



Agenda Renfrew and Area O.P.P. Detachment Board

Chair: Rob Tripp
Wednesday October 2, 2024
10:00 am
Renfrew Town Hall – Council Chambers
127 Raglan Street South, Renfrew

1. Call to Order
2. Land Acknowledgement
3. Disclosure of Pecuniary Interest and General Nature Thereof
4. Approval of the Minutes
That the Renfrew and Area O.P.P. Detachment Board Meeting Minutes of August 21, 2024, and September 4, 2024 as distributed.
5. Delegations/Presentations
6. Items of Business
 - 6.1 2024 and 2025 Budget and Municipal Billing – *Tabled at the meeting*
7. Reports
 - 7.1 Chairs Report
 - 7.1.1 Insurance Update
 - 7.1.1.1 Medallion Group Insurance
 - 7.1.1.2 Intact Required Policy and Procedures
 - 7.1.2 Banking Update – *verbal update*
8. Closed Session
 - 8.1 *That the Renfrew and Area O.P.P. Detachment Board convene in Closed Session with authorized personnel remaining in the room, pursuant to the following section of the Community Safety and policing Act 2019: Section 44(2)(j) a position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the board;*

More specifically how it relates to:

- *Existing Provincial Grants*

9 Correspondence

9.1 OAPSB Zone 2 Meeting: September 19 - 20, 2024 in Pembroke

9.2 OAPSB Update, Lisa Darling, Executive Director, OAPSB

9.3 Inspector General Memorandum and Advisory Bulletins

9.3.1 How Policing is Delivered, August 1, 2024

9.3.2 Right to Disclose Misconduct, August 1, 2024

9.3.3 Conflicts of Interest Regulation, August 1, 2024

9.3.4 Police Service Board Member Code of Conduct, August 1, 2024

9.3.5 Forwarding Complaints to the Inspector General, August 1, 2024

10 Notice of Upcoming Business

11 Date of Next Meeting

Next Regular Meeting of the Board – October 23rd at 10:00 a.m., Location to be determined.

12 Motion to Adjourn

Minutes of the Renfrew and Area OPP Detachment Board

August 21, 2024, 10:00 am
O.P.P. Detachment Office – 450 O'Brien Road, Renfrew
Boardroom

Members Present	Scott Brum, Municipal Representative (Vice Chair) Glen Campbell, Municipal Representative Jason Legris, Municipal Representative Steve Parker, Community Representative Connie Tabbert, Municipal Representative Robert Trip, Municipal Representative (Chair)
Non-Members Present	Carolynn Errett – Recording Secretary Steven Bosa – Staff Sergeant, O.P.P.
Members Absent	Angela Field, Municipal Representative Lisa McGee, Municipal Representative John Proctor, Community Representative

1. Call to Order
The regular meeting of the Renfrew and Area O.P.P. Detachment Board was called to order at 10:00 a.m. by Chair Tripp.
2. Land Acknowledgement
3. Disclosure of Pecuniary Interest and General Nature Thereof
None were noted.
4. Approval of the Agenda
Resolution: RAODB-24-08-01
Mover: Jason Legris
Secunder: Connie Tabbert

That the Renfrew and Area OPP Detachment approve the agenda of the Regular Meeting of the Renfrew and Area OPP Detachment Board dated August 21, 2024 as distributed.

Carried.

5. Approval of the Minutes
Resolution: RAODB-24-08-02
Mover: Jason Legris
Secunder: Scott Brum

That the Renfrew and Area OPP Detachment approve the minutes of the Regular Meeting of the Renfrew and Area OPP Detachment Board dated June 20, 2024.

Carried.

6. Chairs Report

Chair Tripp provided a verbal update on the following items:

- a. Insurance update
- b. Sol Gen funding programs
- c. Interim reporting to Municipalities

Upon discussion, the board was in favour of proceeding with the OAPSB group insurance. Chair Tripp will follow up on the policy details and timeframe for coverage.

Resolution: RAODB-24-08-03

Mover: Scott Brum

Seconder: Jason Legris

That the Renfrew and Area OPP Detachment Board reach out to the Ontario Association of Police Service Boards (OAPSB) to move forward with an application for insurance under their provisions, and if needed move forward with interim funding while awaiting coverage for group insurance.

Carried.

7. Report of the Finance Committee

- a. Draft Budget items for discussion

Jason Legris, Chair of the Finance Committee presented a draft budget for discussion.

The benefit of an annual flat rate honorarium with milage for board meetings was discussed. It was believed that a flat rate including milage was preferred.

Direction: Finance Committee to amend the draft budget to increase the annual honorarium from \$1500.00 to \$2000.00 to include a flat rate for milage, excluding zone meetings and conferences.

It was clarified that the budget would come into effect January 1, 2025, based on final approval from all seven municipalities. Discussed amendments will be reflected and brought back to the board for further discussion.

8. O.P.P. Report

a. Detachment Commanders Report

Staff Sergeant Bosa provided the board with an overview of trends, noting staffing, clearance rates, mental health, and overdoses. It was stated that the year-to-date calls for service are approximately 10,000.

Long weekend traffic initiatives will focus on aggressive driving, speeding and impaired driving.

It was noted that the detachment is awaiting a response on further grant funding to support the Connection Centre. Response is expected at the end of September.

9. Correspondence

a. OAPSB Zone 2 Meeting: September 19 - 20, 2024 in Pembroke

Scott Brum provided details on the upcoming meeting and encouraged attendance.

10. Date of Next Meeting

A Special Budget Meeting date was called for September 4th at 10:00. The meeting will be held in the Council Chambers at the Renfrew Town Hall.

11. Motion to Adjourn

The Regular Meeting of the Renfrew and Area OPP Detachment Board adjourned at 11:35 a.m.

Minutes of the Renfrew and Area OPP Detachment Board

**September 4, 2024, 10:00 am
Renfrew Town Hall – 127 Raglan Street South, Renfrew
Council Chambers (2nd Floor)**

Members Present Scott Brum, Municipal Representative (Vice Chair)
 Angela Field, Municipal Representative
 Lisa McGee, Municipal Representative
 Steve Parker, Community Representative
 John Proctor, Community Representative
 Connie Tabbert, Municipal Representative
 Robert Tripp, Municipal Representative (Chair)

Non Members Present Carolynn Errett – Recording Secretary

Members Absent Glen Campbell, Municipal Representative
 Jason Legris, Municipal Representative

1. Land Acknowledgement

2. Call to Order

Chair Tripp called the Special Meeting of the Renfrew and Area O.P.P. Detachment Board to order at 10:03 a.m.

3. Disclosure of Pecuniary Interest and General Nature Thereof

None were noted.

4. Approval of the Agenda

Moved By John Proctor

Seconded By Lisa McGee

That the Renfrew and Area approve the Agenda of the Special Meeting of the Renfrew and Area O.P.P. Detachment Board as distributed.

Carried

6. Report of the Finance Committee

a. Draft Budget items for discussion

The budget process was discussed and a brief update on insurance was provided. It was noted that the Board will move forward with the OAPSB insurance application process.

Discussion ensued regarding the draft budget presented. Concern was raised over the proposed honorarium of \$2,000.00 for all members. It was expressed that municipal representatives are compensated directly by their municipality and representation on boards and committees are identified as part of their role.

Clarification was made on the administrative position that was proposed, the requirements of the employer and the role that is required.

Through discussion the following motions was put forward:

Moved By Lisa McGee
Seconded By Connie Tabbert

That the Renfrew and Area OPP Detachment Board approve the honorarium of \$150.00 on a per meeting compensation, to be reviewed at six months of the 2025 budget.

Carried

Moved By Lisa McGee
Seconded By Scott Brum

That the Renfrew and Area OPP Detachment Board approve a \$400.00 chair compensation on a per meeting compensation, to be reviewed at six months of the 2025 budget.

Carried

Moved By Scott Brum
Seconded By Angela Field

That the Renfrew and Area OPP Detachment Board approve a total amount of \$14,600.00 for Travel expenses including chair milage, zone 2 and OAPSB AGM.

Carried

Moved By John Proctor
Seconded By Scott Brum

That the Renfrew and Area OPP Detachment Board approve a total amount of \$21,500.00 for Governance and Operational expenses including insurance,

reporting, strategic development, website design, website hosting, professional services, OASPB Membership.

Carried

Moved By Angela Field
Seconded By John Proctor

That the Renfrew and Area OPP Detachment Board approve a total amount of \$45,560.00 for Program expenses including IT, phone, supplies, administrator and mandatory employment costs.

Carried

It was determined that the proposed budget 2025 will be reviewed within six months to ensure the board is on target and that expenses are adequately identified. The draft budget will be circulated to the seven municipalities for review and feedback. The draft budget will not be finalized until insurance coverage is in place.

The proportional representation of the board will need to be determined in advance of the adoption of the budget. Initial conversations were based on the O.P.P. funding based model.

The following was noted:

New mandatory training:

Torch run.... September 26, 2024 starting at 10 a.m.

