

**RCMP
EXTERNAL REVIEW
COMMITTEE**

**1998-99
Estimates**

Report on Plans and Priorities

Approved

Solicitor General of Canada

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Section I : Messages

A. *Chairperson's Message*

Since its creation in 1986, the RCMP External Review Committee has been a significant participant in the labour/management conflict resolution process of the RCMP. Its origins stem from the fact that the approximately 17,000 members of the RCMP are not unionized and their rights do not derive from a collective agreement. Thus the Committee was established as an independent review body, to provide civilian oversight of the RCMP in certain matters pertaining to labour relations, in order to ensure a greater protection of RCMP members' rights.

The thoughtful analysis provided in each case by the Committee has a positive impact both at the individual member's level - providing the confidence of an impartial third party review - and at the organizational level, often having a profound effect on policy review and systemic change.

There is a clear nexus between proper conflict management within an organization and cultural transformation. Over the past three years, the RCMP has undertaken many initiatives, including an Alternative Dispute Resolution Project, aimed at moving its culture toward a more consensus-based, participatory model, away from an internal command-control culture. These initiatives are important to bring the institution in alignment with its client services, such as community-based policing. The External Review Committee took an early initiative in encouraging the interest-based approach to problem solving and has implemented internal measures to ensure that its own processes are modern and flexible enough to adapt to the changing landscape of conflict resolution.

We are proud to have been recognized within the federal government as a model case : we are an agency which continues to accomplish its objectives while having voluntarily undertaken several cost efficiency measures and restructuring initiatives by an over 50% reduction in operating expenditures.

With a successful record in our first decade, the Committee's future priorities are two-fold : to maintain our diligence and professionalism in providing fair and independent review of individual cases, and to continue to encourage awareness and implementation of modern conflict management processes. This document lists the specific key plans and strategies which we intend to implement to meet these priorities.

F. Jennifer Lynch, Q.C.
Acting Chairperson

B. Management Representation Statement

I submit, for tabling in Parliament, the 1998-99 Report on Plans and Priorities (RPP) for the RCMP External Review Committee.

To the best of my knowledge, the information :

- accurately portrays the Committee's mandate, plans, priorities, strategies and expected results of the organization;
- is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*;
- is comprehensive and accurate; and
- is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Bernard Cloutier
Executive Director
January 26, 1998

Section II : Departmental Overview

A. *Mandate, Roles and Responsibilities*

The RCMP External Review Committee is an independent, neutral 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 s. 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* lists the kind of grievance which the RCMP Commissioner has to refer to the Committee; they are as follows:

- 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 Chairperson of the Committee reviews all matters referred to it and renders *Findings & Recommendations* to the RCMP Commissioner and the parties in the form of a judgment. The Chairperson also has the option, exercised rarely, of initiating a hearing to consider the matter.

The RCMP Commissioner may accept or reject the Committee's recommendations but if he rejects a recommendation, he must provide written reasons to the member involved and the Committee.

In conducting its review of matters referred to it, the Committee attempts to achieve a balance amongst the many complex and different interests while ensuring that the principles of administrative law are respected and the remedial approach taken by the *RCMP Act* is followed. In each case, the interests of the individual member of the Force must be balanced against those of the Force's management, of other members and of the force's clients: the public, as represented by Attorneys and Solicitors General.

B. Objective

To provide external review of appeals of formal discipline, appeals of discharge or demotion, and certain types of grievances referred to the Committee by the Royal Canadian Mounted Police.

C. Financial Spending Plan

(thousands of dollars)	Forecast Spending 1997-98 *	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
Gross Program Spending				
Case Review	819	780	780	780
Net Program Spending				
Plus: Cost of services provided by other Departments	99	99	99	99
Net Cost of the Agency	918	879	879	879

* Reflects best forecast of total planned spending to the end of the fiscal year.

