

Role of Chair, Vice Chair, Meetings, Procedures Policy

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1 - Title

Role of Chair, Vice 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 - Scope

The Halifax Board of Police Commissioners is established as an independent authority pursuant to the *Police Act*. 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 a Police 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))

4 - Definitions

In the context of this document:

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

Board means the Halifax Board of Police Commissioners

Chair means Chair of the Board of Police Commissioners

Chief of Police means the Chief of Halifax Regional Police

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

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

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Legislative Assistant means representative of the Municipal Clerk's Office

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

RCMP means the Royal Canadian Mounted Police Halifax District

5 - Distribution

Policies may be distributed to all Board of Police Commissioners, CAO, Municipal Clerk, HRM Councillors, 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

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 Vice Chair and the Chiefs;
 - e. managing difficult issues in Board meetings to ensure consensus;
 - f. chairing the meeting in accordance with Administrative Policy One, the Board's administrative policy.
4. The Board shall conduct its business in accordance with Administrative Policy One. A copy of Administrative Policy One is attached to this policy.
5. The Chair's primary roles are to:
 - a. 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. 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. Ensure that board members are informed of matters within the board's jurisdiction;
 - d. Act as the sole spokesperson for the board;
 - e. Evaluate the performance of the Chief of Police (HRP) on a yearly basis (preceding sections a-e from *Police Act Regulations* s 78) in consultation with the CAO and in conjunction with board members;

- f. Work closely with the Chief of Police and the Chief Superintendent 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 or absent 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 Policy 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.

Election of Chair and Vice Chair

1. The Chair and Vice Chair are elected from the floor at the first meeting in January.
2. The Chair will contact all Board members in December to notify that elections for the positions will take place in January.
3. The Chair may also indicate her/his interest in continuing as Chair at this time.
4. The Chair will also invite Board members to indicate their interest in standing for election. The Chair will provide information about the positions if additional information is requested.
5. At the start of the January meeting the Legislative Assistant will call for nominations for the position as Chair. Once nominations close, Board members will vote. The successful candidate will take Chair and call for nominations for Vice Chair. Once nominations close, Board members will vote. The Vice Chair will assume her/his role after votes are cast.

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 Complaints 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. Board members shall not enter into debate with the delegation upon the completion of their presentation. Board 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 Complaints Commissioner.

Private meetings

- 1) The board will meet in private to conduct matters relating to discipline, personnel conduct, contract negotiations and security of police operations.
- 2) Notwithstanding the above, at the outset of meetings where such matters are on the agenda, the board may decide to meet in public in respect of such matters.

Board member selection process

1. The *Police Act* regulations states:
 - s. 76 The selection process used by a council in appointing a community 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 provide advice and recommendations to Council and the Province with the aim that 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 to train and orient new members.

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.

(4) 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.

Code of conduct for Board members

The *Police Act* regulations states in S 79. (1) A Board member is responsible to:

- 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 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*.

Attendance policy

Commissioners are expected to attend all meetings of the Board of Police Commissioners. In the event of a Commissioner who, without leave of the Board of Police Commissioners, is absent from three consecutive regular meetings, the Chair, after consulting with the Commissioner and the Board, may inform the person or body who made the appointment and may request that the appointment of a new Commissioner be considered, if circumstances warrant.

7 - Policy Review

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

8 - Contact

Office of the Municipal Clerk

9 - References

Administrative Policy One