



RCMP External Review Committee

Performance Report

For the period ending
March 31, 1999

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 82 Departmental Performance Reports and the government's report *Managing for Results - Volumes 1 and 2*.

This *Departmental Performance Report*, covering the period ending March 31, 1999, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's pilot *Report on Plans and Priorities* for 1998-99. The key result commitments for all departments and agencies are also included in Volume 2 of *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
<http://www.tbs-sct.gc.ca/tb/key.html>

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RCMP External Review Committee

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**For the
period ending
March 31, 1999**

Hon. Lawrence MacAuley, P.C., M.P.
Solicitor General of Canada

Table of Contents

Chart of Key Results Commitment

Section I: The Chair’s Message	1
Section II: Committee Overview	2
A. Mandate, Vision and Mission	2
B. Operating Environment	3
Position in the Government and Co-delivery Partners	3
Objective	3
Strategic Priorities	3
Challenges	3
C. Committee’s Organization	4
Section III: Committee’s Performance	5
A. Performance Expectations	5
B. Performance Accomplishments	6
Section IV: Consolidating Reporting	8
Section V: Financial Performance	9
Section VI: Other Information	12

Chart of Key Results Commitment

To provide Canadians with:	To be demonstrated by:	Achievements reported in:
Assurances of the protection of RCMP members' rights, by way of civilian oversight of the RCMP in certain matters pertaining to labour relations within the RCMP.	The provision of impartial, useful and timely recommendations to the RCMP Commissioner on cases referred to the Committee, in a manner that respects and balances the interests of the RCMP, its members, and members of the Canadian public, as supported by:	Departmental Performance Report
	- a high percentage of Committee's recommendations endorsed by the RCMP Commissioner;	page 5
	- the RCMP members' confidence in the Committee's work, as shown by the number of members making use of the Committee, and feedback received from members and members' representatives;	page 6
	- the proportion and nature of changes made to RCMP policy resulting from the Committee's findings and recommendations;	page 6
	- the processing of 60% of grievances within 4 months and the processing of 60% of discipline and discharge matters within 6 months.	page 5

Section I: The Chair's Message

1998-99 fiscal year will have been a year of transition for the Committee. The Committee's work methodologies were reviewed and improved in order to ensure a faster processing time for cases referred to the Committee and reports which are clearer and more precise.

There is no reason why a thorough review of cases should not be completed within a reasonable time frame. I have made this issue my most important priority for 1999-2000. I have the advantage of being surrounded by advisors who have thorough subject-matter knowledge and they provide me with indispensable support in the review of grievances and appeals referred to the Committee. I am grateful to them for agreeing to join me in taking up the challenge of making the Committee much more efficient and much more sensitive to the expectations of its clientele.

Philippe Rabot
Acting Chair

Section II: Committee Overview

A. Mandate, Vision and Mission

The RCMP External Review Committee is a component of a two-level redress mechanism available to members of the Royal Canadian Mounted Police who are not satisfied with disciplinary actions, discharges or demotions, and with other Force decisions, acts or omissions which impact upon their employee rights and in respect of which no other redress process is provided by the *RCMP Act* or its Regulations. The Committee independently reviews grievances and appeals referred to it and submits recommendations to the RCMP Commissioner who acts as the second and last level of the review process. The RCMP Commissioner is not required to accept the recommendations of the Committee, but when he chooses not to do so, he is required to provide his reasons. His decision is final although it is subject to judicial review by the Federal Court.

Under the *RCMP Act*, the RCMP Commissioner refers all appeals of formal discipline and all discharge and demotion appeals to the Committee unless the member of the RCMP requests that the matter not be referred. In addition, pursuant to section 33 of the *RCMP Act*, the RCMP Commissioner refers certain types of grievances to the Committee in accordance with regulations made by the Governor in Council. Section 36 of the *RCMP Regulations* specifies the grievances which the RCMP Commissioner is obliged to refer to the Committee, namely grievances respecting:

- a) the Force's interpretation and application of government policies that apply to government departments and that have been made to apply to members;
- b) the stoppage of pay and allowances of members made pursuant to subsection 22(3) of the *RCMP Act*;
- c) the Force's interpretation and application of the Isolated Posts Directive;
- d) the Force's interpretation and application of the RCMP Relocation Directive; and
- e) administrative discharge on the grounds of physical or mental disability, abandonment of post, or irregular appointment.

In each case, the member may request that the matter not be referred, in which case the RCMP Commissioner has the discretion whether to refer the matter or not. The Chair of the Committee reviews all matters referred to it. Where not satisfied with the RCMP's disposition of the matter, the Chair may

- a) advise the RCMP Commissioner and the parties of his Findings and Recommendations resulting from his review; or
- b) initiate a hearing to consider the matter. At the end of the hearing the Committee member(s) designated to conduct the hearing will advise the RCMP Commissioner and the parties of the Committee's Findings and Recommendations.

