

## Access to Information and Privacy Community Meeting

### October 1, 2020 – Questions and Answers

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#### Access to Information Policy

##### **1. Can IPPD elaborate on the access to information (ATI) policy changes that are in development?**

New content has been added to the ATI Policy and Directive to address changes to *the Access to Information Act* (ATIA) as a result of Bill C-58, such as:

##### Declining to act on requests

Institutions must request written approval from the Information Commissioner, and provide supporting documentation

##### Orders of the Information Commissioner

Institutions must notify TBS if it expects to receive an order, and track orders made by the Information Commissioner against the institution

##### Proactive publication

Institutions must establish procedures to meet the proactive publication requirements under Part 2 of the ATIA

##### Service sharing

Institutions must inform the President of the Treasury Board, the Information Commissioner and the Privacy Commissioner of any new or changed service-sharing agreement

There are also proposed changes in the policy instruments to provide support for best practices and modern processes:

##### Control of records

Institutions would be required to establish procedures to assess whether the institution has control of the records

##### Use of prescribed platforms

Institutions would be required to use prescribed platforms such as the ATIP Online Request Service, unless an exception is approved

### Providing a copy of a plain language guide

Proposal that responses would include link to plain language guide (under development)

### Employee obligations strengthened

Employees would be required to consider the letter and the intent of a request, to perform a comprehensive search for records, and to report any suspected obstruction

## **2. The purpose of the review of ePost Connect is not well understood. How does this affect departments where that product has already been used for many years?**

The purpose of the review of Canada Post's ePost Connect is to validate the security posture of the ePost Connect solution, in order to confirm that the solution is suitable for the e-delivery of Government of Canada (GC) Protected B information.

While some institutions have been using ePost Connect for many years, IT and security teams within other institutions have prevented some ATIP offices from using ePost until its security validation by the Canadian Centre for Cyber-Security (CCCS) and TBS (Cyber-Security) has been completed.

### Status of the ePost Connect Security Review

- The security assessment of ePost Connect has been successfully completed by the Canadian Centre for Cyber-Security (CCCS) & TBS (Cyber-Security)
- E-post Connect has been deemed suitable to transmit information up to and including Protected B.
- Once a report confirming this validation has been provided to IPPD by CCCS and TBS (Cyber security), we will share it with institutions.

**3. Is there a risk for going too far down the proactive publication path? For example, diluting advice and recommendations?**

The intent of the proactive publication requirements is to increase the openness of government. Documents should not be edited or redrafted for the purposes of proactive publication under Part 2 of the ATIA. Sections 80 and 90 of the ATIA provide for protections against the release of certain information. More specifically, proactive publication under Part 2 of the Act would not require the release of information that would properly be withheld in a response to an access to information request.

It is important to keep in mind that proactively published information may still be requested under Part 1 of the ATIA, so requesters will be able to compare the version provided through the request-based system and the version that is proactively published.

**4. Proactive publication has generated an increase in demand for government information, so wouldn't more proactive publication result in greater stress on ATIP offices?**

Institutions' ATIP offices have reported various changes in activity as a result of proactive publication requirements. While some institutions have reported increased request activity, others suggest that ATI requests have changed rather than increasing or decreasing. For instance, where a requester may once have asked for all the briefing notes from a specified date range, they now ask for specific titles.

We recognize, however, that ATIP offices have a significant role to play in proactive publication. Some institutions have developed proactive publication business practices to mitigate potential strain on ATIP offices. While some ATIP offices remain heavily involved in all aspects of proactive publication, others have created transparency units to streamline the review process of proactively published information.

The engagement with institutions for the review of the ATIA presents an opportunity to raise these issues, as well as for institutions to share any innovative solutions they have undertaken to mitigate the stresses of proactive publication.

**5. Could you explain the 'Remote access to secret network' on in slide 4 of the Updates from TBS presentation? Is this GCSI or for other secret networks?**

The reference to secure remote access on slide 4 of the presentation refers to the remote access to the Government of Canada Secret Infrastructure (GCSI), led by Shared Service Canada.

As indicated, efforts to provide secure remote access to the GCSI are underway, which would allow institutions to process classified digital records up to the Secret level remotely.

