

# RCMP External Review Committee

2019–20

## **Departmental Plan**

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The Honourable Ralph Goodale, P.C., M.P.  
Minister of Public Safety and Emergency Preparedness

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## Institutional Head's message

I am pleased to present the RCMP External Review Committee's 2019-20 Departmental Plan.

Through its independent and impartial reviews of appeal cases dealing with employment matters that are critically important to RCMP members and managers – such as decisions in harassment complaints or the discharge of RCMP members due to disability - the ERC helps to provide an assurance of fair and transparent recourse processes within the RCMP, ultimately contributing to the ability of the Force to serve Canadians.

The key challenge for the ERC in 2019-20 will be to address large numbers of anticipated referrals as well as a backlog of files that has accumulated over a number of years. In 2018-19, the organization implemented additional resources that had been approved to support the integrity of the ERC appeal case review program and increased its case review capacity. Looking ahead, we will focus on maintaining an enhanced capacity to conduct case reviews and on addressing the backlog of cases.

The ERC enters 2019-20 committed to making its contributions to effective recourse within the RCMP and to a healthy and productive RCMP workplace. The ERC likewise remains committed to working to address longer term program requirements and sustainability.

David Paradiso  
Interim Chairperson



## Plans at a glance and operating context

The ERC will continue to face significant operational pressures due to a backlog of files and workload projections that continue to exceed historical levels. The ERC will continue to manage two streams of case referrals from the RCMP: one under the current legislation and the other under the legacy legislation for cases commenced within the RCMP prior to November 28, 2014.

The ERC hired a number of new staff in 2018-19, making use of program integrity resources approved in 2017. The further orientation of new people, and the retention of and support for staff generally, will be vital to achieving and maintaining the enhanced program capacity needed to begin to address the backlog of files awaiting review.

Continuous program improvement remains a priority for the ERC and will be realized through active monitoring and management of the ERC's caseload and case review practices. The development and publication of service delivery standards with time limits for the completion of case reviews (as required by the RCMP Act, s. 28.1) remains a priority for the ERC.

For more information on the RCMP External Review Committee's plans, priorities and planned results, see the "Planned results" section of this report.





## Planned results: what we want to achieve this year and beyond

### Core Responsibilities

#### **Independent review of RCMP employment matters**

Independent and impartial case reviews, findings and recommendations for final decisions in appeals of internal RCMP decisions in harassment complaints, conduct cases, discharges or demotions, and stoppages of pay and allowances.

#### **Description**

The [Royal Canadian Mounted Police External Review Committee](#)<sup>i</sup> (ERC) is an independent administrative tribunal that contributes to fair and equitable labour relations and helps to reinforce accountability at all levels within the Royal Canadian Mounted Police (RCMP). Other than the courts, the ERC is the only independent review mechanism available to RCMP members and management for labour relations matters. The ERC conducts impartial reviews of appeals of certain conduct measures imposed on RCMP members and of written decisions regarding harassment complaints, revocations of appointments, discharges, demotions and ordered stoppages of pay and allowances. Case files dealing with these matters are referred to the ERC for review by the RCMP pursuant to sections 33 and 45.15 of the [Royal Canadian Mounted Police Act](#)<sup>ii</sup> and section 17 of the [Royal Canadian Mounted Police Regulations](#)<sup>iii</sup>. In conducting its reviews of referred case files, the ERC considers the entire file record that is provided by the RCMP which can include statements from members (complainants, respondents and others), video or audio records and testimony from witnesses, historical human resources file materials and other documentation. Once a review has been completed, the ERC provides findings and recommendations to the Commissioner of the RCMP (as the final decision maker) and to the parties. The ERC's findings and recommendations are directed at ensuring that the general principles of administrative law and labour law are respected and that the requirements of the [RCMP Act](#) and other relevant legislation, such as the [Canadian Human Rights Act](#)<sup>iv</sup>, are adhered to in decision making. In some cases, the ERC makes recommendations for broader change or for actions that might be taken to address issues raised in a file (e.g., changes in RCMP policies or management practices, or additional or new training for RCMP members or managers). Access to summaries of ERC findings and recommendations and to ERC reports and discussion papers is provided to RCMP members and the public through the [ERC's website](#)<sup>v</sup> and publications, and through presentations or other outreach to RCMP members.

