



RCMP External  
Review Committee

Comité externe  
d'examen de la GRC

## ***Privacy Act***

RCMP External Review Committee

Annual Report  
2021-2022

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# Report on *Privacy Act* 2021-2022

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## 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 2021-2022.

### 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.

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

Given the small size of the ERC (less than 30 FTEs) and the small number of requests it receives, all privacy-related functions are performed by the Director General of Corporate Services and CFO, and the Senior Officer, Planning and Reporting. 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.

The ERC has not entered into any service agreements under section 73.1 of the *Privacy Act* during this reporting period.

### **3. Delegation Order**

The Minister of Public Safety and Emergency Preparedness Canada, pursuant to section 73 of the *Privacy Act*, designates the Chair, the Director General of Corporate Services and CFO, the ATIP coordinator and Senior Officer, Planning and Reporting 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, 2021-2022**

Throughout fiscal year 2021-2022, the ERC received seventeen (17) requests under the *Privacy Act*. The disposition of these requests is as follows:

All disclosed	1
Disclosed in part	1
All exempted	0
All excluded	0
No records exist	15
Request abandoned	0
Neither confirmed nor denied	0
Total	17

#### **Disposition of Requests**

Fifteen (15) requests related to records that did not belong to the ERC. These requests were transferred to the departments with control of those records. One (1) request was disclosed in full and one (1) was disclosed in part as some text was exempted under subsection 27 of the *Privacy Act*. Completion time for these two requests was between 1 to 15 days and 16 to 30 days.

#### **Other Consultations**

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

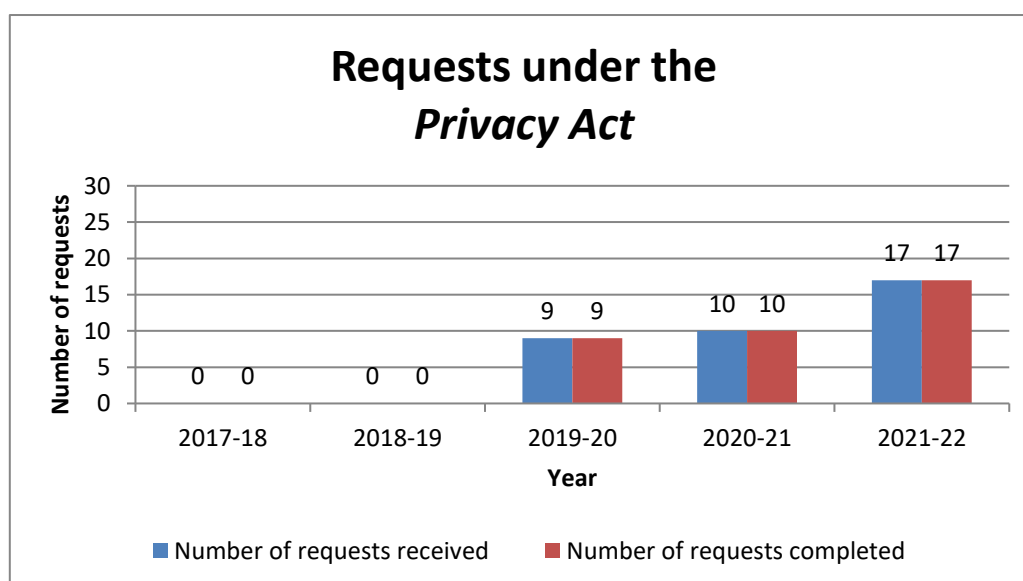
## Consultations from Other Institutions

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, 2021 and March 31, 2022.

## 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 2021-2022 received seventeen requests and the trend demonstrated in the graph below shows that few requests have been received by the ERC over each of the last 5 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.

COVID-19-related measures did not impact the ERC's ability to fulfill its *Privacy Act* responsibilities. No mitigation measures were required.

## **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 2021-2022.

## **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*.

## ***Privacy Act Delegation Order***

The Minister of Public Safety and Emergency Preparedness, pursuant to section 73(1) of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister as the head of Public Safety and Emergency Preparedness, under the provisions of the *Privacy Act* and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

<b>Position</b>	<b>Authorities Under the <i>Privacy Act</i> and <i>Privacy Act Regulations</i></b>
Chairperson Senior Director, Corporate Services and CFO General Counsel and Director of Operations ATIP/Privacy Coordinator	Full authority
Senior Officer, Planning and Reporting	Section 15 of the <i>Privacy Act</i>
Chairperson Senior Director, Corporate Services and CFO	Sections 9(4) and 10 of the <i>Privacy Act</i>

Dated, at the City of Ottawa, this 27<sup>th</sup> day of August, 2020.

The Honourable William Sterling Blair, P.C., C.O.M., M.P.

