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Item No. 9.1.3
Board of Police Commissioners
January 12, 2018

TO: Chair and Members of the HRM Board of Police Commissioners

SUBMITTED BY:

Chief Jean-Michel Blais, Halifax Regional Police
Chief Superintendent Lee Bergerman, Halifax District RCMP

DATE: January 12, 2018

SUBJECT: Review Report of Draft Board of Police Commissioners Policies

ORIGIN

At the December 11, 2017 Board of Police Commissioners meeting the following motion was moved and adopted:

MOVED by Commissioner Graham, seconded by Commissioner Mason,

THAT the Board of Police Commissioners request:

- a) Legal Service review of the proposed policy for legislative compliance with the Police Act, By-Law P-100, and returned to the Board with comments for the January 2018 meeting; and
- b) the Chief of Police HRP and Chief Superintendent RCMP Halifax Division review and provide written comment for the Commissions consideration during the January 2018 meeting; in order that the Board may consider the comments and make amendments to allow final adoption of the policies in February 2018.

LEGISLATIVE AUTHORITY

- *HRM Charter*, Section 21 respecting the procedures of Advisory Committees.

- HRM By-Law P-100 Respecting the Board of Police Commissioners for the Halifax Regional Municipality, in particular, section 8(2)(c): "The Board in accordance with the Nova Scotia *Police Act* and HRM Bylaws may in consultation with the Chief of Police, review priorities, goals, and objectives of the municipal police service."

RECOMMENDATION

The present report details the comments in part (b) of the above-mentioned motion.

BACKGROUND

As part of the development and eventual adoption of the above-noted policies, the HRM Board of Police Commissioners solicited both police services operating in HRM to provide comment. The document in question, referred to in the motion, is not a single policy as such, but comprises an introduction and five separate policies as listed:

- Policy Adoption Policy;
- Board Procedures Policy;
- Role of Chair, Meetings, Procedures Policy;
- Communications and Community Outreach Policy;
- Accountability and Reporting Policy.

The document in question was reviewed by Superintendent Colleen Kelly, Deputy Chief Robin McNeil and Chief Jean-Michel Blais from HRP as well as Inspector Robert Doyle and Chief Superintendent Lee Bergerman of Halifax District RCMP. It is currently being reviewed by RCMP Legal Services which has indicated it will need further time to study the document.

DISCUSSION

Our comments centre around four general areas of concern:

- 1) **Policy creation:** Several questions have been raised regarding the role of the Board in policy creation which includes conception, development and approval. Does the Board truly wish to be 'the initiator of policy' involved in the actual writing of same or simply as an overseer? How will this process look like? In the event the policy deals with operational questions of day-to-day policing, does this not contravene the *Act* or can the Board nonetheless provide some policy guidance to HRP. The legislation appears to only give this authority regarding HRP and cannot apply to the RCMP where policy is governed at the national and divisional levels and in rare occurrences, at the district level.

Another issue around policy is the actual writing and publishing of same by HRP. On occasion, policy may be short and be required very quickly which would pose problems around adoption or consultation with the Board due to the limited number of meetings.

- 2) **Authority of the Board over the RCMP:** Ambiguity exists in the document on the authority of the Board over Halifax District RCMP and the language needs to be consistent throughout. Language about posting policy upon direction of the Board could be problematic for the RCMP which is predominantly established at the divisional level beyond Halifax District's purview. The RCMP does not have a system of departmental orders as does HRP so the language around publication requires clarification. As well, clarity around Board direction versus recommendation in its capacity as an advisory role is also required. RCMP Legal Services has indicated that it requires more time to review the policy proposal.

- 3) **Annual reporting to the Board by the police services:** Both services have concerns around the reporting requirements, particularly as they relate to an annual report. As the Board has chosen to adhere to the Canadian Centre for Justice Statistics (CCJS) reporting methodology and as CCJS already maintains such reports, as well as the fact that Board also promotes the usage of the MBN Canada benchmarks, would it not be better to defer to CCJS reports and continue the present approach of providing quarterly statistics with modifications as required?
- 4) **Factual, spelling and syntax errors:** As with any draft document, there are bound to be errors in the text. Rather than reproduce the same in this report, a copy of the policies in Word format will be submitted to the Board with those corrections indicated with either 'track changes' or inserted comments.

FINANCIAL IMPLICATIONS

There are no identified financial implications at this this time.

RISK CONSIDERATION

None identified.

COMMUNITY ENGAGEMENT

None identified.

ENVIRONMENTAL IMPLICATIONS

There are no identified environmental implications.

ALTERNATIVES

None identified.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared and Approved by:

Jean-Michel Blais, Chief, HRP, 902-490-6500

Lee Bergerman, Chief Superintendent, Halifax District RCMP

Attachment A

Introduction

The Halifax Board of Police Commissioners is the civilian board that provides governance and oversight to the Halifax Regional Police. The Board also functions as an Advisory Board to Halifax District of the Royal Canadian Mounted Police as it performs contractual policing services for the Halifax Regional Municipality. The Commission is a statutory body created by the *Police Act* of Nova Scotia (NS 200). There are seven members of the Board: six are appointed by Halifax Regional Municipality Council and the seventh appointed by the Nova Scotia Minister of Justice. Of the six appointed by HRM Council, three of the members are HRM Councillors and three are community members.

The Board of Police Commissioners is the link between the community and the police service. The Board's authority derives from the NS *Police Act* giving the Commission the mandate to establish strategic direction for policing to ensure the needs and values of the community are reflected in the day-to-day operations and policies of the policing service.

