

2024  
2025

# ANNUAL REPORT

Privacy Act



**WDBA + APWD**  
Windsor-Detroit Bridge Authority  
Autorité du pont Windsor-Détroit

Canada 



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## 1. Privacy Act - Annual Report 2024-2025

### 1.1 Introduction

The *Privacy Act* provides Canadian citizens, permanent residents of Canada and all individuals present in Canada with the right of access to, and the right to request personal information about themselves that is under the control of a government institution. The right of access also extends to the personal opinions and views that have been expressed about the individual by other individuals, including the names of those other individuals where they appear with the views and opinions that they have expressed. The Act also provides the legal framework for the collection, use, disclosure, accuracy, retention, protection, and disposition of personal information which is under the control of government institutions subject to the Act.

Windsor-Detroit Bridge Authority (WDBA) is pleased to present Parliament with its annual report on the administration of the *Privacy Act* in accordance with section 72 of the Act. This report summarizes WDBA activities for fiscal year April 1, 2024, to March 31, 2025. WDBA is not reporting on behalf of any subsidiaries or non-operational institutions.

### 1.2 Organizational Structure

WDBA is led by a Chief Executive Officer (CEO) and governed by a board of directors who are responsible for overseeing the business activities and other affairs of WDBA. All Directors are approved by the Government of Canada with the Chair and CEO holding office for five years and the directors holding office for up to four years. WDBA is located in Windsor, Ontario.

The powers, duties and functions of the administration of the Act have been fully delegated by WDBA's CEO to WDBA's Chief Relations Officer who also serves as the organization's ATIP Coordinator. A copy of WDBA's Delegation Order is provided in Appendix A.

WDBA's ATIP requirements are managed through the ATIP Coordinator and supported by the ATIP Officer. Additional ATIP resources are also contracted through one external consultant as needed.

### 1.3 Delegation Order

See Appendix A.

## 1.4 Performance 2024-2025

### Requests

During fiscal year 2024-2025, WDBA received a total of zero privacy requests. This was a slight decrease from the previous reporting period. This is expected as WDBA does not currently hold any personal information of members of the public. Zero requests were carried over from prior reporting periods. WDBA received no informal requests during the reporting period.

During fiscal year 2024-2025, WDBA held no active requests that were outstanding from previous reporting periods.

### Completed Requests

Requests Under the <i>Privacy Act</i>	
Number of requests (2024-2025)	
Type	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
<b>Total</b>	<b>0</b>
Closed during reporting period	0
Carried over to next reporting period	0

## 1.5 Training and Awareness

During fiscal year 2024-2025, WDBA researched and prepared training to raise ATIP awareness throughout the organization by providing mandatory biennial ATIP training to all staff. The content of the training sessions included a reemphasis of employee rights to privacy, the process of raising a privacy concern, what happens when a privacy breach occurs and an update on current TBS work to improve privacy rights of employees. WDBA focused on privacy awareness and raising privacy concerns during this fiscal year due to an amalgamation of staff to one floor in the WDBA building from the previous three floors used. In accordance with pursuing new methods to support the ATIP regime, the all-staff training was presented online via the software HCM Rippling, for employees to review at their convenience, rather than forcing employees to reserve time for the training, especially as WDBA approaches substantial completion. Due to issues with the platform used to

present the training, it was not able to be successfully delivered to employees until April, 2025. The use of this platform allowed the ATIP Office to view the dates in which employees completed the training from a single page and more easily ensure all employees completed the mandatory training. This all-staff training will occur again in two fiscal years at which time it will incorporate any new legislative requirements. This training is required on a biennial basis.

An ATIP briefing is incorporated into the orientation process for new WDBA hires. Each new employee received this 1-hour training session within one month following their position's start date to provide a high-level overview of ATI Act requirements. A similar briefing is also delivered by the ATIP Coordinator to new Board of Directors members at the onset of their appointment.

To support "Right to Know Week," WDBA internally promoted ATIP. Communiqués were disseminated to employees that highlighted the roles and responsibilities of ATIP staff members. The messaging emphasized the work undertaken to complete ATIP requests and acted as a reminder that anyone seeking advice on interpreting the legislation could approach either the ATIP Coordinator or ATIP Officer.

## 1.6 Policies, Guidelines and Procedures

In the 2024-2025 fiscal year, both the Privacy Policy and Procedure were reviewed in accordance with the *Privacy Act* and received by WDBA's Board of Directors. These Policies and Procedures are reviewed on a biennial basis and will be reviewed again during the next fiscal year. WDBA received authority for no new collection or use of Social Insurance Numbers during the 2024-2025 reporting period.

