

RCMP



ROYAL CANADIAN MOUNTED POLICE

2016

Annual Report Management of the RCMP Conduct Process

Recourse Services Branch



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Canada

ISSN 1929-3658
PS61-17E-PDF

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Message from the Professional Responsibility Officer

The Royal Canadian Mounted Police (RCMP) is an extremely complex organization, policing at the municipal, provincial, federal and international levels, including contracts and Aboriginal policing.

The mission of the Professional Responsibility Sector (PRS) is to provide direction and leadership in the creation of an integrity regime across all RCMP business lines/divisions and to champion the entrenchment of professional responsibilities in all decision-making. The PRS operates to guide employee behaviour, address member misconduct, as well as support an ethical culture. As the Professional Responsibility Officer (PRO) and as a member of the Senior Executive Committee (SEC), I am accountable for providing national leadership in instituting and supporting the RCMP vision for a comprehensive responsibility-based workplace governance that promotes professional, values-based decision-making and behaviours across all categories of employees.

I am pleased with the fundamental and substantial reform to the conduct process established on November 28, 2014, under the amended *Royal Canadian Mounted Police Act*¹. My goal is to continue to manage the conduct process already underway. This is only possible through a strong relationship with the divisions, who are maintaining the integrity of the processes, while ensuring all employees are treated in a fair manner and have the support they require to perform their duties in a responsible and professional manner.

Guylaine A. Dansereau
Professional Responsibility Officer
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¹ *Enhancing Royal Canadian Mounted Police Accountability Act*, 2013, S.C. 2013, c. 18. Pursuant to this Act, significant changes were made to the *Royal Canadian Mounted Police Act*, 1985, R.S.C., c. R-10, particularly as it relates to the disciplinary/conduct process.

Executive Summary

In compliance with the Ministerial Directive of 2008² issued by the Minister of Public Safety, this report describes the standardized application of the conduct process, the enhancements to improve transparency, the promotion of compliance, the effective coordination and the efficient administration of the conduct process through the policies and protocols in place, as well as how training and monitoring are supported (Appendix I – Ministerial Directive). This report also provides a statistical look at the work completed or underway in 2016 in order to manage the conduct of RCMP members.

As a result of the coming into force of the *Enhancing Royal Canadian Mounted Police Accountability Act* and the subsequent amendment of the *RCMP Act* on November 28, 2014, last year's report covered a 13-month period (from the date of the implementation until December 31, 2015). This report continues to reflect the calendar year reporting period. Among the most prominent changes was the replacement of the “discipline” regime with a new robust “conduct” management system. For clarity, this report will refer to the pre-reform as *RCMP Act* (1985) legacy discipline files and the post-reform version as *RCMP Act* (2014) conduct process. These two systems continue to be serviced and managed in tandem in 2016, while formal legacy discipline cases (Appendix II – Legacy Discipline Process) await a resolution under the former system.

Although the administration of the conduct process has become less legalistic and more streamlined, the RCMP remains a diverse organization. The RCMP includes Regular Members (RMs) and Civilian Members (CMs), who are governed by the *RCMP Act*, as well as Public Service Employees (PSEs) who are subject to the *Public Service Employment Act*³ (PSEA) and the PSE Code of Conduct⁴. Under the new Code of Conduct⁵ for members (Appendix III – Code of Conduct), harassment is now included under section 2.1; however due to the comprehensive process for investigation and resolution, harassment is addressed distinctly in this report.

² In 2008, the Minister of Public Safety and Emergency Preparedness issued a *Ministerial Directive on the RCMP Disciplinary Process* to standardize the management and enhance the transparency of the disciplinary process outlined in the *Royal Canadian Mounted Police Act*, 1985, R.S.C., c. R-10.

³ *Public Service Employment Act*, S.C. 2003, c. 22, ss. 12, 13.

⁴ *RCMP Administration Manual*, 2015, ch. XII.13 “Public Service Employee Code of Conduct”. As a requirement of the *Public Servants Disclosure Protections Act*, the RCMP PSE Code of Conduct supports Treasury Board's *Values and Ethics Code for the Public Sector* while also addressing the unique requirements of the RCMP.

⁵ *Royal Canadian Mounted Police Act*, R.S.C., 1985, c. R-10, s. 38

Introduction

Overview

Public and employee trust is paramount to the organizational success of the RCMP. This requires RCMP employees to undertake and perform their duties and responsibilities with the highest level of integrity. The PRS assumes a comprehensive approach to address professional responsibility through a conduct continuum, from proactive to reactive. Its mission is to promote the high standards of professional ethics and integrity expected of the organization by its employees and the public.

The PRS developed a Professional Responsibility Framework (PRF) to ensure adequate organizational resources, commitment, and planning relative to professional responsibilities across the RCMP. The PRF supports employee professionalism; identifies opportunities to enhance vertical and horizontal promotion of professionalism during an employee's career (e.g., employee evaluations, promotion requirements, policies, training, etc.); and develops strategies to strengthen professionalism, where appropriate. The PRF continues to advance the activities planned or underway, in order to enhance professionalism across business lines and to promote the professional and ethical behaviour that is expected of RCMP members at all levels on a continuous basis.

The Code of Conduct and the *Conflict of Interest Directive* (COID)⁶, which includes a number of policies, are available to employees through the RCMP's internal website. At the recruiting phase, potential candidates are made aware of their professional responsibilities, as found under qualifications and requirements on the RCMP public website, then again at recruiting sessions and in the application/selection package. Finally, candidates are required to sign three separate *Acknowledgements of Professional Responsibilities* at the selection, interview and graduation phases, in which are outlined the behavioural expectations consistent with the Code of Conduct.

Following graduation, cadets are reminded of ethical conduct and professional responsibilities in the Field Coaching Course. Subsequently, all in-service specialized training courses, as well as the various leadership development programs, from supervisors to managers to executives, now include content on professional responsibilities. External to any of these reminders of employees' professional responsibilities, an annual acknowledgement is also mandatory. Supervisors are required to discuss both the Code of Conduct and the COID during the Annual Performance Agreement meeting. At this meeting, the employee must read and confirm their understanding and acknowledgement of the Code of Conduct and of the COID with a mandatory checkbox built into the *Annual Performance Agreement* form. This ensures that the employees, who have been in the Force for some time and who may not ever be exposed to the

⁶ RCMP *Administration Manual*, 2014, ch. XVII.1 "Conflict of Interest Directive"

aforementioned acknowledgements and or training, will still be reminded of their professional responsibilities on an annual basis.

The RCMP National Early Intervention System (NEIS), which was implemented in January 2016, is an early awareness tool for supervisors and senior management to proactively identify members at an early stage who may benefit from interventions to address issues that may be impacting their work performance and wellness, by providing guidance, support and additional training in a non-disciplinary approach. The program is completely separate from the RCMP conduct process.

Based on internal and external research and reports over the years, it has been demonstrated that when employees' expectations are clearly communicated on a regular basis, through various awareness and training mechanisms, combined with easily accessible guidance and support tools, the result is a reduction in conflict and conduct issues. A proactive approach, through regular communication, acknowledgements, training and combined with the NEIS, reminds employees at all levels of their professional responsibilities and ensures awareness, guidance and support are available for employees in need.

Chapter 1 - Professional Responsibility Structure

Management of Professional Responsibilities

The PRS mandate is to manage RCMP policies, processes and programs that foster and encourage professional behaviour, address issues of conduct, and reward outstanding achievements. Its mission is to promote the high standards of professional ethics and integrity expected of the organization by its employees and the public. This structure operates to guide employee behaviour, address employee misconduct, as well as support an ethical culture.

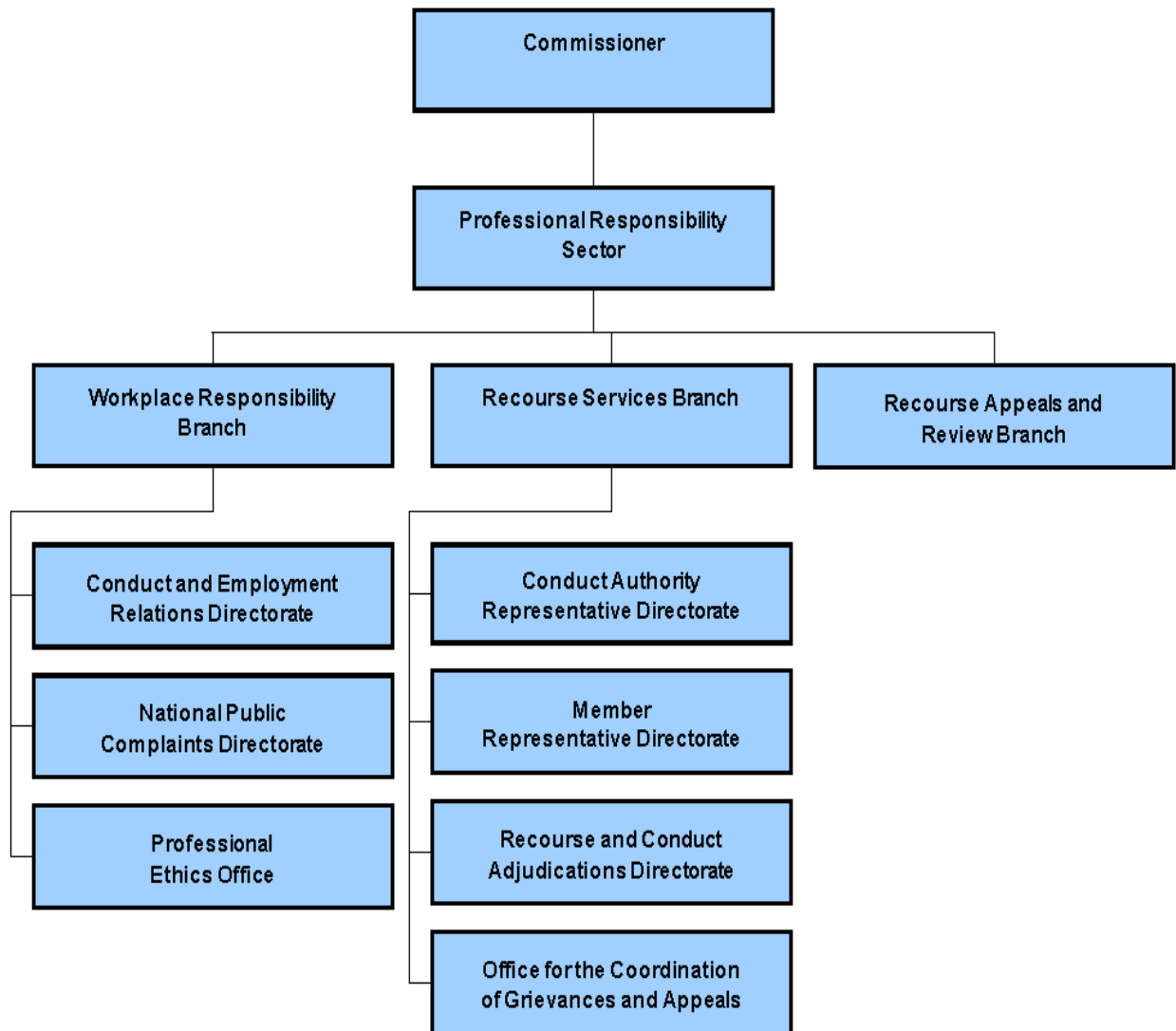
The PRO is responsible for providing senior direction and leadership in the design, development and integration of a professional workplace across all RCMP divisions. As well, the PRO champions the entrenchment of values and ethics across all aspects of RCMP decision-making.

The sector promotes the RCMP vision for a responsibility-based workplace regime that promotes professionalism. Under the purview of the PRS, the following services are provided to support professional responsibilities:

- Promote professional ethics and the RCMP's mission, vision and values and raise awareness through education and training to guide employees in making informed ethical decisions.
- Provide employees with a centralized and confidential avenue to report workplace issues in order to identify, track and appropriately address issues in a timely manner.
- Manage the recognition of employees by leading the policy and administration of the Honours and Recognition Program.
- Offer support, expertise and guidance necessary for all employees to ensure that their personal and professional conduct, inside and outside of RCMP workplaces, meets the high expectations of Canadians, and for the application of the appropriate processes that are necessary for the correction of improper conduct.
- Act as the centralized intake point and policy centre for all harassment complaints; provide advice and guidance to those responsible for the administration of the process within their division.
- Take administrative action and make decisions, when required, in respect of employment requirements (i.e., qualifications, standards, expectations, responsibilities and accountabilities that a member is required to meet at all times in order to continue to serve as a member).
- Monitor the application of the public complaints system set out under Parts VI and VII of the *RCMP Act* (2014).
- Manage the intake and administration of all regular members (RM) and civilian members (CM) grievances (except classification grievances) and appeals.