**6. DFO and which organization are using Central Collab and "We Trans"?**

DFO and Infrastructure Canada participated in a workshop on business recovery. The attached deck from the workshop 'Presentation-EN-Workshop on best practices-Processing of requests-July 15 2020-FINAL.pdf' provides information on the digital platforms they use to release request packages to requesters.

A copy of the presentation is included in [Annex A](#).

**Privacy Policy**

**7. Does TBS have any guidance for institutions processing Privacy requests where certain records would typically need to be viewed in a Reading Room (exam q's)?**

Guidance on reading rooms can be found in [section 5.6](#) of the Access to Information Manual and [Annex B](#) of this document.

**8. Will TBS also do a PIA for ePost, or are all departments that are planning to use e-post expected to do their own?**

TBS can assist with the coordination if institutions who have completed a PIA on ePost wish to share the document in part or as a whole with other institutions in order to assist them in the completion or their own.

**9. Has TBS started PIAs on Microsoft Teams 365? What are the proper retention periods for chats? Video Recordings?**

At TBS, M365 implementation is being carried out in phased deployments. To date, program officials have been selective of which applications to roll out internally and the TBS ATIP office undertook a privacy review prior to the launch of each of these applications - via our internal PIA framework process. We understand that the entire M365 suite of tools is currently being assessed more comprehensively as part of the SSC enterprise PIA for the Digital Communications and Collaboration Initiative. With respect to retention periods, we recommend having a discussion with your institution's IM group, especially given the storage requirements for saving videos.

## **10. When will the revision of TBS Privacy manual will be completed?**

The work on the Privacy Manual is ongoing, and while a completion date cannot be suggested, chapters will be published as they are approved. Institutions are reminded to please contact the IPPD inbox should they require additional assistance or guidance.

## **Open Government**

### **11. Is version 3 of ATIP Online Request Service (AORS) going to include analytics features to allow easy retrieval of information about how the system is performing, where delays reside, etc.?**

Version 3 will capture more data than previous iterations of AORS. While version 3 will not have integrated reporting, the data can be extracted centrally to feed analysis. Integrating reporting and analytics into a future version is a consideration.

### **12. Will it be necessary to involve our IT departments in implementing version 3 of AORS?**

As institutional users will log in to a portal to retrieve requests and post responses, there is no IT integration required. However, each institution's IT Security posture is different, and it may be necessary to work with your IT services to allow access to the web portal, if it is not already permitted.

It may also be necessary to work with your IT services to determine the two-factor authentication to access the web portal. This work should be done well in advance.

### **13. So AORS 3.0 will be produced in parallel of the upcoming new APCM as well? We're asking because our IT people need to be advised of our needs for involvement.**

AORS is a separate initiative from the ATIP Request Processing Software Solution (RPSS). AORS version 3, in 2021-22, will allow for requesters to create accounts and view their request history. Institutions will be able to respond electronically and retrieve requests in batches. RPSS, which will be available for purchase by the end of the fiscal year 2020-21, provides for case management, image redaction and other back office functionalities. Initially, these two systems will be independent. However, it is our hope to develop the capacity for them to interact.

NOTE: While RPSS will be available for purchase soon, there is a lot of work to do before you can implement such software. Guidance documents have been posted on the [ATIP Digital Services GCcollab page](#).

**14. How soon do you see the major overhaul that you advocate coming to fruition? For example, digitization, full resource capacity, etc.**

Electronic request submission and secure electronic responses will be available in AORS version 3 next fiscal year. We will transition institutions from version 2 to version 3 within one month of the full launch and onboard the remaining institutions onto version 3 by the end 2021-22. RPSS, which will support a fully digital ATIP process will be available for purchase by the end of the current fiscal year.

It is important to note that institutions need to look at their own internal Information Management processes as well as their capacity to implement new systems and adapt to change in order to move to a more digitized process.

**Administrative**

**15. All of the hyperlinks in the presentation materials are in pdf form and cannot be opened as hyperlinks...can someone send the link to the Privacy Breach page?**

The ATIP Community Meetings GCWiki and GCPedia pages have been updated to include a copy of all the hyperlinks found in the presentations.

