

**April 1, 2019-
March 31, 2020**

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1. Introduction

The following Annual Report outlines the Nunavut Impact Review Board's (the NIRB) organizational structure, procedural updates and activities as they relate to the *Privacy Act* (the Act) for the 2019-20 reporting period. This report has been prepared and tabled in Parliament in accordance with section 72 of the Act.

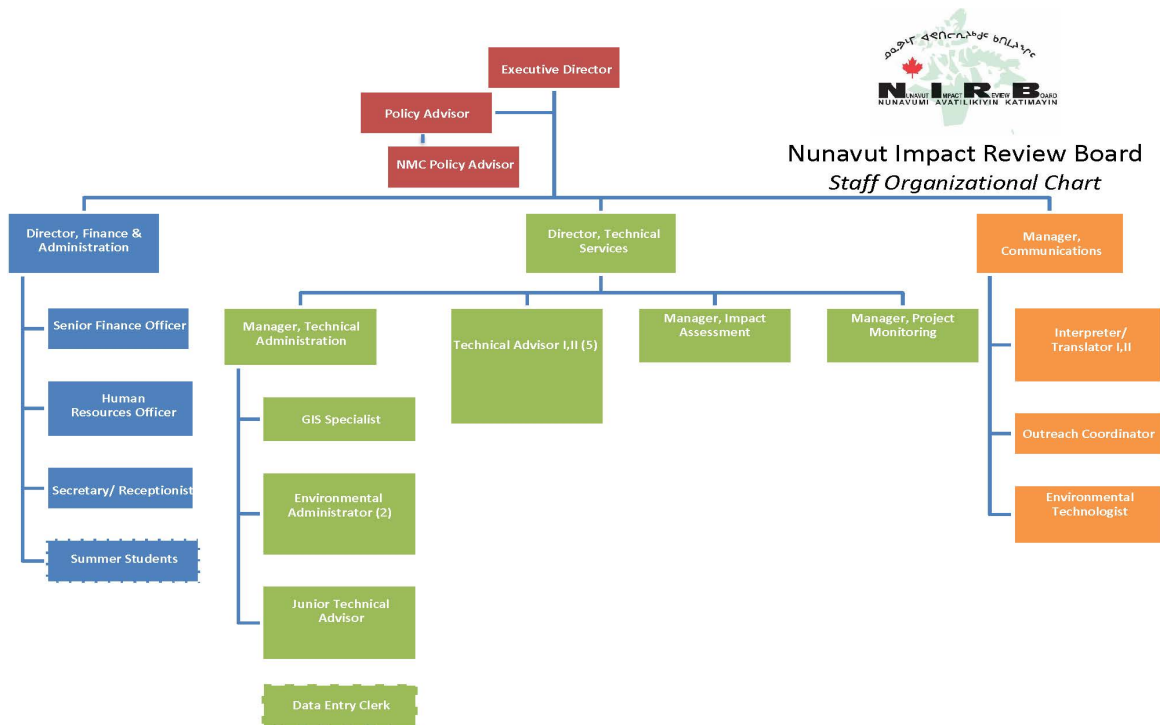
The purpose of the *Privacy Act* is to ensure the protection and responsible usage of personal information held by Canadian government institutions. The Act “gives Canadian citizens, permanent residents, and individuals present in Canada the right to access their personal information held by government institutions that are subject to the Act, and protects that information against unauthorized collection, use, retention and disclosure”¹ and as a result provides individuals with greater control over their personal information held by government institutions in Canada.

The NIRB is an institution of public government created by the *Nunavut Agreement* to assess the potential impacts of proposed development in the Nunavut Settlement Area prior to approval of the required project authorizations. Using both traditional knowledge and recognized scientific methods, the NIRB assesses the potential biophysical and socio-economic impact of proposals and will make recommendations and decisions about which projects may proceed. The Board may also establish monitoring programs for projects that have been assessed and approved to proceed. The NIRB's mandate and authority comes from Article 12 of the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*.

The NIRB is committed to ensuring the privacy of the personal information it collects through its processes. Though the NIRB collects a relatively small amount of personal information and has yet to receive a Personal Information Request, it maintains a strong set of policies and procedures to ensure its adherence to the Act.¹

¹ <https://www.canada.ca/en/treasury-board-secretariat/services/access-information-privacy.html>

2. Organizational Structure



The NIRB is a relatively small organization with 26 staff members reporting to a Board of Directors. It is organized into four (4) departments with the Executive Department overseeing the Finance and Administration, Technical, and Communications Departments. There are two (2) staff members directly responsible for ensuring adherence to the *Privacy Act* (the Act); the Executive Director and the Environmental Technologist.

The role of the Executive Director, as it pertains to the Act, is to ensure the NIRB is adhering to its responsibilities under the Act and to provide final approval of all responses to Personal Information (PI) requests. The Executive Director also manages any consultations from other government institutions and agencies relating to the Act.

The Environmental Technologist's responsibilities relating to the Act include coordinating responses to PI requests received under the Act, ensuring that the NIRB's processes and procedures as they relate to the Act are up to date, monitoring the NIRB's online Access to Information and Privacy (ATIP) request system, and preparing annual and statistical reports.

The NIRB recognizes that all staff members have a role to play when it comes to the protection of personal information and maintains policies and protocols to that effect.

There are two (2) principle ways in which the NIRB can receive PI requests. The first is through correspondence in the form of an official letter delivered to the NIRB. The second is through the online ATIP request system found on the NIRB's website (<http://www.nirb.ca/information-requests>). This tool provides a simple method for members of the public to both submit ATIP requests to the NIRB and to review what other requests have been made in the past.