10. Date of Next Meeting

The next regular scheduled meeting of the Renfrew and Area O.P.P. Detachment Board will be scheduled for the end of September. Confirmation on date, time and location will be confirmed.

11. Adjournment

The Renfrew and Area OPP Detachment Board adjourned at 11:47 a.m.

GROUP INSURANCE SOLUTION



Medallion
GROUP INSURANCE FOR FIRST RESPONDERS
By McFarlan Rowlands

\$3,600
ANNUAL
PREMIUM

MEMBER BENEFITS:

- Collective purchasing power
- Preferred pricing with rate stability
- Access to comprehensive coverages
- Efficient renewal handling

COVERAGE:

- \$5,000,000 Commercial General Liability
- \$5,000,000 Directors & Officers
- \$1,000,000 Errors & Omissions (Professional Liability), for your training and policy guidance
- Per Detachment Board:
 - Contents coverage of \$100,000
 - \$50,000 Cyber Insurance
 - \$100,000 Abuse Liability Insurance for legal fees and judgements, actual or alleged abuse

SERVICE COMMITMENT:

- Dedicated email for certificate requests with guaranteed 24-48 hour delivery
- Local Ontario claims service for all program members
- Dedicated Relationship Manager

Coverage is subject to policy terms, conditions and exclusions in the policy wording



Ontario
Association of
Police Service
Boards

GROUP INSURANCE SOLUTION



Medallion
GROUP INSURANCE FOR FIRST RESPONDERS
By McFarlan Rowlands



Josh Fentin
Commercial Account Executive
519-913-3137 Ext. 1427

Dedicated inbox for new members, certificate requests,
claims reporting and any questions:

OAPSB@MCFR.CA



Policies & Procedures: Creating Abuse Policies in Ontario

An entity can be held vicariously liable for the inappropriate and intentional actions of its employees, volunteers, visitors and independent contractors. In order to protect itself, the entity should implement a written and documented abuse policy. The policy should be drafted in consultation with the entity's legal counsel and Board of Directors.

The purpose of the policy is:

- a. To maintain an environment that is free from harassment or abuse
- b. To identify the behaviours that are unacceptable
- c. To establish a mechanism for receiving complaints
- d. To establish a procedure to deal with complaints
- e. A general framework for drafting an abuse policy is as follows:

1. Policy Statement

The entity should begin by formulating a policy statement with respect to its tolerance of abuse. An example of a policy statement is:

The organization will not tolerate any form of physical, sexual, emotional, verbal, or psychological abuse, nor any form of neglect or harassment.

2. Definitions

The forms of abuse referred to in the policy statement must be defined so that all individuals bound by the policy have a clear understanding of the behaviours that will not be tolerated. The following are examples of definitions:

- **Physical Abuse** is defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.
- **Sexual Abuse** is defined as but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism or exploitation for profit including pornography.
- **Emotional Abuse** is defined as but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.

- **Verbal Abuse** is defined as but not limited to humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs.
- **Psychological Abuse** is defined as but not limited to communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.
- **Neglect** is defined as but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support.
- **Harassment** is defined as but not limited to any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behaviour was unwelcome.

3. Governing Legislation

The policy should reference the applicable legislation that gives grounds to the entity's abuse policy. Examples of applicable legislation are:

- *Child and Family Services Act*, RSO 1990, c C.11
- *Child Care and Early Years Act*, 2014, SO 2014, c 11, Sch 1
- Human Rights Code, RSO 1990, c H.19
- Criminal Code, RSC 1985, c C-46
- *Retirement Homes Act*, 2010, SO 2010, c11
- *Regulated Health Professions Act*, 1991, SO 1991, c 18
- *Ministry of Health and Long-Term Care Act*, RSO 1990, c M.26
- The entity must refer to its governing legislation.

4. Who is Covered by this Policy

The policy must reference the individuals who are covered by the policy. This will include all employees, volunteers, visitors, parents, independent contractors, etc.

5. Abuse Reporting Procedures

The policy should reference the process for reporting suspected abuse incidents. The policy should provide more than one avenue for reporting abuse (i.e. to any senior manager). The policy can reference the procedure outlined in the governing legislation.

6. Reporting Protocol

The policy should establish the process the entity will follow when an abuse allegation is brought forward. Governing legislation should be referenced with respect to the reporting protocol that must be followed.

7. Investigative & Disciplinary Procedures

The policy should outline the investigative procedure. Within this procedure, the policy should address the following:

- The role of the alleged assailant within the organization. Will the individual be suspended with pay/without pay; moved to another position within the organization, etc?
 - Action required by individuals within the organization
 - Resolution of the Complaint – counselling, disciplinary action, dismissal
 - Appeal Process
 - False Allegations
 - Disciplinary Action that will be taken
 - Documentation procedures, which must be made available for any civil or criminal proceedings
8. All individuals bound by the policy must be given the opportunity to read the policy and ask any questions.
9. The policy should also reflect the potential personal financial liabilities of the owners, directors, officers and others.

10. The entity should require an acknowledgement that the policy has been read and is understood. This can take the form of a signature page. As an example:

I acknowledge that I have received and read the abuse policy and/or have had it explained to me. I understand that it is my responsibility to abide by all the rules contained in this policy and to report any incidents of abuse as set forth in this policy.

Date _____

Signature of Employee/Volunteer

Signature of Person Representing the Entity

11. The policy needs to identify the individual responsible for implementing the policy throughout the organization.
12. The organization should appoint a “media representative” to respond to all enquiries from any media (TV, radio, newspapers, etc.) and all staff should be instructed if approached by the media, to refer all such enquiries to the “media representative”.

Please see these resources for additional information on abuse in Ontario:

- Ministry of Social & Community Services
- Ministry of Children and Youth Services
- Child Protection Standards in Ontario
- Ontario Child Protection Tools Manual
- The Ontario Network for the Prevention of Elder Abuse

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OAPSB Updates:

Updates since our last meeting

First, let me apologize for not being able to make it to your meeting today. I have your next meeting blocked in my calendar and will be attending in Ottawa. I know this has been a busy and challenging summer for all of you. It has been a very busy summer for your OAPSB board and staff as well.

When the CPSA came into force on April 1st, it brought with it, some unique challenges.

Many boards have had questions regarding remuneration and policy development and the formation of Detachment Boards brought an increased need for ongoing support to our members.

We have been meeting with individual boards and board staff to support them with questions and issues regarding the transition, including facilitating communications between OPC help desk and our members regarding the mandatory roles and responsibilities training.

In addition to these expected growing pains, the change in legislation had an unexpected barrier for Detachment Boards in obtaining insurance.

As solutions for this issue were not occurring in a timely manner, the OAPSB decided to take a leadership role in supporting boards with finding viable insurance options. **Two individual board options were provided to boards in August of this year.** We understand that other insurers, who did not reach out to the OAPSB are also providing quotes (check with your broker).

An additional option posted was an OAPSB group policy. The premiums for this policy are \$3600 + Tax = \$3,888. We are pleased to advise that we are proceeding with this option, and we are planning to launch this policy in late September. (looking like the end of next week). This file is being updated on a daily basis and I have a meeting with the insurer this morning. **We are hoping to have further communication out later today or Monday.**

Some boards have been expressing concerns that they are not ready to make a decision yet. We needed a minimum number of boards to launch the program. **We have met that requirement now.** Any boards who wish to join the policy after the launch may do so. Details on this will be communicated after the initial launch.

In addition to individual meetings with boards, Our team has continued to have drop-in

sessions. For the fall, we have added a once a month **drop-in session for administration and municipal staff at noon on the third Tuesday of the month** and board members will continue on the third Thursday of the month. At these sessions we provide any updates we have and then it is an open forum for questions and for board members to learn from each other.

In addition to the challenges of the transition to the CSPA, the OAPSB, **lost our Curriculum Developer Pam Dhaliwal. Pam** background and skillset was a huge asset to our team. I wish her well in her future endeavors and I know she is always only a phone call away. We have however been very **fortunate to hire Linda Skoyles to build upon the work that Pam started. Linda has a strong background in the sector having been both an officer and a curriculum designer/trainer at OPC. She brings her own experiences and perspectives to the position. Linda has hit the ground running, and I am excited to support her vision for future board training.** Our training plan for 2025 is currently being developed and Linda is in the early stages of developing our first on-line learning course on “understanding police culture”. This course will be available to members on our OAPSB virtual learning platform. More to come on this in the future.

The mandatory thematic training for boards and all members in the sector has now been launched. New appointments have six months to complete the training, however the majority of members on **municipal boards (continued appointments from the PSA) have until September 30th to complete.** For those of you that are having difficulty with that deadline, **please do your best to complete prior to your first meeting after the September 30th deadline or your authorities will be suspended until such time as you have completed the training.** Communications on **how to access the training can be found under “News” on the OAPSB website.**

We had another successful AGM and Spring Conference in early June in the beautiful Blue Mountains. We received positive feedback about the venue and the programing as well as some critique on where we can improve. We thank you for your input and will include your recommendations in our planning for our Spring Conference in 2025.