Section III : Plans, Priorities and Strategies

A. Summary of Key Plans, Priorities and Strategies

RCMP External Review Committee	
(Plan) to provide Canadians with :	(Strategies) to be demonstrated by :
The provision of Committee leadership in adapting to the changing RCMP environment	<ul style="list-style-type: none"> • pursuing the implementation of the Committee's communications plan • completing the Committee's review of its mandate and internal review processes • supporting RCMP's initiatives in the area of alternative dispute resolution • sharing with the RCMP the Committee's electronic data base • proactively responding to RCMP legislative and policy initiatives and providing advice where appropriate • providing research, best practices studies and advice on specific issues affecting labour relations within the RCMP
An effective and efficient management of the Committee	<ul style="list-style-type: none"> • maintaining and nurturing the Committee's internal culture • reengineering the Committee's internal review processes • enhanced communication with the RCMP to further improve planning of Committee workload • the development of its own ADR component • the conduct of a users satisfaction survey

B. Details by Program and Business Line

The RCMP External Review Committee has only one program or business line : Case Review.

Planned Spending

(thousands of dollars)	Forecast Spending 1997-98	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
<i>Net Expenditures</i>	819	780	780	780

Objective

To provide external review of appeals of formal discipline, appeals of discharge or demotion , and certain types of grievances referred to the Committee by the RCMP.

External factors influencing the business line

A number of factors impact on how the Committee conducts its business:

- *Committee’s lack of control of the number and nature of referrals*
The Committee does not control the number or the nature of cases referred to it. The number of referrals depends, in part, on the members’ decision as to whether they should submit their cases to level II, and on the Force’s interpretation of the *RCMP Regulations* which establish the Committee’s jurisdiction. In fact, just as the Committee is not involved in the decision as to whether a matter should be referred to it, neither is it possible for the Committee to monitor, of its own motion, whether certain grievances were not referred to it which ought to have been. Section 36 of the *RCMP Regulations* provides that grievances relating to a number of matters are to be referred to the Committee. While sub-paragraph 36(b) through (e) are specific, this is not so with sub-paragraph 36(a) - the Force’s interpretation and application of government policies that apply to government departments and that have been made to apply to members of the RCMP. Whether or not a matter is referable to the Committee under this provision requires an interpretation in each case. While the vague wording of sub-paragraph 36(a) only affects this one paragraph, it has disproportionate effects given that it accounts for a large part of the Committee’s grievance referrals.

- *Legislative and Policy changes*
Any specific legislative and policy initiatives undertaken by the RCMP in the area of labour relations could potentially have a significant impact on the Committee's workload.
- *Ever-increasing complexity of cases referred to the Committee*
Grievances involving matters such as basic policy interpretation are becoming relatively less frequent as the Committee's workload shifts to more complex and sensitive matters such as discipline and discharge, and analysis of *Charter of Rights* issues.
- *The Committee's Mandate Review*
Of significance is the Committee's mandate review initiative : a joint task force composed of Committee officials and representatives of RCMP management and members, and which has reached consensus in presenting options on how the Committee may play an even more effective and efficient role in the grievance sector.
- *Fast-changing RCMP environment*
In order to adapt to a rapidly changing world, the RCMP has, over the last two years, undertaken several initiatives aimed at cultural transformation, addressing morale issues, improving internal communications, and making the grievance process more efficient and effective. One of the RCMP's major initiatives in this regard is the Alternate Dispute Resolution program which is implementing early interest-based approaches to resolution of disputes, and a broader system of conflict management which is resulting in an institutionalization of this approach in all of RCMP labour relations, with emphasis on conflict prevention and systemic change. Such a direction should, in the long run, have a profound and positive effect on labour relations within the RCMP and eventually could have an effect on the Committee's mandate and workload.

Key Plans and Strategies

In fulfilling our mandate, the Committee is committed to providing the RCMP with impartial, useful, and timely advice on specific cases referred to it. We also participate where appropriate in the larger issues related to labour relations within the RCMP, always in a manner that respects and balances the interests of the RCMP, its members, and members of the Canadian public.