This manual outlines the policies that will guide the Halifax Board of Police Commissioners as it establishes its vision, mission, values, strategic planning and work plans to fulfill its mandate.

Policy Adoption Policy

Original Implementation Date		Approved by	
Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Policy Name

Board Policy Adoption Policy

2 - Purpose

The policy provides direction to the Halifax Regional Police (HRP) and Royal Canadian Mounted Police Halifax District (RCMP) regarding the adoption and legal effect of policy under the jurisdiction of the Halifax Regional Municipality (HRM) Board of Police Commissioners.

3 - Objectives

This policy outlines the legal authority, scope and effect of policies adopted by the Board.

4 - Scope

The policy applies to the HRP and Halifax District RCMP.

5 - Definitions

In the context of this document:

Act means the *Police Act* (NS) 2004 as amended

Board means the Halifax Board of Police Commissioners

Chiefs means the Chief of Police of HRP and the Chief Superintendent of Halifax District RCMP

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Member(s) means Halifax Board of Police Commissioner(s)

RCMP means the Royal Canadian Mounted Police Halifax District

6 - Policy Regulations

The Chiefs are responsible to post this policy and subsequent policies as outlined in Section 7 below according to their respective publishing mechanisms.

7 - Roles and Responsibilities

1. The Board is created by the *Police Act* 2004 as amended.
2. The Board has responsibility to provide Halifax Regional Police “the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department” per s55 (1) (b) of the *Act*.
3. The Board may from time-to-time adopt policy per s55(1)(b) of the *Act*, and the Chief shall cause that policy shall be posted as an HRP Departmental Order to all sworn and unsworn members provided it does not contravene the dispositions of ss55(c) to (e).
4. The Board shall adopt policy per regarding extra-duty and off-duty employment as per s56 of the *Act* and the Chief shall cause that policy shall be posted as an HRP Departmental Order to all sworn and unsworn members.
5. The Board is additionally responsible to provide direction to both HRP (s55) and RCMP (s68), as outlined in the *Act* s55 & 68 (3) (a) “determine, in consultation with the chief officer, priorities, objectives and goals respecting police services in the community” and s55 & s 68(3)(f) “recommend policies, administrative and organizational direction for the effective management of the police department”.
6. The Board may from time to time recommend the Chiefs adopt policy per the *Act* s55 (3) (f) and/or s68 (3) (f) and such policy if advice should it be accepted will be posted for HRP and RCMP officers as HRP and/or RCMP Departmental Order to all sworn and unsworn members.
7. The Board may from time to time adopt policy regarding any other duty and responsibility outlined for the Board in the *Act*.

Commented [BJM1]: RCMP does not use departmental orders...

8 - Repeal

Not applicable.

9 - Effective Date

The date the policy comes into force DATE ADOPTED

10 - Related Policies and Practices

Not applicable.

11 - Policy Review

This policy should be reviewed every four years and when the *Act* is amended.

12 - Contact

Who provides support for this.

13 – Attachments

Not applicable.

Board Procedures Policy

Original Implementation Date		Approved by	
Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Policy Name

Board Procedures Policy

2 - Purpose

The policy provides direction to the Halifax Regional Police (HRP) and Royal Canadian Mounted Police Halifax District (RCMP) regarding role and governance functions of the Halifax Board of Police Commissioners (the Board).

3 - Objectives

This policy outlines the legal authority, scope and effect of policies adopted by the Board.

4 - Scope

The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the *Police Act*, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (Council) (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contractual policing service with the Halifax Regional Municipality. (s 68(1)).

5 - Definitions

In the context of this document:

Act means the *Police Act* (NS) 2007 as amended

Board means the Halifax Board of Police Commissioners

Chiefs means the Chief of Police of HRP and the Chief Superintendent of Halifax District RCMP

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Member(s) means Board of Police Commissioner(s)

RCMP means the Royal Canadian Mounted Police Halifax District

6 - Policy Regulations

The Chiefs are responsible to post this policy as a departmental order.

7 - Roles and Responsibilities

7.1 Legislative Authority of the Board

1. The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the *Police Act*, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (Council) (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contractual policing service with the Halifax Regional Municipality. (s 68(1)).
2. The *Police Act* establishes six main governance functions:
 - a. The Board provides policy and strategic direction for both Halifax police services and ensures it is implemented.
 - b. The Board engages with the community to ensure that the goals and strategies of the police services reflect the community values, needs and expectations.
 - c. The Board provides written direction to the Chiefs by resolution passed by the Board or adoption of policy by the Board.
 - d. The Board is responsible to ensure the creation of a budget for HRP and for presenting the budget to Regional Council.
 - e. The Board is responsible to evaluate the performance of the Chief of Police (HRP).
 - f. The Board has an oversight role in responding to complaints, discipline or personnel conduct relating to the Chief of Police (HRP).
3. Under the *Police Act* (s 55 (3 a-g) & 68 (3 a-g)) the Board is responsible to provide the following direction to both the HRP and RCMP, specifically to :
 - a. determine, in consultation with the Chief of Police (HRP) and the Chief Superintendent (RCMP) (the Chiefs) or a designate the priorities, objectives and goals respecting police services in the community;
 - b. ensure the Chiefs establish programs and strategies to implement the priorities, objectives and goals respecting the police services;
 - c. ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
 - d. ensure that police services are delivered in a manner consistent with community values, needs and expectations;
 - e. act as a conduit between the community and the police services;
 - f. recommend policies, administrative and organizational direction for the effective management of the police services;

Commented [MR2]: 53(1) the board shall annually cause the Chief to Prepare...