## 1.7 Initiatives and Projects to Improve Privacy

In December of fiscal year 2024-2025, the WDBA ATIP Office met with its ATIP Software provider, NUIX, to review technological upgrades and innovations to improve services to ATIP requesters. New tools in the software created for expedited search through records were shared. This will be utilized by WDBA to decrease turnaround of ATI requests.

No further initiatives or projects were implemented during this reporting period.

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

Requesters have the right to register a complaint with the Privacy Commissioner of Canada regarding any matter relating to the processing of a request. WDBA works collaboratively with the Commissioner's Office to resolve complaints, providing the requester with a resolution. No complaints were made against WDBA under the *Privacy Act* during fiscal year 2024-2025. There are no court actions to report in relation to the *Privacy Act*.

Due to the small number of requests WDBA receives per reporting period, there is currently no assessment process to determine whether information should be proactively disclosed beyond providing request summaries through the WDBA website and on the Open Government portal.

WDBA has not entered into any new contract, information sharing agreement or information sharing arrangement that would require measures to support the right to public access in accordance with section 4.2.8 of the Directive on Access to Information Requests. WDBA holds a contract solely with its private partner, Bridging North America (BNA). Measures are put in place through the project oversight process to ensure BNA fulfills its contractual obligations, also known as the Project Agreement (PA). This information can be provided through an Access to Information request.

The ATIP Coordinator, the CEO and HICC review the Annual Reports before they are published online. Both the Chief Financial and Administrative Officer and Chief Relations Officer review travel and hospitality expense summaries before they are published. These steps are taken to monitor the accuracy and completeness of proactively published information under Part 2 of the Act.

## 1.9 Material Privacy Breaches

WDBA had no material privacy breaches during the 2024-2025 fiscal year.

A non-material privacy breach occurred during this fiscal period. As part of the implementation for the Human Resource department's new Human Capital Management software, *Rippling*, training was given to manager-level employees prior to full employee distribution. In this training, an organization chart in the software was displayed containing personal email accounts. A manager in this training immediately reported the breach.

The ATIP Office worked with the HR department to ensure the breach was contained, to learn who accessed the organization chart and removed the chart from the software until this issue was resolved. A privacy breach was filed and reported to the OPC, conversations were held to ensure that the ATIP Office is consulted upon the implementation of new software, and an informal privacy impact assessment was undertaken by the ATIP and HR offices.

## 1.10 Privacy Impact Assessments

The Privacy Impact Assessment (PIA) is the component of risk management that aims to ensure compliance with the requirements of the Act and that the privacy rights of individuals are adequately protected by:

- the application of sound risk management principles
- the implementation of cost-effective security measures

- ensuring that all activities involving the creation, collection, use, disclosure/sharing, retention, protection and disposition of personal information are properly assessed and that the potential risks associated with those activities are properly addressed or mitigated.

WDBA did not conduct any formal privacy impact assessments during the 2024-2025 reporting period.

### 1.11 Public Interest Disclosures

Paragraph 8(2)(m) allows for disclosure of personal information under the control of a government institution when the disclosure would benefit public interest and outweigh any invasion of privacy that could result or if disclosure would clearly benefit the individual to whom the personal information relates. During fiscal year 2024-2025, there were no disclosures pursuant to paragraph 8(2)(m).

### 1.12 Monitoring Compliance

WDBA's timeliness and compliance are monitored weekly through internal tracking procedures. WDBA continues to utilize Nuix Discover software to ensure WDBA's documentation tracking is efficient and meets deadlines. In addition, the status of each current access request is reported to the ATIP Coordinator on a weekly basis and the CEO is apprised of new requests and closure strategies as needed.

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As there is no section for Personal Information Banks (PIBs) within the Annual Report, WDBA would like to note here that in February of fiscal year 2024-2025, the WDBA ATIP Office met with TBS

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regarding the TBS Internal PIB database. It was discovered that WDBA was incorrectly identifying Class of Records as PIBs. As such, the WDBA ATIP Office realized that it has created nor utilizes any Central or institution-specific PIBs, and corrected Section 10.2 of the 2024-2025 Statistical Report.

## Appendix A: Signed Delegation Order

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### **Delegation of Authority Access to Information Act and Privacy Act**

I, Charl van Niekerk, pursuant to Section 73 of the Access to Information Act and Section 73 of the Privacy Act, hereby authorize those officers and employees of Windsor-Detroit Bridge Authority occupying the positions identified within the attached schedules to exercise signing authorities or perform any of the institution head's powers, duties or functions specified therein.

The powers, duties or functions delegated by means of this Order may be subdelegated to the Access to Information and Privacy Officer.

Dated at Windsor this August 15, 2023.

