



**2019-2020**  
**Annual Report on the Administration of**  
**the *Access to Information Act***

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



CANADIAN  
MUSEUM  
OF HISTORY  
-  
MUSÉE  
CANADIEN  
DE L'HISTOIRE



CANADIAN  
WAR  
MUSEUM  
-  
MUSÉE  
CANADIEN  
DE LA GUERRE

Canada

## **2019-2020 Annual Report on the Administration of the Access to Information Act Canadian Museum of History**

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### **Introduction**

The Canadian Museum of History (CMH) presents to Parliament its Annual Report on the Administration of the *Access to Information Act* (the “Act”) for fiscal year 2019-2020 (reporting period April 1, 2019 to March 31, 2020). This report is tabled in Parliament in accordance with section 72 of the Act.

The purpose of the Act is to provide a right of access to records under the control of a government institution. The Act maintains that government records should be made available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of records should be reviewed independently of government.

In accordance with Treasury Board of Canada Secretariat (TBS) requirements, this report provides an overview of the activities of the CMH in administering its responsibilities under the Act.

### **Mandate**

The CMH is a federal Crown corporation that is responsible for two national museums: the Canadian Museum of History and the Canadian War Museum. The mandate of the CMH is to enhance Canadians’ knowledge, understanding and appreciation of events, experiences, people and objects that reflect and have shaped Canada’s history and identity and also to enhance their awareness of world history and cultures.

### **Access to Information and Privacy Office**

The Access to Information and Privacy (ATIP) office is the focal point for access to information and privacy matters and is responsible for the effective administration of the Act at the CMH. The ATIP office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure that the CMH fulfils its access to information obligations.

During the reporting period, the ATIP office at the CMH had one full time employee: the ATIP Coordinator, who is also the Corporate Secretary and Director of ATIP and Policy. The permanent full-time position of ATIP and Integrity Officer became vacant in the final quarter of the 2018-2019 reporting period. A part-time consultant was retained to support the continuity of ATIP office operations until the end of March 2020, while a search was underway. Due to pandemic, the position remains vacant and the ATIP Coordinator is the sole employee to carry out ATIP activities.

### **Delegation Order**

As head of the institution and in accordance with section 73 of the Act, the President and Chief Executive Officer (CEO) has delegated the powers, duties and functions for the administration of the Act to the ATIP Coordinator and Corporate Secretary and Director of ATIP and Policy. The signed and dated delegation of authority order is included in Appendix A of this report.

## Highlights of the Access to Information Act Statistical Report

The statistical report on the Act for the 2019–2020 fiscal year is included in Appendix B of this report.

Prior to reporting the statistical results, it is important to note that the end of 2019-2020 was an unprecedented time for the country and its government institutions. COVID-19 took the country by surprise and required exceptional measures to be put in place to protect the health and safety of federal employees, businesses and Canadians. Like many other government institutions, openness, transparency and accountability are engrained in the governance of the Museums. However, the Museum had to consider its operational realities and balance it with requirements mandated by the *Access to Information Act* and the *Privacy Act*. COVID-19 undoubtedly had an impact on the ability to process requests and public reporting. The Museum published a public notice on its website to advise potential requestors and its visitors to its website of the impact of COVID-19 on ATIP activities. Current requestors were advised of the operational realities and potential impact on their requests; there were no new requests between the closure of the Museum March 14, 2020 and March 31, 2020. Furthermore, the Museum had to freeze the staffing action to hire a full-time ATIP and Integrity Officer.

During the reporting period, the CMH received two new requests, representing a 82% decrease in new requests received from the last reporting period. Six requests were carried over from the previous reporting period, for a total of eight requests in progress. The CMH completed six out of the eight requests and processed 958 pages in completing these requests.

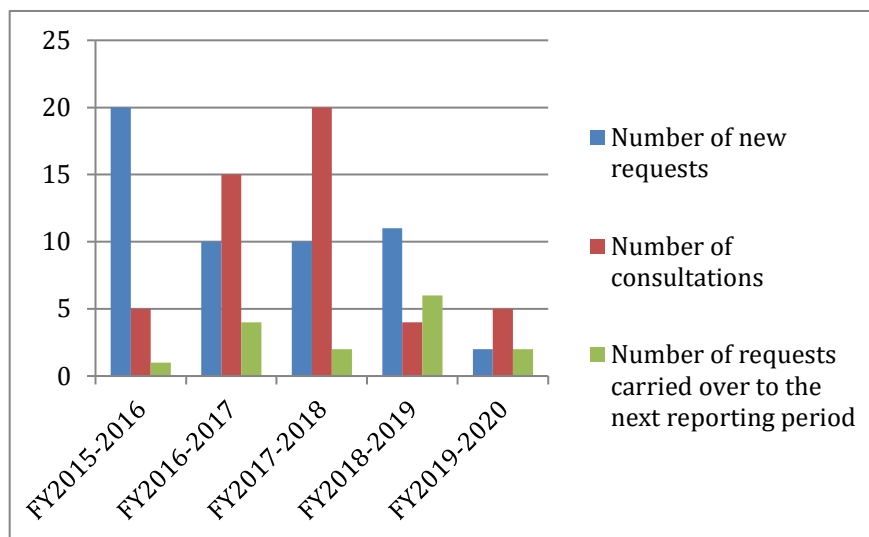
Of the six requests completed, the CMH responded to one request within the statutory timeframe. Accordingly, 16.7% of completed requests were responded to within the timelines prescribed by the Act.

The CMH carried two requests forward into the 2020-2021 reporting period.

In addition to processing access to information requests, five consultations were received from other government institutions, representing 17 pages requiring review by the CMH. The number of consultations received increased by 25% from the previous reporting period.