- Provide representation for parties, and adjudication of, conduct boards and legacy formal discipline matters.

As illustrated in the organizational chart below, the PRO reports to the Commissioner and is a member of the SEC, which is the senior decision-making forum for the development and approval of strategic and Force-wide policies.



The Senior Management Team (SMT) includes SEC and the top senior management of each business line and division. The SMT focusses more on operational day-to-day issues. The SMT provides an essential forum for the PRO to deliver key direction on the management of professional responsibilities across the Force, as well as, to receive regular feedback from the business lines and divisions who are administering the conduct process.

Stakeholders

The administration of the conduct process falls under the purview of the PRS, as the policy centre and subject-matter experts. The PRS relies greatly on various sectors and divisions for the effective administration of the conduct process through collaboration and communication. The successful management of the conduct process is two-fold: those responsible for administering the process in a fair, transparent and timely manner; and those responsible for providing employees support at any time before, during or following any conduct issues. The role of the divisions is to implement and manage the administration of the conduct process. For this purpose, regular communication with the various PRS policy centres is essential.

The employment requirements process, within the PRS, may be invoked to take administrative actions and make decisions in respect to the stoppage of pay and allowances due to member absenteeism, revocation of appointment, discharge and demotion; the authority to direct a member to undergo a medical examination or assessment to determine fitness for duty; and probationary discharge.

Divisional commanders play an important role in that they must continually monitor the status of the employment requirements for personnel under their command. The commander and the Employee and Management Relations Officer (EMRO) work together to keep each other apprised of any developing situations. If, despite support and assistance, a member is not meeting employment requirements or a satisfactory level of performance, the commander will consult with the EMRO to discuss a course of action. The Career Development and Resourcing Officer (CDRO) may also be involved as the officer or manager responsible for the management and administration of staffing, training and career development activities for a division.

In instances where the subject member is on medical leave, the investigator will consult the Health Services Officer (HSO) to determine the ability of the subject member to participate in the conduct process, as well as, any special considerations that should be taken into account when obtaining a statement. If necessary, the conduct authority may require a subject member to undergo a medical examination or an assessment by a qualified person to establish his or her ability to participate in a conduct process.

The Member Workplace Services Program (MWSP) was created in 2016 to ensure members receive individual advice, support, guidance and representation to resolve workplace issues. The Supreme Court of Canada's ruling of January 16, 2015⁷, provides members with the right to choose, whether or not, to be represented by a certified bargaining agent. This ruling came into effect on May 17, 2016, and resulted in the dissolution of the long-standing Staff Relations Representative Program. In an effort to provide continuous support to members, it was

⁷ *Mounted Police Association of Ontario v. Canada (Attorney General)*, 2015 SCC 1, [2015] 1 S.C.R. 3.

important for management to establish the MWSP to ensure that members continue to receive the advice, support and guidance they may require to address workplace issues.

The Public Service Labour Relations Directorate is responsible for all aspects of the Labour Relations Program for PSEs and for maintaining and fostering a positive and constructive relationship between management, employees and their respective representatives.

In addition to an employee's union representative or MWSP, employees who are seeking help to resolve a workplace situation may also contact a divisional Informal Conflict Resolution Practitioner, a Harassment Advisor or the Employee Assistance Service provider. The intent of the PRS is to ensure that those responsible for managing a conduct issue are well supported, while concurrently ensuring that various avenues are in place for employees to reach out for additional support and guidance.

Public and internal trust are paramount to the organizational success of the RCMP. To this end, the RCMP External Review Committee (ERC) was created as an independent external administrative body to the RCMP, tasked with reviewing appeals by RCMP members of certain decisions made by the RCMP. Based on its review of a file, the ERC issues findings and recommendations for consideration by the Commissioner of the RCMP. The Commissioner is the final decision-maker and must consider the findings and recommendations of the ERC. If the Commissioner does not follow the findings or recommendations of the ERC, then the *RCMP Act* (2014) requires the Commissioner to provide the reasons for not doing so. This is one of the many safeguards in place to ensure an independent and transparent review of conduct matters. The Chair of the ERC reports annually to Parliament.

Chapter 2 – Conduct

Overview, Structure and Function

Public trust is essential for the RCMP to effectively serve and protect Canadians. RCMP members are subject to the same laws as all Canadian citizens and must conduct themselves in a manner that not only meets the rightfully high expectations of Canadians but also meets those of the Code of Conduct.

Members are responsible and accountable for the promotion and maintenance of the highest level of conduct in the Force, on and off duty. Contraventions of provisions of the Code of Conduct will be addressed in the following manner:

- Fairly and consistently;
- Coinciding with the most appropriate level of conduct authority;
- Emphasizing the importance of maintaining the public trust; and
- Reinforcing the high standard of conduct expected of members.

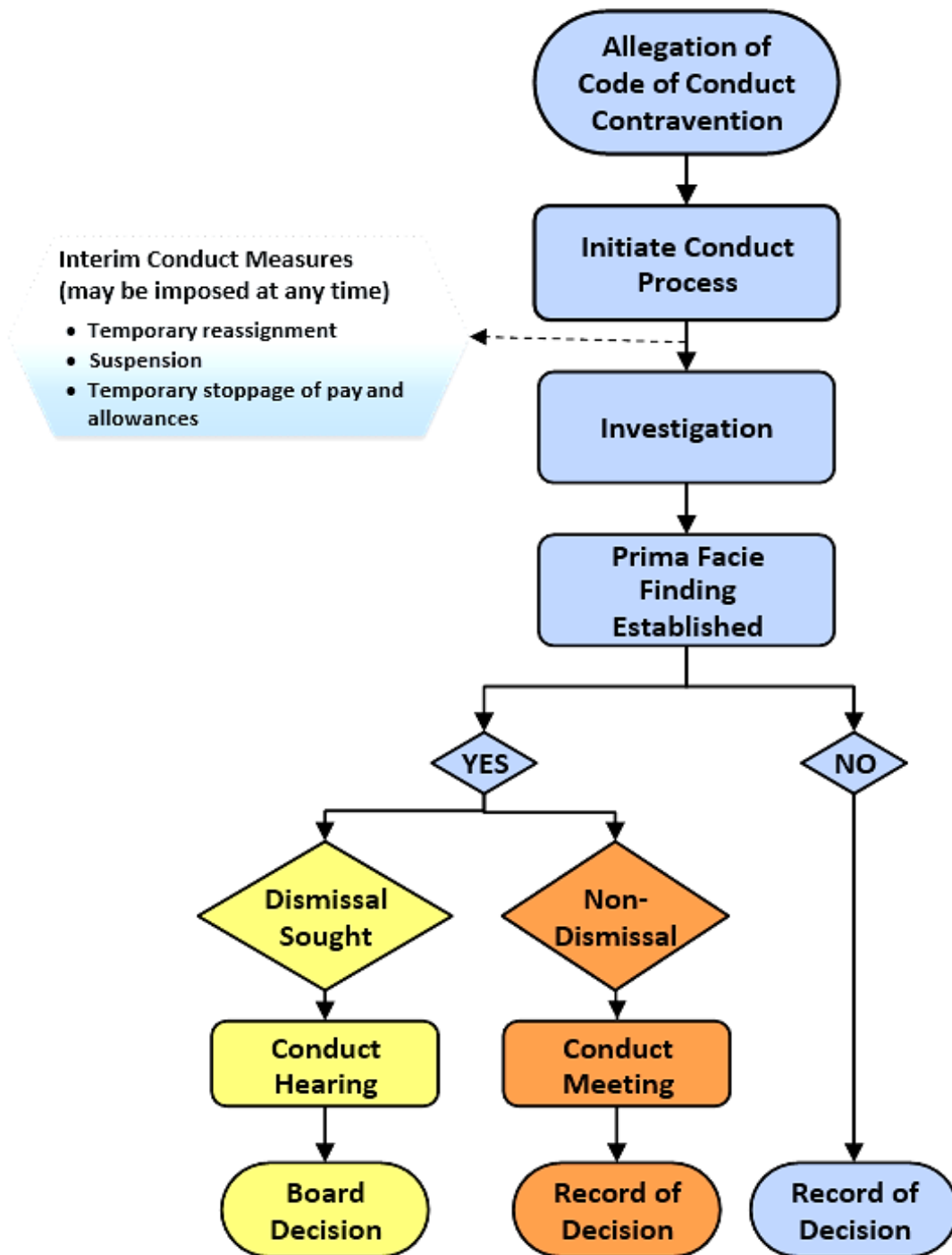
The Code of Conduct covers a broad range of conduct, including: respect and courtesy; respect for law and the administration of justice; duties and responsibilities; use of force; conflict of interest; discreditable conduct; reporting; confidentiality and public statement; and political activity. The Code of Conduct includes a self-policing element that requires members to report, as soon as feasible, its contravention by another member.

This chapter refers to the Code of Conduct for members and does not include PSEs who are subject to the PSE Code of Conduct.

Conduct Process

Allegations of contraventions of the Code of Conduct are taken seriously. The *RCMP Act (2014)* gives a conduct authority the ability to initiate a Code of Conduct investigation into allegations of misconduct. Any RCMP member found to have contravened the Code of Conduct may be subject to a broad range of measures. These broad measures supplant the previous restrictive disciplinary sanctions. In addition, the term “discipline” is no longer applied, which is consistent with a more modern approach to dealing with inappropriate employee behaviour.

Conduct Process Overview



The conduct authority is responsible for determining whether a member's actions amount to a contravention of the RCMP Code of Conduct and, if a contravention is established, to impose conduct measures that are proportionate to the nature and circumstances of the contravention and that, where appropriate, are educative and remedial rather than punitive.

The conduct authority is typically the person in command of the member alleged to have contravened the Code of Conduct, who has the authority to order a Code of Conduct investigation, and to impose conduct measures or initiate a conduct hearing.

Allegation(s)

When information is received to the effect that a member is alleged to have contravened the Code of Conduct, the conduct authority at the level closest to the incident must receive and consider the information; this is to assess and determine the most appropriate means of addressing the incident. The conduct authority will consult the divisional Conduct Advisor throughout the process.

The first step taken by a conduct authority will be to determine whether the allegation should be addressed through the conduct process. The conduct process is not to be used to deal with performance or administrative purpose.

If the conduct authority determines that the conduct process is the appropriate course of action, he or she will consider whether further information is required and how this information may be best obtained. The conduct authority must also assess whether they have the appropriate level of authority to manage the alleged contravention of the Code of Conduct or if it should be referred to another conduct authority at a higher level.

Investigation

The Code of Conduct investigation can take a variety of forms. It should be appropriate, proportionate and timely in the gathering of evidence, in establishing the facts of the alleged contravention, and in making a determination on the balance of probabilities. If the nature of the allegations also requires a statutory investigation (criminal or regulatory), the conduct authority will advise the divisional Criminal Operations Branch, who will initiate a statutory investigation in accordance with s. 54.1 of the *Operational Manual*⁸ and ensure that the matter is reported to the police force of jurisdiction.

The subject member may provide a voluntary statement during the Code of Conduct investigation. In certain circumstances, where the conduct authority determines it is in the best interest of the RCMP, the subject member may be ordered to provide a statement. Once the investigation report has been received, the conduct authority must determine whether the information is sufficient to determine if the alleged conduct amounts to a contravention of the Code of Conduct or if a supplemental investigation is required.

In cases where it is determined that the allegation appears to be established, the conduct authority will determine whether the circumstances of the contravention warrant the dismissal

⁸ RCMP *Operational Manual*, 2016, ch. 54.1 "RCMP External Investigation or Review"

of the subject member. If dismissal is not warranted, a conduct meeting between the subject member and the conduct authority will be initiated. If dismissal is warranted, a conduct hearing must be initiated.

