

## **SCHEDULE B – APPENDIX 10**

### **RELEASE OF DOCUMENTS AND INFORMATION HELD BY THE RCMP TO THE ASSESSOR**

1. The Administrator and Assessor will ensure that all necessary information and documents have been gathered from the Claimant, the RCMP, and third parties, keeping in mind principles of proportionality based on the nature and severity of the Claim.
2. In accordance with this Settlement Agreement, a Claimant will provide consent to the Administrator and Assessor for the release of documents and information in the possession of the RCMP and third parties in the form included in Appendix 1 to Schedule B of this Agreement.
3. The Administrator and Assessor shall make all requests for records and information relating to the Claimant or third parties and held by the RCMP by contacting the RCMP Designated Contact in the manner set out in this Schedule.
4. The Administrator will provide to the RCMP a copy of the Consent to release of the information executed by the Claimant.
5. The Designated Contact shall not make photocopies or otherwise duplicate the Consent or create or maintain any internal RCMP records about which files are accessed.
6. The Designated Contact shall respond to all such requests for records and information made by the Administrator or Assessor in the manner set out in this Appendix.

#### **Records to Verify Locations**

7. Where the Administrator or Assessor requests information and records from the RCMP to verify where and/or when a Claimant or a relevant third party who worked or works with or within the RCMP was located, the responsible Designated Contact shall print out a copy of the Claimant's or third party's HRMIS entry, if available, and send the records in a sealed package by Registered Mail or courier service to the Administrator.
8. Multiple HRMIS entries may be sent to the Administrator's office in a single package and may be sent in combination with other types of records.
9. When mailing HRMIS entries, the Designated Contact will not create a cover sheet or any other record identifying which entries are being sent to the Administrator.
10. The Designated Contact shall not print multiple copies, make photocopies or otherwise duplicate the entries or create or maintain any internal RCMP records about which entries were accessed.

## **Personnel File**

11. Personnel records within the RCMP may be maintained locally within Division Headquarters. There is no single, centralized data system from which such records and information can be retrieved. Records must be individually retrieved from RCMP Division Headquarters throughout Canada, or from Library and Archives Canada. For most Claimants, no personnel records will exist.
12. Where the Administrator or Assessor requests a personnel file, the assigned Designated Contact(s) shall contact the central records repository in the Division Headquarters, or archives, by telephone and ask for the file to be sent to the Designated Contact, identifying the subject individual by name and birthdate.
13. The Designated Contact shall make a photocopy of the personnel file and mail the records in a sealed package by Registered Mail or courier service in a sealed envelope marked CONFIDENTIAL-TO BE OPENED BY ADDRESSEE ONLY.
14. Multiple personnel files may be sent to the Administrator's office in a single package and may be sent in combination with other types of records.
15. When mailing personnel files, the Designated Contact will not create a cover sheet or any other record identifying which files are being sent to the Administrator.
16. Except for the photocopy to be sent to the Administrator, the Designated Contact shall not make photocopies or otherwise duplicate the files or create or maintain any internal RCMP records about which files are accessed.
17. The Designated Contact may review the file and redact unrelated personal information and any information protected by the *Canada Evidence Act*, R.S.C., 1985, c. C-5 ("CEA") or common law public interest privilege.

## **Harassment Complaints, Grievance Records, and Conduct Files**

18. RCMP records and information relating to harassment complaints, grievances, and conduct matters may be maintained locally within Division Headquarters. There is no single, centralized data system from which such records and information can be retrieved. Records must be individually retrieved from RCMP Divisions throughout Canada, or from Library and Archives Canada.
19. Where the Administrator or Assessor requests information and records related to a harassment complaint, grievance record, or conduct file, the assigned Designated Contact(s) shall contact the central records repository in the Division Headquarters, or the archives, in a confidential manner and ask for the file to be sent to the Designated Contact, identifying the subject individual by name and birthdate.
20. The Designated Contact shall not disclose the reason for requesting the records.

21. The Designated Contact will comply, and will ensure that the persons who are contacted for files will also comply, with the following:

- (a) no record of the request will be created and retained;
- (b) no cover sheet or any other record identifying which files are being requested and sent will be created and retained;
- (c) a print copy of the data, or in the case of a paper file, a photocopy of the original, will be made and sent directly to the Designated Contact by Registered Mail or courier service in a sealed envelope marked CONFIDENTIAL-TO BE OPENED BY ADDRESSEE ONLY;
- (d) at no time will files be sent using the general RCMP mailroom;
- (e) multiple files may be sent to the Designated Contact in a single package.

22. In the case of harassment complaints, grievance records and conduct files, the Designated Contact will be sent the Claimant's statements, any investigation reports and any documents indicating the outcome.

23. The Designated Contact may review the file and redact unrelated personal information and any information protected by the *CEA* or common law public interest privilege.

24. The Designated Contact shall send the records in a sealed package marked CONFIDENTIAL-TO BE OPENED BY ADDRESSEE ONLY to the Administrator's office by Registered Mail or courier service.

25. Multiple files may be sent to the Administrator's office in a single package and may be sent in combination with other types of records.

26. The Designated Contact will not create a cover sheet or any other record identifying which files are being sent to the Administrator.

27. Except for the photocopy to be sent to the Administrator, the Designated Contact shall not, make photocopies or otherwise duplicate the files or create or maintain any internal RCMP records about which files are accessed.

### **No Obligation on Canada with Respect to Records Requested from Third Parties**

28. Where the Administrator or Assessor requests documents from a third party, such as the Claimant's employer, or the organization for which the Claimant volunteered, Canada has no control over how the third party handles that request or whether and how the third party protects the Claimant's confidentiality.