



# Annual Report to Parliament

— *Privacy Act*

For the period from April 1, 2020 to March 31, 2021

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# Annual Report to Parliament

## *Privacy Act*

(April 1, 2020 to March 31, 2021)

### Foreword

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This Annual Report to Parliament has been prepared in accordance with Section 72 of the *Privacy Act*. It is intended to describe how the Public Sector Pension Investment Board (“PSPIB”) and those of its wholly-owned subsidiaries identified in its delegation order (collectively “**PSP Investments**”) administered its responsibilities in relation to the Act for the reporting period from April 1, 2020 to March 31, 2021. Of note that this Annual Report also covers PSP Investments’ wholly-owned subsidiary Downsview Metro Devco Inc. (“Downsview”), operating under the name of Northcrest Developments in Ontario. As per the Delegation of Authority, Canadian operating wholly-owned subsidiaries with their own heads have a separate Access to Information and Privacy Office. However, PSPIB’s Access to Information and Privacy (ATIP) Coordinator was acting as Downsview’s ATIP Coordinator during the reporting period. As a result, Downsview’s privacy activities for the reporting period are covered in this Annual Report.

Annual Reports are to be tabled in Parliament in accordance with section 72 of the *Privacy Act*.

## Mandatory Reporting Requirements

### 1 Introduction

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#### 1.1 Summary

The purpose of the *Privacy Act* is to extend the present laws of Canada that protect the privacy of individuals with respect to their personal information held by a government institution and that provide individuals with a right of access to that information.

#### 1.2 Mandate

The Public Sector Pension Investment Board is a Canadian Crown corporation established to invest the amounts transferred by the Government of Canada equal to the proceeds of the net contributions since April 1, 2000 for the pension plans of the Public Service, the Canadian Forces and the Royal Canadian Mounted Police, and since March 1, 2007 for the Reserve Force Pension Plan (collectively the “Plans”). The amounts so transferred to the Corporation are to fund the liabilities under the Plans for service after the foregoing dates.

Its statutory objects are to manage the funds transferred to it in the best interests of the contributors and beneficiaries under the Plans and to maximize investment returns without undue risk of loss, having regard to the funding, policies and requirements of the Plans and their ability to meet their financial obligations.

### 2 Structure of the Institution to Fulfill its Responsibilities

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The Privacy Office is under the responsibility of the Legal Affairs department of PSPIB. During the current reporting period, the Privacy Office responsibilities were fulfilled by the following ATIP staff:

- Tammy Marer, Senior Director, Legal Affairs – ATIP Coordinator
- Anita Dernovici, Senior Analyst, Access to Information and Privacy
- Tunca Bolca, Analyst, Privacy
- Sophie Boivin, Senior Legal Assistant

To note that certain Privacy Office responsibilities were fulfilled by the following individuals at Downsview:

- Tim Hamelin, Vice-President, Finance
- Derek Goring, Executive Vice-President, Development

Please note that PSP Investments and Downsview do not have any service agreements to report under section 73.1 of the *Privacy Act*.

### 3 Delegation Orders

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**Public Sector Pension Investment Board  
("PSPIB")  
and its Wholly-Owned Subsidiaries**

**Delegation Order ("Order")**

(section 95(1), *Access to Information Act*,  
R.S.C. 1985, c. A-1, as amended and section 73, *Privacy Act*, R.S.C. 1985, c. P-21, as amended)

1. This Order may be cited as the "PSPIB and wholly-owned subsidiaries of PSPIB Head of Institution Delegation Order pursuant to the *Access to Information Act* and *Privacy Act*".
2. Pursuant to Section 95(1) of the *Access to Information Act* and Section 73 of the *Privacy Act*, the undersigned, acting in his capacity of head of PSPIB, its Wholly-Owned Subsidiaries in existence as of the date of this Order as well as those which may hereafter be established, PSP Investments USA LLC, PSP Investments Holding Europe Ltd and PSP Investments Asia Limited (the "Government Institutions"), hereby designate the persons holding the positions set out in the schedule set forth in the attached Section 4 below, or the persons occupying on an acting basis those positions, to exercise his powers, duties and functions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order replaces all previous delegation orders for the Government Institutions.
3. For the purposes of this Order, "Wholly-Owned Subsidiaries" shall include all Canadian wholly-owned subsidiaries of PSPIB which are corporations, with the exception of those subsidiaries with their own heads.

This Delegation Order has been made in Montreal and is effective starting on the 21<sup>st</sup> day of June 2019.

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Neil Cunningham  
President and CEO

PSP-Legal 3823946-4

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#### 4. Schedule

**PSPIB**  
**Delegation of Authority**  
**Under the Access to Information Act and the Privacy Act**

Position/Title	Access to Information Act and Regulations	Privacy Act and Regulations
Senior Vice-President and Chief Legal Officer	Full authority	Full authority
Access to Information and Privacy Coordinator	Full authority	Full authority
Access to Information and Privacy Analyst(s)	Full authority	Full authority

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## 4 Performance 2020-2021

### 4.1 Key Statistics

Due to the limited number of privacy requests received, no meaningful trends can be identified. Historical data has been compiled in the table below and no clear interpretation can be made from those results. Please note that Downsview has not received any privacy requests to-date. The statistical report is attached.