Commented [BJM3]: Does the Board wish to contribute to the C/Supts annual assessment as had been done in the past?

- g. review with the Chiefs information provided by them respecting complaints and internal discipline; and
 - h. on behalf of the Board, the Board chair or the chair's delegate may give advice or direction, in writing, to either or both chief officers on any matter within the jurisdiction of the Board under this *Act*, but not to other members of the police service and, for greater certainty, no other member of the board shall give advice or direction to a member of the police services (s 52 & 66).
4. With respect to the Halifax Regional Police, the Board is responsible for the following (s 54 (1-3), s 55 (1b), s 55 (3h-i)):
 - a. The Board shall annually cause the Chief of Police to prepare a budget for the Halifax Regional Police;
 - b. The budget shall be submitted to Halifax Regional Council by the Board;
 - c. The Board shall ensure that administrative direction, organization and policy required to maintain an adequate, effective and efficient police department is established subject to the *Police Act* and the municipal Bylaw P100 on Policing;
 - d. The Board shall ensure a strategic plan and business plan is in place; and
 - e. The Board shall ensure the department is managed by the Chief of Police according to best practices and that it operates effectively and efficiently.
 5. The Board shall not exercise jurisdiction relating to (s 55 (1 c-e) & s 68 (1)):
 - a. complaints, discipline, personnel conduct or the internal management of HRP or the RCMP, except in respect to the Chief of Police;
 - b. a specific prosecution or investigation; or
 - c. the actual day-to-day direction of the police department.

7.2 Board Mission, Vision and Guiding Principles

1. The Board's Mission is to provide independent civilian oversight, governance, and strategic leadership to the HRP and the RCMP within Halifax, reflecting the needs, values and diversity of Halifax's communities.
2. The Board shall review its mission, vision, guiding principles and strategic plan annually.
3. The Board shall be guided by a Strategic Plan which reflects its future goals and objectives and which the Board updates regularly.
4. The Board shall create an annual work plan no later than April 1 of each year.

7.3 Independence and Jurisdiction Policy of Police Board

1. The Board's primary purpose is to preserve policing independence from political interference while ensuring civilian oversight of the powers of the police.
2. The Board of Police Commissioners is an entity that the *Police Act* states must be created by any municipality that establishes a municipal police department. The *Police Act* states a Police

Advisory Board must be created by any municipality receiving policing services in whole or in part from the Royal Canadian Mounted Police or the Provincial Police.

3. As Council elects to share responsibility for policing between HRP and the RCMP, the Board has a dual role. Firstly, it acts as a governing board for HRP. Secondly it acts as an advisory board to the RCMP pursuant to s. 57 (1) of the *Police Act*.
4. The Board has a unique relationship with the municipal council and it exists, in part, to insulate the police services from the political decision making process. The Board is responsible for ensuring that the police provide effective and efficient services. The municipal council provides the Police Department with an annual budget to achieve these objectives.
5. The RCMP follows policy and governance established by the Federal government and is not subject to civilian oversight. Therefore the Board acts in an advisory capacity only.
6. The Board ensures the independence of the operation of policing in Halifax, but HRP is also functionally a department of the municipality. The municipality's non-policing policies apply to HRP, such as finance, procurement, and human resources.
7. While the Board approves the operating budget of HRP, the CAO and the municipality provide and are responsible for day-to-day oversight, financial and audit controls for HRP. HRM, through the Board, is to assure that sufficient resources are provided and/or contracted to provide adequate, effective and efficient police services to HRM.
8. The work of the police services necessitates confidentiality and adherence to security protocols and, to that end, the Board will adopt regulations and procedures to closely restrict access to, and disclosure of, information under the authority of the police services. Board's independent status is achieved by ensuring accountability for oversight of the police services and their employees.
9. The Board is responsible for ensuring that the security and confidentiality interests of the police services, and the safety interests of the public and Department are protected. Advancing of joint ventures or shared services with municipal council or any other agency can only occur where the Board is satisfied that confidentiality and security issues have been properly addressed.

Commented [BJM4]: Council, council or municipal council?
Need to be consistent.

7.4 Composition of Board, Selection and Appointments

1. The *Police Act*, sections 44(4) & 57(4) requires that the Board consist of seven members: three members of council appointed by resolution of the council; three members appointed by resolution of the council, who are neither members of council nor employees of the municipality; and one member appointed by the Minister of Justice.
2. The Board will determine the composite skills it requires to meet its responsibilities and maximize its success, and the elements it requests with respect to tenure and the rotation of members, subject to the adoption by Council of a revised P100 bylaw per the staff report approved by Council dated June 12, 2017.
3. The Board strives to reflect the diversity and make-up of the HRM population and seeks to include members representing diverse communities.