Conduct Meeting (Non-Dismissal)

In cases where dismissal is not being considered, a conduct meeting will take place and the subject member will have the opportunity to make representations (written or oral) with respect to the allegation and conduct measures. Once the conduct authority has reviewed all relevant information (investigation report, supplementary report, submissions by the subject member), he or she will determine, on a balance of probabilities, whether the subject member has contravened a provision of the Code of Conduct. The conduct authority will inform the subject member of the decision and supporting rationale in regard to each allegation. If the allegation is established, the conduct authority may impose one or more of the conduct measures from the *Conduct Measures Guide*⁹, according to the *Commissioner's Standing Orders (Conduct)*¹⁰.

From the time that the conduct authority becomes aware of the alleged Code of Conduct contravention and the identity of the subject member, he or she has one year to impose a conduct measure. The subject member has the right to appeal the decision made by a conduct authority.

Conduct Hearing (Dismissal)

After consultation with the Conduct Authority Representative, the conduct authority can initiate a conduct hearing when the dismissal of a subject member is sought. Conduct hearings may be initiated by the Commanding Officer or another person designated by the Commissioner. Conduct hearings are formal, court-like processes that are held before a board of one or more persons who have the authority to hear evidence, such as sworn testimony, to make determinations as required and to administer various conduct measures, including dismissal. Conduct hearings are open to the public.

A conduct hearing must be initiated by a conduct authority within one year from the time he or she was informed of the contravention and the identity of the subject member. The conduct board will make every reasonable effort to hold a hearing within 90 days of being appointed.

The subject member will have the opportunity to present their case to the board and may obtain representation from a Member Representative or a person of their choice. After hearing all representations, the board must determine whether each allegation is established on the balance of probabilities. If it is determined that one or more contraventions have been established, the

⁹ RCMP *Conduct Measures Guide*, 2014.

¹⁰ *Commissioner's Standing Orders (Conduct)*, SOR/2014-291.

board must impose the appropriate conduct measures, proportionate to the gravity of the misconduct, considering all aggravating and mitigating factors.

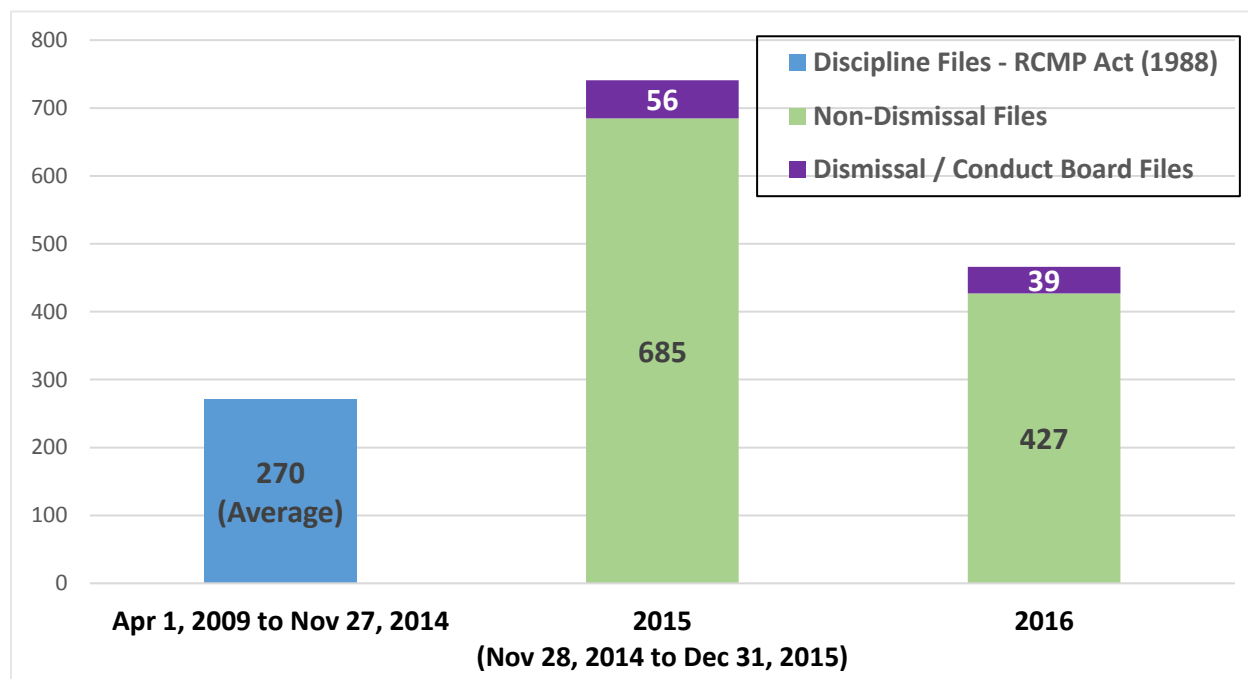
Appeal

If a conduct meeting takes place, the subject member may appeal the decision of the conduct authority to the Commissioner. If a conduct hearing takes place, the subject member or the conduct authority may appeal the decision of the conduct board to the Commissioner.

Conduct Statistics

The RCMP maintains historical data on the conduct and discipline processes. Figure 1 shows a decrease in conduct files opened in 2016 compared to 2015, from 741 to 466. From April 1, 2009, to November 27, 2014, under the *RCMP Act* (1988) on average 270 files were opened each fiscal year.

Figure 1: Total Discipline and Conduct Files Opened (2009-2016)



By resorting to conduct boards in only the most serious of cases, the RCMP is able to handle conduct matters more expeditiously and informally. In 2016, 92 percent of conduct matters proceeded by way of conduct meetings and eight percent of cases were referred to a conduct board. In 2016, conduct boards were initiated for 15 out of the 39 dismissal files in 2016. Conduct hearings were held for eight conduct board files and five board decisions were rendered. Data from the last decade shows that there were 10-15 dismissal cases initiated per year, with only two to three on average making it to a formal hearing (i.e., a case may be resolved by voluntary discharge or change in the sanction sought).

Figure 2 shows that the number of conduct files are generally proportionate to the number of RCMP members per division (Appendix IV – Map of Divisions).

Figure 2: Conduct Files and Subject Members by Division (2016)

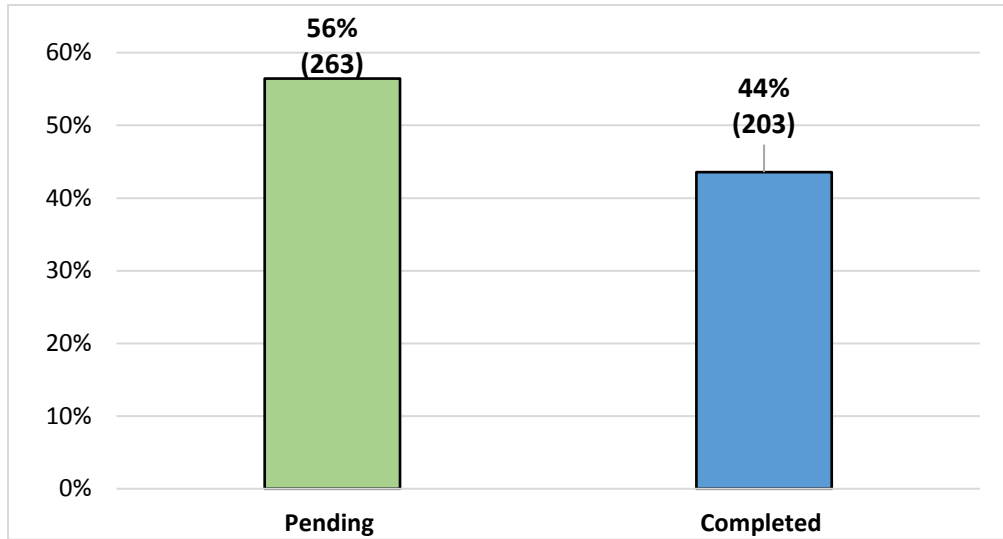
Division	Conduct Files		Subject Members by Div.		Members by Division	
	#	%	#	%	#	%
B	12	3%	12	3%	593	3%
C	26	6%	23	5%	1,112	5%
D	36	8%	30	7%	1,161	5%
Depot	4	1%	4	1%	238	< 1%
E	153	33%	143	33%	7,442	33%
F	25	5%	24	6%	1,467	7%
G	6	1%	6	1%	212	< 1%
H	20	4%	19	4%	1,105	5%
J	33	7%	31	7%	975	4%
K	92	20%	86	20%	3,558	16%
L	5	1%	5	1%	150	< 1%
M	3	1%	3	1%	158	< 1%
National	9	2%	8	2%	668	3%
NHQ	16	3%	16	4%	2,278	10%
O	15	3%	15	3%	1,288	6%
V	11	2%	7	2%	149	< 1%
Total	466	100%	432	100%	22,554	100%

During 2016, the conduct process was initiated against 432 members (less than two percent of all members). There can be multiple allegations of misconduct in a single file and a member can be subject to more than one Code of Conduct file. In 2016, there were a total of 761 new allegations of misconduct against the aforementioned 432 subject members. In comparison, there had been a total of 1,475 allegations of misconduct against 662 subject members from November 28, 2014, to December 31, 2015.

Figure 3 shows that, out of 466 conduct files opened in 2016, 263 (56 percent) were pending at year-end, compared to 215 (32 percent) in 2015.

Although fewer conduct files were opened in 2016 and more files pending by year-end, 215 files from 2015 were carried over to 2016. Further developments from an administrative and procedural fairness perspective were also added to the process. Of the 466 conduct files opened in 2016, 203 files (44 percent) were completed by year-end.

Figure 3: Status of Code of Conduct Files (2016)



Of these 203 completed files shown in Figure 4, 120 files had at least one allegation established (59 percent of all completed files).

Figure 4: Disposition of Completed 2016 Conduct Files

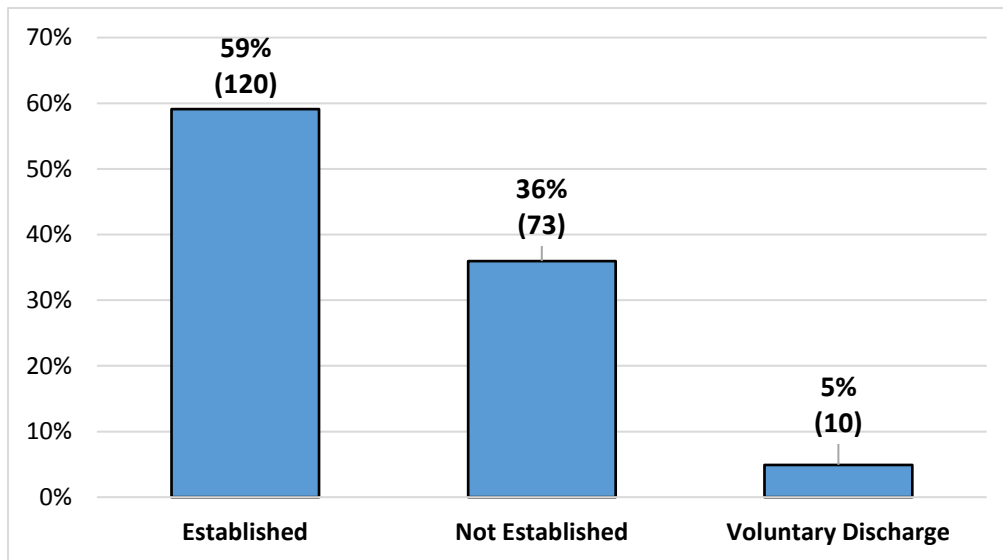


Figure 5 provides an overview of the types of allegations that arose in 2016. Of these 761 allegations in 2016, 264 (35 percent) were allegations of a contravention of section 7.1 of the Code of Conduct, “Members behave in a manner that is likely to discredit the Force”.