#### **Planning highlights**

The ERC currently has over 300 files under or awaiting review, which has resulted in lengthy wait times for the completion of reviews following the ERC's receipt of a referred case. Additional resources were implemented in 2018-19 using temporary program integrity funding to increase the ERC's capacity to address its caseload. Combined with the anticipated

appointment of a Vice-Chair as an additional Committee member, the ERC will have increased its capacity to complete case reviews and begin to address its backlog. Staff retention is particularly important given the small size of the ERC, as the loss of even one expert resource can have a significant operational impact. The temporary program integrity funding ends after 2020-21, and the ERC continues to work with the portfolio department and central agencies to address its permanent funding requirements.

The planned introduction of service standards will support program management, transparency and accountability. The target for introducing service standards has been moved to Spring 2020, due to the need for additional information to make valid and reliable projections regarding the kinds, numbers and complexities of the files the ERC will be required to review in future years.

Outreach activities will support RCMP member awareness of workplace and recourse issues (such as disseminating case review summaries to RCMP members in the ERC *Communiqué* publication, and through presentations to RCMP officials with recourse responsibilities, managers or employee representatives). Regular dialogue with the RCMP on general program management, workload and administrative matters will continue in support of program delivery, planning and risk management.

While positioning itself to address the challenges that it will face in 2019-20, the ERC will ensure that its findings and recommendations in each case are substantively correct, clear and relevant for the parties and for the Commissioner of the RCMP.

#### Planned results

| Departmental Results   | Departmental Result Indicators   | Target                          | Date to achieve target | 2015–16 Actual results   | 2016–17 Actual results   | 2017–18 Actual results   |
|--|--|---------------------------------|------------------------|--|--|--|
| ERC's findings and recommendations support fair and transparent RCMP recourse processes and decision-making. | The degree to which RCMP final decisions concord with ERC recommendations, expressed as the % of the RCMP final decisions that fully agree, partly agree or do not agree with the recommendations. | Up to 100%; no specific target. | Ongoing                | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) |
| Findings and recommendations are issued in a timely manner.  | % of findings and recommendations that are issued within the service standard.   | 100%                            | Spring 2020            | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) |

| Departmental Results  | Departmental Result Indicators   | Target  | Date to achieve target | 2015–16 Actual results   | 2016–17 Actual results   | 2017–18 Actual results   |
|---|--|---|------------------------|--|--|--|
| RCMP members and the public have access to current information on the issues addressed by the ERC in its reviews. | Frequency of website postings of the latest summaries of ERC findings and recommendations and of RCMP final decisions. | 100% posted within two months following the end of the quarter. | Ongoing                | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) | Not applicable (ERC has transitioned from PAA to DRF in 2019-20) |

## Budgetary financial resources (dollars)

| 2019–20 Main Estimates | 2019–20 Planned spending | 2020–21 Planned spending | 2021–22 Planned spending |
|------------------------|--------------------------|--------------------------|--------------------------|
| 3,414,034              | 3,414,034                | 2,815,716                | 966,799                  |

## Human resources (full-time equivalents)

| 2019–20 Planned full-time equivalents | 2020–21 Planned full-time equivalents | 2021–22 Planned full-time equivalents |
|---------------------------------------|---------------------------------------|---------------------------------------|
| 17                                    | 17                                    | 6                                     |

Financial, human resources and performance information for the RCMP External Review Committee's Program Inventory is available in the [GC InfoBase](#).<sup>vi</sup>

## **Internal Services**

### **Description**

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of Programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct services that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. These services are:

