

Canada Border Services Agency

Info Source - Sources of Federal Government and Employee Information 2014

Institutional Functions, Programs and Activities

Recourse

The Recourse program provides the business community and individuals with an accessible mechanism to seek an impartial review of service-related complaints, program decisions and enforcement actions taken by the CBSA. This program ensures that their decisions are fair, transparent and accurately reflect the Agency's policies and the Acts administered by the CBSA.

Individuals can complete a written submission if they disagree with an enforcement action or a program decision made by the CBSA or wish to submit a complaint or compliment about services. Clients are provided with a timely acknowledgement of their correspondence, before CBSA officials conduct a thorough review, taking into consideration the legislation administered by the Agency, CBSA policies, the client's point of view and, where necessary, technical opinions from CBSA experts or legal advice from the Department of Justice. Individuals who are not satisfied with the CBSA's review can appeal to the appropriate court, tribunal or external review body.

The Recourse Program also facilitates the review of external complaints of discrimination filed with the Canadian Human Rights Commission and assists the Department of Justice representing the Agency on appeals to the Federal Court, various tribunals and other external bodies.

Complaints

Description: This bank describes information that is used in support of investigation reports and replies to complaints from individuals who have disputes with Canada Border Services Agency. Information may also be retained in Border Services Officer's notebooks - Customs form # CE1.

Use of Force and Incident Reporting

Description: This bank describes information that is related to assault incident cases, investigation reports, other reports and correspondence completed by Canada Border Services Agency (CBSA) officers who have drawn defensive equipment, including the duty firearm. The personal information collected in regards to the officer may include: name, badge number, contact information. The personal information collected in regards to the individual against who force was used may include: name, contact information, citizenship status, date of birth, physical attributes, national identification, birth certificate, driver's licence, passport, travel visa, CANPASS card information, NEXUS card information, incident report number.

Class of Individuals: General public, current and former full time or part-time employees, as well as members of other assisting police agencies.

Purpose: Personal information is used to establish an inventory of the types and frequency of the use of force incidents, to assist in the administration of security procedures, policy and procedural review, the training of officers and to determine whether prosecution is warranted. Personal information is collected pursuant to *Canada Border Services Agency Act*.

Consistent Uses: The information may be used or disclosed for the following purposes: reporting to senior management and audit, evaluation, training, research, and/or statistical. The information may be shared with the Royal Canadian Mounted Police, provincial or municipal authorities, and the Department of Justice. Routine Uses not Included as Primary or Consistent Uses: Personal information may also be disclosed by the Canada Border Services Agency (CBSA) in a manner consistent with 8 (2) of the *Privacy Act*.

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