



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 10.1.4
Board of Police Commissioners
March 9, 2020

TO: Chair and Members of the Board of Police Commissioners

- Original Signed -

SUBMITTED BY:

John Traves, Q.C., Director, Legal and Legislative Services

DATE: **March 3, 2020**

SUBJECT: **Review of policies respecting Board Self Evaluation, Community Survey to Measure Trust and Confidence, and Extra-Duty and Off-Duty Employment**

INFORMATION REPORT

ORIGIN

At the meeting of the Board of Police Commissioners on February 10, 2020 the Board passed the following motion:

MOVED by Commissioner Blackburn, seconded by Councillor Mancini

THAT the Board of Police Commissioners forward the Outstanding Items from the 2018 BOPC Work Plan to HRM Legal Services for review prior to adoption.

MOTION PUT AND PASSED.

LEGISLATIVE AUTHORITY

By-law P-100, Respecting the Board of Police Commissioners

Police Act, S.N.S. 2004, c. 31, s. 55

Function of board

55 (1) The function of a board is to provide

- (a) civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and
- (b) the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department,

BACKGROUND

At the February 9, 2020 meeting of the Board of Police Commissioners, the Board requested that the policies with respect to Board Self Evaluation, Community Survey to Measure Trust and Confidence, and Extra-Duty and Off-Duty Employment which have been drafted following the 2018 Board Work Plan, be reviewed by Legal Services Staff. These policies were drafted by a sub-committee of the Board in compliance with the 2018 Board Work Plan.

DISCUSSION

As requested, Legal Services staff have reviewed the requested policies. Staff did not identify any major legal issues with these policies and they are in line with the powers of the Board. However, staff does have suggestions with respect to the wording of the policies, to ensure consistency of the terms used, and to provide clarity with respect to the application of the policies going forward.

With respect to the Board Self-Evaluation policy, staff suggests that a timeline be included in the policy setting out when during the year the self-assessment should be completed. Staff included April 30 as a suggested deadline as it falls clear of the budgeting process, however any date may be chosen by the Board.

Attached to this report as Attachment #1 is a clean version of the policies incorporating the suggested Legal Services changes. Attached as Attachment #2 is a version of the policies tracking the changes suggested by Legal Services staff.

FINANCIAL IMPLICATIONS

None.

COMMUNITY ENGAGEMENT

None.

ATTACHMENTS

Attachment #1: Updated versions of policies

Attachment #2: Updated versions of policies showing tracked changes

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Katherine Salsman, Solicitor, 902.490.6024

Community Survey to Measure Trust and Confidence

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

1 - Title

Community Survey to Measure Trust and Confidence

2 - Purpose

The role of the Board of Police Commissioners is to provide civilian oversight of police and to reflect the needs and values of the community with respect to policing. Community members need to be consulted *annually* so the Board can gain a better understanding of what trust and confidence in police means to community members. The Board is committed to gaining a better understanding of community needs and values and recommending policies to enhance trust and confidence. This policy outlines the Board commitment to fulfilling its role to reflect the needs and values of the community by working with HRP, RCMP and potentially a research firm to survey the community attitudes to policing services in HRM.

3 - Scope

The Halifax Board of Police Commissioners 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 on behalf of Halifax Regional Council (s. 55) and function as an advisory board regarding the RCMP in its role as a contractual policing service with the Halifax Regional Municipality. (s. 68(1)).

4 - Definitions

In the context of this document:

Police Act means the *Police Act*, S.N.S. 2004, c. 31 as amended

Board means the Halifax Board of Police Commissioners

CAO means the Chief Administrative Officer of the Halifax Regional Municipality

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

Chief of Police means the Chief of Police of Halifax Regional Police

Chief Superintendent means the Chief Superintendent of the RCMP, Halifax District

Council means Halifax Regional Council

Halifax Board of Police Commissioners means the Board created by the *Police Act*, S.N.S. 2004, c. 31 as amended

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Member(s) means a member of the Board of Police Commissioners

RCMP means the Royal Canadian Mounted Police Halifax District

5 - Distribution

Policies may be distributed to all Board members, CAO, Municipal Clerk, HRM Councilors, the Chiefs and their respective departments, Nova Scotia Association of Police Governance and posted on HRM website with link to HRP website. This list may be expanded as required.

