

**Organization
and
Accountability**

**GUIDANCE FOR
MEMBERS OF THE CANADIAN FORCES
AND
EMPLOYEES OF THE DEPARTMENT OF
NATIONAL DEFENCE
Second Edition
September 1999**

Preface

This document has two purposes: the first is to explain the basic structure of authority and accountability within two very large and complex organizations - the Canadian Forces, including the Reserves, and the Department of National Defence. This information will be useful to every member of the defence team, military or civilian, and to anyone else who wants to understand how things work inside the defence establishment.

Every member of the Canadian Forces and employee of the Department of National Defence has the right, and indeed the duty, to understand how things work in these organizations, how each person relates to their organizational superior, and how the Canadian Forces and the Department of National Defence fit together in the integrated National Defence Headquarters. When people are clear on who is responsible and accountable for what, they are better equipped to do their jobs in the service of Canada.

The second purpose of the document is a more subtle one, and perhaps more important. It is to explain why a proper understanding of accountability inside the Department and the Forces is essential to the health and effectiveness of the two organizations. Accepting responsibility is part of the job for every member of the defence team. Being willing to learn from mistakes is what enables not just each member, but the entire defence organization, to get better at doing the job. Today, our approach must be "know what works, change what doesn't". In short, it is our duty to learn and by learning to improve our ability to serve the country.

J.M.G. Baril
General Deputy
Chief of the Defence Staff

Jim Judd
Minister
September 1999

Note to the Second Edition

The first edition of this document, *Authority, Responsibility and Accountability* issued in March 1997, provided information and guidance on the authorities, responsibilities and accountabilities of the Minister of National Defence, the Deputy Minister of National Defence, and the Chief of the Defence Staff. It described the laws and constitutional principles that underpin those responsibilities and accountabilities and showed what they mean in practice. It explained how they are reflected in the structure of National Defence Headquarters and at Canadian Forces units, and in the relationship between the Canadian Forces and the Department of National Defence.

This edition retains those elements. It also responds to the concern expressed by the Minister's Monitoring Committee on Change in its 1998 Report that there is a need for a more complete elaboration of what is meant by "accountability" in the Department and the Forces, and of the principles governing full and prompt reporting of results. This edition explains therefore how and why Departmental employees and members of the Forces are expected to answer for what they have done, and for what has been done by the people over whom they have authority. It will serve as the basis for further guidance and information for Forces members and Departmental employees on all these matters.

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I. Canada's Defence Structure

Principles¹

The relationship between the armed forces and the political executive is a complex one in a democracy. Understanding that relationship is essential to understanding the workings of the military and civilian structures that direct, guide and support the armed forces.

Canada's defence structure reflects Canada's system of Cabinet and parliamentary government. It also reflects the mandate and legal responsibilities of the Minister of National Defence. The Minister's mandate derives both from legislation and from government policies and regulations. Together, these instruments provide the executive and expenditure authorities under which Canada's defence and related activities are carried out by the Canadian Forces and by the Department of National Defence. The Minister, the Deputy Minister and the Chief of the Defence Staff are responsible and accountable, in both legal and practical terms, for the use of the authorities and resources with which they are entrusted by Parliament. These accountabilities are fundamental to the fulfilment of the defence mandate and to the place of the military in a democracy. In Canada, this is expressed in terms of:

- ministerial control over the Department of National Defence and the Canadian Forces, and
- effective Parliamentary oversight over the defence programs and activities of the Government.

In most important respects, the Department of National Defence is an organization like other departments of government. It is established by a statute - the *National Defence Act* - which sets out the Minister's responsibilities, including the Minister's responsibility for the Department. The *Act* also stipulates that "there shall be a Deputy Minister of National Defence" who may exercise all of the Minister's powers, with the exception of: matters that the Minister reserves for himself or herself; any case where contrary intention exists in legislation; and the power to make regulations.

Under the law, the Canadian Forces are an entity separate and distinct from the Department. They too are established by a statute - the *National Defence Act* - which enables the Governor-in-Council (the Cabinet) and the Minister to make regulations for the organization, training, discipline, efficiency, administration and good governance of the Canadian Forces. The Canadian Forces are headed by the Chief of the Defence Staff, who is Canada's senior serving officer and who, "subject to the regulations and under the direction of the Minister (is) ... charged with the control and administration of the Canadian Forces".

The activities of the Canadian Forces and the Department of National Defence, like those of every other federal government organization, are carried out within a framework of legislation that is approved and overseen by Parliament. Departmental employees and

members of the Canadian Forces are governed not only by the *National Defence Act* but also by the *Constitution*, including the *Canadian Charter of Rights and Freedoms*, and by statutes and regulations such as the *Canadian Human Rights Act*, the *Official Languages Act*, the *Employment Equity Act*, the *Access to Information and Privacy Acts*, the *Financial Administration Act* and the *Canadian Environmental Protection Act*, among many others².

It has long been recognized that the Canadian Forces and the Department of National Defence have complementary roles to play in providing advice and support to the Minister of National Defence and in implementing the decisions of the Government on the defence of Canada and of Canadian interests at home and abroad.

Complementary roles, however, do not mean confusion over who does what. In the conduct of operations, the Canadian Forces have a distinct job to do. It has its own chain of military command and corresponding accountability. The responsibilities of the Chief of the Defence Staff are set out in the *National Defence Act* and other statutes, and in associated orders and regulations.

For its part, the Department of National Defence exists to provide advice to the Minister and support to the Canadian Forces, and to work with the Canadian Forces as part of a unified defence team to fulfil the defence mandate. The Department's operations are governed not only by the *National Defence Act* but also by administrative statutes and regulations such as the *Financial Administration Act* and an administrative framework such as the Expenditure Management System regulated by the Treasury Board and other central agencies. That framework determines, or at least affects, everything from human resources policies to contracting to the use of common services.

National Defence Headquarters (NDHQ)

In 1972, the Government decided that the most effective way to provide advice and support to the Minister, and leadership to the recently-unified Canadian Forces and the Department of National Defence, was through an integrated National Defence Headquarters in which military and civilian personnel would work side by side in the management of Canada's defence activities. The Deputy Minister and the Chief of the Defence Staff - who together manage the integrated civilian-military headquarters - draw on the complementary skills of civilian and military staffs to carry out the business of the two organizations. In the broadest sense, the integrated NDHQ:

- provides advice to the Minister and Cabinet on defence issues, Canadian Forces matters and related Government priorities, policies and programs;
- ensures that the military tasks and defence activities ordered by the Minister and Cabinet are carried out effectively and efficiently;
- provides a cost-effective organization for the acquisition and provision of materiel and other resources to the Canadian Forces;

- ensures that government-wide policies, regulations, practices and guidelines are followed in the management of the Department of National Defence and the Canadian Forces; and
- assists the Minister in consulting and informing Parliament and Canadians and in advancing Canada's defence relations and other interests.

Management of Canada's defence program, military and civilian personnel, and Departmental and Forces activities requires continuing close cooperation among staff in NDHQ, both military and civilian, at all levels. The Defence Management System, based on a codified system of accountabilities and responsibilities, relies on approved level-one business plans for the implementation of the Defence Services Program. It is very closely tuned to the government Expenditure Management System. Within the integrated defence structure, much of the authority of the Deputy Minister and the Chief of the Defence Staff is delegated down through their senior advisors who are in some instances military and in others civilian. In turn, every individual to whom such authority has been delegated must use it responsibly and then account to their superior, whether civilian or military, for how they have used that authority and with what results.

- There is the *military chain of command* that deals with the conduct of military operations by the Canadian Forces through the appropriate military echelons.
- There is also a *line of departmental authority and accountability* that extends from the Deputy Minister to every member of the Department and the Forces who exercises modern comptrollership, financial management, human resources management, contracting management or other authorities delegated from the Deputy.