Figure 5: Types of Conduct Allegations (2016)

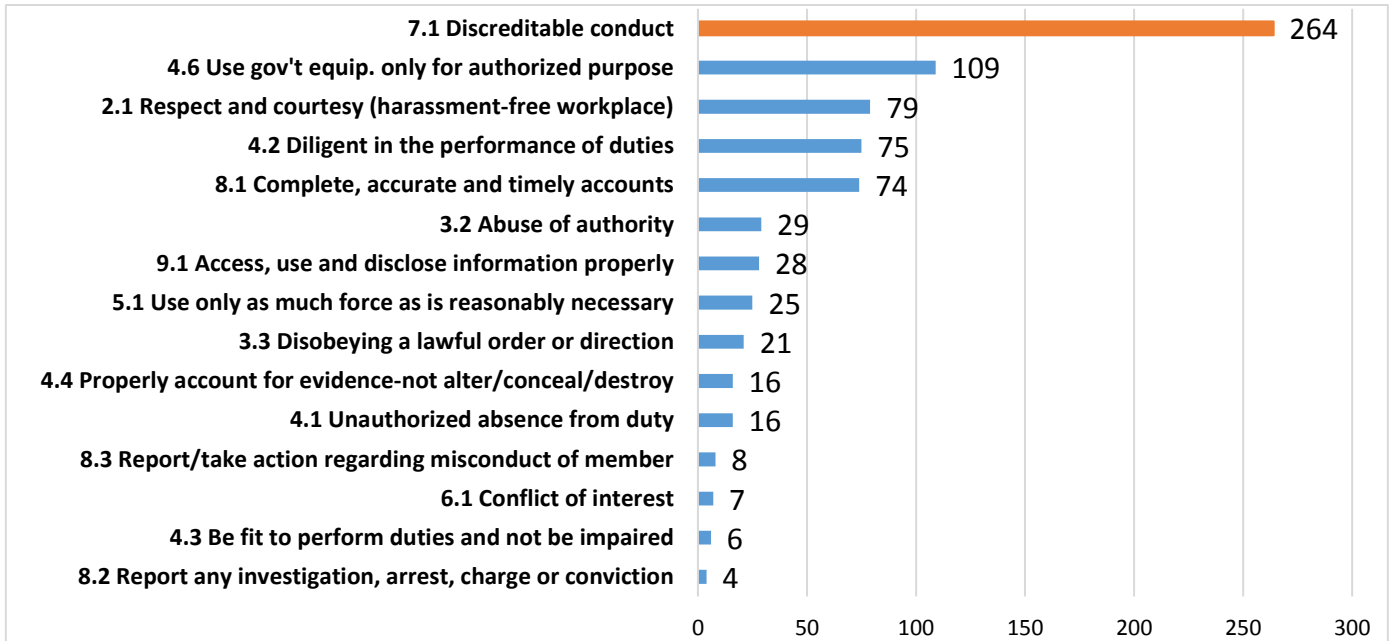


Figure 6 provides a more detailed breakdown of the types of misconduct captured by section 7.1. The largest category under section 7.1 “General – discreditable conduct”, encompasses any discreditable conduct not captured in the 7.1 descriptors (e.g., interfering with witnesses).

Figure 6: Breakdown of Allegations 7.1 Discreditable Conduct (2016)

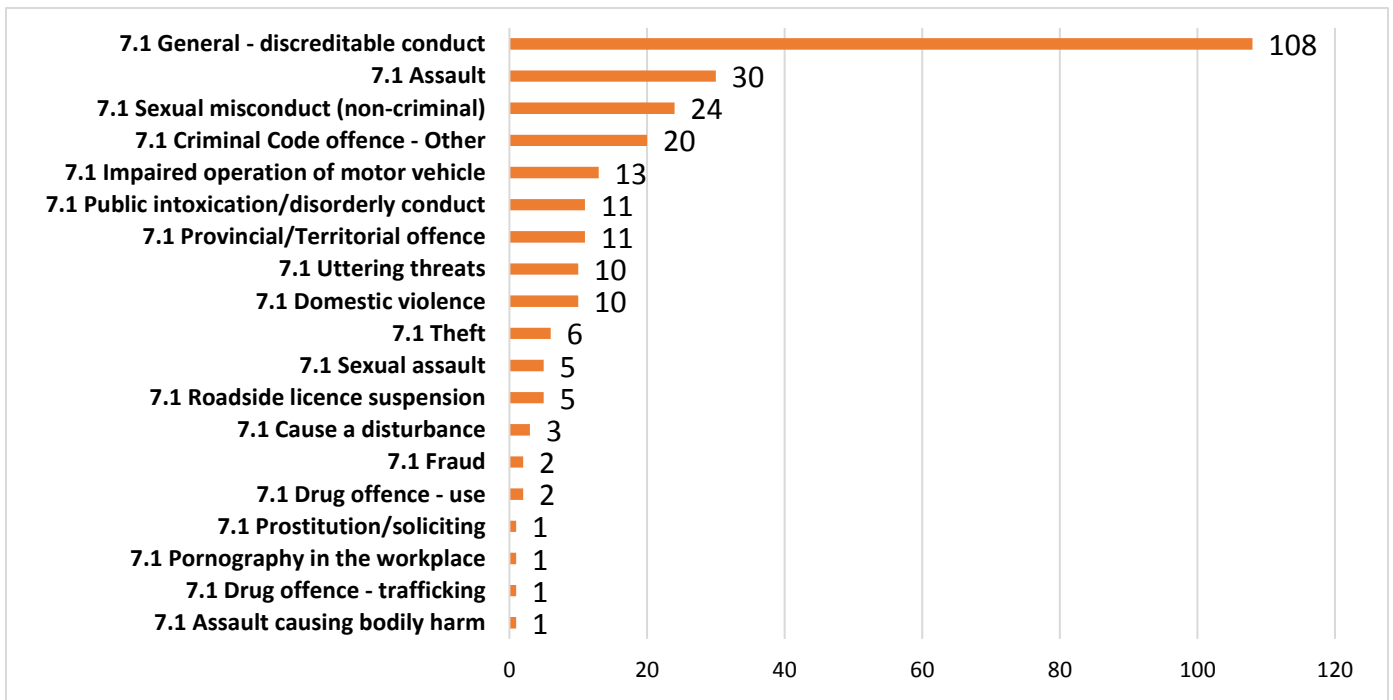
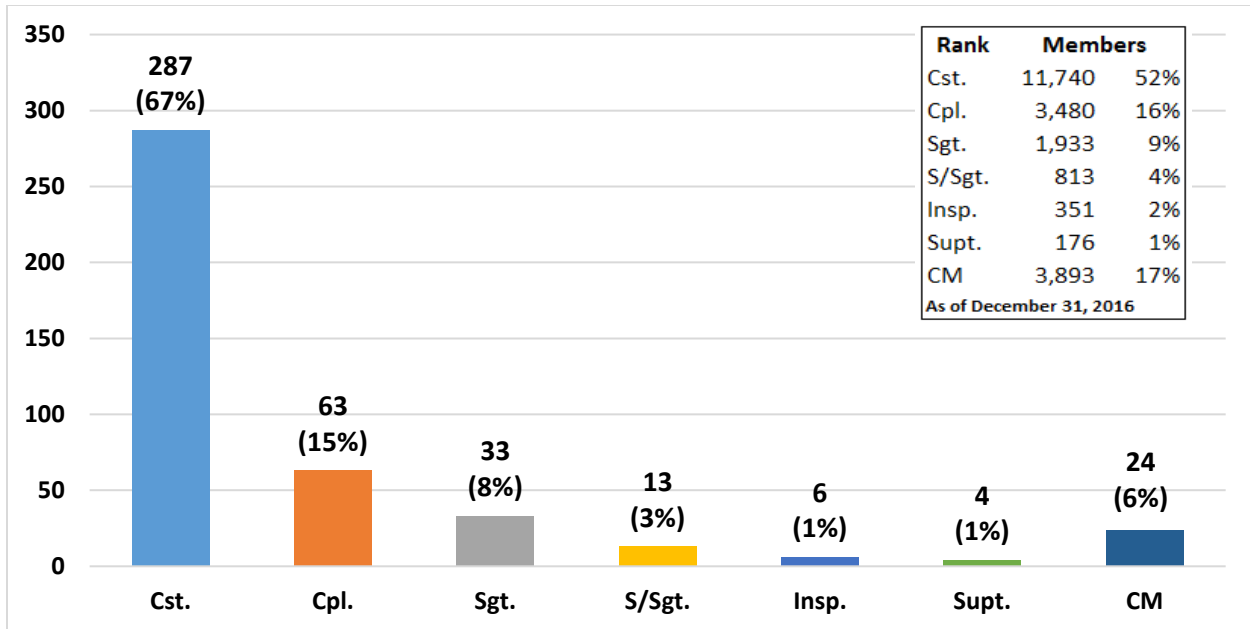


Figure 7 indicates that 52 percent of employees at the RCMP are constables, the largest category of members, and they account for 67 percent of subject members. Subject members with a rank higher than superintendent are not displayed on Figure 7; they account for less than one percent of subject members and less than one percent of all members Force-wide.

Figure 7: Code of Conduct Allegations by Rank (2016)



Conduct authorities have been provided with more authority and flexibility to deal with conduct issues. As shown in figure 8, the conduct process includes three categories of a total of 27 conduct measures: remedial, corrective, and serious.¹¹ The variety of measures allows conduct authorities to apply the appropriate measure based on the misconduct. All three levels of conduct authority can impose remedial measures, whereas only levels II and III conduct authorities can impose corrective measures and only level III can impose serious measures.

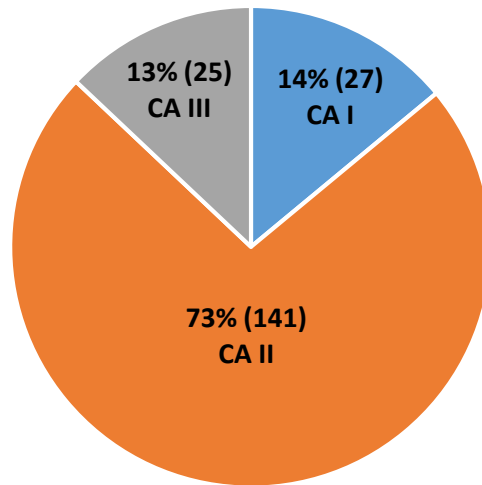
¹¹ *Commissioner's Standing Orders (Conduct)*, SOR/2014-291, ss. 3-5.

Figure 8: Category of Measures under the Conduct Management Process

REMEDIAL
Admonishment
Close supervision
Training
Medical treatment (HSO Recommended)
Counselling/Rehabilitation
Specific program/activity
Removal, restriction or modification of duties ≤ one year
Reassignment to another position not involving a relocation or demotion
Reprimand
Financial penalty ≤ eight hours
Any other agreed measure – not financial, corrective or serious
CORRECTIVE
Ineligibility for promotion ≤ one year
Deferment of pay increment ≤ one year
Suspension without pay ≤ 80 hours
Financial penalty ≤ 80 hours
Forfeiture of annual leave ≤ 80 hours
Any combination of the previous three measures, totalling no more than 80 hours
SERIOUS
Removal, restriction or modification of duties ≤ three years
Ineligibility for promotion ≤ three years
Deferment of pay increment ≤ two years
Reduction to next lower rate of pay ≤ two years
Demotion ≤ three years
Demotion for an indefinite period
Transfer to another work location
Suspension from duty, without pay
Forfeiture of annual leave ≤ 160 hours
Financial penalty (not limited)

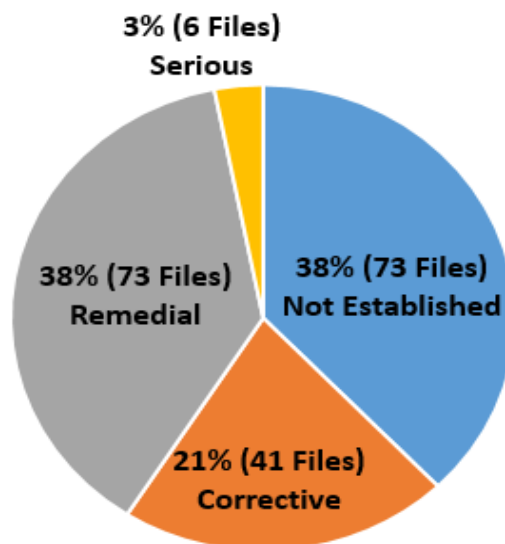
Figure 9 reveals that the majority of the files opened in 2016 (73 percent) were completed by a level II conduct authority. Level II conduct authorities may impose conduct measures up to the corrective level of conduct measures.

Figure 9: Files Completed by a Conduct Authority (2016)



In addition, ten files were closed due to voluntary discharge. The measures can also be imposed by much lower levels of management than was the case under the former process (e.g., a line officer at level II can now impose a financial penalty of up to ten days which was previously reserved to a board). Based on Figure 10, remedial measures (lowest level) were imposed in the majority of cases, which suggests that although the majority of conduct is being dealt with by level II conduct authorities (corrective level), remedial measures are imposed more frequently.