At our AGM I spoke about the importance of boards supporting your association, so that your association can better support you. The time for a strong association has never been more crucial. The CSPA has provided key responsibilities for all governance boards and the OAPSBs role is to support and assist you in effectively operationalizing those responsibilities.

We will be sending out a survey this fall requesting information on areas where you would like us to focus. We will share **these results along with our plan at the Spring Conference in 2025.**

Your Board of Directors **held a strategic planning meeting in late June** as a follow up to our AGM presentation on building a strong association. This meeting was used to review our strategic plan (2023-2025) and laying the groundwork to lead us into our strategic plan for 2026-

2028.

Our curriculum developer and training officer and their work, is currently paid through a TPA agreement with the ministry. **This TPA ends in March of 2025.** Our current fee structure is outdated no longer supports the operations of a “Working Association”. The Ontario Association of Chiefs of Police and the Police Association of Ontario, when you break it down to where their funding comes from, it comes from the police board budgets. We approve these budgets. We need to provide our own association with the same support we provide the others.

We have **a new fee structure for 2025**, We will be sending out a detailed communication on this in the coming weeks. For those of you in **Detachment boards, your fees will now be based on 21 cents per property** to align with your OPP billing process.

In addition to work related to transitioning to the CSPA. Staff have been engaged in our ongoing work on many working groups and collaborative initiatives as well as our ongoing meetings with the Ministry and the Inspectorate of Policing.

We have meetings scheduled with the WSIB working group and our Recruitment Working Group in October and we will be sharing updates on these two files at our Fall Labour Seminar on November 26-27, 2024, at the Hilton Toronto Airport Hotel & Suites.

Thank you.

Lisa Darling

Executive Director, OAPSB



Inspectorate
of Policing

Service d'inspection
des services policiers

Office of the Inspector
General of Policing

25 Grosvenor Street
15 Floor
Toronto ON M7A 1Y8

Bureau de l'inspecteur général
des services policiers

25, rue Grosvenor
15e étage
Toronto ON M7A 1Y8

Inspector General of Policing Memorandum

TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ryan Teschner, Inspector General of Policing of Ontario

DATE: **August 1, 2024**

SUBJECT: Inspector General Memo #1: Authorities, Policing Agreements,
Requests, Notifications and Disclosures

The first few months of Ontario's new policing landscape under the *Community Safety and Policing Act, 2019* (CSPA) have marked the successful launch of operations, as well as exciting challenges and lessons learned for the team at the Inspectorate of Policing. I, along with my team, have welcomed the opportunity to engage with many of you to answer questions about the Inspector General (IG) of Policing's role, as well as your respective new responsibilities under the CSPA.

Inspector General Memorandums and Advisory Bulletins

In my communication to you dated April 2, 2024, I indicated that my office would be sharing more information to provide clarity regarding certain duties and authorities of the IG. I hope that this first *Inspector General Memo* (IGM) will be helpful to you as we navigate this new world, and in particular, that the enclosed **Advisory Bulletins** (the subjects of which are outlined below) will serve as useful resources for you.

Advisory Bulletins are the IG's advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CSPA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you

may wish to consult with legal counsel to determine how this general guidance should be applied in in your own local context and to navigate specific situations.

I may update Advisory Bulletins periodically, and as we encounter other topics that will benefit from guidance and more information, I will issue further IGMs and Advisory Bulletins.

Advisory Bulletins enclosed

Based on our first months of experience and questions we have received from the policing sector, this first IGM encloses five Advisory Bulletins that provide operational guidance on a range of CSPA requirements. The bulletins are:

1. **How Policing is Delivered (Attention: Boards and Chiefs):** IG advice on how to apply CSPA requirements to address local service delivery and assistance between police organizations, including what should be submitted to the IG regarding:
 - Policing Agreements (CSPA s.14);
 - Temporary Assistance; and,
 - Emergency Requests for Assistance (CSPA s.19).
2. **Right to Disclose Misconduct (Attention: Boards and Chiefs):** information on the new ability for members of a police service to report misconduct relating to their own police service or employer, including procedural requirements and the role of the IG in relation to this subject (CSPA s.185).
3. **Conflicts of Interest Regulation (Attention: Chiefs and Boards):** information and tools to support compliance with the requirements set out in the Regulation for managing conflicts of interest, including a flow chart outlining key decision points and notification requirements, as well as the corresponding Ministry of the Solicitor General-approved forms.
4. **Board Member Code of Conduct Regulation (Attention: Boards):** information on key requirements for board members with respect to handling potential misconduct and conflicts of interest, including when the IG must be notified.
5. **Forwarding Complaints to the IG (Attention: Boards and Chiefs):** outlines a procedure that can be used by chiefs of police, boards, board members and other persons and entities listed in CSPA s. 108 to forward matters to the IG where the complaints fall within the IG's mandate under CSPA ss.106 and 107.

Police Service Advisors and new authorities

As a reminder, the duties of the IG under CSPA s.102(4) include to monitor, consult with and advise police services, chiefs of police and police service boards (among others) to

ensure that they comply with the CSPA and its regulations. The IG also has a duty to monitor members of police services boards to ensure that they do not commit misconduct.

To support the fulfillment of these IG duties, the Inspectorate of Policing's Police Services Advisors have been appointed by me as inspectors under the CSPA, and hold the statutory authorities of an inspector. To ensure that Police Services Advisors are able to support the delivery of these IG duties, CSPA s. 115(7) states that inspectors can enter closed police service board meetings for the purpose of monitoring, or for an inspection, except where legally privileged issues are being discussed by a board. While our Police Services Advisors are often welcomed into and do attend closed meetings of police service boards, I wanted to bring this new statutory authority to your attention.

For your reference, I have attached the Police Services Advisor assignments and contact information to this memo as **Appendix A**.

I understand that many of the requirements outlined in this communication are new, as is the mandate under which I operate as IG. While some of the requirements may seem technical, they all support the application of my oversight mandate and enable better information analysis to assist in supporting the delivery of adequate and effective policing across Ontario.

As the Inspectorate of Policing gains further operational experience and insights, and through continued engagement with Ontario's policing sector, I will continue to share information and advice that will assist you in meeting the requirements of the CSPA and its regulations.

I trust this information will be helpful to you. Should you have any questions, please connect with your Police Services Advisor.

Sincerely,



Ryan Teschner
Inspector General of Policing of Ontario

APPENDIX A – Police Services Advisor Board and Police Service Assignments

Zones are OAPSB and OACP consistent. Municipal board names are as recorded by the Public Appointments Secretariat, except for regional municipalities, which have been modified for consistency. Boards responsible for multiple municipalities (excluding upper-tier boards) are indicated as “joint”. Police service names significantly different from the board are listed with the board. There are currently **43** municipal boards in Ontario.

ZONES 1/1A	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6
Tom Gervais (416) 432-5645 tom.gervais@ontario.ca <i>B/U Ron LeClair</i>	Graham Wight (416) 817-1347 graham.wight@ontario.ca <i>B/U Jeeti Sahota</i>	Multiple advisors: ¹ <i>Tom Gervais, Primary</i> ² <i>Duane Sprague, Primary</i> ³ <i>Graham Wight, Primary</i> <i>B/U Graham Wight</i>	David Tilley (647) 224-9370 david.tilley@ontario.ca <i>B/U Duane Sprague</i>	Duane Sprague (416) 573-8309 duane.sprague@ontario.ca <i>B/U David Tilley</i>	Ron LeClair (226) 280-0166 ronald.leclair@ontario.ca <i>B/U Tom Gervais</i>
Greater Sudbury	Belleville	Barrie ¹	Brantford	Guelph	Aylmer
North Bay	Brockville	Bradford West Gwillimbury & Innisfil (joint) - <i>South Simcoe</i> ²	Halton Regional	Hanover	Chatham-Kent
Sault Ste. Marie	Cornwall	Cobourg ³	Hamilton	Owen Sound	LaSalle
Thunder Bay	Deep River	Durham Regional ²	Niagara Regional	Saugeen Shores	London
Timmins	Gananoque	Kawartha Lakes ³	Woodstock	Stratford	Sarnia
	Kingston	Peel Regional ²		Waterloo Regional	St. Thomas
	Ottawa	Peterborough ²		West Grey	Strathroy-Caradoc
	Smiths Falls	Port Hope ³			Windsor ¹
		Toronto ¹			
		York Regional ³			
					¹ <i>David Tilley Primary</i>



Advisory Bulletin 1.1: How Policing is Delivered in Ontario and Associated Compliance Requirements

Date of issue: August 1, 2024

Background information about new CSPA requirements

The CSPA sets out the framework for how policing is to be delivered in Ontario, including specifying key responsibilities for ensuring adequate and effective policing in Ontario communities.

CSPA s. 10(1) requires that police service boards and the Commissioner of the Ontario Provincial Police (OPP) **ensure the provision of adequate and effective policing in the areas for which they are responsible**. In addition to making boards and the Commissioner responsible for ensuring the delivery of adequate and effective policing, the CSPA also sets out certain rules for *how* policing is delivered and increases the governance and oversight functions of the board in monitoring the service's capacity to provide policing functions in their jurisdiction.

