

ANNUAL REPORT ON THE ADMINISTRATION OF THE *PRIVACY ACT*

Export Development Canada

1 April 2020 – 31 March 2021



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INTRODUCTION

The purpose of the *Privacy Act* (“Act”) is to protect the privacy of individuals with respect to their personal information held by government institutions and provide them with a right of access to that information.

Export Development Canada (“EDC”) is a crown corporation and an agent of Her Majesty in Right of Canada with a mandate to support and develop trade between Canada and other countries and Canada’s competitiveness in the international market-place and to provide development financing and other forms of development support. During the period covered by this report, EDC’s mandate was expanded to include supporting and developing domestic business, where requested by the Minister of International Trade and Minister of Finance, for the purposes of COVID-19 response.

This report is prepared and tabled in Parliament in accordance with section 72 of the Act. For clarity, this report pertains to EDC specifically. Individual reports have been prepared and will be tabled for each of EDC’s wholly owned subsidiaries, Exinvest and Development Finance Institute Canada Inc.

ORGANIZATIONAL STRUCTURE

EDC’s Privacy and Access to Information (“Privacy and ATI”) Team is part of the Compliance and Ethics Group. The Privacy and ATI Team administers the Act for EDC and is responsible for responding to requests submitted to EDC under the Act.

With some fluctuations in team size and composition throughout the reporting period, the team was comprised of 8 full-time employees, of whom 3 were dedicated to ATI. For the first half of the year, it was overseen by the Manager, Privacy and Access to Information. At mid-year a Director, Privacy and Access to Information was appointed, who reported to the Chief Compliance and Ethics Officer, who in turn reported to EDC’s Senior Vice-President and Chief Risk Officer, Global Risk Management.

EDC was party to an agreement, entered into pursuant to section 73.1 of the Act, for the provision of privacy services to the Development Finance Institute Canada (DFIC) Inc.

DELEGATION ORDER

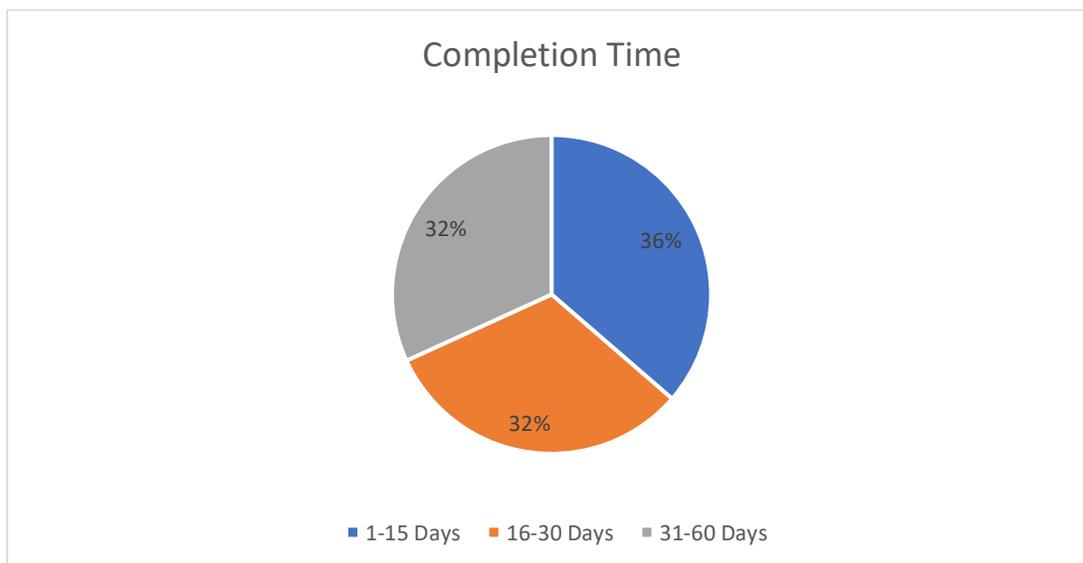
A copy of the delegation order that was made pursuant to section 73.1 of the Act and was in effect at the end of the reporting period is attached at Appendix A.