Figure 10: Conduct Measures Imposed (2016)



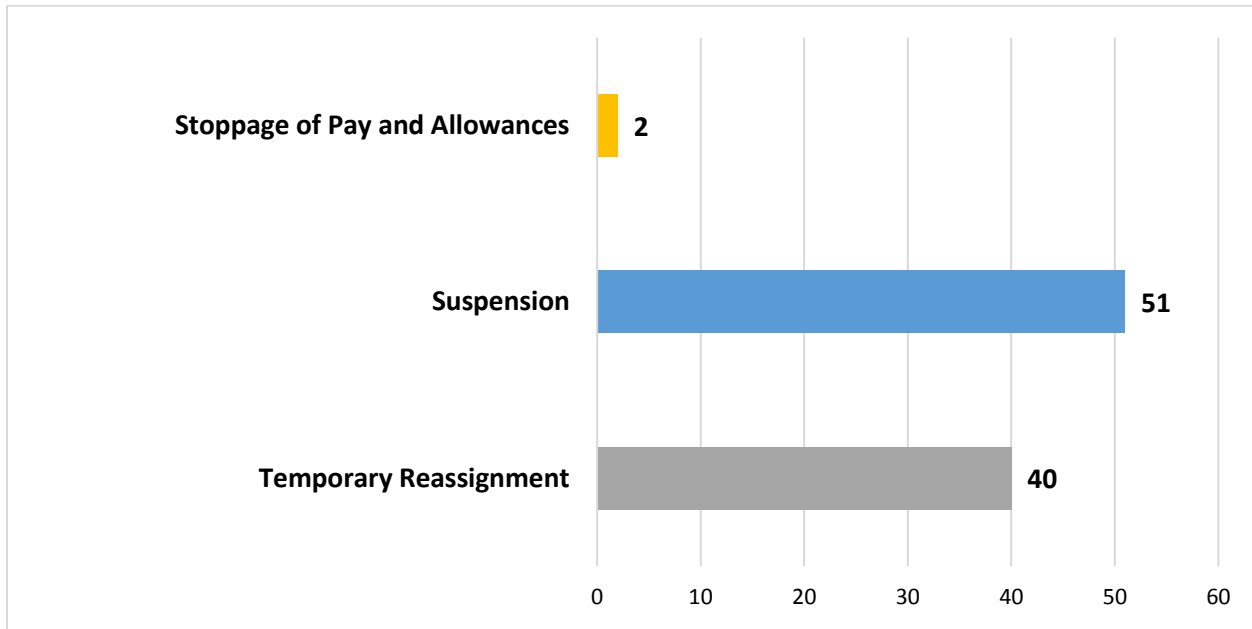
Although an alleged contravention could lead to a more severe conduct measure, it does not always result in such measures. For example, it is possible that mitigating factors result in remedial conduct measures rather than corrective conduct measures.

The *RCMP Act* (2014) also allows for interim administrative measures to be imposed by a conduct authority at any time during the conduct process when a member is suspected of contravening the Code of Conduct, or a federal or provincial law.¹²

Interim administrative measures include temporary reassignment, suspension, and stoppage of pay and allowances. They are not in themselves “disciplinary” actions. They are preventative measures created to protect the integrity of the RCMP and its processes, pending the outcome of the matter which gave rise to the interim administrative measure.

In 2016, there were two orders for a stoppage of pay and allowances compared to one the previous year. There were 51 suspensions in 2016 compared to 55 suspensions the previous year. However, prior to the implementation of the *RCMP Act* (2014), there had been a significant increase in suspensions from duty, both with pay and without pay. Suspensions had risen from 52 in 2009-2010 to a high of 118 in 2013-2014.

Figure 11: Subject Members with Suspensions Imposed (2016)



A suspension can be ordered by a level II or III conduct authority in cases where the integrity or operations of the RCMP would be seriously jeopardized if the subject member were not suspended and taking into account the public interest.¹³ When such a suspension has been

¹² *RCMP Administration Manual*, 2016, ch. XII.1. “Conduct”, s. 5.

¹³ *RCMP Administration Manual*, 2016, ch. XII.1. “Conduct”, s. 5.4.2.

imposed, the suspension order is to be reviewed every 90 days. A suspension can also be ordered once a decision has been made to seek dismissal and the matter proceeds to a conduct board.¹⁴ Conduct investigations involving suspended subject members are prioritized.

Before considering suspension, a level II or III conduct authority must first consider whether a temporary reassignment is possible.¹⁵ Any level of conduct authority can order a temporary reassignment pending the outcome of the conduct process.

In addition to a suspension, the level III conduct authority may serve upon the subject member a Notice of Intent to Order the Stoppage of Pay and Allowances, in exceptional circumstances in which the subject member is, on a prima facie basis, involved in the contravention of the Code of Conduct or legislation, and when the conduct has a highly detrimental impact on the integrity or operations of the RCMP, or the subject member's ability to perform his or her duties.¹⁶

When a level III conduct authority is of the opinion that the grounds for the stoppage of pay and allowances are present, the conduct authority must serve the subject member with a notice advising him or her of the intention of the RCMP to order the stoppage of pay and allowances.¹⁷ A subject member may make written submissions in response to the notice.

Interim administrative measures may be appealed by the subject member.

¹⁴ *Ibid.*, s. 5.4.3.

¹⁵ *Ibid.*, s. 5.3.2.

¹⁶ *Ibid.*, s. 5.5.1.

¹⁷ *Ibid.*, s. 5.5.2.1.1.2.

Chapter 3 – Investigation and Resolution of Harassment Complaints

Overview, Structure and Function

The RCMP is committed to providing a safe and respectful workplace free of discrimination and harassment. Harassment complaints against RCMP employees will be handled in a fair, effective, thorough, impartial, and culturally sensitive manner that promotes public and organizational confidence. Harassment is a contravention of the Code of Conduct; however, it adheres to a particular process.

All matters related to the investigation and resolution of harassment complaints are dealt with by the Office of the Coordination of Harassment Complaints (OCHC), under the PRS. The *RCMP Act* (2014) provided the Commissioner with the authority to create an RCMP-specific structure for responding to harassment complaints. Prior to November 28, 2014, the RCMP had to simultaneously apply both Treasury Board policies and the RCMP discipline process in harassment matters, resulting in inconsistencies, redundancies, frustrations and uncertainties.

The OCHC is the centralized intake point for all internal harassment complaints for members, as well as PSEs, and functions as the policy centre for the investigation and resolution of harassment complaints. As such, the OCHC plays a key role in providing advice and guidance to employees who are responsible for the administration of the process within their division.

Harassment Process

Any employee of the RCMP can file a written harassment complaint within the one-year time limitation of the last incident of alleged harassment, unless extenuating circumstances prevented the complainant from doing so. Harassment means any improper conduct by an individual that is directed at and is offensive to another individual in the workplace, including any event or any location related to work, and that the individual knew, or ought reasonably to have known, would cause offence or harm.¹⁸

Harassment, if established, is a contravention of the Code of Conduct. A member who is believed to have committed harassment will face conduct proceedings under the *RCMP Act* (2014) and be subject to consequences, up to and including dismissal. Harassment may also be a contravention of the PSE Code of Conduct, and a PSE found to have engaged in harassing conduct may also be subject to disciplinary proceedings and consequences, up to and including dismissal. The main components of the harassment complaint process are:

- Submission of a complaint by employee or representative
- Intake procedures
- Review by decision-maker

¹⁸ *RCMP Administration Manual*, 2016, ch. XII.8. “Investigation and Resolution of Harassment Complaints”, s. 9.

- Informal Resolution Process (if appropriate)
- Harassment Investigation Process
- Preliminary report and response
- Final written decision
- Appeal or grievance (depending on category of the employee)

If the respondent is a member, the decision-maker will also be designated to act as a conduct authority in respect of a member respondent under subsection 2(3) of the *RCMP Act (2014)*. If a decision-maker initiates a conduct board under subsection 43(1) of the *RCMP Act (2014)*, then the conduct board will serve as the decision-maker for the purposes of the harassment investigation and resolution process.

If the respondent is a PSE, the decision-maker is the person identified in section 5.4 of the *Investigation and Resolution of Harassment Complaints Policy*. If the decision-maker is not the delegated manager, the identification of the delegated manager who may impose disciplinary measures against a PSE respondent is as established under the Treasury Board *Guidelines for Discipline*.

The OCHC, as the national policy centre, provides information and support to Harassment Advisors and management concerning all matters relating to the investigation and resolution of harassment. The *National Guidebook – Investigation and Resolution of Harassment Complaints* includes the following key steps:

- Receive and undertake an initial assessment of a complaint to ensure that it is as complete as possible in consultation with the complainant where appropriate, before referring the complaint to the Harassment Advisor for the initiation of the harassment investigation and resolution process and any subsequent determinations by the decision-maker
- Provide information and support to the Harassment Advisor and management concerning all matter related to this policy
- Perform monitoring and review functions in respect of this policy
- Review investigations and decisions, and monitor the consistent and appropriate application of this policy
- Conduct quality reviews of harassment complaint investigation and resolution files
- Ensure all information is properly entered into the Administrative Case Management Tool (ACMT)
- Provide statistics and reports to the PRO
- Conduct quality assurance reviews of this policy

Harassment Statistics

From January to December 2016, there were 242 harassment complaints. Figure 12 depicts the number of complaints by division as compared to the total employee population.

Figure 12: Harassment Complaints by Division (2016)

Division	Complaints		Employees	
	#	%	#	%
B	5	2%	787	3%
C	8	3%	1,435	5%
D	9	4%	1,590	5%
Depot	2	1%	657	2%
E	55	23%	9,181	30%
F	18	7%	2,062	7%
G	5	2%	262	< 1%
H	13	5%	1,417	5%
J	6	2%	1,507	5%
K	37	15%	4,425	14%
L	0	0%	196	< 1%
M	4	2%	199	< 1%
National	3	1%	929	3%
NHQ	55	23%	4,386	14%
O	11	5%	1,500	5%
V	11	5%	157	< 1%
Total	242	100%	30,690	100%

The RCMP categorizes harassment into four categories: abuse of authority, interpersonal department, sexual harassment and discrimination. Figure 13 shows the total number of complaints by category for 2016 in comparison with previous years.

Figure 13: Harassment Complaints by Category (2009-2016)

Category of Harassment Complaint	2016		2015		2009-2014 Avg.	
	#	%	#	%	#	%
Abuse of authority	126	52%	99	65%	75	48%
Interpersonal department	89	37%	26	17%	71	45%
Sexual harassment	15	6%	3	2%	5	3%
Discrimination	12	5%	24	16%	6	4%
Total	242	100%	152	100%	157	100%

Figures 14 and 15 represent the number of complaints that can be attributed to each of the three categories of employee within the RCMP. Figure 16 also includes Municipal Employees (ME).