Military Chain of Command

The command structure of the Canadian Forces is unified at the top in the person of the Chief of the Defence Staff who, under the direction of the Minister, has responsibility for command, control and administration of the Canadian Forces. The *National Defence Act* stipulates that "unless the Governor-in-Council otherwise directs, all orders and instructions to the Canadian Forces that are required to give effect to the decisions and to carry out the directions of the Government of Canada or the Minister shall be issued by or through the Chief of the Defence Staff".

The military chain of command and related bodies of law and doctrine such as the Code of Service Discipline are central to the nature and purpose of the Canadian Forces, and to the effective exercise of operational command. Civilian employees of DND provide information and recommendations to various levels of the chain of command, but this advice never overrides nor supplants the flow of operational orders and instructions downward.

The structure of command, which reflects the respective roles of the Chief of the Defence Staff, the Deputy Chief of the Defence Staff and the Environmental Chiefs of Staff, is as follows:

- The *Chief of the Defence Staff* commands all operations at the strategic level. This entails the exercise of overall command and control of military operations in accordance with orders and directions issued by the Minister or the Government.
- A *Force Commander* - in some cases a *Joint Force Commander* - appointed by the Chief of the Defence Staff, commands combat units and support groups at the operational level (i.e., involving the employment of military force in a theatre or area of operations to attain strategic objectives). This Commander reports to the Chief of the Defence Staff for non-routine or contingency operations. In such operations, the Deputy Chief of the Defence Staff has responsibility to, on behalf of the Chief of the Defence Staff, coordinate strategic level operational planning and provide operational direction to the Commander in the field.
- The *Environmental Chiefs of Staff* command assigned formations and have a direct responsibility for force generation and routine operational activities. They may be assigned responsibility for specific operations, joint or otherwise. They play a vital role, in conjunction with the Assistant Deputy Minister (Materiel), in generating and supporting the forces assigned to the Force Commander and in providing the Chief of the Defence Staff with strategic advice on environmental, technical and operational matters.

Military control over the conduct of military operations is always exercised through the military chain of command. The obligations of the military chain of command with regard to military justice and discipline are defined by the *National Defence Act* and *Queen's Regulations and Orders*.

Line of Departmental Authority and Accountability

Both civilian and military personnel are accountable to the Deputy Minister, through their Environmental Chief of Staff or Group Principal, for the exercise of delegated statutory, policy and administrative authorities related to the management of funds, public service employees, property and other resources. These are authorities that have been entrusted to the Deputy Minister by the Minister, by the Treasury Board, the Public Service Commission, or directly by statutes or regulations.

The responsibility and accountability of military staff to the Deputy Minister for the exercise of financial, administrative or civilian human resources authorities does not mean that the Deputy may issue orders to military personnel; nor does the issuing of directives by the Deputy somehow "civilianize" members of the Canadian Forces³. It means simply that the Deputy Minister may:

- delegate to both civilian and CF personnel the exercise of certain administrative or other authorities,

- give direction on how those authorities are to be exercised, and
- hold military and civilian personnel responsible and accountable for the exercise of these delegated authorities.

Similarly, the responsibility and accountability of DND civilian employees to the Chief of the Defence Staff does not put them in the military chain of command. It simply means that they must respond to his requirements for advice and support. Specifically, it means that the Chief of the Defence Staff may:

- require senior civilian advisors and their staffs to provide advice on matters within their purview,
- call upon civilians in NDHQ and elsewhere to provide support to those in the military chain of command, and
- hold them accountable for the manner in which they have executed these duties.

The bottom line is that all personnel are accountable to their superiors for the exercise of Departmental authorities that have been bestowed upon them. Both military and civilian personnel can occupy positions in the integrated structure of authority and accountability that operates within NDHQ and elsewhere. Only military personnel, however, can be in the military chain of command.

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- 1. Annex A provides information on the statutes, principles and structures that govern public organizations and define their role in government.**
 - 2. Annex B provides an elaboration of the more significant legislation affecting national defence.**
 - 3. An order or command is a form of direction given to a member of the Canadian Forces by his or her military superior which shall, subject to QR&O 19.015 and 19.02, be obeyed. This is different from a "directive", which is issued within the structural hierarchy of NDHQ and the Department.**

II. Minister of National Defence

Individual Responsibility

The Minister of National Defence carries legal responsibility and is accountable to Parliament for the administration of the *National Defence Act*, the *Emergencies Act*, the *Emergency Preparedness Act*, the *Visiting Forces Act*, the *Aeronautics Act* (in relation to Defence), the *Canadian Forces Superannuation Act*, the *Garnishment Attachment and Pension Diversion Act*, and the *Pension Benefit Division Act*. Under these Acts, the Minister is charged with, among other things:

- the management and direction of the Canadian Forces and of all matters relating to national defence;
- to act as lead Minister for the National Search and Rescue Secretariat; and
- the advancement of civil preparedness in Canada for emergencies of all types.

Virtually all decisions and actions taken by Departmental and Forces personnel in respect of these *Acts* are carried out, directly or indirectly, under the authority of the Minister of National Defence. The Minister, who is accountable to Parliament for the actions of his or her officials, expects to be kept fully informed of any decisions or activities by the Canadian Forces or Departmental personnel that may be of concern to Parliament or the public.

Collective Responsibility and Decision-Making

Under the leadership of the Prime Minister, the members of Cabinet together set the Government's agenda, policies and priorities. Ministers are collectively responsible and accountable to Parliament for the policies and programs of the Government, and for the management and delivery of resulting services to the public.

In our Westminster system of Cabinet government, Ministers are bound by the principles of Cabinet solidarity. The Minister of National Defence is obliged to publicly support all the policies of the Government, and to ensure that current and proposed defence activities reflect the Government's policies and objectives.

It is the Minister's responsibility to bring major defence proposals - such as a change in defence policy, a major new operational commitment or a major capital acquisition - to Cabinet for discussion and decision. Before defence proposals are brought forward, other interested Ministers will be consulted and, just as in other areas of Government activity, those proposals may be modified to reflect the specific concerns of other Ministers.

This process of debate and collective decision-making is fundamental to our system of government. When a portfolio is as substantial as National Defence, and of such

potentially great impact on the country, the need for careful consideration of the full range of interests and objectives of the Government is magnified.

Minister's Policy Role

The development and articulation of Canada's defence policy is among the most important responsibilities of the Minister of National Defence. Defence policy is developed and set within a larger framework of national objectives and policy priorities that are decided by the Government as a whole.

The Minister sets out a defence vision and agenda that is reflective of:

- the Government's assessment of the strategic environment;
- the defence needs of the country;
- the Government's agenda and priorities; and
- what is affordable within the larger fiscal context of the country.

While many aspects of Canada's defence policy may remain constant over long periods of time, that policy must always reflect and express the particular position of the Government of the day. This may be set out in statements by the Government on defence policy such as a defence *White Paper*, or in speeches by the Minister and Prime Minister, and in Parliamentary debates, answers to questions in the House of Commons or appearances before Parliamentary Committees.

In developing and articulating Canada's defence policy, the Minister draws on policy advice and other support from his or her senior *civilian* advisor, the Deputy Minister of National Defence. The Minister's senior *military* advisor, the Chief of the Defence Staff, plays a key role in the policy process by providing advice on military requirements, capabilities, options and consequences. Each is expected to work closely with the other to ensure the Minister has the benefit of the best possible advice, based on full and accurate information about costs, consequences, risks and options.

When the Minister or, where necessary the Government, has taken a decision, it is the responsibility of the Canadian Forces and the Department to take the necessary action to give effect to that decision. The Chief of the Defence Staff and the Deputy Minister are accountable to the Minister for ensuring that this is done by the organizations which they head.

