PSP Investments

Annual Report to Parliament

— *Privacy Act*

For the period from April 1, 2019 to March 31, 2020

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Annual Report to Parliament

Privacy Act

(April 1, 2019 to March 31, 2020)

Foreword

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, 2019 to March 31, 2020. 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

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

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
- Analyst, Access to Information and Privacy
- Tunca Bolca, Analyst, Privacy
- Sophie Boivin, Administrative Assistant, Legal Affairs and Access to Information

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 73, *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 73 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 Ltd (the "**Government Institutions**"), hereby designate the persons holding the positions set out in the schedule set forth in 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.

4. **Schedule**

Position	***Access to Information Act* and Regulations**	***Privacy Act* and Regulations**
Access to Information and Privacy Coordinator	Full authority, except for s. 23 of the *Access to Information Act*	Full authority, except for s. 27 of the *Privacy Act*
Senior Vice President and Chief Legal Officer	s. 23, *Access to Information Act*	s. 27, *Privacy Act*

This Delegation Order has been made at Montreal, on the 7th day of February, 2018.

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Neil Cunningham
President and CEO

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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 21st day of June 2019.

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Neil Cunningham
President and CEO

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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 2019-2020

4.1 Interpretation of the Statistical Report

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.

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

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 closed mid-March 2020 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 launched an 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. Additionally, the ATIP Office provided training to the newly hired senior management at Downsview for the purposes of setting up all privacy related matters within the organization.

Downsview has not provided any training or awareness activities during the reporting period.

6 Policies, Guidelines, Procedures and Initiatives

During the reporting period, PSP Investments revised and published its Info Source Chapter to address Treasury Board of Canada Secretariat's recommendations. No other new policies, guidelines, directives or procedures were implemented related to the Act.

Downsview did not implement any new policies, guidelines, directives or procedures related to the Act.

7 Complaints and/or Investigations

PSP Investments and Downsview have not received any complaints and/or investigations during this reporting period and no investigations are outstanding.

8 Monitoring Compliance

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

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, the ATIP Office was made aware of an internal privacy breach caused by human error in connection with a spreadsheet containing personal information which was sent to an internal distribution list. Once the ATIP Office was alerted, the ATIP Office, in conjunction with the Office of Primary Interest ("OPI"), investigated the privacy breach. Once the ATIP Office concluded it to be material, the ATIP Office reported the material privacy breach via email to the OPC and TBS. PSP Investments has not received a response from either party in connection to this material privacy breach.

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

10 Privacy Impact Assessments

PSP Investments conducted a number of abbreviated Privacy Impact Assessments to evaluate the risks associated with new projects. However, PSP Investments did not conduct any Formal Privacy Impact Assessments which were 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

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

Government of Canada / Gouvernement du Canada

Statistical Report on the *Privacy Act*

Name of institution: Public Sector Pension Investment Board

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	3
Outstanding from previous reporting period	0
Total	3
Closed during reporting period	3
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							
	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
No records exist	2	0	0	0	0	0	0	2
Request abandoned	1		0	0	0	0	0	1
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	3	0	0	0	0	0	0	3

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

Canada

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	1

2.5.2 Relevant pages processed and disclosed by size of requests

	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
Disposition	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	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	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 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	3
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	
0	0	0	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	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	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
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							
	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

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

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
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	0

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		$124,100
Overtime		$0
Goods and Services		$112,336
• Professional services contracts	$97,053	
• Other	$15,283	
Total		**$236,436**

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.49
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.50
Students	0.00
Total	1.99

Note: Enter values to two decimal places.

Public Sector Pension Investment Board

2019-2020 Supplemental Statistical Report – Requests affected by COVID-19 measures

Supplemental Statistical Report on the *Privacy Act*

The following table reports the total number of formal requests received during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 4 – Requests Received

		Column (Col.) 1
		Number of requests
Row 1	Received from 2019-04-01 to 2020-03-13	3
Row 2	Received from 2020-03-14 to 2020-03-31	0
Row 3	**Total**[1]	3

[1] – Total for Row 3 should equal the total in the Privacy Statistical Report Section 1.1 Row 1

The following table reports the total number of requests closed within the legislated timelines and the number of closed requests that were deemed refusals during two periods 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 5 – Requests Closed

		Col. 1	Col. 2
		Number of requests closed within the legislated timelines	**Number of requests closed past the legislated timelines**
Row 1	Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	3	0
Row 2	Received from 2020-03-14 to 2020-03-31	0	0
Row 3	**Total**[2]	3	0

[2] – Total for Row 3 Col. 1 should equal the total in the Privacy Statistical Report Section 2.6.1 Row 1 -- Total for Row 3 Col. 2 should equal the total in the Privacy Statistical Report Section 2.7.1. Col. 1 Row 1

The following table reports the total number of requests carried over during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 6– Requests Carried Over

		Col. 1
		Number of requests
Row 1	Requests from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Row 2	Requests from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Row 3	**Total**[3]	0

[3] – Total for Row 3 should equal the total in the Privacy Statistical Report Section 1.1 Row 5