Minister of Public Safety and Emergency Preparedness



## Statistical Report on the *Privacy Act*

Name of institution: RCMP External Review Committee

Reporting period: 2021-04-01 to 2022-03-31

### Section 1: Requests Under the *Privacy Act*

#### 1.1 Number of requests received

		Number of Requests
Received during reporting period		17
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
<b>Total</b>		17
Closed during reporting period		17
Carried over to next reporting period		0
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	0	

#### 1.2 Channels of requests

Source	Number of Requests
Online	15
E-mail	0
Mail	2
In person	0
Phone	0
Fax	0
<b>Total</b>	17

### Section 2: Informal requests

#### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
<b>Total</b>		0
Closed during reporting period		0
Carried over to next reporting period		0



## 2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	0

## 2.3 Completion time of informal requests

Completion Time							
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
0	0	0	0	0	0	0	0

## 2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

## Section 3: Requests Closed During the Reporting Period

### 3.1 Disposition and completion time

Disposition of Requests	Completion Time							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	1	0	0	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	14	1	0	0	0	0	0	15
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	16	1	0	0	0	0	0	17

### 3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	1
20	0	22.2	0	27,1	0
21	0	22,3	0	28	0
		22,4	0		

### 3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

### 3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
2	0	0	0	0	0

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
194	191	2

### 3.5.2 Relevant pages processed by request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	1	11	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	183	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	1	11	1	183	0	0	0	0	0	0

### 3.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

### 3.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

### 3.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

### 3.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

### 3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

## 3.6 Closed requests

### 3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	17
Percentage of requests closed within legislated timelines (%)	100

## 3.7 Deemed refusals

### 3.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

### 3.7.2 Request closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	0	0	0

### 3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

## Section 4: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

## Section 5: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	0

## Section 6: Extensions

### 6.1 Reasons for extensions

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

### 6.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
<b>Total</b>	0	0	0	0	0	0	0	0

## Section 7: Consultations Received From Other Institutions and Organizations

### 7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

## 7.2 Recommendations and completion time for consultations received from other Government of Canada institutions

<b>Recommendation</b>	<b>Number of Days Required to Complete Consultation Requests</b>							
	<b>1 to 15 Days</b>	<b>16 to 30 Days</b>	<b>31 to 60 Days</b>	<b>61 to 120 Days</b>	<b>121 to 180 Days</b>	<b>181 to 365 Days</b>	<b>More Than 365 Days</b>	<b>Total</b>
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0

### 7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

<b>Recommendation</b>	<b>Number of Days Required to Complete Consultation Requests</b>							
	<b>1 to 15 Days</b>	<b>16 to 30 Days</b>	<b>31 to 60 Days</b>	<b>61 to 120 Days</b>	<b>121 to 180 Days</b>	<b>181 to 365 Days</b>	<b>More Than 365 Days</b>	<b>Total</b>
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0

## Section 8: Completion Time of Consultations on Cabinet Confidences

## 8.1 Requests with Legal Services

[illegible]

## 8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Section 9: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

## Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

### 10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

### 10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Create	Terminated	Modified
Institution-specific	0	0	0	0
Central	0	0	0	0
<b>Total</b>	0	0	0	0

## Section 11: Privacy Breaches

### 11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

### 11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	0
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## Section 12: Resources Related to the *Privacy Act*

### 12.1 Allocated Costs

Expenditures		Amount
Salaries		\$7,215
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$7,215</b>

### 12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.060
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
<b>Total</b>	<b>0.060</b>

## Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: RCMP External Review Committee

Reporting period: 2021-04-01 to 2022-03-31

### Section 1: Capacity to Receive Requests under the *Access to Information Act* and the *Privacy Act*

1.1 Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	48
Able to receive requests by email	52
Able to receive requests through the digital request service	52

### Section 2: Capacity to Process Records under the *Access to Information Act* and the *Privacy Act*

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	4	0	48	52
Protected B Paper Records	4	0	48	52
Secret and Top Secret Paper	4	0	48	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	52	0		52

## Section 3: Open Requests and Complaints Under the Access to Information Act

**3.1 Enter the number of open requests that are outstanding from previous reporting periods.**

Fiscal Year Open Requests Were Received	Open requests that are <i>Within</i> Legislated Timelines as of March 31, 2022	Open requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	0	0	0
Received in 2020-2021	0	0	0
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	0	0	0

**3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.**

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	0

## Section 4: Open Requests and Complaints Under the *Privacy Act*

4.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open requests that are <i>Within</i> Legislated Timelines as of March 31, 2022	Open requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	0	0	0
Received in 2020-2021	0	0	0
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	0	0	0

4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	0

## Section 5: Social Insurance Number (SIN)

Did your institution receive authority for a new collection or new consistent use of the SIN in 2021-2022?	No
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