In practice, even when the Chair is satisfied with the original disposition, he advises the RCMP Commissioner and the parties of the reasons by means of Findings and Recommendations. The RCMP Commissioner may accept or reject the Committee's recommendations but if he rejects a recommendation, he must convey in writing the reasons for his decision.

In conducting its review of matters referred to it, the Committee attempts to achieve a balance amongst the many complex and different interests involved while ensuring that the principles of administrative and labour law are respected and the remedial approach indicated by the *RCMP Act* is followed. In each case, the Committee must consider the public interest, ensure respect for the right of RCMP members to fair treatment in accordance with the spirit of the Act and of the Public Service's internal regulations, and ensure that RCMP management is in a position to manage its labour relations in such a way as to maintain public confidence.

B. Operating Environment

Position in the Government and Co-delivery Partners

The Committee is a component of the Ministry of the Solicitor General of Canada, and reports annually to Parliament. Its stakeholders are the members of the Royal Canadian Mounted Police.

Objective

The Committee's main objective is to provide Canadians with assurances of the protection of RCMP members' rights, by way of civilian oversight of the RCMP in certain matters pertaining to labour relations within the RCMP.

Strategic Priorities

In achieving its objective, the RCMP External Review Committee is committed to providing the RCMP Commissioner with impartial, useful, and timely advice on specific matters referred to it, by:

- conducting its reviews in a manner that respects and balances the interests of the RCMP, its members and members of the Canadian public;
- developing and maintaining the trust and confidence of RCMP management and members that each case will receive an impartial review; and
- constantly reviewing its mandate with a view to further improving the openness, accountability and efficiency of the grievance/appeal process.

Challenges

In addition to the on-going challenges reported in previous reports (e.g. the Committee's lack of control over the number and nature of referrals, the ever-increasing complexity of cases, and the fast-changing RCMP environment), the Committee will continue to face the challenge of coping with its workload with extremely thin resources (a staff of five).

C. Committee's Organization

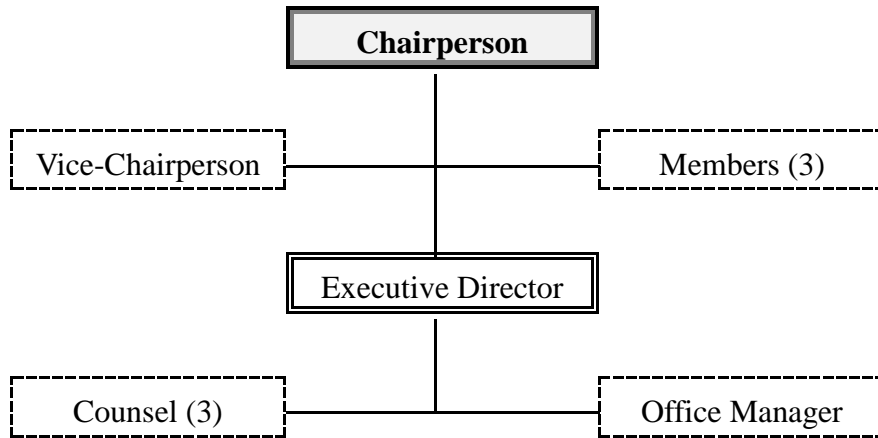
Business Line Description

The RCMP External Review Committee has only one business line - *Case Review* - and has no service line.

Organizational Structure

The Committee is a component of the Solicitor General portfolio. Under the legislation, the Committee is composed of a full-time Chair, a Vice-Chair, and three other members who can be appointed on a full-time or part-time basis, and who are available to assist with the work (e.g.: hearings). Currently, however, the Committee operates with only one member, the Vice-Chair, who is authorized by the Solicitor General (pursuant to subsection 26(2) of the *RCMP Act*) to perform the duties of the Chair. The Committee reports annually to Parliament. Case review and administrative support are provided by a staff of five who report to the Chair through the Executive Director. The Committee's offices are located in Ottawa. The Committee's partners, which include the RCMP Public Complaints Commission and the Ministry of the Solicitor General, lend premises or equipment, or provide services the Committee would otherwise have to finance from its own resources.

Organizational Chart



Section III: Committee's Performance

A. Performance Expectations

In 1998-99, the Committee's plans and strategies continued to be directed towards the maintenance and strengthening of the credible and valuable contribution the Committee makes to the improvement of labour relations within Canada's police force. In that regard, the Committee established for itself the following performance expectations :

- a) further improving the quality of its findings and recommendations to the RCMP Commissioner;
- b) maintaining effective and efficient communications with all stakeholders; and
- c) improving its internal management.

B. Performance Accomplishments

RCMP External Review Committee	
Planned Spending ¹	\$780,000
<i>Total Authorities</i> ²	\$821,597
1998-99 Actuals ³	\$710,184

¹ what the plan was at the beginning of the year;
² what additional spending Parliament has seen fit to approve for departments to reflect changing priorities and unforeseen events; and
³ what was actually spent.