Section 13 set out the rule that police service boards/the Commissioner **must use members of their own police service** to provide policing functions, **or persons assisting a member of that service while acting under their direction**. With respect to the "person" assisting a member, a police officer of one service can be a "person" who may assist a member of another service. However, for this exception to apply, *the assisting member must be acting under the direction of the assisted member*, as opposed to being under the direction of the assisted police service more generally. "Acting under the direction" would require that the assisted member be the operating mind and that the assisting member would have little or no involvement in decision-making about the policing being delivered in the circumstances.

For clarity, s. 13(3) does **not** create a separate, stand-alone mechanism for the delivering of policing functions in Ontario. Rather, s. 13(3) simply confirms that if responsibility to provide a policing function in relation to a specific investigation *etcetera* is referred to the Chief of another service or otherwise transferred to a member of a different police service (or board) as required by specific provisions of the CSPA or

regulations (e.g., s. 121 and 188 of the CSPA and s. 4, 6 and 7 of [O. Reg. 401/23](#) Conflicts of Interest), that other board/service to which the function is referred or otherwise transferred is bound by the s. 13 requirement to use its own members in engaging in that function.

Section 14, as well as temporary and emergency requests for assistance under section 19, provide *additional exceptions* to the requirement in s. 13 that policing functions be provided by members of the police service of jurisdiction. Section 13 exceptions (which would apply to one-off instances of member assisting member or when a specific function is referred by virtue of another legal requirement) can overlap with agreements under both sections 14 and 19 (if permitted by regulation).

Section 14 allows **a board or the Commissioner to enter into an agreement** with another board or the Commissioner to provide a policing function, or part of a policing function (including *ad hoc* or occasional assistance) in an area, in accordance with [Ontario Regulation 398/23: Alternative Provision of Policing Functions](#). The Regulation lists all policing functions which may be provided through s. 14 agreements (functions not listed in the Regulation **cannot** be the subject of a s. 14 agreement).

Subsection 5(1) of O. Reg. 398/23 also states that “[it] shall not be read as limiting the ability of a police service to assist another police service in the provision of policing functions as may be needed from time to time”, where that would otherwise be permitted under the CSPA.¹

Section 19 provides additional options to provide policing functions with members of a different police service. A board or the Commissioner may request **temporary assistance** in providing adequate and effective policing from another board or an entity that employs First Nation Officers on an *ad hoc* basis, in absence of such an arrangement already existing in a s. 14 agreement (s. 19(1)(2)).

Finally, s. 19(4) allows a chief of police to request that the Commissioner, another chief of police, or an entity that employs First Nation Officers, provide **emergency assistance**, if the chief of police is of the opinion that an emergency exists in the area

¹ Subsection 5(1) of O. Reg. 398/23 provides guidance with respect to how the Regulation should be interpreted in relation to the broader scheme of the CSPA. O. Reg. 398/23 provides that some, but not all, police functions may be the subject of an agreement pursuant to s. 14. The purpose of s. 5(1) is to indicate that, although only some functions may be the subject of a s. 14 agreement, any functions may be provided to assist another police service as required from time-to-time where that would be otherwise authorized by the CSPA. Subsection 5(1) is intended to ensure that O. Reg. 398/23 is not given an excessively broad interpretation. It is not a provision with respect to the interpretation of s. 13 and, as a regulation, could not have the effect of changing the meaning of s. 13.

for which the police service board has policing responsibility or, in the case of the Commissioner, the area for which the OPP has policing responsibility. Please note that “emergency” in the CSPA has the same meaning as in [section 1](#) of the [Emergency Management and Civil Protection Act](#).²

Under the CSPA, a **police service board may seek cost recovery** for policing provided through s. 14 agreements (per s. 14(6)) and temporary or emergency assistance requests (s. 19(8)).

The CSPA provisions summarized above describe the rules for how policing is to be delivered. To provide additional clarity on applying the rules in an operational context, including interpretative guidance for how the exceptions may be applied, the IG’s advisory duty under s. 102(4)(b) of the CSPA allows for the provision of the following guidance to support compliance by police services and boards.

Policing Agreements under section 14

What you need to know

Policing agreements allow boards and the Commissioner to set out that certain functions may generally or occasionally be provided by another board/service. These agreements ensure that a board is properly positioned and informed to discharge its statutory mandate of ensuring adequate and effective policing while at the same time avoiding directing day-to-day operations of their respective police services. Agreements allow a board and chief to work together to proactively articulate what functions may be provided with the assistance of another board and service, and when, precisely to avoid any impacts on timely operational decision-making.

Subject to the requirements of [O. Reg. 398/23](#) (*Alternative Provision of Policing Functions*), s. 14 agreements should be flexible in their scope of coverage and the time period over which they apply. A s. 14 agreement may provide that a specified policing function:

- Is to be provided on a regular basis;
- Is to be provided as may be requested on an *ad hoc* basis;
- Will be provided because one police service does not have the capacity to provide that function for itself; or,

² “Emergency” means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

- Will be provided from time-to-time by members of another police service, but is a policing function that the police service of jurisdiction generally has the capacity to provide.

An agreement under s. 14 may include more than two parties and could provide for the regional delivery of a policing function (e.g., the services of a public order unit as required from time-to-time by one of the parties).

In the case of municipal police services, a board's decision to enter into a s. 14 agreement should be made *after thorough consultation between the board and the chief of police*, with consideration for past/current practice and known or predictable capacity issues. For example, a board may seek from the chief of police and analyze data on how often *ad hoc* assistance is required by its police service or provided to another service, and consider whether a section 14 agreement is required, or whether to seek cost recovery. Section 14(6) allows a board to recover the costs associated with providing, or assisting, in the delivery of a policing function or part of a policing function.

The required contents of the agreement itself are set out in s. 14(6) of the CSPA and any agreement must adhere to these requirements. In addition, the required consultations and matters to confirm between parties to the agreement and chiefs of police prior to entering into s. 14 agreements are set out in s. 3 of Regulation 398/23 (*Alternative Provision of Policing Functions*). **Please note that the Ministry of the Solicitor General will be circulating an Ontario Provincial Police section 14 agreement template, as an example, to police services via a future All Chiefs Memo.**

Finally, subsection 14(12) confirms that where a board or the Commissioner enter into an agreement for the provision of policing in their jurisdiction, the board or Commissioner remain responsible for ensuring that the policing provided pursuant to the agreement meets the CSPA standards for adequate and effective policing.

What you need to do

As policing agreements are the **responsibility of the police service board** or Commissioner, when considering and developing these agreements boards should consider and consult with the chief of police on the following:

- The required contents of the agreement as outlined in s. 14(6), with specific consideration for the type, frequency and duration of the policing functions to be provided, and whether payment is required for any of those functions;
 - For example, what are the circumstances surrounding the need for the agreement, including:

- The policing function(s) or assistance required;
- The timeframe for the provision of the function/assistance;
- The size and scope of assistance required (e.g., localized, widespread, multi-jurisdictional);
- The overall capacity of the service to deliver the functions required to ensure adequate and effective policing using both local resources and those of another board/service through an agreement;
- The specific consultation requirements and items to confirm as set out s. 3 of the Regulation; and,
- Information the board may wish to receive from the chief of police as part of regular or *ad hoc* reporting on actual delivery of functions or assistance provided through the agreement.

Section 14 agreements are new and will require thoughtful collaboration between a board/the Commissioner and the service, and between boards and services across jurisdictions. While we acknowledge that this may take some time, it is critical that these collaborations, and the resulting s. 14 agreements, are prioritized to ensure that adequate and effective policing can be delivered locally.

The police service board or Commissioner **that has the responsibility** for the provision of policing in the area is required to provide a copy of all agreements made under s. 14 to the IG.

To fulfil the above responsibility, the board or Commissioner that receives s. 14 support should **email all s. 14 policing agreements to IOPnotifications@Ontario.ca and copy your Police Services Advisor.**

What we will do

The IG will receive and review s. 14 agreements to monitor compliance with the CSPA and the delivery of adequate and effective policing. The IG may also request additional information on the delivery of policing functions through s. 14 agreements, from time to time, as authorized by the CSPA (s. 104(2)). Over time and with this and other information, the Inspectorate of Policing will be better positioned to assess the system of policing delivery in Ontario, including where the system is strong, or is being challenged. This information will also support the IG to make informed decisions about potential deployment of police services or the Ontario Provincial Police, should a concern about adequate and effective policing, or a policing emergency, arise.

While there is no obligation to notify the IG about instances when a member of one service provides assistance to a member of another service under the latter's direction

under s.13, the IG may request information (per s. 104(2) of the CSPA) on instances of such assistance from time to time as part of the process of monitoring the delivery of adequate and effective policing.