7.5 Board Governance Style and Commitment

1. As a statutory governance body, the Board must be and be seen to be:
 - a. operating in all ways mindful of its civic trusteeship obligation to the public and accountability for the governance and/or advising the police services;
 - b. independent of the police service administration and management, political affiliation and interest groups;
 - c. subject to the needs of confidentiality and security, open, transparent, and accessible to both the public and the police services; and
 - d. responsive to the community.
2. The Board shall govern collaboratively and in a way that emphasizes outward vision. It shall encourage strategic leadership rather than administrative detail and shall maintain a clear distinction between Board governance and the Chiefs' roles as chief executive officer or superintendent of the police services.
3. Attendance at all regular meetings by all Commissioners is preferred in order to ensure quorum is met. Commissioners have the obligation to inform the Chair if they are not able to attend a meeting in person.
4. The Chair, Vice Chair and the Chiefs or their designates will meet no later than five (5) days in advance of the regularly scheduled meeting to establish the agenda and confirm the agenda and to plan the upcoming meeting agenda so that agenda setting is established in advance.
5. The Board and Chiefs shall commit to the following guiding principles with respect to their relationship and responsibilities:
 - a. acknowledge the importance of goodwill between each other;
 - b. respect each other's roles, interests and accountabilities;
 - c. give each other the benefit of the doubt, accept honest mistakes and seek explanations before reacting;
 - d. recognize and respect each other's decision-making processes and lines of authority;
 - e. acknowledge that the Board's mandate is summarized as general oversight and setting of policing ~~policy~~; and
 - f. recognize that the Chiefs are responsible for daily policing and all operational matters.
6. Communications between the Board and ~~Chief~~ shall:
 - a. promote common understanding
 - b. promote quick and effective resolution of issues, and
 - c. build stronger relationships; information shall be shared to the fullest extent possible and be undertaken in an atmosphere that promotes clarity, transparency, openness and trust.
7. The Board and its members shall be responsible for excellence in governing. The Board itself shall be the initiator of policy, in addition to responding to policy initiatives from staff. The Board shall use the expertise of individual Board Members to enhance the performance of the Board as a body.

Commented [MR5]: As above

Commented [BJM6]: Chiefs

8. The Board shall direct, control and motivate the organization through the careful establishment of broad organizational policies reflecting the community's values.

7.6 Delegation to and relations with the Chiefs

1. The Chiefs have command of their respective police services, subject to the policies and general supervision of the Board, and is accountable to the Board.
2. The Chiefs have general authority to make the operational and administrative decisions required to operate the Police Department. The Chiefs' legislative roles and duties are set forth in s. 38 of the *Police Act*, the
3. The Board provides direction through the Chiefs by way of motion and adoption of policy.
4. The Board instructs the Chiefs through approved Board policies, and detailed operational policies are to be developed by the Chief in furtherance of Board policy.
5. Only decisions of the Board acting as a body are binding upon the Chiefs:
 - a. Decisions or instructions of individual Commissioners or committees are not binding on the Chiefs;
 - b. In the case of Commissioners requesting information or assistance without Board authorization, the Chief has the option of bringing such requests to the Board if, in the Chief's judgement, a material amount of staff time or funds are required.
6. The Chiefs shall ensure that his/her actions and those of the police services will not compromise the independence of the Board.
7. The Chiefs may delegate authority to the extent that he/she considers appropriate, but remains personally responsible for all activities of their service.

7.7 Confidentiality

1. Notwithstanding the need for Members to make informed decisions on issues before the Board by obtaining input from internal and external sources, Members are to ensure that information that is normally considered confidential (i.e. financial, legal and personnel issues) is not disclosed to any outside person unless authorized.
2. Police services and municipal police commissions and advisory boards in Nova Scotia are subject to the *Freedom of Information and Protection of Privacy Act*. Members have a duty to understand the key sections of this *Act* and must avoid disclosing any verbal or written material that is meant to be confidential concerning the service, its officers, staff members or clients.
3. Members must not disclose or use confidential information gained by virtue of their association with the Department for personal gain, or to benefit friends, relatives or associates.

7.8 Board Committees, Panels and Liaison Functions

1. The Board may create committees by resolution and adopt terms of reference. The terms of reference will define membership, extent of public involvement and participation, mandate, scope of activities, and require the committee to make recommendations to the Board.
2. Any Board member is eligible to attend a committee meeting.
3. The Board may delegate tasks and projects to the committees, including preparing of policy alternatives and implications for Board deliberation.
4. Board committees may not speak or act for the Board.
5. Committee members shall deal directly with the Chiefs, or his/her designate(s), when services are required from a staff of the Department to assist the committee.
6. This policy does not apply to committees formed under the authority of the Chiefs.

7.9 Board Member Orientation

1. The Board shall cause a Board orientation toolkit and process to be created and this policy amended to include it no later than September 2018.

7.10 Travel and Training

1. Board Members are encouraged to participate in training sessions and conferences of the Nova Scotia Association of Police Governance and Canadian Association of Police Governance, and to take advantage of other training opportunities that will increase their knowledge and capabilities as a Board Member.
2. Board Members are eligible to be reimbursed for all reasonable expenses incurred while on Board business travel or attendance of training sessions.
3. A Member's expenses are reimbursed upon the submission of receipts and explanatory expense statements, and must be in accordance with to HRM travel policies and submitted through the CAO's office.
4. Business travel of Board Members is authorized by the Chair after consultation with the CAO, if expenses are to be paid by the Board.

7.11 External Memberships

1. The Board supports the purpose of the Nova Scotia Association of Police Governance and Canadian Association of Police Governances, and shall be a member of both organizations. Board membership in organizations requires amendment to add them to this list.

7.12 Board Assessment Process

1. The Board recognizes the need to assess the governance functions and performance of the Board. The Board shall establish a board assessment review process to assess the board and review the policies and board manual annual, no later than December 2018.

8 - Repeal

Not applicable.

9 - Effective Date

The date the policy comes into force DATE ADOPTED

10 - Related Policies and Practices

Not applicable.

11 - Policy Review

This policy should be reviewed every four years and when the Act is amended.

12 - Contact

Who provides support for this.

13 – Attachments

Not applicable.