- [https://wiki.gccollab.ca/ATIP\\_community\\_meetings](https://wiki.gccollab.ca/ATIP_community_meetings)
- <https://www.gcpedia.gc.ca/wiki/Access/community/events>



Treasury Board of Canada  
Secrétariat

Secrétariat du Conseil du Trésor  
du Canada

Canada

# Workshop on Best Practices

For Business Recovery

*July 15, 2020*



## Purpose

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- To share best practices concerning request processing in the current context
- To provide the broader community with an opportunity to learn about successful strategies undertaken by some institutions while working remotely during the COVID-19 pandemic



## Context

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- Public health measures established to curb the spread of COVID-19 and to protect the health and safety of federal employees have affected capacity to process access to information requests remotely
- Despite challenges, the **Department of Fisheries and Oceans (DFO)** and **Infrastructure Canada** have found innovative ways to move forward on requests
- These initiatives could be adopted by other institutions, or inspire other innovative solutions

# DFO Approach

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## Remote Access

- All DFO ATIP employees were equipped with laptops prior to the COVID-19 pandemic.
- Can remotely access DFO network and ATIP applications using secured VPN.
- VPN connection is established through Cisco AnyConnect.  
Process is the same as other institutions.

## Electronic Transmittal

- Introduced electronic submission of documents by OPIs as part of the DFO ATIP Paper Reduction Initiative in December 2019.
- Based on a phased onboarding approach in collaboration with IM, liaison officers for each program/region/sector are able to submit records via GCdocs to the ATIP.
- Cannot work for records above Protected B

# DFO Approach

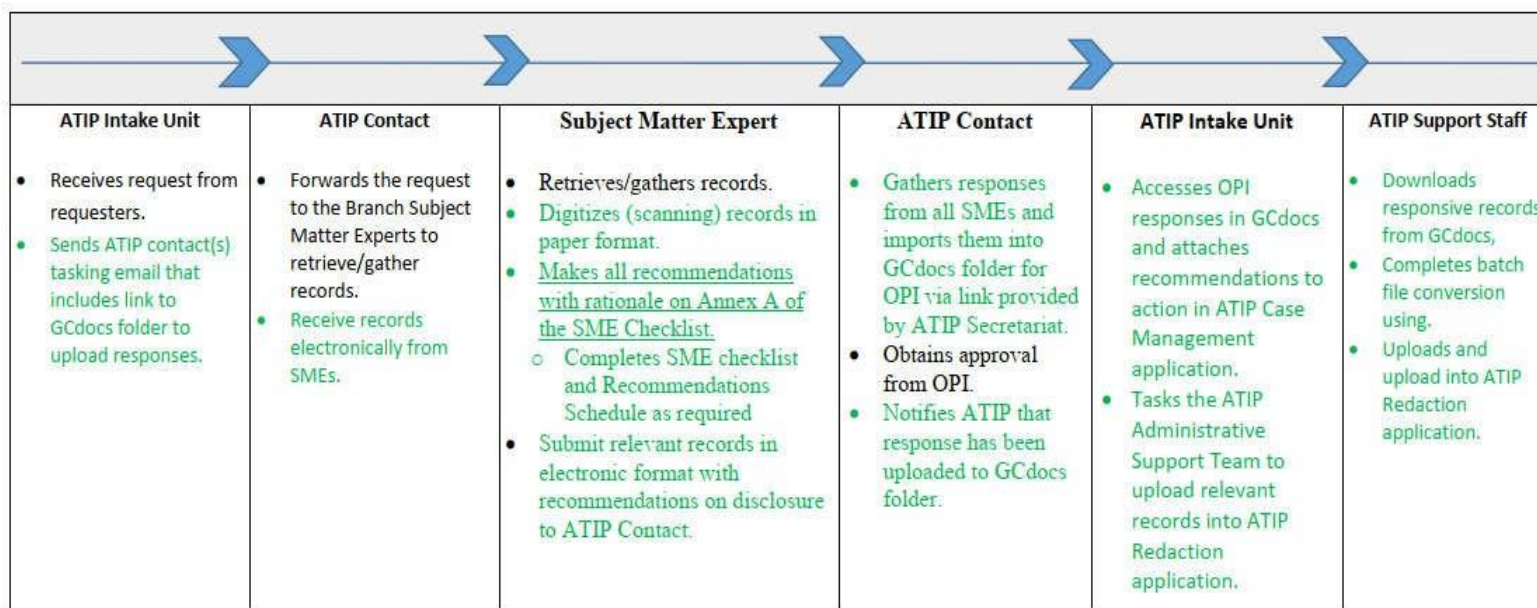
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## Disclosing large volume of records