6 - Roles and Responsibilities

1. The Board is created by the *Police Act* which gives it the responsibility to provide civilian oversight of police and to ensure that policing priorities, objectives, goals, programs and strategies reflect the needs and values of the community.
2. The first step in “reflecting the needs and values of the community” is to conduct research to determine a benchmark and to then continue to measure these categories year after year. The Board shall therefore endeavor to conduct an annual community survey intended to measure the needs and values of the community with respect to policing.
3. The research questions may be designed in collaboration with HRP, RCMP, Board and a consultant experienced in conducting community research.
4. Once responses are evaluated and reported to the Board, policies may be recommended to respond to the results and if necessary, address concerns raised by the public.
5. The Board will add this item to its annual calendar so the research remains a priority and can be reported annually to Council in the Board Annual Report.

7 – Effective Date

Date adopted.

8 – Policy Review

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

9 - Contact

Office of the Municipal Clerk

10 – Attachments

None

Extra-Duty and Off-Duty Employment

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

1 - Title

Extra Duty and Off Duty employment

2 - Purpose

The Nova Scotia *Police Act* states that “The Board shall adopt policy regarding extra-duty and off-duty employment as per s. 56 of the *Police Act* and the Chief of Police shall cause that policy to be posted as an HRP Departmental Order to all sworn and unsworn members.”

Halifax Regional Police has a comprehensive policy on the subject of extra-duty and off-duty employment that states clearly how the policy should be applied and that the Chief of HRP approves requests for these categories of employment. (Department Order #: 04-09 Previously issued under #s 39-07 and 31-02) This policy of the Board adopts the comprehensive guidelines established in the Department Order noted above. It has been the practice of the Board to approve off-duty employment for the Chief of HRP and this policy once adopted, will continue that practice.

3 – Scope

This policy applies to all sworn and unsworn members of HRP as outlined in the Department Order #: 04-09 and to the Chief of HRP.

4 - Definitions

In the context of this document:

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5 - Distribution

Policies may be distributed to all Board members, CAO, Municipal Clerk, HRM Councilors, the Chiefs and their respective departments, Nova Scotia Association of Police Governance and posted on HRM website with link to HRP website. This list may be expanded as required.

6 - Roles and Responsibilities

1. The Board is required to adopt policy regarding extra-duty and off-duty employment as per s. 56 of the *Police Act* and the Chief of Police shall cause that policy to be posted as an HRP Departmental Order to all sworn and unsworn members.
2. Comprehensive and detailed guidelines have been adopted by HRP (Department Order #: 04-09 Previously issued under #s 39-07 and 31-02) to clearly state the kinds of extra-duty and off-duty employment that is acceptable for sworn and unsworn members.
3. The Board believes this policy, which is updated periodically, should be endorsed by the board. The Board hereby adopts HRP Department Order #04-09 as a policy of the Board.
4. The Board will continue to approve any extra-duty and off-duty employment of the Chief of HRP when requested.

7 - Effective Date

Date adopted.

8 - Policy Review

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

9 - Contact

Office of the Municipal Clerk

10 - Attachments

Link to HRP policy outlined above

Board Self Evaluation

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

1 - Title

Board of Police Commissioners Self Evaluation

2 - Purpose

This policy is created to allow the Board to regularly review its performance as board members. It also gives the Chair and the Legislative Assistant the opportunity to respond to the needs of the members as they perform their duties.

3 - Scope

This policy applies to all seven Board members.

4 - Definitions

In the context of this document:

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HRP means the Halifax Regional Police

Member(s) means a member of the Board of Police Commissioners

RCMP means the Royal Canadian Mounted Police Halifax District

5 - Distribution

Policies may be distributed to all Board members, CAO, Municipal Clerk, HRM Councilors, the Chiefs and their respective departments, Nova Scotia Association of Police Governance and posted on HRM website with link to HRP website. This list may be expanded as required.