Figure 14: Harassment Complaints by RMs (2016)

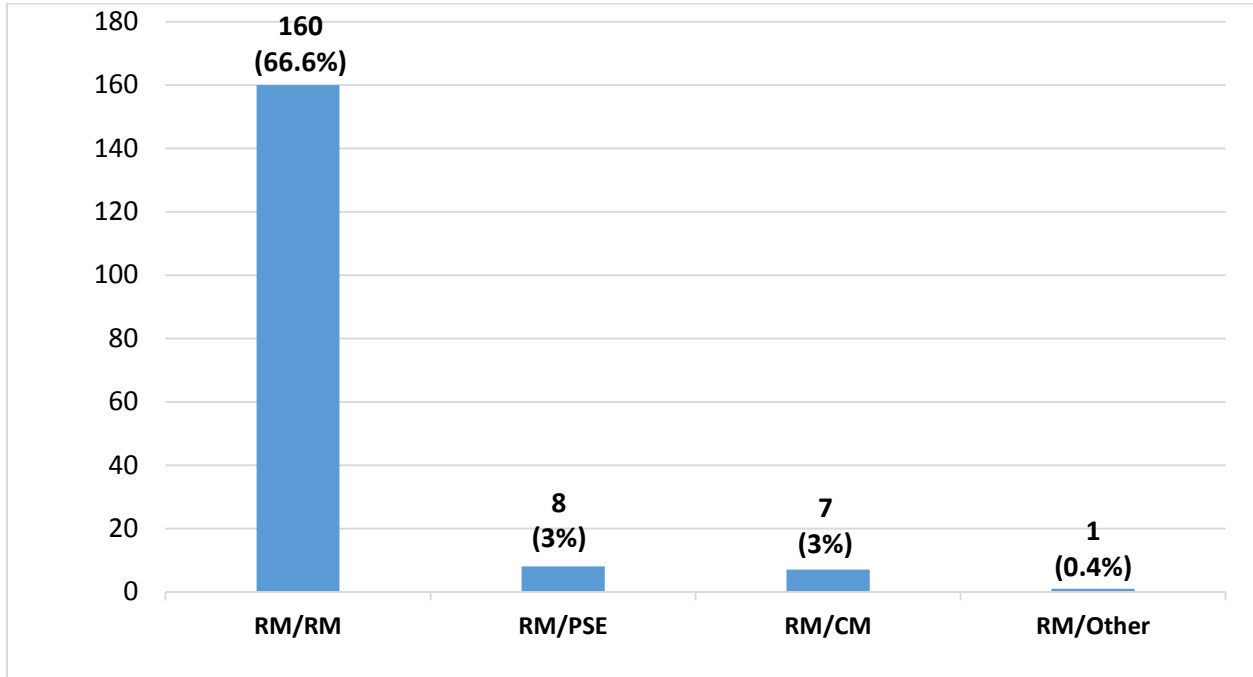
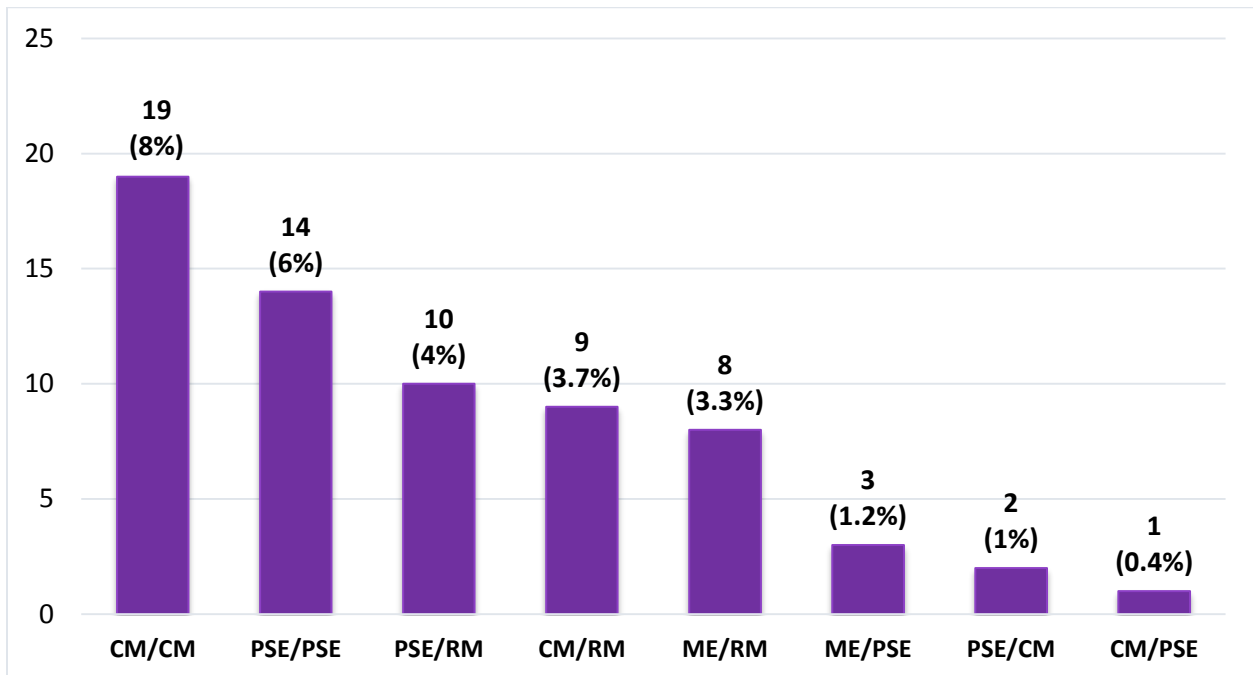


Figure 15: Harassment Complaints by CMs, PSEs and MEs (2016)



The data in Figure 16 indicates that 52 percent of complaints for 2016 were made by male employees and 48 percent were made by female employees.

Figure 16: Harassment Complaints by Gender (2016)

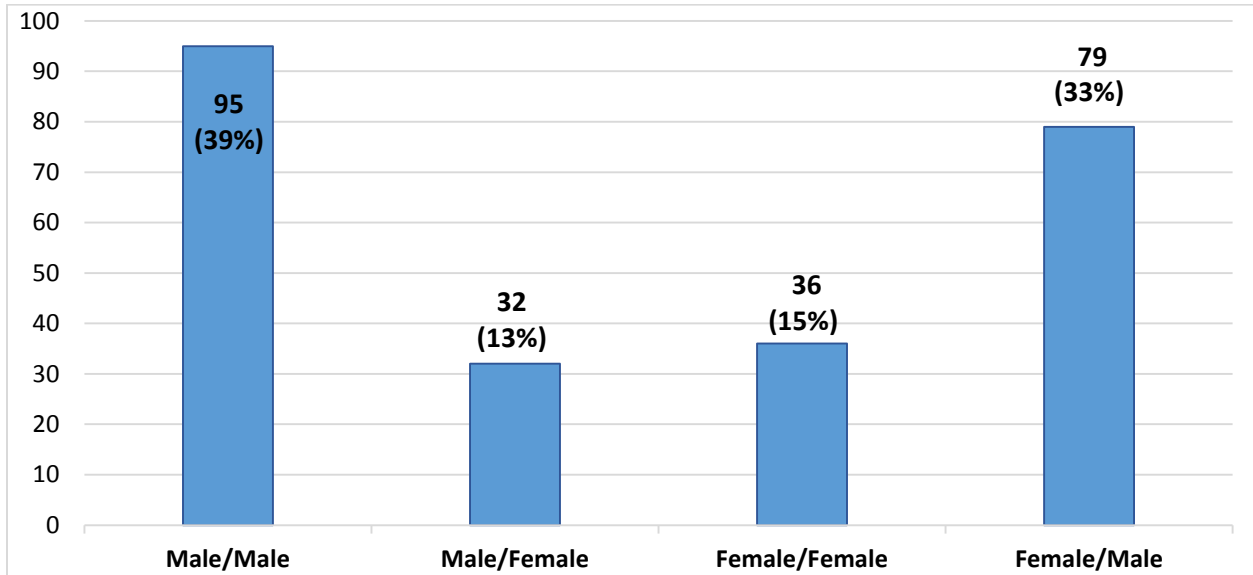
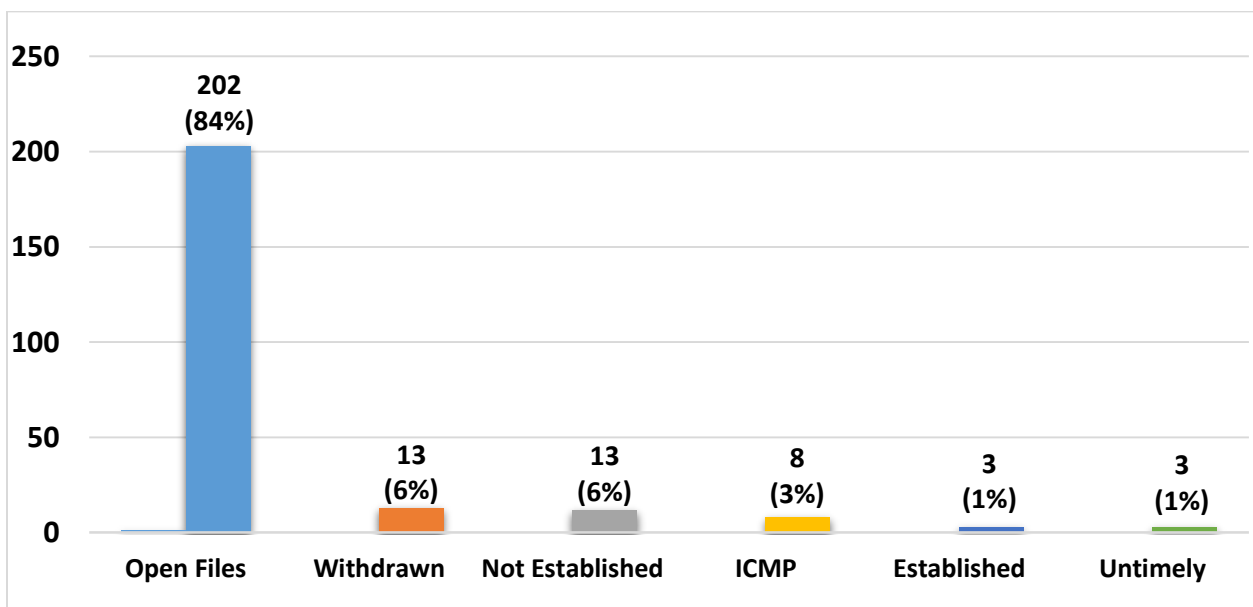


Figure 17 shows the outcome of complaints under the harassment process. The process provides complainants and respondents the opportunity to resolve harassment and related issues through the RCMP Informal Conflict Management Program (ICMP) at any stage in the process before the decision-maker renders a decision on the matter.

Figure 17: Harassment Complaints by Outcome



Appeals

Members can appeal final written decisions rendered in the conduct and harassment processes. In 2016, there were a total of 72 appeals of which 77 percent related to conduct and 23 percent to harassment.

Figure 18: Types of Appeal by File Status (2016)

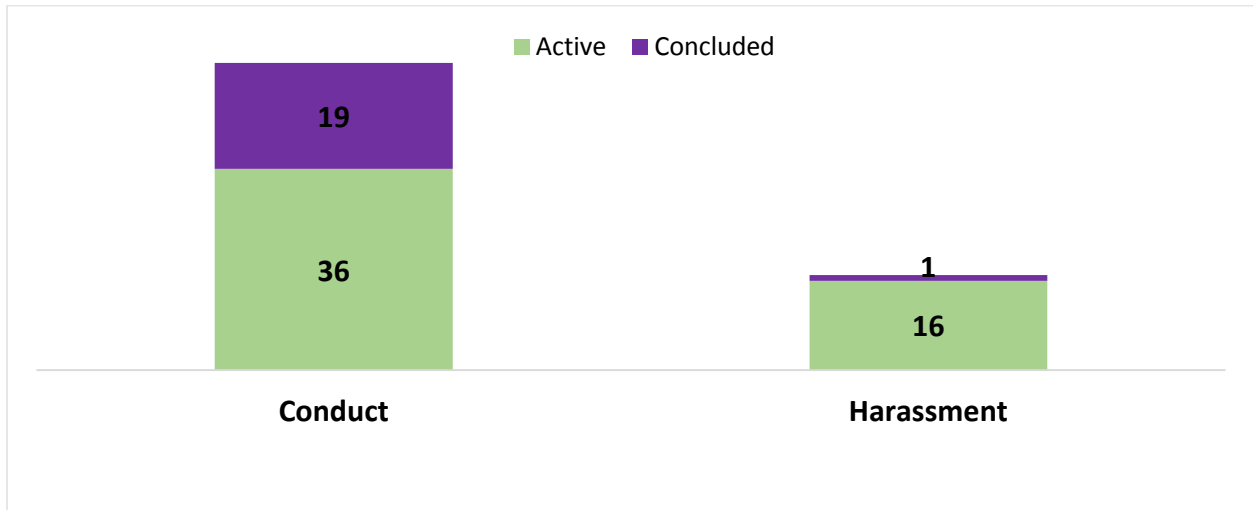
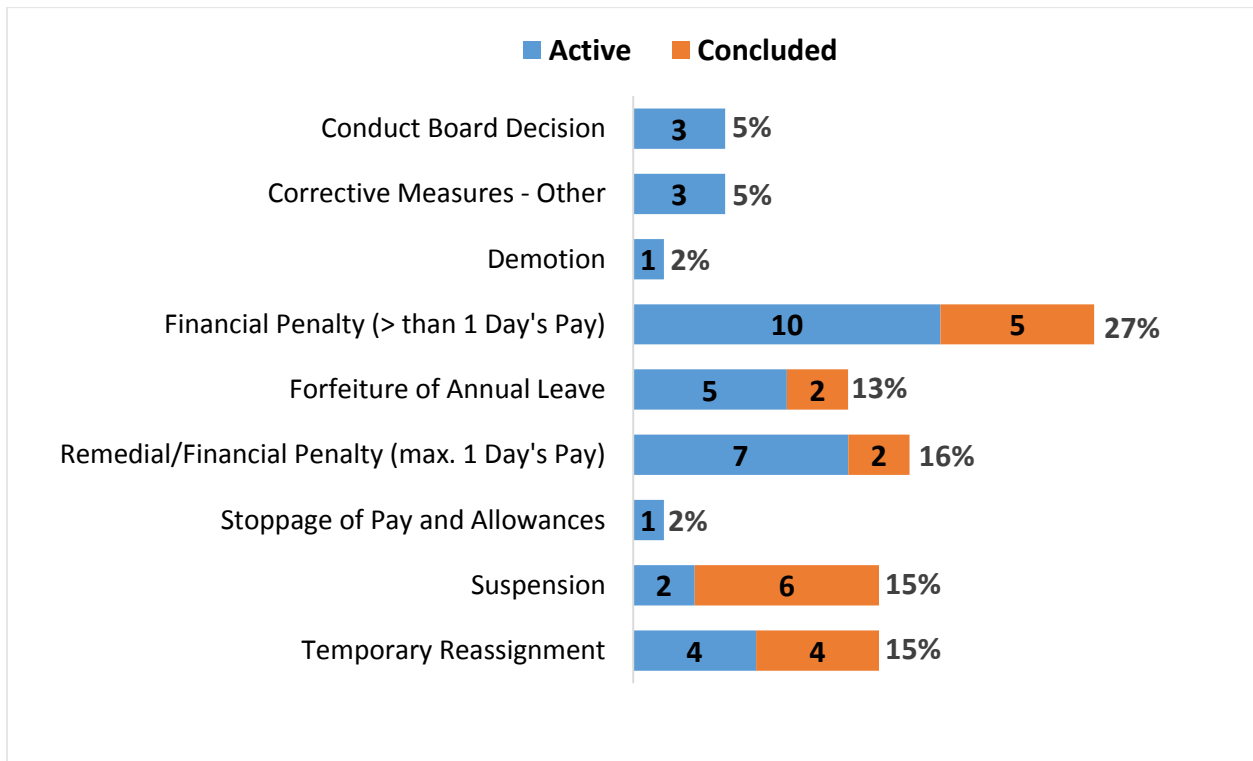