PERFORMANCE 2020-2021

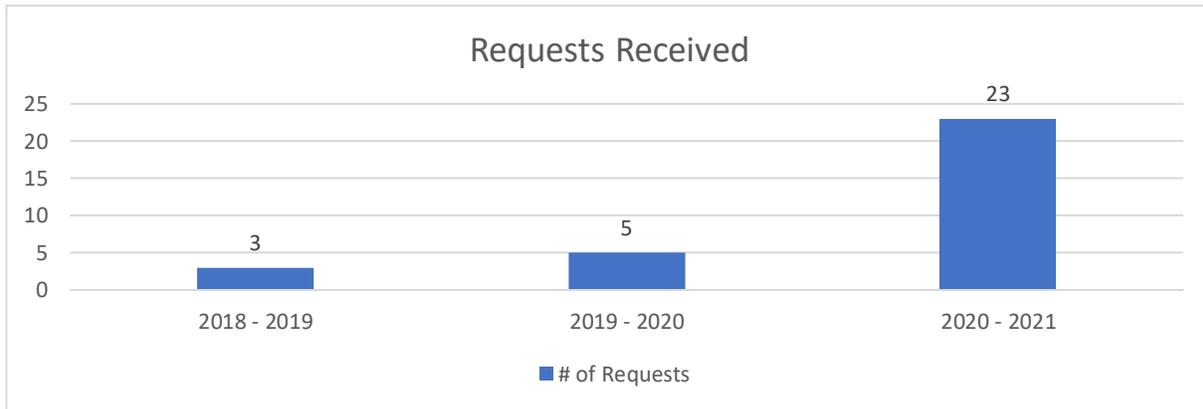
This is an overview of EDC’s performance, which is reported in greater detail in the Statistical Report on the Act for 2020-2021 that is attached at Appendix B:

- EDC received 23 new requests.
- No requests were carried over from the previous 2019-2020 reporting period for completion during the 2021-2020 reporting period.
- Three requests required an extension pursuant to section 15(a)(i) of the Act due to the high volume of records involved.
- One hundred per cent of requests were completed within the legislated timelines.
- Of all requests received, those for which records were “all disclosed” accounted for 31 per cent, while those for which records were “disclosed in part” accounted for 22 per cent.
- No consultations from other government institutions were received.
- Of the twenty-two requests that were completed:
 - Eight were completed within 1-15 days,
 - Seven were completed within 16-30 days, and
 - Seven were completed 31-60 days.

The chart below shows completion times by percentage.



EDC had an increase in the number of personal information requests received during the reporting period compared to the previous reporting period. The chart below shows the trend for the past 3 reporting periods.



IMPACT OF COVID-19 PANDEMIC

EDC's COVID-19 pandemic related measures did not impact the institution's ability to fulfill its responsibilities under the Act during reporting period.

TRAINING AND AWARENESS PROGRAM

During the reporting period, the Privacy and ATI Team promoted awareness of EDC's obligations under the Act through mandatory privacy and access to information training for all new employees, who totaled 336 for the reporting period.

INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES

EDC did not implement any new or revised institution-specific policies, guidelines, procedures or initiatives related to privacy during the reporting period.

COMPLAINTS

No complaints under the Act were received during the reporting period.

MONITORING COMPLIANCE

EDC uses AccessPro Suite by CSDC Systems Inc. to manage all requests received under the Act. The software has a dashboard function that enables monitoring of the status and time taken to process access to information requests. In addition to bi-weekly team meetings, access compliance metrics, including response times, were a standing item in EDC Board reporting.

MATERIAL PRIVACY BREACHES

No material privacy breaches were reported to the Office of the Privacy Commissioner or Treasury Board Secretariat during the reporting period.

PRIVACY IMPACT ASSESSMENTS

Eight privacy impact assessments were completed during the reporting period. A description of each can be found at Appendix C.