Minister's Communications Role

The Minister of National Defence is the Government's principal advocate and spokesperson for defence matters, both within Cabinet and externally on its behalf. It is the Minister's responsibility to explain and to garner support for defence priorities, positions and policies and indeed for the activities of the Canadian Forces, for which he

or she is responsible under the law. This involves active consultation with the public and Parliamentary colleagues, with defence interests groups in Canada, and with allies and partners abroad.

The Minister is supported in this capacity by National Defence Headquarters staff and by Departmental and Canadian Forces personnel across Canada and abroad. Together, they provide information to the Minister and the Minister's staff, and to internal, domestic and international audiences.

III. Deputy Minister, Chief of the Defence Staff, and Senior Advisors

As noted above, the Deputy Minister and the Chief of the Defence Staff are the Minister's principal advisors⁴. They provide day-to-day leadership and management of the Department and the Canadian Forces on the Minister's behalf. They also ensure that the Minister is fully informed and in a position to take and direct all required action.

The separate authorities of the Deputy Minister and the Chief of the Defence Staff give rise to different responsibilities. In broad terms:

- the Deputy Minister has primary responsibility for resources, policy and international defence relations; and
- the Chief of the Defence Staff has primary responsibility for command, control and administration of the Canadian Forces and military strategy, plans and requirements.

In practice, many issues affecting Canada's defence activities are decided jointly by the Chief of the Defence Staff and the Deputy Minister.

Deputy Minister of National Defence (DM)

The Deputy Minister of National Defence is appointed under the *National Defence Act* by the Governor-in-Council (i.e. the Cabinet), on the advice of the Prime Minister. The Deputy provides the Minister with the broadest possible expert support in all of the Minister's responsibilities, except for partisan political activities. This includes supporting the Minister in consulting and informing Parliament and the Canadian public on defence issues. To this end, the Deputy advises the Minister on policy issues as well as on management concerns, and manages the Department on behalf of the Minister. More specifically, the Deputy is responsible for:

- ***Policy advice.*** The Deputy plays the central role in formulating advice for the Minister on policy matters and on alternative means of achieving Government objectives, and on implementing effectively the Government's policies and programs.
- ***Internal departmental management.*** The Deputy is authorized in law to carry out, on the Minister's behalf, the management and direction of the Department. In so doing, the Deputy is naturally subject to the Minister's direction. At the same time, the Deputy is required by law to observe financial, administrative and human resources management standards and practices established government-wide by the Treasury Board or other central agencies. The Deputy also exercises certain powers of human resources and financial management assigned by law or delegated directly by the Public Service Commission or the Treasury Board.

- ***Interdepartmental coordination.*** The Deputy is an important link for the Minister to the wider government machinery for policy development and decision-making. The Deputy participates in interdepartmental consultations as a contribution to the overall coherence of government. These interdepartmental activities also enable the Deputy to inform the Minister of initiatives of other departments that may affect the defence portfolio, and to advise the Minister on issues that may arise in Cabinet or Cabinet committee discussions.

The Deputy, therefore, has a fundamental duty to support both the individual and collective responsibilities of the Minister. In so doing, the Deputy is responsible in the first instance to the Minister. As part of the Deputy's participation in the collective management of government, the Deputy is also responsible to the Prime Minister for carrying out the policies of the Government as a whole, and also to the Treasury Board and the Public Service Commission. This includes appropriate interdepartmental consultations where other ministerial responsibilities are concerned. In this capacity, the Deputy is required to inform the Clerk of the Privy Council and Secretary to the Cabinet of any significant matter affecting the Minister's responsibilities.

Chief of the Defence Staff (CDS)

The Chief of the Defence Staff is charged with the command, control and administration of the Canadian Forces and advises the Minister on all these matters - including military requirements, capabilities, options and the possible consequences of undertaking or failing to undertake various military activities. Whenever required, the Chief of the Defence Staff advises the Prime Minister and Cabinet directly on major military developments. The CDS is thus the senior military advisor to the Government.

Like the Deputy Minister, the Chief of the Defence Staff is appointed by the Governor-in-Council, on the advice of the Prime Minister. The CDS also has a special relationship to the Governor General who, as the Queen's representative in Canada, exercises virtually all of her powers under the Constitution and, therefore, serves as Commander-in-Chief of the Canadian Forces. Thus there is in formal terms, though not in practice, a direct "line of command" from the Head of State through the CDS to all the officers who hold the Queen's Commission and through them to all members of the Canadian Forces.

The Chief of the Defence Staff implements Government decisions involving the Canadian Forces by issuing appropriate orders and instructions. The CDS is accountable to the Minister for the conduct of CF activities, as well as for the readiness of the Forces and their ability to fulfil the military commitments and obligations of the Government.

Under Part XI of the *National Defence Act*, the Chief of the Defence Staff must respond to requests from provincial Attorneys General for what is called "Aid of the Civil Power" - that is, for the use of CF personnel to respond to certain types of civil disturbances. This statutory obligation to respond rests with the CDS and not the Minister.

Senior Advisors

Although National Defence Headquarters is an integrated institution, some functions fall primarily under the responsibility of the Deputy Minister while others are primarily the responsibility of the Chief of the Defence Staff. A few functions respond in equal measure to the DM and CDS. The senior staff are accountable to the DM, the CDS or both in accordance with the functions they exercise.

The primary responsibility relationships⁵ of the senior advisors to the Deputy Minister and the Chief of the Defence Staff are as follows:

a. ***Primarily responsible to the Deputy Minister***

- Assistant Deputy Minister (Policy),
- Assistant Deputy Minister (Finance and Corporate Services),
- Assistant Deputy Minister (Materiel),
- Assistant Deputy Minister (Infrastructure and Environment), and
- Assistant Deputy Minister (Human Resources - Civilian);

b. ***Primarily responsible to the Chief of the Defence Staff***

- Chief of the Maritime Staff, Chief of the Land Staff,
- Chief of the Air Staff,
- Deputy Chief of the Defence Staff, and
- Assistant Deputy Minister (Human Resources - Military); and

c. ***Equally responsible to the Deputy Minister and the Chief of the Defence Staff***

- Vice Chief of the Defence Staff,
- Assistant Deputy Minister (Information Management),
- Department of National Defence and Canadian Forces Legal Advisor (also responsible to the Deputy Minister of the Department of Justice),
- Chief of Review Services,
- Defence Chief Scientific Advisor, and
- Director General Public Affairs.

DND/CF Ombudsman

The Ombudsman is designated under the *National Defence Act* to act on the Minister's behalf, independent of the chain of command, as a neutral and objective sounding board, mediator and reporter on matters related to the Department of National Defence and the Canadian Forces, as described by Ministerial Directives.

Judge Advocate General (JAG)

The JAG is appointed by Governor-in-Council and acts as legal adviser to the Governor General, the Minister, the Department and the Canadian Forces in matters relating to military law. Specifically, the JAG is entrusted with the superintendence of the administration of military justice. The JAG is responsible to the Minister in the performance of the JAG's duties and functions.

Decision-Making in NDHQ

The Deputy Minister and the Chief of the Defence Staff meet frequently with the Minister to discuss Departmental and Forces' activities and emerging issues, and to assist the Minister in reaching decisions⁶. To assist them in the fulfilment of their responsibilities, there are a number of committees in the integrated NDHQ to facilitate the collective consideration of defence issues and options.

- *Defence Management Committee* meets regularly and is co-chaired by the DM and CDS. It is used to consider all management matters affecting the strategic direction of defence and to enable the DM and CDS to reach decisions or to coordinate decisions and advice to the Minister.
- *Armed Forces Council* meets regularly to advise the CDS. It is used to consider broad military matters related to the command, control and administration of the Canadian Forces and to assist the CDS in reaching decisions.
- *Daily Executive Meeting* is co-chaired by the CDS and DM. It is used to review ongoing operations and activities, emerging issues and other pressing matters.
- *Program Management Board* is chaired by the VCDS. It is used to provide resource management oversight.
- *Senior Management Oversight Committee* is chaired by the VCDS. It is used to debate and departmentally endorse the Statement of Requirements for Major Crown Projects and selected strategic capital projects.