This chart depicts the multi-year trends concerning the number of new requests,

consultations and carry-over requests for the last five reporting periods.



In addition, a multi-year trend is notable on the application of exemptions invoked to requested records. The sections of the Act used most often to withhold information are: 16(2), 18(b), 19(1), 20(1)(b)(c) and 21(1)(a)(b).

Section 9 of the Act permits the extension of the original 30-day statutory timeframe if consultations are necessary or if a large number of records have been requested, the processing of which would unreasonably interfere with the CMH's operations. Of the requests closed during the reporting period, the CMH found it necessary to seek extensions in one instance when consultations were deemed necessary, and, in five instances when unreasonable impacts on the CMH's operations was confirmed.

Summaries of the CMH's completed access to information requests may be found on the CMH's website: <https://www.historymuseum.ca/about/the-corporation/corporate-reports/completed-access-to-information-requests/>

### **Training and Awareness**

No formal training sessions on the Act were held due to a realignment of priorities and resource challenges.

The ATIP office remains responsible for providing education and training activities upon employee request. In addition, the ATIP office provides ongoing advice to employees during the processing of requests, to ensure the fulfilment of the CMH's access to information obligations.

### **Policies, Guidelines, Procedures, and Initiatives**

The CMH did not implement any new policies, guidelines, procedures or initiatives during the reporting period.

### **Complaints, Investigations, and Audits**

The Act provides a system of review to help ensure government institutions comply with their obligations. Under this system of review, a requester may file a complaint with the Office of the Information Commissioner of Canada (OIC), who will investigate the matter on behalf of the requester. After the complaint investigation is carried out, the Commissioner issues a finding on the matter and determines whether an institution handled the request properly.

The CMH received no complaints in 2019-2020. However, there continued to be one outstanding complaint by the end of the reporting period. No investigator had been assigned to the file as of yet and, accordingly, the investigation was not initiated.

No audits in relation to the CMH's obligations under the Act were carried out during the reporting period.

## **Monitoring Compliance**

Throughout the processing of a request, the ATIP office carefully monitors the proceedings and associated timelines. Clear deadlines are indicated in record retrieval letters received by the Office of Primary Interest (OPI). An OPI is the holder of relevant records identified in an access request. If a deadline is not met, the ATIP office promptly contacts the OPI to follow-up on the status of their response and, when required, escalates the issue to the OPI's immediate supervisor.

Weekly status reports are provided to the President and CEO advising on all key actions and timelines associated with request processing as well as summary notes prior to disclosure of records.

# APPENDIX A: DELEGATION ORDER

## ACCESS TO INFORMATION ACT

### Delegation of Authority

In accordance with the *Access to Information Act*, I, Mark O'Neill, Head of the Canadian Museum of History hereby delegate the powers, duties and functions stipulated in the under-listed sections and subsections of the *Act*, to the Corporate Secretary and Director of Strategic Planning and Access to Information Coordinator:

Sections and subsections	Sections and subsections	Sections and subsections	Sections and subsections
7 (a)	16	24	37 (4)
8 (1)	17	25	43 (1)
9	18	26	44 (2)
11 (2), (3), (4), (5),(6)	19	27 (1), (4)	52 (2) (3)
12 (2), (3)	20	28 (1), (2), (4)	69
13	21	29 (1)	71 (2)
14	22	33	77
15	23	35 (2)	6 (1) and 8 of the <i>Access to Information Regulations</i> .



Mark O'Neill  
President and Chief Executive Officer

AUG 01 2018  
Date:



Chrissie Unterhoffer  
Corporate Secretary and Director of Strategic Planning

August 1, 2018  
Date:

APPENDIX B:  
STATISTICAL REPORT  
ON THE *ACCESS TO  
INFORMATION ACT*





## Statistical Report on the *Access to Information Act*

Name of institution: Canadian Museum of History

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	2
Outstanding from previous reporting period	6
<b>Total</b>	<b>8</b>
Closed during reporting period	6
Carried over to next reporting period	2

#### 1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	1
Business (private sector)	0
Organization	0
Public	0
Decline to Identify	1
<b>Total</b>	<b>2</b>

#### 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	
2	0	2	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
<b>Total</b>	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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	3	2	0	5
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 transferred	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
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	1	0	0	0	3	2	0	6

### 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)	2	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	2	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)	1	21(1)(a)	3
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	5
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)	1	16.1(1)(d)	0	19(1)	6	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	2	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	3	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)	1	17	1				
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
5	0	0

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
958	817	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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	1	4	3	419	1	394	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
<b>Total</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>419</b>	<b>1</b>	<b>394</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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	1	0	0	2	3
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
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>

### 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	1
Percentage of requests closed within legislated timelines (%)	16.7

### 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
5	0	5	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	1	1
31 to 60 days	0	3	3
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	1	1
More than 365 days	0	0	0
<b>Total</b>	0	5	5

### 3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	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	5	0	0	1
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
<b>Total</b>	5	0	0	1

## 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	0	0
61 to 120 days	4	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	1	0	0	1
365 days or more	0	0	0	0
<b>Total</b>	5	0	0	1

## Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	2	\$10	0	\$0
Other fees	0	\$0	0	\$0
<b>Total</b>	2	\$10	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	5	25	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	5	25	0	0
Closed during the reporting period	5	25	0	0
Carried over to next reporting period	1	21	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 Request	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
<b>Total</b>	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**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$0
Overtime		\$0
Goods and Services		\$79,314
• Professional services contracts	\$79,314	
• Other	\$0	
<b>Total</b>		<b>\$79,314</b>

**10.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.44
Students	0.00
<b>Total</b>	<b>0.44</b>

**Note:** Enter values to two decimal places.