Temporary Assistance and Emergencies under section 19 – IG Notifications and Authorities

Temporary Assistance Requests – Notification of IG

What you need to know

Temporary assistance can be requested by a board or the Commissioner in order to receive assistance from another board/the Commissioner or an entity that employs First Nation Officers in providing adequate and effective policing.

A temporary assistance request is not required where policing functions are provided by:

- Members of another police service pursuant to a section 14 agreement, even on an *ad hoc* basis; or,
- Persons assisting those members while acting under the specific member's direction as per the s. 13 exception.

In addition, there may be other operational circumstances that do **not** require a board to request another board/the Commissioner to provide a policing function on their behalf, such as:

- *Active incidents and investigations that cross jurisdictional lines* – where officers in the original jurisdiction may cross into the adjoining jurisdiction as part of a pursuit or an active investigation, and where officers in the adjoining jurisdiction may engage a suspect or join an investigation; or,
- *Joint force operations* – where members of different police services work collaboratively on a single operation that jointly impacts their respective jurisdictions, as those members continue to police on behalf of their board and police service.

A municipal chief of police is not authorized by the CSPA to make temporary assistance arrangements for the provision of policing functions in the absence of an emergency. The IG recognizes that in the context of day-to-day policing, sometimes immediate decisions will need to be made to ensure the protection of public safety, and that some of these decisions may on their face run contrary to provisions of the CSPA. In such circumstances, it is expected that **the IG would be notified as soon as possible of**

instances of possible non-compliance so that the spirit of the CSPA is adhered to, and potential remedial steps can be examined.

However, again, when the **assistance** of another police service is planned, or regularly required, a section 14 agreement or section 19 request should be considered and actioned, and any assistance tracked, in order to better understand how policing is delivered locally.

Requests for temporary assistance require resolutions of boards requesting or providing assistance. When considering these requests, police service boards must keep in mind the statutory prohibitions with respect to their involvement in daily operations of the police service. Specifically, boards are prohibited from making policies with respect to specific investigations, the conduct of specific operations, and are prohibited from directing a chief of police with respect to specific investigations, the conduct of specific operations and the day-to-day operation of the police service.

If a police service board, or the Commissioner, makes a request for temporary assistance, s. 19(3) requires that:

- a) the requesting board or Commissioner **shall provide notice of the request as soon as possible to the IG** and, in the case of a request by the Commissioner, to the Minister; and,
- b) the police service board, the Commissioner or the entity that employs First Nation Officers who agrees to provide temporary assistance **shall provide notice of that agreement as soon as possible to the IG** and, in the case of a request by the Commissioner, to the Minister.

What you need to do

The practicality of convening the entire board to consider s. 19 temporary assistance requests should be considered by each board. Subsection 42(1)(a) of the CSPA enables a police service board to **delegate** its powers by by-law to a committee of at least two members of the board. Our advice is that boards should establish this committee approach to support a more expeditious process. Where a board establishes a committee, we also advise that there should be some form of regular reporting of temporary assistance resolutions, so that the entire board maintains awareness of these matters.

To fulfil the CSPA's requirements, the items specified in **Appendix B** should be submitted to the IG pursuant to the notification requirements for temporary assistance

under s. 19(3)(a) and (b). This will ensure the IG receives the information required to support compliance monitoring in a consistent manner necessary for reliable analysis.

Although the CSPA does not define the term “as soon as possible”, notices related to temporary assistance requests should be submitted to the IG by the appropriate parties **within 24 hours** of the request being made **and** following the agreement to provide temporary assistance being made.

Emergency Requests for Assistance – Notification of IG

What you need to know

Section 2(1) of CSPA [O. Reg. 399/23](#) establishes that for the purposes of the CSPA, “emergency” has the same meaning as in s. 1 of Ontario’s *Emergency Management and Civil Protection Act* (EMCPA): a “situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.”

Under the CSPA, a chief of police and the Commissioner may request emergency assistance if they are of the opinion an emergency exists in the area for which the board or OPP have policing responsibility. Where requests for emergency assistance are made, CSPA s. 19(5) requires that the chief or Commissioner submit notifications of the request and agreement to assist to the IG:

- a) They **shall provide notice of the request as soon as possible to the Inspector General** and, in the case of a request by the Commissioner, to the Minister; and,
- b) The Commissioner, other chief of police or entity that employs First Nation Officers who agrees to provide emergency assistance **shall notify the Inspector General of the agreement as soon as possible.**

What you need to do

To fulfil the CSPA’s requirements, a notice that includes the information specified in **Appendix C** should be submitted to the IG pursuant to the requirements under s. 19(5)(a) and (b). Once again, this will ensure the IG receives the information required to support compliance monitoring in a consistent manner necessary for the reliable analysis of emergency assistance requests.

There is a provincial interest in the ability of the IG to monitor policing delivery assistance in cases of emergencies and prompt notification of the IG in these circumstances is vital. For this reason, **notification should be provided to the IG immediately** following both the emergency request being made **and** following the agreement for emergency assistance being made.

What we will do

The IG will **receive notifications** and analyze the information as part of the IG's monitoring function, to ensure compliance with the CSPA and the delivery of adequate and effective policing. Again, awareness of the various ways in which policing is being delivered regularly, temporarily or in cases of emergency provides a more fulsome understanding of the policing system in Ontario. The analysis of emergency assistance requests, in combination with regular ongoing monitoring and inspections, will help ensure the IG has a more complete understanding of the strengths and potential susceptibilities of Ontario policing.

In this context, **CSPA s. 20(1) provides the IG with distinct authority to issue an order requiring a police service board or the Commissioner to provide policing in an area, if the IG finds that adequate and effective policing is not being provided in the area or that an emergency exists in the area.** The notifications and information accompanying them enables the IG's information-driven decision-making in determining whether the statutory authority in s. 20(1) needs to be invoked in the context of temporary or emergency assistance requests, and the specific application of this authority in the given circumstances.

Appendices:

- A. Overview of Agreements and Notification Requirements
- B. Temporary Assistance Request Notifications
- C. Emergency Assistance Request Notifications

Note: Advisory Bulletins are the IG's advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CSPA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.

APPENDIX A – Overview of Agreements and Notification Requirements

	Policing Agreements (s. 14)	Temporary Assistance Requests (s. 19(1))	Emergency Assistance Requests (s. 19(4))
Who is responsible	Police service board or the Commissioner	Police service board or the Commissioner	Chief of Police or the Commissioner
What to include in the IG notification	A copy of the completed s. 14 agreement	<p>Notice of the request: municipal police service board resolution and the information outlined in Appendix B</p> <p>Notice of agreement to assist: the information outlined in Appendix B</p>	<p>Notice of the request: the information outlined in Appendix C</p> <p>Notice of agreement to assist: the information outlined in Appendix C</p>
Timeline for notification of IG	Once the agreement has been signed by all parties	Within 24 hours of both the request for assistance AND the agreement to assist being made	Immediately after both the request for assistance AND the agreement to assist being made

APPENDIX B – Temporary Assistance Request Notifications under section 19(1)

The following information shall be **submitted by the entity (police service board or Commissioner) making the request** for temporary assistance when providing notice to the IG under s. 19(3)(a):

1. The resolution of the requesting police service board, in the case of a municipal police service. **Note:** if the board's resolution requesting assistance includes the below information, submission of the resolution itself will suffice as notification.
2. Correspondence outlining the following information:
 - a. A brief summary of the circumstances surrounding the need for temporary assistance;
 - b. The policing function(s) and assistance being requested;
 - c. The timeframe for the provision of temporary assistance;
 - d. The size and scope of assistance required (e.g., localized, widespread, multi-jurisdictional);
 - e. A brief assessment of the capacity to respond to the public safety need, using both local resources and those of the assisting service;
 - f. Identification of, and plans to address any risks, including, but not limited to:
 - i. The delivery of adequate and effective policing in the area
 - ii. Officer safety
 - iii. Public safety
 - iv. Ability to respond to evolving or escalating events

When temporary assistance requests are made, requesting entities should **submit the above information within 24 hours** of the request being made to IOPnotifications@Ontario.ca and copy your **Police Services Advisor**.

Further, the following shall be **submitted by the entity that has agreed to provide assistance** in response to a request for temporary assistance when they provide notice to the IG under s. 19(3)(b):

Correspondence to the IG that contains the following information:

1. Confirmation that the entity has agreed to provide assistance, which would include any board resolution, including, if known at the time of notification, whether the request for assistance will be provided in its entirety, or only in part, by the responding entity; and,
2. Affirmation that the assistance provider has the capacity to continue to meet statutory requirements in its area of policing responsibility during the assistance period.