6 - Roles and Responsibilities

1. The Board is created by the *Police Act*, S.N.S. 2004, c. 31 as amended.
2. All Board members are volunteers with varied personal, professional or community experience.
3. The Board has support from the Municipal Clerk's office in the role of a Legislative Assistants who provides minutes, organizes meeting space, coordinates correspondence for the Chair and distributes meeting materials in advance of meetings.
4. Board members are hereby directed by this policy to complete the attached Halifax Board of Police Commissioners Self-Assessment on an annual basis, to be submitted to the Chair on or before April 30 of each year.
5. Board members completing the annual self-evaluation identify potential gaps that the Chair and the Legislative Assistant can address to improve the volunteer experience for all Board members.

7 - Effective Date

Date adopted.

8 - Policy Review

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

9 - Contact

Office of the Municipal Clerk

10 - Attachments

Halifax Board of Police Commissioners Self-Assessment

Please complete the questions with ratings as follows:

1. Unsatisfactory
2. Satisfactory
3. Agree
4. Strongly agree

If the following questions raise other items not addressed, please include your comments in the space provided.

1	I have a copy of the Nova Scotia <i>Police Act</i> .	1	2	3	4
2	I have read the Nova Scotia <i>Police Act</i> .	1	2	3	4

3	I have a copy of HRM bylaw P-100	1	2	3	4
4	I have read HRM bylaw P-100	1	2	3	4
5	I understand the role of the RCMP in policing HRM.	1	2	3	4
6	I have an understanding of the governance role of the BoPC	1	2	3	4
7	My background and skills enable me to make a useful contribution to the board discussion.	1	2	3	4
8	I am able to attend regularly scheduled meetings.	1	2	3	4
9	I receive background materials and agendas with enough time to prepare for the meeting.	1	2	3	4
10	I am willing to be accountable and bound by board decisions.	1	2	3	4
11	I can be available when required to participate in unscheduled meetings or calls.	1	2	3	4
12	I'm able to express my opinion and contribute to the discussions.	1	2	3	4
13	I understand the roles and contributions of HRP, RCMP, the CAO, Legislative Assistant, Legal Services and Finance at meetings.	1	2	3	4
14	I have a clear understanding and can participate in budget discussions.	1	2	3	4

Please add additional comments for items not covered in the questions above.

Comments

Community Survey to Measure Trust and Confidence

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Date of Last Revision		Approved by	
Effective Date of Last Revision		Approved by	

1 - Title

Community Survey to Measure Trust and Confidence

2 - Purpose

The role of the Board of Police Commissioners (~~BOPC~~) is to provide civilian oversight of police and to reflect the needs and values of the community with respect to policing. Community members need to be consulted annually so the ~~BOPC Board~~ can gain a better understanding of what trust and confidence in police means to community members. The ~~BOPC Board~~ is committed to gaining a better understanding of community needs and values and recommending policies to enhance trust and confidence. This policy outlines the ~~BOPC Board~~ commitment to fulfilling its role to reflect the needs and values of the community by working with HRP, RCMP and potentially a research firm to survey the community attitudes to policing services in HRM.

3 - 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)).

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5 - Distribution

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3. The research questions may be designed in collaboration with HRP, RCMP, ~~BOPC~~ Board and a consultant experienced in conducting community research.
4. Once responses are evaluated and reported to the ~~BOPC~~ Board, policies may be recommended to respond to the results and if necessary, address concerns raised by the public.
5. The ~~BOPC~~ Board will add this item to its annual calendar so the research remains a priority and can be reported annually to Council in the ~~BOPC~~ Board Annual Report.

7 – Effective Date

Date adopted.

8 – Policy Review

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

9 - Contact

Office of the Municipal Clerk

10 – Attachments

None

Extra-Duty and Off-Duty Employment

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1 - Title

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2 - Purpose

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Office of the Municipal Clerk

10 - Attachments

Link to HRP policy outlined above

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1 - Title

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10 - Attachments

Halifax Board of Police Commissioners Self-Assessment

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Comments