Other more specialized committees and boards, such as the Military Police Advisory Committee and the Conflict of Interest and Post Employment Panel, address specific issues.

- 4. The Minister also has a political staff, who provides politically-oriented advice to the MND.**
- 5. Specific responsibilities of the senior advisors reporting to the Deputy Minister and the Chief of the Defence Staff are shown in Annex C. The military structure of command is explained in Part I -- Canada's Defence Structure, under the section entitled Military Chain of Command.**
- 6. There are a number of other organizations which are funded from within the defence envelope that report directly to the Minister, such as the Military Police Complaints Commission, the Canadian Forces Grievance Board, the Communications Security Establishment and the National Search and Rescue Secretariat.**

IV. Authority and Accountability

The preceding sections set out, in organizational terms, the line of *authority* that flows downward from Parliament, Cabinet and the Minister of National Defence to the Deputy Minister and the Chief of the Defence Staff and through them to every member of the Department and the Canadian Forces. This line of authority covers all matters relating to national defence, including everything from human resources, financial and resource management to the conduct of military operations. There is a similar line of *accountability* that flows upward from the Department and the Canadian Forces to the Minister who, in turn, is accountable to the Prime Minister and to Parliament.

The purpose of this section is to talk about authority and accountability in terms of the duties of *individuals* in the Department and the Forces. Making the two organizations work well in the service of Canada depends upon each military and civilian person knowing why a sound authority and accountability framework is critical to their effectiveness as individual members of the two organizations, and also to the effectiveness of the organizations themselves.

Context

In the modern organization, whether inside government or in the private sector, traditional management controls such as rigid hierarchies, detailed policies, prescriptive rules and processes are changing. Today, much greater reliance is placed on multi-disciplinary teams, broad policies, elimination of non-essential rules and more permissive guidelines to enable people to achieve organizational goals with fewer resources. Good management and military operational requirements still recognize the place of discipline and of appropriate sanctions for wrongdoing. But they also stress the positive connotations of accountability as a tool through which an organization can learn from both mistakes and successes.

In general, individuals are being given greater latitude to do their jobs, and in so doing they gain more personal and professional satisfaction. In turn, they are expected to exercise a greater measure of self-discipline and exemplify flawless ethical behaviour in the performance of their duties and in the use of resources. The idea is to deal with mistakes openly and to use them as opportunities to improve individual and organizational performance.

This is the approach being taken today in the Canadian Forces and the Department of National Defence. The following framework of authority and accountability has been developed to help defence personnel better perform their duties. It is intended to encourage people at all levels to take responsibility for their own actions and for those of their subordinates. In short, this accountability framework enables the defence organization to work together in a coherent way to achieve its objectives.

Principles

The structure of authority and accountability in the defence organization is intended to enable all CF members and all DND employees to do their duty and to do it as well as they can. To understand how this works, it is necessary to understand what is meant by the terms "responsibility", "authority" and "accountability".

Having a *responsibility* involves having the *authority* and the obligation to act, including the authority to direct or authorize others to act. It also means being *accountable* for how those responsibilities have been carried out in light of agreed expectations. In a public sector organization such as the CF or DND, each individual is obliged to *account* fully and promptly to those who, in the hierarchy, conferred the responsibilities, for the way they have been carried out and for how the relevant authorities have been used.

Changing dynamics within NDHQ have resulted in an increased attention to teamwork, horizontal co-ordination and devolution. Teamwork does not eliminate the requirement for hierarchy; a flatter structure does not do away with specialization; and devolution does not imply an absence of standards. These features do, however, result in the need for accountability to be expressed as well in terms of "horizontal" relationships. These relationships are defined as an obligation to deliver services and inform peers, pursuant to agreements between parts of the defence establishment. The matrix structure of NDHQ is grounded in the need for a mutual understanding of what must be done by each of the parties mandated to participate in achieving results. It is essential that every one of those responsible for a specific issue both consult and work with colleagues who should be involved. Nevertheless, those responsible remain accountable for the overall results, even though they may have collaborated with others in getting the job done.

Accounting for the use of authority is the means by which all members, military or civilian, "tell their story" up, as well as across, the organizational chain. That is, accounting is a matter of reporting both *actions* (what is being done to make things happen) and *results* (what is being achieved or not achieved). It is also the means by which people in positions of authority keep abreast of developments affecting those for whom they are organizationally responsible. A proper chain of accountability enables commanders and managers to make necessary adjustments to previous orders and directions to ensure defence objectives are being met and standards are being maintained.

Understanding duties requires more than having a list of responsibilities on a piece of paper; it can also involve regular discussion of what is to be done, and how. It may also require appropriate education and training. Resources are always scarce and performance standards expected of subordinates must reflect this reality. In the most general sense, a proper relationship of authority and accountability imposes a number of specific obligations on both supervisors and subordinates.

- Supervisors need to exercise due vigilance and care in assigning tasks, monitoring their implementation and taking corrective action where necessary. In practice,

this means giving personnel reasonable leeway in accordance with their level of professional competence.

- Even if supervisors have given greater authority and autonomy to subordinates, they remain responsible and accountable for the actions of those subordinates. The expectation is that appropriate leeway and proper leadership will better enable subordinates to carry out their duties. Under the management philosophy represented here, everyone is expected to be more attentive to results, to be more sensitive to people issues and to encourage innovative solutions.
- Faithful support of superiors, co-workers and subordinates is essential to carrying out defence activities. Loyalty to the institution, what it stands for, the standards it upholds and its esteem in the eyes of Canadians are equally important. Failure to promptly report unfavourable developments can jeopardize operations because corrective action may not be taken soon enough.

In short, giving and receiving an account of what has been done, and why, is the very essence of the effective organization because it enables people to take timely corrective action. This sounds like a simple idea, but making it work in practice calls for a commitment throughout the organization to learn from experience. This is why all military members and civilian employees need to be frank with those above and below them. Together, supervisors and subordinates are empowered to fix - as quickly as possible - what is not working or not right. No one is to be blamed (or praised) or otherwise held accountable for developments that *reasonably* are beyond their control. Every leader should recognize excellent work, apply administrative or disciplinary measures when required and deal promptly with issues in a fair and transparent manner.

Making this framework of authority and accountability "real" in the Forces and the Department simply requires all CF members and DND employees to do their duty and to account to their superiors for what they have done. This basic credo is a critical element of leadership and is what makes the Canadian Forces and the Department of National Defence competent, professional, self-correcting organizations in which every member and employee can take pride.

A Final Word

The Minister, Parliament, and all Canadians expect the Canadian Forces and the Department of National Defence to use authorities wisely and in keeping with the laws and values of Canada. They also expect a full accounting of CF and DND activities as and when appropriate. To these ends, the leaders of the defence team have committed themselves to a framework for enhanced authority, responsibility and accountability that:

- rewards those who develop a strong ethic of reciprocal loyalty and mutual trust with superiors and subordinates, who are dedicated to the values and objectives of the defence team, and who use resources efficiently and wisely;

- treats subordinates fairly and professionally, both in rewarding, developing and in disciplining, so as to instil in them the confidence that superiors will protect their interests;
- obliges everyone to continuously assess results achieved, to learn from experience and to improve; and
- facilitates full understanding and acceptance by every CF member and DND employee of what it means to exercise authority, to be responsible and to account for results.