Role of Chair, Meetings, Procedures Policy

Original Implementation Date		Approved by	
Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Policy Name

Role of Chair, Meetings, Procedures Policy

2 - Purpose

This policy describes the way meetings will be conducted, explains the role and responsibilities of the Chair and Vice Chair as well as the selection and conduct of board members.

3 - Objectives

This policy outlines the legal authority, scope and effect of policies adopted by the board.

4 - Scope

The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the Police Act, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (Council) (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contractual policing service with the Halifax Regional Municipality. (s 68(1))

5 - Definitions

In the context of this document:

The Act means the *Police Act* (NS) 2004 as amended

The Board means the Halifax Board of Police Commissioners

The Chiefs means the Chief of Police of HRP and the Chief Superintendent of Halifax District RCMP

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Member(s) means Board of Police Commissioners

RCMP means the Royal Canadian Mounted Police Halifax District

6 - Policy Regulations

The Board is responsible to ensure this policy is implemented.

7 - Roles and Responsibilities

7.1 Role of Chair at Board meetings

1. The Chair of the Board presides over meetings of the Board. Should the Chair not be present, or vacate the chair temporarily or permanently, the Vice-Chair will act in the Chair's place.
2. Should neither Chair or Vice-Chair be present or available, and if quorum is otherwise obtained, the Board shall elect an Acting Chair for the meeting until such time the Chair or Vice-Chair is available.
3. The duties of the Chair with respect to the Board meetings shall include:
 - a. calling the meeting to order;
 - b. announcing items of business;
 - c. deciding, subject to appeal, all questions of order and procedure; and preserving order and decorum
 - d. developing the Board meeting agenda, in consultation with the Chiefs
 - e. managing difficult issues in Board meetings to ensure consensus
 - f. chairing the meeting following the municipality's Administrative Order One
The Procedure of Council Administrative Order except where noted in this policy, and approved by Council as per the Police Act
4. A copy of the relevant sections of Administrative Order One will be attached to this policy as Appendix A
5. The Chair's primary roles are to:
 - a. To Chair the Board meetings and manage, organize, set agendas for and attend meetings, ensuring that all policies developed by the board are appropriately implemented;
 - b. To develop an operations and policy manual that will assist in the orientation of new appointees and direct acting board members regarding their roles and responsibilities;
 - c. To ensure that board members are informed of matters within the board's jurisdiction;
 - d. To act as the sole spokesperson for the board;
 - e. In conjunction with board members and in consultation with the Chief Administration Officer of the municipality, to evaluate the performance of the Chief of Police (HRP) on a yearly basis (preceding sections a-e from Police Act Regulations s 78);

- f. Work closely with the Chief of Police (HRP) and the Chief Superintendent (RCMP) (the Chiefs) to ensure effective relations and communications with Board members, the police services, the municipality and the public.
6. The Chair is an ex-officio member of committees where the Chair is not appointed as a full member.
7. When the Chair is unavailable due to holidays or business travel, or absent because of illness, the Vice-Chair, shall act in his or her place until such time as the Chair returns and is able to resume his/her responsibilities.
8. While presiding over a meeting of the Board or acting during an absence of the Chair, the Vice-Chair has and may exercise all the same rights, powers, and authority of the Chair.
9. Per Administrative Order One, the annual regular meeting schedule, agenda, minutes and reports shall be available on the Board website.
10. The Board may hold some of its meetings in community locations, which will be determined by the Board when setting the annual meeting schedule.

7.2 Delegations/Presentations to the Board

1. No Delegation shall address the Board more than twice in a calendar year without prior approval of the Board.
2. Any person or persons (a “delegation”), not being a Member or employee of the Board, wishing to address a regular Meeting of the Board, shall make a request to the Clerk’s Office in writing by noon, one week in advance of the Board meeting, and include the topic that the delegation is speaking to. There may be no more than four delegations scheduled to appear at a given Board meeting and all speaking topics must meet the criteria in this policy.
3. To ensure meaningful and effective use of the Delegation time, the following criteria shall apply to ascertain appropriate speaking topics. The topic should:
 - a. Relate to police services or policies;
 - b. Affect a segment of the community, as opposed to a single individual;
 - c. Relate to a strategy of policing, as opposed to a single action by an officer(s);
 - d. Relate to the Board’s oversight mandate, as opposed to day-to-day police operations;
 - e. Not relate to a conduct complaint within the jurisdiction of the Office of the Police Complaint Commissioner;
 - f. Not be a substantial repeat of information presented by the delegate to the Board within the past 6 months.
4. The Chair shall monitor any delegation that does not adhere to its topic.

5. Speaking time for a delegation shall be limited to a maximum of five minutes. A time extension may be given by agreement of the Board.
6. A written submission by the delegation and a list of persons attending, wherever possible, shall be filed with the Clerk's Office for distribution with the meeting agenda.
7. Members shall not enter into debate with the delegation upon the completion of their presentation. Members should only ask questions for clarification and obtaining additional, relevant information.
8. No delegation at either a regular Meeting or Special Meeting of the Board shall: (1) speak disrespectfully of any person; (2) use offensive words or unparliamentary language; (3) speak on any subject other than the subject for which they have received approval to address the Board; or (4) disobey the rules of procedure or a decision of the Chair.
9. The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this policy and, where the Chair rules that the delegation is concluded, the delegation shall immediately withdraw.
10. The Board will not hear any delegation concerning a conduct complaint against officers of the police service, but will refer the delegation to the appropriate oversight body, which is the Office of the Police Complaint Commissioner.