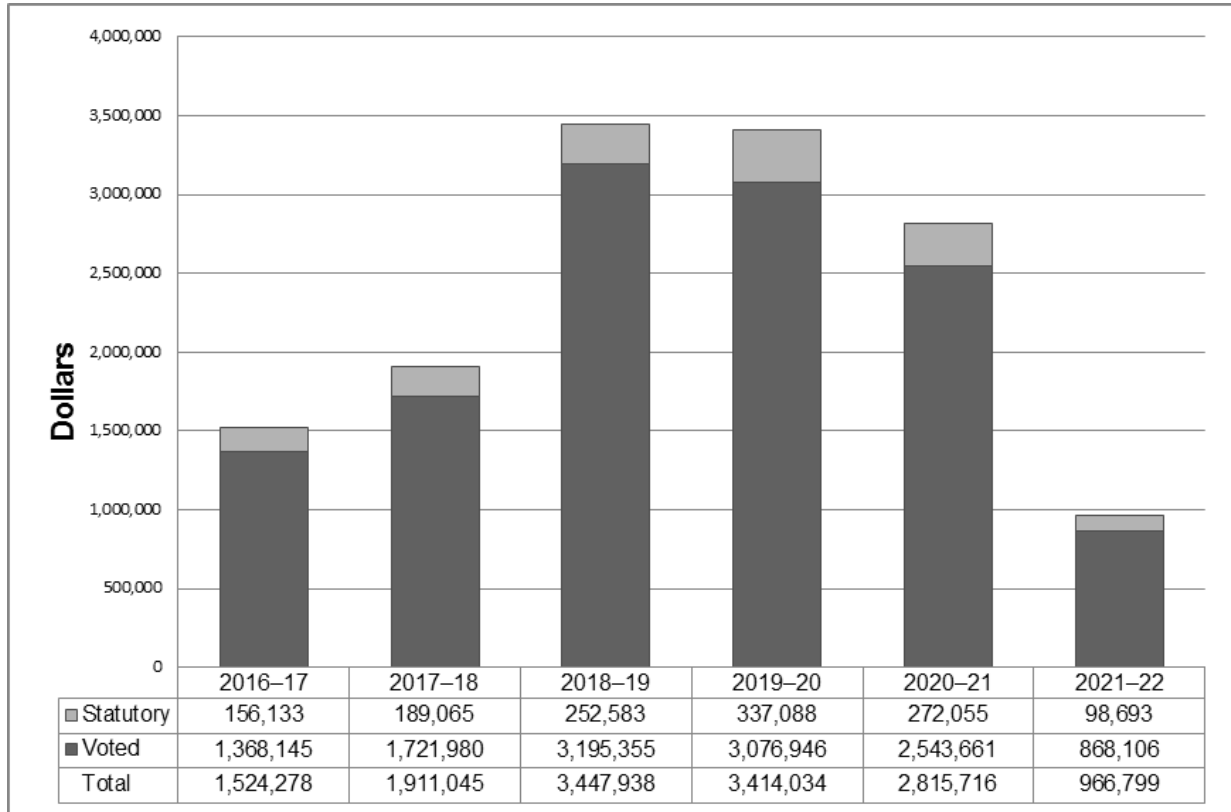
- Management and Oversight Services
- Communications Services
- Legal Services
- Human Resources Management Services
- Financial Management Services
- Information Management Services
- Information Technology Services
- Real Property Management Services
- Materiel Management Services
- Acquisition Management Services

The Treasury Board of Canada Secretariat granted the ERC an exemption from reporting on Internal Services as a separate program beginning in 2009-10 (given the focused nature of the ERC program and associated resources). This Report, therefore, presents information based on a single ERC program and does not provide information on Internal Services separately.

## Spending and human resources

### Planned spending

#### Departmental spending trend graph



#### Budgetary planning summary for Core Responsibilities and Internal Services (dollars)

| Core Responsibilities and Internal Services | 2016–17 Expenditures | 2017–18 Expenditures | 2018–19 Forecast spending | 2019–20 Main Estimates | 2019–20 Planned spending | 2020–21 Planned spending | 2021–22 Planned spending |
|---|----------------------|----------------------|---------------------------|------------------------|--------------------------|--------------------------|--------------------------|
| Appeal case reviews                         | 1,524,278            | 1,911,045            | 3,447,938                 | 3,414,034              | 3,414,034                | 2,815,716                | 966,799                  |
| <b>Subtotal</b>                             | 1,524,278            | 1,911,045            | 3,447,938                 | 3,414,034              | 3,414,034                | 2,815,716                | 966,799                  |
| Internal Services                           | -                    | -                    | -                         | -                      | -                        | -                        | -                        |
| <b>Total</b>                                | 1,524,278            | 1,911,045            | 3,447,938                 | 3,414,034              | 3,414,034                | 2,815,716                | 966,799                  |

\* The ERC is exempted from reporting separately on Internal Services expenditures.

In the Fall of fiscal year 2017-18 the ERC received additional temporary funding approval to support the integrity of the appeal case review program, with funding continuing through 2020-21. The ERC continues to work with the portfolio department and central agencies to address its permanent funding requirements.