Equally important is the personal commitment of all military members and civilian employees to do their part in contributing to the defence of Canada and of Canada's interests at home and abroad. All Forces members and Departmental employees have a basic duty to:

- ensure they understand each assigned task, including its nature, objective and the level of performance expected;
- be responsible for their actions (and failure to take action), including orders and directions given (or not given) to subordinates;
- act and give directions within the bounds of their authority; and
- provide a timely and full account to their superior of accomplishments and other significant developments that impact on the use of authority, performance of the duty or the perception that others might have of what has been done.

A framework in which authorities, responsibilities and accountabilities are clear to everyone concerned makes it possible for all CF members and DND employees to do a better job in the service of Canada. The result will be better Canadian Forces and a better Department of National Defence.

Annex A: Framework of Government

The purpose of these notes is to explain briefly the framework of government within which the Department of National Defence and the Canadian Forces are established and operate. Understanding this framework is particularly important for personnel newly posted to National Defence Headquarters because it helps them to see the legal and practical context in which they are working. What follows is a summary description of key concepts and associated terminology.

Constitutional Foundation

The organization and operation of the Department of National Defence and the Canadian Forces are fundamentally shaped by Canada's political system. In our system, *authority* and *responsibility* are divided between the Legislature (Parliament) and the Executive (the Prime Minister and Cabinet), while an independent Judiciary upholds the laws of Canada and arbitrates disputes.

Under the Canadian Constitution, *legislative authority* rests with the **Parliament of Canada** - consisting of the Queen (represented by the Governor General), the House of Commons and the Senate. Parliament enacts statutes and regulations that govern public organizations. An Act of Parliament, the *National Defence Act*, created the Department of National Defence and the Canadian Forces. *Executive government and authority* rests with the **Government of Canada** - consisting of the Queen (i.e. the Governor General) aided and advised by the Queen's Privy Council for Canada. By custom, the Government consists of the **Prime Minister and other Cabinet Ministers** - who are the "active" Privy Councillors.

Political Structure

Responsible government in Canada is based on the individual and collective responsibilities of Ministers that derive from both convention (i.e. customary practice) and statute. Collectively, the Prime Minister and Cabinet oversee the conduct of national affairs. Specifically they:

- interpret the needs and wishes of Canadians to establish government objectives and priorities;
- obtain legislative and spending authority from Parliament to carry out the Government's program;
- establish a wide range of government policies, which complement and elaborate on the legislated mandates of Ministers - while government policies do not require approval by Parliament, they are, from the point of view of departments charged with carrying them out, as "authoritative" as legislation; and

- with the support of the Public Service and members of other organizations such as the Canadian Forces, deliver programs and services to Canadians.

The Prime Minister is responsible for providing the cohesion and direction necessary to the unity of Cabinet - which is essential if the government is to retain the confidence of Parliament. The principal functions and exclusive powers (or prerogatives) of the Prime Minister include:

- leading the process of setting the general directions of government policy⁷;
- deciding on the broad organization of the government and the roles and responsibilities of Ministers, recommending to the Governor General senior appointments, and setting standards of conduct for Ministers; and
- as leader, special responsibilities for national security, federal-provincial relations, and aspects of foreign affairs that touch on his or her role as head of government.

Collectively, Ministers advance the Government's agenda by developing and implementing government policies and, where necessary, through the passage of legislation and of *Orders in Council*. The latter are formal actions of the government pursuant to a provision in a piece of legislation or a Constitutional convention. This includes the development of proposals affecting management of all public organizations. Ministers, collectively, are also accountable to Parliament for the policies of the government as well as for the policies and programs of each Minister.

Individually, a Minister is sworn to carry out the powers, duties and functions of his or her portfolio. In this regard, Parliament has provided a legislative base for each department of government. For example, the *National Defence Act* designates the Minister of National Defence as the Minister who is responsible to Parliament for all matters of national defence. Each Minister also manages his or her department in accordance with the priorities and policies of the Government, observing the custom of Cabinet solidarity. On any given issue, the onus is on the lead Minister - e.g. the Minister of National Defence in matters of defence - to consult and co-ordinate with other Ministers in developing and implementing a legislative or policy change. Under Canada's system of government, Ministers are obliged to consult, inform and seek approval from Parliament before making significant changes in departmental programs and activities. This obligation, which is a matter partly of law and partly of convention, is a reminder of the significant role Parliamentarians have in influencing government plans and activities. Ministers explain departmental actions directly to Parliament, taking responsibility for those actions themselves. They do this in debates in the House of Commons, by responding to questions in the House, Senate or parliamentary committees, and through the production and tabling of statutory and other reports.

Ministers and other public office holders have a duty to be responsive to public concerns and interests. Among other things, this means providing information to the public on the programs and activities of their department and of the other organizations for which

Ministers are responsible under the law. It also means ensuring that - through public consultation - advice and options presented to Cabinet take account of public views and concerns.

Government Decision-Making

Cabinet decision-making as a whole is oriented by certain key statements of government policy and priorities that in part reflect electoral commitments as well as ongoing developments in national and international affairs. The Speech from the Throne enunciates the Government's program for Parliament at the opening of each new session; it reflects the overall priorities of the government and the Prime Minister. The Minister of Finance presents the government's annual budget, reflecting the fiscal framework agreed by the Cabinet. The president of the Treasury Board subsequently tables the government's detailed expenditure Estimates. All these statements both shape and reflect the ongoing work of Cabinet and its committees.

Strategic Planning

At the core of the "machinery" established to reach decisions and manage government affairs is the Government's annual **Strategic Planning Cycle**. The Cycle is based on special Cabinet meetings - normally in June, October and January - at which Ministers review progress in implementing the Government's agenda, consider options for managing key issues and identify priorities for the future.

Expenditure Management

The Strategic Planning Cycle is integrated with the **Expenditure Management System** that was adopted by the Government to facilitate:

- greater consultation with stakeholders;
- critical review of relevance and importance of existing programs; and
- funding of new initiatives through adjustment of existing budgets rather than provision of new money.

Central Agencies

The central agencies provide advice and support in the conduct of the business of the government as a whole. Administrative policies set by central agencies guide departmental activity.

- The Privy Council Office is the Prime Minister's department and supports and co-ordinates Cabinet business and policy development in departments.
- The Department of Finance oversees fiscal and budget matters for the government.
- The Treasury Board Secretariat assists Treasury Board Ministers in setting broad policies, guidelines and practices regarding the administration, organization and management of programs, finances and employees.
- The Public Service Commission oversees the merit principle and appointment standards in the public service.
- Public Works and Government Services Canada is the contracting agency for departments.

Development of departmental programs is directly tied to the Government's budget cycle and priorities. The key steps are normally as follows:

- *in the late spring/early summer*, a Cabinet planning session reviews Government priorities, identifying new initiatives and broad policy options to guide the Budget consultations;
- *in the fall*, the Minister of Finance consults Parliament, the public, Cabinet policy committees and other stakeholders on the Budget consultation papers;
- *in December/January*, a Cabinet planning session reviews the Minister of Finance's Budget strategy. Final decisions are made by the Prime Minister and the Minister of Finance;
- *in February*, the Minister of Finance presents the Budget;
- *in March*, Treasury Board tables Departmental Reports on Plans and Priorities, which include Departmental spending estimates consistent with the Budget; and
- *in the fall*, Treasury Board tables Departmental Performance Reports which report results for the previous fiscal year.

Decisions on Policy

Cabinet authorization is required for all proposals affecting the interests of the Government as a whole - such as legislative changes, new government policies, responses to parliamentary committee recommendations and major spending proposals. Policy matters are dealt with in Cabinet and/or its policy committees, while administrative matters are dealt with by the Treasury Board. In either case, the process of consideration involves formal submissions and decision documents.