- Using a file sharing website called WeTransfer on an interim basis to provide requester access to records.
- Disclosed records with no sensitivities by embedding a web link to download the records in response letters sent to requesters
- No requirement to create an account or to disclose any information about the requesters to the third party
- Supports up to 2 GB of data per link.

# DFO Approach

- Using GCdocs and other applications to achieve a drastic reduction in paper use and reliance on printers when processing ATIP requests.

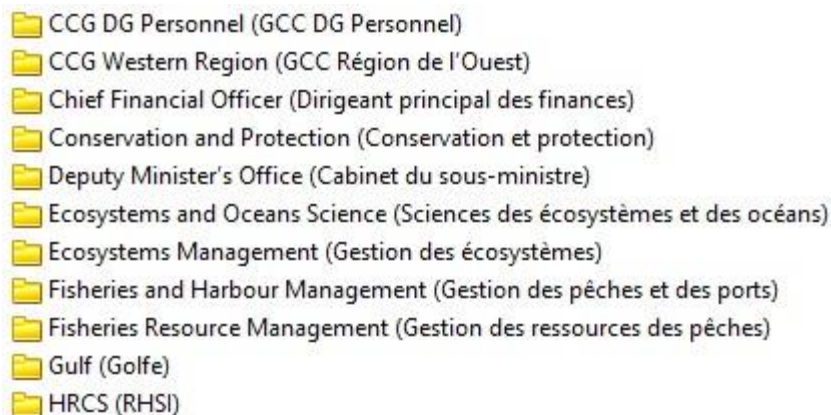


Represents changes away from traditional paper based process

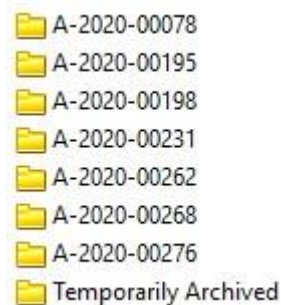
# DFO Approach

- A GCdocs folder with a user group for each OPI to manage ATIP requests.
- All request folders and user groups associated with initiative is controlled and managed by ATIP.

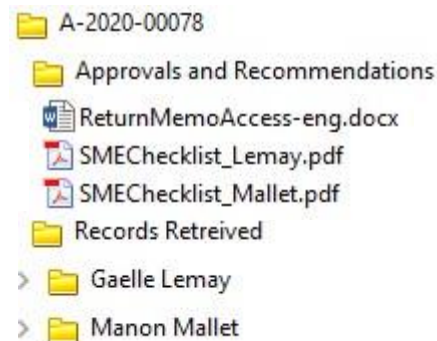
## Sample OPI Folders (31 OPIs)



## OPI Sub Folder



## Sample Request Folder

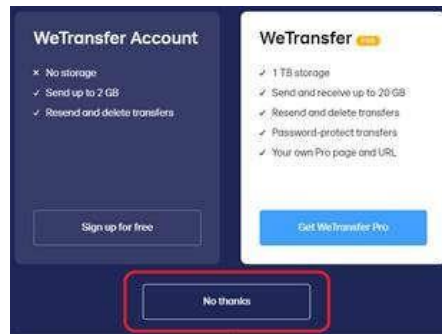


# DFO Approach

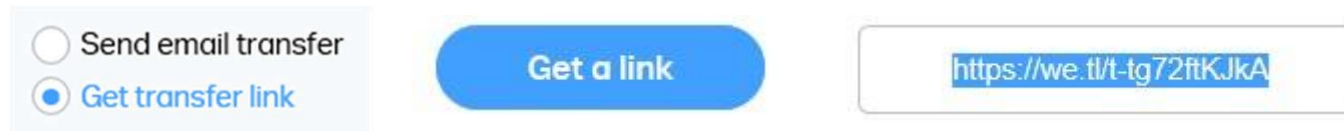
WeTransfer makes disclosing records with no sensitivities

EASY AS  
1, 2, 3...