Responding entities should **submit the above information within 24 hours of agreeing to provide the assistance to IOPnotifications@Ontario.ca and copy your Police Services Advisor.**

APPENDIX C – Emergency Assistance Request Notifications under section 19(4)

The following information should be **submitted by the chief of police (including the Commissioner) making the request for emergency assistance** when they provide notice to the IG under s. 19(5)(a):

1. Correspondence outlining the following information:
 - a. A brief summary of the nature of the emergency, including confirming relevant details in relation to the legal definition of emergency:
 - i. Is this an active or impending situation?
 - ii. Does it constitute a danger of major proportions that could result in serious harm to persons or substantial damage to property?
 - iii. Is the emergency caused by forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise?;
 - b. A summary of the circumstances surrounding the need for emergency policing assistance;
 - c. The policing function(s) and assistance to be provided;
 - d. Timeframe for the provision of emergency assistance;
 - e. Size and scope of assistance required (e.g., localized, widespread, multi-jurisdictional);
 - f. Capacity to respond to the emergency, using both local resources and those of the assisting service, as well as any other agencies/levels of government, including:
 - i. Mitigation of the danger of serious harm to persons or substantial damage to property, and,
 - ii. Ability to address the cause of the emergency, if it relates to criminal or other acts of individuals or groups;
 - g. Identification of, and plans to address, any risks, including, but not limited to:
 - i. The delivery of adequate and effective policing in the area of policing responsibility.

- ii. Officer safety
 - iii. Public safety
 - iv. Ability to respond to evolving or escalating events;
2. Confirmation regarding the engagement of, and communication with, the police service board, to date and moving forward;
 3. Confirmation of notice to the Minister, if the Commissioner is requesting the assistance; and,
 4. Identification of any other applicable CSPA-based regulatory requirements with respect to the management of extreme incidents, active attackers, etc.

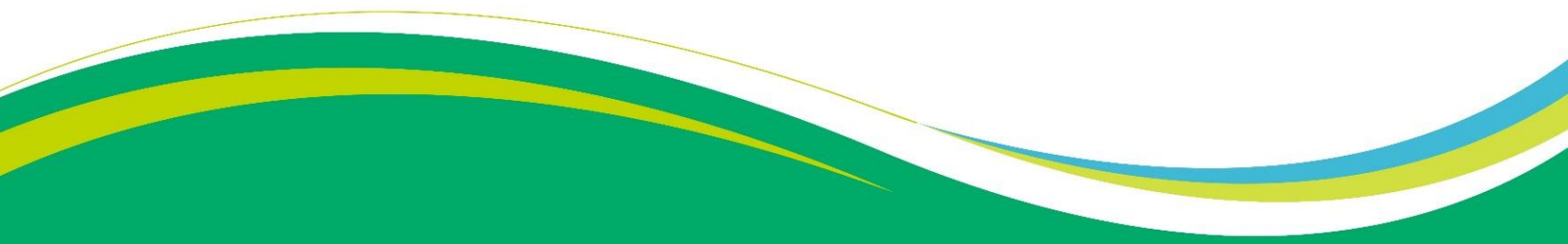
When emergency assistance requests are made, **requesting chiefs** should **submit the above information immediately after making the request, to IOPnotifications@Ontario.ca and copy your Police Services Advisor.**

Further, the following shall be **submitted to the IG by the entity that has agreed to provide emergency assistance** when they provide notice under s. 19(5)(b):

Correspondence to the IG that contains the following information:

1. Confirmation that the entity has agreed to provide assistance, including, if known at the time of notification, whether the request for assistance will be provided in its entirety, or only in part, by the responding entity; and,
2. Affirmation that the assistance provider has the capacity to continue to meet statutory requirements in its area of policing responsibility during the assistance period.

Responding entities should **submit the above information immediately after agreeing to provide the assistance, to IOPnotifications@Ontario.ca and copy your Police Services Advisor.**



Inspector General Advisory Bulletin



Advisory Bulletin 1.2: Right to Disclose Misconduct to the Inspector General (IG)

Date of issue: August 1, 2024

What you need to know

The CSPA creates a new ability for members of a police service and special constables to file reports of alleged misconduct relating to their own police service or employer.

CSPA section 183 sets out requirements for police service boards, chiefs of police including the Commissioner, special constable employers and the Minister to have **written procedures regarding the disclosure of misconduct**, as applicable.

Section 184 authorizes current and former members of a police service, and special constables, to **disclose misconduct** in accordance with the procedures established pursuant to s. 183.

However, s. 185 provides that the **member or special constable may disclose misconduct directly to the IG if any one of the following three circumstances apply**,

- a) They have reason to believe that it would not be appropriate to disclose the misconduct in accordance with the procedures established under s. 183;
- b) They have already disclosed the misconduct in accordance with the procedures established under s. 183 and have concerns that the matter is not being dealt with appropriately; or,
- c) The applicable procedure has not been established under s. 183.

What you need to do

As required by s. 183 (1) and (2), we urge chiefs of police, including the Commissioner, and police service boards, to **develop procedures regarding the disclosure of misconduct as soon as possible**. Please note that procedures must include the contents listed in s. 183 (5). We also suggest that, through the OACP or otherwise,

information about the content of these procedures is shared amongst police services with a view to creating provincial consistency, where appropriate. Of course, there may be local needs or operational realities that necessitate differences in these procedures.

What we will do

The IG must **refuse** to deal with disclosures of misconduct if any of the circumstances set out in CSPA s. 187(1) apply, including if the matter is being dealt with by another body or is an employment or labour relations matter, or the disclosure is frivolous, vexatious, made in bad faith or submitted after a substantial delay from the subject matter incident(s), or another valid reason exists for not dealing with the disclosure.

Where the IG does not refuse to deal with a disclosure of misconduct, reports of misconduct will typically follow **one of four paths** once disclosure is received by the IG:

1. Reports of misconduct that contain allegations of or disclose potential criminal conduct on their face, and fall within SIU mandate will be forwarded to the SIU;
2. Reports of misconduct that contain or disclose potential criminal conduct on their face, and fall outside of the SIU mandate will be forwarded to an unrelated police service for investigation;
3. Reports that do not disclose criminal conduct, but that may represent misconduct, will be forwarded to LECA for its review and to determine whether investigation is required; or,
4. All other reports of alleged misconduct may be addressed using the IG's inspection powers.

Importantly, s. 185 complainants are provided protection from reprisals pursuant to CSPA s. 190.

For awareness, **disclosures made under s. 185 can be sent to IOPdisclosures@Ontario.ca**. Alternatively, if accommodation is required, you may contact the IOP directly at **1-888-333-5078 and select option #3**.

Note: Advisory Bulletins are the IG's advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CPSA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.



Inspector General Advisory Bulletin



Advisory Bulletin 1.3: Conflicts of Interest Regulation 401/23 – Notification of Inspector General (IG)

Date of issue: August 1, 2024

The [Conflicts of Interest Regulation](#) defines personal and institutional conflicts and sets out requirements for criminal investigations in conflict situations, including notification of the IG in certain circumstances. When applying the Regulation in real time, there are a number of decisions to be made about the nature of the conflict, which will result in certain required actions and IG notifications. To support consistent understanding of the requirements of the Regulation, and which notifications are needed, we have developed a **flow chart** as part of this Advisory Bulletin.

The Regulation identifies five Solicitor General-approved forms that are required to be completed in certain circumstances of potential or actual conflict. The forms will be used to document personal and institutional conflicts of interest, as well as facilitate the notification and reporting of conflicts to the IG as required.

Please note that our Ministry of the Solicitor General colleagues are actively working with the Ministry of Public and Business Service Delivery to develop accessible, fillable forms which will be available within the next few months. In the interim, we have been advised that the **following Solicitor General-approved temporary forms (enclosed)**, which are attached, can be used:

- Notification to supervisor of a personal or institutional conflict of interest
- Recording the steps taken for personal conflicts
- Notification of all institutional conflicts to the Inspector General of Policing
- Notification to the Inspector General of Policing that a potential institutional conflict will be retained
- Recording steps taken for institutional conflicts

Notifications to the IG under the Regulation, including required forms, should be submitted to IOPnotifications@Ontario.ca, copying your Police Services Advisor.

Should you have any questions about the forms specifically, please contact Rachel Ryerson, Manager, Strategic Policy Division at the Ministry of the Solicitor General, at (647) 267-6517 or Rachel.Ryerson@Ontario.ca.

Note: Advisory Bulletins are the IG's advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CSPA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.