- *Further improving the quality of the Committee's findings and recommendations*

While ensuring the deliverance of impartial and useful findings and recommendations to the RCMP Commissioner, the Committee, this year, gave particular attention to the timeliness aspect of the processing of its cases. Significant efforts are being made by the Committee in that regard. Shortly after his arrival, the new A/Chair undertook to spend as much time as possible at the Committee in order to clean up a backlog which had started to develop. New work standards were also introduced in an attempt to give cases a quicker turn around time for completion. By the end of next fiscal year, the Committee

is confident that it will be able to process 60 % of its grievances within three months and 60 % of its discipline appeals within 6 months.

- *Maintaining effective and efficient communications with all stakeholders*

Communicating with its stakeholders is an important aspect of the work of the Committee. In order to be able to give useful advice in a direct manner to the Commissioner, through recommendations on specific cases and, indirectly, to RCMP management, it is necessary for the Committee to be fully aware of what goes on in the RCMP, especially given the era of change the RCMP is presently going through. In that regard, the A/Chair and Committee staff took every available opportunity to meet with members of the force.

As well, the Committee deems it important to play a proactive role in of advising, perhaps in a less formal way, those for whom labour relations is an important aspect of their job. The Committee undertook a specific initiative in that regard; it is now using its bi-monthly *Communiqué* to address specific relevant issues and communicate its views about them. This initiative should help interested people benefit even more from the Committee's expertise.

The Committee has also started making good use of technology in an attempt to reach as many people as possible. In that respect, it has recently opened a web site which contains all of the work the Committee has achieved since its beginning. This initiative also has the benefit of informing the members of the general public about the Committee's activities and about how employer/employee relations are performed in the RCMP; after all, one of the reasons the Committee was created to start with was to assure the public that RCMP members' rights are protected.

- *Improving Internal Management*

Further streamlining has taken place during the year which should even more make the Committee better use its limited resources.

In 1998-99, a worthwhile initiative has been undertaken which consists of the creation of an electronic data base containing all relevant information about the work of the Committee. The system is now up and running and should prove to be a very useful management tool.

Section IV: Consolidating Reporting

- **Year 2000 (Y2K) Readiness**

Preparedness for Year 2000 has been a priority for the Committee. It is now confident that its systems will be ready to meet the challenges which the coming of Year 2000 will present.

- **Statutory Annual Reports**

The *RCMP Act* requires the submission of an annual report to Parliament by the Committee.

Section V: Financial Performance

Financial Performance Overview

As can be seen from the following financial summary tables, the Committee did not spend all the money which had been allocated to it for the year 1998-99. This is primarily explained by the fact that the Committee did not hold any hearings during the year.

Financial Summary Tables

The following tables are applicable to the RCMP External Review Committee:

- 1) Summary of Voted Appropriations
- 2) Comparison of Total Planned Spending to Actual Spending
- 3) Historical Comparison of Total Planned Spending to Actual Spending

Financial Table 1

Summary of Voted Appropriations

Financial Requirements by Authority (thousands of dollars)			
Vote	1998-99		
	Planned Spending	Total Authorities ¹	Actual
RCMP External Review Committee			
- Case Review			
45 Operating expenditures	718	759	648
(S) Contributions to the Employee Benefit Plan	62	62	62
Total Committee	780	821	710
¹ Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities.			

Financial Table 2

Comparison of Total Planned Spending to Actual Spending

Departmental Planned versus Actual Spending (in thousands of dollars)			
RCMP External Review Committee - Case Review	1998-99		
	Planned	Authorized	Actual
FTE's	5	5	5
Operating	780	821	710
Capital	-	-	-
Voted Grants & Contribution	-	-	-
Sub-total: Gross Voted Expenditures	-	-	-
Statutory Grants & Contributions	-	-	-
Total Gross Expenditures	780	821	710
Less:			
Respendable Revenues ¹	-	-	-
Total Net Expenditures	780	821	710
Other Revenues and Expenditures			
Non-respendable Revenues ²	-	-	-
Cost of services provided by other departments	85	85	85
Net Cost of the Program	865	906	795

¹ These revenues were formerly called "Revenues Credited to the Vote".
² These revenues were formerly called "Revenues Credited to the "CRF".

Financial Table 3

Historical Comparison of Total Planned Spending to Actual Spending

Historical Comparison of Departmental Planned versus Actual Spending (thousands of dollars)					
			1998-99		
	Actual 1996-97	Actual 1997-98	Planned Spending	Total Authorities¹	Actual
Case Review	644	620	780	821	710
Total	644	620	780	821	710
¹ Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities.					

Section VI: Other Information

- **Contact for further information**

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- **Legislation administered and associated Regulations**

The *RCMP Act* and Regulations