1. Upload records as a file or folder without creating an account.



2. Generate download link.



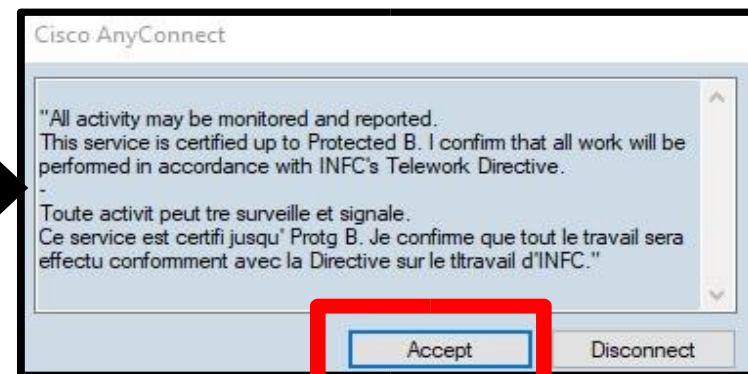
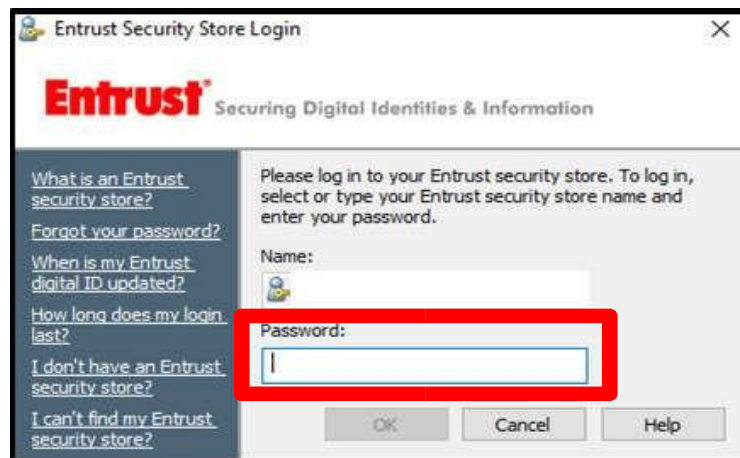
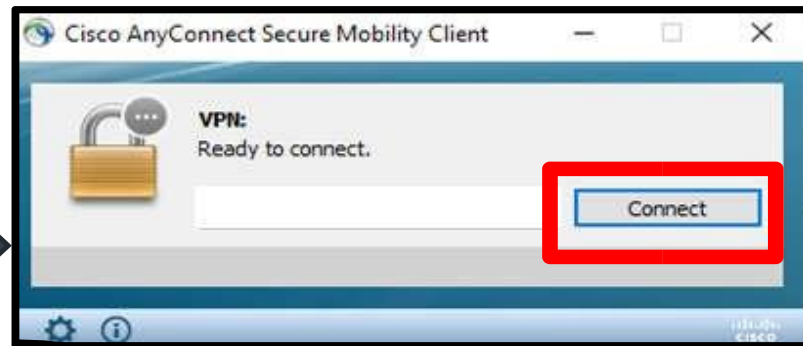
3. Share link as a message in response letter.

[Click here to download records](#) (Note: The web link to download these records will expire on July 23, 2020).

# Infrastructure Canada Approach

- Equipped with tablets and VPN access for telework before COVID-19

Select Cisco AnyConnect Icon





# Infrastructure Canada Approach

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- Electronic retrievals and approvals of documents using
  - **shared drives/GCDocs** for larger volumes
  - **email** for smaller volumes

## Folders

- ATIP RELEASE PKGS
- ATIP RELEASE PKGS-RED
- ATIP RETRIEVAL PKGS
- ATIP SPECIAL RETRIEVAL-1
- ATIP SPECIAL RETRIEVAL-2
- ATIP SPECIAL RETRIEVAL-3

