

Table of Contents

Introduction..... 3

This Year at a Glance..... 3

2023-2024 Access Request Statistics 4

2023-2024 Privacy Impact Assessments and Preliminary Privacy Impact Assessments . 6

ATIPP Training Statistics 2023-2024 7

Response to the 2023-2024 Annual Report of the Information and Privacy Commissioner
..... 9

Introduction

The Department of Executive and Intergovernmental Affairs (EIA) aims to table an annual report in the Legislative Assembly on the administration of the *Access to Information and Protection of Privacy (ATIPP) Act*. Although this report is not a statutory requirement, it is important that the government is accountable to the public regarding this function.

Statistics on the administration of the *ATIPP Act* are recorded individually by each public body before the information is compiled centrally in the ATIPP office within EIA.

This report provides a summary of:

- Information on important updates and work done under the ATIPP function throughout the fiscal year;
- Formal requests received by public bodies under the ATIPP Act between April 1, 2023, and March 31, 2024;
- Privacy Impact Assessments and Preliminary Impact Assessments received during the fiscal year;
- Training provided by the Territorial ATIPP Office during the fiscal year; and,
- Responses to concerns raised in the Information and Privacy Commissioner's annual report.

This Year at a Glance

New ATIPP Division

One of the major projects of this division during this time period was an unprecedented expansion of the current Territorial ATIPP Office. Three positions were added, a Director, ATIPP and two ATIPP Specialists. This brings the total number of positions in the Territorial ATIPP Office to five. The ATIPP Specialists and the ATIPP Advisor positions were submitted to staffing for action. We hope to have them filled through this competitive process in the 2024-2025 fiscal year.

This increased capacity will allow the Territorial ATIPP Office to provide a greater role in the administration of the ATIPP Act, including taking on some daily ATIPP activities for departments, including responding to ATIPP requests, leading privacy impact assessments and undertaking privacy investigations.

Review of Government of Nunavut Shared Drives

The Government of Nunavut (GN) uses structured systems of networked drives to facilitate the storage and sharing of records among employees. These include:

- U-drives, designated for individual and personal use,

- The now-decommissioned V-drive, which was universally accessible to all GN employees within a given community, and
- The Y-drives, which are configured for each public body per community.

The Information and Privacy Commissioner first turned their attention to the V-Drive following a privacy breach complaint. Their extensive review found that the drive did not have the reasonable safeguards necessary to protect against the risk of privacy breaches. In response to their privacy breach report, the Department of Community and Government Services decommissioned the V-drive permanently.

Following the decommissioning of the V-drive the Information and Privacy Commissioner asked that each public body conduct a thorough audit of the Y-drive's infrastructure and usage, stemming from concerns over potential privacy breaches. We are pleased to report that all 13 public bodies complied, executing their self-audits diligently and presenting their findings to the Commissioner. This was a major undertaking for public bodies, taking dozens of person hours to complete.

The findings, however, raised concerns. The Information and Privacy Commissioner determined that the current Y-drive configuration fails to satisfy the “reasonable security arrangements” criteria required by Section 42 of the *ATIPP Act*. In June of 2023, the Commissioner put forth a set of recommendations aimed at mitigating the risk of potential privacy breaches, including planning for the decommissioning of the Y-drive. The Government of Nunavut has agreed with this recommendation and the Department of Community and Government Services has committed to replacing the current Y-drive with a system that incorporates privacy by design. This work is ongoing.

2023-2024 Access Request Statistics

In the 2023-2024 fiscal year, a total of 166 formal access to information requests were received by public bodies under the *ATIPP Act*. Requests for access to information were placed in English, though the department is prepared to handle requests in any of the official languages of Nunavut. The table below lists public bodies that received one or more formal requests. The Departments of Health, Education, Justice, Family Services, Community and Government Services, and Human Resources continue to be the busiest departments with the most requests.

Law firms, the media and members of the public were the main categories of applicants under the legislation during this period.

The type of request, whether for general or personal information, is split fairly evenly but in 2023-2024 there were more requests for general information than for personal information.

Number of Requests by Public Body

Public Body	# of Requests	% to Total Requests
Community and Government Services	15	9%
Culture and Heritage	2	1%
Economic Development and Transportation	3	2%
Education	24	14%
Environment	5	3%
Executive and Intergovernmental Affairs	6	4%
Family Services	18	11%
Finance	7	4%
Health	47	28%
Human Resources	17	10%
Justice	19	11%
Nunavut Housing Corporation	2	1%
Nunavut Liquor and Cannabis Commission	1	1%
Total	166	99%*

Percentages have been rounded to the nearest whole number: the percentage per year may not add up to 100.

Categories of Applicants

Category	# of Requests	% to Total Requests
Business/Corporation	6	4%
Law Enforcement	1	1%
Law Firm/ Lawyer	25	15%
Media	54	33%
Organization/ Association	11	7%
Public	60	36%

Researcher	4	2%
Unknown	5	3%
Total	166	101%

Percentages have been rounded to the nearest whole number: the percentage per year may not add up to 100.

