



RCMP External
Review Committee

Comité externe
d'examen de la GRC

Privacy Act

RCMP External Review Committee

Annual Report
2019-20

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Report on *Privacy Act* 2019-20

1. Introduction

The *Privacy Act* protects the privacy of all Canadian citizens and permanent residents regarding personal information held by a government institution. It also gives individuals, including those in Canada who are not permanent residents or citizens, the right to access their own personal information.

Section 72 of the *Privacy Act* requires that the head of every government institution prepare an annual report to be tabled in Parliament regarding the administration of the *Privacy Act* during the financial year. This report describes how the RCMP External Review Committee (ERC) administered the *Privacy Act* throughout financial year 2019-20.

Mandate of the RCMP External Review Committee

Established in 1986 under Part II of the *Royal Canadian Mounted Police Act*, the RCMP External Review Committee (ERC) contributes to fair and equitable labour relations and accountability within the RCMP through its independent and impartial review of appeal case files. The ERC issues findings and recommendations to the Commissioner of the RCMP for final decisions to be made in appeals regarding critically important matters (e.g. appeals of decisions in harassment complaints and of decisions to dismiss or demote an RCMP member for misconduct, to stop a member's pay and allowances when a member is suspended from duty or to discharge a member for medical or performance reasons). The RCMP is required to refer appeal case files to the ERC for its review, findings and recommendations pursuant to the *Royal Canadian Mounted Police Act* and the *Royal Canadian Mounted Police Regulations*. The ERC reports directly to Parliament through the Minister of Public Safety and Emergency Preparedness.

2. ERC's Organizational Structure to Fill its *Privacy Act* Responsibilities

Given the small size of the ERC (less than 20 FTEs) and the small number of requests it receives, all privacy-related functions are performed by the Executive Director and the Director of Corporate Services. The ERC has no regional offices. The ERC processes requests as follows:

- the requested information is identified;
- the requests are examined to see if they should be transferred to another government institution with a "greater interest";
- possible exemptions are considered;
- a copy of the non-exempt information is prepared and forwarded to the requester with a transmittal letter; and,
- the requests and all related documentation are filed in the ERC's Access to Information and Privacy (ATIP) registry.

All personal information is compartmentalized, and access is controlled, to ensure it will only be used for the purposes for which it was collected.

The ERC relies on existing Treasury Board guidelines regarding privacy and protection of personal information.

3. Delegation Order

The Minister of Public Safety and Emergency Preparedness Canada, pursuant to section 73 of the *Privacy Act*, designates the Chair, the Executive Director and the ATIP coordinator of the ERC to exercise the powers and perform the duties of the Minister as the head of a government institution (the RCMP External Review Committee) under certain sections of the *Act*. The responsibilities associated with the administration of the *Privacy Act* include notifying applicants of extensions and releasing records to applicants (see Annex A, Delegation Order).

4. Highlights of the Statistical Report, 2019-20

Throughout fiscal year 2019-20, the ERC received nine requests under the *Privacy Act*. The disposition of these requests is as follows:

All disclosed	0
Disclosed in part	0
All exempted	0
All excluded	0
No records exist	9
Request abandoned	0
Neither confirmed nor denied	0
Total	9

Disposition of Requests

N/A

Other Consultations

There were no consultations on Cabinet Confidences under the *Privacy Act*.

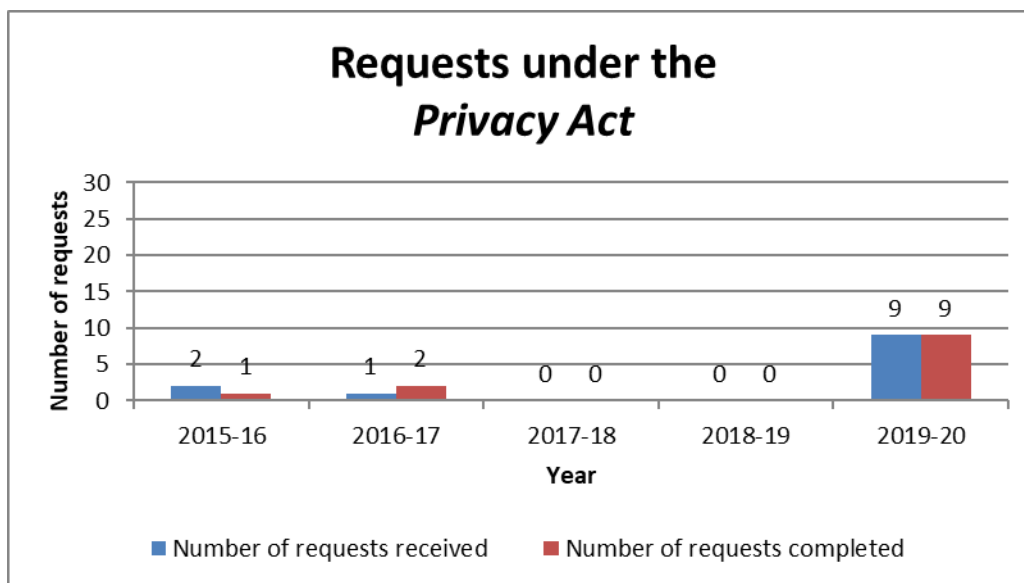
Consultations from Other Institutions

During the reporting period, the ERC received no consultation regarding a formal privacy request received by another federal institution.

Annex B provides a summarized statistical report on *Privacy Act* requests processed by the ERC between April 1, 2019 and March 31, 2020.

Multi-Year Trends

Evaluation of multi-year trends is difficult given the very small number of requests received each year by the ERC. The ERC in 2019-20 received nine requests and the trend demonstrated in the graph below shows that few requests have been received by the ERC over each of the last 4 years (see Figure below).



5. Training and Awareness

No formal privacy training was provided to ERC staff during the reporting period. Some ERC legal counsel have received legal training in ATIP matters as the assessment of some requests may require legal analysis or advice.

Information about the *Privacy Act* is routinely circulated to ERC staff in the course of normal operations.

6. Policies, Guidelines, Procedures and Initiatives

The ERC did not implement any new or revised privacy-related policies, guidelines, procedures or initiatives during the reporting period.

7. Summary of Key Issues and Actions taken on Complaints or Audits

No audits were initiated or concluded during the reporting period.

The ERC received no complaints from the Office of the Privacy Commissioner during the reporting period.

There were no applications/appeals to the Federal Court in respect of privacy files during fiscal year 2019-20.

8. Monitoring Compliance

Monitoring of the time to process privacy information requests during the reporting period is carried out when the ERC receives requests. Time to process requests is also discussed in the responsible management committee when required.

9. Material Privacy Breaches

No privacy breaches occurred during the reporting period.

10. Privacy Impact Assessments (PIA)

There were no PIAs undertaken by the ERC during the reporting period.

11. Public Interest Disclosures

Subsection 8(2) of the *Privacy Act* provides limited and specific circumstances under which institutions may disclose personal information without an individual's consent. During the reporting period, the ERC did not disclose personal information pursuant to paragraph 8(2)(m) of the *Privacy Act*.