## Planned human resources

Human resources planning summary for Core Responsibilities and Internal Services (full-time equivalents)

| Core Responsibilities and Internal Services | 2016–17 Actual full-time equivalents | 2017–18 Actual full-time equivalents | 2018–19 Forecast full-time equivalents | 2019–20 Planned full-time equivalents | 2020–21 Planned full-time equivalents | 2021–22 Planned full-time equivalents |
|---|--------------------------------------|--------------------------------------|--|---------------------------------------|---------------------------------------|---------------------------------------|
| Appeal case reviews                         | 8                                    | 7.8                                  | 17                                     | 17                                    | 17                                    | 6                                     |
| <b>Subtotal</b>                             | 8                                    | 7.8                                  | 17                                     | 17                                    | 17                                    | 6                                     |
| Internal Services *                         | -                                    | -                                    | -                                      | -                                     | -                                     | -                                     |
| <b>Total</b>                                | 8                                    | 7.8                                  | 17                                     | 17                                    | 17                                    | 6                                     |

\* The ERC is exempted from reporting separately on Internal Services expenditures.

The ERC planned complement of resourced FTEs through 2019-20 is 17 (comprising indeterminate employees, employees on secondment or term appointment, positions resourced through service arrangements, and Governor-in-Council appointees on the Committee). The planned FTE complement lowers to six beginning in 2021-22, when the temporary program integrity funding will have ended.

## Estimates by vote

Information on the ERC's organizational appropriations is available in the [2019–20 Main Estimates](#).<sup>vii</sup>

## Future-Oriented Condensed Statement of Operations

The Future-Oriented Condensed Statement of Operations provides a general overview of the ERC's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management. The forecast and planned spending amounts presented in other sections of the Departmental Plan are prepared on an expenditure basis; as a result, amounts may differ.

A more detailed Future-Oriented Statement of Operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, are available on the [ERC's website](#).<sup>viii</sup>

Future-Oriented Condensed Statement of Operations  
for the year ending March 31, 2020 (dollars)

| Financial information  | 2018–19<br>Forecast results | 2019–20<br>Planned results | Difference<br>(2019–20 Planned<br>results minus 2018–19<br>Forecast results) |
|--|-----------------------------|----------------------------|--|
| Total expenses   | 3,767,255                   | 3,839,867                  | 72,612   |
| Total revenues   | 0                           | 0                          | 0  |
| Net cost of operations<br>before government<br>funding and transfers | 3,767,255                   | 3,839,867                  | 72,612   |

The difference between forecast results for 2018-19 and planned results for 2019-20 relates to the amounts of program integrity funding approved over four years, beginning in late 2017-18. The total expenditures planned for 2019-20 are \$3,839,867 compared to \$3,767,255 for 2018-19, representing an increase of \$72,612.





## Additional information

### Corporate information

#### Organizational profile

**Appropriate minister:** The Honourable Ralph Goodale, P.C., M.P.

**Institutional head:** David Paradiso, Interim Chairperson

**Ministerial portfolio:** Public Safety and Emergency Preparedness

**Enabling instrument:** *Royal Canadian Mounted Police Act, R.S.C. 1985, c. R-10*<sup>ix</sup>

**Year of incorporation / commencement:** 1986

#### Raison d’être, mandate and role: who we are and what we do

“Raison d’être, mandate and role: who we are and what we do” is available on the [RCMP External Review Committee’s website](#)<sup>x</sup>.

#### Reporting framework

The ERC’s Departmental Results Framework and Program Inventory of record for 2019–20 are shown below.

|                                |                     | Independent review of RCMP employment matters   |  |                   |  |
|--------------------------------|---------------------|---|--|-------------------|--|
| Departmental Results Framework |                     | ERC’s findings and recommendations support fair and transparent RCMP recourse processes and decision-making.      | The degree to which RCMP final decisions concord with ERC recommendations, expressed as the % of the RCMP final decisions that fully agree, partly agree or do not agree with the recommendations. | Internal Services |  |
|                                |                     | Findings and recommendations are issued in a timely manner.   | % of findings and recommendations that are issued within the service standard.   |                   |  |
|                                |                     | RCMP members and the public have access to current information on the issues addressed by the ERC in its reviews. | Frequency of website postings of the latest summaries of ERC findings and recommendations and of RCMP final decisions.   |                   |  |
| Program Inventory              | Appeal case reviews |   |  |                   |  |

Concordance between the Departmental Results Framework and the Program Inventory, 2019–20, and the Program Alignment Architecture, 2018–19

| 2018–19 Core Responsibilities and Program Inventory                       | 2017–18 Lowest-level program of the Program Alignment Architecture | Percentage of lowest-level Program Alignment Architecture program (dollars) corresponding to the Program in the Program Inventory |
|---|--|---|
| <b>Core Responsibility:</b> Independent review of RCMP employment matters |  |   |
| Program: Appeal case reviews  | Program: Appeal case reviews                                       | 100 %   |

