff during the 2019/2020 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 176 individuals.

During the same period, Legal Services also provided new employees with 3 individual in-person training sessions at the head office in Montréal, to raise awareness among these 3 new employees about, among other things, important aspects related to access to information. In addition, Legal Services 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 2019/2020 period, the Corporation adjusted its proactive publication procedures to comply with the new provisions of the Act, which came into effect in June 2019. From this moment on, the costs incurred in connection with all members of our board of directors and all members of our senior management team in terms of travel, hospitality and conferences, are published on our website within 30 days from the end of the month of reimbursement. Also, reports tabled in Parliament on behalf of our institution are published on our website within 30 days after tabling. Aside from the above, during the 2019/2020 period, the Corporation did not implement any new or revised access to information policies, guidelines or procedures.

Finally, the arrival of the COVID-19 pandemic at the end of the 2019/2020 period had no impact on the Corporation's ability to fulfill its obligations 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

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

FROM: Christa Dickenson, Executive Director

DATE: September 16, 2019

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 September 9, 2019 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 September 9, 2019 I delegated these same powers, duties and functions to Pierre-Yves Marchand, Paralegal and Khadidja Kedir, 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 Counsel 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 16th day of September, 2019.

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: 2019-04-01 to 2020-03-31

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	6
Outstanding from previous reporting period	1
Total	7
Closed during reporting period	7
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	5
Academia	0
Business (private sector)	1
Organization	0
Public	0
Decline to Identify	0
Total	6

1.3 Informal 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	
4	0	0	0	0	0	0	4

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Section 2: Decline to act on vexatious, made in bad faith or abuse of right 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
Carried over to next reporting period	0

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	2	0	0	0	4
All exempted	0	1	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	0	1	0	0	0	0	0	1
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
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	1	4	0	2	0	0	0	7

3.2 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)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
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)	4	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	2
15(1) - Def.*	0	16,3	0	20(1)(b)	4	23,1	0
15(1) - S.A.*	0	16,31	0	20(1)(b.1)	0	24(1)	1
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16,5	0				
16(1)(b)	0	16,6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

3.3 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

3.4 Format of information released

Paper	Electronic	Other
3	2	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
892	755	6

3.5.2 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	1	52	0	0	0	0	0	0	0	0
Disclosed in part	2	44	2	659	0	0	0	0	0	0
All exempted	1	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	4	96	2	659	0	0	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	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

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	7
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 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

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: Extensions

4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	1	0	1	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	1	0	1	0

4.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	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	1	0
61 to 120 days	1	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	1	0	1	0

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	6	\$30	0	\$0
Other fees	0	\$0	0	\$0
Total	6	\$30	0	\$0

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	1	108	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	108	0	0
Closed during the reporting period	1	108	0	0
Carried over to next reporting period	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Section 7: Completion Time of Consultations on Cabinet Confidences

[illegible]

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
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

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
1	0	0	0	0	0

Section 9: Court Action

9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures		Amount
Salaries		\$38 991
Overtime		\$5 036
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$44 027

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0,45
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,00
Students	0,00
Total	0,45

Note: Enter values to two decimal places.