The key policy document is the **Memorandum to Cabinet (MC)**. This is usually prepared by officials in accordance with a Minister's direction and follows a prescribed format. Interdepartmental consultations are an essential part of the preparation process for almost every MC. In addition, the development of major policy proposals will often require prior public consultation and acknowledgement of the views of Parliament. The final MC is normally circulated to all Ministers by the Privy Council Office before it is discussed at the appropriate Cabinet committee. The Cabinet committee's report (CR) is subject to confirmation by Cabinet. Records of final decisions (RDs) are recorded and circulated to all Ministers and their deputies, for action under Ministers' individual authority.

The key administrative document is the **Treasury Board Submission**. This may be used, for example, by a department to obtain authority to spend, to enter into major contracts or to implement major organizational changes. Treasury Board decisions are set out in a document called a "Minute of the Treasury Board". Treasury Board also has implicit authority under the National Defence Act with respect to military pay and allowances.

Resources

The resources to carry out government programs are provided by Parliament. Expenditure plans, which have been developed through the Expenditure Management System and fully reflect Cabinet's priorities, are presented to Parliament in the form of Estimates. Once satisfied, Parliament provides the necessary spending authority for government actions. The National Defence budget, for example, is set out in legislation called an *Appropriations Act* (or usually a "supply Bill").

Conduct of Public Officials

The fundamental principles applying to the conduct of public officials are long-established. There is a legal obligation to observe the law and a professional obligation to conduct oneself in a manner that will bear the closest public scrutiny. Today, ethical conduct is subject to more intense public scrutiny than ever before, not least because of the public right of access to information across a wide range of Ministerial and government activities.

Values

The values of serving in the public interest and of supporting a parliamentary democracy will always remain central to the role of the public sector. In the past, as in the future, these values are the foundation of the public sector.

- **Loyalty to the public interest as represented and interpreted by the duly elected government of the land.** Loyal helping Ministers, under the rule of law, to serve the public good requires: respect for fundamental democratic values, such as accountability to Ministers and, through them, to the citizens of Canada; support for the government of the day; and respect for the rule of law and due process.
- **Service to Canada and Canadians.** This is about values such as excellence, professional competence, quality and efficiency. Public servants must constantly renew their commitment to serve Canadians by enhancing the quality of service, by adapting to changing needs and by improving productivity.
- **Ethical values such as honesty, integrity and probity.** While these values are no different from those found in other sectors of society, they take on a particular meaning in the Canadian Forces and the Public Service, where they mean the ability to hold a public trust and to put the common good ahead of any private or individual self-interest.
- **People values such as fairness and equity.** Because citizens in a democracy are equal bearers of rights and duties, it is a principle of public service that citizens should be treated equitably and not with special favour to some. Balancing the interests and preserving the rights of citizens in a fair and equitable manner is fundamental.

Adherence to Rules

The Department of National Defence and the Canadian Forces function within the bounds of existing laws and government policies - including management and human resources policies adopted by the Cabinet and the Treasury Board and administered by the central agencies.

Of special importance is the *Constitution*, including the *Canadian Charter of Rights and Freedoms*, and various supporting statutes, regulations, administrative orders and conventions governing the decisions and actions of public servants and military personnel. While the *Charter* defines the rights and obligations of all Canadians, the *Criminal Code* as well as other federal and provincial statutes and supporting regulations establish more detailed standards of conduct. Some laws, such as the *National Defence Act*, set out the authorities and responsibilities of particular government agencies, while others, such as the *Financial Administration Act*, establish the framework within which all departments and agencies must manage their affairs. Finally, Canada adheres to various international treaties, conventions and protocols, some of which have significant implications for employees of the Department of National Defence and members of the Canadian Forces. Annex B briefly describes legislation having particular importance for the Department and the Forces.

The Minister of National Defence may, for example, be tasked to provide Canadian Forces units and Departmental resources to help implement a decision of Cabinet. In so doing, he or she acts pursuant to the authority assigned to him or her under the National Defence Act. Similarly, the Chief of the Defence Staff, the Deputy Minister (and, in turn, other officials) would be acting pursuant to specific legislative authority or - more likely - authorities delegated from the Minister when carrying out his or her direction. In carrying out their responsibilities, public office holders - Ministers, public servants and members of the Canadian Forces - operate within an established framework of law, government policy and management practices.

Defence personnel and former personnel are subject to the Conflict of Interest and Post Employment Code for Public Office Holders. The purpose of this Code is to enhance public confidence in the Public Service by establishing clear rules of conduct to minimize the possibility of conflicts arising between private interests and public duties. The Code, which is set out below, requires public servants to do what is necessary to avoid any real, potential or apparent conflicts of interest.

Conflict of Interest and Post Employment Code

Employees shall perform their official duties and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity and impartiality of government are conserved and enhanced.

Employees have a professional obligation to act in a manner that will bear the closest public scrutiny, an obligation that is not fully discharged by simply acting within the law.

Employees shall not have private interests which could be deemed to be a conflict of interest, other than those permitted pursuant to the Code, that would be affected particularly or significantly by government actions in which they participate.

On appointment to office, and thereafter, employees shall arrange their private affairs in a manner that will prevent real, potential or apparent conflicts of interest from arising, but if such a conflict does arise between the private interests of an employee and the official duties and responsibilities of the employee, the conflict shall be resolved in favour of the public interest.

Employees shall not solicit or accept transfers of economic benefit, other than incidental gifts, customary hospitality, or other benefits of nominal value, unless the transfer is pursuant to an enforceable contract or property right of the employee.

Employees shall not step out of their official roles to assist private entities or persons in their dealing with the government where this would result in preferential treatment to any person.

Employees shall not knowingly take advantage of, or benefit from, information that is obtained in the course of their official duties and responsibilities and that is not generally available to the public.

Employees shall not directly or indirectly use, or allow the use of, government property of any kind, including property leased to the government, for anything other than officially approved activities.

Employees shall not act, after they leave public office, in such a manner as to take improper advantage of their previous office.

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- 7. Government policy can be understood as a set of actions and objectives - prescribed by or on behalf of the Prime Minister and Cabinet - that govern decisions and activities of Ministers and other officials in implementing the Government's agenda or in providing public administration.**

Annex B: Legislation and National Defence

The following is a brief description of the statutes and regulations of greatest relevance to the Department of National Defence and the Canadian Forces. These laws affect organizations and individuals in Canada in a wide range of different ways.

Laws Defining the Framework of Rights and Obligations in Canada

- The ***Constitution of Canada*** sets out the power and jurisdiction of the Federal Government.
- The ***Canadian Charter of Rights and Freedoms*** provides guarantees that are subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. The fundamental freedoms are those of: conscience and religion; thought, belief, opinion and expression (including the press and media); peaceful assembly; and association. The *Charter* also prescribes basic rights for individuals related to: democratic government; mobility in Canada; legal matters; equality regarding race, national or ethnic origin, colour, religion, sex, age or mental or physical disability; and minority language education.
- The ***Employment Equity Act*** is designed to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfilment of that goal, to correct the conditions of disadvantage in employment experienced by women, aboriginal peoples, persons with disabilities and members of visible minorities by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences.
- The ***Access to Information Act*** provides a right of public access to information in records under the control of government institutions, subject to certain necessary exceptions limited and specified in law. The Minister is ultimately responsible for the application of the Act within a portfolio. Decisions can be reviewed by the Information Commissioner, and finally by the Federal Court. Of course, potential embarrassment is not grounds for withholding information that should properly be disclosed. Each department has established internal expertise and management systems for responding to Access requests. The Government's communications policy (developed by the Treasury Board) complements the *Act* by directing departments to:
 - provide timely, correct information to the public (and within government),
 - determine public views and concerns, and
 - enable answerability, visibility and accessibility.
- The ***Privacy Act*** protects the privacy of individuals regarding information about themselves that is collected, held and disposed of by government institutions. The

Minister of National Defence, for example, must abide by the conditions set out in the Act under which personal information on Department of National Defence and Canadian Forces personnel can be disclosed.