## Supporting information on the Program Inventory

Supporting information on planned expenditures, human resources, and results related to the ERC's Program Inventory is available in the [GC InfoBase](#).<sup>xi</sup>

## Supplementary information tables

The following supplementary information tables are available on the [ERC's website](#)<sup>xii</sup>:

- ▶ [Departmental Sustainable Development Strategy](#)

## Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the [Report on Federal Tax Expenditures](#).<sup>xiii</sup> This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs, as well as evaluations, research papers and gender-based analysis. The tax measures presented in this report are the responsibility of the Minister of Finance.

## Organizational contact information

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 Canada

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Web: <http://www.erc-cee.gc.ca>

## Appendix: definitions

### **appropriation (crédit)**

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

### **budgetary expenditures (dépenses budgétaires)**

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

### **Core Responsibility (responsabilité essentielle)**

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

### **Departmental Plan (plan ministériel)**

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

### **Departmental Result (résultat ministériel)**

Any change that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by Program-level outcomes.

### **Departmental Result Indicator (indicateur de résultat ministériel)**

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

### **Departmental Results Framework (cadre ministériel des résultats)**

The department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

### **Departmental Results Report (rapport sur les résultats ministériels)**

A report on the actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

### **evaluation (évaluation)**

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however, evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

**experimentation (expérimentation)**

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

**full-time equivalent (équivalent temps plein)**

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])**

An analytical process used to help identify the potential impacts of policies, Programs and services on diverse groups of women, men and gender-diverse people. The “plus” acknowledges that GBA goes beyond sex and gender differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability.

**government-wide priorities (priorités pangouvernementales)**

For the purpose of the 2019–20 Departmental Plan, government-wide priorities refers to those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

**horizontal initiative (initiative horizontale)**

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

**non-budgetary expenditures (dépenses non budgétaires)**

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance (rendement)**

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

**performance indicator (indicateur de rendement)**

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, Program, policy or initiative respecting expected results.

**Performance Information Profile (profil de l'information sur le rendement)**

The document that identifies the performance information for each Program from the Program Inventory.

**performance reporting (production de rapports sur le rendement)**

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

**plan (plan)**

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

**planned spending (dépenses prévues)**

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

**priority (priorité)**

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Departmental Results.

**Program (programme)**

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

**Program Inventory (répertoire des programmes)**

Identifies all of the department's programs and describes how resources are organized to contribute to the department's Core Responsibilities and Results.

**result (résultat)**

An external consequence attributed, in part, to an organization, policy, Program or initiative. Results are not within the control of a single organization, policy, Program or initiative; instead they are within the area of the organization's influence.

**statutory expenditures (dépenses législatives)**

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

**sunset program (programme temporisé)**

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

**target (cible)**

A measurable performance or success level that an organization, Program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**voted expenditures (dépenses votées)**

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

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## Endnotes

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- i. Royal Canadian Mounted Police External Review Committee, <http://www.erc-cee.gc.ca/index-en.aspx>
- ii. Royal Canadian Mounted Police Act, <http://laws-lois.justice.gc.ca/eng/acts/R-10/index.html>
- iii. Royal Canadian Mounted Police Regulations, <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2014-281/index.html>
- iv. Canadian Human Rights Act, <http://laws-lois.justice.gc.ca/eng/acts/H-6/index.html>
- v. RCMP External Review Committee's website, <http://www.erc-cee.gc.ca/index-en.aspx>
- vi. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- vii. 2018–19 Main Estimates, <https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/government-expenditure-plan-main-estimates.html>
- viii. RCMP External Review Committee, Future-Oriented Financial Statements, <http://www.erc-cee.gc.ca/cnt/rsrscs/rprts/fofs-efp/index-en.aspx>
- ix. Royal Canadian Mounted Police Act, <http://laws-lois.justice.gc.ca/eng/acts/R-10/index.html>
- x. RCMP External Review Committee, Raison d'être, mandate and role, <http://www.erc-cee.gc.ca/cnt/bt/rspnsblts-en.aspx>
- xi. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xii. RCMP External Review Committee, Supplementary Information Tables, <http://www.erc-cee.gc.ca/cnt/rsrscs/rprts/dprtmntl-pln/index-en.aspx>
- xiii. Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>