PUBLIC INTEREST DISCLOSURES

No disclosures of personal information pursuant to section 8(2)(m) of the Act were made during the reporting period.

APPENDIX A – DELEGATION OF AUTHORITY

TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI), GLOBAL RISK MANAGEMENT (GRM) Authorization

1. Authorization to exercise or perform powers, duties or functions of the head of the institution under the *Privacy Act* and Privacy Regulations.

Privacy Act – Section 73(1)																											Privacy Regulations							
SECTIONS	8(2) (j)	8(2) (m)	8(4)	8(5)	9(1) & (4)	10	14	15	17(2)(b) & (3)(b)	18(2)	19(1) & (2)	20	21	22	22.3	23	24	25	26	27	28	31	33(2)	35(1) &(4)	36(3)	37(3)	51(2)(b) & (3)	72 (1)(4)	9	11 (2)	11 (4)	13 (1)	14	
PRESIDENT & CEO	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
SVP & CHIEF RISK OFFICER, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
VP & CCO, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
DIRECTOR, COMPLIANCE & ETHICS, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
PRINCIPAL, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
CEBA CALL CENTRE MANAGEMENT		X*																																

* This delegation is for the purposes of enabling timely and informed decision-making in emergency situations. It is specific and limited to authority to making the determination disclosure is authorized in accordance with criteria defined for this purpose by the Director, Compliance and Ethics, Privacy and ATI.

2. Authorization to exercise or perform powers, duties or functions of the head of the institution falling outside of the Privacy Act and Privacy Regulations.

In addition, for the purposes of this Table of Authority, “Administrative Function Authorizations” refer to the authority to: (i) respond to requests where the relevant personal information is disclosed entirely, without exemption under the Privacy Act; (ii) respond to requests where there is no relevant personal information to be disclosed; and (iii) refer a requester to another institution (i.e. when a requester has submitted the request to EDC in error). Any Administrative Function Authorization requires approval by one employee whose title is one mentioned in the Table of Authority above.

**TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT**

<i>Privacy Act – Sections</i>			<i>Privacy Regulations - Sections</i>
8(2)(j) disclosure for research purposes	18(2) exemption (exempt bank) – disclosure may be refused	27 exemption - solicitor-client privilege	9 reasonable facilities and time provided to examine personal information
8(2)(m) disclosure in public interest or in interest of the individual	19(1) exemption - personal information obtained in confidence	28 exemption - medical record	11(2) notification that correction to personal information has been made
8(4) copies of requests under paragraph 8(2)(e) to be retained	19(2) exemption – where authorized to disclose	31 notice of intention to investigate	11(4) notification that correction to personal information has been refused
8(5) notice of disclosure under paragraph 8(2)(m)	20 exemption - federal-provincial affairs	33(2) right to make representation	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 release information to the requestor
9(1) record of disclosures to be retained	21 exemption - international affairs and defence	35(1) findings and recommendations of the Privacy Commissioner (complaints)	14 disclosure of personal information relating to physical or mental health may be made to requestor in the presence of a qualified medical practitioner or psychologist
9(4) consistent uses	22 exemption - law enforcement and investigation	35(4) access to be given	
10 personal information to be included in personal information banks	22.3 exemption – <i>Public Servants Disclosure Protection Act</i>	36(3) report of findings and recommendations (exempt banks)	
14 notice where access requested	23 exemption - security clearances	37(3) report of findings and recommendations (compliance review)	
15 extension of time limits	24 exemption - individuals sentenced for an offence	51(2)(b) special rules for hearings	
17(2)(b) language of access	25 exemption - safety of individuals	51(3) <i>ex parte</i> representations	
17(3)(b) access to personal information in alternative format	26 exemption - information about another individual	72(1)(4) report to Parliament	

**DELEGATIONS OF AUTHORITY - TABLE NOTES PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT (GRM)**

3. TITLES

All of the above titles include their equivalent under any future designation.

4. PREVIOUS AUTHORITIES

All current authority designations executed by the President and Chief Executive Officer of EDC (e.g. the head of the corporation) (the “Designations”), are replaced by these Table of Authority and Table Notes without in any way affecting the validity of acts done pursuant to such Designations.