Figure 19: Active and Concluded Appeals by Division (2016)

Division	Active		Concluded		Total	
	#	%	#	%	#	%
B	1	2%	1	5%	2	2%
C	7	11%	0	0%	6	9%
D	4	7%	1	5%	5	6%
E	13	21%	5	24%	15	22%
F/Depot	5	8%	5	24%	9	12%
G	0	0%	1	5%	1	1%
H	3	5%	0	0%	2	4%
J	4	7%	1	5%	3	6%
K	14	23%	5	24%	17	23%
L	0	0%	0	0%	0	0%
M	0	0%	0	0%	0	0%
National	3	5%	0	0%	3	4%
NHQ	3	5%	2	10%	5	6%
O	2	3%	0	0%	2	2%
V	2	3%	0	0%	2	2%
Total	61	100%	21	100%	72	100%

Figure 20: Conduct Appeals by Type of Measure (2016)



Chapter 4 – Training and Monitoring

Training

The Conduct Authority Online Course (CAOC) is available through the RCMP's online learning application since December 14, 2016. The course aids participants to make decisions associated with administering and managing the conduct process in accordance with legislation and the principles of procedural fairness in a consistent, unbiased and transparent manner. The course contains training aids and relevant scenarios to reinforce the training as well as a Conduct Meeting Module available as an addendum for divisional use.

The CAOC is available to all RCMP employees and is mandatory for all conduct authorities to complete by June 30, 2017. Failure to complete the course by the required diary date will lead to a suspension of the conduct authority's designation and the inability to perform the role of a conduct authority. A conduct authority will not be able to initiate any conduct investigations or make any decisions in ongoing conduct matters until successful completion of the course.

In addition, a Harassment Investigators' Course was developed and provides participants with information on the policy and process for dealing with harassment complaints, as well as hands-on experience in the investigative process through the use of scenario-based training exercises. The course was piloted for the first time in November 2016.

Training for conduct investigators continues through the Workplace Responsibility Investigators' Course. Investigators are trained to ensure a fair and thorough conduct investigation. In addition, a project is underway to increase education concerning conduct at the cadet level during training at Depot.

Monitoring

In order to monitor the administration and management of the conduct process, the RCMP uses two systems in tandem: the web-based interface ACMT and the National Administrative Records Management System (NARMS). As the systems rely on users to input accurate information, monitoring for quality assurance and consistency is paramount. In 2016, user trends in compliance were examined. Some minor deficiencies were identified in key areas: entering correct information, misuse of national templates, absence of mandate letter and record of decisions being uploaded.

The PRO is provided with detailed monthly statistics and a summary for review to ensure that there are no immediate issues to address. In addition, an annual review is carried out on progress and effectiveness of the current conduct process, including the investigation and resolution of harassment complaints and the outstanding legacy files. The monthly and annual monitoring allows management to be apprised of the status of training and the administration of the conduct

process. Based on the annual review, informed decisions can be made to adjust the process if required.

The issue of quality assurance remains a standing agenda item during the monthly national teleconference of the National Conduct Management Section to ensure that the daily media summaries provided to the SMT are as accurate as possible. Due to operational requirements and regular divisional deployments, there is a continuous need to manage the training of new Conduct Advisors. As a result, proficiency in applying the conduct process varied during 2016.

Chapter 5 – Conclusion and Way Forward

The RCMP worked diligently to advance the reforms outlined in the *Enhancing Royal Canadian Mounted Police Accountability Act*, and the resulting *RCMP Act (2014)*, supporting *RCMP Regulations*¹⁹ and *Commissioner's Standing Orders*, policies and guidebooks. In 2016, the second year of implementation and as covered in this report, compliance and quality assurance were the main focus compared to 2015, where the focus was on implementation and training. In 2017, the PRS intends to closely examine all conduct related activities with a view to optimizing resources and implementing more efficient and effective processes.

The PRS recognizes that the conduct process it oversees is subject to considerable public, political and organizational scrutiny and is working to ensure adequate governance of the process. It is reasonable to expect that changes are inevitable. Some will amount to minor variations to existing practices consistent with our intentions following the second-year review, while others may require full scale organizational shifts.

The process for communication, training, quality assurance and monitoring is ongoing as is the mission of the PRS to manage the conduct process in the most efficient, transparent and timely way. The RCMP will continue to focus on guidance, support and additional training, using a non-disciplinary approach to manage and promote good conduct in a proactive way. Nonetheless, when conduct issues need to be addressed, the PRS will ensure that the policies, protocols and support are available for the proper administration of the conduct process.

¹⁹ *Royal Canadian Mounted Police Regulations*, 2014, SOR/2014-281

Appendices

Ministerial Directive

MINISTERIAL DIRECTIVE ON THE RCMP DISCIPLINARY PROCESS

A. This Directive provides ministerial direction to the Commissioner of the Royal Canadian Mounted Police (RCMP) with respect to standardizing the application and enhancing the transparency of the disciplinary process set out in the *RCMP Act*.

Responsibilities and Accountabilities

B. As per subsection 5(1) of the *RCMP Act*, the control and management of the RCMP, and all matters connected therewith, is the responsibility of the Commissioner of the RCMP, under the direction of the Minister of Public Safety.

C. To promote compliance and accountability, the Commissioner will ensure that comprehensive records of all disciplinary files are maintained and that these files are monitored on an ongoing basis.

D. To enhance accountability, the Commissioner will ensure there is effective coordination and efficient administration of the RCMP disciplinary system.

DIRECTIVE MINISTÉRIELLE SUR LE PROCESSUS DISCIPLINAIRE DE LA GRC

A. La présente directive vise à fournir l'orientation ministérielle au commissaire de la Gendarmerie royale du Canada (GRC) en ce qui a trait à la normalisation et à l'amélioration de la transparence du processus disciplinaire défini dans la *Loi sur la Gendarmerie royale du Canada*.

Responsabilités

B. En vertu du paragraphe 5(1) de la *Loi sur la Gendarmerie royale du Canada*, le commissaire de la GRC, sous la direction du ministre de la Sécurité publique a pleine autorité sur la GRC et tout ce qui s'y rapporte.

C. Afin de favoriser la conformité et la responsabilisation, le commissaire doit veiller à ce que des dossiers complets de tous les cas disciplinaires soient tenus, et à ce que ces dossiers soient suivis de près.

D. Afin d'accroître la responsabilisation, le commissaire doit veiller à la coordination efficace et à l'administration efficiente du régime disciplinaire de la GRC.

E. The Commissioner will ensure that an annual report on the management of the disciplinary process is provided to the Minister. The report is to be in a format that is suitable for public release in its entirety. The release of the report is at the discretion of the Minister.

F. The Commissioner will ensure that nationally consistent policies and protocols are in place and updated when necessary to inform members of the requirements and procedures associated with the disciplinary process. The Commissioner will also ensure that regular training is provided to appropriate RCMP staff to promote awareness of and compliance with such requirements and procedures.

G. In addition to the annual report, as part of the accountability process, a designated representative of the Commissioner will, having given due regard to legal and operational considerations, inform the Minister in a timely manner of matters of a significant nature pertaining to the disciplinary process.

E. Le Commissaire doit s'assurer qu'un rapport annuel sur la gestion du processus disciplinaire est présenté au Ministre. Le rapport entier doit être présenté dans une forme convenable à la diffusion publique. La publication du rapport est à la discrétion du Ministre.

F. Le Commissaire doit s'assurer que des politiques et des protocoles conformes à l'échelle nationale sont en place, et mis à jour au besoin, pour informer les membres au sujet des exigences et des procédures liées au processus disciplinaire. Le Commissaire doit également s'assurer que des membres compétents de la GRC reçoivent de la formation afin de faire connaître ces exigences et procédures et de favoriser le respect de celles-ci.

G. En plus du rapport annuel et dans le cadre du processus de responsabilisation, un représentant désigné du Commissaire, ayant dûment tenu compte des considérations juridiques et opérationnelles, informera le Ministre en temps opportun des problèmes de nature importante ayant trait au processus disciplinaire.



Minister of Public Safety/Ministre de la Sécurité publique

JAN 24 2008

Date

Legacy Discipline Process

The table below includes all of the outstanding files under the previous discipline process prior to November 28, 2014. As of December 31, 2016, a total of 28 legacy files were outstanding compared to last year's report of 89 files and the previous year's 135 legacy files. These legacy files remain as much of a priority as the current conduct process files, but they will take time to close.