## Subfolder Branch

- A&E
- COMMS
- CRED
- CSB
- IPI
- POB
- PRB

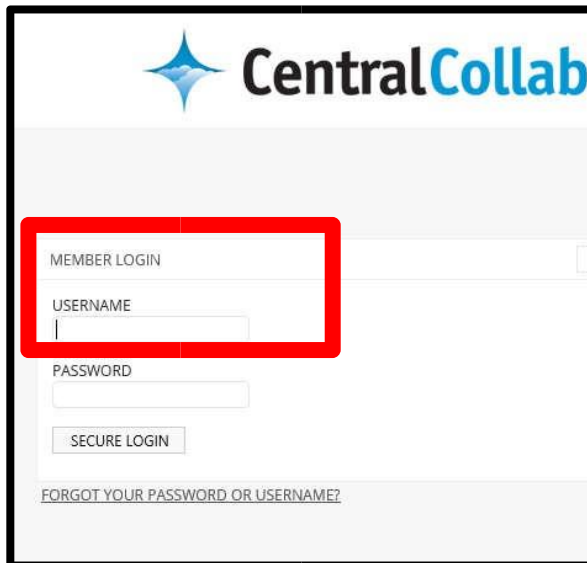
## File Numbers

- A-2020-008 - Retrieval
- A-2020-009 - Approval Package
- A-2020-010 - Approval Package
- A-2020-010 - Retrieval
- A-2020-020 - Retrieval
- A-2020-039 - Retrieval
- A-2020-043 - Retrieval
- A-2020-047 - Retrieval
- AC-2020-005 - Approval Package

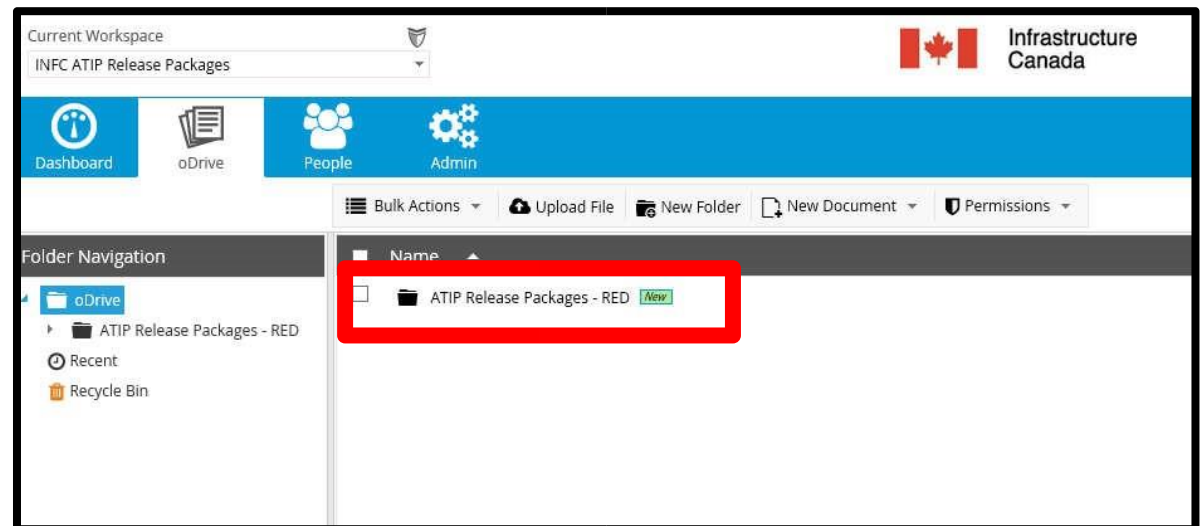


# Infrastructure Canada Approach

- Using **CentralCollab** for consultations with provinces and other institutions
- Requirement for the requester to create an account
- The contact information is visible