7.3 Board member selection process

1. The Police Act regulations states:

s76 The selection process used by a council in appointing a board member to a vacancy on the board, except a board member appointed by the Minister under clause 44(3)(c) of the Act, must include all of the following:

 - a. the board vacancy must be advertised and applications must be solicited for the vacancy;
 - b. each application must be reviewed by a panel established by the council.
2. The Board shall work with Council and the Province to ensure recruitment of new board members considers the following: necessary skill sets, broad advertising of the position, proactive recruitment, interview process and questions, make-up of the selection committee, appointment process, staggered timelines of appointments, and opportunity for outgoing members train and orient new members.

7.4 Board member qualifications

The Police Act regulations states:

s77 (1) To be a candidate for appointment as a board member under Section 76, a person must demonstrate all of the following qualifications to the satisfaction of the council:

- a. residence in the municipality served by the board;
- b. knowledge of community issues;
- c. a good character;
- d. the skills and abilities to make the commitment of time and effort required to carry out board responsibilities.

(2) To be a candidate for appointment as a board member under Section 76, a person must consent to criminal and background checks.

(3) A person must not be appointed as a board member if criminal and background checks show that the person has been convicted of any criminal offence or has been or is the subject of a disciplinary proceeding in any jurisdiction that, in the opinion of the council, would reasonably be expected to have a negative impact on their acting as a board member or on the board generally.

New and prospective board members will be prepared to participate in at least one three hour Board meeting each month, an additional two hour committee meeting per month, as well as significant reading and preparation for meetings.

7.5 Code of conduct for board members

The *Police Act* regulations states:

S79(1) A board member must do all of the following:

- a. uphold the letter and spirit of the code of conduct set out in this Section and discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board;
- b. unless they have a reasonable excuse, attend every board meeting;
- c. not interfere with the police department's operational decisions and responsibilities or with the day-to-day operation of the police department, including the recruitment and promotion of officers;
- d. keep confidential any information disclosed or discussed at a board meeting;
- e. not claim to speak on behalf of the board unless authorized by the chair of the board to do so;
- f. discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law;
- g. discharge their duties in a manner that respects the dignity of individuals and is in accordance with the Human Rights Act and the [Canadian] Charter of Rights and Freedoms (Canada);
- h. not use their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated;
- i. immediately resign from the board if applying for employment with a police department, including employment on contract or on fee for service;
- j. refrain from engaging in professional or personal conduct that could discredit or compromise the integrity of the board or the police department;

- k. if their conduct or performance is the subject of investigation or inquiry, temporarily withdraw from all board activities and duties as a member of the board until the completion of the investigation or inquiry.
- (2) If the chair or the majority of the board determines that a board member has breached the code of conduct for board members, the board must record that determination in its minutes.
- (3) On determining that a board member has breached the code of conduct for board members, the board may take one or more of the following actions:
- a. issue a reprimand to the board member;
 - b. order a period of suspension for the board member;
 - c. recommend to the Minister or the council that the board member be dismissed under subsection 44(7) of the Act.

8 - Repeal

Not applicable.

9 - Effective Date

Date adopted.

10 - Related Policies and Practices

Not applicable.

11 - Policy Review

This policy should be reviewed every four years and when the Act is amended.

12 - Contact

Who provides support for this.

13 – Attachments

Not applicable.

Communications and Community Outreach Policy

Original Implementation Date		Approved by	
Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Policy Name

Communications and Community Outreach Policy

2 - Purpose

This policy describes the responsibility of the Board to provide civilian oversight and to reflect the needs and values of the community.

3 - Objectives

This policy outlines the commitment to engage with the community as defined by the Police Act.

4 - Scope

The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the Police Act, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (Council) (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contractual policing service with the Halifax Regional Municipality. (s 68(1)).

5 - Definitions

In the context of this document:

Act means the Police Act (NS) 2007 as amended

Board means the Halifax Board of Police Commissioners

Council means Halifax Regional Council

Chiefs means the Chief of Police of HRP and the Chief Superintendent of of Halifax District RCMP

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Member(s) means Board of Police Commissioner(s)

RCMP means the Royal Canadian Mounted Police Halifax District

6 - Policy Regulations

Halifax Board of Police Commissioners
Draft Policy Manual
December 2017

The Chiefs are responsible to post this policy as a departmental order.

7 - Roles and Responsibilities

7.1 Consultation and Community Outreach

1. The Board's mandate includes the initiation of policies that reflect community need and enhance the effectiveness of the police service. The Board operates within a highly public environment and recognizes that the actions of the police services have a significant public impact. Accordingly, the Board shall:
 - a. Provide opportunities for the community to give input on areas of interest or concern to them, via such mechanisms as Board meetings in the community, invitations to community members and stakeholders to speak at Board meetings and meetings and workshops with stakeholders.
 - b. Provide opportunities at Regular Meetings of the Board for a person or persons to appear as a delegation and present to the Board.
 - c. Provide an Annual report to Council
 - d. Ensure an accountability, metrics framework is developed through community engagement, polling, and other means to report and measure crime and victimization, police activities and deployment, police resources and trust and confidence aligning with national performance measures.
 - e. Provide the board with crime statistical information and crime trends
 - f. Ensure timely reporting of any other developments that have a significant and material effect on the police services.
 - g. Build relationships with board members of other police services at the provincial and national levels and, where possible, have at least one representative at meetings of the Nova Scotia Association of Police Governance, the Canadian Association of Police Governance, and special consultations with Government.
2. The Board shall, as a part of its annual work plan, create an annual engagement plan that outlines a schedule of public meetings and locations as well as a communications plan for the engagements.
3. The Board may choose to have additional public engagements should circumstances warrant.

