

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD/
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

22 January 2024 / 22 janvier 2024

Submitted by / Soumis par:

**Executive Director, Ottawa Police Services Board / Directrice exécutive,
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**SUBJECT: RESPONSE TO INQUIRY I-23-01 – ROLES AND RESPONSIBILITIES
REGARDING BUSINESS PLAN DEVELOPMENT**

**OBJET: RÉPONSE À LA DEMANDE DE RENSEIGNEMENTS I-23-01 – RÔLES
ET RESPONSABILITÉS RELATIVEMENT À L'ÉLABORATION DU
PLAN D'ACTIVITÉS**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

**Que la Commission de services policiers d'Ottawa prenne connaissance du
présent rapport à titre d'information.**

INQUIRY

The Ottawa Police Services Board Policy Manual notes:

[T]he Ottawa Police Services Board is required by subsection 32(1) of Ontario Regulation 3/99 (" the Adequacy Standards") to enter into a protocol with the Council for the Municipality of Ottawa that addresses:

A. The sharing of information with Municipal Council, including the type of information to be shared and the frequency of sharing such information.

B. The dates by which the business plan and annual report shall be provided to Municipal Council.

C. The responsibility for making public the business plan and annual report and the dates by which the business plan and report must be made public.

D. If the Municipal Council chooses, jointly determining, and participating in, the consultation processes for the development of the business plan.

Can staff clearly outline the respective roles and authorities of the Police Services Board and Ottawa City Council concerning the development of the Police Services' Business Plan.

RESPONSE

The Ottawa Police Services Board (Board) operates independently from City Council. While the Board is funded by the City of Ottawa, it is not considered a "committee" of Council; it is a separate and distinct entity with responsibilities set out in the *Police Services Act*.

In spite of the above, the municipality does still play an important role in policing.

Role of City Council in Municipal Policing

Municipal council decides how the municipality is going to fulfil its obligation to provide "adequate and effective police services." In the case of larger municipalities, this is usually done by creating a municipal police service. If there is a municipal police service, then there will be police services board and City Council is responsible for providing four of the seven members (on a seven member Board) – the head of Council automatically gets a seat (unless they choose not to be a member at which point Council appoints another Member of Council); two City Councillors appointed by resolution of Council; and a Public Member appointed by resolution of Council that is neither a member of Council nor an employee of the municipality. Council also approves the total operating and capital budgets for the police service.

The oversight of the municipal police service is the responsibility of the Police Services Board. City Council has no legal authority to direct the police service as any involvement by Council can lead to the perception of political interference in the independent civilian oversight of the Ottawa Police Service.

Members of Council who are appointed to the Board are bound by their oath to respect the provisions of the *Police Services Act* and the Code of Conduct. Their role is one of oversight of policing activities in the community but in doing so they must also ensure

that the public's respect for, and confidence in, the Police Service is maintained to the highest level possible.

Role of City Council in the Business Plan

In keeping with the requirements of subsection 32(1) of Ontario Regulation 3/99 (" the Adequacy Standards"), the Board has a policy entitled GA-6 Protocol for Sharing Information with Council (Document 1).

The policy contains an agreed upon protocol between the Ottawa Police Services Board and Municipal Council which notes the following with respect to the development of the business plan specifically:

“3. The Ottawa Police Services Board undertakes to:

(a) Provide the Municipal Council with the opportunity to participate in the consultation processes for the development of a business plan, including notifying the Clerk of any public meetings or consultation processes scheduled by the Board for the development of a business plan;

(b) Provide the City Clerk with a copy of the Police Service's business plan no later than March 31st of the first year covered by each business plan;

(c) Make the business plan available to the public no more than 30 days following its release to the City Clerk;”

In addition, subsection 30(1) of Ontario Regulation 3/99 (" the Adequacy Standards") notes that every Police Services Board, “shall prepare a business plan for its police force at least once every three years.”

In terms of the roles and authorities of the Police Services Board and Ottawa City Council with respect to the development of the Ottawa Police Services' Business Plan, and in keeping with the Adequacy Standards as well as the agreed upon protocol between the Board and Council, the Board is responsible for developing the business plan however the Board provides an opportunity to Council to participate in the consultation processes in support of the development of the business plan.