**VanNiekerk, Charl**

Digitally signed by VanNiekerk, Charl  
DN: C=CA, O=GC, OU=WDBA-APWD, CN="VanNiekerk, Charl"  
Reason: I am approving this document  
Location: Toronto, ON  
Date: 2023.08.15 16:12:46-04'00'  
Foxit PDF Editor Version: 12.1.2

Charl Van Niekerk  
Windsor-Detroit Bridge Authority  
Chief Executive Officer



**Delegation of Authority Under the Access to Information Act**

Provision	Task/Function	Position/Title	
		ATIP Coordinator	N/A
4(2.1)	Responsibility of government institutions	X	
7(a)	Notice when access requested	X	
7(b)	Giving access to record	X	
8(1)	Transfer of request to another government institution	X	
9	Extension of time limits	X	
11(2)	Waiver of fees	X	
12(2)(b)	Language of access	X	
12(3)(b)	Access in an alternative format	X	
13	Exemption – Information obtained in confidence	X	
14	Exemption – Federal-provincial affairs	X	
15	Exemption – International affairs and defense	X	
16	Exemption – Law enforcement and investigations	X	
16.5	Exemption – Public Servants Disclosure Protection Act	X	
17	Exemption – Safety of Individuals	X	
18	Exemption – Economic interests of Canada	X	
18.1	Exemption – Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.		X
19	Exemption – Personal Information	X	
20	Exemption – Third-party information	X	
21	Exemption – Operations of Government	X	
22	Exemption – Testing procedures, tests and audits	X	
22.1	Exemption - Audit working papers and draft audit reports	X	
23	Exemption – Solicitor-client privilege	X	
24	Exemption – Statutory prohibitions	X	
25	Severability	X	
26	Exception – Information to be published	X	
27(1), (4)	Third-party notification	X	
28(1)(b), (2), (4)	Third-party notification	X	
29(1)	Where the Information Commissioner recommends disclosure	X	
33	Advising Information Commissioner of third-party involvement	X	
35(2)(b)	Right to make representations	X	
37(4)	Access to be given to complainant	X	
43(1)	Notice to third party (application to Federal Court for review)	X	
44(2)	Notice to applicant (application to Federal Court by third party)	X	
52(2)(b), (3)	Special rules for hearings	X	
71(1)	Facilities for inspection of manuals	X	
72	Annual report to Parliament	X	



Delegation of Authority Under the Access to Information Regulations			
Provision	Task/Function	Position/Title	
		ATIP Coordinator	N/A
6(1)	Transfer of request	X	
7(2)	Search and preparation fees	X	
7(3)	Production and programming fees	X	
8	Providing access to record(s)	X	
8.1	Limitations in respect of format	X	

Delegation of Authority Under the Privacy Act			
Provision	Task/Function	Position/Title	
		ATIP Coordinator	N/A
8(2)(j)	Disclosure for research purposes	X	
8(2)(m)	Disclosure in the public interest or in the interest in the individual	X	
8(4)	Copies of requests under 8(2)(e) to be retained	X	
8(5)	Notices of disclosure under 8(2)(m)	X	
9(1)	Record of disclosure to be retained	X	
9(4)	Consistent uses	X	
10	Personal information to be included in personal information banks	X	
14	Notice where access requested	X	
15	Extension of time limits	X	
17(2)(b)	Language of access	X	
17(3)(b)	Access to personal information in alternative format	X	
18(2)	Exemption (exempt bank) – Disclosure may be refused		X
19(1)	Exemption - Personal information obtained in confidence	X	
19(2)	Exemption – where authorized to disclose	X	
20	Exemption – Federal-provincial affairs	X	
21	Exemption – International affairs and defense	X	
22	Exemption – Law enforcement and investigation	X	
22.3	Exemption – Public Servants Disclosure Protection Act	X	
23	Exemption – Security clearances	X	
24	Exemption – Individuals sentenced for an offence	X	
25	Exemption – Safety of individuals	X	
26	Exemption – Information about another individual	X	
27	Exemption – Solicitor-client privilege	X	
28	Exemption – Medical record	X	
31	Notice of intention to investigate	X	
33(2)	Right to make representation	X	
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	X	
35(4)	Access to be given	X	
36(3)	Report of findings and recommendations (exempt banks)	X	
37(3)	Report of findings and recommendations (compliance review)	X	
51(2)(b)	Special rules for hearings	X	
51(3)	Ex parte representations	X	
72(1)	Report to Parliament	X	



### Delegation of Authority Under the Privacy Regulations

Provision	Task/Function	Position/Title	
		ATIP Coordinator	N/A
9	Reasonable facilities and time provided to examine personal information	X	
11(2)	Notification that correction to personal information has been made	X	
11(4)	Notification that correction to personal information has been refused	X	
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to a requestor	X	
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	X	

2024  
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