In order to achieve this objective, the Committee has identified the following key plans and strategies :

1. Providing leadership in adapting to the new environment, by :
 - ▶ Communication: maintaining effective communications with all stakeholders to ensure that the Committee remains current in its understanding of underlying interests and the organization's culture.
 - ▶ Mandate Review: taking leadership in an all-party consensus-based review of the Committee's mandate and internal review processes in order to continuously improve the services we provide, while assuring our independence, accountability, efficiency and effectiveness.
 - ▶ Modern Conflict Management Processes: supporting the RCMP's initiatives in alternative dispute resolution and interest-based problem solving, and introducing processes within the Committee to ensure the availability of ADR mechanisms at every level.
 - ▶ Technology: implementing on a shared basis with the RCMP, an electronic data base of the Committee's recommendations and research, thus providing fairer and more efficient access to guiding principles and jurisprudence in such specialized areas of police discipline and grievance, and natural justice.
 - ▶ Legislation and Policy: proactively responding to RCMP legislative and policy initiatives and advising where appropriate on matters which can lead to healthy systemic change.
 - ▶ Issues Development: providing research, best practices studies and advice where appropriate on specific issues affecting labour relations within the RCMP.

2. Managing the Committee effectively and efficiently, by :
 - ▶ Internal Culture: the Committee's own culture is a team-based, shared leadership culture which encourages and receives the highest quality of professionalism and commitment from its employees. We place a high priority on nurturing and maintaining this culture, of which we are extremely proud.
 - ▶ Process re-engineering: in recent years, we have undertaken a targeted and continuous review of the Committee's processes, successfully developing a streamlined, smooth-functioning and timely approach to case review. Continued attention to our processes will enable us to continue to meet our commitment to process most cases within 90 to 120 days.

- ▶ Workload Management for improved workload planning: enhanced communication between the various sectors within the RCMP whose referral of cases can dramatically affect our workload has enabled us to plan our resource needs much more successfully. This communication will continue.
- ▶ Conflict Resolution, or “Alternative Dispute Resolution”: the Committee will continue to develop its use of processes which encourage the use of modern interest-based approaches for the resolution of appropriate cases, and will provide resources where possible for coaching or mediation.
- ▶ User Satisfaction Measurement: conducting a users satisfaction survey.

Expected Results

The implementation of the above key plans and strategies will result in maintaining the credible and valuable contribution the Committee makes to the improvement of labour relations within Canada’s national police force.

Specifically, the plans and strategies will maintain and strengthen :

- the use of the Committee as a resource for best practices and wise counsel on issues of general importance in police labour relations;
- RCMP management and members’ trust and confidence in the Committee;
- modern approaches to conflict resolution and cultural transformation;
- an improved communication amongst all stakeholders;
- an even more efficient and effective management of the Committee, and a better service to the users of the Committee.

Section IV : Supplementary Information

Table 1: Spending Authorities - Ministry Summary Part II of the Estimates

Personnel Information

Table 2: Organization Structure

Table 2.1 Responsibility for Planned Spending by Business Line for 1998-99

Table 2.2 Planned Full Time Equivalents (FTE's) by Business Line

Table 2.3 Details of FTE Requirements

Additional Financial Information

Table 3 Departmental Summary of Standard Objects by Expenditure

Table 4 Net Cost of Program for 1998-99

Other Information

Table 5 Listing of Statutes and Regulations

Table 1 - Spending Authorities - Ministry Summary Part II of the Estimates

<hr/>		1998-99	1997-98
Vote	(thousands of dollars)	Main Estimates	Main Estimates
<hr/>			
	Royal Canadian Mounted Police External Review Committee		
45	Program expenditures	718	738
(S)	Contributions to employee benefit plans	62	50
	Total Agency	780	788
<hr/>			