President and Chief Executive Officer

January 18, 2021

Date

APPENDIX B – STATISTICAL REPORT 2020-2021



Government of Canada / Gouvernement du Canada

Statistical Report on the *Privacy Act*

Name of institution: Export Development Canada

Reporting period: 4/1/2020 to 3/31/2021

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	23
Outstanding from previous reporting period	0
Total	23
Closed during reporting period	22
Carried over to next reporting period	1

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	3	4	0	0	0	0	7
Disclosed in part	0	2	3	0	0	0	0	5
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	5	1	0	0	0	0	0	6
Request abandoned	2	1	0	0	0	0	0	3
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	8	7	7	0	0	0	0	22

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	5
19(1)(f)	0	22.1	0	27	2
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	12	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
4173	1768	16

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	7	190	0	0	0	0	0	0	0	0
Disclosed in part	2	19	2	335	0	0	1	1224	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	2	0	0	0	0	0	1	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	12	209	2	335	0	0	2	1224	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	22
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	
3	0	3	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	1	0	0	0	0	0	0
16 to 30 days	0	2	0	0	0	0	0	0
31 days or greater								0
Total	0	3	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

6.2 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	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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

6.3 Recommendations and completion time for consultations received from other organizations

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	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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 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
1	0	0	0	1

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

9.1 Privacy Impact Assessments

Number of PIA(s) completed	8
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	13	1	0	0

Section 10: Material Privacy Breaches

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

Section 11: Resources Related to the *Privacy Act***11.1 Costs**

Expenditures		Amount
Salaries		\$51,122
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$51,122

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.650
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.650

Note: Enter values to three decimal places.

APPENDIX C – PRIVACY IMPACT ASSESSMENTS

#	PIA Name	Description
1	CEBA Program	This PIA assessed privacy risks associated with establishment of the Canadian Emergency Business Account (CEBA) Program, which was designed to cover operating costs where revenue has been reduced because of the COVID-19 pandemic.
2	FC/KYC Program	This PIA assessed privacy risks associated with the implementation of the Financial Crimes/Know Your Counterparty (FC/KYC) Program, which was designed to reduce the likelihood of EDC directly, indirectly or unknowingly transacting business with companies or individuals who present legal, regulatory and reputational risks to EDC.
3	Security Screening Standard	This PIA assessed privacy risks associated with EDC's security screening protocols applicable to all employees and non-employees with network or facility access, which were designed to ensure EDC applied the appropriate level of security screening for each position.
4	Insider Threats	This PIA assessed privacy risks associated with EDC's exposure to various risks originating from both external and internal sources, which have the potential for causing loss or harm as a result of an individual (insider) who has or had access (authorized or not) to EDC's assets and uses their access, with or without intent, to act in a way that could negatively affect EDC.
5	FinScan Reporting	This PIA assessed privacy risks associated with the use of potentially sensitive data for reporting potential financial crimes risks to EDC.
6	Adverse Media Screening Procedure	This PIA assessed privacy risks associated with the implementation of the Adverse Media Screening Procedure, which was designed to mitigate the likelihood of EDC senior management candidates (VP level and above) directly, indirectly or unknowingly associating with companies which present legal, regulatory and reputational risks to EDC.
7	Security Screening Standard (Phase 2)	This PIA assessed privacy risks associated with changes to EDC's security screening protocols applicable to all employees and non-employees with network or facility access, including increasing the frequency of screening renewals and additional screening for applicants with less than 5 years of verifiable history in Canada, which was designed to ensure EDC applied the appropriate level of security screening for each position.
8	FC/KYC Program (Update)	This PIA assessed privacy risks associated with the enhancement of the Financial Crimes/Know Your Counterparty (FC/KYC) Program to include upgrades to EDC's risk assessment tool, which was designed to reduce the likelihood of EDC directly, indirectly or unknowingly transacting business with companies or individuals who present legal, regulatory and reputational risks to EDC.