It should be noted, however, that this online tool for submitting ATIP requests is in the process of being phased out due to the NIRB's recent onboarding to the new ATIP Online Request Service (the AORS). More information about this development can be found in section 6 of this report.

3. Delegation Order

The powers and responsibilities of the NIRB's Executive Director under the *Privacy Act* (the Act) have not been formally delegated using a delegation order. However, as stated above, the Environmental Technologist's job description includes duties related to the Act.

4. Highlights of the Statistical Report, 2019-20

The NIRB submitted its 2019-20 Statistical Report to the Treasury Board Secretariat (TBS) by email on September 2, 2020. As indicated in the report, the NIRB received no Personal Information (PI) requests during the reporting period. This result is consistent with all other reporting periods as the NIRB has never received a PI request.

This lack of PI requests is understandable, as the NIRB collects a relatively small amount of private personal information. This is partly due to efforts taken by the NIRB to limit the personal information it collects to only what is required for operations, in adherence to the *Privacy Act*, and because a significant portion of the NIRB's processes are highly public in nature. For example, personal opinions expressed by members of the public during the NIRB's review processes are given with the full understanding that they are being made in a public forum and will be made available in public documents such as comment forms and hearing transcripts. The majority of the private personal information that the NIRB does manage is collected in the service of staffing and human resources, such as resumes, identification, or financial information

required for payment. The NIRB maintains a strong set of policies and procedures to safeguard this type of information.

The cost indicated in the statistical report (\$14,409) expresses one tenth (0.10) of the salary of the environmental technologist. This cost relates to this position's duties relating to both the *Access to Information Act* and the *Privacy Act*. This figure does not include the salaries of staff members

who may be involved in internal consultations relating to ATIP requests.

As there were no PI requests in the reporting period, there are no highlights to report regarding request dispositions, completion times, exemptions, exclusions, extensions or consultations.

A copy of the NIRB's 2019-20 statistical report can be found in Annex 1.

5. Training and Awareness

During this reporting period several one-on-one meetings were held with newly recruited staff members to inform them of the policies and procedures of the NIRB, including those relating to compliance with the *Privacy Act*. Periodic reminders are also provided to all NIRB staff and board members.

6. Policies, Guidelines, Procedures and Initiatives

During the 2019-20 reporting period, the NIRB continues the process of onboarding to the ATIP Online Request Service (AORS). The AORS is an online platform that the public can use to submit ATIP requests to a wide range of Federal Government institutions with the purpose of streamlining the ATIP submission process. The NIRB is supportive of the AORS initiative as it promises to provide an efficient system for users and increase transparency across a wide range of institutions.

To ensure the system remains streamlined, the NIRB has phased out its online ATIP tool in 2019-20. The NIRB, however, will maintain its current Information Requests page on its website for reporting purposes and are currently providing a link to the AORS website for users to submit a request. Additionally, the NIRB plans to use this page to outline alternative methods of accessing information held by the NIRB in an effort to reduce the number of ATIP requests that pertain to documents that are already publicly available. No other changes were made to the NIRB's policies, guidelines, procedures and initiatives as they relate to the *Privacy Act* during the 2019-20 reporting period.

7. Summary of Key Issues and Actions Taken on Complaints or Audits

The NIRB received no complaints, audits or investigations during the reporting period.

8. Monitoring Compliance

In the event of a Personal Information (PI) request, the NIRB would ensure its adherence to the timelines required by the *Privacy Act* by maintaining regular communication between the

Environmental Technologist and the Executive Director during the processing of the request as well as by using the tracking system that is built into the NIRB's online ATIP tool. This tracking system allows both internal and external users of the website to see when a request was filed, what the current status of the request is and, when complete, how long it took for a request to be closed. Despite the fact that the NIRB has never received a PI request, these practices are in place to maintain accountability between the Communications and Executive Services departments and between the NIRB and the public.

9. Material Privacy Breaches

No material privacy breaches were reported to the Office of the Privacy Commissioner or the Information and Privacy Policy Division, Treasury Board of Canada Secretariat during the 2019-20 reporting period.

10. Privacy Impact Assessments

The NIRB did not perform any Privacy Impact Assessments during the 2019-20 reporting period.

11. Public Interest Disclosures

No public interest disclosures were made under paragraph 8 (2)(m) of the *Privacy Act* during the reporting period.

Should you have any questions or require clarification on specific points within this report, please contact the undersigned directly at (867) 983-4608 or via email at kcostello@nirb.ca.

Sincerely,



Karen Costello
Executive Director
Nunavut Impact Review Board



Statistical Report on the *Privacy Act*

Name of institution: NUNAVUT IMPACT REVIEW BOARD

Reporting period: 1-Apr-19 to 31-Mar-20

Part 1: Requests Under the *Privacy Act*

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

Part 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	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
No records exist	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
Total	0	0	0	0	0	0	0	0

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	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	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

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	0	0	0
Total	0	0	0

2.5 Complexity**2.5.1 Relevant pages processed and disclosed**

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	0	0	0

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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	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
Total	0	0	0	0	0	0	0	0	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 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline 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

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 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

Part 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

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	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	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
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 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
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

	Number of Days Required to Complete Consultation Requests
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								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	
Recommendation								

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							
	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	Total
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

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

[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
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 8: Complaints and Investigations Notices Received

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

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	
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Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures		Amount
Salaries		\$14,409
Overtime		\$0
Goods and Services		\$0
• Professional services contracts		\$0
• Other		
Total		\$14,409

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.10
Part-time and casual employees	0.00

Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.10

Note: Enter values to two decimal places.