#	Date	Hearing Type /Citation #	Div	Rank	Code of Conduct Allegations and Description	Disposition	Duty Status
1.	2016-01-05	ERP 16ad(4th)-280	E	CM	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture 3 days' pay	Off
2.	2016-01-11	ERP 16ad(4th)-288	K	Cst.	s. 47 neglect/ insufficient attention of duty	Reprimand; forfeiture 4 days' pay	On
3.	2016-01-13	Contested 16ad(4th)-382	E	Cpl.	s. 39 disgraceful or disorderly act/conduct	Not established	Off
					s. 39 disgraceful or disorderly act/conduct	Demotion	
					s. 39 disgraceful or disorderly act/conduct	Reprimand	
4.	2016-02-02	ERP 16ad(4th)-296	D	Cpl.	s. 45 false, misleading or inaccurate statement or report to any member who is superior in rank	Allegation 2: withdrawn Global sanction for allegations 1, 3 and 4: Reprimand; forfeiture 6 days' pay	On
					s. 45 false, misleading or inaccurate statement or report to any member who is superior in rank		
					s. 39 disgraceful or disorderly act/conduct		
					s. 47 neglect/insufficient attention of duty		
5.	2016-02-25	ERP 16ad(4th)-434	D	Cpl.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 6 days' pay	On

#	Date	Hearing Type /Citation #	Div	Rank	Code of Conduct Allegations and Description	Disposition	Duty Status
6.	2016-02-25	ERP 16ad(4th)-425	K	Cst.	s. 45 false, misleading or inaccurate statement or report to any member who is superior in rank	Allegation 2: withdrawn Global sanction for allegations 1 and 3: Reprimand; forfeiture 10 days' pay; recommendation for a transfer	On
					s. 39 disgraceful or disorderly act/conduct		
					s. 47 neglect/insufficient attention of duty		
7.	2016-03-16	ERP 16ad(4th)-457	K	Sgt.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 1 days' pay	Off
8.	2016-03-16	ERP 16ad(4th)-481	F	Cpl.	s. 47 neglect/insufficient attention of duty	Reprimand; forfeiture of 8 days' pay	On
9.	2016-03-17	ERP 16ad(4th)-465	D	Cst.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 6 days' pay; recommendation for continuation of addictions counselling	Off
					s. 39 disgraceful or disorderly act/conduct	Withdrawn	
10.	2016-03-17	ERP 16ad(4th)-473	E	Cst.	s. 39 disgraceful or disorderly act/conduct	Reprimand	Off
11.	2016-03-23	ERP 6ad(4th)-489	O	Sgt.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 2 days' pay	Off and On
12.	2016-04-07	ERP 16ad(4th)-445	E	Cst.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 2 days' pay	On
13.	2016-04-07	ERP 16ad(4th)-445	E	Cst.	s. 39 disgraceful or disorderly act/conduct	Not established	On
14.	2016-04-26	ERP 16ad(4th)-498	K	Cst.	s. 39 disgraceful or disorderly act/conduct	Global: Reprimand; forfeiture of 8 days' pay	On
					s. 47 neglect/insufficient attention of duty		On
					s. 39 disgraceful or disorderly act/conduct		Off
15.	2016-06-07	ERP 16ad(4th)-509	C	CM	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture 8 days' pay	Off

#	Date	Hearing Type /Citation #	Div	Rank	Code of Conduct Allegations and Description	Disposition	Duty Status
16.	2016-06-16	Contested 17ad(4th)-1	F	Cst.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture 5 days' pay	On
17.	2016-06-20	Contested 16ad(4th)-573	NHQ	Cst.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 2 days' pay	Off
18.	2016-07-21	ERP 17ad(4th)-11	K	Cst.	s. 46 report promptly any contravention of the Code of Conduct by any other member	Withdrawn	On
					s. 46 report promptly any contravention of the Code of Conduct by any other member	Withdrawn	
					s. 39 disgraceful or disorderly act/conduct	Global: Reprimand; forfeiture of 10 days' pay	
					s. 47 neglect/insufficient attention of duty		
19.	2016-07-28	ERP 17ad(4th)-21	K	Cst.	s. 46 report promptly any contravention of the Code of Conduct by any other member	Withdrawn	On
					s. 46 report promptly any contravention of the Code of Conduct by any other member	Withdrawn	
					s. 39 disgraceful or disorderly act/conduct	Global: Reprimand; forfeiture of 10 days' pay	
					s. 47 neglect/insufficient attention of duty		
20.	2016-08-09	Contested 17ad(4th)-39	E	Cst.	s. 39 disgraceful or disorderly act/conduct	Established; ordered to resign within 14 days	On
21.	2016-08-31	ERP 17ad(4th)-30	F	Sgt.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture of 6 days' pay	Off
22.	2016-09-01	Contested 17ad(4th)-53	C	Cst.	s. 45 false, misleading or inaccurate statement or report to any member who is superior in rank	Established; ordered to resign within 14 days	On
					s. 39 disgraceful or disorderly act/conduct	Conditional stay of proceedings	
					s. 39 disgraceful or disorderly act/conduct		

#	Date	Hearing Type /Citation #	Div	Rank	Code of Conduct Allegations and Description	Disposition	Duty Status
23.	2016-09-16	Contested 17ad(4th) 111	K	Cst.	s. 39 disgraceful or disorderly act/conduct	Established; ordered to resign within 14 days	On
					s. 39 disgraceful or disorderly act/conduct		
					s. 39 disgraceful or disorderly act/conduct		
					s. 39 disgraceful or disorderly act/conduct		
					s. 39 disgraceful or disorderly act/conduct		
					s. 39 disgraceful or disorderly act/conduct		
24.	2016-09-22	Contested 17ad(4th)-77	E	Cpl.	s. 39 disgraceful or disorderly act/conduct	Reprimand; forfeiture 10 days' pay	Off
					s. 49 absent from duty/leave assigned duty without authority		
25.	2016-10-05	Contested 17ad(4th)-96	D	Insp.	s. 39 disgraceful or disorderly act/conduct	Not established	Off
26.	2016-10-05	Contested 17ad(4th)-96	D	Insp.	s. 39 disgraceful or disorderly act/conduct	Not established	Off
27.	2016-11-14	ERP	E	Cst.	s. 39 disgraceful or disorderly act/conduct	Established	On
					s. 39 disgraceful or disorderly act/conduct	Withdrawn by Commanding Officer	
28.	2016-12-06	Contested 17ad(4th)-212	K	Cst.	s. 45 false, misleading or inaccurate statement or report to any member who is superior in rank	Established	On
					s. 39 disgraceful or disorderly act/conduct	Stay of proceedings	
					s. 39 disgraceful or disorderly act/conduct	Established	
					s. 39 disgraceful or disorderly act/conduct	Established	

Code of Conduct for Members

Royal Canadian Mounted Police Regulations, 2014 (SOR/2014-281)

SCHEDULE (section 18 and subsection 23(1))

Code of Conduct of the Royal Canadian Mounted Police

Statement of Objectives

Maintaining the confidence of Canadians in the Royal Canadian Mounted Police is essential.

Members of the Royal Canadian Mounted Police are responsible for the promotion and maintenance of good conduct in the Force.

This Code of Conduct sets out responsibilities, consistent with section 37 of the *Royal Canadian Mounted Police Act*, that reinforce the high standard of conduct expected of members of the Force.

1 APPLICATION

1.1 This Code applies to every member of the Force and establishes responsibilities and the standard of conduct for members, on and off duty, in and outside Canada.

2 RESPECT AND COURTESY

2.1 Members treat every person with respect and courtesy and do not engage in discrimination or harassment.

3 RESPECT FOR THE LAW AND THE ADMINISTRATION OF JUSTICE

3.1 Members respect the law and the rights of all individuals.

3.2 Members act with integrity, fairness and impartiality, and do not compromise or abuse their authority, power or position.

3.3 Members give and carry out lawful orders and direction.

4 DUTIES AND RESPONSIBILITIES

4.1 Members report for and remain on duty unless otherwise authorized.

4.2 Members are diligent in the performance of their duties and the carrying out of their responsibilities, including taking appropriate action to aid any person who is exposed to potential, imminent or actual danger.

4.3 Members on duty are fit to perform their duties and carry out their responsibilities and are not impaired by drugs, alcohol or other substances.

4.4 Members properly account for, and do not alter, conceal or destroy, without lawful excuse, any property, money or documents coming into their possession in the performance of their duties.

4.5 Members are properly dressed and equipped and maintain their personal appearance in accordance with applicable Force policies.

4.6 Members use government-issued equipment and property only for authorized purposes and activities.

5 USE OF FORCE

5.1 Members use only as much force as is reasonably necessary in the circumstances.

6 CONFLICT OF INTEREST

6.1 Members avoid actual, apparent or potential conflicts between their professional responsibilities and private interests.

7 DISCREDITABLE CONDUCT

7.1 Members behave in a manner that is not likely to discredit the Force.

8 REPORTING

8.1 Members provide complete, accurate and timely accounts pertaining to the carrying out of their responsibilities, the performance of their duties, the conduct of investigations, the actions of other employees and the operation and administration of the Force.

8.2 Members who are under investigation, arrested, charged, or convicted for a breach of any Canadian or foreign law report this fact to a supervisor as soon as feasible.

8.3 Members, unless exempted by the Commissioner, take appropriate action if the conduct of another member contravenes this Code and report the contravention as soon as feasible.

9 CONFIDENTIALITY AND PUBLIC STATEMENT

9.1 Members access, use and disclose information obtained in their capacity as members only in the proper course of their duties and abide by all oaths by which they are bound as members.

9.2 Members abide by their duty of loyalty and refrain from making public statements criticizing the Government of Canada or the operations or administration of the Force, except where authorized by law.

10 POLITICAL ACTIVITY

10.1 Members engaging in political activities abide by any applicable rules and government and Force policies.

Map of Divisions



Divisions

HQ - Headquarters, Ottawa, Ontario

National Division - Ottawa, Ontario

B - St. John's, Newfoundland

C - Montreal, Quebec

D - Winnipeg, Manitoba

E - Surrey, British Columbia

F - Regina, Saskatchewan

G - Yellowknife, Northwest Territories

H - Halifax, Nova Scotia

J - Fredericton, New Brunswick

K - Edmonton, Alberta

L - Charlottetown, Prince Edward Island

M - Whitehorse, Yukon Territory

O - London, Ontario

I - Depot, Regina, Saskatchewan

V - Iqaluit, Nunavut

Glossary of Terms

Administrative Case Management Tool (ACMT) - A web-based interface used to monitor the administration and management of the conduct process. The RCMP uses two systems in tandem: the ACMT and the National Administrative Records Management System (NARMS).

Career Development and Resourcing Officer (CDRO) - An officer or manager responsible for the management and administration of staffing, training, and career development activities for a division.

Code of Conduct - Code of Conduct of the RCMP outlined in the schedule to the *RCMP Regulations*.

Commissioner's Standing Orders (CSO) - Any rule made by the Commissioner under any provision of the *RCMP Act* that empowers him to make rules.

Conduct Authority - A person designated pursuant to subsection 2(3) of the *RCMP Act* and section 3 of the *CSO (Conduct)*.

Conduct Board - The person or persons appointed pursuant to subsection 43(1) of the *RCMP Act* to preside over a conduct hearing.

Conduct Hearing - Conduct hearings are initiated in cases where the member's dismissal is being sought based on the overall circumstances of the allegations.

Conduct Measure - The remedial, corrective, or serious measure a conduct authority is authorized to impose; for a conduct board, this includes remedial, corrective or serious measures and the measures authorized under subsection 45(4) of the *RCMP Act*.

Conduct Meeting - A meeting convened by a conduct authority to provide a subject member an opportunity to make submissions with respect to alleged contraventions of the Code of Conduct and any conduct measures that may be imposed.

Decision-Maker - A person designated in writing by the Commissioner, to render a decision in respect of a harassment complaint. In the majority of cases, decision-makers are divisional Commanding Officers.

Delegated Manager - A person delegated in writing by the Commissioner, to render a decision on disciplinary measures in respect of a complaint against a Public Service Employee.

Division – The RCMP is divided into 15 divisions, plus Headquarters in Ottawa and is alphabetically designated. Each division is managed by a Commanding Officer.

Employment Requirements - The qualifications, standards, expectations, responsibilities, and accountability that a member is required to meet at all times in order to continue to serve as a member.

Employee and Management Relations Officer (EMRO) - The Employee and Management Relations Officer facilitates communication between RCMP employees and management.

External Review Committee (ERC) – The independent administrative tribunal that conducts impartial case reviews and issues findings and recommendations for appeal decisions in certain RCMP labour relations matters.

Health Services Officer (HSO) - A licenced physician who reports to the Commanding Officer/delegate and is responsible for supervising and coordinating the delivery of professional opinions and recommendations.

Informal Conflict Management Program (ICMP) - The program mandated to offer informal conflict management services within the RCMP.

Informal Resolution Process (IRP) - A process used by the parties to resolve a complaint informally; it includes the informal conflict management system established under section 30.2 of the *RCMP Act*.

Member Representative - May provide representation or assistance to a subject member.

National Early Intervention System (NEIS) - A program to proactively identify members at an early stage, who may benefit from interventions to address issues impacting their work performance and wellness, by providing guidance, support and additional training in a non-disciplinary approach.

Office for the Coordination of Harassment Complaints (OCHC) - The office of the RCMP that is responsible for administrative matters relating to the investigation and resolution of harassment complaints.

Professional Responsibility Officer (PRO) - Provides senior direction and leadership across the RCMP in the design, development and integration of a comprehensive professional responsibility culture; for championing the entrenchment of values and ethics in decision-making and employee behaviour.

Senior Executive Committee (SEC) - The senior decision-making forum established by the Commissioner for the development and approval of strategic Force-wide policies.

Senior Management Team (SMT) - The SMT includes SEC and the top senior management of each business line and division. The SMT focusses more on operational day-to-day issues.

Subject Member - A member who is the subject of a conduct process.