Appendices: COI Solicitor General-approved temporary forms (5)



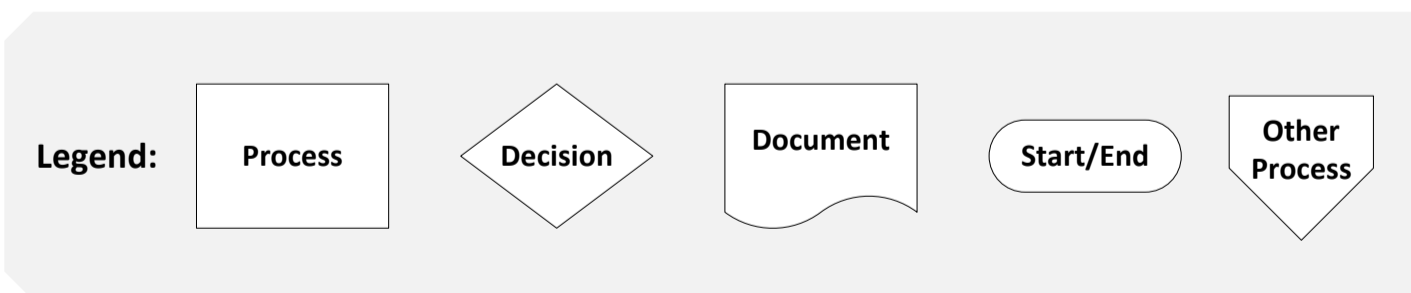
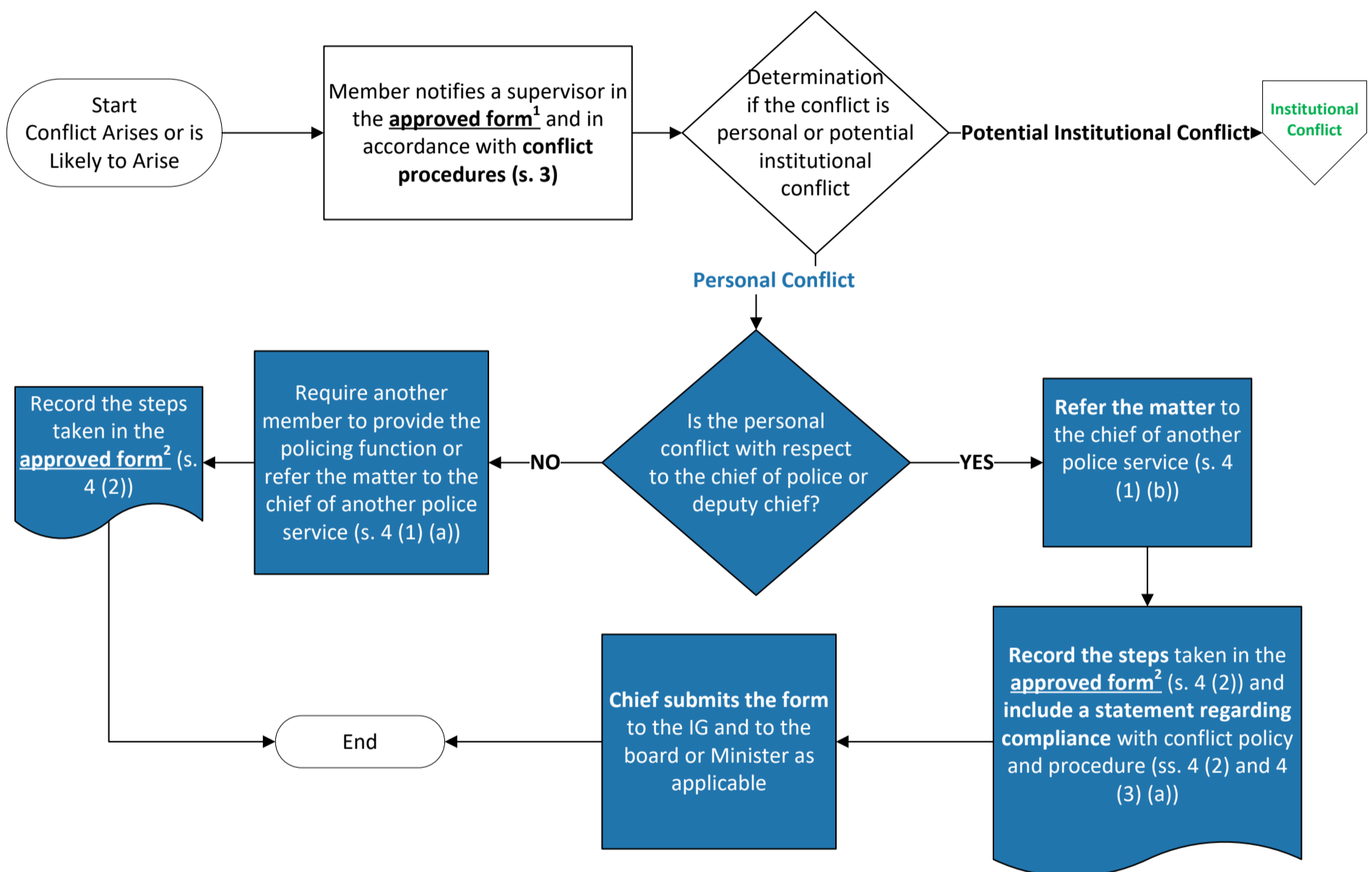
Conflict of Interest Regulation Flow Chart – Personal Conflict

“Personal Conflict” means a situation in which a member of a police service’s private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their professional duties with respect to the provision of policing functions; (“conflit personnel”)

“personal relationship” includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse, common-law partner or other intimate partner of the member.
2. The member’s children, including biological and adoptive children and stepchildren.
3. A legal dependant of the member.
4. A child in the member’s care.
5. A grandparent, parent or sibling, including grandparent-in-law, parent-in-law or sibling-in-law, of the member;

(“rappports personnels”)



Reference for Approved Form:

1. S. 3 Notify Supervisor of a Conflict
2. S. 4 Record Steps Taken for Personal Conflict

Other investigations where impartiality cannot be ensured

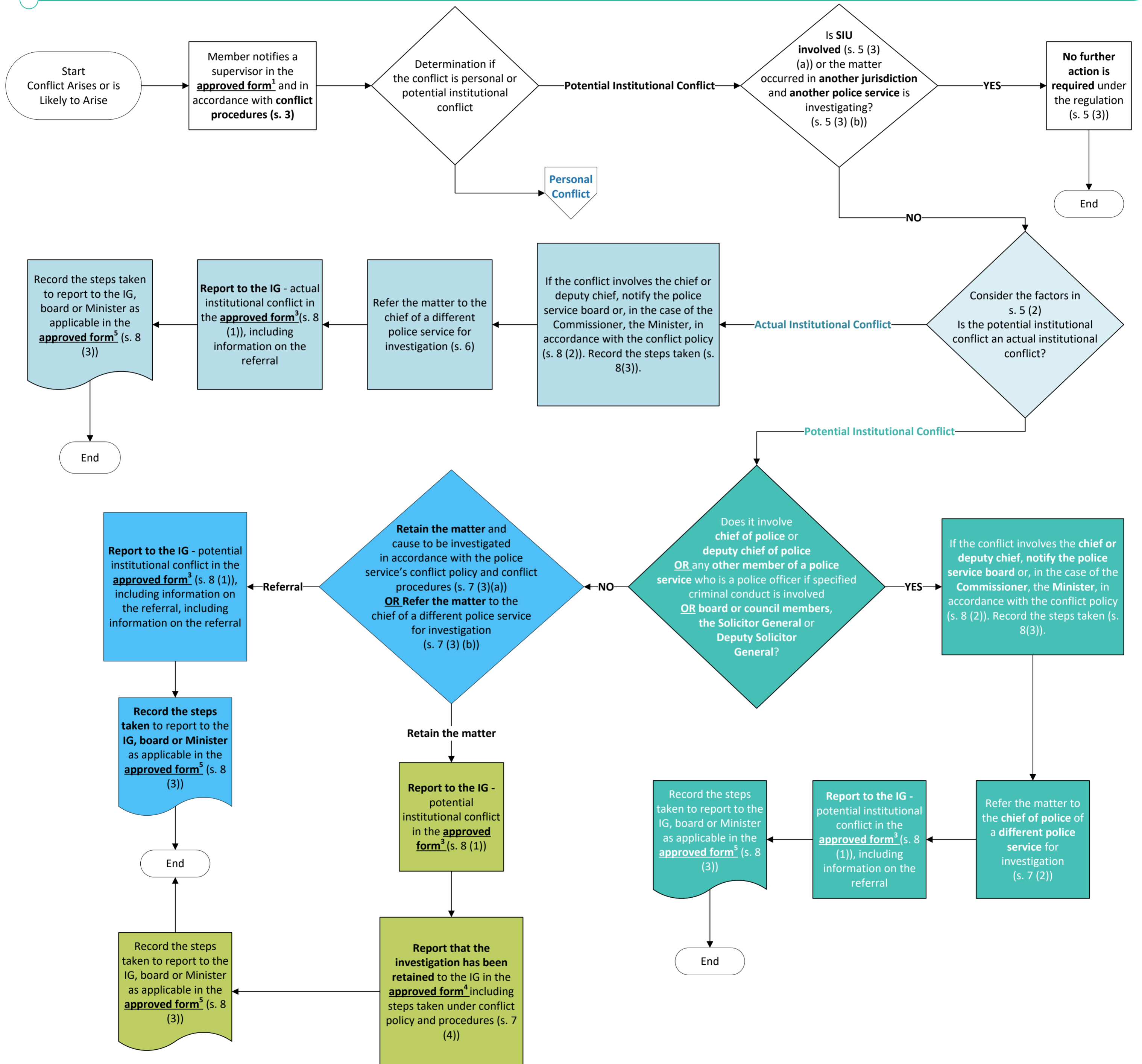
If criminal conduct is under investigation and there is no actual or potential institutional conflict as defined, but the chief reasonably believes the impartiality of the investigation cannot be ensured, **refer the matter to the chief of police of a different police service (s. 9 (2))**

Conflict of Interest Regulation Flow Chart – Institutional Conflict

“Actual Institutional Conflict” means a potential institutional conflict for which a determination has been made under subsection 5 (1) that an informed and reasonable person would not believe that a member of the police service who must take action or make a decision in the situation could do so impartially.