Requests by Type

Type	# of Requests	% to Total Requests
General	92	56%
Personal Information	72	44%
Total	164	100%

Percentages have been rounded to the nearest whole number: the percentage per year may not add up to 100. Requests with unknown types were removed.

2023-2024 Privacy Impact Assessments and Preliminary Privacy Impact Assessments

In fiscal year 2023-2024 16 preliminary privacy impact assessments (Pre-PIAs) were submitted to the Territorial ATIPP Office:

Department	Preliminary Privacy Impact Assessments
Community and Government Services	1
Culture and Heritage	1
Economic Development and Transportation	1
Education	4
Health	8
Nunavut Arctic College	1

ATIPP Training Statistics 2023-2024

The GN is committed to the successful implementation of the *ATIPP Act* throughout all public bodies. Training sessions on the legislation are provided to employees throughout each fiscal year, the majority of which are done through the Department of Executive and Intergovernmental Affairs' ATIPP Office.

Additional training has been added by the Department of Community and Government Services focused on privacy and security. A module of the online training program "Do your part – be IT Security Smart!" is focused specifically on privacy and the workplace. This training is available to all Government of Nunavut staff.

The Department of Health has also developed in-house privacy training that is available to all health staff as of April 2023. It focuses on teaching health care staff about their obligations to protect patient privacy and to use systems like Meditech responsibly. Since April of 2023, 481 Department of Health staff members have taken the training.

Date	Location	Audience	Participants	Type	Presenter
5-Jul-23	Iqaluit	Various GN employees	8	Basic Introduction to ATIPP	ATIPP Manager
8-Aug-23	Iqaluit	Nunavut Housing Corporation	1	ATIPP Coordinator Training - Information Requests	ATIPP Manager
16-Aug-23	Iqaluit	Family Services	3	ATIPP Coordinator Training - Information Requests	ATIPP Manager
22-Aug-23	Online	Various GN employees	5	Basic Introduction to ATIPP	ATIPP Manager
19-Sep-23	Iqaluit	Various GN employees	12	Basic Introduction to ATIPP	ATIPP Manager
5-Oct-23	Online	Human Resources	46	ATIPP and Privacy Protection Training	ATIPP Manager

6-Oct-23	Iqaluit	Family Services	2	ATIPP Coordinator Training - Information Requests	ATIPP Manager
26-Oct-23	Iqaluit	Economic Development and Transportation	1	ATIPP Coordinator Training - Information Requests	ATIPP Manager
7-Nov-23	Iqaluit	Community and Government Services	2	ATIPP Coordinator Training - Information Requests	ATIPP Manager
16-Nov-23	Iqaluit	Economic Development and Transportation	1	ATIPP Coordinator Training - Information Requests	ATIPP Manager
17-Nov-23	Iqaluit	Qulliq Energy Corporation	3	ATIPP Coordinator Training - Information Requests	ATIPP Manager
20-Nov-23	Online	Health	Not available	ATIPP Orientation for ATIPP Office	ATIPP Manager
19-Dec-23	Iqaluit	Various GN employees	12	Basic Introduction to ATIPP	ATIPP Manager
23-Jan-24	Iqaluit	Justice	1	ATIPP Coordinator Training	ATIPP Manager
28-Mar-24	Iqaluit	Various GN employees	6	ATIPP Coordinator Training	Director, ATIPP
Total			102		

[Response to the 2023-2024 Annual Report of the Information and Privacy Commissioner](#)

The headings below have been taken from the Information and Privacy Commissioner's Annual Report.

We have still not been consulted on the Police Act

In their annual report, the Commissioner raised concerns that the Department of Justice had still not approached the Commissioner's office regarding the Police Act. This was the second annual report to raise this concern.

The Government of Nunavut remains committed to engaging with the Information and Privacy Commissioner about privacy matters as they relate to agreements with contracted investigative bodies and contracted police forces under the new *Police Act*. The department is currently negotiating a draft MOU with an investigative body for the investigation of serious incidents in Nunavut. Once the initial draft of the MOU is prepared and there is sufficient substantive content for the Information and Privacy Commissioner to review, the department will engage with the Information and Privacy Commissioner for feedback and recommendations.

The Government of Nunavut continues to work toward bringing the *Police Act* into force and intends to do so within this government. The department has made significant progress on the development of the necessary regulations and plans to complete stakeholder engagement shortly and begin drafting later in the Fall 2024. The department anticipates completing the regulations and taking the steps to bring the *Police Act* into force by Spring 2025.

We issued one Special Report [Y-Drive]

In their annual report, the Information and Privacy Commissioner highlighted the Government of Nunavut's audit of the Y-drive as an accomplishment for 2023.

Our collaboration on this file was a highlight for the Government of Nunavut and we're taking steps to address the recommendations of the special report.

Another Special Report will be issued soon [Canada Post]

The Information and Privacy Commissioner mentioned an upcoming special report that was not yet completed by the time he was writing their annual report. This report is regarding the transition of Canada Post from using PO Boxes to street addresses in the City of Iqaluit.

We welcome the recommendations of this report and will take the necessary steps to protect the privacy and confidentiality of information sent by mail to Iqalumiut.