#### 2020-2021 Fiscal Year Overview

Percentage of requests responded to within legislated timelines:	100%
5 closed requests:	5 completed within 1 to 30 days
Consultations from other Government of Canada institutions:	0
Requests disposition (%):	0% all disclosed or disclosed in part, 60% no records, 40% abandoned

#### Multi-Year Trends

FY	Number of Closed Requests	Requests All Disclosed	Extensions	Processed within established timeline (%)	Exemptions Used	Number of Consultations
2015	1	0	0	100%	N/A	0
2016	1	0	0	100%	N/A	0
2017	0	0	0	N/A	N/A	0
2018	1	0	0	100%	N/A	0
2019	0	0	0	N/A	N/A	0
2020	3	0	0	100%	N/A	0
2021	5	0	0	100%	N/A	0

### 4.2 Covid-19-Related Measures

There was a slight risk of non-compliance with PSP Investments' statutory deadlines under the *Privacy Act* due to the fact that PSP Investments' offices were closed and we did not receive our mail on a daily basis. However, to mitigate that risk, the ATIP Office published notices on PSP Investments' website requesting to send all privacy requests via the ATIP Online Request Service. With the exception of the above, the ATIP Office was in the position to work remotely at full capacity without impacting privacy matters. Since Downsview requests would be addressed to PSP Investments' ATIP Coordinator, the same circumstances applied to Downsview.

## 5 Privacy-Related Training and Awareness

During the reporting period, PSP Investments updated the online privacy training course for all employees which was made available as part of onboarding and to all current PSP Investments employees and staff augment consultants. In addition, the ATIP Office launched its first *Data Privacy Day Week* which included posting various awareness articles on PSP Investments' Intranet and a company-wide privacy quiz. Moreover, the ATIP Office provided training to multiple

teams within PSP Investments and selected newly hired employees at Downsview for the purposes of setting up all privacy-related matters within the organization.

Downsview has provided awareness on privacy activities to newly hired employees during the reporting period.

## 6 Policies, Guidelines, Procedures and Initiatives

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During the reporting period, PSP Investments and Downsview did not implement any new policies, guidelines, directives or procedures related to the Act.

## 7 Summary of Key Issues and Actions Taken on Complaints

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PSP Investments and Downsview received no complaints and none were concluded during the reporting period.

## 8 Monitoring Compliance

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PSP Investments very rarely receives privacy requests or requests for the correction of personal information. As a result, we have no formal procedure in place to monitor the time to process these requests and the level of officials advised. Nonetheless, an electronic tracking system is in place which includes timely reminders.

Since Downsview requests would be addressed to PSP Investments' ATIP Coordinator, the same circumstances applied to Downsview.

## 9 Material Privacy Breaches

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During the reporting period, PSP Investments reported one (1) material privacy breach to the Office of the Privacy Commissioner of Canada ("OPC") and Treasury Board of Canada Secretariat ("TBS"). In summary, an employee unintentionally transferred electronic records relating to recruitment activities from PSP Investments' repositories to personal folders. The ATIP Office, in conjunction with the Office of Primary Interest ("OPI"), investigated the privacy breach, and reported it via email to the OPC and TBS. The employee in question signed an affidavit attesting that all records involved were deleted from their personal folders, that no one else had access to the records and that no records were sent to any third parties. While the full extent of the breach, the personal information involved and the affected individuals were still under investigation as of March 31, 2021, PSP Investments is currently updating and improving its document management processes throughout the organization to better maintain its security and retention practices and more carefully monitors data transfers within the organization.

Downsview has not reported any material privacy breaches to the OPC or TBS during the reporting period.

## 10 Privacy Impact Assessments

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PSP Investments conducted a number of abbreviated Privacy Impact Assessments to evaluate the risks associated with new projects. Additionally, PSP Investments completed one (1) Formal Privacy Impact Assessment on a travel management service provider which was sent to the OPC and TBS's Privacy Policy Division during this reporting period.



Downsview has not conducted any Privacy Impact Assessments during the reporting period.

## 11 Disclosure of Personal Information

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During the reporting period, PSP Investments and Downsview did not disclose any personal information pursuant to paragraph 8(2)(m) of the *Privacy Act*.



## Statistical Report on the *Privacy Act*

Name of institution: Public Sector Pension Investment Board

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	5
Outstanding from previous reporting period	0
<b>Total</b>	<b>5</b>
Closed during reporting period	5
Carried over to next reporting period	0

### 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	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	2	1	0	0	0	0	0	3
Request abandoned	2	0	0	0	0	0	0	2
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>

## 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	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	0	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
0	0	2

### 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	2	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>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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	5
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
<b>Total</b>	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	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
<b>Total</b>	0	0	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
<b>Total</b>	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over to the next reporting period	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
<b>Total</b>	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
<b>Total</b>	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
0	0	0	0	0

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

### 9.1 Privacy Impact Assessments

Number of PIA(s) completed	1
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### 9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	0	0	0

## Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	1
Number of material privacy breaches reported to OPC	1

## Section 11: Resources Related to the *Privacy Act*

### 11.1 Costs

Expenditures	Amount
Salaries	\$158,188
Overtime	\$0
Goods and Services	\$8,307
• Professional services contracts	\$8,307
• Other	\$0
<b>Total</b>	<b>\$166,495</b>

### 11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.831
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
<b>Total</b>	<b>1.831</b>

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



## Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

Name of institution: Public Sector Pension Investment Board

Reporting period: 2020-04-01 to 2021-03-31

### Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	0
Able to receive requests by email	52
Able to receive requests through the digital request service	52

### Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
<b>Unclassified Paper Records</b>	0	52	0	<b>52</b>
<b>Protected B Paper Records</b>	0	52	0	<b>52</b>
<b>Secret and Top Secret Paper Records</b>	0	52	0	<b>52</b>

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
<b>Unclassified Electronic Records</b>	0	0	52	<b>52</b>
<b>Protected B Electronic Records</b>	0	0	52	<b>52</b>
<b>Secret and Top Secret Electronic Records</b>	0	0	52	<b>52</b>