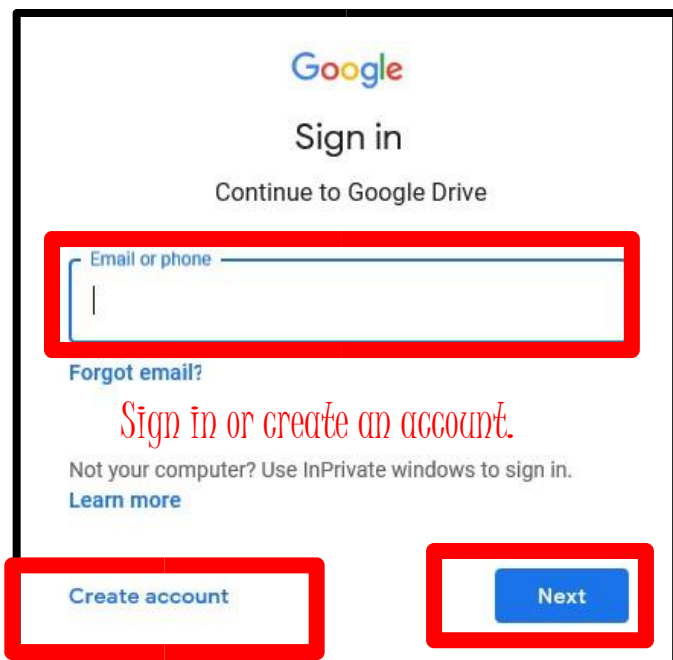


The image shows the CentralCollab Member Login form. The form is titled "CentralCollab" with a logo. It includes a "MEMBER LOGIN" section with a red border. Inside this section, there are fields for "USERNAME" and "PASSWORD". Below the password field is a "SECURE LOGIN" button. At the bottom of the form, there is a link that says "FORGOT YOUR PASSWORD OR USERNAME?".



# Infrastructure Canada Approach

- Using **Google Drive** as an innovative tool for release and re-release of large packages that are not sensitive
- Disclosed records are uploaded and the web link is provided to the requester in our email response
- No requirement for the requester to create an account
- ATIP has an account which can be used by the entire office



Google

Sign in

Continue to Google Drive

Email or phone

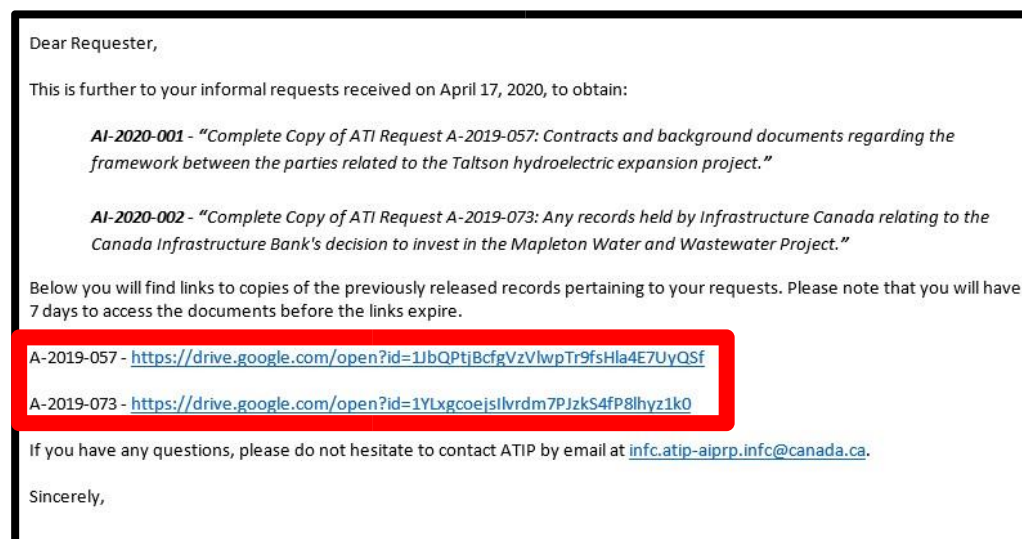
[Forgot email?](#)

*Sign in or create an account.*

Not your computer? Use InPrivate windows to sign in.  
[Learn more](#)

Create account

Next



Dear Requester,

This is further to your informal requests received on April 17, 2020, to obtain:

*AI-2020-001 - "Complete Copy of ATI Request A-2019-057: Contracts and background documents regarding the framework between the parties related to the Taltson hydroelectric expansion project."*

*AI-2020-002 - "Complete Copy of ATI Request A-2019-073: Any records held by Infrastructure Canada relating to the Canada Infrastructure Bank's decision to invest in the Mapleton Water and Wastewater Project."*

Below you will find links to copies of the previously released records pertaining to your requests. Please note that you will have 7 days to access the documents before the links expire.