- The *Official Secrets Act* prohibits, inter alia, the communication of information in any manner prejudicial to the safety or interests of Canada.
- The *Criminal Code* identifies prohibited acts or omissions and associated sanctions.

Laws Defining Responsibilities and Authorities of National Defence

- The *National Defence Act* gives the Minister of National Defence authority to manage and direct all matters relating to national defence and the Canadian Forces. This "national defence" mandate is further defined in the Government's **defence policy**. Additional elaboration is provided in documents submitted to Parliament seeking spending authority, and parliamentary approval of the Estimates implies agreement that they are within the mandate of "national defence".
- The *Emergency Preparedness Act* gives the Minister Responsible for Emergency Preparedness - currently, the Minister of National Defence - the mandate to develop and implement civil emergency plans. Other Ministers are tasked to develop civil emergency contingency plans in their respective statutory areas.
- The *Emergencies Act* provides the Government with additional powers to make orders and regulations once the Government declares a national emergency related to the public welfare, public order, international security or armed conflict. The Government is obliged to seek parliamentary confirmation of the declaration within seven days. These orders and regulations can obviously have a major impact on public organizations such as the Canadian Forces.
- The *Aeronautics Act* governs the use of Canadian airspace and, for matters related to defence, assigns relevant responsibilities to the Minister of National Defence.
- The *Fisheries Act* deals with the management and protection of fish stocks. It provides authority for the Department of Fisheries and Oceans to call upon the Canadian Forces and others for assistance.

Laws Defining How Government Departments Manage Their Affairs

- The *Financial Administration Act* is the principal statute governing the management of departments and agencies and the provision and use of public funding by those organizations. The Act created the Treasury Board (and its Secretariat) and gave the Board the broad mandate of:

- organization and general administration of the Public Service;
- determination and control of establishments (i.e. staffing levels);
- financial management (including collection, management and disbursement of public money; and format of accounts);
- public service human resources management, including terms and conditions of employment; and
- management of public property (including contracting and protection of assets).

The *Act* gives the Treasury Board the authority to approve all expenditures of funds. While the Board has delegated some of its authority to departmental Ministers, Treasury Board Submissions are still required for all major expenditures.

- The ***Department of Public Works and Government Services Act*** governs contracting for goods and services. The Minister of Public Works and Government Services establishes regulations and arranges major contracts while individual Ministers are delegated authority to approve contracts up to certain limits.
- The ***Federal Real Property Act*** gives Ministers authority to acquire, lease, let and dispose of land and buildings in their custody.
- The ***Canadian Environmental Assessment Act*** stipulates that new initiatives affecting the environment, including proposed defence projects and activities, must have an assessment carried out before they can be implemented. The Government has decreed that assessment of policy changes is also required.
- The ***Canadian Environmental Protection Act*** obliges the Government to take preventative and remedial measures in protecting the environment and makes individual civilian and military members liable for their actions.
- The ***Auditor General Act*** establishes the Auditor General as an "agent of Parliament" with the responsibility to scrutinize departmental programs and expenditures. The Auditor General is required to advise Parliament of wrongdoing, inefficiencies and non-compliance with regulations and procedures, and to assess program effectiveness. The Act recently established the position of Commissioner of the Environment and Sustainable Development and tasked departments to develop and report their "sustainable development strategy" through the Commissioner.
- The ***Public Service Employment Act*** created the Public Service Commission and made it responsible for appointments and selection standards, as well as staff training and development programs. While the Commission continues to oversee the development and placement of senior public servants and implementation of

the "merit" principle in departments, authority has been delegated to deputy ministers and agency heads to manage most actions related to the creation and staffing of positions.

- The **Public Service Staff Relations Act** designates the Treasury Board as the "employer" of the public service, making it responsible for all collective agreements. Administration of agreements and ongoing consultation with unions is the responsibility of deputy ministers and agency heads.
- The **Official Languages Act** defines the obligations of federal agencies to provide various services to Canadians in both official languages. It assigns to the Treasury Board the responsibility for general direction and co-ordination of policy and programs in this area.

International Treaties and Obligations affecting Defence Operations

- **International Treaties, Conventions, and Protocols** that are ratified by Parliament and remain in force are binding on the government and, therefore, on affected departments.
- Of special significance to Canadian defence are:
 - the Charter of the United Nations;
 - the North Atlantic Treaty;
 - the Conventional Forces in Europe Treaty; and
 - Conventions and Protocols dealing with armed conflict and use of weapons (such as the Geneva Convention).

Annex C: Senior Advisors

Vice Chief of the Defence Staff (VCDS)

The VCDS has three distinct roles within the NDHQ structure:

- as stipulated in the National Defence Act, the VCDS acts as CDS in the latter's absence;
- as Chief of Staff to both the DM and the CDS, the VCDS co-ordinates cross-boundary issues, helps to resolve differences among Group Principals and Environmental Chiefs of Staff, and provides support to the DM and CDS; and
- as the senior resource manager at NDHQ, the VCDS develops and oversees the Department's strategic management and planning process and generates planning options and guidance to meet overall defence objectives.

The VCDS also reviews and oversees security and military police operations, and manages cadets and safety policy.

Assistant Deputy Minister (Policy) (ADM (Pol))

The ADM (Pol) is the principal source of defence policy advice and is responsible for:

- the analytical basis and policy options, as well as advice on and support in the formulation and execution of defence policy;
- advice and support in dealing with Cabinet and Parliament;
- advice and support on international defence relations;
- advice on managing issues bearing on national unity and relations with provincial governments;
- coordination of national policies and departmental relations with Foreign Affairs, the Privy Council Office, the Cabinet and Parliament;
- assistance in fostering and nurturing a national pool of expertise and interest in defence and international security issues;
- management of the Department's bilateral and multilateral defence and international security relations, including representation of Canada at UN, NATO and other meetings and on committees of those institutions; and
- management of the Military Training Assistance Program offered to Partnership for Peace nations and a number of developing countries.

Assistant Deputy Minister (Finance and Corporate Services) (ADM (Fin CS))

The ADM (Fin CS) is the senior financial officer of the Department of National Defence and the Canadian Forces. The ADM (Fin CS) is responsible for providing independent, objective financial-analysis and advice with respect to the operations and activities of both the Department and the Forces. Specific responsibilities include:

- providing a framework for sound financial management and comptrollership services across DND and the CF;
- assuring probity and compliance with financial legislation (e.g. the Financial Administration Act);
- providing the necessary support to develop strategic financial and budgetary planning options;
- ensuring effective systems support for resource allocation, and the effective control of public funds and departmental assets;
- ensuring the implementation of and adherence to central agency policies, and ensuring that parliamentary and central agency financial information requirements are met;
- providing support services for all units within the National Capital Region and CF units assigned abroad, and corporate services to NDHQ; and
- providing advice in respect to the Privacy and Access to Information Acts.

Assistant Deputy Minister (Materiel) (ADM (Mat))

The ADM (Mat) is responsible for ensuring effective materiel acquisition and logistics support to the CF and the DND. This involves a major role in the planning and implementation of the Long-Term Capital Equipment Plan, the National Procurement Plan to sustain in-service equipment, and logistics planning and support operations in general, including:

- developing and managing the materiel acquisition and support process for the Forces and the Department;
- developing and implementing logistics plans in support of the operational deployment, sustainment and redeployment of the Forces;
- contributing to the development of both Capital acquisition and National Procurement support plans and managing the budgets of these two corporate accounts;
- controlling and administering approved equipment projects;

- maintaining overall design authority of Forces' equipment and systems and providing certain aspects of engineering and maintenance, repair and overhaul;
- disposing of equipment;
- managing the research and development program; and
- overseeing defence materiel relations with other government departments and agencies, and with other governments and international organizations.