“Potential Institutional Conflict” means a situation in which a member of a police service must take action or make a decision in relation to criminal conduct that is alleged or reasonably suspected to have been committed by or against any of the following persons, but does not include criminal conduct that is alleged or reasonably suspected to have been committed against a peace officer acting in the course of their duties:

1. Any other member of the police service, including the chief of police or a deputy chief of police.
2. In the case of a member of a police service maintained by a police service board,
 - i. a member of the police service board, or
 - ii. a member of a municipal council or of a band council of a First Nation, as applicable, in the area for which the police service board has policing responsibility.
3. In the case of a member of the Ontario Provincial Police,
 - i. a member of an O.P.P. detachment board or a First Nation O.P.P. board, or
 - ii. the Minister or a deputy minister of the Ministry. (“conflict institutionnel potentiel”)



Reference for Approved Form:

1. S. 3 Notify Supervisor of a Conflict
3. S. 8 Report Institutional Conflicts to IG
4. S. 7 Notify the IG on Retaining Institutional Conflict
5. S. 8 Record Steps Taken for Institutional Conflict

Other investigations where impartiality cannot be ensured

If criminal conduct is under investigation and there is no actual or potential institutional conflict as defined, but the chief reasonably believes the impartiality of the investigation cannot be ensured, **refer the matter to the chief of police of a different police service (s. 9 (2))**



Advisory Bulletin 1.4: Police Service Board Member Code of Conduct – Disclosures to the Inspector General (IG) Regarding Misconduct and Conflict of Interest

Date of issue: August 1, 2024

The CSPA requires every member of a police service board to comply with the prescribed Code of Conduct (s. 35(6)).

[Ontario Regulation 408/23](#) (and [O. Reg. 409/23](#) for OPP detachment boards) sets out the Code of Conduct with which every police service board member must comply, and includes certain **new requirements** with respect to how misconduct and conflicts of interest of board members must be handled.

Misconduct Disclosures

What you need to know

Code of Conduct s. 17 now **requires** that a board member **disclose** any conduct of another member of the board that the member **reasonably believes** constitutes misconduct,

- (a) to the chair of the board, who then notifies the Inspector General (IG) pursuant to CSPA s. 108 as outlined below; or
- (b) to the IG, if the misconduct involves the chair.

Please note that a disclosure of misconduct from a board member to a board chair under s. 17 of the Regulation amounts to a complaint under s.106 of the CSPA. Therefore, a **board chair who receives a disclosure of misconduct under s. 17 of the Regulation must forward that information to the IG** in compliance with s. 108 of the CSPA.

Section 108(1) of the CSPA requires that listed entities and persons, including boards, board members and chiefs of police, forward to the IG any complaints made to them in relation to subsections 106(1) or 107(1) of the CSPA.

**Advisory Bulletin 1.4 Police Service Board Member Code of Conduct
– Disclosures to the Inspector General (IG) Regarding Misconduct and Conflict of Interest**

What you need to do

If you are a board chair who has become aware of potential misconduct of a board member:

- Please follow the procedure for forwarding complaints to the IG as per CSPA s. 108(1) detailed separately in Advisory Bulletin 1.5. In summary, section 108(1) includes two process requirements with which board chairs **must** comply when disclosing misconduct:
 1. **Forward Complaint:** upon receipt of a board misconduct complaint that falls under the jurisdiction of the IG, promptly forward it to the IG at IOPComplaints@Ontario.ca, and,
 2. **Inform the person who notified the Board Chair:** send a letter to the board member who notified the Board Chair of the misconduct, confirming that the information has been received and forwarded to the IG in accordance with legislative requirements, and provide them with information on the role of the IG.
- Please refer to Advisory Bulletin 1.5 for detailed information on s. 108(1) process, including what information must be submitted to the IG in relation to the steps outlined above and template messaging that can be used in the notification letter.

If you are a board member who has become aware of potential misconduct of the board chair:

- Disclose the information to the IG as required by s. 17 of the Code of Conduct as follows:
 1. **Write out a narrative of the information regarding the misconduct**, and forward that written narrative to the IG via email at IOPComplaints@Ontario.ca. When completing this narrative, please attempt to include information that responds to the following questions:

What was the misconduct?

Who was involved?

Where did it occur?

When did it occur?

**Advisory Bulletin 1.4 Police Service Board Member Code of Conduct
– Disclosures to the Inspector General (IG) Regarding Misconduct and Conflict of Interest**

2. **If you have in your possession any supporting materials** or documents related to the misconduct, please compile a list of these items and send the list to the IG along with the written narrative. After an initial screening, a determination will be made regarding the necessity of collecting these materials, and an Inspectorate representative will contact you if these materials are sought.

What we will do

The information about potential misconduct disclosed to the IG will support the IG's duties to monitor police service board members to ensure that they do not commit misconduct, and to investigate allegations of misconduct where the IG determines it is appropriate to do so.

Allegations of misconduct received by the IG will be dealt with under s. 106 of the CSPA. All information provided, including the circumstances surrounding the allegation, will be considered by the IG when deciding whether to investigate the complaint under s.106(2).

This information also supports the IG's mandate to more broadly provide advice to boards with respect to the implementation of legislated requirements, including compliance with the Code of Conduct.

Conflict of Interest Disclosures

What you need to know

The Code of Conduct Regulation defines "conflict of interest" as a situation in which a board member's private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the board.

Section 20 of the Regulation further states that a board member shall promptly disclose any conflict of interest,

- (a) to the chair of the board; or,
- (b) if the conflict of interest involves the chair, to the Inspector General.

**Advisory Bulletin 1.4 Police Service Board Member Code of Conduct
– Disclosures to the Inspector General (IG) Regarding Misconduct and Conflict of Interest**

What you need to do

Where the “conflict of interest” definition is satisfied, board members **must make the required disclosures in accordance with s. 20 of the Regulation and are also required to disclose the conflict on the record at the next board meeting.**

Additionally, board members should consider any steps that may have been set out in the board’s own rules of procedure regarding conflicts of interest, including consideration of the *Municipal Conflict of Interest Act* in relation to matters of pecuniary interest.

Disclosures of conflict of interest that are required to be sent to the IG should be emailed to IOPnotifications@Ontario.ca, copying your Police Services Advisor.

Note: Advisory Bulletins are the IG’s advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG’s general interpretation of various provisions of the CSPA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.





Advisory Bulletin 1.5: Forwarding Complaints to the Inspector General (IG) under section 108 of the CSPA

Date of issue: August 1, 2024

Under the CSPA, the IG receives complaints about police service board member misconduct (section 106(1)), as well as complaints in relation to adequate and effective policing (section 107(1)). For more detailed information, please refer to the CSPA, or the Inspectorate of Policing website at www.iopontario.ca.

There are new requirements that you should be aware of and must comply with when you receive what amounts to a complaint that falls within the IG's jurisdiction. Section 108 of the CSPA requires that, if an entity or person listed in that section receives a complaint that amounts to a complaint under s. 106 or 107, they are **required to forward the complaint to the IG**. This requirement to forward complaints applies to chiefs of police, police service boards, and board members, among others.

The below outlines a **step-by-step process** and some **suggested language** for forwarding letters when forwarding complaints intended for the IG.

Step-by-step process for forwarding complaints you receive to the IG:

1. Upon receiving a complaint under section 106(1) or 107(1) of the CSPA, prepare a **notification letter** to the complainant advising them of your legislative responsibility to forward the complaint to the Inspector General.
2. **Include in the letter the following information** about the role of the Inspector General:

The Inspector General of Policing is responsible for receiving and addressing complaints about compliance with Ontario's Community Safety and Policing Act and its associated regulations by police services, police service boards, and organizations employing special constables. This encompasses complaints regarding the provision of adequate and effective policing and the conduct of police service board members. Besides addressing public complaints, the Inspector General also accepts disclosures of misconduct from members of police services and special constables. For more information, please visit www.IOPontario.ca.

3. While s. 108 does not dictate the form a complaint must take, **if you have been provided the complaint information:**

- **In writing:** forward that written complaint to the IG via email at IOPComplaints@Ontario.ca.
- **Verbally:** write out a narrative of the complaint information you received and forward that written narrative to the IG via email at IOPComplaints@Ontario.ca. When completing this narrative, please attempt to include information that responds to the following questions:

Who is the complaint about?

What is the complaint about?

Where did the incident occur?

When did the incident occur?

4. If there are any **supporting materials or documents** related to the complaint that were provided at the time the complaint was made, please compile a list of these items and send the list and the supporting materials along with the complaint, as well as a copy of the notification letter you sent to the complainant.

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