Table 2 - Organization Structure

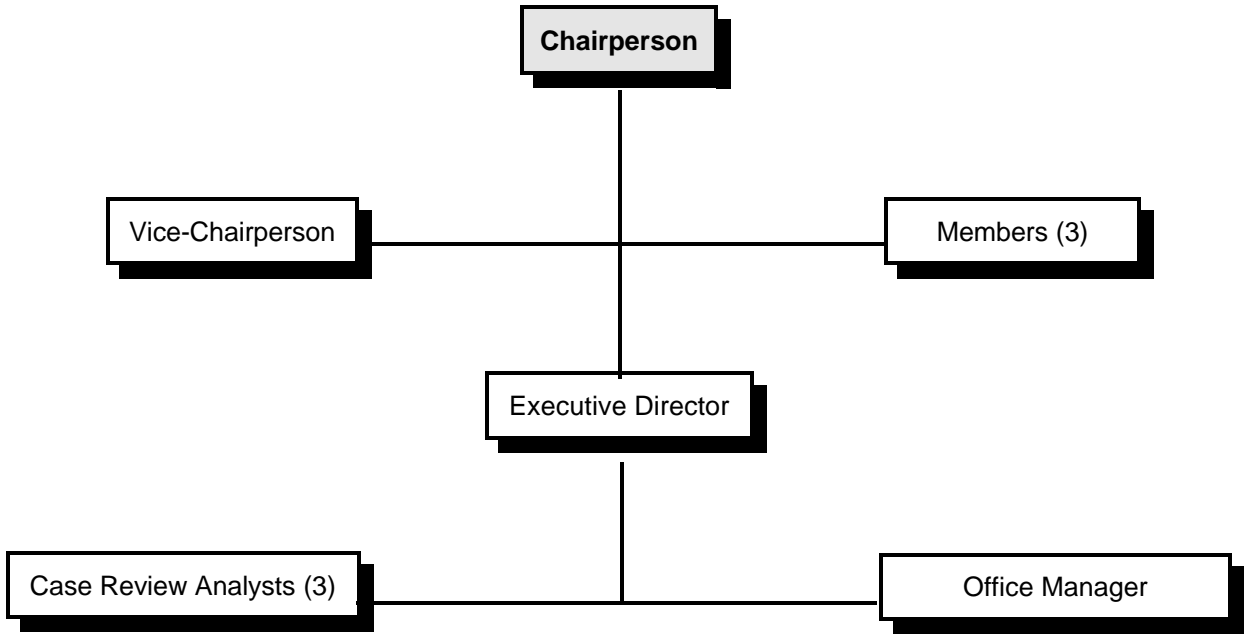


Table 2.1 - Responsibility for Planned Spending by Business Line for 1998-99

Accountability	
(thousands of dollars)	Total
Business Line	
<i>Case Review</i>	780
Total Planned Spending	780

Table 2.2 - Planned Full Time Equivalentents (FTE's) by Business Line

Business Line	Forecast 1997-98	Planned 1998-99	Planned 1999-00	Planned 2000-01
<i>Case Review</i>	5	5	5	5
Total	5	5	5	5

Table 2.3 - Details of FTE Requirements

(thousands of dollars)	Forecast 1997-98	Planned 1998-99	Planned 1999-00	Planned 2000-01
Salary Ranges				
<30,000				
30,000-40,000	1	1	1	1
40,000-50,000				
50,000-60,000	3	3	3	3
60,000-70,000				
70,000-80,000				
>80,000	1	1	1	1
Total	5	5	5	5

Table 3 - Departmental Summary of Standard Objects by Expenditure

(thousands of dollars)	Forecast Spending 1997-98	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
Personnel				
Salaries and wages	327	296	296	296
Contributions to employee benefit plans	50	62	62	62
Goods and services				
Transportation and communications	50	40	40	40
Information	15	1	1	1
Professional and special services	330	325	325	325
Rentals	15	9	9	9
Purchased repair and maintenance	0	2	2	2
Utilities, materials and supplies	32	40	40	40
Other subsidies and payments	0	0	0	0
Minor Capital	0	5	5	5
Net budgetary expenditures	819	780	780	780

Table 4 - Net Cost of Program for 1998-99

(thousands of dollars)	Case Review Program	Total
<i>Gross Planned Spending</i>	780	780
Plus:		
<i>Services Received without Charge</i>		
Accommodation provided by Public Works and Government Service Canada (PWGSC)	79	79
Contributions covering employees' share of insurance premiums and costs paid by TBS	20	20
Workman's compensation coverage provided by Human Resources Canada	0	0
Salary and associated costs of legal services provided by Justice Canada	0	0
	99	99
<i>Total Cost of Program</i>	879	879
Less:		
Revenue Credited to the Vote	0	0
Revenue Credited to the CRF	0	0
<i>Net Cost of Program</i>	879	879
<i>1997-98 Estimated Net Program Cost</i>	918	918

Table 5 - Listing of Statutes and Regulations

Part II, III, IV of the *Royal Canadian Mounted Police Act* (R.S.C., 1985, c. R-10),
As amended