A-2019-057 - <https://drive.google.com/open?id=1JbQPtjBcfgVzVlwpTr9fsHla4E7UyQSf>

A-2019-073 - <https://drive.google.com/open?id=1YLxgcoejslvrmdm7PJzkS4fP8lhzy1k0>

If you have any questions, please do not hesitate to contact ATIP by email at [inf.c.atip-aiprp.inf.c@canada.ca](mailto:inf.c.atip-aiprp.inf.c@canada.ca).

Sincerely,

## Key questions for discussion

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- What are the benefits and drawbacks of these proposed approaches in moving forward on requests processing currently, and post-COVID-19?
- What other strategies could help facilitate processing of requests in the current context?
- Are there supports that would help institutions to deal with potential backlogs of requests?

## **Section 5.6 of the Access to Information Manual**

### 5.6 Reading rooms

[Subsection 71\(1\) of the Act](#) requires government institutions to provide facilities where the public may inspect manuals used by employees of the institution in administering or carrying out programs or activities of the institution that affect the public. The term “manual” includes user guides, directives, guidelines, instructions and procedural material. The availability of such manuals allows members of the public to understand how decisions that affect them are made and opens up the decision-making process to public scrutiny.

Examples of manuals that must be made available include, among others:

- rules and procedures for administering a public program;
- formulas or eligibility criteria for grants or other benefits;
- guidelines for reviewing applications;
- guides explaining conditions affecting an individual in a program, or the obligations and liabilities on an individual under a program.

Examples of manuals used in the ATIP Office that affect the public are the institution’s written procedures and practices to assist requesters (required by [section 6.2.4 of the Policy on Access to Information](#)) and its policies concerning informal access and the waiver of fees.

It is not necessary to include manuals and other materials relating only to the internal operation and administration of the institution that do not affect the public. This includes instruction manuals for operating equipment, internal personnel practices, records management guidelines and office procedures. Examples of manuals used in the ATIP Office that do not affect the public are the business rules for statistical reporting and the procedures to update and maintain the tracking system.

That said, institutions may consider including manuals described in Info Source as required by [paragraph 5\(1\)\(c\) of the Act](#), that is, manuals used by employees in administering or carrying out any of the programs or activities of the government institution. Although some of these manuals do not affect the public, they may inform the public about how institutions operate, enabling them to use their access rights in a more meaningful way.

In addition to manuals used by employees in administering or carrying out programs or activities of the institution that affect the public, it is suggested that the following records be placed in the reading rooms:

- a paper or electronic copy of the [Access to Information Act](#), the [Privacy Act](#), the [Policy on Access to Information](#), the [Directive on the Administration of the Access to Information Act](#) and the Access to Information Manual;
- a paper or electronic copy of [Info Source publications](#);
- [Access to Information Request Forms](#); and
- any other reference tools to help applicants identify the information sought.

#### *5.6.1 Exempt information may be excluded*

[Subsection 71\(2\) of the Act](#) provides that any information exempt from disclosure under the Act can be severed from manuals that may be inspected by the public. For example, portions of a manual that deals with security precautions or protections for a building that is open to the general public (such as the Library and Archives Canada building) may be severed for many legitimate reasons.

#### *5.6.2 Establishing reading rooms*

Each institution must provide facilities where the public may inspect manuals used by employees of the institution in administering or carrying out programs or activities of the institution that affect the public, both at its headquarters and, if reasonably practicable, at other offices of the institution.

There are a number of ways to accomplish this. The term “facility” may include a location such as a reception area, a work station, an office or any other area used for the purpose of providing access to manuals. Therefore, a reading room may be part of another facility, such as the institutional library or resource centre. Another approach is to designate space in the institution’s ATIP Office and in the workplace of appropriate regional officials. Government institutions may also want to establish a virtual reading room.

The decision to establish separate, physical reading rooms should be based on what is reasonably practicable, i.e. the cost-effectiveness in relation to the actual usage made of the facility.