Assistant Deputy Minister (Infrastructure and Environment) (ADM (IE))

The ADM (IE) is responsible for the standard of infrastructure and environment support provided to the CF and DND. This involves the setting of policies for the delivery and maintenance of realty assets and providing advice on infrastructure and environment matters. In addition, the ADM (IE) is responsible for reporting on how effectively and efficiently realty assets are being managed. The ADM(IE) is responsible in particular for:

- developing and implementing Departmental policies, plans, and procedures for realty assets, fire protection, the environment, and nuclear safety programs;
- developing and implementing Department-wide performance measurement systems and reporting requirements for realty assets, the environment, and nuclear safety;
- managing corporate real property and the Corporate Environmental Program
- implementing construction projects;
- developing environmental strategies and policies, and promoting compliance with environmental legislation;
- providing advocacy and advice on fire protection, nuclear safety, environmental management, and aboriginal affairs;
- establishing the requirements for the Departmental Nuclear Safety Program, including nuclear safety policy (the Director General Nuclear Safety (DGNS) is equally responsible to the Deputy Minister and the Chief of the Defence Staff for regulating all nuclear safety activities and equipment in DND and the CF); and
- overseeing the Canadian Forces Housing Agency on behalf of the DM.

Assistant Deputy Minister (Human Resources ? Civilian) (ADM (HR-Civ))

The ADM (HR?Civ) is responsible for:

- identifying issues of critical importance to civilian human resource management and developing strategic plans to ensure an effective and sustainable workforce;

- providing human resource monitoring, management advice and strategic guidance on civilian human resources matters affecting DND and CF objectives;
- developing civilian human resource policies and programs that support government strategic objectives and DND and CF goals;
- providing human resource services in support of labour management relations, awards and recognition, recruiting, classification, staffing, education, training and professional development, career management and departure/retirement of DND personnel;
- managing corporate civilian human resource programs such as Employment Equity and Employment Assistance Program;
- maintaining and promoting effective relations with other government departments and central agencies as well as unions at the national level; and
- shared accountability between ADM(HR-Civ) and ADM(HR-Mil) for managing Official Languages and conflict resolution as well as overall HR Strategic Direction for DND and the CF.

Chief of the Maritime Staff (CMS)

The CMS is responsible for:

- exercising command of Maritime Command in accordance with the Canadian Forces Organizational Orders and as directed by the CDS;
- generating and maintaining operationally-ready maritime forces;
- providing advice on maritime force matters affecting security, national defence and the Canadian Forces;
- providing inputs to the development of force structure options and providing input from Maritime Command to the development of plans and taskings for CF operations;
- exercising command of assigned forces conducting force generation and routine operations; and
- exercising command of other forces that may be assigned.

Chief of the Land Staff (CLS)

The CLS is responsible for:

- exercising command of Land Force Command in accordance with the Canadian Forces Organizational Orders and as directed by the CDS;

- generating and maintaining operationally-ready land forces;
- providing advice on land force matters affecting security, national defence and the Canadian Forces;
- providing inputs to the development of force structure options and providing input from Land Force command to the development of plans and taskings for CF operations;
- exercising command of assigned forces conducting force generation and routine operations; and
- exercising command of other forces that may be assigned.

Chief of the Air Staff (CAS)

The CAS is responsible for:

- exercising command of Air Command in accordance with the Canadian Forces Organizational Orders and as directed by the CDS;
- generating and maintaining operationally-ready air forces;
- providing advice on air force matters affecting security, national defence and the Canadian Forces;
- providing inputs to the development of force structure options and providing input from Air Command to the development of plans and taskings for CF operations;
- exercising command of assigned forces conducting force generation and routine operations; and
- exercising command of other forces that may be assigned.

Deputy Chief of the Defence Staff (DCDS)

The DCDS provides operational direction to Canadian Forces in the field in non-routine and contingency operations and is the focus for integrated military planning and operations at NDHQ. The DCDS is responsible for developing plans and taskings for CF non-routine and contingency operations, and recommending the allocation of military resources required to effect such operations. The DCDS is responsible in particular for:

- exercising command and control of non-routine and contingency operations on behalf of the CDS;
- ensuring the effective production and dissemination of defence and scientific intelligence;

- overseeing Emergency Preparedness Canada on behalf of the DM; and
- overseeing joint responsibilities such as out-of-Canada activities, joint programs and common doctrine.

Assistant Deputy Minister (Human Resources - Military) (ADM (HR-Mil))

The ADM (HR- Mil) is responsible for:

- developing military human resource policies that support government objectives and DND and CF missions;
- providing human resource advice and strategic guidance on military personnel matters affecting DND and CF objectives;
- developing military human resource plans and programs to support DND and CF objectives, including plans for mobilization;
- providing military human resource services in support of recruiting, education, training and professional development, terms of services/career management and release of CF members;
- providing personnel services that support the morale, spiritual and physical well-being and quality of life of CF members;
- generating and maintaining health services to CF members in Canada and on deployed operations;
- maintaining operational nuclear, biological and chemical response capabilities;
- ensuring CF compliance with Government of Canada human resource legislation;
- managing corporate human resource programs such as History and Heritage;
- maintaining effective relations with other government departments and central agencies; and
- shared accountability between ADM(HR-Civ) and ADM(HR-Mil) for managing Official Languages and conflict resolution as well as overall HR Strategic Direction for DND and the CF.

Assistant Deputy Minister (Information Management) (ADM (IM))

The ADM (IM) is responsible for ensuring effective and efficient information management and exploitation of information assets in the support of the missions and operations of the Department and the Canadian Forces. This involves a major role in the planning and implementation of the IM portion of the Long Term Capital Equipment Plan as well as direct IM/IT support for day-to-day DND and CF operations including:

- setting strategic direction and plans for effective IM within DND and the CF;
- providing leadership, standards, policies, and architecture for the conduct of IM/IT projects, their subsequent implementation and eventual use in operations;
- providing common information management services and support to meet the corporate needs;
- providing the single Department focal point for an integrated information management environment;
- directly providing operational extensions of DND and the CF information environment in support of CF missions at home and abroad;
- providing leadership and services in the broad sense of information operations to meet the mission needs of DND and the CF; and
- providing a single departmental coordination and focal point for IM/IT interactions and interfaces with other Government Departments and Canada's allies.

Judge Advocate General (JAG)

The JAG is appointed by Governor-in-Council and acts as legal adviser to the Governor General, the Minister, the Department and the Canadian Forces in matters relating to military law.

In addition, the JAG is specifically entrusted with the superintendence of the administration of military justice.

The JAG is responsible to the Minister in the performance of the JAG's duties and functions.

Department of National Defence and Canadian Forces Legal Advisor

The DND and CF Legal Advisor, a unit of the Department of Justice, provides legal advice to the Department and Forces on matters other than military law and the military justice system, in accordance with the Department of Justice Act. The DND/CF LA is the primary legal service provider in the areas of legislative and regulatory services, pensions and finance, claims, materiel procurement, environment and real property, civilian labour relations, public laws including human rights, information and privacy matters and intellectual property issues.

Chief of Review Services (CRS)

The CRS assists senior level DND and CF managers and leaders in meeting their mandates by providing expertise and advice on management practices, carrying out

program evaluations and conducting independent audits, including investigations of suspected misuse of resources. The CRS also provides a corporate ethical and conflict of interest focus.

Defence Chief Scientific Advisor

The Chief Research and Development (CRAD) in the capacity as Defence Chief Scientific Advisor provides science and technology advice to the DM and the CDS. It is planned that the CRAD organization will become a special operating agency or defence agency and that the new position of Assistant Deputy Minister (Science & Technology) will fulfil the role of scientific advisor.

ADM(PA) - Assistant Deputy Minister (Public Affairs)

The ADM(PA) is responsible for the management of all aspects of defence-related public affairs. This involves communicating and promoting understanding of defence policies, programs and activities to the public and internally to members of the Defence Team.