7.2 Internal communications

1. The Chiefs shall take all reasonable steps to ensure that the Board is fully informed about all major issues that have significant financial, operational, or public interest implications that may be of concern to the community, as soon as is practicable.
2. The Chiefs shall direct that all official media releases be provided to the Board at the time they are released to the media.

3. As a general principle, Board Members shall have timely access to information under the control of the police services and shall direct all requests for such information and advice related thereto to the offices of the Chiefs, or as otherwise determined in consultation with the Chiefs.
4. The Chiefs shall attend regularly scheduled meetings of the Board and, as otherwise requested by the Board. Police staff attendance at In Camera Board meetings shall be coordinated with the Chiefs and be at the request of the Board. Information from engagement, surveys, statistical analysis and other means shall be utilized to develop and revise the Board's strategic plan, create and revise policy and provide direction to the Chiefs if warranted.

7.3 Communicating with Halifax Regional Council

1. The Board shall approve any formal reports and information tabled with Council or any of its Committees which have significant financial, operational, or public interest implications. This shall not apply to the quarterly financial reviews presented to the Audit and Finance standing committee of the municipality. Board members may attend such presentations and if they so choose they will be briefed accordingly by the Chiefs.
2. Formal communication between the Board and the Council, or Board and administration of the Halifax Regional Municipality, is conducted through the Chair unless otherwise specified by the Board.
3. The Chair shall cause the budget and annual report of the Board to be presented to Council or designated standing committee annually.
4. The Board shall pursue a positive and productive working relationship with the Council and promote opportunities for dialogue between the Board and Council.
5. The Chief of Police of HRP has the obligation and authority to meet with and participate in operational discussion with the CAO and HRM staff, as outlined in Bylaw P100 and Board Policy on Roles and Responsibilities section 16.

8 - Repeal

Not applicable.

9 - Effective Date

Date adopted.

10 - Related Policies and Practices

Not applicable

11 - Policy Review

This policy should be reviewed every four years and when the Act is amended.

12 - Contact

Who provides support for this.

13 – Attachments

Not applicable.

Accountability and Reporting Policy

Original Implementation Date		Approved by	
Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Policy Name

Board Accountability and Reporting Policy

2 - Purpose

The policy provides direction to the Halifax Regional Police (HRP) and Royal Canadian Mounted Police (RCMP) regarding the adoption and legal effect of policy under the jurisdiction of the Board of Police Commissioners (the Board).

3 - Objectives

This policy outlines the authority, scope and effect of policies adopted by the Board generally, and to specifically outline expectations of accountability, performance reporting and the effective and efficient use of resources as per s 55(3)(a-g) and s 68(3)(a-g) of the *Police Act*.

The Board is responsible for the effective reporting by the police services to HRM Council, the Minister and citizens of HRM. Reporting must assure that priorities, objectives, goals, programs and strategies are effective and efficient, and are delivered consistent with community values, needs and expectations.

4 - Scope

The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the *Police Act*, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contracted policing service within the Halifax Regional Municipality (s 68(1)).

5 - Definitions

In the context of this document:

Act means the Police Act (NS) 2007 as amended.

Minister means the Minister of Justice and Attorney General under the Act.

Board means the Halifax Board of Police Commissioners.

Chiefs means the Chief of Police of HRP and the Chief Superintendent of of Halifax District RCMP

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

RCMP means the Royal Canadian Mounted Police, Halifax District.

Member(s) means Halifax Board of Police Commissioner(s)

CCJS means the Canadian Centre for Justice Statistics, Statistics Canada.

PSC means Public Safety Canada.

POLIS means the Police Information and Statistics Committee of the Canadian Association of Chiefs of Police (CACAP).

6 - Policy Regulations

The Board is responsible to post this policy for the public through the method supplied by HRM, and the Chiefs are responsible to post this policy and subsequent policies within their organizations.

7-Accountability and Reporting

1. The Board is responsible to ensure HRP and RCMP have adequate resources to deliver the services expected of them by the citizens of HRM. Equally, the Board is responsible to assure that services are provided in a transparent, effective, and efficient manner in accordance with the established and planned priorities, objectives, goals, programs and strategies as approved by the Board for RCMP and HRP.
2. The Board assures accountability of HRP and RCMP using widely accepted reporting metrics identified through practice, agreed-to outcomes aligned with community priorities, objectives and goals, reports of HRM, and other collected data. The Board also relies on professional and academic research, and the work of CCJS and POLIS, and other sources as appropriate.
3. The Board uses a reporting methodology based on “Four Pillars” as recognized by POLIS and CCJS so as to ensure relativity across the Canadian police context. These Pillars are:
4.
 - **Pillar 1: Crime and Victimization** –police services are reducing crime and victimization, assuring public safety and holding offenders accountable to the justice system;

- **Pillar 2: Police Activities and Deployment** –calls for service are handled professionally, effectively and efficiently, with resources deployed appropriately to best respond to crime, priorities, goals, objectives; and programs;
 - **Pillar 3: Police Resources** – police resources for RCMP and HRM are adequate for the effective and efficient achievement of priorities, objectives, goals, programs and strategies; and,
 - **Pillar 4: Trust and Confidence** – the public has trust and confidence in the professional delivery of police services – police legitimacy of HRP and RCMP.
5. The Board requires the chiefs to provide their reporting metrics annually, allocated to the Four Pillars, and that support their respective Board-approved policing plans. Chiefs can provide their reports more frequently provided an annual report is completed and filed to the Board. The Board, after review and approval of the chief-supplied metrics, will ensure the following “Foundation Metrics” also are included to assure relativity to the Canadian police context:

- **Pillar 1: Crime and Victimization**

- Crime

- *Crime Rates* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan;
- *Weighted Crime Index* for a 5 year period, updated annually and including Canadian police comparative data from CCJS-Statcan;
- *Youth Crime Rates* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan;
- *Crime Severity Index* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan;
- *Traffic Violations* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan;
- *Traffic violation divided by number of police officers*;
- *Drug Violations* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan.
- *Drug violations divided by number of police officers*;

Note: metrics inform trends around crime, workforce productivity, and other unlawful behaviour over time.

- Victimization

- *Self-reported Victimization* from the General Social Survey – Statcan, updated every 5 years and compared against similar communities;
- *Reporting Rates* from the General Social Survey – Statcan updated every 5 years and compared against similar communities;
- *Perception of Community Safety* from the General Social Survey – Statcan and updated every five years.

Note: metrics inform reduction or increase over public actual and perceived crime victimization.

- Offenders

- *Clearance Rates* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS- Statcan;

- *Weighted Clearance Rates* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan;
- *Court/Diversion Outcomes* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS – Statcan.

Note: metrics assess police effectiveness in dealing with offenders and crime.

- **Pillar 2: Police Activities and Deployment**

- Calls for Service
 - *% Reactive Activities* reported annually with trend development on go-forward basis;
 - *% Proactive Activities* reported annually with trend development on go-forward basis;
 - *% Administrative* reported annually with trend development on go-forward basis.

Note: metrics capture activity assigned by responding vs reducing crime, as well as administrative burden to the service.

- Targeted Policing
 - *Traffic Enforcement Programs* with data determined and reported by chiefs aligned to their activity plans;
 - *Community Mobilization* with data determined and reported by chiefs aligned to their activity plans;
 - *Youth Outreach* with data determined and reported by chiefs aligned to their activity plans;
 - *Hot Spot Policing* with data determined and reported by chiefs aligned to their activity plans.

Note: Proactive strategies to reduce crime and improve quality of life in communities.

- **Pillar 3: Police Resources**

- Police Personnel
 - *Officer Head Count per 100,000 population* for a 5 year rolling period, updated annually and including Canadian comparative data from CCJS – Statcan;
 - *Ratio Sworn to Civilian* for a 5 year rolling period, updated annually;
 - *HR Demographics* updated annually, including Canadian comparative data;

Note: metrics of whether inputs (officer availability) is properly distributed and the structure of the service is aligned to effectiveness and efficiency. Officer head count can also compare one population to another to arrive at a decision on investment or reallocation.

- Workforce Health

- *Retention Rate* for a 5 year rolling period, updated annually and including Canadian police comparative data;
- *Leave by Type* for a 5 year rolling period, updated annually and including Canadian police comparative data;
- *Separation Other Than Retirement* for a 5 year rolling period, updated annually and including Canadian police comparative data.

Note: metrics can provide insight relative to workforce wellbeing and possible misalignment of personnel programs, compensation/benefits, and opportunity/promotion.

- Training and Development
 - *Training Hours* for a 5 year rolling period, updated annually and including Canadian police comparative data;
 - *Training Expenditures* for a 5 year rolling period, updated annually and including Canadian police comparative data;
 - *Technology Investment* by type annually.

Note: metrics demonstrate investment in skills, knowledge and innovation.

- Operating Expenditures
 - *Cost per Citizen Policed* for a 5 year rolling period, updated annually and including Canadian police comparative data from CCJS - Statcan;
 - *Salary and Benefits as a % of Total Expenditures* for a 5 year rolling period, updated annually;
 - *Overtime – Cost, Hours and % Salary and Benefits* for a 5 year rolling period, updated annually;
 - *Other Operating Expenditures* for a 5 year rolling period, updated annually;
 - *Total Expenditures as % of HRM Budget* for a 5 year rolling period, updated annually.

Note: metrics inform decisions over investment relative to comparative police services, placement of current investment, address both over investment and under investment, and clarify police investment relative to funding government's economic growth and investment capacity.

- **Pillar 4: Trust and Confidence**

- Trust and Confidence
 - General Social Survey, 5 year cycle from Statcan;
 - HRM surveys;
 - Police Services surveys;
 - Targeted surveys by diversity, geography and demographics by police services.

Note: variety of potential sources that measure citizen perspectives on confidence and trust in the police services.

- Public Engagement
 - Social Media
 - Surveys

- Town Halls
- Targeted Consultations

Note: metrics inform both Board and police services outreach and connection to communities served.

- Use of Force & Authority
 - Police Conduct Complaints for a 5 year rolling period, updated annually;
 - Public Service Complaints for a 5 year rolling period, updated annually;
 - Discipline data for a 5 year rolling period updated annually.

Note: Informs the discussion relative to police behaviour and professional application of use of force and exercise of authority in meeting their critical social mandate to enforce the law and assure community safety while maintaining public support and legitimacy.

8 - Repeal

Not applicable.

9 - Effective Date

The date the policy comes into force DATE ADOPTED

10 - Related Policies and Practices

Not applicable.

11 - Policy Review

This policy should be reviewed every four years and when the Act is amended.

12 - Contact

Who provides support for this.

13 – Attachments

Not applicable.