

Table CR:XX – Policy Number CR:XX – Complaints Involving the Chief of Police or a Deputy Chief of Police

<b>CR:XX COMPLAINTS INVOLVING THE CHIEF OF POLICE OR A DEPUTY CHIEF OF POLICE</b>	
LEGISLATIVE REFERENCE / AUTHORITY	<i>Community Safety and Policing Act, 2019, section 38(1)(a), section 183(2)</i>
DATE APPROVED	XX
DATE REVIEWED	N/A
DATES AMENDED	N/A
DATE TO BE REVIEWED	2027
REPORTING REQUIREMENT	N/A

**LEGISLATIVE REFERENCE / AUTHORITY**

Section 38(1)(a) of the *Community Safety and Policing Act, 2019*, states that a police service board shall establish policies respecting the administration of the police service.

Section 183(2) of the *Community Safety and Policing Act, 2019*, states that every police board shall establish written procedures regarding the disclosure of misconduct that is alleged to have been engaged in by the chief of police or deputy chief of police of the police service.

**BOARD POLICY**

**Overview**

The Ottawa Police Service Board (the “Board”) recognizes that complaints regarding the conduct of the Chief of Police and any Deputy Chiefs of Police of the Ottawa Police Service (the “Service”) must be addressed through a process which is fair, consistent and credible. The Board is committed to having process which is thorough, confidential, and respectful of participants in the process.

This policy outlines the procedures to be followed in the event that a member or former member of the Service wishes to disclose alleged misconduct of the Chief of Police or a Deputy Chief of Police.

Any form of reprisal which is a consequence of making such a disclosure or seeking advice on the process will not be tolerated.

### **Application**

1. A member or former member of the Service may make a disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police. The identity of persons making the disclosure or referred to in the disclosure will be protected unless to do so would be contrary to the need to fairly and properly investigate.
2. The member or former member may make a disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police directly to the Board.

The disclosure shall be in writing, addressed to the Board Chair, and submitted to the Board office. The complaint should include as much detail regarding the relevant events as possible, including dates, witness names, and any relevant supporting documents.

The Board Chair shall review the complaint and first consider whether the Board must address the matter urgently. The Chair shall ensure that legal counsel is consulted in determining how to address the matters referred to in the disclosure, including whether the interests of fairness require the disclosure of the identity of those making the disclosure or are referred to in the disclosure.

3. Alternatively, the member or former member may disclose allegations of misconduct to the Inspector General if,
  - a. the member or former member has reason to believe that it would not be appropriate to disclose the misconduct in accordance with this policy; or
  - b. the member or former member has already disclosed the misconduct in accordance with this policy and has concerns that the matter is not being dealt with appropriately.
4. The Board Chair, Board members, and Board employees shall take all necessary steps to protect the identity of persons involved in the complaint process. If it is necessary to disclose the identity of any individual involved in the process to ensure fairness, the disclosure will only be made after consultation with the individuals whose identities would be disclosed and only to the extent necessary to achieve fairness.

5. Any correspondence, including electronic correspondence, concerning the alleged misconduct shall be clearly labelled “confidential” and treated as such.
6. No person shall take a reprisal against a member because they have:
  - a. sought advice about making a disclosure about misconduct in accordance with this Policy or under Part XI of the *Community Safety and Policing Act*;
  - b. made a disclosure about misconduct in accordance with this Policy or under Part XI of the *Community Safety and Policing Act*;
  - c. co-operated in an investigation or other process related to a disclosure of misconduct made in accordance with this Policy or under Part XI of the *Community Safety and Policing Act*; or
  - d. sought enforcement of this Policy or Part XI of the *Community Safety and Policing Act*.
7. For the purpose of this Policy, a reprisal is any measure taken against a member of a police service that adversely affects his or her employment or appointment and includes, but is not limited to:
  - a. Terminating or threatening to terminate the person’s employment or appointment;
  - b. Disciplining or suspending or threatening to discipline or suspend the person;
  - c. Imposing or threatening to impose a penalty related to the employment or appointment of the person; or
  - d. Intimidating or coercing the person in relation to his or her employment or appointment

### **Reporting**

8. The Board shall inform the public of any material information related to the application of this policy, while maintaining the confidentiality necessary to protect the integrity of complaint processes and the identity of those who may be involved in the processes.